

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee  
Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs  
Rita Mah, Senior Attorney, 415-865-7670, rita.mah@jud.ca.gov

DATE: September 11, 2006

SUBJECT: Family Law: Family Court Matters (adopt Cal. Stds. Jud. Admin., std. 5.30)  
(Action Required)

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Issue Statement

Family Code section 2330.3 requires the Judicial Council to adopt a standard of judicial administration that sets forth a minimum term for judicial assignments to the family court and provides that marital dissolution actions shall, to the greatest extent possible, be assigned to the same superior court department so that all decisions in a case are made by the same judicial officer. Proposed standard 5.30 of the California Standards of Judicial Administration<sup>1</sup> would comply with the requirements of Family Code section 2330.3 and would address concerns about the family court that were reported in the *2005 Trust and Confidence in the California Courts—A Survey of the Public and Attorneys* (Public Trust and Confidence Survey) by providing guidance to courts in family court operations.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2007, adopt standard 5.30 of the California Standards of Judicial Administration to provide a statewide standard in family court operations.

The proposed standard is attached at pages 7–11.

Rationale for Recommendation

Senate Bill 389 (Stats 1996, ch. 56), operative on July 1, 1997, enacted Family Code section 2330.3, which required that all dissolution actions, to the greatest extent possible,

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<sup>1</sup> This standard was numbered as proposed section 23 when it was circulated for comment. However, at the June 30, 2006 meeting, the Judicial Council approved the reorganization and renumbering of the California Rules of Court and Standards of Judicial Administration as well as new nomenclature for referring to individual standards. For the proposed standard to be consistent with the newly revised Standards of Judicial Administration, it is now referred to and numbered as standard 5.30.

be assigned to the same superior court department for all purposes through final judgment. Family Code section 2330.3(b) mandated that the Judicial Council adopt a standard of judicial administration that prescribes a minimum length of judicial assignment to a family court.

This proposal seeks to implement this legislative mandate by recommending that in a court with a separate family court, the presiding judge of the superior court should assign judges to the family court for a minimum term of three years. In addressing the legislative mandate, the Family and Juvenile Law Advisory Committee sought to mirror, as much as possible, section 24<sup>2</sup> of the Standards of Judicial Administration on juvenile court matters, which recommends a minimum three-year assignment for juvenile court judges.

As with section 24 for juvenile court matters, proposed standard 5.30 would provide guidance to courts for enhancing the handling of inherently complex family court matters. Proposed Standard 5.30(a) encourages the presiding judge to consider, when making judicial assignments to the family court, a judge's preference and experience in family law litigation and mediation, in addition to factors listed in rule 6.603(c)(1)(A)<sup>3</sup> of the California Rules of Court. It also suggests that the presiding judge give priority to those judges who have expressed an interest in the family court assignment.

Additionally, standard 5.30 would encourage the practice of assigning multiple family law actions related to the same family to the same judicial officer. Family Code section 2330.3(a) requires the assignment of dissolution actions, to the greatest extent possible, to the same department for all purposes so that the same judicial officer makes all decisions in a case through final judgment. The legislative purposes in enacting Family Code section 2330.3(a) were to expedite and simplify the dissolution process and make it both less complex and less expensive. The Legislature also sought to encourage greater judicial supervision of cases involving dissolution of marriage. This proposed standard would provide guidance that, to the greatest extent possible, all family law actions related to the same family should be assigned to the same superior court department for all purposes. The Legislature anticipated that these procedures in dissolution actions would result in potential savings to the courts.

The proposed standard also recognizes the significant role that the presiding judge and supervising family court judge can play in educating other judges about the importance of family court and in ensuring sufficient staffing, resources, and adequate facilities in family court. The proposed standard would encourage the supervising judge of the family court to take a leadership role in elevating the status of family law court by (1) encouraging court-appointed attorneys and court staff to attend appropriate training programs that emphasize family law and procedure; (2) taking the necessary steps to ensure that court-appointed counsel for children in family law matters are compensated at a level

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<sup>2</sup> Effective January 1, 2007, this standard will be numbered 5.40.

