

Family Justice Initiative



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The Landscape of Domestic Relations Cases in State Courts

Texas Judicial Council

June 28, 2019

Landscape of Domestic Relations Cases in State Courts

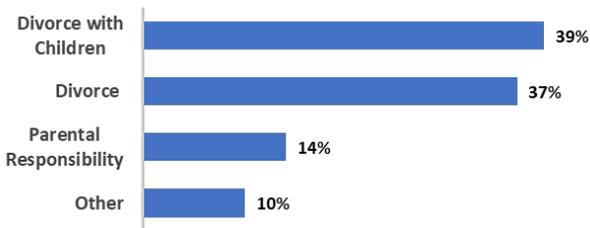
July 2016 to June 2017



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.



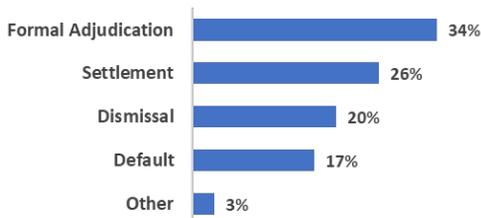
In many courts, the majority of litigants did not have legal representation.

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.



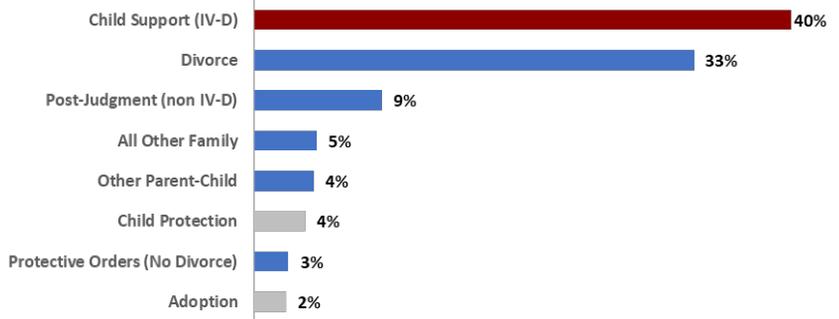
Family Law Cases in Texas

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.

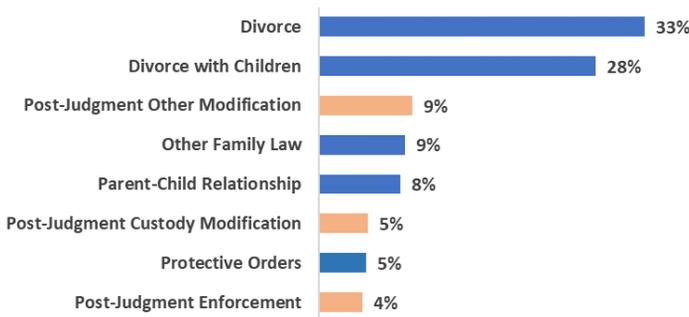
Domestic relations cases accounted for 54% of cases, and **IV-D child support** cases accounted for 40%.



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.

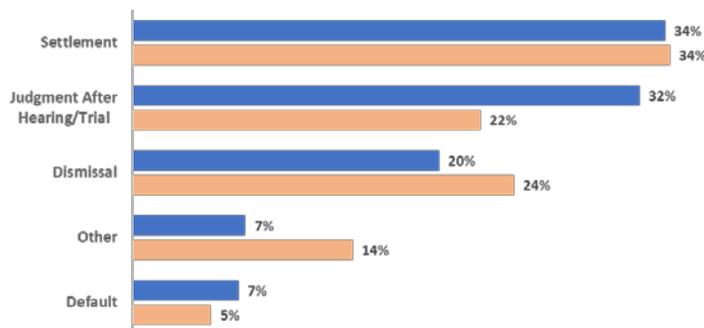


40% of petitioners were **self-represented** at the time of filing.



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**.



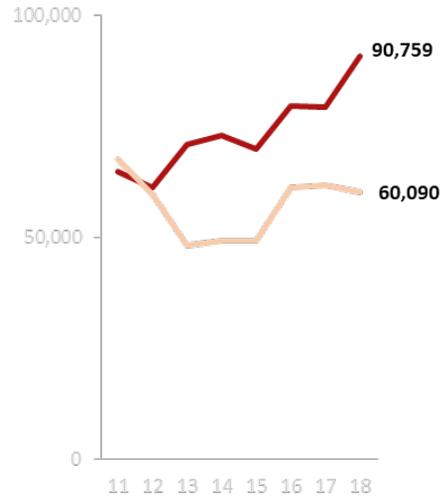


IV-D Child Support Cases

Filings

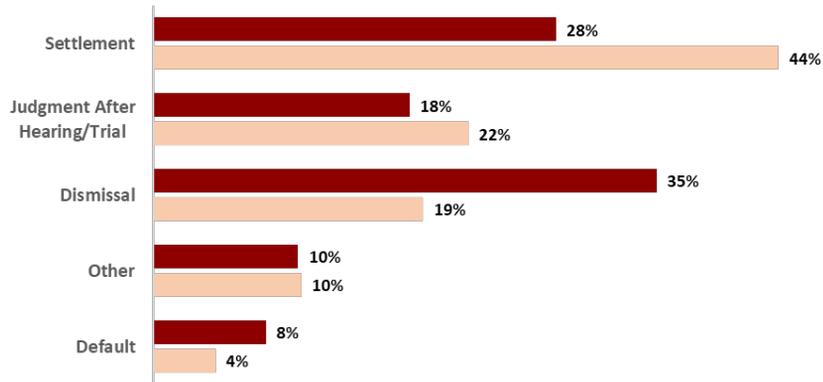
The number of **new** IV-D suits filed increased by 25 percent over the last 5 years.

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.



