

# NATIONAL JUDICIAL ACADEMY

**P-1126:** Refresher course for Family Courts

12<sup>th</sup> – 16<sup>th</sup> October, 2018

**Programme Coordinator** : Ms. Shruti Jane Eusebius & Mr. Shashwat Gupta

**No. of Participants** : 30

**No. of forms received** : 30

I. OVERALL				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
a. The objective of the Program was clear to me	<b>96.67</b>	<b>3.33</b>	-	
b. The subject matter of the program is useful and relevant to my work	<b>83.33</b>	<b>16.67</b>	-	19. Extremely useful
c. Overall, I got benefited from attending this program	<b>86.67</b>	<b>13.33</b>	-	
d. I will use the new learning, skills, ideas and knowledge in my work	<b>73.33</b>	<b>26.67</b>	-	30. Shall be helpful in matters in revisions filed against orders granting maintenance.
e. Adequate time and opportunity was provided to participants to share experiences	<b>86.67</b>	<b>13.33</b>	-	
II. KNOWLEDGE				
PROPOSITION	To a great extent	To some extent	Not at all	Remarks
The program provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	<b>86.67</b>	<b>13.33</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>75.00</b>	<b>25.00</b>	-	-

c. Up to date	<b>75.86</b>	<b>24.14</b>	-	-
d. Related to Constitutional Vision of Justice	<b>48.28</b>	<b>51.72</b>	-	-
e. Related to international legal norms	<b>25.00</b>	<b>60.71</b>	<b>14.29</b>	

### III. STRUCTURE OF THE PROGRAM

<b>PROPOSITION</b>	<b>Good</b>	<b>Satisfactory</b>	<b>Unsatisfactory</b>	<b>Remarks</b>
a. The structure and sequence of the program was logical	<b>86.21</b>	<b>13.79</b>	-	-
b. The program was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>83.33</b>	<b>16.67</b>	-	-
(ii) Interactive sessions were fruitful	<b>80.00</b>	<b>20.00</b>	-	
(iii) Simulation Exercises were valuable	<b>63.33</b>	<b>36.67</b>	-	
(iv) Audio Visual Aids were beneficial	<b>60.71</b>	<b>39.29</b>	-	23. There was no audio visual aid.

### IV SESSIONS WISE VETTING

#### Parameters

<b>Session</b>	<b>Discussions in individual sessions were effectively organized</b>		<b>The Session theme was adequately addressed by the Resource Persons</b>	
	Effective and Useful	Satisfactory	Effective and Useful	Satisfactory
1	<b>76.67</b>	<b>23.33</b>	<b>75.00</b>	<b>25.00</b>
2	<b>83.33</b>	<b>16.67</b>	<b>83.33</b>	<b>16.67</b>
3	<b>83.33</b>	<b>16.67</b>	<b>83.33</b>	<b>16.67</b>
4	<b>86.67</b>	<b>13.33</b>	<b>83.33</b>	<b>16.67</b>
5	<b>93.33</b>	<b>6.67</b>	<b>91.30</b>	<b>8.70</b>
6	<b>83.87</b>	<b>16.13</b>	<b>75.00</b>	<b>25.00</b>
7	<b>86.21</b>	<b>13.79</b>	<b>69.57</b>	<b>30.43</b>
8	<b>82.76</b>	<b>17.24</b>	<b>69.57</b>	<b>30.43</b>
9	<b>92.86</b>	<b>7.14</b>	<b>91.30</b>	<b>8.70</b>

10	<b>80.00</b>	<b>20.00</b>	<b>73.91</b>	<b>26.09</b>
11	<b>85.71</b>	<b>14.29</b>	<b>86.96</b>	<b>13.04</b>
12	<b>82.76</b>	<b>17.24</b>	<b>86.96</b>	<b>13.04</b>
13	<b>82.76</b>	<b>17.24</b>	<b>69.57</b>	<b>30.43</b>
14	<b>86.21</b>	<b>13.79</b>	<b>78.26</b>	<b>21.74</b>
<b>V. PROGRAM MATERIALS</b>				
<b>PROPOSITION</b>	<b>To a great extent</b>	<b>To some extent</b>	<b>Not at all</b>	<b>Remarks</b>
a. The Program material is useful and relevant	<b>89.66</b>	<b>10.34</b>	-	10. SCC online material not clearly visible. 19. It is updated & excellent
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>79.31</b>	<b>20.69</b>	-	-
c. The content was organized and easy to follow	<b>75.86</b>	<b>24.14</b>	-	-