<sup>3</sup> Effective January 1, 2007, this rule will be numbered 10.603.

equivalent to counsel appointed in comparable types of cases; and (3) promoting access to information about family law resources for attorneys and self-represented litigants.

The proposed standard would further recognize the unique role of family court judges by encouraging family courts to take an active role in coordinating cases involving the same families and in promoting resources, services, and other efforts to address the needs of families in the family court system.

As in existing section 24, standard 5.30 would include advisory committee comments that offer additional guidance to courts in specific areas outlined in the standard.

#### Alternative Actions Considered

The proposed standard is necessary to comply with Family Code section 2330.3, which was operative on July 1, 1997, and to establish a statewide standard for family courts. The Family and Juvenile Law Advisory Committee considered proposing a rule of court but decided that a standard would be more appropriate, in that it would provide guidelines, rather than imposing requirements on courts. Guidelines would give courts needed flexibility to respond to budget constraints and other local conditions that may affect their ability to immediately accomplish the goals set forth in the standards.

#### Comments From Interested Parties

The invitation to comment on the proposal to adopt standard 5.30 was circulated from April 24, 2006, through June 23, 2006, to the standard mailing list for family and juvenile law proposals, as well as the regular rules and forms mailing list. This distribution list includes judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals.

#### *Comments from family law attorneys, mediators, court staff, and court users*

The proposal received 17 comments, of which 16 agreed with the proposed changes and 1 agreed with the proposal only if it is modified. A chart summarizing the comments and the committee's responses is attached at pages 12–18.

All commentators supported the proposed three-year minimum term for judicial assignments in family court. Most praised the proposal as a long-overdue change and emphasized the importance of family courts and the role of the family court judge. One commented that a minimum term for family court judges would “ensure continuity and provide subject matter expertise.” Another commentator noted that this proposal was “a welcome and long-overdue step in the right direction. I commend the Committee for its careful analysis, clear vision, and strong language in supporting the commitment of the courts to family law.”

One commentator suggested an incentive for serving a minimum term in family court: that the judge receive priority consideration for his or her assignment of choice immediately after the family court assignment. The committee believes that the standard,

which incorporates rule 6.603(c)(1)(A) of the California Rules of Court, addresses this possibility. This rule requires a presiding judge to consider a judge's interests and other appropriate factors in making judicial assignments, and does not preclude consideration of future assignments.

One commentator suggested adding to the supervising judge's responsibilities: encouraging qualified family lawyers to apply for the bench and supporting their appointments in whatever way is consistent with their judicial responsibilities. The committee did not believe that adding the support of individual judicial candidate appointments would be an appropriate responsibility of a supervising judge in family court.

Three commentators emphasized that more funding needs to be allocated for judges, court resources, staff, interpreters, court-appointed counsel, family court services, resource centers, and training to ensure compliance with this proposed standard; promote public trust and confidence in the court; and protect families and children who are most vulnerable when they seek protection and relief in court. The standard encourages appropriate staffing and resources in family courts. The committee recognizes that funding is a concern and thus proposes a standard rather than a rule of court.

One commentator suggested that subdivision (f), regarding the unique role of a family court judge, did not seem significant and should be eliminated. However, several other commentators emphasized the unique role of the family court judge and the importance of providing active leadership in the courts and its communities. The committee believes that subdivision (f) is important because it provides guidance to the presiding judge and the family court on the various ways the court is encouraged to provide active leadership in its community.

*Comments from the Executive Committee of the Trial Court Presiding Judges Advisory Committee (TCPJAC/EC)*

On July 6, 2006, the Executive Committee of the Trial Court Presiding Judges Advisory Committee (TCPJAC/EC) considered this proposal giving specific attention to the proposed three-year minimum term and recommended a two-year minimum term. TCPJAC members acknowledged the advantages of recommending a minimum term in the family court assignment and the need to implement the legislative mandate for establishing a suggested minimum term.

