

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

REGISTRAR'S CIRCULAR NO. 2 OF 2024

FAMILY JUSTICE COURTS THERAPEUTIC JUSTICE MODEL

The Therapeutic Justice Model of the Family Justice Courts ("**TJ Model**") seeks to further integrate Therapeutic Justice ("**TJ**") into our family justice system.

2. The TJ Model applies to all matrimonial applications commenced under Part 10 of the Women's Charter 1961. It is to be read together with Part IIIA of the Family Justice Courts Practice Directions 2015 and Part 7I of the Family Justice Courts Practice Directions 2024.

Dated this 21st day of October 2024.



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21 October 2024

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FAMILY JUSTICE COURTS THERAPEUTIC JUSTICE MODEL

INTRODUCTION

1. The Therapeutic Justice Model (“**TJ Model**”) of the Family Justice Courts (“**FJC**”) seeks to further integrate Therapeutic Justice (“**TJ**”) into our family justice system. The TJ Model is designed specifically with our court process and practice, as well as our socio-cultural context, in mind.¹ It is a living document that will continue to evolve and be refined with changes over time. Under the section on the TJ Model in the “Family Justice Courts Practice Directions” (“**TJ Model PD**”)², parties to court proceedings and their lawyers are required to conduct themselves in a manner that is consistent with the TJ Model.

PART 1 – DEFINITION OF TJ

2. TJ at the 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.

PART 2 – THE COURT PROCESS³

A. The Tracks

3. Matrimonial applications filed in the FJC may be placed on one of the following tracks:
 - (a) **Full Simplified Track** – This is for cases where *all* matrimonial issues, including ancillary matters (“**AMs**”), have been *fully* resolved, and are uncontested, before the matrimonial application is filed in court. Parties may apply to obtain final orders for divorce and AMs through simplified proceedings.
 - (b) **Partial Simplified / Non-Simplified Track** – This is for all cases not filed under the Full Simplified Track.⁴
 - (i) **Standard Track** – Cases are managed by case management Assistant Registrars (“**ARs**”) until they are ready for mediation or hearing, when they

¹ Teh Hwee Hwee, Presiding Judge of the Family Justice Courts, “*Charting New Horizons in the Next Decade*”, Family Justice Courts Workplan 2024, 18 March 2024 at paragraph [13] to [16].

² Part IIIA of the Family Justice Courts Practice Directions 2015 and Part 7I of the Family Justice Courts Practice Directions 2024.

³ The court process set out under Part 2 of the TJ Model applies to matrimonial applications under Part 10 of the Women’s Charter 1961. While the process described refers specifically to matrimonial applications for divorce, it also applies to applications for judicial separation and nullity, with the appropriate modifications.

⁴ For cases where the grounds for divorce are uncontested, but there are outstanding AMs unresolved before the matrimonial application is filed, the divorce may be filed through simplified proceedings, but all outstanding AMs will be adjourned to be managed under the Partial Simplified / Non-Simplified Track. See Part 2, Rule 8 of the Family Justice (General) Rules 2024.

will be fixed before a mediation judge or hearing judge. A Court Family Specialist (“CFS”) (*i.e.* in-house court counsellor) may be employed during the court process. In addition, cases may be docketed at a later stage of proceedings to a single judge to manage until the conclusion of the case.

- (ii) **Teams Track** – Cases are assigned, at an early stage, to a multi-disciplinary team consisting of mediation judge, hearing judge and CFS (collectively, “**the Team**”) to manage. Generally, the same members of the Team will manage the case, including any linked cases⁵, until the conclusion of the case. Court resources will only be applied as and when required. The Team concept is a key feature of the TJ Model and is elaborated upon in paragraphs [6] to [8] below.

4. Cases will be allocated to the Standard Track or Teams Track in the court’s sole discretion, depending on the needs of the family and the court’s internal case management considerations:

- (a) Generally, cases under the Standard Track may include cases that (i) are close to resolution; (ii) involve parties who appear less acrimonious and / or have not filed multiple applications at the outset; or (iii) are otherwise not allocated to the Teams Track (*e.g.* because a party does not participate in the proceedings).
- (b) In allocating a case to the Standard Track or Teams Track, the court will consider the indications in the Joint Triage Checklist (“**JTC**”) and at the TJ Cooperative Conference (“**TJCC**”). Details of the JTC and TJCC are elaborated upon in the table in paragraph [5] below.

