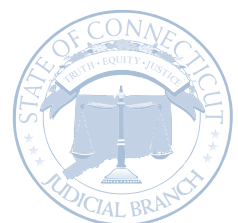


April 2017 Addendum to the

Update On

# The Judicial Branch Family Court Initiatives

(First released in January 2016)

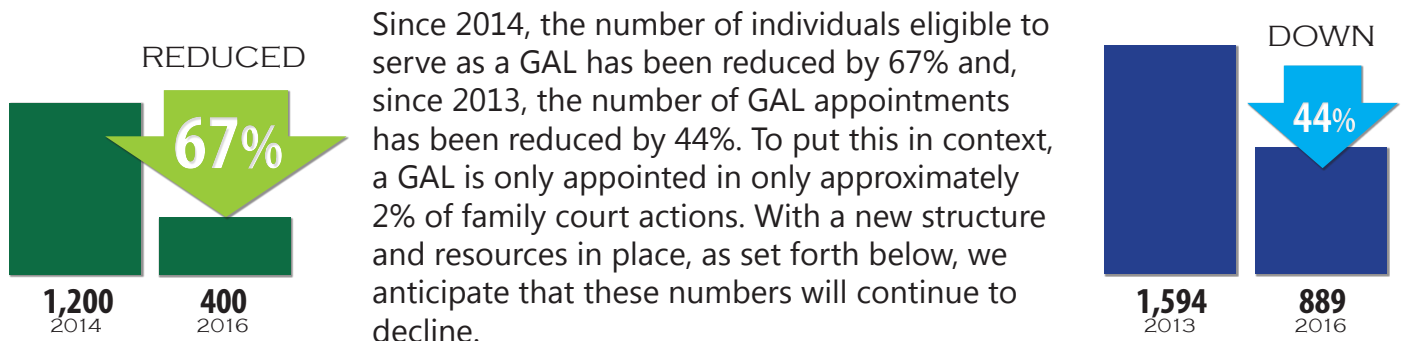


# Status Report on Family Court Initiatives

## from January 2016 to April 2017

*The Judicial Branch continues to reduce costs incurred by parties in family court matters*

- **Reducing the reliance on guardians ad litem**



The cost of GALs has been highlighted as an area of concern. The Branch has addressed this concern with the implementation of a sliding scale fee structure for GALs and the shifting of traditional GAL responsibilities to the Branch's family relations office. The Judicial Branch has prioritized the hiring of family relations counselors to perform specific tasks at no cost to the parties and that may have previously been performed by guardians ad litem.

- **Waiving service of process for a state marshal to deliver a complaint to a party in a divorce**

***H.B. 7196, An Act Concerning Nonadversarial Dissolution of Marriage and the Issuance of a Default in a Matter Involving Dissolution of Marriage, Dissolution of Civil Union or a Legal Separation.*** This bill, among other items, would allow parties to waive service of process, which is the delivery of a complaint to a party by a state marshal for the purpose of providing reasonable notice about a pending action in court. A waiver of service would save litigants the cost of service, which is approximately \$40 plus costs such as mileage, copies, endorsements, etc. In addition to reducing cost, the use of this waiver removes the uncomfortable experience of being served divorce papers by a marshal.

*The Judicial Branch continues to seek ways to reduce the conflict that may occur in family court matters*

- **Intensive Case Management**

The Judicial Branch developed and implemented a free, statewide alternative dispute resolution program for matters with early indications of conflict-driven motions regarding parenting. The focus of Intensive Case Management is to provide parents with a structured process aimed at developing vital skills to move toward more lasting parenting agreements. This includes learning

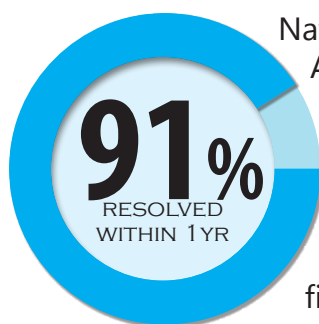
enhanced communication strategies, building better co-parenting relationships, and resolving parenting concerns together. Family relations counselors, who are Judicial Branch employees, provide this service to the parents free of charge. The feedback from participants has been very positive. One participant wrote: "After at least two years of a custody battle with my ex-husband and two separate private pay GALs (not to mention two separate attorneys), things finally got better after I was granted my request for the Conflict Case Management Program."