Some of the presiding judges noted that in their courts family court judges are currently appointed with the expectation of a minimum three-year commitment. Members noted that it takes at least six to nine months to master the family court assignment; that the benefits of such training and education are maximized and realized in the second and third years; and that the importance of providing continuity and a well-seasoned family court judge cannot be underestimated in identifying issues affecting the lives of families and children.

One member stated that a minimum term should eventually apply to all divisions, including criminal, traffic, probate, and civil, since all divisions of the court are important and deserve high-quality judges.

However, some members of the TCPJAC Executive Committee raised concerns that a suggested minimum three-year term would actually deter many qualified judges from even considering the family court assignment. One member pointed out that the key problem was not the minimum years suggested for the family court assignment but finding the “right judge” for the assignment. Many judges enjoyed the family court after serving a year in the assignment and voluntarily continued to serve longer terms in family court or return to family court in future assignments.

Some members anticipated that they would encounter more difficulty in recruiting a quality judicial officer for the complex and emotionally charged family court assignment if the suggested minimum term were set at three years. The TCPJAC Executive Committee recommended two years for the minimum term suggested in the standard. Members believe that setting the term at “not less than two years” would increase the potential pool of interested candidates and encourage previously assigned family court judges to return to the family court. The TCPJAC Executive Committee suggested that setting the term at two years would not preclude a court from offering a longer assignment.

Although the Family and Juvenile Law Advisory Committee understands the concerns expressed by the TCPJAC Executive Committee about the difficulties that may be encountered in recruiting judges for a minimum three-year assignment in family law, it recommends that the Judicial Council adopt the proposed standard with a suggested three-year minimum term. While some members of the Family and Juvenile Law Advisory Committee believe that a minimum two-year term would be appropriate, the committee recommends setting the term at three years both for parity with the juvenile standard, section 24, and to address concerns raised in the *2005 Trust and Confidence in the California Courts—A Survey of the Public and Attorneys*.

The standards are not requirements but rather are suggested guidelines that the courts should strive to meet. Section 24(a) of the standards, Assignments to Juvenile Court, adopted effective July 1, 1989, suggests a minimum three-year assignment for juvenile court judges. The Family and Juvenile Law Advisory Committee believes that the juvenile court assignment presents many of the same challenges as the family law assignment regarding recruitment and retention. While the courts may not always meet the goal of three year assignments in juvenile court, the committee believes that the standard has improved the quality of justice in the juvenile courts over the past 17 years.

The Public Trust and Confidence Survey results indicate that family court is one of the areas in which the public felt that the courts could improve their services. Family law is

complex, and the issues presented in the family court can require that a judge not only know family law and procedure but also other areas of law, such as tax, immigration, bankruptcy, business, real property, and criminal. Suggesting a minimum three-year assignment in family law helps ensure that experienced family law judges are available to hear these important cases. The committee believes that the proposed standard is a good first step in addressing the issues that the public raised about the family court in the Public Trust and Confidence Survey and in implementing the legislative mandate of Family Code section 2330.3.

In addition to the discussion related to the minimum term, one TCPJAC Executive Committee member suggested that subdivision (f), regarding the unique role of a family court judge, should be eliminated. However, several other members supported this provision and suggested rewording subdivision (f) to clarify that the family court judges collectively, rather than individually, would share in these goals subject to any ethical constraints. The Family and Juvenile Law Advisory Committee replaced “family court judge(s)” with “family court” and added the limitation that the family court role should not “violate any ethical constraints.”

The TCPJAC Executive Committee also suggested that subdivision (f)(8) be revised because the collaboration- and case management-related tasks were included in other rules and standards. The Family and Juvenile Law Advisory Committee eliminated the portions related to collaboration with other assignments and replaced the language with “Manage cases more efficiently and effectively to avoid conflicting orders.”

