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**MODERN COURTS RELEASES REPORT -
*A CALL TO ACTION: THE CRISIS IN FAMILY COURT***

New York, NY – The Fund for Modern Courts today released a report by its Task Force on Family Court entitled, “A Call to Action: The Crisis in Family Court: Recommendations for Leadership and Reform.”

Victor A. Kovner, Chair of Modern Courts, said, “The lack of adequate resources in New York State’s Family Court presents a most difficult task for the judiciary, but it is a challenge that needs to be met. Family Court is the saddest consequence of a poorly designed court system that is in desperate need of restructuring. This report reflects Modern Courts’ concern about the operations of Family Court in New York State, and proposes solutions for many of the problems facing this court. We have shared this report with the Chief Judge and have confidence that he will consider it and act in the best interests of the families who seek justice in our Family Court.”

The report by Modern Courts’ Task Force on Family Court recognizes that without the additional resources, specifically an increased number of Family Court judges, and the restructuring of the court system through a state Constitutional Amendment along the lines proposed by the Special Commission on the Future of the Courts, the reforms Family Court so critically needs will be incomplete. But the Task Force believes that the recommendations contained in this report, if implemented by the court system, will address a significant number of the overwhelming problems confronting Family Court today.

Catherine J. Douglass, Chair of the Task Force, said, “This ‘Call to Action’ outlines recommended reforms grounded upon strong leadership that can and must begin to deliver quality justice in a timely fashion to all families seeking relief in the Family Court.”

The Task Force report offers recommendations in the following areas: administrative leadership, allocation of judicial resources, courtroom control and case management, judicial education and support, resources for litigants, and technology solutions.

The Fund for Modern Courts' Task Force on Family Court was established in the summer of 2008 in order to present to the newly appointed Chief Judge of the State of New York an outline of its recommendations. The Task Force aimed to identify key components for positive change to the Family Court that would not require legislative action.

The critical initial recommendation of the Task Force is that reform can be accomplished only with strong leadership, a comprehensive plan that will provide for systemic changes and innovative programs, and an experienced, effective and efficient management team capable of implementing reforms.

Major recommendations include:

- Establish the position of statewide Deputy Chief Administrative Judge for Family Court.
- Mandate an annual review of the work of each administrative and supervisory judge.
- Assign more judges to Family Court.
- Assign appropriate functions and matters to referees and judicial hearing officers.
- Improve calendaring procedures.
- Establish standards, guidelines and rules to ensure timely progress on cases and to prevent unnecessary adjournments.
- Provide more mandatory training of both new and experienced judges, including pairing of new judges with experienced judges.
- Establish "self help centers" staffed by knowledgeable and informed individuals and equipped with relevant print and electronic resources.
- Recruit, support and collaborate with dedicated *pro bono* counsel panels.
- Improve the technological capability of the courts, providing computer terminals in courthouses for litigants' use.
- Implement a comprehensive data collection system to inform and support the Family Court's strategic goals.

The Task Force interviewed more than 35 participants in the Family Court who currently work, or have worked, in different parts of New York State—from as far west as Chautauqua to as far north as Warren County, and from all five boroughs of New York City. Collectively, those interviewed are intimately familiar with Family Courts in rural, suburban and urban areas of the State. Many have spent their entire professional careers working in Family Court and their dedication and passion to the success of the Family Court system is profound.

In addition, the Task Force recognized that the critical problems facing the New York's Family Court have been reported by a variety of government, bar association and non-government organizations over the past few years. Rather than recreate those important studies, the Task Force enlisted the support of Davis Polk & Wardwell, with the support

and active participation of Modern Courts Board member Amelia T.R. Starr, Esq., to assemble a survey of the relevant past reports on Family Court.

In recognition of the fact that greater access to justice for families and a better managed Family Court system requires far more attorneys to represent litigants in Family Court than exist today, the Task Force proposed that a *pro bono* initiative – the Family Court Clinic – be expanded. This project, with the strong support of then Chief Judge Kaye, was spearheaded in November of 2006 by the Honorable Joseph Lauria, the former Administrative Judge of the New York City Family Court, and William C. Silverman, Esq., of Greenberg Traurig, LLP. The Clinic is a partnership between private firms and the New York City Family Court through which more than 200 *pro bono* attorneys from 17 law firms provide advice and counsel in 30-minute sessions to unrepresented litigants in the Family Court on issues including child support, visitation, custody, guardianship and paternity. The Clinic is now operating in Brooklyn and New York counties. Modern Courts, through its Task Force on Family Court, is committed to supporting the expansion of the Clinic.

The members of the Task Force are Catherine J. Douglass, Chair, Fern Schair, William C. Silverman, Harlan Levy, Sharon Schneier, Robert Newman, Matthew Crosson, and Victor A. Kovner, *ex officio*. Gina Caruso, counsel, and Kathryn Carney Cole, associate, of the law firm of Davis Polk & Wardwell, participated in the interviews and discussion groups, contributed to this report, and provided support to the project, including conducting the research for, and creation of the survey of the relevant past reports on Family Court (Appendix A of the report). The Task Force called upon the Executive Director of the Fund for Modern Courts, Dennis R. Hawkins, and the Deputy Director and Director of Advocacy, Denise Kronstadt, for day-to-day leadership and support, including crucial drafting of documents and conducting of interviews and focus groups.

The Fund for Modern Courts is an independent nonpartisan statewide court reform organization committed to improving the court system for all New Yorkers. Modern Courts supports a judiciary that provides for the fair administration of justice, equal access to the courts, and that is independent, highly qualified and diverse. By research, public outreach, education and lobbying efforts, Modern Courts seeks to advance these goals and to ensure that the public confidence in the judiciary remains strong.

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