

## Private Family Law Judges

In this segment, we're going to discuss utilizing a private family law judge instead of the traditional public court system judge for your case. We'll cover the major pros and cons, and from there you can [contact us](#) for guidance in deciding if it's something to consider in your divorce, custody, or other family law case.

### Pros: Private Family Law Judge

Following are some of the advantages that are gained by using a private judge. At the same time, some of the disadvantages of the public court are mentioned.

#### Expediting the overall process

While not guaranteed in every case, majority of the family law cases that utilize a private family law judge will reach resolution faster than the public court. This is simply due to the fact that a private judge doesn't have to juggle multiple cases and parties.

#### Increased dedication and involvement

Public family law judges in the court system have multiple cases on their plates to move along at the same time. Assume for a moment that a public judge has 20 divorce and custody cases on their calendar, with your case being one of those. Now, imagine that you have one judge dedicated to your case for an entire morning or even an entire day. A private family law judge in this scenario will likely have more time to dedicate to you and the specifics of your case. With a deeper knowledge and understanding of the small details, family law and codes and be applied to their full extent.

#### Experience

It's possible that a private family law judge may have increased experience over one in the public realm. Based on what we've seen, many private judges who deal with family law cases are either former family law attorneys or former family law judges who have retired. In the public court, it can be a mixed bag. You may get a family law judge who is a former attorney with many years of experience, or you may get a former district attorney or private attorney who had minimal experience in family law. To top it off, you may get a family law judge who is new to not only the role, but to family law as well. Keep in mind that these scenarios aren't guaranteed, rather it's what we've experienced over the years.

### Cons: Private Family Law Judge

## Cost

The largest obstacle when using a private family law judge is the cost. Majority of private judges charge as much as your family law attorney, and in some cases, even more. Every document filed with the court and examined by the private judge is going to be billed. In a complex case, this could result fees that are double or triple of what you'd normally pay in legal fees.

## Leniency

A private family law judge may be less likely to award attorneys fees in the form of court sanctions. Assume for a moment that you're an attorney, and your client decides to use a private judge. During the process, that judge ends up punishing your client due to their conduct in the form of [attorney fees paid to the opposing spouse](#). As an attorney you're not likely to use or recommend that private judge in the future, and he or she loses out on future cases. So, in this regard, there's a small risk that a private judge may be more lenient toward a difficult, uncooperative party or attorney. So, a small possibility but still something to keep in mind and discuss with your family law attorney before deciding.

With some of the major disadvantages of public court judges listed above, there are some positives associated with the public system.

## Pros: Public Family Law Judge

### Fees

You're not paying the fees that a private judge will charge. We've seen hourly fees in the range of \$400 to \$600 per hour being charged by private judges.

### Court and Family Law Pressure

One of the positives of the public court system is that it places pressure on the spouses and attorneys to reach dispute resolution. When spouses and attorneys are aware that continuing to battle in court will devour time and money, everyone tends experiences a sense of urgency to finalize the case.

### Justice

This is opposite of the possible leniency issue mentioned previously with private judges. Public court judges rarely tolerate bad behaviors by spouses or their attorneys, and won't hesitate to sanction punishment.

## **The bottom line**

The decision isn't easy for a lot of people who are on the fence between these two options. Regardless, it's always recommended to discuss the specifics of your case with an experienced family law attorney before making a decision. Feel free to [contact our office](#) for a consultation to discuss the specific facts of your case. This way, you can make an educated and informed decision.