

# Family Justice Initiative



## Family Justice Initiative

The Landscape of Domestic Relations Cases in State Courts

*Texas Judicial Council*

*June 28, 2019*

# Landscape of Domestic Relations Cases in State Courts

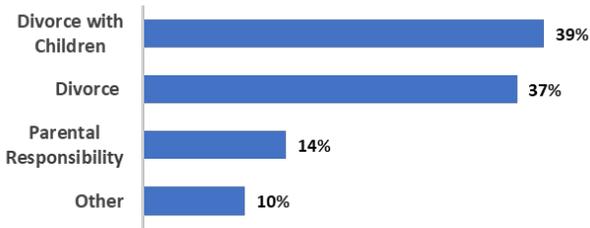
July 2016 to June 2017



## Filings

**4.5 MILLION** (estimated) domestic relations cases were filed in 2016.

**Three-quarters** of petitions involved **divorce** cases, just over half of which involved children.



**64%** of cases were **uncontested**.

Cases involving **children** and **reopened** cases were more likely to be contested, but more than half were **uncontested**.



**1 in 5** cases were **reopened** cases.



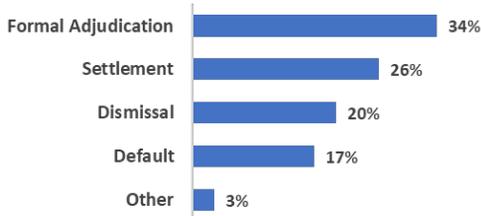
In many courts, the majority of litigants did not have legal representation.

**72%** of cases involved at least **1 self-represented** party.

## Disposition

- **Meaningful case events** such as pretrial conferences and in-court hearings were **held infrequently**, even in contested cases.
- A **very small** proportion of cases involved traditional adversarial process of lawyers presenting evidence and legal arguments.
- The majority of cases **did not involve a formal adjudication**.

Case Status	Pretrial Conferences	Hearings
Uncontested	33%	16%
Contested	53%	44%



## Time to Disposition

**75%** of contested cases were disposed within 12 months, while the same percentage of uncontested cases resolved within 8 months.

Months to Disposition – 75% of Cases



The *Model Time Standards for State Trials Courts* recommend that 75% of divorce cases be disposed within **4 months**, not including statutory waiting periods.

Data and findings from [Family Justice Initiative. The Landscape of Domestic Relations Cases in State Courts](#). National Center for State Courts, 2018.



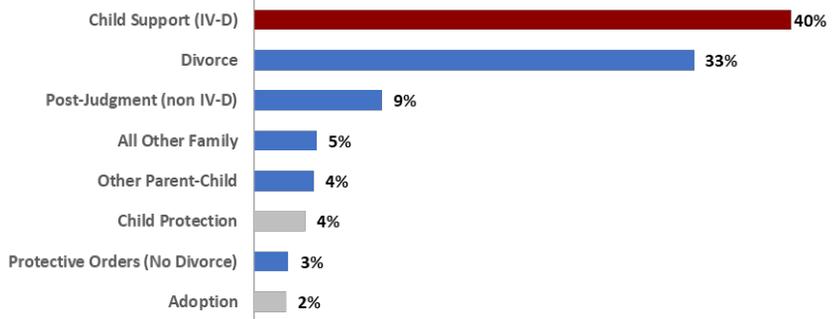
# Family Law Cases in Texas

September 2017 to August 2018



**380 THOUSAND** new family law cases were filed in 2018, accounting for 20% of district court and 3% of county court at law caseload.

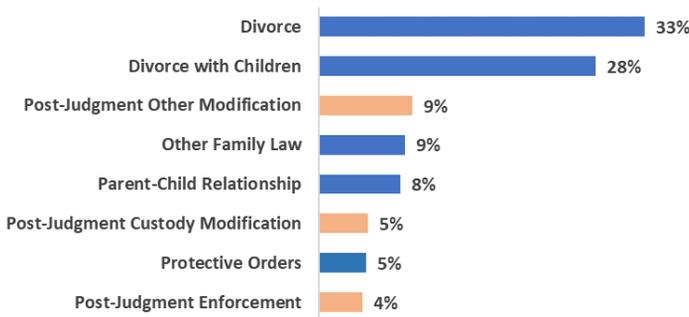
**Domestic relations** cases accounted for 54% of cases, and **IV-D child support** cases accounted for 40%.