B. The TJ Objectives and stages of the court process

(1) TJ Objectives

5. To enable the court to meet the aims of TJ, the table below sets out the objectives that apply generally and at each stage of the court process (collectively, “**TJ Objectives**”):

Stage and TJ Objective	Court Process
<p>The following TJ Objectives have general application:</p> <ul style="list-style-type: none"> (a) Parties are to resolve their family disputes amicably, as far as possible. Where feasible, parties are to resolve disputes out of court. 	

⁵ Linked cases include:

- (a) applications for orders relating to children under the Guardianship of Infants Act 1934;
- (b) applications for maintenance under Part 8 of the Women’s Charter 1961; and
- (c) applications for personal protection orders under Part 7 of the Women’s Charter 1961.

Stage and TJ Objective	Court Process
	<p>(b) If a case requires the court’s intervention, everyone involved should endeavour to reduce acrimony and de-escalate conflict, wherever possible.</p> <p>(c) Parties are to focus on resolving their underlying issues in the long-term interests of the family and children, and not just on short-term legal goals.</p> <p>(d) Where children are involved, their welfare should be prioritised.</p> <p>(e) Parties are to be accorded, and to accord others, respect, attention, empathy and support. Parties should feel that they have been given a voice and have been heard.</p> <p>(f) For outcomes to be timely and enduring, so that parties may move forward; and are enabled and equipped (<i>e.g.</i> with enhanced co-parenting skills) to resolve any future disagreements and issues amicably by themselves, without having to resort to further litigation in court.</p>
Full Simplified Track	
<p><u>Pre-Action Stage</u></p> <p>To encourage parties to resolve issues amicably out of court.</p>	<p style="text-align: center;"><u>Full Simplified Track</u></p> <p>Parties who are able to resolve all their matrimonial issues (including AMs) before the matrimonial application is filed in court may apply to obtain final orders for divorce and AMs through simplified proceedings.</p> <p>In cases where parties file for divorce through simplified proceedings, but AMs remain contested when the matrimonial application is filed, all contested AMs will be adjourned to be managed on the Partial Simplified / Non-Simplified Track.</p>
Partial Simplified / Non-Simplified Track	
<p><u>Triage Stage (JTC)</u></p> <p>To provide the court with a preliminary view of the family’s needs, so that the case may be managed on the appropriate track.</p>	<p style="text-align: center;"><u>JTC</u></p> <p>The JTC is a simple questionnaire that parties are required to submit at an early stage, to provide the court with a preliminary view of the family’s needs. Parties are encouraged to submit their JTC responses jointly, although single submissions will be accepted.</p>

Stage and TJ Objective	Court Process	
<p><u>Triage and Tone-Setting Stage (TJCC)</u></p> <p>For parties to be informed of the standard of conduct expected of them during court proceedings, so that they approach proceedings with a cooperative and problem-solving frame of mind, from the outset.</p>	<p style="text-align: center;"><u>TJCC</u></p> <p>If a TJCC is scheduled for the case, the TJCC serves as the first substantive court event that parties are required to attend in person, with their lawyers. Presided over by a mediation judge, the TJCC sets the tone of cooperation and problem-solving at the outset. The TJCC judge will explain the conduct expected of parties; distil key issues; discuss parties’ proposals with them; consider referring parties to external agencies / professionals for therapeutic or other related support services / programmes; and schedule the next court event.</p> <p>If the case involves a minor child under the age of 14 years, a CFS will attend the TJCC as well and follow up with parties for an intake and assessment / counselling session after the TJCC.</p>	
	<p style="text-align: center;"><u>Standard Track</u></p> <p>Cases are managed by a team of case management ARs until they are ready for mediation or hearing, when they will be fixed before a mediation judge or hearing judge.</p>	<p style="text-align: center;"><u>Teams Track</u></p> <p>Cases are assigned to a multi-disciplinary team consisting of mediation judge (who would generally be the mediation judge who presided over the TJCC), hearing judge and CFS (<i>i.e.</i> the Team) to manage, until the final resolution of the case. Court resources will only be applied as and when required.</p>
<p><u>Mediation and Counselling Stage*</u></p> <p>To allow parties the opportunity to resolve their disputes amicably even after court proceedings have commenced, and reach their own solutions, without having to undergo a process of formal adjudication by the court. In this way,</p>	<p>Mediation and counselling, where employed, usually occur at an early stage in the life cycle of the case.</p> <p>If parties are able to resolve their issues at mediation, a consent order will be recorded. Unresolved issues proceed to a process of formal adjudication by the court.</p>	<p>There is flexibility to employ mediation and counselling at different points in the court process. In determining how mediation and counselling should be employed for any particular case, the court will have regard to the needs of the family and how the interests of justice will be served. As a default, mediation and counselling would generally be employed at an early stage.</p>

