



Elkins Family Law Task Force Releases Draft Recommendations *Comments Sought on Over 100 Proposals Made to Improve Access to Justice for Family Law Litigants*

SAN FRANCISCO—The Elkins Family Law Task Force has released over 100 draft recommendations to increase access to justice for family law litigants, ensure fairness and due process, and provide for more effective and consistent family law rules, policies, and procedures.

The 38-member task force, appointed in May 2008 to conduct a comprehensive review of family law proceedings, seeks public comment on the draft recommendations. The task force will review all responses and present final recommendations to the Judicial Council in spring 2010.

“We are at a critical phase in our work,” commented Associate Justice Laurie D. Zelon of the Court of Appeal, Second Appellate District, chair of the task force. “We need to hear from all interested stakeholders about these draft recommendations, and we are open to your thoughts and ideas.

“We have been dedicated to ensuring positive, far-reaching, and meaningful changes in the family courts. Now we need to hear from the parties who use the family courts and whose lives are directly affected, as well as those who work in the family law system. I look forward to the public comment process and to completing the important work of this task force,” Justice Zelon said.

The public comment period is October 1, 2009, through December 4, 2009. The draft recommendations and an online comment form are available at www.courtinfo.ca.gov/jc/tflists/elkins.htm. In addition, the task force will hold two public hearings to receive in-person comments on the draft recommendations. The public hearings will be held on Thursday, October 22 in San Francisco, and on Tuesday, October 27 in Los Angeles. For information and to sign up to participate in the public hearings, go to www.courtinfo.ca.gov/jc/tflists/elkins.htm.

The draft recommendations address 21 different topics, including the right to present live testimony at hearings, expanding legal representation, streamlining family law forms and procedures, enhancing safety, and providing clear guidance through rules of court.

The task force seeks to create a road map for making the processing of family law cases more effective while addressing barriers to justice. During its public meetings and in its surveys, the task force heard from many family court participants who were frustrated with the family law system and who believed that they were not given an opportunity to fully present their cases to judicial officers. The task force also heard from judges, attorneys, and court personnel who expressed frustration with the lack of adequate resources devoted to family law.

The task force was appointed in response to a California Supreme Court opinion, *Elkins v. Superior Court*, 41 Cal.4th 1337, filed August 6, 2007. The ruling recommended that the Judicial Council establish a task force to study and propose measures to assist trial courts in achieving efficiency and fairness in marital dissolution proceedings and to ensure access to justice for litigants, many of whom are self-represented. The court said that “special care might be taken to accommodate self-represented litigants” and suggested that “rules could be written in a manner easy for laypersons to follow, be economical to comply with, and ensure that a litigant be afforded a satisfactory opportunity to present his or her case to the court.”

Comment forms may also be submitted by e-mail, fax, or regular mail:

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Contact information must be included with the comments. All comments will be submitted to the task force and be made available to the public.

Information regarding the task force is available at www.courtinfo.ca.gov/jc/tflists/elkins.htm

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