## Domestic Relations Cases

### Filings

More than **60%** of domestic relations cases were new **divorce** cases, 46% of which involved children.



**1 in 5** cases were **reopened** cases.

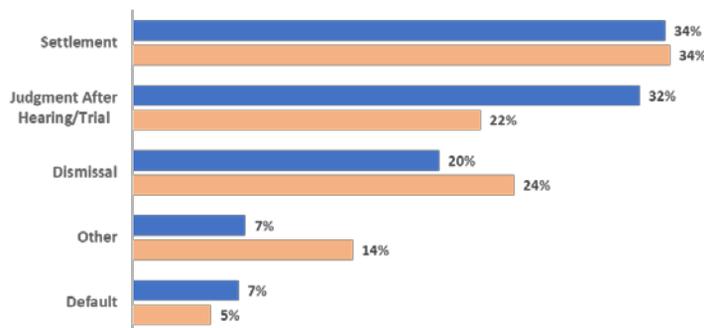


**40%** of petitioners were **self-represented** at the time of filing.



### Disposition

The majority of cases **did not involve a formal adjudication**. **New** and **reopened** cases were equally likely to be disposed by **settlement**, while **new** cases were more likely than reopened cases to be disposed after a **hearing or trial**, and **reopened** cases were slightly more likely to be **dismissed**.



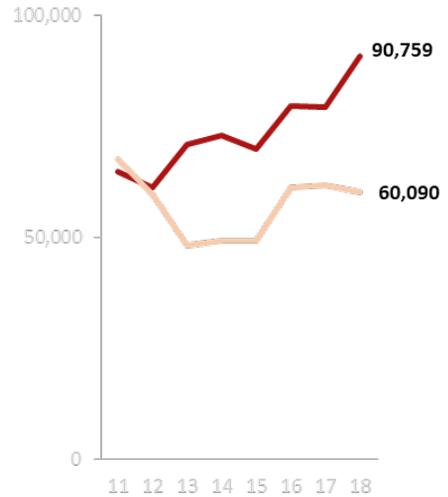


## IV-D Child Support Cases

### Filings

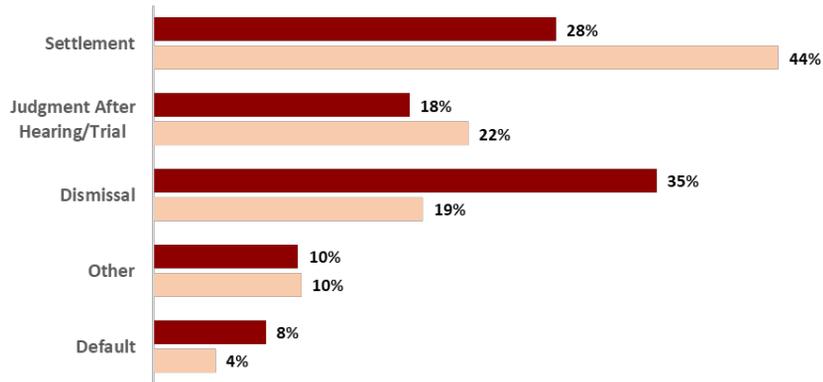
The number of **new** IV-D suits filed increased by 25 percent over the last 5 years.

**2 in 5** cases filed were **reopened** cases.



### Disposition

The majority of cases **did not involve a formal adjudication**. **New** cases were most likely to be dismissed while **reopened** cases were more likely to settle. A formal adjudication was slightly more likely in a **reopened** case.



### Time to Disposition

All Family Law Cases

**58%** of all family law cases were disposed within 6 months and **81%** were disposed within 12 months.

*State law requires a 60 day waiting period from the date a divorce suit is filed until the court may grant a divorce.*

