



JUDICIARY OF  
ENGLAND AND WALES

## THE ROLE AND FUNCTION OF THE DESIGNATED FAMILY JUDGE

### Introduction

This document has been prepared by the Judicial Office, with input from Designated Family Judges and approved by the President of the Family Division. It is designed as a working tool to assist the Designated Family Judge (the DFJ) fulfil the important role and functions described in the document, as it is recognised that those who undertake this high standard of work will be individuals apt to impose their own solutions on individual cases whilst complying with guidance handed down by the Court of Appeal, the President and the judges of the Family Division.

It is of course recognised that every judge makes a promise to decide cases “without fear or favour, affection or ill-will”. This is the bedrock of judicial independence and nothing which follows is intended to affect or question this.

### Purpose of the Role

1. Every Care Centre has a DFJ who is responsible for it and for other county courts and Family Proceedings Courts (FPCs) in the area which have been designated as hearing family work. DFJs are Circuit Judges, or in some cases Senior Circuit Judges. They are responsible for leading *all* levels of the family judiciary (including other Circuit Judges as well as magistrates and legal advisers) at the courts for which they have responsibility, and for ensuring the efficiency and effectiveness of the discharge of judicial family business at those courts.
2. The Lord Chief Justice has delegated powers of authority, and through the delegation of these to the President and the Family Division Liaison Judges (FDLJJ), the DFJ has a pivotal role in ensuring that each Care Centre and the courts in his or her area, are run as efficiently and effectively as possible, within the resources they are allocated, and that the other family judges and the staff at those courts play their part in this. The DFJs will work closely with the Resident Judge and the Designated Civil Judge in their area to discuss and reach agreement on issues concerning the administration of justice across the jurisdictions
3. DFJs assist the FDLJJ of each circuit. They in turn assist the Lord Chief Justice, through the President and the Senior Presiding Judge, in discharging

his overall responsibility for representing the views of the judiciary; for maintaining appropriate arrangements for the welfare, training and guidance of the judiciary; and for maintaining arrangements for the deployment of the judiciary and the allocation of family work within the Care Centre and other courts

4. The scale of a DFJ's administrative, leadership and other responsibilities varies widely. In some cases they will have responsibility for the judicial administration of family justice in a large area, typically county wide, with relatively small numbers of court rooms and hearing rooms, and other salaried and fee-paid judges. Other DFJs may be responsible for smaller geographical areas, but with large numbers of court rooms and hearing rooms, and salaried Circuit and District Judges, as well as fee-paid Recorders and Deputy Circuit and District Judges and magistrates.
5. With the agreement of the Resident and/or Designated Civil Judge for a particular court or area, and where that judge is not at hand, the DFJ may provide local judicial leadership support in relation to other members of the judiciary at his court
6. The responsibilities of DFJs are such that it will be important for them to have adequate and regular administrative support, as well as time necessary to carry out their functions. The provision of adequate administrative support is a matter for local discussion, but any difficulty should immediately be reported to the Presiding judges and the FDLJ for the Circuit.

#### Key Responsibilities

7. Leading the family judiciary at the Care Centre

DFJs are responsible for promoting the efficient and effective operation of listing, case management and best practice and generally for developing and maintaining the President's national strategy for family justice in conjunction with the Presiding Judges and FDLJJ across the Circuit. This includes listing and allocation of cases. They should:

- a) hold regular structured meetings with all those sitting regularly at the courts to discuss court performance and encourage consistent practices;
- b) keep other judges based in those courts informed about court performance, and disseminate any guidance and good practice to ensure that it is put into practice consistently;
- c) regularly analyse and review performance statistics with the judiciary and court staff in order to remove delays and other difficulties;
- d) maintain regular contact and provide mentoring and pastoral support with other judges including any of those who are off sick;

- e) deal appropriately with any work or other problems which arise; support and provide advice to judicial colleagues and if necessary bring any issues to the attention of the FDLJ;
- f) keep an overview of the performance of the FPCs within their area, highlighting and addressing any issues with the justices' clerk or deputy;
- g) assist in the deployment of fee-paid judiciary in accordance with the needs of the courts, and support effective arrangements for the mentoring and training of fee-paid judges, including "sitting-in" and "supervised sittings".