The TCPJAC Executive Committee suggested that subdivision (f)(9) be revised to clarify that it was a goal rather than a mandate to complete cases in a timely manner. The Family and Juvenile Law Advisory Committee replaced “Take an active role in ensuring that cases are completed in a timely manner” with “Take an active role to promote completion of cases in a timely manner” to clarify this goal.

The proposed standard 5.30 is attached at pages 7–11. Family Code section 2330.3 is attached at page 19.

#### Implementation Requirements and Costs

Implementation of this standard will significantly enhance the processing of family law cases with more experienced and better trained judicial officers, court staff, attorneys, and service providers. Any additional costs to the courts in implementing these standards would be offset by potential savings from standardized operations and continuity provided by a longer term judicial assignment. More efficient processing of family law cases should reduce the number of unnecessary hearings, multiple proceedings, and conflicting orders, thereby reducing court workload and improving the court process for litigants.

Attachments

Standard 5.30<sup>1</sup> of the California Rules of Court, Standards of Judicial Administration would be adopted, effective January 1, 2007, to read:

1 **Standard 5.30<sup>1</sup>. Family court matters**

2  
3 **(a) Judicial assignments to family court**

4  
5 In a court with a separate family court, the presiding judge of the superior  
6 court should assign judges to the family court to serve for a minimum of  
7 three years. In selecting judges for family court assignments, the presiding  
8 judge should consider, in addition to rule 10.603(c)(1)(A) of the California  
9 Rules of Court, the judge's prior experience in family law litigation and  
10 mediation, as well as whether the judge prefers to serve in a family law  
11 department.

12  
13 **(b) Case assignment to same department**

14  
15 To the extent possible, family law actions related to the same family should  
16 be assigned to the same judicial officer for all purposes, so that all decisions  
17 that are made in a case through final judgment are issued by the same  
18 judicial officer.

19  
20 **(c) Importance of family court**

21  
22 The supervising judge in the family court, in consultation with the presiding  
23 judge of the superior court, should:

- 24  
25 (1) Motivate and educate other judges regarding the significance of family  
26 court; and  
27  
28 (2) Work to ensure that sufficient judicial officers, court staff, family law  
29 facilitators, child custody mediators and evaluators, interpreters,  
30 financial resources, and adequate facilities are assigned to the family  
31 court to allow adequate time to hear and decide the matters before it.

32  
33 **(d) Compensation for court-appointed attorneys**

34  

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1 The supervising judge of the family court should ensure that court-appointed  
2 attorneys in the family court are compensated at a level equivalent to  
3 attorneys appointed by the court in comparable types of cases.  
4

5 **(e) Training and education**  
6

7 Family court law is a specialized area of the law that requires dedication and  
8 study. The supervising judge of the family court has a responsibility to  
9 maintain high-quality services in family court. The quality of services  
10 provided by judicial officers and court staff depends, in significant part, on  
11 appropriate training and education, from the beginning of the family court  
12 assignment and on a continuing basis thereafter.  
13

14 (1) Family court judicial officers, family law facilitators, child custody  
15 mediators and evaluators, interpreters, other court staff, and court-  
16 appointed attorneys should have sufficient training to perform their jobs  
17 competently.  
18

19 (2) The supervising judge of the family court should promote access to  
20 printed, electronic, Internet, and other family law resources.  
21

22 **(f) Unique role of a family court**  
23

24 Under the direction of the presiding judge of the superior court, the family  
25 court, to the extent that it does not interfere with the adjudication process or  
26 violate any ethical constraints, is encouraged to:  
27

28 (1) Provide active leadership within the community in determining the  
29 needs of, and obtaining and developing resources and services for  
30 children and families who participate in the family law court system;  
31

32 (2) Investigate and determine the availability of specific prevention,  
33 intervention, and treatment services in the community for families who  
34 come before the family courts;  
35

36 (3) Take an active role in helping the court develop rules and procedures  
37 that will result in the ordering of appropriate treatment and services for  
38 children and families;  
39

40 (4) Exercise a leadership role in the development and maintenance of  
41 services for self-represented and financially disadvantaged litigants;  
42

