



Definition of TJ

Therapeutic Justice (TJ) at the Family Justice Courts (FJC) is about helping families accept the past and move towards their best possible future. It involves a judge-led process where parties and their lawyers, along with other professionals, work together to find timely and enduring solutions to the family's disagreements, within the framework of the law.

TJ Objectives

The key TJ Objectives set out below enable the court to achieve the aims of TJ:

- Parties are to **resolve their family disagreements amicably**.
- Parties are to **reduce acrimony and conflict**.
- Parties are to focus on **resolving their underlying issues** in the longer-term interests of the family and children.
- Where **children** are involved, their **welfare must come first**.
- Parties are to treat one another with **respect, attention, empathy, and support**.
- Outcomes are to be **timely and enduring**, and parties are to move forward, enabled and equipped (e.g. with enhanced co-parenting skills) to resolve any future disagreements amicably by themselves.



The Court Process

Full Simplified Track:

This is for cases where parties are able to resolve all their issues amicably out of court. In such cases, parties may obtain final orders without having to attend court, through simplified proceedings.

Partial Simplified/Non-Simplified Track*:

This is for cases that are not on the Full Simplified Track. For such cases, the following process applies with appropriate adjustments, depending on the case.

a. Triage

- Parties are required to fill in a simple questionnaire called the Joint Triage Checklist (JTC) to provide the court with a preliminary view of the case.
- Parties may be directed to attend a TJ Cooperative Conference (TJCC) presided over by a mediation judge. At the TJCC, the judge will set the tone for problem-solving, explain the expected conduct of the parties, identify and narrow down key issues, discuss proposals and assign the next court event.

b. Tracks

Following the TJCC, the case may be placed on one of the following tracks. While information from the JTC and TJCC will be considered, the allocation of the case is in the court's sole discretion.

*Partial Simplified/Non-Simplified Track refers to cases where parties disagree on the divorce and/or ancillary matters.



The Court Process

Standard Track	Teams Track
<p>Cases are managed by a team of case management Assistant Registrars until they are ready for mediation or hearing, when they will be fixed before a mediation judge or hearing judge.</p> <p>At a later stage, cases may be managed by a single judge until conclusion.</p>	<p>Cases are managed by a multi-disciplinary team consisting of a mediation judge, hearing judge, and Court Family Specialist (CFS) (collectively Team) at an early stage.</p> <p>Generally, the same members of the Team will manage the case until the conclusion of the case under a "One Family, One Team" approach.</p>

c. Flexibility and customisation under the Teams Track

Under the Teams Track, a Team may, depending on the case:

- i. be more flexible as to when to use mediation and counselling, including making early therapeutic referrals;
- ii. intervene early to deal with urgent or pressing child issues, such as determining child issues first and calling for child evaluative assessments at an earlier stage of proceedings; and/or
- iii. involve parties more directly in court proceedings, including inviting parties to attend court hearings so that the court can hear directly from the parties, issues can be narrowed down, and court decisions can be explained.

Role of Court Users

Parties play the central role in the TJ Model. Here is a list of Do's and Don'ts:

S/n	Do's	Don'ts
1	Prioritise the interests of the children and the psychological well-being of the members of the family.	Focus on simply "winning" the "legal battle".
2	Focus on the future and parties' shared interests.	Allow past hurts and grievances to obscure what could be a more positive future for the family and children.
3	Be cooperative and helpful in finding timely and enduring solutions, and resolving disagreements as amicably as possible.	Adopt a highly adversarial or combative attitude against the other party.





Role of Court Users

S/n	Do's	Don'ts
4	Make genuine attempts to resolve issues amicably, such as making reasonable proposals at mediation.	Refuse to participate meaningfully in mediation or make unreasonable or extreme proposals at mediation.
5	Use respectful and constructive language in letters with the other party and in court documents.	Use inflammatory and provocative language in letters and court documents that heighten tensions and/or insist on having the last word.
6	File only necessary applications.	File irrelevant applications that serve to heighten tensions, delay proceedings, and increase costs.
7	File affidavits which include evidence that is necessary, relevant, and to the point.	File affidavits which include evidence that is unnecessary and irrelevant.
8	Take all steps to protect the children from acrimony and exposure to court proceedings.	Expose the children to legal/court documents, forcing them to take sides; and/or ask them to author documents to support a parent's case; and/or record, or take photographs of, children for the purpose of court proceedings.

Lawyers are to educate their clients on the practice of TJ, help their clients reduce acrimony, and assist to find common ground and solutions for better outcomes.

Court professionals will support and assist parties in their efforts to arrive at timely and enduring solutions.

TJ Standards

If a lawyer has conducted himself/herself in line with the aims of TJ under the TJ Model, the judge may commend the lawyer at the conclusion of proceedings or in the written grounds of decision, as appropriate.

In exercising its discretion to make costs orders in respect of a party's conduct, the court will have regard to the Family Justice Rules, the circumstances of the case, and party's observance of TJ.