Kingston and St. Andrew

Family Court

Description of Daily Processed

Visited: November 16-17, 2015

Members

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Kingston Family Court

Daily Operations

Introduction

The family court is responsible for hearing cases that involved families and the issues they may have. The court serves as a point of mediation for these family cases and where mediation cannot solve the issue. The cases are tried in the court where a particular order will be made to address the issues. Cases in the family court include Maintenance, Custody, Declaration of Paternity, Criminal (cases involving children where the child in the case is the accused) and Domestic Violence.

Maintenance cases involve an Applicant requesting to have financial support provided by a Respondent. The financial support could be directed to maintaining a child or children, usually for education, medical and living expenses. A parent / guardian can also bring cases against a child to gain financial support form that child. After an order is made by the court either applicant can request for the original order to be adjusted.

Custody cases involve a parent / guardian bringing a case against another in order to get full or part custody of a child. After an order is made by the court either applicant can request for the original order to be adjusted.

Declaration of Paternity cases involves the mother / guardian of the child or the father bringing the case to the court in order to ascertain whether or not the stated person the actual father or not.

Criminal cases are those where the accused is a child and the intervention of the court is needed to bring the cases to a resolution. These cases include position of stolen property, assault, theft, uncontrollable child etc. These categories of cases are very critical as the courts want the best outcome for the accused and whatever situation resolved in the most suitable manner.

Domestic Violence cases involve an Applicant bringing a respondent to court for abuse that may be in the form of verbal, emotional or physical abuse. These cases can be expedited depending on the situation and the case can be heard the same day or the next depending on the availability of court.

Processes

For a criminal case the order or process is as follows. First the case file is taken in by a Police Officer or Child Development Agency Officer. The summons would have already been served by the Police which will state the charges being laid and the court date. The case file is first taken to intake where an intake form is completed to be attached to the case file. After the intake form is completed the case file is taken to a clerk for the information to be entered in the process book. The process book is used to assign the case number to the case. The information is then placed in the court list to be used in court hearings. The order made by the judge would also be written in the court list and the next court date if required. The notes of the judge in the court list can include supporting information that can be used by the clerks to make the necessary notations in the court list.

Maintenance, Custody, Domestic Violence and Declaration of Paternity case follow a different process flow from criminal cases. These cases involve an Applicant coming into the court to make a request have their case heard. The applicants are first directed to intake where a description of the case is taken and the category of case logged. The demographic information for the Applicant, Respondent and possible children are also taken in by applicant. The Applicant is then directed to the front desk where further detailed description of the case is taken and the court date assigned. The case file then moves to the summons desk where a summons can be served to the Respondent. The information is then updated in the process book where the case number is assigned and date of court is also listed. The information is then placed in the court list to be used in court hearings. The order made by the judge would also be written in the court list and the next court date if required. The notes of the judge in the court list can include supporting information that can be used by the clerks to make the necessary notations in the court list.

At the end of a Maintenance case the judge may order for a sum requested or settlement to be paid to the Applicant on a weekly/Monthly basis by the Respondent. This situation can continue for a while and have a unique process flow. First the completed case file is taken and the information first updated in the Collecting Officer’s Book. The information then moves to the Itinerary Book where the Book and Page numbers for the ledger book, are assigned for the information to be logged. The data is then placed in the Ledger Book. A Respondent can then come to make a payment which id is logged in the ledger book. Once monies are available an Applicant can come to collect. Every action taken is logged whether it be collecting or making a payment. The applicant can also make special requests by taking in receipts and vouchers for additional payments to be made by the respondents, for example (Medical, school fees etc.).