



NORTH CAROLINA  
ADMINISTRATIVE OFFICE  
*of the* COURTS

## **Family Court Continuation Review, Amended**

Submitted: March 1, 2012



This report is organized in the format outlined in the July 29, 2011 letter from George R. Hall, Legislative Services Officer, to Judge John W. Smith, Administrative Officer of the Courts. The bolded headings for the numbered subparts are drawn from Section 6.7 of S.L. 2011-145. When guidance contained in Mr. Hall's letter follows the statutory language, it is provided in brackets, e.g., [Hall: additional guidance for section].

This amended final report, submitted to the General Assembly on March 1, 2012, contains additional information, requested by General Assembly Fiscal Research Division staff.

## Executive Summary

Family courts handle a variety of district court civil disputes, involving intra-familial rights, relationships, and obligations (e.g., divorce, child custody) and all juvenile matters (e.g., juvenile abuse and neglect). **Family Court staff members provide case management with the goal of efficient and timely resolution of cases. The primary tool used is the consolidation of various issues/cases before the court that affect a single family (i.e., “one family, one judge”).**

In Section 6.7 of S.L. 2011-145, the General Assembly selected the Family Court Program to undergo a Continuation Review. This report contains a description of the significant programmatic activities of Family Court. It also contains an analysis of civil district domestic cases (clearance rates and timelines) and adjudication timelines for juvenile abuse/neglect/dependency cases.

**For civil domestic cases, the most significant quantifiable differences between Family Court districts and Non-Family Court Districts on an ongoing basis<sup>1</sup> are *Pending Median Age* and *Percentage of Pending Cases that have been pending for more than 365 days*.**

As the data in Table 1 indicates, the *Pending Median Age* for civil domestic cases in Family Court Districts during the analysis period was 90 days; the *Pending Median Age* for civil domestic cases in Non-Family Court Districts during the analysis period was 272 days. As the data in Table 1 indicates, the percentage of *Pending Cases > 365 days (1 year)* for civil domestic cases in Family Court Districts during the analysis period was 19.8%; the percentage of *Pending Cases > 365 days (1 year)* for civil domestic cases in Non-Family Court Districts during the analysis period was 43.6%.

**Table 1: District Court Civil Domestic Cases**

	Case Clearance Rate	Number of Cases Disposed	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
Family Court Districts	99.2%	42,694	87.2%	49	19.8%	90
Non-Family Court Districts	99.1%	52,873	86.1%	42	43.6%	272

All differences in Table 1 are statistically significant. Tables 6 and 7 in the *Program Performance* section of this report provide the detailed data from which the summary data in Table 1 are drawn.

There is little difference between Family Court Districts and Non-Family Court Districts in the percentage of adjudications in juvenile abuse/neglect/dependency cases that are completed within the statutory timeframe of 60 days from date of the filing of a petition. Family Court Districts complete 48.6% of their juvenile abuse/neglect/dependency adjudications within the statutory timeframe; Non-Family Court Districts complete 50.4% of their juvenile abuse/neglect/dependency adjudications within the statutory time frame.

**Should Family Court funding be discontinued, it is foreseeable that the timeliness of civil domestic case disposition in districts currently served by Family Court would move toward that of Non-Family Court districts, most significantly: the pending median age of cases in districts currently served by Family Court would rise dramatically as would the percentage of cases in those districts that have been pending for more than 365 days (1 year).** In addition to these quantifiable impacts, the letters from the Chair of the Chief Justice’s Family Court Advisory Committee and from the Chief District Court Judges in Family Court districts are contained in *Appendix A*. They provide additional information regarding the impact of discontinued funding.

<sup>1</sup> The detailed analysis in the Program Performance section outlines the rationale for focusing on ongoing impact.

## Current Environment

### (1) A description of the fund, agency, division, or program mission, goals, and objectives.

Certified Family Court Budget: \$2,943,367

Family Court Staff FTE: 44

Family courts handle a variety of district court civil disputes, involving intra-familial rights, relationships, and obligations (e.g., divorce, child custody) and all juvenile matters (e.g., juvenile abuse and neglect). **Family Court staff members provide case management with the goal of efficient and timely resolution of cases. The primary tool used is the consolidation of issues/cases before the court that affect a single family (i.e., “one family, one judge”).**

The Commission for the Future of Justice and the Courts in North Carolina envisioned “a forum that resolves family related issues in a manner that respects the rights of each individual family member, promotes the broad interest of the family, and helps families structure their own solutions.”

Individual family courts may have written mission statements that are specific to their local needs.

Family courts should strive to apply best practices in case management principles, such as assignment of one judge to one family for all issues before the court, continuous calendaring, limiting continuances, and opportunities for non-adversarial resolution of family issues, such as mediation and other forms of alternative dispute resolution. Family court services are accessible to all citizens in Family Court districts regardless of economic status.

There are two types of Family Court staff positions: Family Court Administrators and Family Court Coordinators. All local Family Court staff members are hired and supervised by the chief district court judge. Beyond case management, Family Court staff does not provide direct services to the family or perform mediation or dispute resolution.

Family Court Administrators are responsible for the planning, directing and organizing of all activities of the family court program. The Administrators oversee daily operations of the court, including case management, personnel administration, and statistical reporting and evaluations; implement court services and programs, which may include seeking and managing outside funding sources; and serve as a liaison between the Family Court program and other service providers and partners. The recommended minimum training and experience for this position is a bachelor’s degree in a human service field plus five years of related experience, a master’s degree in Public Administration or a human service field plus three years of related experience, or a law degree plus two years of related experience. For complete Family Court Administrator *Job Specifications*, please see *Appendix H*.

Family Court Case Coordinators work the daily processes and handle customer service, including assigning judges to cases and scheduling/facilitating other case-related events; communicating with attorneys regarding calendaring and time standards; prepares court orders and drafts correspondence as directed by a judge; and produces reports related to family court time standards. The recommended minimum training and experience for this position is a bachelor’s degree in a human service field plus two years of related experience, or an Associate’s degree in a human service field plus four years of related experience. For complete Family Court Case Coordinator *Job Specifications*, please see *Appendix H*.



District	County/Counties	State-Funded Staff
3A	Pitt	1 Family Court Administrator, 2 Family Court Coordinators
5	New Hanover, Pender	1 Family Court Administrator, 2 Family Court Coordinators
6A	Halifax	1 Family Court Administrator, 1 Family Court Coordinator
8	Greene, Lenoir, Wayne	2 Family Court Coordinators
10	Wake	1 Family Court Administrator*, 4 Family Court Coordinators
12	Cumberland	1 Family Court Administrator, 4 Family Court Coordinators
14	Durham	3 Family Court Coordinators
19B	Montgomery, Moore, Randolph	1 Family Court Administrator, 3 Family Court Coordinators
20A	Anson, Richmond, Stanly	1 Family Court Administrator, 1 Family Court Coordinator
20B	Union	1 Family Court Administrator, 1 Family Court Coordinator
25	Burke, Caldwell, Catawba	3 Family Court Coordinators
26	Mecklenburg	1 Family Court Administrator, 6 Family Court Coordinators
28	Buncombe	1 Family Court Administrator*, 2 Family Court Coordinators

\*At the submission of this report the Family Court Administrator positions in Districts 10 and 28 are vacant.

The certified Family Court Budget for FY 2011-12 is \$2,943,367. Of the total amount certified, \$2,751,124 is for personal service/salary items. The remaining \$192,243 is for purchased services (\$187,697), property/equipment (\$3,748), and other expenses (\$798). For more detail on the FY 2011-12 budget see *Appendix I*.

*Appendix B* contains a North Carolina map that indicates which counties are served by a Family Court.

The established Family Courts were created between FY1999-2000 and FY2007-08. Although Family Court is not statewide, the only barrier to future implementation is the funding needed for staff members in Non-Family Court districts. Local rules specific to family court must be established in districts implementing a family court program.

*From page 6 in Family Court Best Practices and Guidelines, Appendix G :*

“To implement Family Court, the chief district court judge and designated Family Court judges assume a proactive and collaborative role within the court community and offer guidance and support to all parties whose roles are affected by Family Court policies and procedures....Judicial leaders must communicate to their employees, practicing attorneys, child welfare agencies, and others that timely dispositions are a top priority....The judges’ ability to enlist the support of the local bar, social service agencies, and other based on shared values is fundamental to the Family Court’s success.”

The North Carolina Administrative Office of the Courts (NCAOC) staff in the Court Programs and Management Services Division compiles an annual report on the activity of the family courts and the number of districts that are requesting funding to establish Family Court programs. This report is submitted to the General Assembly and is made available to the public on the NCAOC website.

**(2) The statutory objectives for the fund, agency, division, or program and the program or need addressed.** [Hall: Categorization of mission, goals, and objectives as either statutory or non-statutory].

Section 25 of S.L. 1998-202 authorized the Administrative Office of the Courts to establish family courts on a pilot basis in 1999. This stemmed from recommendations contained in the Commission for the Future of Justice and the Courts in North Carolina’s 1996 report *Without Favor, Denial or Delay*.

S.L. 1998-202 Section 25

Section 25. (a) The Administrative Office of the Courts shall establish pilot programs for the holding of family court within district court districts to be chosen by the Administrative Office of the Courts. Each pilot program shall be conducted following the guidelines for the establishment of family courts contained in the report of the Commission for the Future of Justice and the Courts in North Carolina and shall be assigned to hear all matters involving intra-family rights, relationships, and obligations, and all juvenile justice matters, including:

- (1) Child abuse, neglect, and dependency;
- (2) Delinquent and undisciplined juvenile matters;
- (3) Emancipation of minors and termination of parental rights;
- (4) Divorce;
- (5) Annulment;
- (6) Equitable distribution;
- (7) Alimony and post-separation support;
- (8) Child custody;
- (9) Child support;
- (10) Paternity;
- (11) Adoption;
- (12) Domestic violence civil restraining orders;
- (13) Abortion consent waivers;
- (14) Adult protective services; and
- (15) Guardianship, involuntary commitment, and voluntary admissions to mental health facilities.

(b) The Administrative Office of the Courts shall report to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and Senate Bill 1260 S.L. 1998-202 Page 199 to the Fiscal Research Division of the General Assembly by March 1, 2000, on the success of the pilot programs in bringing consistency, efficiency, and fairness to the resolution of family matters and on the impact of the programs on caseloads in the district court division.

(c) If no funds are appropriated in the 1998-99 fiscal year to implement this section, this section shall not become effective.

Section 17.16 of S.L. 1999-237 (see *Appendix C*), authorized the NCAOC to establish an education program for parents who are parties to a custody or visitation action and to administer any parent education through family court programs that were established by S.L. Law 1998-202. This is provided locally through a one-hour parent information session, a four-hour parent education class, and a video specific to divorcing parents living in separate homes.

**(3) The extent to which the fund, agency, division, or program objectives have been achieved.**

[Hall: Program activities – Summarize and discuss the program activities performed to accomplish the mission, goals, objectives or purposes of the program].

Tables 2 and 3 summarize the program activities performed in each Family Court District for each case type listed in the enabling statute. Note that some case types have been subdivided for this report.

**Table 2: Civil Domestic Case Categories Listed in Statute**

Family Court Districts	Divorce						Child Support		Paternity	DVPO	Abortion Consent Waivers
	Summary Judgment Divorce (Clerk)	All Other Divorces (Non-Clerk)	Annulment	Equitable Distribution	Alimony/ Post-Separation Support	Child Custody	IV-D Child Support	Chapter 50 Child Support			
3A	U	Y	Y	Y	Y	Y	N	Y	Y	N	N
5	U	Y	Y	Y	Y	Y	N	Y	Y	P	N
6A	U	Y	Y	Y	Y	Y	N	Y	Y	N	N
8	U	Y	Y	Y	Y	Y	N	Y	Y	N	P
10	U	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
12	U	Y	Y	Y	Y	Y	P	Y	Y	N	P
14	U	Y	Y	Y	Y	Y	N	Y	Y	P	P
19B	U	Y	Y	Y	Y	Y	P	Y	Y	P	P
20A	Y	Y	Y	Y	Y	Y	P	Y	Y	P	N
20B	U	Y	Y	Y	Y	Y	N	Y	Y	P	N
25	Y	Y	Y	Y	Y	Y	P	Y	Y	N	N
26	U	Y	Y	Y	Y	Y	P	Y	Y	P	N
28	U	Y	Y	Y	Y	Y	N	Y	Y	P	N

Summary Judgment Divorce (Clerk)

U = The extent of the district's involvement in these proceedings is not known.

Annulment – Annulment is a rare issue seen in FCs but when they arise, they are managed by FC.

IV-D Child Support

Under the authority of Child Support Enforcement (CSE).

Y=FC manages cases & assigns judges.

P= The district performs at least one of the duties listed above.

N= The district performs none of the duties listed above.

Chapter 50 Child Support – Filed as a Chapter 50 action that is not through CSE.

Paternity – Paternity is an issue rarely seen in FCs when not filed with IV-D child support but when they arise with other Chapter 50 matters, they are managed by FC.

DVPO - Domestic Violence Protective Orders

Y= Dedicated case manager and one judge/one family.

P= The district performs at least one of the duties listed above.

N= The district performs none of the duties listed above.

Abortion Consent Waivers

Y= FC staff assists in scheduling before a judge.

N= FC staff is not involved in these cases. The clerk handles them.

**Table 3: Juvenile Case Categories Listed in Statute**

Family Court Districts	A/N/D	Delinquent/ Undisciplined	Emancipation/ TPR
3A	P	Y	N
5	N	N	N
6A	Y	N	Y
8	Y	Y	Y
10	Y	Y	Y
12	P	Y	Y
14	P	Y	Y
19B	P	N	Y
20A	Y	Y	Y
20B	P	Y	N
25	P	Y	P
26	P	Y	P
28	P	Y	P

A/N/D- Juvenile Abuse/Neglect/Dependency Cases

Y=Holds CPCs, enters JWis data, monitors time standards, manages cases & generates calendar.

P= The district performs at least one of the duties listed above but not all.

N= The district performs none of the duties listed above.

Delinquent/ Undisciplined - Juvenile Cases

Y=Judicial assignment

N= No judicial assignment

Emancipation/TPR - Juvenile Cases

Y= Schedules hearings & monitors time standards.

P= The district performs at least one of the duties listed above but not all.

N= The district performs none of the duties listed above.

Despite being listed in the enabling legislation, Family Court staff members do not manage the following case types because they fall under the jurisdiction of the Clerk of Superior Court: Guardianships, Involuntary Commitments, and Adoptions. Adult Protective Services matters and appeals to Adoptions are heard by District Court Judges but these types of cases are extremely rare.

Each Family Court District operates under local rules promulgated by each Chief District Court Judge. The variations in case types handled reflect local decisions regarding where to target available staff resources.

**(4) The fund's, agency's, division's, or program's functions or programs performed without specific statutory authority.** [Hall: Resource allocation – Allocate dollars, personnel and other resources to each program activity].

In the *North Carolina Unified Family Courts: Best Practices and Guidelines (October 2006)*, (see *Appendix G*), Best Practice #8 is:

Additional Court and Community Service, i.e. self-serve centers, speaking at high schools, truancy court.

#### With Existing Family Court Staff

District 26 operates the Mecklenburg County SelfServe Center (see Judge Lisa Bell's letter in *Appendix A*). The following districts operate Truancy Courts: 3A, 5, 14, 20A, 20B, 26, and 28. The following districts operate truancy diversion programs: 6A, 12, 25, and 26. The following districts conduct Child Planning Conferences in abuse/neglect/dependency cases: 3A, 6A, 8, 10, 20A, 20B, and 25.

#### With Grant Resources

Family Court staff manage grant-funded staff and/or projects, including: District 12, Safe Havens Supervised Visitation Center; and District 10, Management of Domestic Violence Civil and Criminal Courts. Six districts (6A, 12, 14, 20A, 20B, and 28) have a federally-funded Access and Visitation Program that funds five coordinators to assist noncustodial parents to have access and visitation with their children.

#### Resource Allocation

All Family Court staff resources are budgeted in one fund code. Costs are not broken out by case type (e.g. civil district, juvenile, etc.) as local decisions determine allocation of staff time.

## Program Performance

(1) The program measures for each fund, agency, division, or program and the process by which the performance measures determine efficiency and effectiveness.

The analysis in this report will focus on civil domestic case data and juvenile abuse/neglect/dependency adjudication data because: 1) these case types are the two largest in number of filings of the case types handled by Family Courts (see discussion above about case types that are not handled by Family Court staff, though listed in the enabling statute) and 2) reports on these case types have been widely available for years in accepted formats.<sup>2</sup>

### Civil Domestic Cases – Statewide Family Court Districts Compared to Non-Family Court Districts

The data for civil domestic cases (e.g. divorce, child custody, equitable distribution, etc.) handled by Family Court districts were compiled from the SRS (Statistical Reporting System), a system that produced monthly reports for all districts/counties until May 2011. Since this reporting system was discontinued during FY2011, civil domestic case data is presented for the most recent five year period for which SRS data is available: FY2005-06 – FY2009-10. Table 4 presents key components of the data for Family Court districts for this five-year period. Table 5 provides the data for Non-Family Court districts for this five-year period.

**Table 4: Civil Domestic Cases: Family Court Districts**

Family Court	Case Clearance Rate	Number of Cases Disposed	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	98.4%	44,723	87.5%	51	16.2%	86
FY2008-09	99.9%	44,216	87.0%	49	18.1%	90
FY2007-08	104.6%	45,417	82.9%	52	18.8%	98
FY2006-07	99.4%	39,142	87.2%	49	25.0%	114
FY2005-06	111.0%	42,171	79.2%	56	26.0%	115
Mean	102.7%	43,134	84.8%		20.8%	
Median				51		98

**Table 5: Civil Domestic Cases: Non-Family Court Districts**

Non-Family Court	Case Clearance Rate	Number of Cases Disposed	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	98.0%	52,492	87.0%	41	43.3%	279
FY2008-09	99.8%	52,355	85.9%	42	43.1%	272
FY2007-08	99.5%	50,930	86.7%	43	44.4%	248
FY2006-07	99.6%	53,771	85.4%	45	44.4%	199
FY2005-06	100.7%	53,589	84.5%	46	45.2%	291
Mean	99.5%	52,627	85.9%		44.1%	
Median				43		272

<sup>2</sup> For a more comprehensive listing of Family Court performance measures, please see *Appendix G, North Carolina's Unified Family Courts: Best Practices and Guidelines (October 2006)*.

**Legend:**

**Case Clearance Rate:** Calculated as # of filings/# of dispositions. When the Case Clearance Rate exceeds 100%, the case backlog is being reduced; when below 100%, the case backlog is growing.

**Disposed <181 Days:** Reflects the percentage of case dispositions during that time period that were held in less than 181 days.

**Disposed Median Age:** Reflects the median age of disposed cases (half of the case dispositions took longer than this; half took fewer days).

**Pending > 365 Days:** Indicates the percentage of pending cases that are more than 365 days old

**Pending Median Age:** Reflects the median age of pending cases (half of the pending cases are older than this; half have been pending for fewer days than this).

While Tables 4 and 5 provide information regarding the overall impact of Family Court during FY2005-06 – FY2009-10, the impact of implementation years skews this data. In FY2005-06, District 10 and 28 implemented Family Court. In FY2007-08, District 3A and 19B implemented Family Court. During implementation years, case clearance rates are artificially high as a one-time assessment of old cases is conducted. As many of these cases are closed, the *Disposed < 181 Days* measure experiences a one-year decrease, while all the other measures experience a one-year spike.

To assess the ongoing (recurring) impact of Family Court funding, it is more appropriate to focus the analysis on key data that excludes implementation years. This data is provided in Tables 6 and 7 below. Summary data from these tables are reported in Table 1.

**Table 6: Civil Domestic Cases: Family Court Districts – Fully Implemented Years Only**

Family Court	Case Clearance Rate	Number of Cases Disposed	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	98.4%	44,723	87.5%	51	16.2%	86
FY2008-09	99.9%	44,216	87.0%	49	18.1%	90
FY2006-07	99.4%	39,142	87.2%	49	25.0%	114
Mean	99.2%	42,694	87.2%		19.8%	
Median				49		90

**Table 7: Civil Domestic Cases: Non-Family Court Districts – Fully Implemented Years Only**

Non-Family Court	Case Clearance Rate	Number of Cases Disposed	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	98.0%	52,492	87.0%	41	43.3%	279
FY2008-09	99.8%	52,355	85.9%	42	43.1%	272
FY2006-07	99.6%	53,771	85.4%	45	44.4%	199
Mean	99.1%	52,873	86.1%		43.6%	
Median				42		272



### Civil Domestic Cases – Family Court District Proximate Peer Group Analysis

While a macro comparative analysis of Family Court Districts to Non-Family Court Districts is useful, limiting the analysis to these comparisons could result in an overgeneralization of the results. To gain a more thorough understanding of the impact of Family Court staff in each judicial district, the following analysis will compare each Family Court district to a proximate peer group of districts. The criteria for selection as a proximate peer are: 1) comparable district court workload and 2) having the same or +/- 1 county as the Family Court district. Since the District Court Judge Workload Formula is the most useful measure for determining overall district court workload, comparable district workload was defined as having the workload need for +/- 20% of the same number of District Court Judges as the Family Court District.<sup>3</sup>

In the analysis of the very large districts (10, 12, 25, and 26), statewide Non-Family Court data is displayed to provide an additional point of comparison. That information is labeled *Non-Family* in Table 8.

In Table 8 below, the Family Court Districts are highlighted and italicized for ease of tracking. The non-highlighted districts are the comparable Non-Family Court Districts. On the left side of the table, the raw data is presented, with the districts sorted by district number. On the right side of the table, districts are sorted by measure, with a higher placement on the chart reflecting better performance on the displayed measure.

