Who could have predicted that a global pandemic would bring the world to a
pause in 2020? Yet, as I write this Preface, most of the people on our planet are
sheltering in place, working remotely, and trying to stay safe and healthy despite
the terrible threat of contracting the deadly coronavirus, COVID-19. The markets
are in flux, the grocery shelves are empty, and many people who depend on every
paycheck are laid off with no ability to pay their bills. This situation affects every
person—no matter their socioeconomic status—and has given us all a new per-
spective. Keeping our families healthy and with a roof over their heads is now the
highest priority. What was once a given is no longer so.

There are other consequences as well. For at least the next several weeks and
perhaps months, people will be “social distancing” to avoid contracting the virus.
In Pennsylvania and across the country, the family and other courts are closed
except for emergency matters, and all scheduled conferences and hearings are
canceled with no new dates being offered. Individuals who would have filed for
divorce are now hunkered down at home with their estranged spouses and chil-
dren, trying to keep the peace despite the chaos. We hope that we can “flatten the
curve” over the next several months with the dedication of the health care workers
and others on the front line fighting the virus, but life as we knew it will never be
the same.

I wrote this book with the hypothesis that arbitration is the hope for a more
efficient, amicable, and expedient resolution of family law matters. Since the out-
break of COVID-19, the reasons to use family law arbitration over litigation have
increased exponentially. As the courts slowly reopen and the public goes back
to work, clients will again seek our assistance in filing for divorce, support, and
custody. These cases will need to be scheduled after the cases that were already in
the pipeline, and the backlog of court conferences and hearings will significantly
increase. For many family law clients, these claims cannot wait; their family law
issues affect them personally and acutely, impacting their own and their children’s
welfare. Family law arbitration can help to reduce this backlog, achieve fair and
expedient resolution of these claims, and boost public confidence in our system of
justice. The prospect of having more family law cases efficiently resolved outside
of the court system and on terms that the client, with the help of their lawyer, determines, is promising and exhilarating.

Education about the practice, procedure, and forms to be used in family law arbitration is the key to the success of this concept. Many individuals—clients, practitioners, and judges—are unfamiliar with the advantages of using arbitration in family law cases. Some practitioners have used arbitration for more complex divorce cases but have been unwilling to try it out for smaller cases, or for isolated support or custody issues. Others have used arbitration for parenting plans but not for cases involving more complicated financial or valuation issues. I am hopeful that this book will help those who are involved in disputed family law claims to learn about the benefits of arbitrating those claims. As a family law practitioner who has represented clients in arbitrations and who has served as an arbitrator, I also strive to help my colleagues learn how they can be more effective advocates in arbitration, by giving them an understanding of the law in their state, rules and forms that they can adopt, and guidance and practice tips for every stage of the process.

Finally, this book gives an overview of the laws across the country regarding family law arbitration, with a chart summarizing the laws and rules applicable in each state and special provisions, including those for child-related issues. This review includes a detailed explanation of the Uniform Family Law Arbitration Act, the Model Family Law Arbitration Act, and the North Carolina Family Law Arbitration Act, including their suggested rules and forms. Through an analysis of the procedures under these model acts, I hope to highlight the benefit of adopting family law-specific arbitration statutes and rules that can aid in the promotion and feasibility of arbitration in places where it is not presently utilized and where it is underutilized.

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