Stage and TJ Objective	Court Process	
<p>parties are able to start the process of healing, and moving towards the future for themselves and their children, sooner rather than later.</p> <p><i>*Mediation and counselling are mandatory for cases involving minor children.</i></p>		<p>If parties are able to resolve their issues at mediation, a consent order will be recorded. Unresolved issues proceed to a process of formal adjudication by the court.</p> <p>(see Annex A for the flexible use of mediation and counselling by a Team)</p>
<p><u>Pre-Interim Judgment (“IJ”) and IJ Stage</u></p> <p>If parties are unable to agree on the facts proving the ground of divorce, for the case to proceed to a contested trial, and for parties to obtain a decision, in a fair and efficient manner.</p>	<p>If parties are unable to agree on the facts proving the ground of divorce, the case will continue to be managed at status conferences by the team of case management ARs until it is ready for hearing, at which point it will be assigned to a hearing judge who will hear the contested trial.</p>	<p>If parties are unable to agree on the facts proving the ground of divorce, the hearing judge in the Team will follow through to manage the case, give directions to progress the matter, and hear the contested trial.</p>
<p><u>AMs – Case Conference Stage</u></p> <p>Where IJ has been granted, for the case to progress towards the final hearing of AMs, in a fair and efficient manner. Through a judge-led and collaborative process, parties are expected to (i) cooperate with the court and comply with court directions; (ii)</p>	<p>Cases are managed by the team of case management ARs who may deal with interim and/or interlocutory applications and give directions for the filing and exchange of affidavits, to prepare the application or case for final hearing before a hearing judge.</p>	<p>The hearing judge in the Team, with familiarity of the case, will manage the case and give directions for the filing and exchange of affidavits, to prepare the case for hearing. Interim and / or interlocutory applications will also be heard by the same hearing judge in the Team.</p> <p>(see Annex B for early intervention methods such as bifurcation and calling for Child Reports earlier)</p>

Stage and TJ Objective	Court Process	
<p>narrow down issues in dispute; and (iii) file only necessary applications and relevant evidence.</p>		
<p><u>AMs – Final Hearing Stage</u> For parties to have a fair hearing, where only necessary issues are adjudicated upon. This involves parties making reasonable submissions with a problem-solving objective in mind.</p>	<p>When the case is ready for the final hearing of AMs, the case management ARs will assign the case to a hearing judge.</p>	<p>The hearing judge in the Team will preside over the final hearing of AMs. Linked cases will be dealt with holistically.</p>
<p><u>Decision Stage</u> For court orders to be timely and enduring, with parties cooperating with each other to comply with, and carry out, the terms of the court orders.</p>	<p>Decisions will be delivered by the hearing judge who heard the case. Depending on the needs and circumstances of the family, the judge may make referrals for parties / children to attend therapeutic or other related support services / programmes.</p> <p>Where appropriate, and especially for decisions relating to child issues, the hearing judge may consider directing that parties attend court personally for the delivery of the decision, to explain the decision directly to them.</p>	<p>Decisions will be delivered by the hearing judge in the Team. Depending on the needs and circumstances of the family, the judge may make referrals for parties / children to attend therapeutic or other related support services / programmes.</p> <p>Where appropriate, and especially for decisions relating to child issues, the hearing judge may consider directing that parties attend court personally for the delivery of the decision, to explain the decision directly to them.</p>
<p><u>Post-Court Order Stage</u></p>	<p>Where required, a CFS may assist to coordinate with</p>	<p>The CFS in the Team may, depending on the needs of the</p>

Stage and TJ Objective	Court Process	
For parties to be enabled and equipped with skills to be their own problem-solvers and conflict managers, who can resolve future disputes by themselves, without having to resort to further litigation.	external agencies / professionals with respect to referrals (if any) that have been made.	family, follow up directly with the parties / children to help them understand, adjust to and carry out child-related orders. Where required, the CFS may assist to coordinate with external agencies / professionals, with respect to referrals (if any) that have been made.