- 1           (5) Take an active part in the formation of a community-wide network to  
2           promote and coordinate private- and public-sector efforts to focus  
3           attention and resources on the needs of family law litigants;  
4  
5           (6) Educate the community and its institutions, including the media,  
6           concerning the role of the family court in meeting the complex needs of  
7           families;  
8  
9           (7) Encourage the development of community services and resources to  
10          assist families and children in the family court system, including self-  
11          help information; supervised visitation; substance abuse and drug  
12          prevention, intervention, and treatment; services for families with  
13          domestic violence issues; counseling; parenting education; vocational  
14          training; mediation; alternative dispute resolution options; and other  
15          resources to support families;  
16  
17          (8) Manage cases more efficiently and effectively to avoid conflicting  
18          orders;  
19  
20          (9) Take an active role in promoting completion of cases in a timely  
21          manner;  
22  
23          (10) Appoint counsel for children in appropriate family law custody cases;  
24          and  
25  
26          (11) Ensure that the best interest of children is served throughout the family  
27          court process.

28  
29   **(g) Appointment of attorneys and other persons**

30  
31   A court should follow the guidelines of standard 10.21 of the California  
32   Standards of Judicial Administration when appointing attorneys, arbitrators,  
33   mediators, referees, masters, receivers, and other persons.

34  
35                                   **Advisory Committee Comment**

36  
37   **Standard 5.30.** Family court matters include proceedings under the Family Code for dissolution  
38   of marriage, nullity of marriage, legal separation, custody and support of minor children; or  
39   actions under the Domestic Violence Prevention Act, the Uniform Parentage Act, the Uniform  
40   Child Custody Jurisdiction and Enforcement Act, Domestic Partner Registration Act, and the  
41   Uniform Interstate Family Support Act; local child support agency actions under the Family  
42   Code; and contempt proceedings relating to family law or local child support agency actions.  
43

1 **Subdivision (a).** This subdivision implements the legislative mandate of Family Code section  
2 2330.3(b) requiring the Judicial Council to adopt a standard of judicial administration prescribing  
3 a minimum length of a judge’s family law assignment. Standard 5.30 sets a standard in family  
4 court that is similar to the juvenile court standards stated in standard 5.40, Juvenile Court Matters.

5  
6 Family law is complex and constantly evolving. The laws concerning child custody, support,  
7 domestic violence, and property division are always changing. Not only does the family law  
8 judge have to understand family law and procedure but also issues that involve bankruptcy, estate  
9 planning, insurance, state and federal tax law, business, immigration, and criminal law, which can  
10 frequently arise in the context of a family law case. Because of the complexity and long-range  
11 impact of the judicial determinations, the presiding judge should strive to place experienced  
12 judges in family law assignments.

13  
14 Considering the constantly evolving changes in the law, as well as the unique nature of the  
15 proceedings in family court, the family court judge should be willing to commit to a minimum  
16 tenure of three years. Not only does this tenure afford the judge the opportunity to become well  
17 acquainted with the complexity of the family court process, but it also provides continuity to a  
18 system that demands it.

19  
20 **Subdivision (b)** This subdivision implements the legislative mandate of Family Code section  
21 2330.3(a), which requires that dissolution actions, to the greatest extent possible, be assigned to  
22 the same superior court department for all purposes, so that all decisions in a case are made by the  
23 same judicial officer. This subdivision expands the Legislature’s requirement by including other  
24 related family court matters, such as those filed under the Uniform Parentage Act, Domestic  
25 Violence Prevention Act, in recognition that the same families may enter the family court through  
26 a variety of actions.

