

**CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS**

Resolution 4

In Support of a Call to Action to Redesign Justice Processes for Families

WHEREAS, the Family Justice Advisory Committee and the Family Justice Initiative (“FJI”) were established in 2017 through the Conference of Chief Justices, the Conference of State Court Administrators, and the National Center for State Courts to study the handling of domestic relations cases in order to present “bold national recommendations” for redesigning justice for families, recognizing the importance of access to justice for families; and

WHEREAS, FJI proceeded in partnership with the Institute for the Advancement of the American Legal System (IAALS) and the National Council of Juvenile and Family Court Judges (NCJFCJ), to study the handling of cases across the country, presented in [*The Landscape of Domestic Relations Cases in State Courts*](#) (October 2018); and

WHEREAS, based on the *Landscape* data, the FJI Advisory Committee set forth thirteen foundational [*Principles for Family Justice Reform*](#) and [*A Model Process for Family Justice Initiative Pathways*](#) (January 2019), emphasizing that courts must direct problem-solving approaches to help resolve family cases through triage and case management, specialized training and close review of case management data and party satisfaction measures; and

WHEREAS, in 2019 the Conference of Chief Justices approved Resolution 3, [*In Support of the Family Justice Initiative Principles*](#), encouraging “courts across the nation to consider them as a worthy guide to improve delivery of justice in domestic relations cases;” and

WHEREAS, FJI has reviewed the implementation of the principles in four pilot court sites and other courts across the country; and

WHEREAS, FJI, after three years of considering the implementation of the Principles nationwide, identified a number of foundational barriers to family justice in state courts, including high caseloads, limited staffing, increased numbers of self-represented parties, complicated procedures and narrow service options; and

WHEREAS, the 2020 pandemic has afforded opportunities for courts to implement positive adaptations and continue to support innovations; and

WHEREAS, the FJI Advisory Committee seeks to support state courts in providing timely access to justice and enhancing the transparency and efficiency of family law processes;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators endorse and encourage their members to implement the following recommendations:

1. Ensure that family law matters receive the same level of prestige and respect as other court matters by providing them with appropriate recognition, training, funding, and strong leadership.
2. Aggressively triage cases at the earliest opportunity.
3. Simplify court procedures so that self-represented parties know what to expect, understand how to navigate the process, can meaningfully engage in the justice system, and are treated fairly.
4. Ensure that self-help information and services are available both in person and remotely so that all litigants can access the full range of court self-help in the manner that is most appropriate for their needs.
5. Offer families a choice of dispute resolution options to promote problem-solving and to minimize the negative effects that the adversarial process has on families during the court process and afterwards.
6. Promote the well-being of families, including implementation of trauma-responsive practices for families and staff, throughout the life of their case and as the primary desired case outcome; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators encourage each state to develop and implement a plan to improve the delivery of family justice; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators request the National Center for State Courts and all partners to take all available and reasonable steps to assist court leaders to implement family court improvements.

Proposed by the Courts, Children, and Families Committee at the CCJ/COSCA 2020 Annual Meeting on July 30, 2020.