


Audit confirms family law problems

By Phil Kabler
STAFF WRITER

As legislative leaders prepare for a special session later this year on domestic court law, a legislative performance audit released Sunday confirmed what most thought: The current family law master system is understaffed, overworked and slow.

A 1984 federal ntended to speed child-support cases said state courts should be able to issue orders in divorce cases within six months of the filing date, and nine months for other domestic court

Public defender audit, 3C

cases. Only 56 percent of the cases handled by family law masters are resolved within those deadlines, the performance review by the Office of Legislative Auditor showed.

Penny Crandall, director of the family law master program with the state Supreme Court, told the Joint Committee on Government Operations that she did not dispute the figures. She did note that federal law expects 75 percent of the cases to comply with the time frames.

She said that while the number

and complexity of domestic relations cases has increased dramatically in recent years, the number of family law masters statewide — 14 full time, 13 part time — has not changed.

Each law master also has only one assistant, who handles a variety of administrative and secretarial duties, she noted. Crandall said a rapid increase in the number of pro se cases — people representing themselves — has substantially increased workloads for those assistants.

"Our offices are inundated with questions from people about how to

process those forms," she said. "I certainly agree we have a tremendous staffing problem."

A survey of family law masters by the legislative auditor showed that 65 percent favored having additional staffers to handle pro se cases.

They raised ethical concerns about having their aides help prepare forms for cases they will hear.

Most — 77 percent — agreed that the current system, where magistrates, law masters and circuit courts have jurisdiction over various parts of domestic law, creates problems.

However, only 48 percent said responsibility for domestic-violence protective orders should be transferred from magistrate courts to law masters. One respondent said that would work if all law masters were full-time employees and if law masters were added to the system.

Seventy percent agreed that one reason the system is slow is that family law masters cannot hold individuals in contempt of court when visitation, child-support and other orders are not followed.

Legislative leaders will meet with

Please see **FAMILY LAW, 9A**

FAMILY LAW

Continued from 1A

The Underwood administration this week to reach consensus on a special session on domestic court law later this year.

House Speaker Bob Kiss, D-Raleigh, said there were no meetings Sunday, but expected a decision in the next two to three days.

"We're still aiming, hoping for a May special session," he said Sunday.

Senate President Earl Ray Tomblin, D-Logan, said he planned to meet with members of the Sen-

ate on Sunday evening and this morning to determine whether to proceed with an effort to call a session by petition of three-fifths of the members of the House and Senate.

"We have all day tomorrow, and everyone will be here in town if we need to get signatures," he said Sunday.

Gov. Cecil Underwood said last week he will call a special session when the administration and lawmakers come up with a consensus on the issue. Underwood vetoed a bill that would have replaced family law masters with a family court system, saying he had concerns about the workload for the new judges.

To contact staff writer Phil Kabler, call 348-5193.