(2) The concept of the “Team” under the Teams Track

6. When a case is placed on the Teams Track, the multi-disciplinary team assigned to the case (*i.e.* the Team) will adopt a “One Family One Team” approach and customise the management of the case to suit the particular needs of the family. Specific approaches that may be considered and employed under the Teams Track include:
 - (a) a more flexible and customised use of mediation and counselling, as well as early referrals for parties / children to attend therapeutic or other related support services / programmes, with the members of the Team following up with the referrals (refer to [Annex A](#));
 - (b) early interventions by the hearing judge in the Team to deal with, amongst other matters, pressing and / or urgent child issues, such as bifurcation of child issues and / or calling for child evaluative assessments at an earlier stage (refer to [Annex B](#)); and
 - (c) involving parties more directly in court proceedings (if the hearing judge deems it appropriate to do so), such as directing that parties personally attend case conferences and / or attend court for the delivery of the court’s decision on child issues, depending on the needs of the case.
7. The benefits of having the same Team manage the case flexibly and consistently from the outset include potential savings in time and costs for parties, who avoid having to repeat and retell their stories in court; and the potential reduction of unnecessary court filings and acrimony, with parties / children referred to therapeutic support services / programmes early, to address root concerns.
8. For cases managed by a Team under the Teams Track, counselling and mediation continue to be carried out on a confidential and without prejudice basis. Only the

following limited types of information may be shared with the hearing judge, to facilitate the management of the case:

- (a) any safety and / or other imminent risks;
- (b) the underlying issues of the case; and
- (c) recommendations to refer parties / children for therapeutic support services.

PART 3 – THE ROLE OF EACH PARTICIPANT UNDER THE TJ MODEL

A. A common mission

9. All family justice participants have an important role to play under the TJ Model:
- (a) **Parties** play a central role in the TJ Model. They are to take ownership of the family’s issues and cooperate with each other to find timely and enduring solutions to these issues. Particularly where children are involved, they are to prioritise the welfare of the children above their own and focus on parties’ shared interests and future. This involves being willing to compromise in the spirit of give and take and carrying out agreed or ordered arrangements with a cooperative spirit.
 - (b) **Lawyers** are to explain to the client the aims of TJ and the court’s approach under the TJ Model. Lawyers should seek to reduce acrimony, as well as assist to find common ground and generate solutions for better outcomes. They should consider whether instructions from the client will serve to escalate or prolong the conflict between parties and / or between parents and children. If so, they should guide the client towards alternatives that are less inflammatory, and which take into consideration the long-term interests of the family / children.
 - (c) The **different family court professionals** will support parties in their efforts to arrive at timely and enduring solutions:
 - (i) **The TJCC judge** will set the tone for the problem-solving approach at the outset.
 - (ii) **The mediation judge (who would generally be the TJCC judge for cases under the Teams Track)** will facilitate an amicable resolution of the family’s disputes, as far as possible.
 - (iii) **The hearing judge** will be a problem-solver and conflict manager, seeking to not only consider the presenting legal issues but also understand parties’ underlying concerns; and apply that knowledge in case management and decision-making.

- (iv) **The CFS** will provide support through brief therapeutic interventions. Where necessary and appropriate, the CFS will help parties learn to communicate more effectively about the needs of the children; work with parents to build consensus on future care arrangements for the children; and make recommendations to refer parties / children for therapeutic or other related support services / programmes.
 - (v) **Court Administrators (“CAs”)**, who are often the first point of contact in court for court users and who play an essential role in managing cases throughout their life cycle, will endeavour to carry out their duties with a “spirit of care”.
10. **Other professionals**, such as psychiatrists, psychologists, counsellors and social workers from external agencies and professional bodies, may also provide various support services to distressed parties, families and children at various touchpoints in the community. Such services may be rendered before, during and / or after court proceedings.
11. The common mission that binds all family justice participants is to help parties arrive at timely and enduring solutions with minimal conflict, so that relationships can be preserved as far as possible, healing can start to take place and parties can focus on moving towards their best possible future for themselves and their children.

B. The role of parties

12. Specifically, parties are to:
- (a) submit the JTC as directed by the court, with the assistance of their lawyers (if legally represented). Where possible, parties are to submit a joint JTC;
 - (b) if directed to attend a TJCC, comply with court directions to prepare for the TJCC, and be prepared to participate meaningfully in discussions on outstanding issues at the TJCC, as well as make reasonable proposals;
 - (c) participate meaningfully in any mediation process by generating options and solutions, listening to the other party, as well as making reasonable proposals;
 - (d) participate in the court counselling process with an open mind, cooperate with the CFS during counselling sessions, seek to reach consensus on co-parenting arrangements as far as possible, and be receptive to recommendations for referrals to external agencies / professionals for therapeutic or other related support services / programmes;
 - (e) adopt a cooperative and constructive approach and comply with court directions to progress matters if adjudication is required;

