

COMMITTEE ON RULES OF PROCEDURE IN DOMESTIC RELATIONS CASES

Goals and Mission Statement:

A. Goals of Committee Members

(These goals were suggested by individual Committee members and are not necessarily the consensus of the Committee.)

- 1) Make an effort to stabilize families early on and reduce time to Temporary Orders;
- 2) Make an effort to differentiate the categories of cases, so different types of cases are treated differently and appropriately;
- 3) Provide closure in cases and address the delay in decision making;
- 4) Address *pro se* litigants' needs to have rules that are understandable and simplified;
- 5) Change attitudes in regard to family law being viewed as the “step-child” of the system—family law litigants should be given the same opportunity to speak in a meaningful context;
- 6) Address current disclosure rules as well as the need for a disclosure statement that is more effective;
- 7) Address the need for time frames and timely disposition of cases;
- 8) Address the issue of notice to the State in IV-D cases;
- 9) Address consistency and uniformity in areas of drug testing and interviewing children;
- 10) Focus on problem solving rather than the adversarial system;
- 11) Address the need for early intervention and require parties to take positions in cases as early as possible;
- 12) Address post-decree processes in the statewide Rules;
- 13) Define “emergency processes;”
- 14) Address the need to have policies and procedures better disseminated and publicized and included in the rules, if possible, and on the web;

- 15) Prioritize serious DR cases, particularly those involving child custody [but see A.R.S. § 25-407A];
- 16) The Motion to Set procedure may increase delay—more active early judicial management may alleviate this concern;
- 17) Provide better coordination of ancillary services for the benefit of litigants;
- 18) Consider relaxing rules of evidence for family law cases;
- 19) Address the need to be cognizant of domestic violence issues in ADR processes to insure the safety of the litigants and any children involved;
- 20) Make greater use of private mediation to address all issues (i.e., Family Mediation Roster in Maricopa County);
- 21) Do not create a separate set of rules for *pro se* litigants;
- 22) Keep in mind and be cognizant of cultural differences among counties as the Committee creates statewide rules;
- 23) Address issues regarding personal identifying information;
- 24) Address confidentiality in pleadings generally, but particularly before service;
- 25) Consider necessary legislative changes.

B. Mission Statement:

The mission of the Committee on Rules of Procedure in Domestic Relations Cases is to establish a comprehensive, statewide set of rules of procedure for domestic relations/ family law cases aimed at achieving fair, effective, uniform and timely resolution of family disputes, using non-adversarial, problem-solving means to the extent possible and appropriate.