To assess the ongoing (recurring) impact of Family Court funding, it is appropriate to focus the analysis on key data that excludes the year the district implemented Family Court. Consequently, Table 8 includes summary data from FY2005-06 – FY2009-10 for all Family Court Districts except District 3A and 19B for which FY2008-09 – FY2009-10 summary data is used and Districts 10 and 28 for which FY2006-07 – FY2009-10 summary is used. So, for each Family Court District, their proximate peer group analysis is displayed in Table 8 for fully-implemented years only. For detailed data for fully-implemented years for Family Court districts, see *Appendix D*. For detailed data for implementation years for District 3A, 10, 19B, and 28, see *Appendix E*.

Tables 6, 7, and 8 display data useful in analyzing the current impact of Family Court funding, which is the focus of this report. Additional analysis was performed to compare Family Court Districts' performance on the same five measures (i.e. *Case Clearance Rate*, *Disposed <181 Days*, *Disposed Median Age*, *Pending >365 Days*, and *Pending Median Age*) prior to implementation and post-implementation. In general, Family Court districts tend to perform better – and in some cases dramatically better – across all five measures post-implementation than they did pre-implementation.

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<sup>3</sup> Using these parameters, District 6A would not have a proximate peer group of Non-Family Court Districts for comparison. Consequently, the workload criterion was adjusted to +/- 33% to generate its proximate peer group. Using the +/-20% parameters, Districts 10 and 26 would only have District 18 as a Non-Family Court District proximate peer. So, their proximate peer group was developed by taking all single-county districts who need 13 or more District Court Judges per the workload formula.

**Table 8: Family Court Districts Compared to Similar Non-Family Court Districts**  
(Family Court Districts Highlighted)

Sorted by District					
District Court District	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
<b>3A</b>	<b>101.2%</b>	<b>87.1%</b>	<b>54</b>	<b>5.7%</b>	<b>63</b>
15A	100.9%	90.0%	46	43.4%	240
15B	101.5%	79.5%	59	66.3%	752
19A	99.9%	90.3%	30	16.6%	87
19C	98.8%	90.9%	32	37.6%	171
27B	95.6%	89.5%	37	36.0%	208

<b>5</b>	<b>100.4%</b>	<b>86.4%</b>	<b>41</b>	<b>20.6%</b>	<b>112</b>
7	93.6%	89.4%	50	47.6%	332
13	96.4%	88.0%	40	48.7%	330
22A	101.7%	81.9%	42	66.2%	812
27A	98.7%	87.4%	33	59.4%	535

<b>6A</b>	<b>100.3%</b>	<b>92.3%</b>	<b>46</b>	<b>3.9%</b>	<b>57</b>
9A	99.2%	82.6%	55	12.4%	89
17A	99.7%	87.4%	34	12.9%	90

3B	93.7%	79.3%	68	70.2%	843
7	93.6%	89.4%	50	47.6%	332
<b>8</b>	<b>100.2%</b>	<b>92.3%</b>	<b>56</b>	<b>4.0%</b>	<b>50</b>
9/9B	100.2%	85.2%	49	23.0%	112
13	96.4%	88.0%	40	48.7%	330
22A	101.7%	81.9%	42	66.2%	812
22B	99.9%	87.7%	35	49.4%	355

<b>10</b>	<b>101.5%</b>	<b>83.7%</b>	<b>48</b>	<b>27.4%</b>	<b>163</b>
18	100.2%	84.7%	45	42.3%	256
21	99.1%	85.5%	52	16.3%	103
Non-Family	99.2%	86.3%	43	43.8%	260

<b>12</b>	<b>99.1%</b>	<b>87.0%</b>	<b>36</b>	<b>14.4%</b>	<b>93</b>
18	106.2%	80.3%	46	42.7%	258
21	99.8%	85.2%	52	15.1%	101
Non-Family	99.5%	85.9%	43	44.1%	272

Sorted by Measure									
District Court District	Case Clearance Rate	District Court District	Disposed <181 Days	District Court District	Disposed Median Age	District Court District	Pending >365 Days	District Court District	Pending Median Age
15B	101.5%	19C	90.9%	19A	30	<b>3A</b>	<b>5.7%</b>	<b>3A</b>	<b>63</b>
<b>3A</b>	<b>101.2%</b>	19A	90.3%	19C	32	19A	16.6%	19A	87
15A	100.9%	15A	90.0%	27B	37	27B	36.0%	19C	171
19A	99.9%	27B	89.5%	15A	46	19C	37.6%	27B	208
19C	98.8%	<b>3A</b>	<b>87.1%</b>	<b>3A</b>	<b>54</b>	15A	43.4%	15A	240
27B	95.6%	15B	79.5%	15B	59	15B	66.3%	15B	752

22A	101.7%	7	89.4%	27A	33	<b>5</b>	<b>20.6%</b>	<b>5</b>	<b>112</b>
<b>5</b>	<b>100.4%</b>	13	88.0%	13	40	7	47.6%	13	330
27A	98.7%	27A	87.4%	<b>5</b>	<b>41</b>	13	48.7%	7	332
13	96.4%	<b>5</b>	<b>86.4%</b>	22A	42	27A	59.4%	27A	535
7	93.6%	22A	81.9%	7	50	22A	66.2%	22A	812

<b>6A</b>	<b>100.3%</b>	<b>6A</b>	<b>92.3%</b>	17A	34	<b>6A</b>	<b>3.9%</b>	<b>6A</b>	<b>57</b>
17A	99.7%	17A	87.4%	<b>6A</b>	<b>46</b>	9A	12.4%	9A	89
9A	99.2%	9A	82.6%	9A	55	17A	12.9%	17A	90

22A	101.7%	<b>8</b>	<b>92.3%</b>	22B	35	<b>8</b>	<b>4.0%</b>	<b>8</b>	<b>50</b>
<b>8</b>	<b>100.2%</b>	7	89.4%	13	40	9/9B	23.0%	9/9B	112
9/9B	100.2%	13	88.0%	22A	42	7	47.6%	13	330
22B	99.9%	22B	87.7%	9/9B	49	13	48.7%	7	332
13	96.4%	9/9B	85.2%	7	50	22B	49.4%	22B	355
3B	93.7%	22A	81.9%	<b>8</b>	<b>56</b>	22A	66.2%	22A	812
7	93.6%	3B	79.3%	3B	68	3B	70.2%	3B	843

<b>10</b>	<b>101.5%</b>	Non-Family	86.3%	Non-Family	43	21	16.3%	21	103
18	100.2%	21	85.5%	18	45	<b>10</b>	<b>27.4%</b>	<b>10</b>	<b>163</b>
Non-Family	99.2%	18	84.7%	<b>10</b>	<b>48</b>	18	42.3%	18	256
21	99.1%	<b>10</b>	<b>83.7%</b>	21	52	Non-Family	43.8%	Non-Family	260

18	106.2%	<b>12</b>	<b>87.0%</b>	<b>12</b>	<b>36</b>	<b>12</b>	<b>14.4%</b>	<b>12</b>	<b>93</b>
21	99.8%	Non-Family	85.9%	Non-Family	43	21	15.1%	21	101
Non-Family	99.5%	21	85.2%	18	46	18	42.7%	18	258
<b>12</b>	<b>99.1%</b>	18	80.3%	21	52	Non-Family	44.1%	Non-Family	272

**Table 8: Family Court Districts Compared to Similar Non-Family Court Districts (cont.)**  
(Family Court Districts Highlighted)

Sorted by District					
District Court District	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
<b>14</b>	100.6%	91.4%	42	8.2%	60
16B	100.5%	87.9%	24	43.3%	273
22A	101.7%	81.9%	42	66.2%	812
22B	99.9%	87.7%	35	49.4%	355
27A	98.7%	87.4%	33	59.4%	535

4	96.2%	89.2%	33	22.4%	124
7	93.0%	89.3%	48	53.3%	416
13	99.2%	85.1%	40	48.0%	341
<b>19B</b>	104.1%	82.2%	53	13.2%	78
22A	113.0%	73.3%	55	60.7%	580

9/9B	100.2%	85.2%	49	23.0%	112
15B	98.3%	82.3%	55	65.9%	751
<b>20A</b>	99.5%	89.1%	52	16.6%	72
22B	99.9%	87.7%	35	49.4%	355
23	98.9%	88.2%	41	21.9%	120

15A	100.3%	89.9%	49	46.9%	263
15B	98.3%	82.3%	55	65.9%	751
17B	102.7%	86.4%	49	27.0%	111
<b>20B</b>	97.8%	85.2%	46	30.8%	141
29A	102.3%	87.3%	39	22.6%	91

4	98.3%	88.9%	35	18.5%	109
11	94.9%	89.9%	44	30.5%	137
<b>25</b>	100.0%	87.3%	48	12.3%	80
Non-Family	99.5%	85.9%	43	44.1%	272

18	106.2%	80.3%	46	42.7%	258
21	99.8%	85.2%	52	15.1%	101
<b>26</b>	98.7%	86.4%	59	23.3%	119
Non-Family	99.5%	85.9%	43	44.1%	272

16B	100.8%	87.8%	23	44.3%	292
22A	104.6%	80.2%	44	65.8%	756
22B	101.4%	86.5%	38	46.8%	334
27A	97.4%	87.4%	27	61.8%	594
<b>28</b>	102.1%	89.8%	48	6.2%	52

Sorted by Measure									
District Court District	Case Clearance Rate	District Court District	Disposed <181 Days	District Court District	Disposed Median Age	District Court District	Pending >365 Days	District Court District	Pending Median Age
22A	101.7%	<b>14</b>	91.4%	16B	24	<b>14</b>	8.2%	<b>14</b>	60
<b>14</b>	100.6%	16B	87.9%	27A	33	16B	43.3%	16B	273
16B	100.5%	22B	87.7%	22B	35	22B	49.4%	22B	355
22B	99.9%	27A	87.4%	<b>14</b>	42	27A	59.4%	27A	535
27A	98.7%	22A	81.9%	22A	42	22A	66.2%	22A	812

22A	113.0%	7	89.3%	4	33	<b>19B</b>	13.2%	<b>19B</b>	78
<b>19B</b>	104.1%	4	89.2%	7	48	4	22.4%	4	124
13	99.2%	13	85.1%	13	40	13	48.0%	13	341
4	96.2%	<b>19B</b>	82.2%	<b>19B</b>	53	7	53.3%	7	416
7	93.0%	22A	73.3%	22A	55	22A	60.7%	22A	580

9/9B	100.2%	<b>20A</b>	89.1%	22B	35	<b>20A</b>	16.6%	<b>20A</b>	72
22B	99.9%	23	88.2%	23	41	23	21.9%	9/9B	112
<b>20A</b>	99.5%	22B	87.7%	9/9B	49	9/9B	23.0%	23	120
23	98.9%	<b>9/9B</b>	85.2%	<b>20A</b>	52	22B	49.4%	22B	355
15B	98.3%	15B	82.3%	15B	55	15B	65.9%	15B	751

17B	102.7%	15A	89.9%	29A	39	29A	22.6%	29A	91
29A	102.3%	29A	87.3%	<b>20B</b>	46	17B	27.0%	17B	111
15A	100.3%	17B	86.4%	15A	49	<b>20B</b>	30.8%	<b>20B</b>	141
15B	98.3%	<b>20B</b>	85.2%	17B	49	15A	46.9%	15A	263
<b>20B</b>	97.8%	15B	82.3%	15B	55	15B	65.9%	15B	751

<b>25</b>	100.0%	11	89.9%	4	35	<b>25</b>	12.3%	<b>25</b>	80
Non-Family	99.5%	4	88.9%	Non-Family	43	4	18.5%	4	109
4	98.3%	<b>25</b>	87.3%	11	44	11	30.5%	11	137
11	94.9%	Non-Family	85.9%	<b>25</b>	48	Non-Family	44.1%	Non-Family	272

18	106.2%	<b>26</b>	86.4%	Non-Family	43	21	15.1%	21	101
21	99.8%	Non-Family	85.9%	18	46	<b>26</b>	23.3%	<b>26</b>	119
Non-Family	99.5%	21	85.2%	21	52	18	42.7%	18	258
<b>26</b>	98.7%	18	80.3%	<b>26</b>	59	Non-Family	44.1%	Non-Family	272

22A	104.6%	<b>28</b>	89.8%	16B	23	<b>28</b>	6.2%	<b>28</b>	52
<b>28</b>	102.1%	16B	87.8%	27A	27	16B	44.3%	16B	292
22B	101.4%	22A	80.2%	22B	38	22B	46.8%	22B	334
16B	100.8%	22B	86.5%	22A	44	27A	61.8%	27A	594
27A	97.4%	27A	87.4%	<b>28</b>	48	22A	65.8%	22A	756

### Juvenile Abuse/Neglect/Dependency Adjudications – Statewide Family Court Districts Compared to Non-Family Court Districts

The adjudication hearing data for juvenile abuse/neglect/dependency cases were compiled from the J Wise system, the automated information management system for juvenile courts in all one hundred North Carolina counties.

When a local Department of Social Services believes that a juvenile has been abused or neglected or is dependent (i.e., does not have an appropriate adult caretaker), a DSS staff member files a petition with the court alleging that the juvenile is abused, neglected, and/or dependent. As outlined below, an adjudicatory hearing is mandated within 60 days of the filing of a petition.

G.S. 7-B 801(c) provides:

The adjudicatory hearing shall be held in the district at such time and place as the chief district court judge shall designate, but no later than 60 days from the filing of the petition unless the judge pursuant to G.S. 7B-803 orders that it be held at a later time. (1979, c. 815, s. 1; 1998-202, s. 6; 1998-229, ss. 5, 22; 1999-456, s. 60.)

In June 2009, an update of J Wise was deployed statewide that included the implementation of the *North Carolina Key Time Standard Adjudication Hearing Report*. This report provides information on what percentage of adjudications in abuse/neglect/dependency cases were held within 60 days of the filing of the petition and is summarized below in Table 9. This report has been available to all J Wise users since its deployment. The date range for which data is analyzed is 1 July 2009 – 30 June 2011. These years represent fully-implemented years for all Family Court districts.

**Table 9: Juvenile Abuse/Neglect/Dependency Adjudication Hearings**

	Total Adjudications Held	Adjudication Hearings Held, % Within Time Standard
Family Court Districts	4,392	48.6%
Non-Family Court Districts	5,889	50.4%

It is possible that the similarity between Family Court Districts and Non-Family Court Districts reflects the relatively small share of Family Court resources devoted to juvenile abuse/neglect/dependency cases (see Table 3) compared to Family Court resources devoted to civil domestic case (see Table 2). It is possible that if full funding were provided for all Family Court civil domestic and juvenile case coordinators needed based on their workload equation, there would be an improved overall performance in Family Court districts compared to Non-Family Court districts.

### Juvenile Abuse/Neglect/Dependency Adjudications – Family Court District Proximate Peer Group Analysis

For juvenile abuse/neglect/dependency adjudications, the same proximate peer groups were used to analyze each Family Court District that were used for the district court civil domestic case analysis.

In Tables 10A, 10B, and 10C below, the Family Court Districts are highlighted and italicized for ease of tracking. The non-highlighted districts are the comparable Non-Family Court Districts. Districts within each comparison group are ranked from highest to lowest *Adjudication Hearings Held, % Within Time Standard*; thus, a higher placement on the chart reflects better performance on this measure.

For a listing of the same data, sorted by Family Court district (not by peer group as in Tables 10A, 10B, and 10C), see *Appendix F*.

The grouping of Family Court districts into Tables 10A, 10B, and 10C are arranged to correspond with the level of involvement in managing these cases (yes, no, partial) in Table 3.

**Table 10A: Peer Groups of Family Court Districts That Actively Manage Juvenile A/N/D Cases**

District Court District	Adjudication Hearings Held, % Within Time Standard	District Court District	Adjudication Hearings Held, % Within Time Standard
17A*	80%	10	71%
6A	71%	18	70%
9A*	50%	Non-Family	50%
		21	47%
8	78%		
22A	50%	23	64%
22B	49%	15B	60%
13	48%	22B	49%
7	46%	9/9B	42%
9/9B	42%	20A	28%
3B	35%		

**Table 10B: Peer Groups of Family Court Districts With Some Involvement in the Management of Juvenile A/N/D Cases**

District Court District	Adjudication Hearings Held, % Within Time Standard	District Court District	Adjudication Hearings Held, % Within Time Standard
<b>3A</b>	<b>76%</b>	<b>17B</b>	70%
<b>19C</b>	66%	<b>29A</b>	66%
<b>15B</b>	60%	<b>15B</b>	60%
<b>15A</b>	57%	<b>15A</b>	57%
<b>19A</b>	33%	<b>20B</b>	<b>16%</b>
<b>27B</b>	30%		
		<b>11</b>	56%
<b>18</b>	70%	<b>Non-Family</b>	50%
<b>Non-Family</b>	50%	<b>25</b>	<b>49%</b>
<b>21</b>	47%	<b>4</b>	40%
<b>12</b>	<b>18%</b>		
		<b>18</b>	70%
<b>16B</b>	51%	<b>26</b>	<b>64%</b>
<b>22A</b>	50%	<b>Non-Family</b>	50%
<b>22B</b>	49%	<b>21</b>	47%
<b>14</b>	<b>33%</b>		
<b>27A</b>	20%	<b>16B</b>	51%
		<b>22A</b>	50%
<b>22A</b>	50%	<b>22B</b>	49%
<b>13</b>	48%	<b>28</b>	<b>46%</b>
<b>7</b>	46%	<b>27A</b>	20%
<b>19B</b>	<b>44%</b>		
<b>4</b>	40%		

**Table 10C: Peer Group of Family Court District With No Involvement in the Management of Juvenile A/N/D Cases**

District Court District	Adjudication Hearings Held, % Within Time Standard
<b>5</b>	<b>55%</b>
<b>22A</b>	50%
<b>13</b>	48%
<b>7</b>	46%
<b>27A</b>	20%

## Program Justification

### **(7) The consequences of discontinued funding.** [Hall: Rationale for recommended funding level].

Should Family Court funding be discontinued, it is foreseeable that the timeliness of civil domestic case disposition in districts currently served by Family Court would move toward that of Non-Family Court districts, most significantly: the pending median age of cases in districts currently served by Family Court would rise dramatically as would the percentage of cases in those districts that have been pending for more than 365 days (1 year). In addition to these quantifiable impacts, the letters from the Chair of the Chief Justice's Family Court Advisory Committee and from the Chief District Court Judges' in Family Court districts are contained in *Appendix A*. They provide additional information regarding the impact of discontinued funding.

Past staffing patterns have provided for a Family Court Administrator in each Family Court District. The rationale for the recommended funding level is the Family Court Coordinator workload formula, which is based on the number of civil domestic filings and juvenile filings in each Family Court district.

## Recommendation to Improve Efficiency and Effectiveness

### **(6) Recommendations for statutory, budgetary, or administrative changes needed to improve the efficiency and effectiveness of services delivered to the public.**

It is recommended that recurring funding be provided for current as well as needed Family Court staff based on the workload formula. In addition to current staff, an additional 17 Family Court Case Coordinators are needed to provide adequate staffing in existing Family Court districts, which would improve the effectiveness of services delivered to the public.

It is recommended that "pilot" be deleted from the enabling statute and that future funding be provided for expansion to additional districts when the NCAOC determines that a district has completed activities that signal its readiness to implement Family Court.

As previously noted above in the discussion below Table 3, despite being listed in the enabling legislation, Family Court staff members do not manage the following case types because they fall under the jurisdiction of the Clerk of Superior Court: Guardianships, Involuntary Commitments, and Adoptions. Adult Protective Services matters and appeals to Adoptions are heard by District Court Judges but are extremely rare case types. It is recommended that either the case types of Guardianships, Involuntary Commitments, and Adoptions be removed from the enabling legislation or language be added to clarify that Family Court staff members do not manage these types of cases.

### **(8) Recommendations for improving services or reducing costs or duplication.**

Though it does not require legislative action, it is recommended that the *Chief Justice's Family Court Advisory Committee* continue to make recommendations to the Chief Justice and to the AOC Director regarding opportunities for improving Family Court activities.



## External Factors

### **(9) The identification of policy issues that should be brought to the attention of the General Assembly.**

Though it does not require legislative action, it is recommended that the *Chief Justice's Family Court Advisory Committee* continue to make policy recommendations to the Chief Justice and to the AOC Director regarding policy issues related to Family Court.

### **(10) Other information necessary to fully support the General Assembly's Continuation Review Program along with any information included in instructions from the Fiscal Research Division.**

The data provided in the tables in the body of the report and the appendices support the analysis in this report. Should the *Fiscal Research Division* staff request data beyond those components outlined in this *Final Report*, the NCAOC will endeavor to include the requested data.

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## **Appendices**

<b>APPENDIX A</b>	<b>Letters from Chair of Family Court Advisory Committee And Chief District Court Judges' in Family Court Districts</b>
<b>APPENDIX B</b>	<b>Map of North Carolina Family Court Districts</b>
<b>APPENDIX C</b>	<b>Session Law 1999-237 §17.16, Establishing Parent Education Program</b>
<b>APPENDIX D</b>	<b>Civil Domestic Cases, Family Court Districts, Fully-Implemented Years</b>
<b>APPENDIX E</b>	<b>Civil Domestic Cases, Family Court Districts, Implementation Years</b>
<b>APPENDIX F</b>	<b>Juvenile Data, Family Court Districts</b>
<b>APPENDIX G</b>	<b>Family Court Best Practices and Guidelines</b>
<b>APPENDIX H</b>	<b>Family Court Staff Positions, Job Specifications</b>
<b>APPENDIX I</b>	<b>FY 2011-12 Certified Family Court Budget</b>

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## **APPENDIX A**

**Letters from Chair of Family Court Advisory Committee  
And Chief District Court Judges' in Family Court Districts**

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*State of North Carolina*  
*General Court of Justice*  
*12th Judicial District*

DISTRICT COURT JUDGES

A. ELIZABETH KEEVER, CHIEF  
ROBERT J. STIEHL, III  
ED PONE  
KIMBRELL KELLY TUCKER  
JOHN W. DICKSON  
TALMAGE S. BAGGETT, JR.  
GEORGE J. FRANKS  
DAVID H. HASTY  
LAURA A. DEVAN  
TONI S. KING

November 21, 2011

CUMBERLAND COUNTY COURTHOUSE  
PO BOX 363  
FAYETTEVILLE, NC 28302  
TEL: (910) 475-3012  
FAX: (910) 475-3013

Hon. John Smith, Director  
Administrative Office of the Courts  
Post Office Box 2448  
Raleigh, NC 27602

Re: Continuation Review of Family Court

Dear Judge Smith,

Session Law 1998 – 202 created a pilot program for the development of Family Courts within the North Carolina judicial system. Three judicial districts were designated as family courts in 1999 and additional districts were created thereafter until there are currently thirteen districts representing twenty two counties in the state. In 2000, Chief Justice Henry Frye established the Chief Justice's Family Court Advisory Committee and appointed me as chair of that committee. I have been proud to serve Chief Justice Frye as well as Chief Justices Beverly Lake and Sarah Parker in that position.

