

Joint Legislative Oversight & Sunset Committee

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JLOSC Meeting: April 11, 2022 Starting at 1:00 p.m. SEE AGENDA FOR DETAILED INFO

Today's Review Presentation:
- Family Law Commission (FLC)

**Zoom Webinar Registration Required for
Public Comment on a presentation.**

Register via Zoom by using registration link
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<https://bit.ly/JLOSC411>



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Join Zoom webinar to offer public comment.

Per JLOSC Rule 6, public comments must be on the subject at hand.

Sen. Kyle Evans Gay, Vice Chair
Sen. Stephanie L. Hansen
Sen. Sarah McBride
Sen. Brian G. Pettyjohn
Sen. Bryant L. Richardson



Rep. Sherry Dorsey Walker, Chair
Rep. Krista Griffith
Rep. Kendra Johnson
Rep. Jeff N. Spiegelman
Rep. Lyndon D. Yearick

STATE OF DELAWARE
JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Joint Legislative Oversight and Sunset Committee
Virtual Meeting

Public Viewing Access via General Assembly [Live Stream](#)

Public Registration [Link](#) for Public Comment

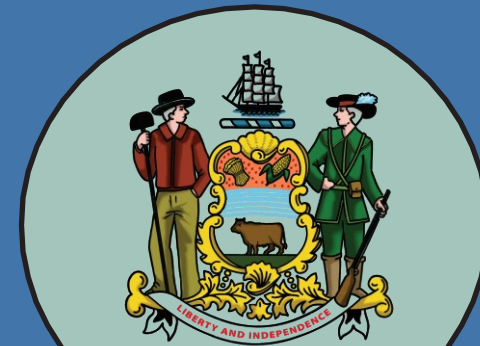
Monday, April 11, 2022
1:00 p.m.

Agenda

1. Welcome
2. Approve Minutes
3. Draft Legislation
4. Presentation Meeting: Family Law Commission
5. Public Comment: Family Law Commission
6. Staff Findings and Recommendations: Family Law Commission
7. Adjournment

Note: The Committee's Chair will recognize members of the public to supply comments after an entity's presentation, [zoom meeting registration](#) is required. Per JLOSC [Rule 6](#), public comments must be on the subject at hand and are limited to 2 minutes for a Delaware citizen, a group spokesperson is limited to 3 minutes. Zoom registration is not required to simply watch the meeting's [live stream](#).

Written public comments can be submitted to Sunset@Delaware.gov or by using the Committee's public comment [form](#). Self and Staff Reports about these reviews are available on the Committee's [website](#). Contact JLOSC staff with any questions.



Joint Legislative Oversight
& Sunset Committee

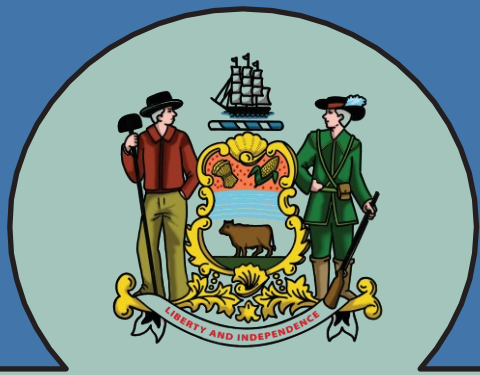
2022 Review Presentation:
Family Law Commission (FLC)

Zoom Registration:
<https://bit.ly/JLOSC411>

See posted agenda for full details.



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Joint Legislative Oversight & Sunset Committee



Email written comments to
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Public Comment: FLC

Registration Required Scan QR Code Below



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Scan QR Code or enter
<https://bit.ly/JLOSC411>
and Register via Zoom

Register and join Zoom webinar
in progress.

Staff will call on members of the public
in the order of registration.

Per JLOSC Rule 6, public comments
must be on the subject at hand



Staff Report

Family Law Commission (FLC)

8 total staff findings, highlights include:

- FLC is no longer meeting statutory requirements:
 - Publishing information/analysis for public consumption.
 - Submitting an annual report to the legislature after 2016.
 - Offering comment/position on legislation in the last 6 years.
- Created in 1984 to study/evaluate rules and procedures of the newly formed statewide Family Court.
 - 51 years old: Family Court made customer service improvements, streamlined operations, improved information delivery.
 - FLC did good work and fulfilled its mission.
- Only standing Council/Commission/Board housed in the legislature, atypical of General Assembly operations.
- JLOSC reviews typically look at the last 5 years. Due to lack of public documents, staff expanded scope to 17 years.
- Policy research/proposals regarding family law sidestepped FLC in favor of task forces.
- Public hearings present issues around privacy, unrealistic expectations, and misunderstandings of FLC authority.
- FLC has an annual budget and used it in the past to disseminate brochures, pamphlets, and hire a secretary.
- Clarification: Staff **does not** recommend a legislative caucus. This idea was made to staff off the record.

Staff Report

Staff Recommendations

STAFF RECOMMENDATIONS

Recommendation #1, Option 2 – Sunset the Family Law Commission

Review and analysis by JLOSC staff conclude the Family Law Commission has long standing issues with FOIA compliance, does not meet its statutory requirements, does not have the resources to supply meaningful information or policy analysis to the public and stakeholders, cannot supply legal advice, and has seen public participation significantly decline. The Family Law Commission is not meeting a public need.

JLOSC staff recommends Option 2: Sunset the Family Law Commission with JLOSC sponsoring legislation to implement this recommendation.

Continue or Terminate (standard JLOSC recommendation):

Option 1: The Family Law Commission shall continue, subject to any further recommendations that JLOSC adopts.

- OR -

Option 2: The Family Law Commission is terminated, and JLOSC will sponsor legislation to implement this recommendation.

Recommendation #2 – Release from Review.

Release the Family Law Commission from review upon enactment of sunset legislation.

- **Sunset the Family Law Commission.**
 - FLC does not meet its statutory requirements.
 - FLC does not have capability to supply information or analysis to the public or stakeholders.
 - Cannot supply legal advice.
 - Has long standing issues with FOIA/open meeting compliance.
 - Has seen public participation significantly decline prior to the COVID-19 pandemic.