27  
28 The committee recognizes that having the same judicial officer hear all actions involving the  
29 same family may not be practical in all cases for reasons that include funding limitations,  
30 assignment rotations, illness, vacations, and retirements. In some courts, one judge does not hear  
31 all aspects of a family’s legal problems because of multiple courthouse locations or specifically  
32 designated funding of certain issues (e.g., Title IV-D child support issues). However, the  
33 committee agrees with the legislative intent in enacting section 2330.3(a), which was to expedite  
34 and simplify the dissolution process, reduce the litigation expenses and costs, and encourage  
35 greater judicial supervision of cases involving dissolution of marriage. Family law actions often  
36 involve a succession of hearings to resolve the various issues that arise. A single judge’s  
37 involvement over this period of time allows the judge to be more familiar with the particular  
38 actions and issues, which creates judicial efficiencies that expedite their handling. One judge  
39 hearing all actions involving a family also helps avoid conflicting orders, alleviates the need to  
40 hold multiple hearings on the same issue, improves the court process, promotes consistency, and  
41 enhances fairness in family proceedings.

42  
43 **Subdivision (c).** The family court is an integral part of the justice system. Decisions made by  
44 family law judges can have significant and lasting impacts on the lives of the parties and their  
45 children. The work of the family court has a significant impact on the health of families and  
46 ultimately on the strength of the community. The parties deserve to have adequate time to present  
47 their cases, and the judges should have the resources they need to enable them to make informed  
48 decisions. It is only through the constant exertion of pressure to maintain resources and the  
49 continuous education of court-related personnel and administrators that the historic trend to give  
50 less priority and provide fewer resources to the family court can be changed.

1  
2 **Subdivision (d).** Fees paid to court-appointed attorneys who represent children in family court  
3 are sometimes less than the fees paid attorneys doing other comparable legal work thereby  
4 demeaning the work of the family court and leading many to believe that such work is less  
5 important. It may also discourage attorneys from accepting these appointments. Compensation for  
6 legal work in the family court should reflect the importance of the work.

7  
8 **Subdivision (e)(2).** A significant barrier to having well-trained attorneys and educated self-  
9 represented litigants is a lack of current educational materials relating to family court practice.  
10 Law libraries, law offices, and court systems traditionally have not devoted adequate resources to  
11 purchase such educational materials. With advances in technology, resources can be accessed,  
12 shared, developed, or made available through electronic/computer-based, online, and multimedia  
13 means, audiotape and videotape, DVD, CD, Web-based audiocasts and videocasts, and other  
14 media to supplement print materials.

15  
16 **Subdivision (f).** In addition to the traditional role of fairly and efficiently resolving disputes  
17 before the court, a family court judge occupies a unique position within California's judiciary.  
18 California law empowers the family court judge not only to order relief related to the needs of  
19 families under its jurisdiction but also to enforce and review the compliance with such orders.  
20 This oversight function includes the obligation to understand and work with those public and  
21 private agencies that provide services for families. As such, the family court assignment requires  
22 a dramatic shift in emphasis from judging in the traditional sense. Active and public judicial  
23 support and encouragement of programs serving children and families in family court poses no  
24 conflict with traditional concepts of judicial ethics and is an important function of the family  
25 court judge. These efforts enhance the overall administration of justice for families.  
26

**SPR06-31**

**Family Law: Family Court Matters (adopt Cal. Stds. Jud. Admin., std. 5.30 [circulated as § 23])**

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Grace Andres Program Manager Superior Court of Solano County	A	N	<p>The proposed 3-year term for family court judges would ensure continuity and provide subject matter expertise.</p> <p>Provide an incentive to encourage judges to serve a 3-year assignment in family law, such as, giving preference to the judge’s assignment of choice immediately thereafter, if practical.</p> <p>While this proposal is an important first step, it falls short of providing mandates, additional funding, and resources for family courts. Additional identifiable funding for judges, resources, staff, interpreters, court appointed counsel, family court services, resource centers, and training should be allocated to the family court to ensure compliance with this proposed standard. Funding to appoint counsel in family law cases is the bigger obstacle to appointment of counsel, rather than unequal compensation.</p>	<p>No response needed.</p> <p>This standard incorporates rule 6.603(c)(1)(A) (new rule number 10.603(c)(1)(A)) of the California Rules of Court, which requires a presiding judge to consider a judge’s interests and other appropriate factors in making judicial assignments. This standard does not preclude such consideration as an incentive for future assignments</p> <p>The committee recognizes the funding, resource, and staffing concerns, and thus proposes a standard rather than a rule of court. The committee will continue to explore ways to ensure adequate funding for family courts</p>
2.	Sandy Almansa Supervising Legal Clerk II on behalf of the Superior Court of Stanislaus	A	Y	<i>No specific comment.</i>	No response needed.