The committee is composed of court system representatives from family court as well as non family court districts, members of the private bar who practice in domestic and juvenile court, representatives of agencies who interact with domestic and juvenile courts, a university professor and appellate judges. During the last eleven years, the committee has made recommendations to the Supreme Court on revision of rules of practice, to the legislature on substantive law changes, to the AOC on development of case management systems and management of cases, and to all the judicial districts on better management of cases.

Although family courts are currently operating in only 13 of the 44 judicial districts, those family court districts represent almost half of all domestic cases filed within the state. In the first quarter of the current fiscal year (2011/2012), according to the AOC Domestic Case Aging Analysis, there were 14,977 cases filed in family court districts and 17,676 filed in non family court districts. During the same time period, of the 13,256 cases pending in family court districts only 2,835 were more than one year



old. Conversely of the 25,287 cases pending in non family court districts, 12,877 were more than one year old. These statistics demonstrate the ability of family court districts to move cases through the system in a much more timely manner insuring that families can move forward with their lives and not have to wait for years to know the outcome of their court cases.

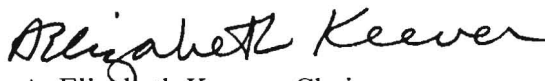
One of the primary changes that the committee has noted over the last decade has been the significant increase in pro se litigants. In many districts, there are more parties appearing without counsel than ones with counsel. These pro se cases are much more difficult to manage and require additional staff time to insure that the matters are completed in a manner that insures that the court has all the facts and information necessary to render the best decision possible. Without family court staff, the ability to enter prompt and effective decisions in these cases would be severely hampered.

Family courts have also been the leaders in developing efficient and effective management of juvenile cases. As a result of legislative changes and appellate court decisions, these cases have become more complex and consume more and more court time. Family courts have helped with the development and implementation of JWISE, the juvenile case management system as well as with the development of forms, procedures, and programs that enable juvenile courts to better manage these cases as well.

As part of my responsibilities as chair of the Chief Justice's Family Court Advisory Committee, I have attended conferences across the country that discuss how to make court systems more responsive to today's world and the issues that impact families and children. Our family court system is one of the best in the country and has been a leader in developing new and innovative ways to manage these cases.

I hope that the legislature will recognize the importance of this program to the health of North Carolina's citizens and to the health of North Carolina's economy. This is a program that would greatly enhance every judicial district in the state.

Sincerely yours,

A handwritten signature in black ink that reads "A. Elizabeth Keever". The signature is fluid and cursive, with the first name "A. Elizabeth" and the last name "Keever" clearly distinguishable.

A. Elizabeth Keever, Chair  
Chief Justice's Family Court Advisory Committee



*State of North Carolina  
General Court of Justice  
District Court District 3A*

DISTRICT COURT JUDGES

JOSEPH A. BLICK, JR.  
G. GALEN BRADY  
P. GWYNETT HILBURN  
DAVID A. LEECH, CHIEF  
CHARLES M. VINCENT

PITT COUNTY  
P.O. BOX 8147  
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Nancy Babits  
Trial Court Coordinator  
  
Lisa Fomes  
Judicial Assistant

October 28, 2011

Judge John Smith  
Administrative Office of the Courts  
PO Box 2448  
Raleigh, NC 27602

Dear John:

Imagine a family practice doctor deciding to save money by eliminating staff positions of those who do the appointment scheduling and chart maintenance. When someone calls, the doctor answers the phone. When appointments need to be rescheduled, the doctor must do it. Follow-up appointments are all handled by the doctor. Chart documentation, with checklist compliance measures—all done by the doctor. Efficient? Cost effective? More prone to errors, confusion, delays, and dissatisfaction?

Brad Fowler asked District Court Judges to provide a prospective on the consequence of discontinued funding of Family Court. I will be happy to give whatever information to any legislator that would be helpful, but for what it's worth here's my perspective.

The medical analogy, while not exact, is fair. It makes much more sense to have lower paid family case managers, with better case management skills, do the case management work and allow higher paid judges to do what only they can do – try cases that need to be tried.

I have been a District Court Judge for more than 20 years and have held my proportionate share of domestic court sessions. Most of this time was before Family Court came to our district. Typical one-week court calendars were 70-100 cases, all scheduled by lawyers or the parties to the case. Everyone had to show up on Monday morning when the judge would hear a short synopsis of the case status from each lawyer or party about why each case should have what priority and what time setting during the week. Then the judge would take some time to schedule the week's time with what cases seemed to best fit where, depending upon the availability of the parties, witnesses, lawyers, the length of time as estimated by the lawyers or parties, and the relative claim to priority for court time. (Usually this meant nearly a full day of trial time was lost during each week of domestic

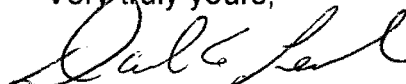
court.) One person's property case of three day's trial time has been on five times before and both sides have stopped paying the mortgage. Another three day case involves child custody and the decision will settle where the child will go to school. And so on. The scene is analogous to having all medical problems, emergencies and routine matters, handled in the emergency room of a hospital by the doctor who will handle the medical treatment.

Before Family Court, cases were delayed over and over. People complained bitterly (and understandably) about the unfairness of delay which often favored one side over the other. Cases were eventually resolved but sometimes unfairly as one side felt "starved out."

Family Court puts scheduling responsibilities with the court. Case managers schedule and track cases to ensure that timelines are followed and that people get predictability about when issues in their cases will be heard so that their lives can get "off hold." Median age of cases in Family Court districts is less than one-third of those in non-Family Court districts. When Family Court came here, lawyers were initially apprehensive about giving up calendaring responsibility to the Court. Nearly all like it now that they have tried it. That experience is generally true statewide. Their staffs can tell folks "Here is your court date, and you can be pretty sure that that's when it will happen."

What will happen if we lose Family Court? Things will probably revert pretty quickly to the pre-Family Court status. If judges have choices between trying cases or doing administrative work, they almost always opt for the former. The undone administrative work eventually makes the whole system a mess. Judges who hold domestic cases in Family Court districts are in near universal agreement as to its value.

Very truly yours,



David A. Leech

DAL/nmb



*State of North Carolina*  
*General Court of Justice*  
*5th Judicial District*

J. H. CORPENING, II  
CHIEF DISTRICT COURT JUDGE  
(910) 772-6612  
FAX: (910) 772-6613

NEW HANOVER COUNTY JUDICIAL BUILDING  
316 PRINCESS STREET  
3rd FLOOR, SUITE 328  
WILMINGTON, NC 28401-4099

**DISTRICT COURT JUDGES**

REBECCA W. BLACKMORE  
JAMES H. FAISON, III  
SANDRA RAY CRINER  
RICHARD RUSSELL DAVIS  
MELINDA H. CROUCH  
JEFFREY E. NOECKER  
CHAD E. HOGSTON  
ROBIN WICKS ROBINSON

October 28, 2011

Honorable John W. Smith, Director  
Administrative Office of the Courts  
P.O. Box 2448  
Raleigh, NC 27602

Re: Family Court Continuation Review

Dear John,

Thank you for the opportunity to provide input for the Continuation Review of our Family Court Program. In the 32 years I have been an attorney, but more particularly the 20 years I have been a judge, the creation of Family Court has had a more profound and positive impact on the administration of justice than any other change I have witnessed. I believe you have to go back to the creation of District Court to find any other change of this significance.

Families in crisis, and children in need, are the beneficiaries of Family Court. Cases move through our Family Court much faster, and in a more orderly fashion than prior to the creation of Family Court. Delay and expense are two of the greatest enemies of families in crisis. Delay adds to their stress, creates opportunities for new emergencies, and adds to the cost of litigation. The consistency of having one judge assigned to a case from start to finish brings order to chaos, and consistency to families and children. We can neither manage the cases nor assign judges to families without the trained personnel and tools that we utilize to operate Family Court.

We have more litigants without attorneys than ever before. In this economy, many families going through a divorce cannot afford attorneys. They are seeking to resolve incredibly important issues in their lives such as child custody and equitable distribution without the services of an attorney. Our Family Court staff maintains contact with our pro se litigants to ensure they are aware of court dates. Our staff cannot provide legal advice to them, but can answer many of their questions. Our staff can

John W. Smith, Director

October 28, 2011

Page 2

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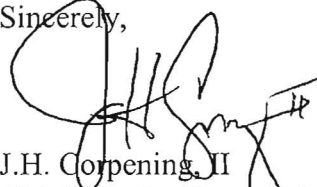
direct them to resources where they can find help in preparing their documents. In my opinion these litigants will face almost insurmountable barriers in accessing our system if we lose Family Court.

Family Court has taken a tremendous load off the office of the Clerk of Superior Court. The Clerk's office no longer has to deal with calendar requests and notices of hearings, the Clerk's office no longer has to prepare calendars for the sessions our three Family Court judges preside over, they no longer have to deal with attorneys and litigants regarding their Family Court cases, and they no longer have to lend direction and assistance to the *pro se* litigants. I believe that our Clerk would need several additional positions to handle the increased load to her office, and we would lose all of our management capabilities, should Family Court be discontinued.

Thanks in great part to your genius when we set up Family Court in the 5<sup>th</sup> District, we have "regular" terms and our "special setting days", which gives us great flexibility to hear emergencies, and to hear cases that have special circumstances such as lengthy travel or witness complications. We will lose all of that flexibility if we lose Family Court.

John, the cases we hear in Family Court are among the most important in our entire judicial system. In deciding child custody cases and cases involving neglected children we are charting the future for families. These cases and the others we hear in Family Court deserve the very best we have to offer. Honestly, Family Court should be expanding to other districts instead of being subjected to this Continuation Review and possible elimination. The citizens of this great State who find their families in crisis need our help. They are the ones that will pay a terrible price if we are unable to continue to operate Family Court.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.H. Corpening, II', with a stylized flourish at the end.

J.H. Corpening, II  
Chief District Court Judge

JHC/sb





BRENDA G. BRANCH  
CHIEF DISTRICT COURT JUDGE

W. TURNER STEPHENSON, III  
DISTRICT COURT JUDGE

TERESA R. FREEMAN  
DISTRICT COURT JUDGE

*State of North Carolina*  
*General Court of Justice*  
*6A Judicial District*  
**HALIFAX COUNTY FAMILY COURT**  
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SUSAN W. HORRELL  
FAMILY COURT ADMINISTRATOR

LEVERNARD A. SPEIGHT  
ACCESS & VISITATION COORDINATOR

SHIRLEY L. WEBB-OWENS  
JUVENILE CASE COORDINATOR

PHONE: 252-593-3015  
FAX: 252-593-3013

October 26, 2011

Hon. John W. Smith  
Director  
Administrative Office of the Courts  
P. O. Box 2448  
Raleigh, NC 27602

Dear Judge Smith:

I am writing this letter in support of the Unified Family Court System in North Carolina and more specifically in Halifax County, Judicial District 6A. I offer the following points for consideration:

1. Family Court is an innovative program that utilizes intensive management of domestic and juvenile cases by case coordinators to ensure that timely hearings and other court events are scheduled and to make sure orders are prepared and entered.
2. According to the aging analysis report for FY2009-10 cited in the recent Family Court Site Visit Summary Report, the clearance rate for domestic cases in Halifax County is 100.5%; the median domestic case age is only 65 days; and just 4.9% of domestic cases are greater than one year old while the same statistic is 43.5% in non-Family Court districts. This would be impossible without the management provided by Family Court.
3. According to the FY2009-10 NC Key Time Standard Adjudication Hearings Report for Halifax County abuse and neglect cases, no juvenile cases exceed the time standard and 59% of completed adjudication hearings were held within the time standard. Also, all completed disposition hearings were held within the time standard and no cases have exceeded the one-year time standard with 86% of completed hearings being held within the time standard. Again, this would be impossible without the management of the Family Court staff.
4. Were there no Family Court to manage cases and calendar them appropriately, the statistics cited in #2 and #3 would not be as excellent as they are and the stats would lean more towards the state average which indicates a considerably and consistently longer time to hearings and orders being entered while families wait.
5. Family Court is a court-driven system that implements constant calendaring and adherence to time standards for cases to ensure that they are never "lost" in the system. To return to the former attorney-drive system would mean that cases are calendared at the will of the attorney. This would further mean one side could effectively "starve out" the other side by simply not calendaring a case which would be detrimental to the financial stability of the family. Temporary custody orders would not be put in place expediently to stabilize where children live or go to school or which parent(s) can make interim medical and legal decisions for the child while permanent custody is being established. Family Court staff determine and set these court dates per time standards whether a party is pro se or represented by an attorney. The rules are the same for everyone. Clerks do not serve in this capacity as they calendar cases according to the date requested by the attorney. Clerks are repositories of the record whereas Family Court staff assign court event dates according to time standards and the local Family Court rules following the same rules for everyone.
6. The pro se or self-represented population has doubled since the inception of Family Court in Halifax County in 2000. The Family Court staff deal with pro se parties everyday to assist them in filing for divorce, custody, and motions for modifications and contempt and to assist them in navigating the court system. The staff explains court processes to these parties who are


unfamiliar with the legal system. Were it not for Family Court, these parties would not have reliable court process information when they cannot afford an attorney.

7. The one/judge one/family concept saves court time and promotes consistency. When one judge is assigned to a case, should the case return to court, that judge would already be familiar with the family and not have to conduct an extensive review. Also, with the same judge presiding over domestic and juvenile issues that judge has a better picture of the dynamics of the family rather than the "snapshot" in the previous system of rotating judges.
8. Family Court staff roles have grown and new services that are facilitated by the Family Court staff have been developed at no additional cost to the court system. These services include family financial mediation, one-hour parent education (*Mending Hearts*), four-hour Advanced Parenting Education, child planning conferences, equitable distribution status conferences, Family Drug Treatment Court, AIM (truancy prevention), special truancy court (punitive for parents to enforce the school attendance law), and grant writing and administration. Family Court staff performing the above functions frees up time for judges to spend on hearings and in other courts. Also, the Family Court Juvenile Case Coordinator doubles as the Family Drug Treatment Court Case Coordinator. The Family Court Administrator doubles as the Domestic Case Coordinator in addition to conducting administrative duties by overseeing and developing programs, writing and administering grants, supervising staff, preparing reports, monitoring adherence to time standards, and all other administrative duties.
9. Families like Family Court because they can get their questions answered and get into court quickly to get their cases resolved. Family Court staff also monitor continuances so that family needs are addressed quickly and numerous continuances are not allowed.
10. Family Court staff are highly educated and trained. Family Court is customer service-oriented. Family Court Case Coordinators are required to have a four-year degree and administrators a master's degree. This is all for good cause as they deal with difficult family situations and need education and experience in family dynamics.
11. Halifax County is a small district and if the Family Court staff did not exist there would be no one to carry out all of the above-listed processes. The district has one trial court coordinator (TCC) and no judicial assistant or secretary. This TCC already has a full workload and serves as the arbitration coordinator. Without the Family Court staff, there would be no one to coordinate mandated programs like Family Financial Mediation or meet with and respond to the pro se population.
12. Attorneys who practiced domestic law in Halifax County prior to Family Court like the Family Court system because it gives them firm court dates, a liaison between them and the judge as the Family Court staff is always in the office when the judge is unreachable on the bench.
13. Comments on the four-hour Advanced Parenting Education evaluations indicate that parties "wish they had been provided this information prior to filing their case, I really learned about the needs of my child during this time, I now realize why my ex and I need to get along with decisions about our child, and we want to return to mediation now that we have heard this."

In summary, if Family Court is eliminated there will be no one to perform the activities cited above that make immediate responses to family issues. This is especially true in small counties like Halifax where staff and resources are sparse. Family Court is the innovative path to the future of a responsive court system. Since Family Court's inception in North Carolina, it has been hailed at national conferences as an excellent example of a unified court system. One judge/one family, time standards, educational sessions, mediations, quick response, and services to pro se litigants are all hallmarks of Family Court that help families navigate the complex legal system and have their issues addressed in a timely manner and help them come out the other side many times with solutions they have helped craft in mediations and conferences.

Prior to Family Court, domestic and juvenile cases were not timely calendared, mediations were hit and miss, and pro se litigants received little or no assistance. We do not need to go backwards in time in North Carolina. Using the Family Court staff to facilitate all of the above processes and services truly takes us forward and makes us more progressive and responsive than non-Family Court districts. "Justice delayed is justice denied," and no one wants that for North Carolina's children and families.

Sincerely,



Brenda G. Branch  
Chief District Court Judge  
Judicial District 6A/Halifax County



*State of North Carolina  
General Court of Justice  
Eighth Judicial District*

DAVID B. BRANTLEY  
Chief District Court Judge

DISTRICT COURT JUDGES

Lonnie W. Carraway  
Les Turner  
Elizabeth A. Heath  
Timothy I. Finan  
Charles P. Gaylor, III

Denise Harris  
Trial Court Coordinator

224 E. Walnut Street, Room 230  
Goldsboro, NC 27530  
(919) 722-6261 Office  
(919) 722-6182 Fax

October 25, 2011

Honorable John W. Smith  
PO Box 2448  
Raleigh, NC 27602

Dear Judge Smith,

I have been a District Court Judge for fifteen years and a Family Court Judge for ten years. I practiced family law for seven years and was the Clerk of Court for twelve years. In my opinion, the implementation of Family Court was a terrific enhancement to the quality of justice for the public in the area of family law. To allow it to be eliminated will be a substantial reversal in the improvements that North Carolina and our District has made for the public who come before us in this very contentious area of the law. In support of my opinion, I will make a few observations.

First of all, the statistics that accompany this report are powerful. In this district, we dispose of our cases on average within 60 days of filing in comparison to similar non family court districts which take nearly a year. That is no accident. Professional administrators, as ours are, work with lawyers and judges to quickly and efficiently try the cases that are filed. This takes cooperation, coordination and communication between case managers, attorneys and litigants. Every case is given a court date and all court appearances are significant where we expect progress toward resolving issues. In the past, by contrast, attorneys would send in calendar requests for multiple court dates just to keep cases on the calendar but with no real expectation of reaching their case that week. Therefore, much time would be wasted in court by the attorneys and the litigants and the courts would only reach 20 – 25% of the cases on the calendar. Now we substantially deal with 90 – 100% of the cases on each calendar because there is the expectation that if it is on the calendar, it will be tried. This cannot happen without case managers.

Secondly, cases are also assigned to a specific judge under the one judge, one family concept. Farm hands understand this concept as carrying your own row. Each judge has to finish his or her assigned cases so each is encouraged to work vigilantly because no one else is going to finish the other's work. This concept is also more efficient in that one judge can hear the initial custody trial and any further modifications without rehearing evidence. Also one judge can hear child support and alimony in one trial



and equitable distribution later again without rehearing the same evidence. The lawyers cannot judge shop or avoid judges.

Last of all, parties are given several chances to mediate their differences prior to trial which means that only most difficult and intractable disputes require trial time. This saves litigants time and money. This is becoming more important as court costs go up and more parties are seeking to represent themselves. Family court districts provide easier access to the courts through web sites, communication with case managers for pro se parties and mediation services.

In conclusion, a return to how we did things in the past will be a giant step backwards for our district and North Carolina. It is unfortunate and a disservice to other districts that they do not have family court. It would be a greater shame if all family courts were eliminated. It is true that justice delayed is justice denied. Family Courts strive to provide quick access to justice and are largely successful in doing that, according to the statistics. My thirty four years of experience in the courts have proven to me that Family Courts work and are a core part of our modern court system and I personally hope that it is retained in North Carolina.

Sincerely,

David B. Brantley  
Chief District Court Judge  
8<sup>th</sup> Judicial District



*State of North Carolina*  
*General Court of Justice*  
*10th Judicial District*

**WAKE COUNTY**  
P.O. BOX 351  
RALEIGH, NC 27602

**ROBERT B. RADER**  
CHIEF DISTRICT COURT JUDGE

DISTRICT COURT JUDGES

KRIS D. BAILEY  
MONICA M. BOUSMAN  
JACQUELINE L. BREWER  
ERIC CRAIG CHASSE  
LORI G. CHRISTIAN  
MICHAEL J. DENNING  
MARGARET P. EAGLES  
JAMES R. FULLWOOD  
JANE P. GRAY  
JENNIFER M. GREEN  
KEITH O. GREGORY  
JENNIFER J. KNOX  
NED W. MANGUM  
VINCE M. ROZIER, JR.  
KRISTIN H. RUTH  
DEBRA S. SASSER  
CHRISTINE M. WALCZYK  
ANNA E. WORLEY

October 26, 2011

Judge John W. Smith II, Director  
N.C. Administrative Office of the Courts  
Post Office Box 2448  
Raleigh, North Carolina 27602

Dear Judge Smith:

I am writing on behalf of all of the District Court Judges in the 10<sup>th</sup> Judicial District to express our serious concerns about the impact on our courts and the citizens of Wake County if recurring funding for Family Court is eliminated. Our judges, attorneys and court personnel have worked tirelessly over the last five years to implement and refine Family Court to address the challenges of an ever increasing volume of cases, crowded dockets and the complexities facing families in crisis.

