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Introduction

Pace Law Review Symposium: New York Matrimonial Commission

The Honorable Judith S. Kaye*

Too much money, too much delay, too much agony. That has long been the steady drumbeat about the divorce process in New York.

Over the past decade, and more, innumerable initiatives have streamlined and improved matrimonial litigation—for example, sweeping rule changes in 1993; creation of a new oversight post, Statewide Administrative Judge for Matrimonial Matters (held by Jacqueline Silbermann); dedicated matrimonial parts, with early and active case management, and alternative dispute resolution where appropriate; improved judicial training and education; a statewide parent education program; and forms to enable parties in uncontested matrimonials to proceed on their own.

But the drumbeat persists: too much money, too much delay, too much agony. Given that separation and divorce are among the most stressful events in a person's life, in moments of utter frustration I sometimes despair that it may never be possible to eliminate the complaints. But then good sense returns. As we all know, change—especially cultural change—is hard to accomplish. Particularly given the high rate of divorce in this country, I am convinced that we must continue to search out and find better ways to serve the public in these difficult cases. Improvements in the divorce process help the litigants, of course, but perhaps of even greater importance is that im-

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provements also minimize the trauma to children of divorce. That benefits not only the next generation but also all of society.

In the belief that intensifying the spotlight on matrimonial litigation would promote beneficial reform, in 2004 we appointed a Matrimonial Commission, chaired by former Second Department Appellate Division Justice Sondra Miller, to take a comprehensive look at matrimonial litigation. The Commission concluded that we need major change in the culture of the matrimonial and family courts, and it handed us a list of specific legislative, administrative and operational recommendations to facilitate that change. Judge Miller in her article tells you more about the work of the Commission. We are now in the process of implementing many of the recommendations.

I want to thank Professor Janet Johnson and the PACE LAW REVIEW for an issue highlighting the work of the Commission, and for commentary on several aspects of its vital work. The real hope for meaningful reform lies in keeping an informed spotlight trained on the problems, pointing the way to change. You've done that.

We *can* change the drumbeat. We *must* change the drumbeat.