



# NEWS RELEASE

Release Number: 82

Release Date: December 18, 2007

JUDICIAL COUNCIL OF  
CALIFORNIA  
ADMINISTRATIVE OFFICE  
OF THE COURTS  
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## **New Task Force to Improve Fairness, Efficiency in Family Law Cases**

***Applications Sought by January 18, 2008***

San Francisco – Members are now being sought for the Elkins Family Law Task Force, a new statewide panel that will propose measures to improve efficiency and fairness in family law proceedings and ensure access to justice for litigants, many of whom are self-represented.

Judges, court staff, family law attorneys and others interested in examining family law procedures are encouraged to apply. The deadline is January 18, 2007. Applications may be submitted to the Judicial Council at this link: <http://www.courtinfo.ca.gov/jc/taskforceapply.htm> .

The task force is being formed in response to a recent California Supreme Court opinion, *Elkins v. Superior Court*, 41 Cal. 4th 1337, filed August 6, 2007.

Authored by Chief Justice Ronald George, the unanimous opinion held that marital dissolution trials should proceed under the same general rules of procedure that govern other civil trials. The goal of the rules is to allow litigants their "day in court," including the opportunity to present all relevant, competent evidence, ordinarily through oral testimony.

The ruling further provided: "We recommend to the Judicial Council that it establish a task force, including representatives of the family law bench and bar and the Judicial Council Advisory Committee on Family and Juvenile Law, 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. Such a task force might wish to consider proposals for adoption of new rules of court establishing statewide rules of practice and procedure for fair and expeditious proceedings in family law, from the initiation of an action to postjudgment motions. Special care might be taken to

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accommodate self-represented litigants. Proposed 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."

The task force is expected to meet quarterly beginning next spring for about 12 to 18 months.

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