## 8. Family Panels

DFJs are responsible for ensuring that each panel of family magistrates undertaking work within the Care Centre (or feeding into a Care Centre) has a liaison judge (who can be a Circuit Judge or District Judge) to whom the chair of the panel can bring any issue relating to the working of the panel.

## 9. Case Management

- (a) DFJs are responsible for ensuring that the President's guidance on effective case management is promulgated and put into effect in the Care Centre and associated courts as well as managing their own cases and caseload. This includes working with other judges and magistrates in the court area to meet their overall responsibility for the conduct and timely completion of all public law and private law cases in accordance with current guidelines and good practice issued by the President.
- (b) Where appropriate, and after consultation with the President, (and subject to his agreement) DFJs may prescribe local practices and procedures, designed to improve performance and to enable the courts to discharge business more promptly and effectively.
- (c) DFJs have a responsibility for, and will oversee the allocation of, family cases in both private and public law to both the circuit and district bench, thereby ensuring judicial continuity is maintained and the objectives identified in 9(a) above are fulfilled, within the allocated resources provided.
- (d) DFJs will also ensure that appropriate arrangements are in place for a proper allocation of both private and public law family work to the FPC and that the principle of judicial continuity is understood and applied in that court
- (e) DFJs have a responsibility for and will oversee the allocation of appeals in family cases from the district bench

and the FPC within the care centre and associated courts for which they have responsibility.

## 10 Other responsibilities

- (a) DFJs should visit and sit at other associated courts apart from the Care Centre to which they are appointed, and for the majority of that time try the most complex public and private family law cases. DFJs with overall responsibility for more than one Care Centre should allocate their work between those Centres as they deem appropriate
- (b) DFJs (in consultation with the President) should ensure that changes in practice and procedure (whether through legislation, regulation, rule or change of practice directions) are brought to the attention of, and ensure that they are effectively implemented by, the judiciary, administration and practitioners. They should also provide input to the Magistrates' Area Training Committee for training Family panel Magistrates
- (c) DFJs have a responsibility for ensuring that relevant local committees meet regularly to deal with family justice and business issues. Where appropriate the DFJ should assume responsibility for chairing such committees and in any event he or she should, in conjunction with relevant others, ensure that appropriate matters are brought before the relevant committees, discussed and acted upon.

## 11 The responsibility to maintain and build relationships with those in the family justice system and more widely.

DFJs are the public face of the judiciary in their court and care centre area and as such are expected to build and maintain relationships with others involved in the family justice system, such as Local authorities, CAFCASS, mediation, police, health and education professionals and local practitioners. These activities should be shared with other judges as appropriate.

## 12 Work with the court staff

DFJs are responsible for maintaining close working relationships with the court manager, court staff and justices' clerks with responsibility for the FPCs, to ensure that cases are listed effectively and that the business of the courts is dealt with as efficiently as possible and to promote coordination of allocation of workload and resources between the courts in his/her area.

## 13 Acting as the key liaison point with the FDLJ and other members of the judiciary

DFJs are the key link between family judges in their court areas and the FDLJ, and through them to the President. They should advise the FDLJ on matters such as ticketing, deployment and appointments. They are asked about the needs of the courts in their area in relation to vacancies, and may be asked for views on candidates for judicial appointment. They should advise the FDLJ about any problems at the court, resources, individual issues and, also any problems in relation to new laws, practices, guidance or procedures.

- 14 Seeking advice and help where appropriate from the FDLJJ, Presiding Judges, the Regional Support Units and the Judicial Office etc

DFJs will develop a working relationship with the FDLJ, and will build up a network of contacts so they know where to go for advice and support. If unsure they should seek help from the FDLJ or Presiding Judge, the local regional Secretariat or the Judicial Office who should be able to provide advice or support. The Judicial Communications Office is available to provide advice in relation to all media enquiries.