- (f) be respectful and civil to the court and the other party during proceedings, and take reasonable positions at hearings;
- (g) avoid provocative or inflammatory conduct and language in correspondence, court documents and courtroom communications;
- (h) consider the interests of children and take steps to protect them from parental acrimony;
- (i) respect and abide by the court’s orders, and cooperate with the other party to carry out the orders;
- (j) if referrals are ordered, participate meaningfully and be receptive to learning new skills (*e.g.* to enhance communication and co-parenting skills);
- (k) attend any court session as directed by the court, even if legally represented;
- (l) if legally represented, send correspondence to the court (if any) through lawyers and not directly to the court.

13. The following table sets out a summary of guidelines on the conduct expected of parties under the TJ Model. Parties should conduct themselves in ways that are aligned with the Do’s and avoid the conduct set out as Don’ts.

S/n	Do’s	Don’ts
1	Prioritise the interests of 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	Adopt a cooperative and constructive approach to find timely and enduring solutions; and resolve disputes as amicably as possible.	Adopt a highly adversarial and combative stance against the other party.
4	Make genuine attempts to resolve issues amicably, such as making reasonable proposals at mediation.	Refuse to participate meaningfully in mediation and / or make unreasonable or extreme proposals at mediation.
5	Use respectful and constructive language in correspondence, court	Use provocative or inflammatory language that heightens tensions in

S/n	Do's	Don'ts
	documents and courtroom communications.	correspondence, court documents and courtroom communications and / or indulge in the need to have the last word.
6	File only necessary applications.	File irrelevant, scandalous or vexatious applications that serve to heighten tensions, delay proceedings and increase costs.
7	File affidavits and submit evidence that are necessary and relevant, in a concise manner.	File irrelevant, scandalous or vexatious affidavits / evidence.
8	Take all steps to protect children from acrimony and exposure to court proceedings.	Expose children to legal / court documents and force 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.

C. The role of lawyers

14. Specifically, lawyers are to:

- (a) bring the TJ Model to the attention of the client, and explain the aims of TJ to the client, with reference to the TJ Model PD;
- (b) encourage the client to focus on the long-term holistic interests of the family / children, rather than only short-term legal goals, as far as possible;
- (c) prepare the client for each stage of the court proceedings, including assisting the client in submitting the JTC and preparing the client for the TJCC;
- (d) facilitate problem-solving and collaborate with the court and the other party to generate options and solutions, as well as make reasonable proposals;
- (e) adopt a cooperative and constructive approach in conducting court proceedings. For example, by advising the client to: (i) avoid provocative or inflammatory conduct and language in correspondence, court documents and courtroom communications; (ii) file applications only if necessary; (iii) file affidavits that are concise, clear and relevant; and (iv) refrain from filing unnecessary exhibits, such

as photographs or video recordings that are unnecessary and / or detrimental to the children's best interests;

- (f) be well prepared and make clear and concise submissions at hearings, to assist the court to arrive at a fair outcome;
- (g) explain the court's decision to the client with reference to the aims of TJ, and the importance of abiding by the court's decisions, including the consequence of breaching court orders.

D. TJ standards

15. In exercising its judge-led powers under the applicable Family Justice Rules, the court is to have regard to the aims of TJ.

(1) Recognising and affirming TJ conduct

16. If a lawyer has conducted himself / herself in line with the aims of TJ, the judge (whether a mediation judge or a hearing judge) may commend the lawyer at the conclusion of proceedings and/or in written grounds of decision. Examples of such conduct include:

- (a) taking active steps to de-escalate acrimony and conflict;
- (b) collaborating with the court and the other party / lawyer to generate practical options and suitable solutions to address the family's needs; and
- (c) making sensible proposals and submissions that facilitate reasonable and amicable outcomes.

(2) Costs orders

17. In exercising its discretion to make costs orders in respect of a party's conduct, the court is to have regard to the following considerations:

- (a) the provisions of the applicable Family Justice Rules;
- (b) all the circumstances of the case, including the conduct of the party before, during and after the commencement of court proceedings;
- (c) whether the party has conducted himself / herself in line with the aims of TJ.

18. Where the court considers it appropriate to make costs orders in favour of a self-represented party ("SRP"), the court is to have regard to the amount of costs that would reasonably compensate the SRP for the time expended to prepare for the case, as well as all expenses reasonably incurred.

