

**Circuit Court of the Third Circuit
State of Hawai'i**

Chambers of Ronald Ibarra
Judge, Third Division

**FAMILY COURT JUDGE'S MEMORANDUM
FAMILY COURT OF THE THIRD CIRCUIT**

To: All Attorneys Practicing in the Third Circuit; Family and Circuit Courts; and
All Persons Filing Divorce Actions in East Hawai'i Who Have Minor Children
Affected by the Divorce

From: Ronald Ibarra, Senior Family Court Judge

Date: March 17, 1993

Effective immediately, all divorce action plaintiffs and defendants, who are residing from Honoka'a to Volcano and who have minor children from the marriage, are **ORDERED** to attend the "Children in Transition" program sponsored by the Hawai'i YWCA and the Family Court of the Third Circuit. Such plaintiffs and defendants are **FURTHER ORDERED to bring with them all minor children between 6 and 18 years of age who are residing with them who will be affected by the divorce.**

Mothers and fathers are encouraged to attend the program, together with their children. If a party wishes to make arrangements to have a spouse attend a separate program, a written application for separate scheduling may be made by the plaintiff to the Administrative Director of the Family court at the time the complaint for divorce is filed or by the defendant no later than seven days after service of the complaint for divorce. It is important that parents attend the program together, and separate scheduling will only be arranged where a joint session will be detrimental to the children or presents a danger to the participants.

To schedule parties, the filing clerk shall examine each complaint to determine whether minor children will be affected by the divorce. If so, the clerk shall assign a program date at the time of the filing of the complaint by attaching a notice, in pink, to the first page of the complaint. By reason of this order, the plaintiff, defendant and minor children are required to attend the program on a date assigned by the filing clerk.

If the defendant is not served a copy of the complaint more than seven days prior to the assigned program date, AND is unable to arrange his/her schedule to permit attendance, the defendant will be excused from attending on the assigned date but will be required to attend the program on a subsequent date. Such a reassignment may be arranged by contacting the Administrative Director of the Family Court.

Attendance is mandatory even if there is no dispute about custody and visitation arrangements for the minor children.

No complaint for divorce which alleges that the parties have minor children shall hereafter be filed unless accompanied by:

- (1) The original and at least one copy of a completed “Children in Transition” Information Sheet; and
- (2) A copy of FCJM External Memo. 15 regarding Mandatory Attendance of Judiciary-Sponsored Program, “Children in Transition” attached to the complaint and noted in the document style.

Family Court judges may refuse to grant a divorce to the parties until they attend this program.

BHG:h