<b>VIII. GENERAL SUGGESTIONS</b>	
a. Three most important learning achievements of this Programme	<p>1. Participant did not comment.</p> <p>2. 1. Several problems discussed and solved on family court related acts.</p> <p>3. Got information about the family laws. Interaction with other family court judges. Good facilities in the NJA.</p> <p>4. Participant did not comment.</p> <p>5. It was mind opener. Some areas were found very useful to which till date I was not very much aware.</p> <p>6. How to deal with family court act; How to deal with matrimonial dispute couples; How to take help of lawyers.</p> <p>7. As judges from different parts of country are invited. All of us had an opportunity to know about the implementation of family laws.</p> <p>8. 1. Role of judges in divorce proceedings; 2. Communication skills &amp; technique for effective resolution of family disputes; 3. Understanding family disputes.</p> <p>9. <i>Session 4: Counselling, Conciliation &amp; Mediation in Resolving Family Disputes—Relevance and Importance; Session 5: Significance of Couple Therapy &amp; Group Therapy in Matrimonial Disputes and Session 11: Psychological Perspectives to Determine Best Interests of the Child.</i></p>

	<p>10. Gender justice; Psychological issues; Guardianship.</p> <p>11. 1. General idea about the value of family setup; 2. Speedy justice to the litigants; 3. Sympathy and empathy for litigants.</p> <p>12. Gained focused vision to discharge the function of a family court judge.</p> <p>13. 1. To look into the provision of law; 2. Exercise the power vested under family courts act; 3. To evolve own procedure for settlement of dispute.</p> <p>14. Resources Persons gave presentations on the topic to sensitize the judges on relevant law point.</p> <p>15. Shall be more useful in deciding the family law disputes in future.</p> <p>16. Sensitized about the topic/subject; Understood the depth of subject; Good learning for experts.</p> <p>17. 1. Conduct towards litigant; 2. Advancement in management; 3. Legal knowledge improved.</p> <p>18. 1. Got a new vision to have look at matrimonial disputes; 2. Confidence is boosted; 3. Received very useful material.</p> <p>19. 1. Radical approach needed by family courts; 2. Psycho-social approach; 3. Role of judges in divorce &amp; maintenance case.</p> <p>20. Knowledge; New skills &amp; techniques.</p> <p>21. <i>Session 4: Counselling, Conciliation &amp; Mediation in Resolving Family Disputes—Relevance and Importance; Session 6: Understanding Family Disputes: A Psycho-social Approach; Session 11: Psychological Perspectives to Determine Best Interests of the Child.</i></p> <p>22. 1. Significance of couple therapy; 2. Understanding family disputes; 3. Adjudication of property disputes.</p> <p>23. Knowledge of law, present techniques of conciliation, psychological treatment to parties.</p> <p>24. 1. The importance of the family court; 2. The role of the judge in family court; 3. The method of counselling.</p> <p>25. <i>Session 5: Significance of Couple Therapy &amp; Group Therapy in Matrimonial Disputes &amp; Session 6: Understanding Family Disputes: A Psycho-social Approach.</i></p> <p>26. The importance of the family court; The role of the judge of family court; The methods of counselling &amp; conciliation.</p> <p>27. Material supplied by NJA useful.</p> <p>28. Had opportunity to review my skills on family laws.</p> <p>29. 1. It opened my mind; 2. It provides an opportunity to explore different avenues; 3. I learnt methodologies from other participants.</p> <p>30. 1. <i>Session 3: Communication Skills and Techniques for Effective Resolution of Family Disputes; 2. Session 4: Counselling, Conciliation &amp; Mediation in Resolving Family Disputes—Relevance and Importance; 3. Session 5: Significance of Couple Therapy &amp; Group Therapy in Matrimonial Disputes-Mr. Sudhir Kumar Jain.</i></p>
<p>b. Which part of the Programme did you</p>	<p>1. <i>Session 4: Counselling, Conciliation &amp; Mediation in Resolving Family Disputes—Relevance and Importance-</i> to access the root cause of problems &amp; solve it in a medico legal way.</p>