19. Examples of conduct that may be considered by the court include:

- (a) parties’ conduct and efforts made towards facilitating an amicable resolution of the dispute, such as the failure of any party to participate in mediation: see *Rule 854 of the Family Justice Rules 2014* and *Part 22, Rule 2(2) of the Family Justice (General) Rules 2024*;
- (b) filing numerous applications and affidavits, and contesting application(s) “aggressively”: see *VVB v VVA* [2022] SGHCF 1 at [21] and [25];
- (c) engaging in unnecessary and voluminous paperwork and extending the dispute into a “protracted and bitter fight”: see *Chan Choy Ling v Chua Che Teck* [1995] 3 SLR(R) 310 at [22];
- (d) using the court process as a platform to make personal attacks or insult the other party: *GHI v PP* [2024] SGHC 220 at [73] and [74];
- (e) alienating behaviour and excessive gatekeeping: *TEN v TEO and another appeal* [2020] SGHCF 20 at [43];
- (f) insisting that the court addresses each and every point in the dispute, regardless of significance or merit: *VDX v VDY and another appeal* [2021] SGHCF 2 at [39] and *BOI v BOJ* [2018] 2 SLR 1156 at [3];
- (g) filing voluminous affidavits consisting of irrelevant information and / or unnecessary documents, photographs and video recordings of the children, which may also be detrimental to the parent-child relationship: see *CLC v CLB* [2022] SGHCF 3 at [41].

PART 4 – SPECIALISED COMPETENCIES AND SKILLSETS REQUIRED OF FAMILY JUSTICE PROFESSIONALS

- 20. In addition to performing an adjudicatory role, the family judge has a problem-solving role and functions as a conflict manager overseeing, coordinating and motivating a multi-disciplinary team, to customise the most appropriate approach for each case. The family lawyer, who comes into contact with parties well before the court does, plays an important part in advising the client on the right approach to adopt from the outset.⁶
- 21. The requisite competencies and skillsets required of family judges and lawyers would include:
 - (a) knowledge of the TJ Model;

⁶ The Singapore Academy of Law and the Singapore University of Social Sciences jointly organise and run the Family Lawyers’ TJ Certification Programme. There have been three runs since the inaugural run in 2021. A fourth run is planned for 2025.

- (b) soft skills and techniques, such as interpersonal and communication skills;
- (c) knowledge of basic social science concepts;
- (d) familiarity with the different types of therapeutic or other related support services / programmes that are available;
- (e) knowledge of wider multi-disciplinary topics that can help parties in practical ways, such as housing and rental options, as well as the relevant rules and regulations of the Housing Development Board and Central Provident Fund Board;
- (f) family mediation skills.⁷

(see Annex C for more detailed topics)

22. Other professionals in the family justice ecosystem, who provide support services to troubled families / children at different touchpoints in the community, will also need to be attuned to the court's TJ approach and familiar with the aims of TJ.

CONCLUSION

23. The TJ Model, co-created with external stakeholders⁸ by the FJC⁹, seeks to provide a framework within which all family justice participants can work together to better serve

⁷ The Singapore Mediation Centre and the FJC jointly organise and run the Family Mediation Certification Programme. There have been five runs since the inaugural run in 2014. The next run is planned for 2025.

⁸ The FJC acknowledge with appreciation the members of the TJ Consultative Committee, established in March 2024, for their invaluable feedback and inputs. Chaired by Justice Teh Hwee Hwee, Presiding Judge of the Family Justice Courts, the TJ Consultative Committee's members are drawn from the Bar (including the Family Law Practice Committee of the Law Society of Singapore), academia, ministries, statutory boards and government departments, and accredited mediators nominated by the FJC. They are (listed in alphabetical order) Mr Ahmad Nizam Abbas, Professor Chan Wing Cheong, Ms Eunice Chua, Ms Tricia Ho, Ms Kee Lay Lian, Professor Joel Lee, Professor Leong Wai Kum, Ms Lim Hui Min, Mr Loong Seng Onn, Ms Tan Li Jen, Ms Engelin Teh, SC, Mr Wang Liansheng, Ms Wong Kai Yun and Mr Clement Yap. Members of the FJC on the Committee are Deputy Presiding Judge Chia Wee Kiat, Registrar Kenneth Yap, Senior Judicial Head Kevin Ng, District Judge Yarni Loi, District Judge Suzanne Chin, District Judge Carol Liew, District Judge Kimberly Scully, Senior Director Ms Sophia Ang and Director Ms Lee Meng Chung, with support from Judicial Associate Mr Tan Li Jie and Senior Assistant Director Ms Pegan Chong.

