

NCJFCJ 71st ANNUAL CONFERENCE
JULY 27-30, 2008
Norfolk, VA

Resolution No. 9

**RESOLUTION ADOPTING AS OFFICIAL NCJFCJ POLICY
THE *NAVIGATING CUSTODY & VISITATION EVALUATIONS
IN CASES WITH DOMESTIC VIOLENCE: A JUDGE'S GUIDE***

WHEREAS, the National Council of Juvenile and Family Court Judges has a long established policy of encouraging the judiciary to engage in practices that foster the effective administration of justice as it pertains to the safety of victims of violence and their children; and

WHEREAS, family law cases involving both custody issues and domestic violence may require the use of expert testimony in establishing the best interests of the child; and

WHEREAS, judges must subject any expert testimony to critical scrutiny and assess its validity and reliability before determining whether it is admissible as evidence; and

WHEREAS, the NCJFCJ initiated a project to develop a tool for improving practice and policy in family court cases, including practices pertaining to the expert testimony of custody evaluators and the admission of their reports into evidence; and

WHEREAS, the resulting publication, *Navigating Custody & Visitation Evaluations in Cases with Domestic Violence: A Judge's Guide*, was published in 2004 and revised in 2006; and

WHEREAS, the NCJFCJ should take a leadership role in promoting practices that encourage family court judges to work actively toward the improvement of outcomes for children, individuals, and families who appear in their courts; and

WHEREAS, the Board of Trustees of the NCJFCJ passed a resolution in support of and endorsing the *Navigating Custody & Visitation Evaluations in Cases with Domestic Violence: A Judge's Guide* on January 10, 2008, during its Mid-Winter Meeting in Rancho Mirage, California.

THEREFORE BE IT RESOLVED that the National Council of Juvenile and Family Court Judges hereby approves and adopts as its official policy the statements made and practices recommended in its publication, *Navigating Custody & Visitation Evaluations in Cases with Domestic Violence: A Judge's Guide*.

Adopted this 29th day of July, 2008
By the Membership Assembled in Conference
In Norfolk, Virginia