

CONFERENCE OF CHIEF JUSTICES

Resolution 3

In Support of the Family Justice Initiative Principles

WHEREAS, at their 2016 Annual Meeting, the Conference of Chief Justices and Conference of State Court Administrators adopted Resolution 8, In Support of the Call to Action and Recommendations of the Civil Justice Improvements Committee to Improve Civil Justice in State Courts; and

WHEREAS, those recommendations were the result of two years' of research, outreach and deliberations by the Civil Justice Improvements Committee; and

WHEREAS, divorce/dissolution, separation, support, child support, child custody, and similar case types were excluded from the scope of the Civil Justice Improvement Committee's work and are sufficiently different to warrant an independent review; and

WHEREAS, in 2017, the Conference of Chief Justices, the Conference of State Court Administrators and the National Center for State Courts, recognizing the importance of those case types to matters of access to justice, public trust and confidence and the constitutional role of the courts, launched the Family Justice Initiative (FJI) project to evaluate and to improve the way courts handle domestic relations cases; and

WHEREAS, the FJI has proceeded in partnership with IAALS, the Institute for the Advancement of the American Legal System and the National Council of Juvenile and Family Court Judges, and was informed by the Family Justice Initiative Advisory Committee charged with developing guidelines and best practices for domestic relations cases in state courts; and

WHEREAS, the FJI has published [*The Landscape of Domestic Relations Cases in State Courts*](#) (October 2018), the first comprehensive examination of how family court cases are litigated in the state courts. It demonstrates that:

- The majority of cases (72%) involved at least one self-represented party;
- Most cases are uncontested, but contested and uncontested cases took about the same amount of time, fueling the public perception that the legal system takes too long to achieve a meaningful resolution;
- Many current data systems do not provide judges, lawyers, mediators, and others with enough information to address the needs of litigants; and

WHEREAS, the FJI Advisory Committee has now identified the following thirteen [Principles](#) that should guide the rules, procedures, administrative triage and staffing of domestic relations cases in state courts:

Principle 1 – Direct an Approach that Focuses on Problem Solving

Principle 2 – Involve and Empower Parties

Principle 3 – Courts are Safety and Trauma-Responsive

Principle 4 – Provide Information and Assistance

Principle 5 – Use a Service-based Pathway Approach

Principle 6 – Streamlined Pathway

Principle 7 – Tailored Services Pathway

Principle 8 – Judicial/Specialized Pathway

Principle 9 – Implement High Quality Judicial and Court Staff Training / Education

Principle 10 – Identify and Strengthen Community Partnerships

Principle 11 – Improve Ongoing Data Collection, Analysis, and Use of Data to Inform Case Management

Principle 12 – Collect and Analyze User- Evaluation Metrics

Principle 13 – Implement Innovative and Appropriate Technology and

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices endorses the FJI Principles and encourages courts across the nation to consider them as a worthy guide to improve delivery of justice in domestic relations cases;

BE IT FURTHER RESOLVED that the Conference of Chief Justices encourages the National Center for State Courts to take available and reasonable steps to assist court leaders who desire to implement the recommendations, including support of pilot projects as may be identified.

Adopted as proposed by the Courts, Children, and Families Committee at the CCJ 2019 Midyear Meeting on February 13, 2019.