<p>find most useful and why</p>	<p>2. Participant did not comment.</p> <p>3. All sessions were good.</p> <p>4. Participant did not comment.</p> <p>5. <b>Session 5: Significance of Couple Therapy &amp; Group Therapy in Matrimonial Disputes &amp; Session 6: Understanding Family Disputes: A Psycho-social Approach</b>- was most useful because- these opened some thought to my mind I was not aware about.</p> <p>6. Participant did not comment.</p> <p>7. <b>Session 5: Significance of Couple Therapy &amp; Group Therapy in Matrimonial Disputes &amp; Session 6: Understanding Family Disputes: A Psycho-social Approach</b>- because it will be more useful in finding out the solutions in matrimonial cases.</p> <p>8. Role of judges in divorce proceedings; Adjudication of property disputes by family courts.</p> <p>9. <b>Session 6: Understanding Family Disputes: A Psycho-social Approach; Session 8: Maintenance Proceedings: Radical Approach of Family Courts; Session 9: Adjudication of Property Disputes by Family Courts: Challenges &amp; Solutions and Session 11: Psychological Perspectives to Determine Best Interests of the Child.</b></p> <p>10. Psychology.</p> <p>11. Guardianship and custody of child.</p> <p>12. <b>Session 10: Child Custody and Guardianship: Issues and Challenges; Session 11: Psychological Perspectives to Determine Best Interests of the Child; Session 12: Gender Justice and Gender Bias: Maintaining Equilibrium.</b></p> <p>13. Child custody and guardianship.</p> <p>14. Most parts of the programmes were very useful for disposal of the case.</p> <p>15. All.</p> <p>16. Psychology &amp; psychiatric part of the programme.</p> <p>17. Discussion in session.</p> <p>18. Role of judges in divorce proceedings – because it gave a clear idea of task techniques to be used by a judge of family court.</p> <p>19. 1. Cross border custody issues; 2. Significance of mediation &amp; conciliation in matrimonial disputes.</p> <p>20. Psychological perspective to determine best interests of the child; Communication skills and techniques for effective resolution of family disputes.</p> <p>21. <b>Session 4: Counselling, Conciliation &amp; Mediation in Resolving Family Disputes; Session 6: Understanding Family Disputes: A Psycho-social Approach; Session 11: Psychological Perspectives to Determine Best Interests of the Child and Session 13: Challenges and Constraints Affecting the Working of Family Courts.</b></p> <p>22. All the session were useful.</p> <p>23. <b>Session 4: Counselling, Conciliation &amp; Mediation in Resolving Family Disputes; Session 7: Role of Judges in Divorce Proceedings.</b></p> <p>24. Role of the judge.</p> <p>25. <b>Session 5: Significance of Couple Therapy &amp; Group Therapy in Matrimonial Disputes &amp; Session 6: Understanding Family Disputes: A Psycho-social Approach.</b></p>
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	<p>26. Role of the judge.</p> <p>27. Children custody.</p> <p>28. <b>Session 13: Challenges and Constraints Affecting the Working of Family Courts.</b></p> <p>29. Psychological part of matrimonial disputes – because it gives an opportunity to think differently.</p> <p>30. Entire programme was very useful.</p>
<p>c. Which part of the Programme did you find least useful and why</p>	<p>1. <b>Session 7: Role of Judges in Divorce Proceedings-</b> The apathetic comment that in order to provide legal assistance to Indian woman abroad, judicial officer must pay out of her pocket and engage Mr. Anil Malhotra for this purpose.</p> <p>2. Every part of the programme I find useful because of its simple language and happy atmosphere.</p> <p>3. All sessions useful.</p> <p>4. Participant did not comment.</p> <p>5. <b>Session 1: Constitutional and Legislative Mandate of Family Courts-</b> was least useful, because the court I preside over is a basic court and cases are not decided on the basis of legal aspect, rather on the basis of facts and evidence.</p> <p>6. Participant did not comment.</p> <p>7. Participant did not comment.</p> <p>8. Constitutional &amp; legislative mandate of family courts.</p> <p>9. <b>Session 13: Challenges and Constraints Affecting the Working of Family Courts.</b></p> <p>10. Mediation not effective in practice.</p> <p>11. Participant did not comment.</p> <p>12. Participant did not comment.</p> <p>13. None.</p> <p>14. All the resource persons were well versed with their topic &amp; they have enlightened us to dispose of the case pertaining to family dispute.</p> <p>15. None.</p> <p>16. None of above all.</p> <p>17. Participant did not comment.</p> <p>18. Participant did not comment.</p> <p>19. Not any.</p> <p>20. Participant did not comment.</p> <p>21. <b>Session 12: Gender Justice and Gender Bias: Maintaining Equilibrium.</b></p> <p>22. Nil</p> <p>23. <b>Session 12: Gender Justice and Gender Bias: Maintaining Equilibrium.</b></p> <p>24. None.</p> <p>25. Participant did not comment.</p> <p>26. None.</p> <p>27. Strengthening family court functioning.</p>