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
3.	Seigl Armour, MFT Director of Family Court Services Nevada City, CA 95959	A	N	When I first became involved in child custody cases in 1983 as a child custody investigator and as a DPO, the judge rotated every 6 months. The assignment started at one year, then two years and now three years. Three years is the minimum for a judge to fully understand the transition of the family.	No response needed.
4.	Hon. Roger W. Boren Administrative Presiding Justice Court of Appeal, Second Appellate District	A	N	<i>No specific comment.</i>	No response needed.
5.	Hon. Charles W. Campbell, Jr. on behalf of the Superior Court of Ventura County	A	Y	<i>No specific comment.</i>	No response needed.
6.	Rolanda Pierre Dixon Assistant District Attorney Santa Clara County District Attorney's Office San Jose	A	N	<p>This is a wonderful change and one that is long overdue. Family law judges are in a very powerful job. They decide the fate of families, protect victims, and educate the public at large and attorneys who practice in their counties.</p> <p>Also helping to insure that pro per victims get proper representation in court is an issue that domestic violence victims face everyday. Promoting legal aid for these victims is crucial and I believe a true function of the court.</p> <p>A competent family law judge should be in constant contact with the other judges in other courts that handle this same family. This is the only way victims and their children can get</p>	<p>No response needed</p> <p>No response needed.</p> <p>No response needed.</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				appropriate help which is consistent across the system.	
7.	Janet Garcia Manager, Planning and Research Unit on behalf of the Superior Court of Los Angeles County	A	Y	<i>No specific comment.</i>	No response needed.
8.	Ms. Carol Hirsh Custody Mediator (20 years) Family and Children’s Bureau Superior Court of Alameda County	A	N	As a mediator for 20 years, it is extremely valuable for family law judges to serve 3 years (or more) & handle all aspects of a case with the same family providing continuity. Also, it is extremely important for there to be adequate staffing & resources in family court and that court appointed counsel for children be well compensated.	No response needed.
9.	David Gutknecht Principal Management Analyst on behalf of the Superior Court of Riverside County	A	Y	Riverside County Superior Court agrees with the proposed adoption of standard 5.30 (circulated as section 23) of the California Standards of Judicial Administration.	No response needed.
10.	Tressa Kentner Court Executive Officer Superior Court of San Bernardino County  Debra Meyers Chief of Staff Counsel Services Superior Court of San Bernardino County	AM	Y	Agree with the proposal except subsection (f). That subsection does not seem to add anything and could be a source of confusion; and, therefore, should be deleted.	The committee believes that subdivision (f) is important because it provides guidance to the supervising family court judge and presiding judge of the various ways the court is encouraged to provide active leadership within their communities.
11.	Hon. Laura J. Masunaga Superior Court of Siskiyou County	A	N	<i>No specific comment.</i>	No response needed.

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
12.	Joan McCoy Court Appointed Special Advocate CASA of Fresno and Madera Counties Fresno	A	N	<i>No specific comment.</i>	No response needed.
13.	Mike Roddy Chief Executive Officer on behalf of the Superior Court of San Diego County	A	Y	<i>No specific comment.</i>	No response needed.
14.	Maria Schopp on behalf of the Bar Association of San Francisco – Family Law Section	A	Y	<i>No specific comment.</i>	No response needed.
15.	M. Sue Talia Certified Family Law Specialist Danville	A	N	As a Certified Family Law Specialist since 1985, I strongly support the policy contained in proposed standard 5.30 (circulated as section 23) of the California Standards of Judicial Administration. The Advisory Committee comments underscore the critical importance of family law to our society and the recognition of the difficulties inherent in this complex and constantly evolving law.  There is nothing more important to our society than decisions about the welfare of children, where they live, what financial support is made available to them, how their safety is protected be made by well trained, competent and sensitive bench officers.	No response needed.  No response needed.