At the core of our Family Court is the staff that manages both domestic and juvenile cases. These Family Court Case Coordinators provide day-to-day case management of court events for distressed litigants in order to better serve the family and provide more consistent, timely and efficient use of court time and limited resources. By utilizing these trained case managers we have made remarkable strides in reducing the age of pending cases which equates to a quicker and more efficient resolution of the crisis and uncertainty that a family faces.

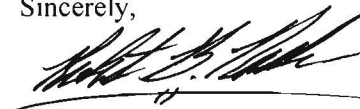
If funding for Family Court is eliminated, the core function of case management will go away; however, the demands and strain on the court to address issues such as child custody, child support, domestic violence, child abuse & neglect, termination of parental rights, etc. will not go away but will increase exponentially. National trends show that citizens are increasingly looking to the courts for resolution and help for their family legal disputes. The number of self-represented parties continues to increase. Family Court Case Coordinators are uniquely qualified and specifically trained to handle the public's domestic and juvenile case inquires and to provide information and resources for court and community services. Elimination of Family Court will result in case delays, a growing backlog of unresolved cases and an increase in public frustration. Ultimately, children will go longer without child support, spouses will go longer without financial support, the stress resulting from the breakup of the family will be prolonged and the financial strains will cause them to ultimately seek help from relatives, friends and public services.

While case management is at the heart of the Family Court concept, the loss of Family Court will impact the courts and citizens in many ways. I offer the following as just a few examples:

- Family Court is most cost effective and has the greatest impact in urban districts with the heaviest caseloads. Wake County has one of the highest domestic caseloads in the state. In FY 2000-2001, there were 3,289 domestic relations cases filed in Wake compared to 7,077 cases in FY 2009-2010. An increase of 115%.
- In FY 2004-05, the year prior to Family Court in Wake, 74.2% of all unresolved domestic cases were over one year old. As of July 2011, only 17.5% of our cases are over one year. A 76% decrease.
- Family Court Case Coordinators are the court's front line resource in providing information and tracking domestic and juvenile cases for the public. Without Family Court staff, the strain on court employees and court resources will be dramatically increased. An increasing number of parties in domestic lawsuits are representing themselves because they cannot afford legal representation. Nearly 72% of Wake's domestic cases in the past year had at least one pro se litigant, with both parties representing themselves pro se in approximately 40% of these cases.
- In 2010, we collaborated with the Domestic Family Court Improvement Committee to build an online domestic calendar website, which provides real-time access to all domestic courtroom calendars (dockets). This system, funded by community partners, is the first site of its kind in the state and is used by attorneys and the public to see and select available court dates at no charge. Without Family Court staff, there will be no one to manage this data leaving the future of this valuable resource in question.
- An average of 28 abuse/neglect/dependency ("A/N/D") petitions are filed each month in Wake County. From July 2010 until September 2011, Family Court staff scheduled and facilitated over 200 child planning conferences. This best practice is a two-hour opportunity for all community partners (DSS, schools, treatment, public health, etc.) to come together and immediately start working with the family to develop a plan to get their children out of the state's custody and back into their home.
- In September 2010, Wake Family Court was awarded a three-year federal Court Training and Improvement Program grant through the Office of Violence Against Women that allows us to have a Family Court staff person to provide case management for civil and criminal domestic violence cases. Active coordination and management of all DV cases has reduced the number of court appearances and reduced the inconvenience to victims and parties. It has increased court efficiency and expedited the administration of justice. Without Family Court there are no resources to write and manage such grants or to provide the supervision and management necessary to ensure quality services for both court partners and the public.

The elimination of Family Court will have a drastic and long lasting effect on families and children in Wake County. While we will continue to fulfill our constitutional and statutory duties as court officials to the best of our ability, our work will become much more difficult without the proper and unique tools Family Court provides us to do our job. To eliminate Family Court will be a tremendous, if not devastating, set back to the efficient operation of our civil courts.

Sincerely,



Robert B. Rader  
Chief District Court Judge



*State of North Carolina*  
*General Court of Justice*  
*12th Judicial District*

DISTRICT COURT JUDGES

A. ELIZABETH KEEVER, CHIEF  
ROBERT J. STIEHL, III  
ED PONE  
KIMBRELL KELLY TUCKER  
JOHN W. DICKSON  
TALMAGE S. BAGGETT, JR.  
GEORGE J. FRANKS  
DAVID H. HASTY  
LAURA A. DEVAN  
TONI S. KING

October 28, 2011

CUMBERLAND COUNTY COURTHOUSE  
PO BOX 363  
FAYETTEVILLE, NC 28302  
TEL: (910) 475-3012  
FAX: (910) 475-3013

Honorable John W. Smith, Director  
Administrative Office of the Courts  
Post Office Box 2448  
Raleigh, North Carolina 27602

Re: Consequences of discontinued funding for Family Court

Dear Judge Smith:

In the nearly 30 years that I have served as a District Court Judge and the 17 years I have served as a Chief District Court Judge, the implementation of Family Court in my district has been one of the most significant changes that I have seen in the court system. Family Court has enabled us, as a district, to bring control and efficiency to two of the most emotional and difficult areas of the law – domestic and juvenile. These areas of the law affect some of our most vulnerable citizens – our children.

Our mission as a family court is to ensure that every litigant has the opportunity to present his/her case to one judge who will determine an appropriate disposition of that case using all available information in a timely and effective manner. Without family court staff, this will be impossible.

The backbone of the family court system is administration and coordination. In Cumberland County, one specific group that our family court case coordinators work with is our deployed military members. Because Fort Bragg is located in our county, a high percentage of our domestic and juvenile cases involve military members and their dependents. When a case is filed and one or both of the parties is then deployed overseas for 3 or 6 or 12 or more months, it is important that the court be aware of the status of the parties, communicate with them about availability for court, provide forms for them to record information such as a list of marital property and generally provide them assurance that their case will not be completed without their input. Without family court



case coordinators, there would simply be no one responsible and able to provide this service to the military members.

Domestic case coordinators ensure that all cases are calendared in a timely fashion, are referred for custody mediation and family financial mediation, necessary documents are filed and the process is explained to litigants. Particularly important to the litigants is finality of their action. A domestic case is not complete until all orders are prepared, signed by the judge and filed with the clerk. It is the responsibility of the case coordinators to ensure that this part of the process is completed. Previously cases would linger without the filing of orders which meant that neither party was able to enforce the order. Our domestic case coordinators also work with out of state parties to schedule cases so that only one trip is required.

In the juvenile court, the case coordinator ensures that psychological testing and other evaluations are completed, experts are scheduled for hearings as needed, and orders are completed within the statutorily required times. In particular, the scheduling of experts can be extremely important because of the cost associated with them and the need to limit the time they must take away from their practices.

Our Family Court system was implemented eleven years ago. The difference between our domestic and juvenile courts then in 1999 and now in 2011 is dramatic. Before Family Court, cases were scheduled by request, courtroom dockets were unmanageable, and continuances were unmonitored. Even though our numbers of filed cases has increased since 1999, the number of pending cases at any one time has decreased. This reduction of pending cases is directly related to the work of the case coordinators. A reduction in pending cases enables the judge, the attorneys and the litigants to focus more fully on each case on the calendar and complete that case rather than continue it. Now cases are proactively scheduled, dockets are balanced and delays are scrutinized. The loss of Family Court would set our court system back immeasurably and without a doubt harm our families in crisis.

Thank you for your consideration of my thoughts on this important matter. If you need any additional information, please contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "A. Elizabeth Keever".

A. Elizabeth Keever  
Chief District Court Judge



*State of North Carolina  
General Court of Justice*

*14<sup>th</sup> District Court District*

**DURHAM COUNTY JUDICIAL BUILDING**

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DURHAM, NC 27701

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MARCIA H. MOREY

Chief District Court Judge

**DISTRICT COURT JUDGES**

JAMES T. HILL

NANCY E. GORDON

WILLIAM A. MARSH III

BRIAN C. WILKS

PATRICIA D. EVANS

DORETTA L. WALKER

October 25, 2011

Judge John Smith  
Director  
Administrative Office of the Courts  
P.O. Box 248  
Raleigh, North Carolina 27602

RE: Saving Family Court Administration in North Carolina

Dear Judge Smith:

As the Chief District Court Judge in a designated Family Court district, I cannot fathom the elimination of Family Courts in North Carolina. In fact, the debate should not be about the elimination of Family Court Administration, but it should be for its **expansion** into every judicial district.

For the past 13 years, the 14th Judicial District has benefitted from smart, efficient and effective administration in our family court. The results are evident. Durham's median age for domestic cases is **65** days compared to non-Family Court jurisdictions where the median age is **366** days. Families in crisis receive swift and fair resolutions to child custody and support issues, divorce, equitable distribution and the myriad of family issues.

Like other Family Court districts, Durham has three case managers and a custody mediator, all who have received many hours of specialized training for case management and alternative dispute resolution. They ensure cases and motions are properly set before the assigned judge; they assist pro se litigants to navigate the court system; and regularly communicate with lawyers and litigants about court scheduling. In essence, Family Court administrators keep the train on track and running efficiently. With this specialized administration of family cases, the day of delays and lawyer driven calendars with various judges giving inconsistent rulings are a thing of the past. The needs of families come first in Family Court jurisdictions.

Last year Durham county had 2800 family court cases filed, with more than 50% of litigants acting on their own, without lawyers. With each filing having at least two

sides, our case coordinators spoke with at least 5600 people at least one time (and usually many more times) to answer questions; manage status conferences in equitable distribution cases; schedule mediations in custody matters; and serve contempt notices on parties that didn't follow the local rules.

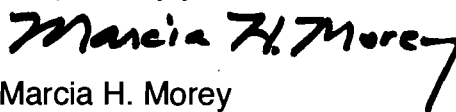
Family court administration allows specialized family court judges to work in the courtroom, using their training and expertise to resolve complicated family disputes. Case coordinators manage the ever increasing case load and ensure that judicial orders are entered timely and accurately. Clerks of Court are no substitute for administrators, as the Clerks are already overwhelmed with keeping up with case file management and being present in the courtroom while court is in session.

The real issue that should be asked is why that the Family Court model, which is an example of efficient and good government is on the State's budget chopping block? The public's lack of faith in the criminal system (excessive delays and repeated court appearances) should not be carried over into the Family Court system that is working so well.

In a nutshell, Family Courts provide:

- \* One case, one family. Consistency in judicial orders.
- \* Family court administration that keeps cases on track in a timely manner.
- \* Increased use of alternative dispute resolution for complex financial issues.
- \* Mediation in custody disputes. Children come first.
- \* Judges and staff who receive specialized training for family court cases.
- \* Prioritization of cases that need immediate attention and service to the public.

Respectfully yours,

A handwritten signature in black ink that reads "Marcia H. Morey". The signature is written in a cursive, flowing style with a long, sweeping tail on the last letter.

Marcia H. Morey  
Chief District Court Judge  
14th Judicial District





*State of North Carolina  
General Court of Justice  
19-B Judicial District  
Family Court*

DISTRICT COURT JUDGES  
MICHAEL A. SABISTON, CHIEF  
JAYRENE R. MANESS  
LEE W. GAVIN  
SCOTT C. ETHERIDGE  
JAMES P. HILL, JR.  
DON W. CREED, JR.  
ROBERT M. WILKINS

FAMILY COURT ADMINISTRATOR  
NANCY M. BUTLER

CASE COORDINATORS  
SHERRY D. ALLRED  
MICHAEL D. SCEARCE  
DE MACA ADAMS

October 25, 2011

The Honorable John W. Smith, Director  
Administrative Office of the Courts  
P.O. Box 2448  
Raleigh, NC 27602

Dear John:

As a unified bench, we request that funding be continued for Family Court Districts. In the three years that Family Court has been operating in Judicial District 19B, it has become invaluable to judges, attorneys and the public because of the following:

1. In February of 2008, a litigant in this district would have learned that half of the pending domestic cases had been awaiting resolution for more than 570 days. Today, after three full years of Family Court, half of the pending domestic cases have been pending for fewer than 71 days. The current timeline is far more comforting to families in crisis who are seeking assistance from the court.
2. The nature of the Family Court staff positions allowed us to hire professionals with college, masters and law degrees who are able to handle the tremendous responsibilities of this program. This district has seven judges presiding over cases in various courts in three counties. One of the reasons that Family Court cases move through the system efficiently is because the staff is managing the caseload by meeting with litigants and attorneys, reviewing files, scheduling hearings -- all while the judges are handling other matters in different courts. The staff is able to work independently to assist litigants and can then brief judges while filtering out prohibited ex parte communications.
3. Litigants who are facing legal issues that may have a devastating impact on their family now have access to the staff and, in essence, to the court system in a way that was not possible prior to the implementation of Family Court.

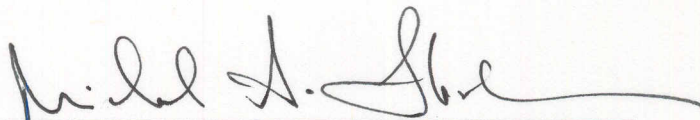


4. Family Court cases are assigned to a staff member and a judge who presides over every issue regarding a single family. This assignment system allows judges to become familiar with families and prevents litigants from judge shopping. In a multi-county district, this is radically different from random judges conducting different hearings where judges had to assemble pieces of case history like a puzzle at every hearing.
5. As a result of Family Court staff researching providers, implementing local rules and tracking cases, custody litigants in this district now must participate in a parent education workshop prior to a court hearing. This is part of Family Court's ongoing effort to put the best interest of children first while utilizing alternative resources to resolve cases without lengthy, contentious trials.
6. Family Court staff facilitates Child Planning Conferences to move cases through the abuse and neglect system more efficiently and improve outcomes for children. These conferences are formal meetings between Family Court staff, respondent parents, attorneys and community agencies to discuss the case history, make recommendations and determine what is in the best interest of a child.

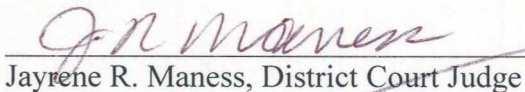
We often get compliments from attorneys in other districts who have represented clients in our Family Court district. One attorney recently stated that clients see a 30% - 50% savings in attorney fees with Family Court because the cases are resolved quicker and more efficiently.

Eliminating Family Court will undermine our ability to provide families with real access to justice. Without Family Court, we will have to discontinue services, including those outlined above, and return to a system that was significantly more frustrating to judges, attorneys and families.

Sincerely,



Michael A. Sabiston, Chief District Court Judge



Jayrene R. Maness, District Court Judge



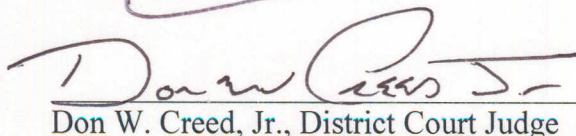
Lee W. Gavin, District Court Judge




Scott C. Etheridge, District Court Judge



James P. Hill, Jr., District Court Judge



Don W. Creed, Jr., District Court Judge



Robert M. Wilkins, District Court Judge



*State of North Carolina*  
*General Court of Justice*  
*20A Judicial District*

**FAMILY COURT**

**CHIEF DISTRICT COURT JUDGE**  
LISA D. THACKER

**FAMILY COURT JUDGES**  
SCOTT T. BREWER  
AMANDA L. WILSON  
WILLIAM C. TUCKER

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Phone: 910-419-7575  
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**ADMINISTRATOR**  
TENNELLE HANN

**CASE COORDINATORS**  
RICHARD BURGIN

October 24, 2011

Judge John W. Smith, II  
Director of the Administrative Office of the Courts  
P.O. Box 2248  
Raleigh, NC 27602

Dear Judge Smith:

"Justice delayed is justice denied." These words, having been gleaned from the Magna Carta and parlayed into a mission statement for the North Carolina court system, echo in my mind when I consider the possible loss of the Family Court Program. I am sure that you will receive many letters like this one, and that those letters will extol the virtues of Family Court and the difference it has made in the lives of families and children in our state. The AOC has in its possession the data and statistics that show, in a very real way, the productivity of Family Court as it is compared to that of districts without Family Court. This, in and of itself, should be sufficient evidence that Family Court's benefit to the court system and the public vastly outweighs the relative costs of the program. At the recent District Court Judges' Fall Conference, I reviewed the current statistics for Family Court in District 20A, which is comprised of Anson, Richmond and Stanly counties. In 20A, the Family Court program actually disposes of more than 100% of the cases pending in those counties. The proof of the program's productivity is right there, in black and white, clearly showing that we are handling cases more quickly than they are being filed. The numbers are overwhelmingly reflective of the professionalism and dedication of what I consider the finest Family Court staff in the state.

The cost/benefit analysis shows that Family Court is well worth the money, as it allows the court system to be much more productive than it would be without the program. The benefits of this productivity cannot be overstated. For the price, Family Court is a bargain. As you well know, of the entire state budget, less than 3% is allotted to the court system. And Family Court represents a mere fraction of the entire court system's budget. Therefore, considering the miniscule amount of money that may be "saved", the elimination of Family Court would be counterproductive.

In District 20A, the AOC workload formula indicates that we should have six judges to handle our cases. We have four. Two years ago, we had six support staff positions. Today, we have four. Yet, our district has soldiered on despite the lack of manpower, our staff and judges have pulled together in a demonstration of solidarity and commitment to public service that I can only call exemplary. To lose half of our support staff,



when we have already lost a third, would place us in an untenable position. Justice would certainly be delayed, and justice would surely be denied. The loss of Family Court would be a tragedy not only to the court system, but to the many families and children that we took an oath to serve.

It is also important that the General Assembly realize that in contemplating the elimination of Family Court, they are directly affecting the lives of families and children. Families, such as they themselves may be members of, and children, just like the children that they may have at home. Even more to the point, they should consider the children of our state that are not like their children. I am speaking of the victims of child abuse and neglect. These are children who will be doubly victimized by the loss of Family Court, first by the abuse or neglect of their parent or caretaker, and yet again, by the system that would delay the justice that they so desperately need and deserve. Family Court staff enforces and provides checks on the timelines for the efficient administration of justice in cases involving abused and neglected juveniles. Without this program, children will be subjected to longer waiting times for court hearings, and ultimately, a longer wait to be granted what every child in the state of North Carolina is entitled to: a safe and permanent home. You can talk to the families who have been guided through the system with the help of the Family Court staff. They will tell you how instrumental this program has been in helping families in crisis and children in trouble get the resolution that they need from the courts.

Family Court is also instrumental in changing the direction of the court system in our district. The program has changed the previously lawyer-driven system to a system that is regulated by the staff, cross-checked for compliance with time guidelines, and created to ensure that no case, no family, and no child "falls through the cracks". Family Court provides accountability, and produces results. To the judges of our district, the Family Court staff serves as a beacon that guides us and keeps us on course, enabling us to serve the children and families and the citizens of Anson, Richmond, and Stanly counties to the best of our abilities.

Our Family Court staff in 20A is also willing to go the extra mile and handle things that come up in the everyday course of running the judges' office. They pitch in when the judicial assistants are unavailable, and never complain. They do their work and then some. For example, just for the months of July, August and September of this year, my Family Court Administrator and Family Court Case Manager alone dealt with:

135 pro se calls

432 attorney phone calls and/or emails

35 pro se visits in the office

58 attorney visits in the office

107 other calls (criminal, directions, misc.)

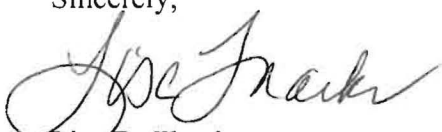
26 calls from parties represented by attorneys

101 calls from clerks of court

In my opinion, my Family Court staff maintains a level of "customer service" that would be enviable even in the private sector.

If the judge is the head of the court system, then his or her staff is the body, and Family Court is the heart. Cut it out, and the entire being dies. I implore you, do not allow this to happen. "Justice delayed is justice denied", and the denial of justice is the death of our court system.

Sincerely,



Lisa D. Thacker

Chief District Court Judge – Judicial District 20A



*State of North Carolina*  
*General Court of Justice*

*Judicial District 20B*

Union County District Court  
P.O. Box 305  
Monroe, North Carolina 28111

October 28, 2011

CHIEF DISTRICT COURT JUDGE  
N. HUNT GWYN

DISTRICT COURT JUDGES  
JOSEPH J. WILLIAMS  
WILLIAM F. HELMS, III  
STEPHEN V. HIGDON

TELEPHONE: 704-698-3112  
FACSIMILE: 704-698-3113

DISTRICT COURT STAFF

MICHELLE PHIPPS - JUDICIAL ASSISTANT II  
JESSICA MANGUM - JUDICIAL ASSISTANT I  
MARTHA SUE HALL - FAMILY COURT ADMIN.  
VALERIE LANEY - FAMILY COURT CASE COORD.  
KRISTEN RORIE - CUSTODY MEDIATOR  
KAREN AHRENS - CUSTODY MEDIATOR  
SHERRY ANTON - MEDIATION SECRETARY  
CAROLYN GREEN - VISITATION COORDINATOR  
KATIE WALTER - DRUG COURT COORDINATOR

The Honorable John W. Smith, Director  
Administrative Office of the Courts  
PO Box 2448  
Raleigh, NC 27602

Dear John:

As Chief District Court Judge for Union County, I respectfully join with my fellow Family Court chiefs across the state in asking that Family Court continue to be fully funded.

In the year 2000 the Twentieth Judicial District (then Anson, Stanly, Richmond, and Union Counties) was selected to serve as one of just three pilot sites across the state to implement Family Court. Since then, Family Court has been an unqualified success, having served literally thousands of children and families in crisis and grown to include thirteen different judicial districts and twenty-two counties.

North Carolinians benefit from having Family Court in those districts in that their cases are heard and disposed of much more quickly than they would be otherwise. In the fiscal year July 1, 2010 through June 30, 2011, for example, the pending age of a Domestic Filing in Family Court Districts was 99 days. In districts that do not have Family Court the pending age of those same filings was, on average, 322 days. For those persons looking to District Court for assistance in resolving contested family court cases, and oftentimes their children, the difference in having a trial date this much sooner as opposed to that much later can be huge in the life of a family and its children.