⁹ Led by the FJC TJ Committee, established on 1 December 2023, and co-chaired by Presiding Judge Justice Teh Hwee Hwee and Deputy Presiding Judge Chia Wee Kiat, and consisting of (i) the following members representing all divisions within the FJC: Registrar Kenneth Yap, Senior Judicial Head Kevin Ng, District Judge Yarni Loi, District Judge Suzanne Chin, District Judge Carol Liew, District Judge Kimberly Scully, Senior Director Ms Sophia Ang, Director Mr Yeo Seow Aik, Director Ms Jasmine Bonet, Director Ms Lee Meng Chung, Director Ms Lim Lee Kian, Judicial Associate Mr Tan Li Jie and Senior Assistant Director Ms Pegan Chong; (ii) alternate members District Judge Wong Sheng Kwai, Director Mr Yeo Eng Kwan, Deputy Director Mr Daniel Chiah, Deputy Director Ms Grace Leong, Deputy Director Ms Ye PeiShi and Senior Assistant Director Mr Andy Phang; as well as (iii) District Judge Lim Choi Ming (Training Sub-Committee) and District Judge Michelle Elias Solomon (Registry Process Sub-Committee). The FJC also acknowledge with appreciation the views and contributions from the members of the Bar who participated in the consultation sessions on the TJ Model on 23

the needs of families and children in distress, protect children caught in between parental conflict and support parties by equipping them with the necessary skills to be their own conflict managers and problem-solvers.

May, 27 May and 24 June 2024, as well as the social science practitioners who participated in the consultation sessions on the TJ Model on 15 July and 5 August 2024.

ANNEXES

Flexibility in customising the use of mediation and counselling by a Team

1. Mediation and counselling may be employed more flexibly by a Team in the following ways:
 - (a) flexibility to time the use of mediation;
 - (b) more integrated interventions and support by the Court Family Specialist (“CFS”);
 - (c) more intentional early referrals for parties / children to receive suitable therapeutic or other related support services, with follow-through by the Team.

Flexible use of mediation

2. Based on the needs of the family and circumstances of the case, the Team may, in its discretion, employ mediation at different points during the court proceedings and / or to resolve specific or interim issues, although it is expected that the majority of cases will still be referred to mediation at an early stage of the court proceedings.

More integrated CFS support throughout the life cycle of the case

3. The CFS in the Team will provide more integrated support throughout the life cycle of the case, where appropriate. For example, the CFS may:
 - (a) provide therapeutic support to emotionally distressed parties in acrimonious cases;
 - (b) assist parents and / or children to understand and adjust to child-related orders after such orders are made; and / or
 - (c) coordinate with external agencies / professionals with respect to referrals, where appropriate.

Early referrals to external agencies / professionals

4. The Team would generally consider making referrals for parties / children to receive suitable therapeutic or other related support services as early as possible. The referral options available include:
 - (a) counselling and / or other support services provided by agencies appointed by the Ministry of Social and Family Development (“FAM@FSC”). More information on programmes offered by the Ministry of Social and Family Development can be found at: <https://familyassist.msf.gov.sg/content/resources/programmes;>

- (b) referral to the Panel of Therapeutic Specialists (“**POTS**”). POTS is a collaboration between the Family Justice Courts and a specialised panel of experts made up of private sector mental health specialists who provide support and specialised services to both parents and their children. Costs of initial sessions are discounted from the specialists’ usual market rates. POTS could be useful in cases where the parents / children require specialised intervention and therapeutic assistance, or where parties are not eligible for FAM@FSC programmes.

Interventions that may be considered by the Team for pressing and / or urgent child issues

1. In addition to the flexibility in customising the use of mediation and counselling, the following approaches may be considered by the Team, depending on the needs of the family and circumstances of the case:
 - (a) to bifurcate child issues, if appropriate;
 - (b) to call for child evaluative assessments, such as Child Reports (defined at paragraph 6 below), at an earlier stage.

