

**REPORT OF THE
JUDICIAL COUNCIL OF VIRGINIA**

Interim Report on the Family Courts in Virginia

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



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**COMMONWEALTH OF VIRGINIA
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EXECUTIVE SECRETARY
ROBERT N. BALDWIN
ASST. EXECUTIVE SECRETARY
FREDERICK A. HODNETT, JR.
CHIEF INFORMATION OFFICER
KENNETH L. MITTENDORFF

SUPREME COURT OF VIRGINIA
ADMINISTRATIVE OFFICE
THIRD FLOOR
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219-2334

(804) 786-6455

FACSIMILE

(804) 786-4542

WWW.COURTS.STATE.VA.US

DIR., DISPUTE RESOLUTION SERVICES
GEETHA RAVINDRA
DIR., EDUCATIONAL SERVICES
GUY K. TOWER
DIR., FISCAL SERVICES
JOHN B. RICKMAN
DIR., HUMAN RESOURCES
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KARL R. MADE
DIR., JUDICIAL PLANNING
KATHY L. MAYE
DIR., LEGAL RESEARCH
STEVEN L. DALLE MURA
DIR., TECHNICAL ASSISTANCE
PAUL F. DELOSH

October 22, 2004

TO: The Honorable Mark R. Warner
Governor of Virginia

and

General Assembly of Virginia

FROM: Robert N. Baldwin

SUBJECT: Family Courts

The provisions of Chapter 4 of the 2004 Acts of Assembly, Special Session I, Item 25F, state that the Judicial Council of Virginia shall evaluate and make recommendations on the funding, resources, and statutory changes required to implement a system of family courts in Virginia pursuant to the provisions contained in Chapter 929 and 930 of the Acts of Assembly of 1993. Further, that section provides that the Judicial Council of Virginia shall report its findings to the Governor and the General Assembly by November 1, 2004. In accordance with this directive, the Judicial Council of Virginia has commenced this study. As part of this process, the Council consulted with the patron of this proposal in order to gain a clear sense of the review anticipated. Based upon these discussions, it was determined that two distinct activities were envisioned. First, the original legislative enactments contained in Chapters 929 and 930 of the Acts of Assembly of 1993 should be updated taking into account the numerous changes to the Code during the intervening years. In addition, all reports identifying the number of judges, clerks' office personnel, and funding which would be required to implement this system of family courts should be brought current. This first step is well underway and should be completed by December 13, 2004.

In order to conduct the evaluation mentioned in the Appropriations Act, a second phase of this study must be undertaken. The updated original proposal should be reviewed by a broad group of judges, clerks, and domestic relations attorneys. In order to satisfy this requirement, Chief Justice Leroy Rountree Hassell, Sr. will appoint a task force which will evaluate the original proposal and make recommendations to the Judicial Council of Virginia. This process will take place during 2005 and a report will be made at the conclusion of the evaluation stage which should be during the fall of 2005.

Hopefully, this memorandum provides a report on the status of this work as well as an outline of the work to be completed in the coming months. If there are any questions, please do not hesitate to contact me.