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The Conference of Chief Justices adopts guidelines to make family courts work for the families they serve

Momentum building to ensure that courts meet the 21st Century needs of families

(Williamsburg, VA, April 10, 2019) – In an important step toward making family courts more user-friendly and less adversarial, the Conference of Chief Justices (CCJ) has adopted new guidelines to help courts evolve to meet changing needs and expectations.

The [new Principles](#) seek to make family courts less adversarial, more efficient—particularly for those individuals who use the courts without the help of an attorney—and more responsive to the needs of the families involved in litigation. “The report findings and the Principles developed from them are critical to enable courts to continue to improve services for the people who rely upon them. The initial study showed us definitively what courts are experiencing every day. A system that requires an adversarial approach and lacks a clear, understandable process is hurting families and adding to a distrust of our courts overall,” said Chief Justice Mark Cady, President-Elect of CCJ and Chair of the Family Justice Initiative. “The ability to track and differentiate cases will allow us to match services with the needs of the litigants, particularly for litigants going through the process without the help of an attorney.” The guidelines were developed as part of the [Family Justice Initiative](#), a partnership between the National Center for State Courts (NCSC), the Institute for the Advancement of the American Legal System (IAALS), and the National Council of Juvenile and Family Court Judges (NCJFCJ). The State Justice Institute (SJI) provided funding.

“We have understood for a while now that the inherently adversarial nature of our historic court structure isn’t the best approach for families experiencing some of their most difficult moments. Couple this reality with the fact that increasing numbers of these families are entering our system without the help of a lawyer, and you’ve got a real recipe for dysfunction,” said Alicia Davis, a Principal Court Management Consultant with the National Center for State Courts. “The critical changes for courts embodied by the new Principles are essential.”

Last year, the Family Justice Initiative produced a seminal report, *Landscape of Domestic Relations Cases in State Courts*, showing that family courts aren't working the way they should to create the best outcomes for families. Included in the report is data showing important points, including:

- 72 percent of cases reviewed involved at least one self-represented party;
- Most cases are uncontested, but contested and uncontested cases took about the same amount of time regardless;
- Many current data systems do not provide judges, lawyers, mediators, and others with enough information to allow them to move cases through the system in an efficient way to help families get the resolution they need.

The Principles developed from these findings and from research derived from innovative programs around the country, were adopted by the CCJ. The Conference of Chief Justices is composed of the Chief Justices in every state and territory. The Principles cover a broad spectrum of improvements to the way domestic relationship cases are handled, including:

- A focus on problem-solving approaches that empower the families involved;
- Development of a pathway triage system that matches services to cases and parties;
- Adoption of technologies that allow for better case management, which should speed case resolution times particularly for the majority of family cases that are uncontested.

"We know what changes families need in order to make domestic courts function better for them. Now we have affirmation of the changes those families need from top judicial officials across the country," said Natalie Knowlton, Director of Special Projects for IAALS. "The changes these Principles embody are essential if courts are to genuinely serve families and if all of us are to maintain our trust in courts in general."

"It is our responsibility as judicial officers to exercise judicial leadership at all levels to effectively marshal innovative and adequate resources for the children and families that come before us," said Judge John J. Romero, Jr., NCJFCJ president. "Because of the complex and unique nature of domestic relations cases, these Principles will help guide judges and court staff to best match parties and cases to appropriate resources and services."

The changes required by the Principles will be piloted at four sites. Those sites are being selected now.

"We are thrilled to begin demonstrating the power of these Principles to transform family courts for the better," said Davis. "We have long understood the changes our system needs in order to achieve better outcomes for families, and with additional training and education, we can now move toward transforming our courts."

The National Center for State Courts, headquartered in Williamsburg, VA., is a nonprofit court organization dedicated to improving the administration of justice by providing leadership and service to the state courts. Founded in 1971 by the Conference of Chief Justices and Chief Justice of the United

States Warren E. Burger, NCSC provides education, training, technology, management, and research services to the nation's state courts.

Founded in 1937, the Reno, Nev.-based National Council of Juvenile and Family Court Judges, is the nation's oldest judicial membership organization and focused on improving the effectiveness of our nation's juvenile and family courts. A leader in continuing education opportunities, research, and policy development in the field of juvenile and family justice, the 2,000-member organization is unique in providing practice-based resources to jurisdictions and communities nationwide.

IAALS is a national, independent research center dedicated to facilitating continuous improvement and advancing excellence in the American legal system. Our mission is to forge innovative and practical solutions to problems within the American legal system.