

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution V

In Support of Effective Management of Family Law Cases

WHEREAS, the membership of the Conference of State Court Administrators (COSCA) believes that many courts view family disputes through the lens of legal cases to be decided, not as emotionally charged, conflict-laden cases composed of multiple issues needing resolution;

WHEREAS, the COSCA Policy and Liaison Committee drafted a white paper that sets out the shortcomings of the adversarial system in the context of family law cases and advocates a move to embrace an ethic of care and restoration in addressing such cases, and

WHEREAS the white paper advances a number of promising approaches to improve the outcomes in family law cases, and

WHEREAS, potential changes in the way that courts process family law cases involves substantial policy issues that necessarily call for the involvement of the Conference of Chief Justices (CCJ) in discussing the issues raised in the paper;

NOW, THEREFORE, BE IT RESOLVED that the Conference of State Court Administrators adopts the white paper on the Effective Management of Family Law Cases and refers the paper to the Courts, Children, and the Family Committee to advance the recommendations contained therein, and

BE IT FURTHER RESOLVED that in advancing the recommendations of the white paper the Courts, Children and Family Committee of COSCA should initiate an in depth, empirical study of current family law practices and the development of draft national standards that ensure effective family case management, implements an ethic of care and restoration in handling such cases, and provides needed services to families in crisis, and

BE IT FURTHER RESOLVED that a copy of the white paper be forwarded to the President of the Conference of Chief Justices and Judges along with a call that that Conference join in developing a strategic agenda for consideration by both Conferences through the Joint Committee on Courts, Children and the Family.

Adopted as proposed by the Policy and Liaison Committee of the Conference of State Court Administrators in Rockport, Maine at its 54th Annual Meeting on August 1, 2002.