- **General Case Management**

Family relations counselors also provide early intervention in custody/access matters, coordinate needed services, offer compliance monitoring, and facilitate dispute resolution for parents with pending motions. Every effort is made to address the issues impeding resolution of the conflict, to provide the court with required information, and to assist the families in reaching a parenting plan. Testimony is provided to the court as necessary with the goal of expediting the overall process.

*The Judicial Branch continues to work toward reducing delays and the time it takes in court to resolve a case*

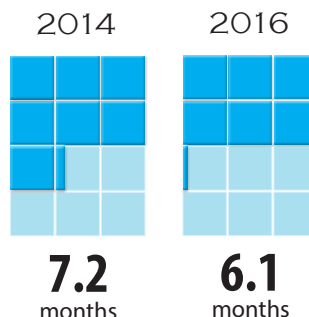
- **Meeting the Standard**



Nationally, the American Bar Association suggests that the disposition of divorce actions should take no more than one year. The Judicial Branch has been working to meet this standard. At the close of fiscal year 2015, 89% of divorces were disposed of within one year.

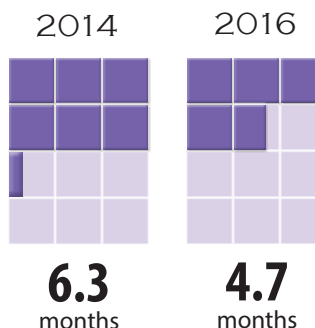
Current statistical data shows that 91% of cases are resolved within 1 year.

**Average Months to Resolution**



The Judicial Branch is also interested in reducing the time spent in court for non-married parties who have custody matters before the court. Current statistical data shows that 92% of custody cases involving non-married parties are resolved within 1 year.

**Average Months to Resolution**

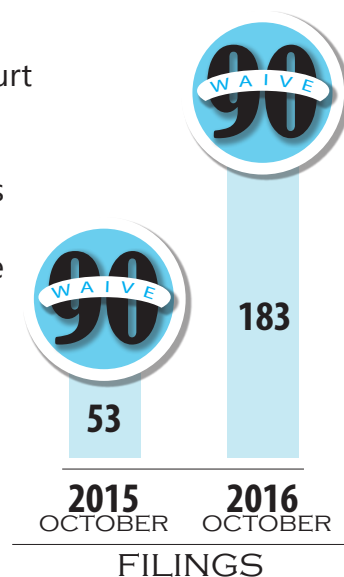


The Branch has and continues to seek out new and innovative ways to facilitate the divorce process, all with the goal of reducing time spent in court, reducing cost and reducing conflict. The following are two new processes that became effective in October 2015.

- **90 day waiting period**

Many parties who come before the court ask for nothing more of the court than the granting of a divorce. Pursuant to Public Act 15-7, parties to a divorce action may request that the court waive the statutorily required 90 day waiting period. By this new process, divorcing couples, so long as they have an agreement, may waive the statutory 90 day waiting period and proceed to get divorced at a time convenient for them, including the same day the action is filed.

In the first year since implementation, nearly 14% of all dissolution actions filed were disposed of by way of this efficient, non-litigious divorce process. The numbers six months into the 2017 fiscal year indicate an increased usage of this process by divorcing couples.



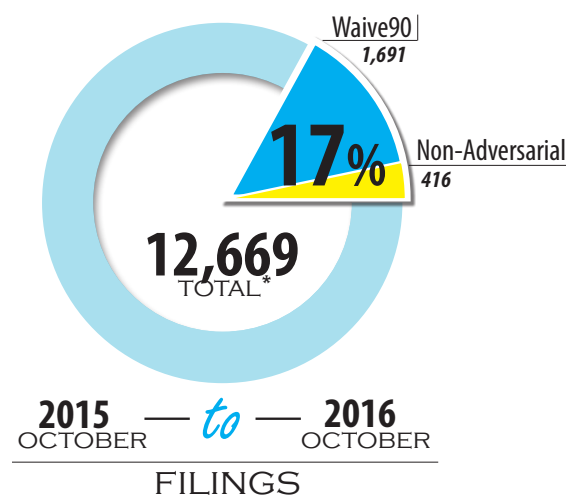
- **Non-Adversarial Divorce (simplified divorce)**

Non-adversarial dissolution of marriage is a simplified process to obtain a divorce without ever having to appear before a judge. Like the “waive 90 process” mentioned above, the number of parties taking advantage of the nonadversarial divorce process has increased.