Bifurcation of child issues

2. Child issues may be bifurcated and heard first (that is, the hearing judge may hear and make final orders on child issues) before hearing and determining the other ancillary matters (“AMs”) in the case, when:
 - (a) having regard to all the circumstances of the case, the court is of the view that there are pressing child issues for which —
 - (i) interim orders may not be appropriate or adequate and may give rise to further satellite litigation;
 - (ii) it is more expedient to make final orders to avoid multiple and / or protracted proceedings / applications / appeals on child issues;
 - (iii) parties have not reached an agreement on the orders to be made despite mediation and counselling; and
 - (b) the other AMs in the case are unlikely to be ready for hearing as quickly as the child issues, and there is a likelihood that waiting for all issues to be ready before fixing a final hearing would increase parties’ acrimony and further entrench their positions.
3. The court may bifurcate child issues on its own motion or upon the application of one party or both parties, if the court is satisfied that there are good reasons to do so.
4. In this context, “child issues”:
 - (a) refer to custody, care and control of children, as well as access issues;
 - (b) may or may not include financial provision for children.
5. If child-related orders are made following bifurcation, the time for appealing under the applicable Family Justice Rules is reckoned from the date the orders are made.

Calling for child evaluative assessments at an earlier stage

6. In deciding issues concerning the child’s welfare, the court may, on its own initiative where it considers necessary for the welfare of the child, consider the following non-exhaustive child evaluative assessment approaches¹⁰:
 - (a) conduct a **Judge and Child Session** (*i.e.* child interview);
 - (b) direct a relevant professional to prepare and submit a child report, for its consideration (“**Child Report**”);
 - (c) appoint a Child Representative to prepare a Child Representative Report.
7. For cases managed by a Team, the court may, depending on the needs of the family and circumstances of the case, employ a suitable child evaluative assessment approach at an early stage of proceedings.¹¹

¹⁰ These options are also available under the Standard Track. The difference is that there is more flexibility to employ these approaches at an earlier stage when the case is managed by a Team.

¹¹ Under the Standard Track, child evaluative assessments, including Child Reports, are typically called for only at the final hearing of AMs.

Specialised competencies and skillsets of family judges and lawyers

The family judge

1. The specialised competencies and skillsets required of a family judge include (but are not limited to) the following:
 - (a) Interpersonal and communication skills in the courtroom. Courtroom communications should be characterised by empathy, attention, respect and support. When these skills are applied, parties would feel that they have been treated fairly and their trust in the court process is enhanced.
 - (b) Knowledge of basic social science concepts, including the impact of trauma, parental conflict and protracted litigation on children. This will enable the judge to look beyond the presenting legal issues to better understand parties' underlying concerns; and apply that knowledge to facilitate holistic decision-making.
 - (c) Knowledge of the different types of therapeutic and other related support services available in the community, as well as the ability to make suitable referrals where appropriate.
 - (d) Knowledge of wider multi-disciplinary topics that can help parties move forward in practical ways, such as the relevant rules and regulations of the Housing Development Board (“HDB”) and Central Provident Fund Board (“CPF”).
 - (e) Case management skills, including the ability to lead and manage a case efficiently; and be firm with parties, yet empathetic, attentive, respectful and supportive.
 - (f) Family mediation skills, as well as other facilitative and holistic skillsets that are aligned with the TJ Model.

The family lawyer

2. The specialised competencies and skillsets required of a family lawyer include (but are not limited to) the following:
 - (a) Interpersonal and communication skills. This includes the ability to demonstrate empathy, attention, respect and support, while maintaining the appropriate professional distance, and guiding the client to adopt a long-term view of matters, instead of focusing on short-term legal “wins”.
 - (b) Knowledge of basic social science concepts. This will enable the lawyer to better understand the underlying needs of the family and children, as well as the importance of adopting a problem-solving approach in family proceedings.

- (c) Knowledge of different types of therapeutic and other related support services available in the community, in order to refer the client to suitable services, where appropriate, at the earliest opportunity.
- (d) Knowledge of wider multi-disciplinary topics that can help the client in practical ways, such as housing and rental options, as well as the relevant rules and regulations of the HDB and the CPF.
- (e) Process-oriented cooperative and conciliatory techniques, to be equipped to:
 - (i) educate and advise the client about the advantages of safe cooperation with the other party, as well as the importance of conflict reduction and amicable resolution;
 - (ii) employ the most collaborative and least divisive methods in resolving issues. This would include exploring non-adversarial methods of dispute resolution with the client, such as mediation and collaborative lawyering;
 - (iii) adopt a constructive and problem-solving approach in the conduct of proceedings. This would include refraining from provocative or inflammatory language and conduct in correspondence, court documents and courtroom communications; avoiding filing unnecessary applications and evidence; and making reasonable proposals and submissions.
- (f) Family mediation skills, as well as other facilitative and holistic skillsets that are aligned with the TJ Model.