In addition to a quicker rate of disposition, Family Court also offers management of the cases themselves and the dockets they appear on by trained professional Family Court Administrators and Coordinators. It is the function of these administrators and coordinators to keep us judges informed as to what cases are most ready for trial, which cases still have open issues, and what pre-trial issues remain in the way of a case being ready for final disposition. These same case managers also act as liaisons to the public, many of whom now must appear pro se because of financial constraints, and are thus



prohibited from talking directly to a judge about a case because of the N.C. Code of Judicial Conduct. All this occurs while Family Court Judges are actually in the trial of cases.

Family Court also provides in my district Day One Conferences at which parents who have recently had children taken from the home by DSS learn, often the very next day, what is expected of them by DSS, school personnel, Guardian ad litem, and their attorneys in order to obtain the return of their children. Without this initial conference at which their questions and concerns may be addressed, parents may have to wonder what is going on with their child's case for as much as a week before having their questions answered.

Another key advantage to keeping Family Court is in keeping one judge assigned to one family for as long as that family has cases pending in the district court division. Rather than a family having to re-educate each randomly assigned judge on the family dynamic each time they come to court, with Family Court care is taken by the coordinators and administrators to try and ensure that each family gets the same judge each time they come to court. This saves time. More importantly, it offers parties and their children an opportunity to develop an on-going rapport with the presiding judge, and thus have a greater level of confidence in, and comfort with, the whole process of appearing in court, an experience that for many is already unnerving enough as it is without having to explain yourself all over again each time you appear before a different judge.

Lastly, the Family Court calendars that are generated by my office are the product of communication between the judges, the attorneys, the case managers, and at times a pro se' litigant. The end result of that level of communication and the sharing of information about the cases is that the calendars are, for the moment, judge driven documents and therefore easier for the judges to manage from and push cases to trial when appropriate. Simply delegating this task to the clerks is unfair to them, unwise, and not cost-conscious of taxpayer resources.

The elimination of Family Court from the thirteen districts where it now enjoys such success would be a significant step backward for North Carolinians seeking access to justice. Eleven years and thousands of cases disposed of in a just and timely manner demonstrate how profoundly effective Family Court is now, and should be into the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Hunt Gwyn". The signature is fluid and cursive, with the first name "Hunt" and last name "Gwyn" clearly distinguishable.

N. Hunt Gwyn  
Chief District Court Judge



*State of North Carolina  
General Court of Justice  
25<sup>th</sup> Judicial Court District*

ROBERT M. BRADY  
CHIEF DISTRICT COURT JUDGE

DISTRICT COURT BUILDING  
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Fax: 828-261-7413

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L. SUZANNE OWSLEY  
C. THOMAS EDWARDS  
BURFORD A. CHERRY  
SHERRI W. ELLIOTT  
AMY R. SIGMON WALKER  
J. GARY DELLINGER  
ROBERT A. MULLINAX, JR.

October 28, 2011

Mr. Brad Fowler  
Administrator, Research and Planning Division  
Administrative Office of the Courts  
901 Corporate Center Drive  
Raleigh, North Carolina 27607

Re: Family Court Continuation

Dear Mr. Fowler:

To fully comprehend the significance of continuing the family court program in this state it would be helpful to understand the circumstances which brought about the establishment of family court originally. I have been involved in the court system in this state for thirty-seven years. I have served as a District Court Judge for twenty-one years and as a Chief Judge for the last nine of those years. When I first started practicing law it would often take years for domestic cases to come to trial. During this time it was not unusual for the parties to lose their homes, their businesses and their vehicles. The children were used as leverage between the parties because no final order of custody had been entered. Numerous individuals appeared before the legislature to ask for help in developing a procedure for the timely disposition of family court cases. The year before Family Court began in Caldwell County (my county of residence) there were approximately 141 family court cases more than a year old. Over the last several years that number averages from 0 to 5. While the reduction in the pending cases over a year old is impressive, it is not the major story. The most important thing is that these numbers represent families – men, women and children- who no longer have their lives on hold.

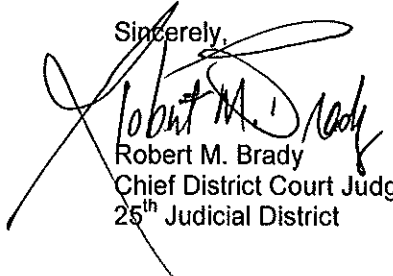
Family court works efficiently and effectively for several reasons. First, case coordinators continuously actively manage the files making sure all documents are in, notices are sent and hearings are timely held. They have the authority of the Chief Judge and the other judges behind them. Second, it is a judge driven docket. Once the case is filed the case coordinators immediately schedule court events and mediations. Cases are not allowed to slip through the cracks because the case coordinators take their responsibilities very seriously and take a great deal of pride in making sure cases are disposed of in a timely manner. Third, judges do not have time to manage their cases, but the case coordinators do. Judges are too busy holding court. In addition, Chief Judges have a number of other statutory responsibilities including scheduling court, serving on boards, committees and commissions, supervising magistrates, and other duties that seriously inhibit their ability to manage their own Family Court cases.

Mr. Brad Fowler  
October 28, 2011  
Page Two

Over the last several years a great deal of progress has been made in the disposition of Family Court cases in a timely fashion. I would hate to see the state return to a system that obviously did not work then and would not work now.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Robert M. Brady  
Chief District Court Judge  
25<sup>th</sup> Judicial District

Stephen M. Thomas •  
Donald R. Fuller, Jr. •  
Eloise D. Bradshaw  
David W. Hood •  
Kimberly H. Whitley  
Michael J. Barnett  
Michael P. Thomas

Casey W. Pope  
David W. Aycock  
Susan W. Matthews

L. Oliver Noble, Jr. • \*

• Certified Mediator  
\* Of Counsel

## Patrick • Harper • Dixon

Attorneys At Law

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F. Gwyn Harper, Jr. (1911-1994)  
James T. Patrick (1936-1990)  
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Writer's E-Mail:  
onoble@phd-law.com

October 18, 2011

The Honorable John Smith  
Director  
Administrative Office of the Courts  
PO Box 2448  
Raleigh, NC 27602

Dear John,

As you know, I was a District Court Judge for nearly 22 years, and for 12 of them I served as Chief District Judge here in the Twenty-fifth District. In that capacity, I implemented the first, second and third (and maybe fourth and fifth) sets of Local Rules of Court. The Rules were designed mainly to manage the case flow in domestic cases. Since I had no staff to assist with managing the cases and organizing dockets, all the planning in the world, and all my efforts did not produce an enormous decrease in the age of these cases. Each quarter, I carefully examined the statistics, and each quarter, cases kept slipping through the cracks because there were so many of them, and there was only one of me.

I have watched the Family Court system implementation and operation in the Twenty-fifth District. I believe the statistics will show that more people get access to the court system faster, and that children of warring parties suffer for a shorter length of time since the advent of the Family Court. While I was Chief District Judge, I began a rotation of judges designed to keep each juvenile case before the same judge. It makes sense to apply that principle of court management to the other Family Court cases because the judge gets to know the parties and the case, and he knows when parties do what he has ordered, and when they haven't. It is possible to make that case assignment only if there is some person to make sure it happens. I believe the statistics will show that the Family Court system here moves cases faster than we could move them without it, no matter how hard I tried. I hope that during your presentation (if you are allowed to make one) you can show a before and after comparison of the age of the pending caseload.

I believe eliminating Family Court will result in a lesser quality of justice for those citizens who have domestic cases, an increase in the age of pending cases, and a vast increase in



**Patrick • Harper • Dixon**  
Attorneys At Law

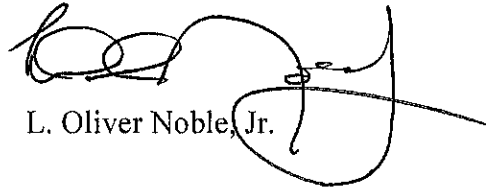
October 18, 2011

Page 2

the time the Chief District Judge is required to devote to case management, rather than to his duties as a presiding judge.

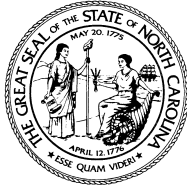
Sincerely,

PATRICK, HARPER & DIXON, LLP

A handwritten signature in black ink, appearing to read "L. Oliver Noble, Jr.", with a large, stylized flourish extending from the end of the signature.

L. Oliver Noble, Jr.

LON/pm



LISA C. BELL  
CHIEF DISTRICT COURT JUDGE

State of North Carolina  
General Court of Justice  
26<sup>th</sup> Judicial District

**MECKLENBURG COUNTY**  
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BECKY T. TIN  
THOMAS F. MOORE, JR.  
CHRISTY T. MANN  
RONALD L. CHAPMAN  
DONNIE HOOVER  
PAIGE B. MCTHENIA  
JENA P. CULLER  
KIMBERLY BEST-STATON  
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JOHN W. TOTTEN, II  
ELIZABETH THORNTON TROSCHE  
THEO X. NIXON  
KAREN EADY-WILLIAMS  
DONALD RAY CURETON, JR.  
MATTHEW J. OSMAN  
SEAN P. SMITH  
JENA P. CULLER  
TYAWDI M. HANDS

October 28, 2011

The Honorable John W. Smith  
North Carolina Administrative Office of the Courts  
P.O. Box 2448  
Raleigh, NC 27602-2448

Re: Consequences of Eliminating the North Carolina Family Court Program

Dear Judge Smith:

Family Court is the face of justice for many citizens of our state. In spite of the ever-expanding caseloads, Family Court programs have proven to be an efficient and cost-effective means for providing court access to families in crisis. Family Court programs expedite timely resolutions; build public trust and confidence; promote equity, fairness and integrity and provide greater access to justice. These benchmarks define the quality of our system of justice.

The Mecklenburg County Family Court is accessible to the individuals it serves and gives all who appear before it the opportunity to participate effectively without undue hardship and inconvenience. By design, the Mecklenburg County SelfServe Center, managed and staffed by Family Court personnel, operates to eliminate physical, geographic, procedural and socioeconomic barriers that obstruct access to justice. Serving thousands of citizens each year, the SelfServe Center has established itself as a community portal for the underserved and marginalized citizens who cannot afford traditional legal services. The Center offers a variety of services including legal clinics, educational videos, community and legal referrals, legal research tools, static and web-based instructional form packets to initiate or answer legal claims, legal consultations conducted by volunteer attorneys and a directory of attorneys who offer limited scope services.

The Mecklenburg County Family Court promotes equity, fairness and integrity through neutral and professional customer service. Research has shown that positive perceptions of court experiences are shaped more by court users' perceptions of how they are treated by court staff and whether the court's process of making decisions seems fair. Trained Family Court personnel deliver neutral and professional service to customers embroiled in emotional family disputes. Each customer receives individual attention and is provided information, referrals, judicial assignments and/or court dates without regard to financial status, legal representation or lack thereof, race, religion, ethnicity, gender, sexual orientation, color, age, handicap or political affiliation. The following excerpts were taken from recent customer surveys.

- "Excellent service – all my questions were answered."
- "Very helpful, I wasn't aware a person could even file themselves."

- “Thank you. I walked away with a confidence knowing a lot more about the entire process.”
- “Helps people like me that can’t afford an attorney. I gained lots of knowledge from it.”
- “Very helpful, don’t end this service.”
- “This service has given me the information I need in order to go forward and by the grace of God win my case for my grandkids.”

The Mecklenburg County Family Court Administrator’s Office seeks to garner public trust and confidence by maintaining a strong presence in the community through public education and community collaboration. Through the sponsorship of public education, the Courts are assured that Family Court stakeholders are offered opportunities to enhance their knowledge and practice skills. Each year the Family Court Administrator’s Office sponsors training and outreach events. Topics have included *Courts Catalyzing Change*, *Fostering Connections in Child Welfare*, *New Developments in Family Court*, *Assisting Self-Represented Litigants Navigate the Courts*, and *Parenting Coordination in High Conflict Child Custody Cases*.

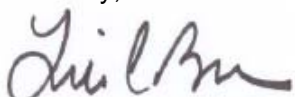
Most importantly, the Mecklenburg County Family Court also complies with established guidelines to expedite timely resolutions for families and children. Mecklenburg’s domestic filings represent 23% of all Family Court filings and 11% of domestic filings statewide. Through intensive case management, Mecklenburg County Family Court personnel monitor all case filings; schedule court events in compliance with best practice time standards; process all emergency custody and other matters that need prompt judicial attention; and ensure that cases do not fall through the cracks so that families receive prompt and just resolutions to their disputes. In fact, caseload-aging data shows that the median age of a case filed in a **non**-Family Court district is approximately 200 days older than the median age of a case in Family Court district.

The timely and holistic attention given to cases by Family Court personnel is important from a number of perspectives. For those individuals involved in domestic disputes, the experience invariably takes a tremendous emotional and financial toll. These matters consume their days and nights and create general dysfunction for them and those around them. The quicker programs like Family Court can bring about constructive and holistic solutions, the less time the parties must spend in distress and the less of financial impact they will incur.

From a societal standpoint, Family Courts are instrumental in reducing costs associated with delay. The longer that spouses and children must wait for the establishment of support payments and the distribution of marital assets, the more likely they are to seek public assistance. The postponement of permanent placement for children in the custody of the Department of Social Services also equates to higher expenditures in foster care costs. The longer that victims of domestic violence must wait to obtain, temporary and permanent protective orders, the more likely for there to be an unfortunate human cost. The longer that children adjudicated as delinquent remain in detention facilities rather than being monitored, educated and treated in the community, the higher the short-term and long-term costs to our communities through lost opportunities for achieving behavioral change and shaping future contributing members of our society. In short, the old adage of justice delayed is justice denied has never been truer than in the context of Family Court. The impact of delay affects those who can least afford it – children, single parents and those in abusive relationships. We must protect our most vulnerable. Family Court has proven to be part of the solution.

Family Courts are complex, central institutions in society, like schools and hospitals. They touch the lives of ordinary individuals and represent the public face of justice for families. The Mecklenburg County Family Court Program is strongly supported by the Mecklenburg County judiciary, the Trial Court Administrator’s Office, Mecklenburg County Bar and other local organizations serving families and children. It is equally supported and utilized by the Charlotte-Mecklenburg community. Without question the elimination of the Family Court Program in Mecklenburg County would send our system of justice spiraling backwards. The fair, speedy, economical and accessible forum for the resolution of matters involving families and children would cease to exist as we know it. The human cost would be far greater than the expense of these programs. We need to EXPAND Family Court not eliminate it.

Sincerely,



Lisa C. Bell  
Chief District Court Judge

## **APPENDIX B**

### **Map of North Carolina Family Court Districts**

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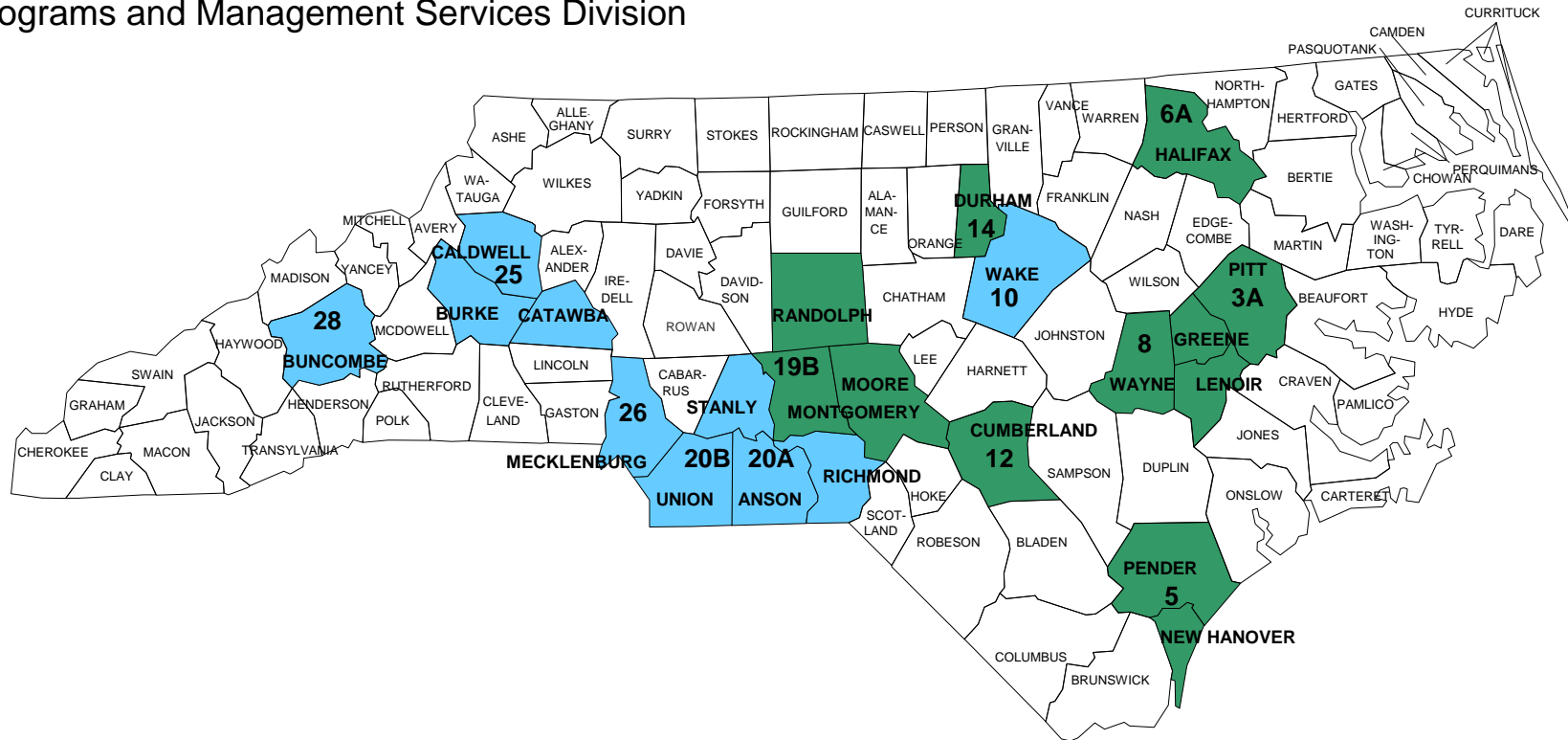
# North Carolina's Unified Family Court Programs

## 13 Districts — 22 Counties

### Court Management Specialist Assignments

March 2011

Court Programs and Management Services Division



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## **APPENDIX C**

**Session Law 1999-237 §17.16,  
Establishing Parent Education Program**



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1999

SESSION LAW 1999-237  
HOUSE BILL 168

Requested by: Representatives Culpepper, Kinney, McCrary, Alexander, Easterling, Hardaway, Redwine, Baddour, Senators Jordan, Plyler, Perdue, Odom

**EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION**

Section 17.16.(a) The Administrative Office of the Courts shall establish a program to educate and sensitize separated or divorcing couples with children about the needs of their children during and after the separation and divorce process. The program shall be administered as part of the family court pilot program established by Section 25 of S.L. 1998-202. Program development shall include the following:

- (1) An educational course that parties to a custody or visitation action may attend voluntarily or if ordered by the court. The course should be designed to inform attendees of the impact of their separation, custody, or visitation action on:
  - a. The children,
  - b. The parents' relationship with one another,
  - c. The family's relationship, and
  - d. The couple's financial responsibilities for the children;The course should provide information to attendees on resources available in the community to help them address these issues;
- (2) An administrative plan for the implementation of the program in all judicial districts with a family court pilot program; the administrative plan shall include:
  - a. Provisions to ensure the program will be financially self-sustaining in each district,
  - b. Estimates of reasonable fees that attendees would be charged, and a method for waiving such fees in cases of severe financial hardship,
  - c. Methods for evaluating the courses to ensure effectiveness, and for certifying attendance,
  - d. How the program will be implemented at the local level, and
  - e. Other administrative matters identified by the Administrative Office of the Courts as necessary for effective and efficient program implementation;
- (3) Identification of course providers with whom the Administrative Office of the Courts would contract to make courses available at reasonable times and for reasonable fees, and to ensure that courses will be available with

sufficient regularity to meet the needs of the judicial district in which the program is offered; and

- (4) Other matters considered by the Administrative Office of the Courts to be important program components.

The Administrative Office of the Courts shall ensure that the program is operational in all judicial districts with a family court pilot program established pursuant to Section 25 of S.L. 1998-202 no later than January 1, 2000.

Section 17.16.(b) The Administrative Office of the Courts shall ensure involvement and input into the development of the program by persons who have experience in assisting families through and after the divorcing process.

Section 17.16.(c) The court shall order participation in this educational course if it finds that significant parental conflict has adversely affected the children and that the children's best interests would be served by the party or parties' participation in the course.

Section 17.16.(d) The Administrative Office of the Courts shall report to the General Assembly not later than March 1, 2001, on the program developed pursuant to this section. The Administrative Office of the Courts shall make an interim report on the program developed pursuant to this section to the General Assembly as part of its report on the family court pilot program established by Section 25 of S.L. 1998-202. These reports shall include the following:

- (1) Progress made on the implementation of the targeted pilot districts and recommendations for the expansion of the program to other districts;
- (2) The amount of State funds that will be necessary for the Administrative Office of the Courts to supervise and oversee program operation;
- (3) Legislation that may be needed to facilitate program implementation and operation; and
- (4) Other recommendations the Administrative Office of the Courts considers appropriate.