	<p>28. <i>Session 12: Gender Justice and Gender Bias: Maintaining Equilibrium.</i></p> <p>29. Nil</p> <p>30. Nil.</p>
<p>d. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<ol style="list-style-type: none"> <li>1. Conduct these training programmes either before a person is posted as a family court judge or at least immediately after they are posted to family courts.</li> <li>2. Participant did not comment.</li> <li>3. Participant did not comment.</li> <li>4. Participant did not comment.</li> <li>5. Same programme may be organized where more time may be given to participant for raising their problems and solution by experts.</li> <li>6. Participant did not comment.</li> <li>7. It will be useful if the NJA permits the spouse to stay with the judges on payment basis.</li> <li>8. No thanks.</li> <li>9. Regarding trainees, their spouse should also be allowed subject to cost to be incurred by the officer.</li> <li>10. Effective enforcement of maintenance u/s 125 (3), CrPC and to Muslim women from Wakf Board, requires to be concentrated upon.</li> <li>11. Time allotted for each subject is not adequate- concentrate on few topics and cover more on that topic.</li> <li>12. Could have had a deeper analysis on the legal provision.</li> <li>13. Have high regards for NJA. It has been proven. Hence I do not above any suggestion to make.</li> <li>14. Spouses be allowed. Provide vehicle to visit market.</li> <li>15. Kindly provide some suitable conveyance after programmes.</li> <li>16. Nicely conducted. Please provide taxi/cab to market once or twice.</li> <li>17. Judges to be called from all over the India.</li> <li>18. 1. Material for studies must be given well in advance; 2. Sub topics may be drawn.</li> <li>19. I would request for periodic programmes for family court judges.</li> <li>20. Participant did not comment.</li> <li>21. NJA should take messages to apprise the concerned, High Court about the problems, we disclose here.</li> <li>22. Participant did not comment.</li> <li>23. No specific suggestion.</li> <li>24. Interaction with executive officers (Collector, SP, Welfare Department) for execution of family court orders.</li> <li>25. Interaction with executive officers (Collector, SP, Welfare Department) for execution of family court orders.</li> <li>26. If resource persons can conduct classes in states, it would be a blessing.</li> <li>27. No.</li> </ol>

	<p>28. Latest legal provisions and precedents may be sent by NJA to all judicial officers by email.</p> <p>29. In the evening free dropping facility may be provided.</p> <p>30. Participant did not comment.</p>
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