

Family Courts: Studies, Committees and Progress

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Two Studies and a Committee

- Utah Family Court Task Force (12/1994)
- Family Law Initiatives (11/1999)
- Standing Committee on Children and Family Law (4/2000)

Utah Family Court Task Force 1994

- Recommendations
 - Family Court recommended by the Commission on Justice in the 21st Century – 1991
 - Family Court recommended by the Task Force
 - Structural change alone would not accomplish providing better service to families
 - Recommended non adversarial procedure, case management, communication amongst the court, and coordination between the court and agencies

What Happened?

- Statute that combined Circuit and District Court
 - Work began in 1991 to phase in change
 - Transition finalized in 1996
 - This statute presented fundamental structural change to the courts and the Judicial Council did not want to proceed with the Family Court Initiative until that Judicial Article was implemented

Family Law Initiative 1999

- Examined what was working well and should be strengthened and what was not working well and needed improvement
 - The Judicial Council was looking not just for a vote in favor or not in favor of a Family Court but a critical analysis of the issues
 - In the end, the focus was too much on the structural change and made communication and improvements difficult

Standing Committee on Children and Family Law

- Charges resulting from Family Law Workshop (9/99)
- Six Initiatives
 - Improve communication between the courts
 - Statewide mandatory mediation in all contested child custody
 - Appoint GAL in all cases where abuse and neglect is alleged
 - Improve quality and timeliness of custody evaluations
 - Permit parties to submit a statement of the case in lieu of testimony
 - Appoint the standing committee

What has been the progress

- Quarterly meetings of committee– Co-Chairs from different court levels
 - Adoption of Rule 100
 - Mandatory divorce mediation and divorce education
 - GAL in cases where abuse and neglect is alleged
 - Proffer issue discussed and decided not to proceed
 - Improvements to child custody evaluation by adoption of Rule 4-903

What is the Committee working on now?

- Divorce Procedures
- Adoptions
- Youth Charged as an adult
- Special Masters