See link to access full text of this bill: <http://www.ncleg.net/Sessions/1999/Bills/House/HTML/H168v7.html>

## **APPENDIX D**

### **Civil Domestic Cases, Family Court Districts, Fully-Implemented Years**

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## Civil Domestic Cases, Family Court Districts, Fully-Implemented Years

### District 3A

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	1,298	95.7%	90.1%	51	6.7%	61
FY2008-09	1,376	106.7%	84.0%	56	4.7%	64
FY2007-08						
FY2006-07						
FY2005-06						
Mean	1,337	101.2%	87.1%		5.7%	
Median	1,337			54		63

### District 12

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	6,214	98.0%	86.8%	41	15.0%	93
FY2008-09	6,899	99.7%	88.0%	36	13.4%	90
FY2007-08	6,517	97.2%	88.0%	35	13.7%	83
FY2006-07	6,112	100.7%	87.0%	35	14.2%	94
FY2005-06	5,913	100.0%	85.4%	38	15.9%	93
Mean	6,331	99.1%	87.0%		14.4%	
Median	6,214			36		93

### District 5

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	3,138	103.0%	85.6%	42	12.0%	84
FY2008-09	2,995	102.4%	85.0%	41	23.7%	99
FY2007-08	2,953	100.6%	84.4%	43	23.4%	112
FY2006-07	2,986	94.7%	88.6%	36	21.5%	115
FY2005-06	2,864	101.1%	88.2%	38	22.5%	113
Mean	2,987	100.4%	86.4%		20.6%	
Median	2,986			41		112

### District 14

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	2,765	98.3%	92.6%	42	4.3%	50
FY2008-09	2,693	102.2%	91.5%	40	4.5%	57
FY2007-08	2,444	99.4%	93.0%	42	13.3%	60
FY2006-07	2,393	101.1%	90.6%	43	8.6%	64
FY2005-06	2,442	102.1%	89.4%	45	10.2%	70
Mean	2,547	100.6%	91.4%		8.2%	
Median	2,444			42		60

### District 6A

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	602	100.5%	93.0%	46	4.9%	65
FY2008-09	558	98.2%	93.0%	48	1.9%	48
FY2007-08	588	100.2%	91.3%	41	4.2%	58
FY2006-07	580	99.5%	90.2%	42	1.0%	53
FY2005-06	551	103.2%	94.2%	49	7.4%	57
Mean	576	100.3%	92.3%		3.9%	
Median	580			46		57

### District 19B

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	2,352	100.0%	85.6%	50	9.0%	71
FY2008-09	2,422	108.2%	78.8%	55	17.3%	85
FY2007-08						
FY2006-07						
FY2005-06						
Mean	2,387	104.1%	82.2%		13.2%	
Median	2,387			53		78

### District 8

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	1,685	104.0%	91.2%	57	2.3%	50
FY2008-09	1,651	97.1%	92.4%	55	4.6%	50
FY2007-08	1,562	99.2%	92.7%	55	4.6%	55
FY2006-07	1,493	97.1%	93.2%	56	4.5%	50
FY2005-06	1,596	103.7%	92.2%	56	3.8%	45
Mean	1,597	100.2%	92.3%		4.0%	
Median	1,596			56		50

### District 20A

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	1,416	97.1%	90.6%	48	14.1%	72
FY2008-09	1,380	102.4%	88.4%	52	18.5%	70
FY2007-08	1,393	102.3%	88.3%	55	19.1%	87
FY2006-07	1,331	96.8%	90.5%	55	18.8%	78
FY2005-06	1,269	98.8%	87.6%	51	12.7%	70
Mean	1,358	99.5%	89.1%		16.6%	
Median	1,380			52		72

### District 10

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	7,484	106.1%	80.0%	51	11.1%	79
FY2008-09	6,672	98.0%	85.6%	45	30.6%	153
FY2007-08	7,080	104.6%	82.4%	49	29.6%	172
FY2006-07	6,380	97.3%	86.9%	46	38.1%	233
FY2005-06						
Mean	6,904	101.5%	83.7%		27.4%	
Median	6,876			48		163

### District 20B

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	1,755	95.2%	87.4%	49	27.5%	141
FY2008-09	1,633	100.1%	84.1%	43	29.0%	137
FY2007-08	1,465	96.3%	85.8%	38	29.5%	136
FY2006-07	1,330	98.3%	84.5%	46	32.7%	205
FY2005-06	1,150	98.9%	84.0%	48	35.2%	204
Mean	1,467	97.8%	85.2%		30.8%	
Median	1,465			46		141

# Civil Domestic Cases, Family Court Districts, Fully-Implemented Years

## District 25

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	3,128	98.6%	87.8%	50	11.4%	77
FY2008-09	3,470	101.9%	87.5%	49	9.9%	71
FY2007-08	3,384	100.2%	86.5%	48	9.7%	83
FY2006-07	3,650	100.9%	86.7%	48	15.2%	80
FY2005-06	3,355	98.2%	88.2%	48	15.2%	92
Mean	3,397	100.0%	87.3%		12.3%	
Median	3,384			48		80

## District 28

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	2,865	95.4%	94.2%	45	3.0%	56
FY2008-09	2,730	101.6%	91.6%	49	2.6%	46
FY2007-08	3,057	104.7%	89.1%	47	5.3%	48
FY2006-07	3,259	106.6%	84.3%	49	14.0%	66
FY2005-06						
Mean	2,978	102.1%	89.8%		6.2%	
Median	2,961			48		52

## District 26

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	10,021	93.0%	89.5%	59	26.3%	121
FY2008-09	9,737	96.1%	86.8%	58	17.5%	98
FY2007-08	10,336	106.5%	79.9%	63	14.3%	91
FY2006-07	9,628	99.1%	86.3%	61	29.4%	136
FY2005-06	9,723	98.7%	89.4%	59	28.8%	119
Mean	9,889	98.7%	86.4%		23.3%	
Median	9,737			59		119

## **APPENDIX E**

### **Civil Domestic Cases, Family Court Districts, Implementation Years**



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## Civil Domestic Cases, Family Court Districts, Implementation Years

### District 3A

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	1,298	95.7%	90.1%	51	6.7%	61
FY2008-09	1,376	106.7%	84.0%	56	4.7%	64
FY2007-08	1,763	128.6%	65.5%	76	17.8%	84
FY2006-07						
FY2005-06						
Mean	1,479	110.3%	79.9%		9.7%	
Median	1,376			56		64

### District 10

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	7,484	106.1%	80.0%	51	11.1%	79
FY2008-09	6,672	98.0%	85.6%	45	30.6%	153
FY2007-08	7,080	104.6%	82.4%	49	29.6%	172
FY2006-07	6,380	97.3%	86.9%	46	38.1%	233
FY2005-06	10,231	166.7%	51.9%	121	38.0%	239
Mean	7,569	114.5%	77.4%		29.5%	
Median	7,080			49		172

### District 19B

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	2,352	100.0%	85.6%	50	9.0%	71
FY2008-09	2,422	108.2%	78.8%	55	17.3%	85
FY2007-08	2,875	132.9%	62.9%	77	32.5%	181
FY2006-07						
FY2005-06						
Mean	2,550	113.7%	75.8%		19.6%	
Median	2,422			55		85

### District 28

	# Cases Disposed	Case Clearance Rate	Disposed <181 Days	Disposed Median Age	Pending >365 Days	Pending Median Age
FY2009-10	2,865	95.4%	94.2%	45	3.0%	56
FY2008-09	2,730	101.6%	91.6%	49	2.6%	46
FY2007-08	3,057	104.7%	89.1%	47	5.3%	48
FY2006-07	3,259	106.6%	84.3%	49	14.0%	66
FY2005-06	3,077	104.7%	84.3%	47	30.8%	119
Mean	2,998	102.6%	88.7%		11.1%	
Median	3,057			47		56

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## **APPENDIX F**

### **Juvenile Data, Family Court Districts**

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## Juvenile Data, Family Court Districts

District	Adjudication Hearings Held, % Within Time Standard	Total Number Adjudication Hearings
3 A	76%	141
5	55%	397
6 A	71%	62
8	78%	282
10	71%	530
12	18%	717
14	33%	269
19 B	44%	170
20 A	28%	211
20 B	16%	163
25	49%	533
26	64%	590
28	46%	327
<b>Family Court Total</b>	<b>49%</b>	<b>4,392</b>
<b>Non-Family Court Total</b>	<b>50.4%</b>	<b>5,889</b>

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## **APPENDIX G**

### **Family Court Best Practices and Guidelines**

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**NORTH CAROLINA'S UNIFIED FAMILY COURTS:  
BEST PRACTICES AND GUIDELINES**

**October 2006**



**N. C. Administrative Office of the Courts  
Court Programs and Management Services Division  
Raleigh, North Carolina**

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# **NORTH CAROLINA'S UNIFIED FAMILY COURT: BEST PRACTICES & GUIDELINES October 2006**

## **SECTION I. INTRODUCTION**

In December 1996, the Commission for the Future of Justice and the Courts in North Carolina published its report, *Without Favor, Denial or Delay*, recommending a design for the court system of the future and strategies for how to achieve it. One of their significant recommendations was the implementation of unified family courts across the state. Ten years ago, the Commission members recognized that families were changing and facing new challenges and stressors making their court cases more complex, and that there were growing numbers of juvenile and domestic cases crowding district court dockets. Because of heavy caseloads, judges had little option other than to handle these sensitive matters in much the same as other cases – “that is, as an isolated matter, in which the speed of resolution is largely determined by attorneys and litigants.”<sup>1</sup> Commissioners went on to describe specific problems brought about by such case processing:

- ✚ Numerous judges handling various parts of the same case resulting in lack of communication and inconsistent court orders
- ✚ Delays used by one party to create hardship for the other
- ✚ Children in foster care remaining longer than was necessary
- ✚ Juveniles punished for crimes without having issues (e.g. psychological, personal, family) that brought them into delinquency court addressed; and
- ✚ Family problems resulting in juvenile offenders and ultimately leading to growth in criminal court caseloads.<sup>2</sup>

The Commission concluded that the courts could improve the most by changing their handling of domestic cases. They recommended that a new way of dealing with family-related cases was necessary, one that “respects the rights of each individual family member, promotes the best interest of the family and helps families structure their own solutions.”<sup>3</sup> They further suggested that “this forum should be fully accessible to citizens, regardless of economic status, and should encourage the non-adversarial resolution of disputes whenever possible.”<sup>4</sup>

The Futures Commission made the following specific recommendations:

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<sup>1</sup> Without Favor, Denial or Delay: A Court System for the 21<sup>st</sup> Century, Commission for the Future of the Justice and the Courts in North Carolina, December 1996, page 45.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

- ✚ Establish a specialized “Family Court” with jurisdiction over all disputes involving intra-familial rights, relationships and obligations and all juvenile matters;
- ✚ Make available mediation or other forms of alternative dispute resolution for all family cases;
- ✚ Provide mediators, judges and other decision-makers with specialized training in family and juvenile law and the psychological factors affecting families and children;
- ✚ Make available the full range of the family court’s services on a meaningful level to all citizens, regardless of economic wealth; and
- ✚ Resolve all cases as soon as possible but no later than one year after filing.<sup>5</sup>

The 1998 enabling legislation establishing the Department of Juvenile Justice and Delinquency Prevention authorized the Administrative Office of the Courts (AOC) to establish family courts on a pilot basis, incorporating the above recommendations into the design. Because the report recommended family courts incorporate juvenile as well as domestic cases, North Carolina’s model is called a Unified Family Court.

## SECTION II. THE UNIFIED FAMILY COURT CONCEPT

The concept at the heart of Unified Family Courts is the consolidation of all issues before the court that affect a single family. Under North Carolina’s present calendaring system, in a domestic action, one judge may hear the child custody issues, another might hear the child support claims a few weeks later, and a third judge could dispose of the equitable distribution of the marital property months thereafter. And, if there were pending charges of domestic violence or child abuse, those matters would be set on other calendars, likely before other judges, and would not be addressed as part of the entire crisis facing this one family.

A major goal of Family Court is to coordinate all the case management of court events and service agency efforts for a single family in distress, in order to better serve that family and provide more consistent, efficient use of trial court time. Thus, in a Unified Family Court any issue relating to a family - juvenile delinquency charges, neglect and abuse charges, termination of parental rights and adoptions, domestic violence, child custody and visitation rights, divorce and related financial issues like child support, alimony, or equitable distribution of property, and involuntary commitments - will be assigned to one case management team of judges and court staff.<sup>6</sup>

The task of developing this complex model to assist pilot Family Courts in their early growth was given to group of court officials and professionals acting as a steering or advisory committee in the fall of 1998. Their goal was to draft operational guidelines based on the recommendations of the Futures

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<sup>5</sup> Ibid.

<sup>6</sup> Ibid.



Commission Report. By 2000, the Chief Justice appointed an official Family Court Advisory Committee (FCAC). Their mission is to advise the Chief Justice and the Director of the Administrative Office of the Courts on all aspects of North Carolina's Family Court model. Topics addressed by the FCAC over the seven year history of Family Courts include training (subject matter as well as number of hours), mandatory cases included in Family Courts, appropriate time limits for events and issues, case loads for staff and judges, statutory changes, court rules, pro se services, domestic violence cases, monitoring and evaluation, and pre-implementation of family court activities (see Appendix A, *FCAC Recommendations*; Appendix B, *Family Court Training Guidelines*; and Appendix C, *Pre-Implementation Strategies for Family Court*). The FCAC produced two specific guiding documents: *Family Court Time Standards* (see Appendix D) and *Evaluation of Family Court Pilots* (see Appendix E). Both documents, modified by the Committee over time and with experience, have guided the growth and development of Family Courts in North Carolina. The FCAC continues to advise the Chief Justice and the AOC Director on all aspects of North Carolina's Unified Family Court model.

### SECTION III. PURPOSE AND SCOPE OF DOCUMENT

The purpose of this document is to identify specific, essential, and successful practices identified in the seven years of Family Court experience in North Carolina. These best practices are based on recommendations from the Futures Commission report and grounded in the Time Standards and Evaluation documents produced by the FCAC. Time and experience with Family Courts also lend significant insight and information on best practices for implementing and operating Family Courts in North Carolina.

Ten (10) critical elements provide the framework for an efficient and effective Family Court. These elements are central to planning, designing, and implementing Family Court. The practices provide the structure and the process by which families are offered more timely court proceedings, more access to services aimed at underlying issues that have brought them into the court environment, and a more consumer-friendly approach. They are intended to be used from the time Family Courts are conceptualized and planned, through various developmental stages over a multi-year period, and through implementation. They may also be used as measures of success for existing Family Courts.

For many families, the changes brought about by Family Court practices may not be noticeable except that they will feel more confident that they understand what is happening and when events will occur because of staff who assist them. Because of opportunities for alternative dispute resolution, more meaningful court events, and a timelier resolution to all issues before the court, they will likely experience a less adversarial resolution and a court system more attuned to the importance of their time and money. For experienced observers, after the initial turmoil of significant system changes, the new way of doing business is apparent in an orderly, more productive day in court. Such efficiencies belie the volume of work behind the scenes by Family Court staff whose job is to see that cases

remain within the times standards and that available court and community services are made known to families as appropriate.

## SECTION V. BEST PRACTICES

The ten best practices for a successful Family Court in North Carolina are :

1. Judicial Leadership
2. One Judge (or Judge Team)/One Family
3. New Local Rules
4. Time Standards for Events in All Cases
5. Active Case Management by the Court
6. Maximum Use of Alternative Dispute Resolution (ADR)
7. Focus on Customer Service
8. Additional Court and Community Services
9. Specially Trained Judges and Staff
10. Collaborative Local Family Court Advisory Committee (FCAC)

1. Judicial leadership is the cornerstone of Family Court. The best practices described in this document are significant changes in the way in which courts have historically operated. Therefore, leading a district through these changes requires courage, vision, and a willingness to shepherd a cultural shift in the district. To implement Family Court, the chief district court judge and designated Family Court judges assume a proactive and collaborative role within the court community and offer guidance and support to all parties whose roles are affected by Family Court policies and procedures. Stepping outside the traditional judicial role is essential to creating a family-focused court.<sup>7</sup>

The Family Court bench must be “specialized, committed, and in place long enough to master the subject matter and mobilize community support.”<sup>8</sup> Generally speaking, two years are required to incorporate these changes and to stabilize a new Family Court. Judicial leaders must communicate to their employees, practicing attorneys, child welfare agencies, and others that timely dispositions are a top priority. The axiom “prior planning prevents poor performance” holds especially true with respect to the need for collaboration in Family Courts. The judges’ ability to enlist the support of the local bar, social services agencies, and others based on shared values is fundamental to the Family Court’s success.

Judicial leadership includes hiring well-qualified Family Court administrators and case coordinators to manage the daily business of Family Court. Under the supervision of the chief judge, administrators oversee daily operations (case management, personnel administration, and statistical reporting and evaluations); implementation of new court services and programs, which may include seeking and managing grant funds; and, serve on local court and community committees. Case coordinators drive daily processes and customer service in Family Court; they start the time clock when cases are filed, assign judges to cases, communicate with lawyers about calendaring cases, make everyone aware of how that case is progressing in relation to time standards, and

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<sup>7</sup> Carol R. Flango, Victor E. Flange, and H. Ted Rubin, “*How Are Courts Coordinating Family Cases?*” (Williamsburg, Va.: State Justice Institute, 1999), page 111.

<sup>8</sup> Ibid.

document the work and accomplishments of the court. Committed, organized, people-focused staff who are willing to enforce policies and procedures provide the internal structure for Family Court.

2. One Judge/One Family describes the assigning of a single judge to a family whether that family is in domestic court for a divorce, in juvenile court for abuse, neglect or dependency issues, in domestic violence court for assault charges, or in delinquency court for a truant or criminally-involved youth. The Family Court judge and his/her assigned case coordinator manage all issues of one family's case assigned to that judge for the life of the case. A concern from the legal community may be that the assigned judge will be too familiar with the case and not as impartial. However, having all of the pertinent information about a family allows Family Court judges to better address the family's multiple needs, and judges will continue to recuse themselves from a case when they feel they may be unfairly biased.

A significant benefit of the one judge/one family case assignment is that a judge assumes ownership of each case assigned to him/her. Efficient processing of cases toward resolution becomes a critical part of how judges approach each scheduled event. Working in concert with their case coordinator, the Family Court team becomes responsible for ensuring that every case progresses through each stage to resolution in a timely manner. Continuances are no longer granted so that another judge will hear that difficult case later. For a Family Court judge, that case will remain on his or her calendar until that judge has dealt with the issues before the Court.

In some larger districts, chief judges assign judges and case coordinators to specific content areas, such as domestic cases only. In these cases, it becomes even more important that the case coordinator, immediately after filing of the case, searches any and all court data bases to identify "cross-over" cases, those families with more than one active case in a Family Court arena. For example, a couple involved in a divorce case may also have a child in delinquency court. A Family Court judge handling one part of the family's case pairs with a judge handling the other part of the case. Communication and coordination must occur as to how to proceed with each of the remaining pieces of the case. Should both cases be assigned to only one of the judges? Which part of the case takes precedence? What happens to the other part of the case while the primary issues are dealt with? What issues might this process generate for the family? What services, court or community, are available to support the family while they are in the court system? What procedures might need to be implemented in order to consistently address these kinds of cases? Family Court attempts to answer these difficult questions.

A frequent concern of judges is how long they will be in the Family Court rotation. National standards suggest a minimum of two years is necessary in order to have well trained, seasoned judges on the Family Court bench. Also, Family Court judges would say it takes a minimum of one year to revise their own approach to fit the new model and a second year to begin to feel a level of confidence and expertise that maximizes successful management of their case load.

Attorneys often ask "will I be able to choose my judge?" or "what happens if I'm stuck with a judge for the entire divorce case, for example, who is very good

at child custody issues, but less attuned to the nuances of an equitable distribution case?” The answer to the first question is “no.” Family Court judges are assigned randomly with the expectation that they all will be assigned the same number of cases, thus equalizing the work load for both judges and staff. In response to the second question, Family Court judges indicate that random assignment balances cases out over time. Frequent and required Family Court training also provides a stronger base of knowledge in all matters surrounding family cases than in non-family court districts.

3. New Local Rules are needed specific to Family Court. Local rules generally exist in most districts in North Carolina. When planning for Family Court, it is essential that the chief district court judge appoint committees representative of all stakeholders in Family Court. The judge appoints a chairperson of the rules committee, sets deadlines for products, and provides for a local vetting process that is inclusive. Usually, the existing rules (domestic, juvenile, and domestic violence) are reviewed by a committee and re-drafted to incorporate the Family Court Time Standards, and required Family Court programs (Custody Mediation, Family Financial Mediation, and Parent Education). They develop specific procedures to ensure that upon filing, cases continue through the system in a timely, predictable, and effective manner. No small part of the effectiveness of new rules, and one of the more laudable successes touted by existing Family Court districts, is that everyone is held to the same standard of accountability. That is, everyone plays by the same rules: the rules that are drafted by those involved in that court; the same rules that become the very foundation for accountability. With the addition of case coordinators, funded with Family Court implementation, it is finally possible to more closely manage cases by these rules.

4. Time Standards for events in all cases provide for the pace of the case, as well as the length of time families can anticipate their case will require to resolve, both best and worst case scenarios. Time Standards by definition are the bench mark events in the life of the case that provide for effective and efficient case management and resolution. The Futures Commission recommended that all family cases should be concluded within one year. While this is not possible in 100% of the cases due to the complexity of issues, geographic locations of the parties, and other such factors, the expectation is that most cases will resolve within that time frame. Families need closure and expect the Court to be responsive and timely in its handling of their case(s). Experience confirms that these standards are realistic, predictable and that they:

- a. promote prompt justice;
- b. provide motivation to achieve timely resolution;
- c. serve as a yard stick for measuring effectiveness of case management, programs, and individuals;
- d. serve as a starting point for development of management procedures; and

- e. promote use of information systems to monitor judicial and staff caseloads and provide performance data.<sup>9</sup>

The Family Court Advisory Committee develops specific Time Standards for the resolution of events related to each case issue (see Appendix D, *Family Court Time Standards*). The Committee's goal is to develop time frames that are legally relevant and achievable given the structure and staffing in Family Court. For example, in juvenile abuse/neglect/dependency cases, the time lines reflect North Carolina's Juvenile Court Improvement Program (CIP) efforts, which began in the mid-90's, and federal standards of the Adoption and Safe Families Act. For juvenile delinquency cases, standards are modeled after those promulgated by the National Center for Juvenile Justice (see Appendix F, *Juvenile Court Task Force Report: Case Flow Management Plan*). The Committee recommends time standards to the Chief Justice and the AOC Director. The current Standards, revised and adopted in late 2005 and early 2006, are the third revision since the inception of Family Court.