***H.B. 7196, An Act Concerning Nonadversarial Dissolution of Marriage and the Issuance of a Default in a Matter Involving Dissolution of Marriage, Dissolution of Civil Union or a Legal Separation*** is currently pending in the General Assembly.

The bill would expand who would be eligible to benefit from this process by adjusting the criteria to:

- Increase the duration of the marriage from 8 years to 9
- Increase the combined property value from \$35,000 to \$80,000



\*Includes Dissolutions; Non-Adversarial Dissolution; Legal Separation; Annulment; Civil Union

- **Save parties from having to come to court**

***H.B. 7196, An Act Concerning Nonadversarial Dissolution of Marriage and the Issuance of a Default in a Matter Involving Dissolution of Marriage, Dissolution of Civil Union or a Legal Separation*** allows parties who reach an interim agreement while the case is pending, to have their interim agreement reviewed and approved by the court without having to appear before a judge. As stated earlier, this proposal is pending before the General Assembly.

## *The Judicial Branch continues to enhance consistency, effectiveness, and efficiency*

- **Individual Calendaring**

To enhance consistency, effectiveness and efficiency, the Judicial Branch is evaluating the feasibility of having one judge hear a family matter from start to finish. This is called individual calendaring, which has been piloted in the Norwich Judicial District since October 1, 2015. It is expected that individual calendaring will soon expand to other court locations. Some cases, such as custody and visitation cases, are no longer part of an automatic individual calendar assignment, but a judge may assign any case he or she believes would benefit from such assignment to the program.

## *The Judicial Branch continues to enhance accountability*

- **Guardians ad litem and attorneys for the minor child**

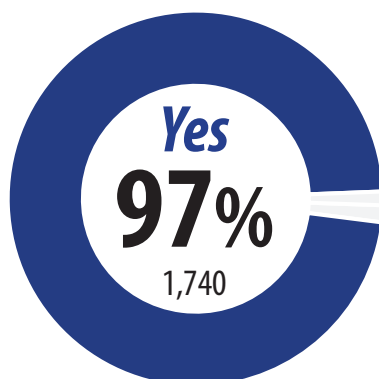
The Judicial Branch implemented improvements to the law regarding the appointment process of guardians ad litem and attorneys for minor children in family matters.

A Practice Book rule that took effect on January 2017 authorizes the chief court administrator to form a standing committee to handle such things as eligibility and qualifications to be a GAL or AMC and the training requirements.

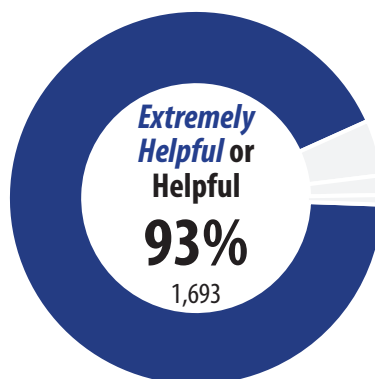
## *The Judicial Branch continues to seek ways to inform parties about how family court cases are processed and what they can expect*

- **Family Volunteer Attorney Program**

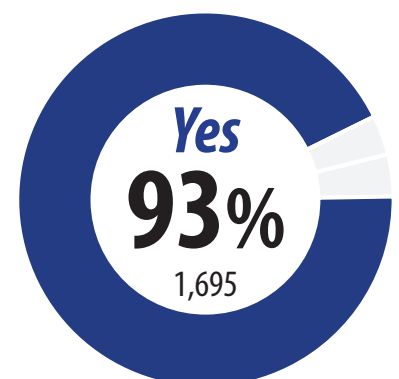
The Family Volunteer Attorney Program continues to be offered based on the availability of volunteer attorneys in Hartford, Waterbury and Stamford. This program offers individuals who are not represented by an attorney the opportunity to meet with a volunteer attorney for advice with their family matters case free of charge.



**Would you Recommend  
this Program**



**Helpfulness of the  
Volunteer Attorney**



**More Prepared in the Courtroom**

- **Divorce Navigator**

The Judicial Branch recently enhanced the information that is available on its website on family matters. To help parties decide which divorce process is best for them, the Branch developed a "Divorce Navigator," an online resource through which parties are asked a series of questions and based on the answers, they are directed to a divorce process that suits their situation.

