

Promoting Well-Being in Domestic Relations Court

Understanding Series



NATIONAL JUDICIAL TASK FORCE TO EXAMINE STATE COURTS' RESPONSE TO MENTAL ILLNESS

Understanding Series: Foreword

Divorce, the legal dissolution of a relationship, or child custody-related litigation is one of life's most stressful events, especially when abuse or domestic violence is an element. The process itself can induce trauma not just in the children and parties, but also in judges and court staff who deal with these situations daily. It is common that participants experience a range of mental health conditions during the litigation process, some of which may be situational or temporary, but many of which may already be present and may be exacerbated by the process. In such cases the court should take the responsibility for helping all involved to move through the process as comfortably, calmly and expeditiously as possible.

Experience has shown that judges need better, deeper understanding of the various elements that impact the well-being of individuals and families, as well as themselves and their staffs, in order to be most effective at dealing with such cases. This "Understanding Series" is an effort to give judges and staff the knowledge and tools that will make their work in domestic relations cases more fulfilling and less stressful while improving family well-being in such cases.

The series represents the work of the Promoting Well-Being in Domestic Relations Court Committee, a collaboration between the Cady Initiative for Family Justice Reform and the National Judicial Task Force to Examine State Courts' Response to Mental Illness, formed to:

Promote the well-being of families, including implementation of trauma-responsive practices for families and staff, throughout the life of their case and as the primary desired case outcome.¹

The committee comprises a multidisciplinary, expert panel of judges, social workers, behavioral health specialists, researchers, attorneys, anti-domestic-violence advocates, and court administrators.

The goal of this series is to advance judges' and staff's knowledge and to set forth best practice approaches to helping judges and staff recognize and address most effectively to the trauma, mental health conditions and domestic violence that are evident in the cases before them. Organizations such as the [National Council of Juvenile and Family Court Judges](#), the [National Center on Domestic Violence, Trauma and Mental Health](#), the [National Child Traumatic Stress Network](#) and others have studied trauma extensively.

¹ CCJ/COSCA (2020). Resolution 4: In Support of a Call to Action to Redesign Justice Processes for Families. Recommendation 6. Retrieved from https://ccj.ncsc.org/__data/assets/pdf_file/0023/51197/Resolution-4-In-Support-of-a-Call-to-Action-to-Redesign-Justice-Processes-for-Families.pdf



The Understanding Series is not a comprehensive treatise but a point of entry. Each chapter addresses an aspect of the knowledge that judges should acquire to perform at their best when dealing with such cases. The chapters also contain resource links where readers can deepen their understanding and application of various concepts or techniques.

Chapters

- [Chapter 1: Understanding Well-Being in Domestic Relations Court](#)
- [Chapter 2: Understanding Trauma, its Impacts and How to Create a Trauma-Responsive Court](#)
- [Chapter 3: Understanding the Spectrum of Mental Health Conditions](#)
- [Chapter 4: Understanding the Impact of Mental Health Conditions on Parenting Capacity](#)
- [Chapter 5: Mitigating the Risk of Children's Adverse Experiences During and Following Divorce](#)
- [Chapter 6: Understanding the Benefits of Early Case Intervention](#)

Professionals Involved

Systems change at the intersection of Domestic Relations, Domestic Violence and Behavioral Health requires the input of a broad convening of professionals from various disciplines. We are grateful to the partners of the Cady Initiative for Family Justice Reform for contributing their knowledge in this area, and their recommendations for its success: IAALS, the Institute for the Advancement of the American Legal System; the National Council of Juvenile and Family Court Judges (NCJFCJ) and the Association of Family and Conciliation Courts (AFCC).

The Understanding Series would not be possible but for the contributions of these professionals:

Chairs: Hon. Bruce R. Cohen, Family Department Presiding Judge, Maricopa County Superior Court, Phoenix, Arizona; and Kent Batty, National Judicial Task Force to Examine State Courts' Response to Mental Illness, Arizona Administrative Office of the Courts, Tucson, Arizona.

- Hon. Gayl Branum Carr, District Court Judge, Fairfax, Virginia
- Janice Garceau, Deputy Director, Deschutes County Behavioral Health, Bend, Oregon
- Joi Hollis, PhD, Director, Family Center of the Conciliation Court, Arizona Superior Court in Pima County, Tucson
- Andrea Jones, MSW, RSW, Office of the Children's Lawyer, Toronto, Canada
- Anadelle M. Martinez-Mullen, JD, Director of SAFeR, Battered Women's Justice Project, Jacksonville, Florida
- Hon. Amy McFarland, District Court Judge, McClean, Illinois
- Mindy Mitnick, EdM, MA, Licensed Psychologist, Minneapolis, Minnesota
- Hon. Keven O'Grady, District Court Judge, Olathe, Kansas
- Michael Saini, PhD, Professor, University of Toronto, Canada
- Dawn Stover, Executive Director, Alliance of Tribal Coalitions to End Violence, Norman, Oklahoma
- Gene Valentini, Director, Office of Dispute Resolution for Lubbock County, Texas

- Carole Warshaw, MD, Director, National Center on Domestic Violence, Trauma and Mental Health, Chicago, Illinois

NCSC Staff

- Alicia Davis, JD, Project Director, Cady Initiative for Family Justice Reform, Boulder, Colorado
- Miguel Trujillo, MPP, Court Consultant, Denver, Colorado