For many in the legal profession, court-determined Time Standards are a major adjustment from the prior culture of waiting to proceed with court events until the case is "ripe." Many attorneys in Family Court districts indicate that they are now able to answer their clients' questions about how long a case will take in court with more clarity than ever before. With disposition of most cases within a year, attorneys are closing more cases and thus freeing up time to assume new cases. Clients as well are pleased to be able to conclude their court business and move on with their lives.

5. Active case management by the Court rather than attorneys is a new concept for North Carolina's court communities. Application of this principle means that when the case is filed, the case coordinators capture those filings, assign a judge, and schedule a first event in each case before the court and continuously calendar each case. This process may happen in a variety of ways in any given district, but the outcome is the same: cases move through the system and from event to event in a timely, predictable, and continuous manner. Key strategies of case management in Family Court include the following:

- a. *Elimination of backlog* involves identifying the reason cases more than a year old are still "open," and then acting on that information to move the case to disposition. This might mean working with the Clerk's office to close cases that have remained open due to data entry glitches. It might mean producing an administrative calendar to determine from attorneys if there are still pending issues and, if not, requiring an order to close the case. For still others, it may mean setting the case for a hearing of the unresolved issues. Such tasks are labor intensive and best undertaken prior to Family Court opening, either when existing staff can be identified prior to the time Family Court-funded staff is available, or between the time Family Court staff are hired and opening day. It has been suggested that a district

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<sup>9</sup> Without Favor, Denial or Delay: A Court System for the 21<sup>st</sup> Century, Commission for the Future of Justice and the Courts in North Carolina, December 1996.

identify any other resources available to work through the backlog. For example, a district may seek support and assistance from interns or from paralegals in law firms, either of whom could cover the Family Court office in order to free up court staff to review files.

- b. *Early court intervention*, from the point of filing, ensures that “no case is left behind.” In non-Family Court districts, cases are only scheduled when an attorney determines he/she would like the case to be calendared. Many attorneys suggest the need for a “cooling off period” after filing. Family Court judges insist that attorneys and parties must be ready to proceed with the case upon filing. In Family Court, at the time of filing, the case is assigned to a judge team, and the case coordinator immediately schedules the first court event, per the Time Standards. This requires a dramatic change of local legal culture when Family Court becomes a reality.

A term often associated with early court intervention is “front-end loading.” This means that more events are scheduled earlier in the case than has been the habit prior to Family Court. The success of this strategy is based on the knowledge that parties begin negotiating whenever the case is calendared for a court event, and are thus more likely to settle early without further court intervention.

- c. *Continuous court calendaring* is the process by which Family Court staff schedule the next court event at or immediately following any given court event. Such scheduling continues until that issue is resolved and helps to ensure that no case will be lost in time or in the system. An example is the use of form orders in juvenile court that can be filled in at the court hearing, enabling all parties present to be provided notice of the next court event. In contrast, in many non-Family Court districts, fewer court events are held prior to trial and court event scheduling is at the request of the attorneys.
- d. *Written policies that limit unreasonable interruptions in the case* are the responsibility of the court. Continuances are a good example. Case coordinators and judges are tasked with full and productive calendars in Family Court, with a minimum of “non-events.” When cases are continued as a matter of practice, usually upon request and agreement of both parties and their counsel, valuable court time is lost. In Family Court, the premise of “truth in calendaring” is that when cases are calendared, parties should be prepared, expect the event to occur, and the event will be a real and meaningful event, not a “dress rehearsal.” Adhering to a written continuance policy assures that requests are considered based upon the same objective standards that apply to all parties. Therefore, only specific, valid reasons for continuances, such as illness, are granted by the Court in Family Court districts.
- e. *Date (and/or time) certain on the court calendar* ensures that cases are reached when scheduled. The expectation is that 75% or better of calendared cases will be heard on the day scheduled. Some Family Courts actually give a specific time on a specific date. For example, temporary hearings might be scheduled at 9:00, 10:00, 11:00, and so on. Many Family Court districts limit the time per issue for temporary hearings. Such effective scheduling requires significant dialogue and

coordination between judges and their case coordinators in order to learn how many of which types of events can be managed on any given calendar. The outcome is more efficient use of available court resources, including attorney time and talents, and better use of parties' time and money.

- f. *Frequent monitoring of pending case age, percent of cases over one year, and clearance rates* means that Family Court teams, led by the chief judge and the family court administrator, review statistical reports and problem solve on a regular basis.
  - 1) Since the goal of most cases is resolution within one year, *pending case age* becomes a critical benchmark for success. Moving each case/issue through its particular schedule of events in a timely manner ensures that the composite pending case age will be as low as possible. Family Court districts routinely result in a significantly lower median age of pending case than non-Family Court districts; at the end of FY 2005-2006, 129 days versus 325 days.
  - 2) *Percentage of cases over one year* assesses the overall impact of individual case management. Typically, not more than 15% of cases should be over one year old.
  - 3) *Clearance rates* compare the number of cases filed to the number of cases disposed. The goal is that the number of cases resolved equals or exceeds the number of cases filed in a given year.

6. Maximum use of Alternative Dispute Resolution (ADR) begins with the requirement of implementing two programs, Custody Mediation and Family Financial Mediation, prior to starting Family Court. These two programs mandate that families sit down with a trained mediator and attempt to work out their conflicts. They are required to attend but may choose not to mediate. Should they resolve the conflict in mediation, a court order is usually the final outcome. Especially for Custody Mediation, there are a number of statutorily defined reasons cases may be more appropriately waived from mediation and proceed directly to trial. Domestic violence cases are an example. Resolution rates are promising for each of these programs.

When Family Court is implemented a third required ADR program, Parent Education (PE), is also implemented. The goal in Parent Education is to provide parents in contested custody cases with information about how parental conflict can negatively impact their child(ren), and strategies to prevent such harm.

As ADR's popularity has grown and successes have been documented, it has been creatively used in other arenas. For example, permanency mediation is used in juvenile abuse, neglect and dependency court for permanency planning. Use of the Family Law Arbitration Act and Collaborative Law in divorce cases are also growing in popularity.

7. Emphasizing Customer Service is a hallmark of Family Court. The court system is often viewed as a huge, unwieldy, confusing, and unfriendly system filled with legal jargon and lengthy procedures. Staff focused on the needs of the users has allowed Family Courts to alleviate some of the stress and chaos for

families. Family Court districts produce brochures that cover many aspects of their programs and services, as well as contact information for staff. These districts also develop web sites linked to the [www.nccourts.org](http://www.nccourts.org) web site for ease of informational access. Seemingly small responses, such as promptly returning a voice mail message, offering a listening ear at a critical time, providing directions to a courtroom, or helping people understand the process are often remembered positively by litigants when they look back on their Family Court experience. Attorneys often comment, after Family Court has opened, that having the case coordinator to facilitate court business between the attorney and the judge is very helpful.

8. Additional court and community services tailored to the individual needs of each district are designed and implemented from a menu of innovative programs and tailored to the individual needs of each district. The premise is that when families are in crisis and in the court environment, Family Court should provide them with information to assist them in locating services appropriate to their underlying needs. These services are offered via Family Court, either in collaboration with community partners, or through referrals.

Identifying existing community services is the first step, and provides the mechanism for case coordinators to offer information about community resources to litigants through a published directory, should one not already exist. The next step is the targeting of one project, such as supervised visitation, that the community and courts commit to and develop together.

A spirit of collaboration and a team approach are essential to the success of these endeavors. Team work infiltrates all levels of Family Court work and requires almost constant effort to ensure that all critical stakeholders are at the table for planning meetings. Under girding this principle is the concept that all relevant stakeholders will have a voice in planning.

Following is a list of the most frequently offered court services:

- a. *Child Planning Conferences (CPCs) or Day One Conferences (DOCs)* are meetings facilitated by court staff and held either the day following the filing of an abuse/neglect/dependency petition (DOCs), or within a few days after a petition has been filed (CPCs), and children are removed from the home. The purpose of the meeting is to determine if placement can be found with family or friends, what services need to be initiated immediately to expedite resolution of the problems that necessitated the removal of the children, and to establish a visitation schedule appropriate to the developmental needs of the child(ren) and the circumstances of the family.
- b. *Truancy Diversion Programs* focus on prevention. They are informal courts held in ten-week segments each school semester and are offered to children and youth who have a growing pattern of truancy. The students, their families, and school representatives meet with the judge weekly in the school for accountability purposes. Most programs target elementary and middle school children.
- c. *Truancy Court* is a special court that combines the adult criminal case against parents with the undisciplined case of the student so that the problem(s) can be identified and all parties held accountable in a



relevant and cohesive manner. Families meet regularly, as often as bi-weekly, with the judge in order to monitor progress.

- d. *Access & Visitation (A&V)* is a federal IV-D grant-funded service to non-custodial parents who are paying child support but unable to spend time with their children. The A&V Coordinators work predominantly with the non-custodial parent, but also with the custodial parent, to identify and eliminate problems that prevent children from spending time with both parents. The premise of the program is that children are healthier and better adjusted when both parents are involved.
- e. *Family Drug Treatment Courts (FDTC)* supervise chemically dependent parents whose children were removed from the home because of allegations of abuse, neglect, and/or dependency. The Court holds these parents accountable for attending substance abuse treatment by bringing them to court weekly and by using sanctions and rewards. For many substance abusing parents, this behavioral approach is their last, best chance to get their children back.
- f. *Permanency Mediation* brings all relevant parties in an abuse/neglect/dependency case to the table at one time to discuss and negotiate such issues as the allegations in the case, the Department of Social Services' plan of required activities for re-unification, visitation, relinquishment possibilities, and/or other issues in conflict. For many parents, it is a place to be heard. For many professionals, it is a place to clarify perceptions and work toward permanence for the children - both in a less adversarial environment than a contested trial.
- g. *Services to pro se litigants* can take the form of printed Pro se Packets, most often for divorce or visitation, clinics offered by law schools or community lawyers who volunteer to provide information on how to fill out the packets and file the case or a Self Serve Center staffed by court employees or volunteers.
- h. *Combined Civil/Criminal Domestic Violence Court* reduce the number of times families must come to court. Because of the higher burden of proof required in the criminal case, these cases are heard first. Anecdotally, disposition of the criminal case often resolves the civil case. Also, for victims, other civil court issues such as lack of counsel or presence of a victim's advocate are eliminated by handling the criminal case first.
- i. *Parenting Coordinators* can be appointed by statute in any district in North Carolina. Their purpose is to intervene in and reconcile conflict that sometimes arises for families after entry of an order in a custody case. Such resolution may end with the parenting coordinator or should the conflict be serious enough in nature, a stop-gap measure until such time as the family can be scheduled before their assigned judge. In Family Court districts, the administrator and case coordinators provide an essential link between parenting coordinators, the court, and referred families. The Family Court staff maintains a list of approved parenting coordinators and ensures that procedures are incorporated into the local rules. They often work collaboratively with

trainers to provide professionals an opportunity to attend mandatory training locally.

9. Specially trained judges and staff work together in teams to bring an understanding of the impact of child development and family relations to the legal arena. This means that judges study such subjects as substance abuse and domestic violence while staff studies such topics as the unauthorized practice of law and domestic/juvenile legal procedures. The FCAC has established a widely respected policy outlining the expectations of Family Court judicial education and staff continuing education (see Attachment B, *Family Court Training Recommendations*). Policies address number of hours per year, frequency of training, content, and criteria to choose other training provided by sources outside the North Carolina Family Court system.

10. Collaborative Local Family Court Advisory Committees provide an opportunity for community and court partners to work together on visionary planning. They also serve as an all-important venue for stakeholders to bring their concerns to the attention of Family Court as well as to suggest strategies for negotiating these and any other issues the Court may bring to their attention. Most advisory committees meet two to four times a year for at least the first several years of Family Court. Membership often includes representatives from the Clerk of Court, the domestic and juvenile bar, Department of Social Services and their counsel, Juvenile Justice, Guardian ad Litem, health department, schools, law enforcement, service providers, community college and/or college and law school faculty, and the faith community.

## SECTION V. CONCLUSION

Family Court is a vibrant, complex, and rewarding process. In addition to the best practices described in this document, the success of the Family Court model in North Carolina can be attributed to the following:

1. the vision of the Futures Commission;
2. the commitment and broad base of knowledge and experience that constitutes the membership of the Advisory Committee;
3. the collaborative nature of Family Courts;
4. the methods tested over seven years of daily trial and error in the real world of local courthouses; and
5. the dedication of the staff and judges.

Despite the huge cultural shift required for both the courts and its stakeholders, Family Court is now accepted as a better way of doing business for families and as the direction courts should take in the future. As of this writing, more than half of the State's forty-one (41) districts either have implemented Family Court (11 districts) or have requested funding for Family Court implementation (12 districts). This active interest in Family Court is a testimonial to the support for and expected growth of family-focused courts in North Carolina.

## **APPENDIX A**

### **Family Court Advisory Committee Recommendations: 2000-2001**

## **Family Court Advisory Committee Recommendations: 2000-2001**

- The minimum staffing level for each Family Court district should be:  
1 Family Court Administrator  
1 Case Manager for every judge who spends at least 75% of time in  
Family Court (September 15, 2000)
- Family Court training should consist of three basic types, in the following proportions:  
(1) training on substantive law (20%)  
(2) training on social issues, like child development and substance abuse  
(40%)  
(3) training on more global areas, like leadership, team building & managing  
change (40%)  
(No consensus was reached on Family Court certification.)  
(October 27, 2000)
- Mandatory cases to include in any Family Court =  
Abuse/neglect/dependency  
Termination of parental rights  
Delinquent/undisciplined juveniles  
Adoption  
Child custody/support  
Paternity  
Divorce/annulment  
Equitable distribution  
Post separation support/alimony  
Domestic violence civil protective orders  
Emancipation  
Abortion waivers  
Adult protective services  
Mental health commitments

The Committee also agreed that child support enforcement should be heard by a Family Court Judge, but individual assignment of these cases would not be required.

The Committee agreed that it is logistically impossible to require the inclusion of criminal domestic violence in all family courts. However, the case managers need to know about existing criminal DV issues to provide the best treatment services to the family.

The Committee agreed that other family-initiated criminal cases should be not be part of Family Court.

A motion was passed to endorse the concept of a child support “hearing officer”, preferably an attorney, to hear child support enforcement cases.

(December 15, 2000)

- Training requirements for Family Court judges and staff:  
Offer quarterly trainings of six hours minimum, with staff and judges required to attend two of these. The total of 24 hours would be part of the mandatory 30 hours every two years of CJE.  
Use the summer and fall judges' conferences as two of the annual training sessions.  
Each year there should be one mandatory session designed just for staff.  
(March 16, 2001)
- The Committee has significant concerns about the legality and cost of the child support arbitration experiment in the 20<sup>th</sup> District, and recommends that this Family Court explore other ADR methods for child support enforcement. The Committee chose not to recommend continuation of this program to AC but referred this decision back to the AOC to determine if the AOC can continue to pay for this program under the circumstances.
- The Committee recommends that the Supreme Court revisit Rule 3 of the General Rules of Practice, and consider revising that rule to place Family Court at a higher priority.
- The Committee asked the Chair to send a letter to Tye Hunter and the members of the Indigent Defense Commission, to share the Family Court Advisory Committee's objections to public defenders determining indigent representation in non-criminal cases including juvenile and civil contempt, areas in which they have no legal expertise or understanding.
- Regarding assistance to litigants without lawyers, the Committee recommends that Family Courts be encouraged
  - 1) to develop community means to assist pro se litigants,
  - 2) to have a (simple) divorce packet available,
  - 3) to provide information to litigants about court processes and procedures, after they access the system,
  - 4) to compile a list of local attorneys, with descriptions of their law practice, and
  - 5) to prepare a legal glossary for pro se litigants.
 Additionally, in training for expansion Family Courts, each district should be given a list of things that current sites are doing to assist litigants who do not hire an attorney.

(June 1, 2001)

**APPENDIX B**  
**FAMILY COURT TRAINING GUIDELINES**

## **FAMILY COURT TRAINING GUIDELINES**

**Rule II (C) of the North Carolina Rules of Continuing Judicial Education** was amended effective February 2004 to include the following language:

“For District Court Judges designated as Family Court Judges, at least twenty-four (24) of the thirty (30) hours shall be continuing judicial education courses designed especially for Family Court.”

Of these twenty-four (24) Family Court hours, up to six (6) hours may be from a program not sponsored by the court system. Those six (6) hours may be selected from the many opportunities sponsored by the North Carolina Bar Association, the School of Government, and other entities such as The Judicial College or The National Council of Juvenile and Family Court Judges.

The recommendation of the Family Court Advisory Committee, adopted by the Chief Justice of the North Carolina Supreme Court in October, 2000, is that these Family Court hours be divided as follows: 20% should address substantive law; 40% should address other issues such as leadership, customer service and team building. The Advisory Committee also strongly encourages Family Court judges to frequently attend training sessions with judges and staff from other North Carolina Family Court districts because such interaction is vital to the successful development of the family court program.

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07/06 rev

## **APPENDIX C**

### **PRE-IMPLEMENTATION STRATEGIES FOR FAMILY COURT PRINCIPLES**



## **PRE-IMPLEMENTATION STRATEGIES FOR FAMILY COURT PRINCIPLES**

As Drafted by the Family Court Advisory Committee  
(Revised 6/05)

### Must have programs

- a. Custody Mediation
- b. Parent Education - can be added to Custody Mediation Orientation
- c. Family Financial Mediation (ED and Alimony)

### Other Strategies

- a. Review Local Rules
  - Limited time for temporary hearings
  - Use of affidavits in lieu of live testimony in temporary hearings
  - Exchange of juvenile reports prior to day of hearing
  - Confidentiality and sharing of information
- b. Encourage local bar to utilize mediation where resources are available
  - Including Family Law Arbitration
  - Including Collaborative Law
- c. Involve Bar and other key stakeholders in planning
  - Develop local steering committee for juvenile and domestic courts
  - Round table discussions
  - Develop focus groups including bar, agencies and community to review various topics and areas of courts
- d. Provide CLE opportunities on the local level - Lunch and Learn programs
- e. Provide programs for legal assistants on local rules and procedures
- f. Create a Children's Waiting Room
- g. Develop Children's Group during Custody Mediation Orientation
- h. Case Management without additional staff
  - Review of cases (clean out deadwood)
  - One judge/one family
  - Email court calendars (function of CaseWise)
  - Split general civil and domestic calendars
  - Implement CaseWise/ J Wise
  - Combine Civil and Criminal domestic violence
- i. Juvenile
  - Assign one judge to all cases in 1 county (multi-county districts) or

one judge to juvenile court (single county district) for set period of time

Assign cases to specific judges

j. Technical Assistance - request assistance from AOC to review how courts currently scheduled and how to improve scheduling

k. Use of interns and /or volunteers

Review status of cases

Compile list of programs in county (directory of existing community resources/services)

Relieve judicial assistant of clerical functions

l. Marketing and Funding

Local and state grants, even for small grants such as equipment

Court Improvement Project grants

Partner with other agencies to seek additional community resources

m. Develop Community Awareness

Speaking to civic groups

Legal column in local paper

TV show

Radio interviews

n. Pro Se Services

Rev. 6/05

**APPENDIX D**  
**FAMILY COURT TIME STANDARDS**

**FAMILY COURT TIME STANDARDS**

Originally Adopted: September 1999

Amended by the Family Court Advisory Committee: March 2001,  
Amended by the Family Court Advisory Committee:  
December 2005 Domestic and Juvenile Delinquency/Undisciplined  
March 2006 Juvenile Abuse/Neglect/Dependency

1. **Domestic Cases:**

- Unless otherwise specified, “days” are calendar days.
- These time frames represent **maximum** time limits that are “goals.”
- All orders should be filed within 15 days following the conclusion of a hearing. A judge may allow additional time to file an order in complex cases but all orders must be filed within 30 days following the hearing.

***For (Permanent) Alimony and Equitable Distribution Matters:***

<b><u>Event:</u></b>	<b><u>Time from Filing of Complaint:</u></b>
a. First Status Conference	120 days
b. Completion of ADR*	210 days
c. Final Pretrial Conference	240 days
d. Start of Trial	270 days
e. Order Entered:	
(1) in 90% of cases	Within 270 days
(2) in 100% of cases	Within 365 days

\*Completion of mediation session(s) – not when report is filed

***Child Support:***

<b><u>Event:</u></b>	<b><u>Time from Filing of Complaint:</u></b>
a. <u>Temporary</u> orders entered, if requested by one or both parties and do not involve paternity determinations:	
a. in 90% of cases	Within 30 days
b. in 100% of cases	Within 45 days
b. <u>Permanent</u> orders entered:	
a. in 75% of cases	Within 90 days
b. in 90% of cases	Within 180 days
c. in 100% of cases	Within 270 days

***Post-Separation Support:***

<b><u>Event:</u></b>	<b><u>Time from Filing of Complaint:</u></b>
Orders entered:	
(1) in 75% of cases	Within 60 days
(2) in 100% of cases	Within 90 days

***Child Custody:***

<b><u>Event:</u></b>	<b><u>Time from Filing of Complaint:</u></b>
a. <u>Temporary Orders Entered</u> , if requested by one or both parties:	
(1) in 90% of cases	Within 30 days
(2) in 100% of cases	Within 45 days
b. Mediation Orientation Session Scheduled (in 100% of cases)	Within 45 days
c. Mediation Sessions(s) Completed:	
(1) in 90% of cases	Within 90 days
(2) in 98% of cases	Within 120 days
(3) in 100% of cases	Within 150 days
d. Orders Entered:	
(1) in 90% of cases	Within 150 days
(2) in 100% of cases	Within 180 days

## **2. Juvenile Delinquency/Undisciplined Cases:**

- Unless otherwise specified, “days” are calendar days and are counted from the date the petition is served on the juvenile.
- These time frames represent maximum time limits that are “goals.” All orders should be entered within 15 days following the conclusion of a hearing. A judge may allow additional time to file an order in complex cases but all orders must be filed within 30 days following the hearing.