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**Family Law: Family Court Matters (adopt Cal. Stds. Jud. Admin., std. 5.30 [circulated as § 23])**

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>A family law judge must be able to address the cross over issues such as tax, bankruptcy, business, and interact with many other courts and related fields of law.</p> <p>I particularly agree with the following statement by the Advisory Committee:                      "The family court is an integral part of the justice system. Decisions made by family law judges can have significant and lasting impacts on the lives of the parties and their children. The parties deserve to have adequate time to present their cases, and the judges should have the resources that they need to enable them to make informed decisions. It is only through the constant exertion of pressure to maintain resources and the continuous education of court-related personnel and administrators that the historic trend to minimize the family court can be changed."</p> <p>Traditionally, family law assignment has been given to the judge with the lowest seniority, no experience in the field, which is an extreme disservice to the public. Since complex family law matters can go on for a very long time, this often means that just as a judge has gotten to</p>	<p>The committee recognizes the complexity of issues in family law cases and thus suggests a minimum tenure of three years in the family law assignment in standard 5.30(a) (circulated as section 23(a)) to enable a judge the opportunity to become well acquainted with the various issues in family court.</p> <p>No response needed.</p> <p>The committee recognizes the complexity of issues in family law cases and thus suggests a minimum tenure of three years in the family law assignment, which does not preclude any longer term</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>know the family, it is turned over to someone else, who starts over with little background in the subject matter or the family. A standard which mandates appointments of a minimum of three years [and I'd prefer to see five year assignments] allows the judge to be involved on an ongoing basis. If the judge remains in the assignment, the likelihood of inconsistent orders is reduced, and the likelihood of better results for families increases.</p> <p>It is particularly important to encourage judges with family law backgrounds to take the assignment due to the extreme complexity of legal, procedural, and psychological issues.</p> <p>While it is true that the courts must rely on the Governor to appoint judges, I would add to the supervising judge's responsibilities the admonition to encourage qualified family lawyers to apply for the bench, and support their appointments in whatever way is consistent with their judicial responsibilities.</p> <p>We must give top priority and afford more resources to supporting and protecting families, right along side public safety. We must provide more judicial resources in family court to promote public trust and confidence in the court to protect families and children who are most vulnerable when they seek protection and</p>	<p>assignment including five years.</p> <p>No response needed.</p> <p>The committee declines to add this language to the list of responsibilities for supervising judges. Many supervising judges may not feel comfortable advocating for particular judicial candidates to be appointed to the bench.</p> <p>No response needed.</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				<p>relief from court.</p> <p>Proposed standard 5.30 (circulated as section 23) to the California Standards of Judicial Administration is a welcome and long-overdue step in the right direction. I commend the Committee for its careful analysis, clear vision, and strong language in supporting the commitment of the courts to family law.</p>	No response needed.
16.	Shelly Troop Child Custody Mediator Superior Court of San Joaquin County	A	N	<i>No specific comment.</i>	No response needed.
17.	Diane Wasznicky on behalf of the Executive Committee of the State Bar The State Bar of California	A	Y	We enthusiastically support this standard and hope this standard will encourage qualified bench officers to consider the extremely important assignment of family law judge.	No response needed

**Family Code 2330.3:**

(a) All dissolution actions, to the greatest extent possible, shall be assigned to the same superior court department for all purposes, in order that all decisions in a case through final judgment shall be made by the same judicial officer.

(b) The Judicial Council shall adopt a standard of judicial administration prescribing a minimum length of assignment of a judicial officer to a family law assignment.

(c) This section shall be operative on July 1, 1997.