

Rule 908. Judicial Training on Child Custody and Allocation of Parental Responsibilities Issues

(a) Meeting the challenge of deciding child custody and allocation of parental responsibilities cases fairly and expeditiously requires experience or training in a broad range of matters including, but not limited to: (1) child development, child psychology and family dynamics; (2) domestic violence issues; (3) alternative dispute resolution strategies; (4) child sexual abuse issues; (5) financial issues in these matters; (6) addiction and treatment issues; (7) statutory time limitations; (8) cultural and diversity issues; and (9) implicit bias.

(b) Judges should have experience or training in the matters described in paragraph (a) of this rule before hearing these cases. Before a judge is assigned to hear child custody cases or allocation of parental responsibilities cases, the Chief Judge of the judicial circuit should consider the judge's judicial and legal experience, any prior training the judge has completed and any training that may be available to the judge before he or she will begin hearing these cases.

(c) Judges who, by specific assignment or otherwise, may be called upon to hear child custody or allocation of parental responsibilities cases should participate in judicial education opportunities available on these topics, such as attending those sessions or portions of the Education Conference, presented bi-annually at the direction of the Supreme Court, which address the topics described in paragraph (a) of this rule. Judges may also elect to participate in any other Judicial Conference Judicial Education Seminars addressing these topics, participate in other judicial education programs approved for the award of continuing judicial education credit by the Supreme Court, complete individual training through the Internet, computer training programs, video presentations, or other relevant programs. The Chief Judges of the judicial circuits should make reasonable efforts to ensure that judges have the opportunity to attend programs approved for the award of continuing judicial education credit by the Supreme Court which address the topics and issues described in paragraph (a) of this rule.

Adopted February 10, 2006, effective July 1, 2006; amended May 19, 2006, effective July 1, 2006; amended Mar. 8, 2016, eff. immediately; amended Feb. 27, 2023, eff. immediately.

Committee Comments
(Revised March 8, 2016)

Special Supreme Court Committee on Child Custody Issues

Proposed Rule 908 recognizes the complexity of child custody and allocation of parental responsibilities cases and the broad range of experience and training that would be helpful to judges hearing these cases.

Paragraph (b) requires that chief judges consider a judge's experience and training before the judge is assigned to hear such cases. This provision does not establish a mandatory prerequisite to such an assignment.

Paragraph (c) requires that trial judges who will hear child custody and allocation of parental responsibilities cases should participate in Judicial Education opportunities on these type of

matters. The proposed rule encourages personal attendance at seminars, but emphasizes that other forms of training may be used.