<b><u>Event:</u></b>	<b><u>Time from Service on Juvenile:</u></b>
a. Adjudicatory Order Entered for Misdemeanor Charges:	
(1) in 90% of cases	Within 60 days
(2) in 100% of cases	Within 90 days
b. Adjudicatory Order Entered for F - I Felony Charges:	
(1) in 70% of cases	Within 60 days
(2) in 90% of cases	Within 90 days
(3) in 100% of cases	Within 120 days
c. Adjudicatory Order Entered for A - E Felony Charges	
(1) in 70% of cases	Within 120 days
(2) in 90% of cases	Within 150 days
(3) in 100% of cases	Within 180 days
d. Dispositional Order Entered	
(1) in 95% of cases	Within 30 days of adjudication
(2) in 100% of cases	Within 60 days of adjudication

### 3. **Juvenile Abuse/Neglect/Dependency Cases:**

- Unless otherwise noted, “Days” are calendar days and are counted from the date the petition is filed.
- Not all of the stages listed below will occur in every case; e.g., the child may not be taken into nonsecure custody or the petition may be dismissed.
- These time frames represent **maximum** time limits that are “goals.” In every case, the child’s best interest is the paramount goal.
- These time frames are intended to be consistent with the Federal Adoption and Safe Families Act provisions and North Carolina statutory provisions.
- All orders should be filed within 15 days following the conclusion of a hearing. A judge may allow additional time to file an order in complex cases but all orders must be filed within 30 days following the hearing.

<b><u>Event:</u></b>	<b><u>Time from Filing of Petition:</u></b>
a. Nonsecure Custody Order Entered	Same day petition is filed
b. First Nonsecure Custody Hearing	7 days(second nonsecure custody hearing no more than 7 <b>business</b> days after first; subsequent nonsecure custody hearings at intervals of no more than 30 days)
c. Adjudication Hearing Completed (1) in 100% of cases	60 days
d. Disposition Hearing Completed (1) in 100% of cases	90 days
e. First Placement Review Hearing Completed	150 days
f. First Permanency Planning Hearing Completed	330 days
g. Reunification (1) in 75% of cases (2) in 100% of cases	330 days 510 days
h. Implementation of Other Permanent Plan (1) in 90% of cases (2) in 100% of cases	330 days 365 days
i. Termination of Parental Rights (TPR)	

(1) in 100% of cases	TPR petition/motion filed within 390 days
j. TPR Hearing Completed	
(1) in 90% of cases	90 days from filing of TPR petition
(2) in 100% of cases	180 days from filing of TPR petition

#### **4. All Family Court Cases:**

All orders should be filed within **15 days** following the conclusion of a hearing. A judge may allow additional time to file an order following a hearing concerning equitable distribution, abuse and neglect, or termination of parental rights, but in no event shall an order be entered later than **30 days** following the hearing.



**APPENDIX E**  
**EVALUATION OF FAMILY COURT PILOTS**

## **Evaluation of Family Court Pilots (March 2003)**

### **Goals:**

1. To assure the assignment of one family to one judge or judge team.

Measure:      Development of an individual case assignment system  
                         (rather than using a master calendaring plan)  
                         List all exceptions to assignment, by issue type  
                         (e.g., uncontested divorces, emergency matters)  
                         Number of “cross-over cases” (i.e., number of cases involving a  
                         juvenile file and a domestic file for the same family)  
                         Reduction in number of judges hearing one family’s case(s),  
                         especially in juvenile matters

2. To increase judicial expertise by providing specialized training and continuing education for family court judges and staff.

Measure:      Development of core training topics for all new Family Court  
                         judges and staff, as adopted and monitored by the Family Court  
                         Advisory Committee  
                         Number of training sessions held and attended by family court  
                         judges and family court staff  
                         Topics covered  
                         Number of hours of training and whether judges and staff meet the  
                         minimum Family Court training hours set by the Family Court  
                         Advisory Committee

3. To improve case management of the family court cases, in order to provide prompt resolution of issues/conflicts.

Measure:      Impact of additional staff/court resources;  
                         proactive court scheduling and monitoring of interim  
                         activity in the case  
                         Frequency with which the time standards are met  
                         [Note: the Futures Commission goal =  
                         all cases disposed within one year of filing]  
                         Percent of cases on a calendar that are resolved, continued, or not  
                         reached (calendar productivity measure)  
                         Percent of cases resolved without a court hearing

4. To maximize the use of non-trial intervention, or Alternative Dispute Resolution (ADR) programs.

Measure:      Number of issues sent to ADR, by program type  
                         especially child custody mediation and family financial  
                         mediation)

Number of issues resolved at ADR stage  
Length of time from filing to disposition of custody and equitable distribution issues  
Comparison of mediated cases versus non-mediated/tried cases

5. To maximize the use, and availability, of community resources

Measure: Available services now versus services available before Family Court implementation  
New programs developed (especially establishment of truancy courts and family or youth drug treatment courts)  
Development of community outreach programs that educate the public about Family Court and facilitate the development of prevention programs (like parenting classes, sexual abuse prevention workshops, alcohol/drug addiction programs)

6. To protect those at risk, such as adult or juvenile victims of abuse, and to prevent future harm.

Measure: Qualitative descriptions of protective efforts and services provided for these persons  
Development of special domestic violence prevention measures  
Use of child planning (or “Day One”) conferences

7. To provide the services from Family Court to everyone, regardless of their ability to pay for such services.

Measure: Description of procedures allowing all families, if needed, to access services for free, or at a reduced fee  
Development of rules/procedures/policies that make the system more user-friendly for litigants so all have easier access to the court system (examples = development of pro se forms and explanatory pamphlets)

8. To improve and expand the use of technology

Measure: Developing and improving current case tracking/reporting systems, like CaseWise and J Wise, including conversion of such programs to a browser basis

9. To provide civil, courteous service to all persons using the Family Court

Measure: Surveys of litigants, attorneys, court staff, and service providers  
Training provided for judges and court staff

10. To improve the quality of justice provided to families

Measure: Anecdotal information from participants  
Survey of attorneys to see if number of contested hearings is reduced

**APPENDIX F**

**JUVENILE COURT CASE FLOW MANAGEMENT PLAN**

# **Juvenile Court Case Flow Management Plan Report to the General Assembly 1997**

## **Introduction.**

Article 41 of Chapter 7A defines the purpose of the juvenile code. In Section 7A-516, the statute says that the subchapter shall be interpreted and construed so as to implement the following purposes and policies:

1. To divert juvenile offenders from the juvenile system through the intake services authorized herein so that juvenile may remain in their own homes and may be treated through community-based services when this approach is consistent with the protection of public safety;
2. To provide procedures for the hearing of juvenile cases that assure fairness and equity and that protect the constitutional rights of juveniles and parents;
3. To develop a disposition in each juvenile case that reflects consideration of the facts, the needs and limitations of the child, the strengths and weaknesses of the family and the protection of the public safety;
4. To provide for services for the protection of juveniles by means that respect the right to family autonomy and juveniles' needs for safety, continuity and permanence; and
5. To provide standards for the removal, when necessary, of juveniles from their homes and for the return of juveniles to their homes consistent with preventing the unnecessary or inappropriate separation of juveniles from their family.

Juvenile Court is different from any other court within our judicial system. Our code puts the burden on judges to be more than mere arbiters of facts, legal conclusions and rules. It demands that the judges protect the best interest of the child. Our judges must seek information, not merely rely on attorneys to bring it forth. Our court must ensure that these cases move smoothly and quickly and that each child's case has the time it needs to ensure that the statutorily mandated task assigned to the court is fulfilled. For an abused and neglected child, our courts are his or her protection. It has the power to order safety as well as services. For our delinquent and undisciplined children, our courts must see that the child is properly afforded the opportunity for rehabilitation for our juvenile courts are not defined as courts of punishment but courts of habilitation and correction.

The numbers of children who enter our juvenile courts are staggering. The Division of Juvenile Services reported 30,347 children went through the juvenile intake process in 1995-96. The Supervision and Probation Services Section's caseload numbered 17,230 children. Of this number, 965 juveniles were sent to training school. In North Carolina there were more than 100,000 children reported as abused, neglected or dependent in 1995. Of those reports over 30,000 children were substantiated as abused, neglected or dependent.

According to the state's Guardian ad Litem program, nearly 10,000 petitions for such hearings were filed in 1995. Of those petitions filed, between 75 and 85 percent were retained by the court. The state's *Guardian ad Litem* (GAL) program represented more than 17,000 children in 1996. GAL program representatives participated in 30,775 hearings and an additional 9,000 scheduled hearings in abuse, neglect or dependency cases that had been continued. Every continuance means that a child's placement remained in limbo.

The juvenile court system in North Carolina is a good system. However, it needs a boost by way of more community resources and increased authority over juveniles and their parents. The goal of a case management plan for juvenile court is to put the courts in the best position to ensure the safety of children in this State, and to give them the best possible chance of living in stable permanent families. We must stop continuances except when it serves the child's best interest. Participants must come to court prepared to meet each statutory obligation. Judges must be trained to understand the special needs and requirements of children. Community resources must be brought within the court network. Parents must be accountable for their children. We must all work together. With these goals in mind, we urge that the court adopt the plan proposed below as one means of strengthening North Carolina's juvenile court.

### ***I. Undisciplined and Delinquent Juvenile Cases***

**Goal:** To better serve undisciplined and delinquent juveniles and their families by (a) providing expedient and effective court processing, (b) accessing available community resources, and (c) requiring parental involvement

#### ***Methods to achieve goal***

1. A juvenile court system that responds swiftly and fairly to juveniles. Cases too frequently are continued. Judges should develop and adhere to a strict continuance policy.
2. Court officials should establish case processing timeframes to assure cases are being moved diligently and decisively toward completion.
3. Attorneys representing juvenile offenders should have a good working knowledge of juvenile law and juvenile court procedures and should be prepared at the first hearing. They should be organized, able to do the research, and able to gather information needed to defend their client well. Attorneys need to be aware that juvenile cases need to be managed differently from adult cases. Juvenile cases do not need to be handled like criminal matters.
4. Courts should use every appropriate local resource before removing a child from his or her community.
5. A juvenile court system that works for the juvenile even as the juvenile remains in secure custody.

## ***Court Case Process: Optimum timeframes***

*Appointment of Counsel.* To reduce frequency of case continuances, appoint an attorney for the juvenile and issue a subpoena for parents/legal custodians within 48 working hours of the petition being filed. When possible, assure that the juvenile summons has the appointed attorney's name, address, and telephone number so the juvenile is aware of how to contact the attorney.

*Secure Custody Hearings.* Secure custody hearings should be held as quickly as possible and under no circumstances longer than the current statute (5 or 7 days). Steps should be taken to insure that appropriate consent forms are signed and evaluations begun while the juvenile is in secure custody.

*Adjudication Hearings.* Schedule the initial adjudication/probable cause hearing no later than 30 days from the date of the filing of the petition. Judges should have discretion to continue this date; however, all hearing should be completed based on the timeframe outlined below.

*Disposition Hearings.* Hold dispositional hearings on the same day as the adjudication hearings. Exceptions: contested cases or for very good cause shown. Judges may allow continuances based on the timeframe outlined above.

By adhering to the above, cases should flow more efficiently through juvenile court and the following results should be obtained:

<b><i>Undisciplined</i></b>	100% within 30 days
<b><i>Delinquent</i></b>	
<i>Misdemeanor</i>	95% within 60 days 100% within 90 days
<i>Felonies</i>	90% within 60 days 95% within 90 days 100% within 120 days

### ***Other promising strategies to improve case flow management of juvenile court cases***

1. Pass legislation giving the court authority to involve parents in the judicial proceedings of their children.
2. Pass legislation to allow juvenile court judges to use a range of model strategies, including the use of non-training school alternative commitments.
3. Require parents to be more accountable for their children. Example: When a complaint is filed against a juvenile, require the parents and the juvenile to appear for the intake process.
4. Use non-DSS family preservation programs.
5. Use managed care facilities to administer psychological examinations. In many areas it may take months to obtain completed juvenile psychological examinations and this causes a delay in the adjudication and/or disposition of the case.
6. Encourage and facilitate the development of more multi-purpose group homes.



7. Encourage and facilitate the development of effective sexual offender's treatment centers at the regional or local level.

## ***II. Child Protection (abuse, neglect, and dependency) Cases***

*Goal:* Child abuse, neglect, and dependency cases shall be given priority in the court system. There shall be timely and appropriate adjudication and disposition of cases that are in the child's best interests and provide for the child's safety and permanent placement while protecting the rights of all parties.

### *Methods to achieve goal*

1. Always consider time from the child's perspective (including cultural norms).
2. Juvenile court shall be the priority court.
3. Judges should appoint attorneys who are trained in (a) child welfare issues, (b) juvenile law, and (c) and protecting the rights of their clients.
4. Establish timeframes and follow them for processing cases.
5. Develop, implement and disseminate procedures that comply with existing law for sharing information among agencies engaged in providing care and services to the juvenile and his or her family.
6. Identify stages of the case and the time within which they should occur.
7. Have active community support and participation in cases without infringing on the confidentiality of the child.
8. Develop and implement a plan to uniformly carry out state and federal confidentiality regulations.
9. Have orders prepared promptly. Provide parents with orders (minimum standard -- issue hand written orders; ideal -- issue typed/computer generated orders) by the end of the initial non-secure hearing to ensure parents have clear written instructions on corrective actions to be followed/taken to have custody of their child/children returned.
10. Have lists of district court judges' activities similar to lists for federal judges tracking case disposal within specified time frames.

### ***Court Case Process: Optimum time frames***

*Appointment of counsel.* There should be a presumption of indigency of parent(s) or caretaker(s). Counsel should be appointed when the order to assume custody is signed. The determination of indigency should be made at the end of the initial non-secure hearing. If the parent or caretaker is found not to be indigent, then they should be ordered by the court to be responsible for paying for services rendered prior to that point by the temporarily appointed counsel.

*Notice of Hearing.* The social worker and/or other personnel (i.e., sheriff) will provide notice of the non-secure custody hearing at the time of removal of the child.

*Initial Non-Secure Custody (NSC) Hearing.* The initial NSC hearing should be conducted within 72 hours of filing of the petition (current state statute allows for 7 days).<sup>10</sup> Parents shall be officially served with a copy of the petition during this hearing.

*NSC Review.* The first NSC review should be conducted within seven (7) days of the initial NSC hearing (10 days after filing of the petition).

*NSC Review.* The next NSC review should be conducted within twenty (20) days of the initial NSC hearing (30 days after filing of the petition).

*Pre-trial Conference.* A pre-trial conference should be conducted ten (10) days prior to adjudication (50 days after filing of the petition).

*Adjudication.* The adjudication (or trial) should be conducted within two months of filing of the petition (60th day after filing of the petition).

*Disposition.* The trial or adjudication should proceed to the disposition hearing on the same day.

#### ***Periodic Case Reviews.***

The *first permanency planning review hearing* should be conducted within ninety (90) days after disposition (150 days after filing of the petition).

A *pre-trial conference* should be held ten (10) days before the permanency planning review hearing (320 days after filing of the petition).

The *second permanency planning review hearing*<sup>11</sup> should be conducted by the 330th day after filing of the petition. (The state statute allows for one (1) year from the last review.) This hearing shall determine whether the case will either lead to reunification or the filing of a TPR petition.

#### ***Termination of Parental Rights (TPR) Hearings.***

*TPR petition filed.* It is desired to have in place internal regulations requiring the DSS to file all TPRs within sixty (60) days after the permanency planning review hearing that establishes the need for such a petition to be filed.

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<sup>10</sup> It is recommended that handwritten court orders should be distributed at the end of the initial non-secure hearing. Afterwards all orders must be prepared within 10 days of any hearing.

<sup>11</sup> The Judge hearing the case has the discretion to set the next review date at the end of any hearing. This action is based on information received from any party to the case that the Judge determines necessitates more frequent court time, but will be no later than the time allowed by the state statute. Language of “no later than” should be included in all orders so as to leave no options open by any motions.

*TPR adjudication and disposition hearings.* Should be held within sixty (60) days from the date of service on all parties. (This includes service in person and service by publication.)

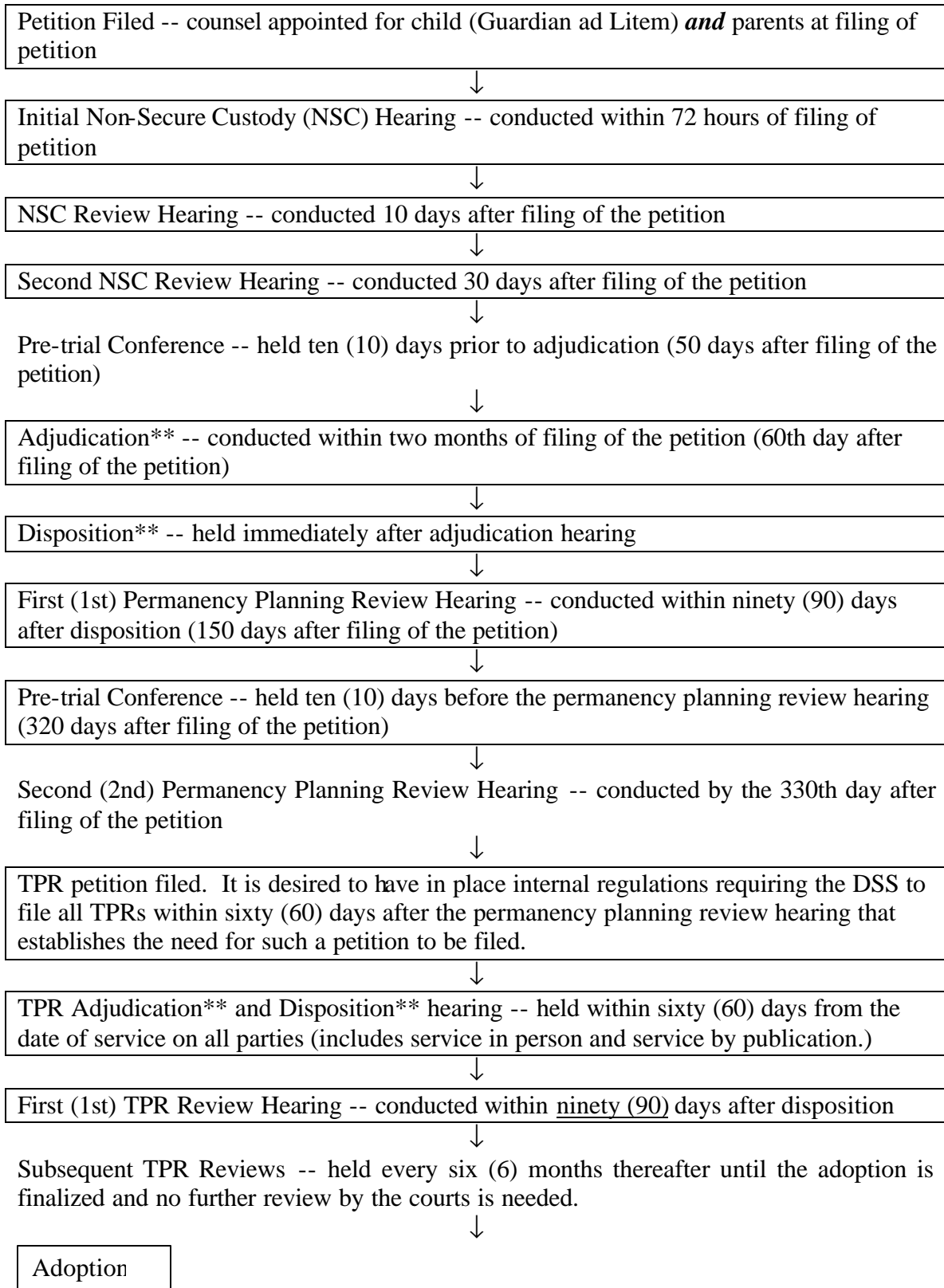
*First (1st) TPR review hearing.* The first TPR review hearing should be conducted within ninety (90) days after disposition.

*Subsequent TPR reviews.* Subsequent reviews are to be held every six (6) months thereafter until the adoption is finalized and no further review by the courts is needed.

Ideal percentages for compliance, per the Supreme Court directive for case flow management, are as follows: 75 percent compliance at the ideals listed above, 100 percent compliance by statutory deadline. Exceptions:

Adjudications	60 days (75% compliance) 90 days (100 % compliance)
TPRs	60 days after service (75% compliance) 90 days after service (90% compliance) 120 days after service (100% compliance)

## Juvenile Court Case Flowchart – Abuse, Neglect, and Dependency Cases



Note: \*\* Denotes mandatory pre-trial conference

## **APPENDIX H**

### **Family Court Staff Positions, Job Specifications**

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**Job Specification****Family Court Administrator**

<b>Specification Number</b>	42267
<b>Effective Date</b>	June 1, 2001, Revised July 1, 2002
<b>FLSA Overtime Status</b>	Exempt- Administrative
<b>Division</b>	District Court
<b>Reports To</b>	Chief District Court Judge or Trial Court Administrator

**SUMMARY**

Responsible for the planning, directing and organizing of all activities for the Family Court program within a judicial district. Develops and implements procedures that efficiently and effectively execute the policies adopted by the court. Coordinates the services of all parties involved with the program to provide the best possible service to families. May pursue outside funding from various organizations to ensure quality services are provided to the Family Court program's participants. The goal of the program is to provide case management services and to coordinate alternative dispute resolution efforts to have families resolve their dispute in a non-adversarial manner.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

- Manages and oversees operations of the office including the supervision of staff.
- Supervises and trains case managers and other staff, as assigned by the Chief District Court Judge.
- Develops or may assist the Chief District Court Judge in the development of Family Court policies, local standards, rules and procedures.
- Manages and monitors case flow to ensure that cases are in compliance with Family Court time standards.
- Identifies and assesses the need for additional programs and services that will better meet the needs of program participants.
- Collects and analyzes disposition rates and other data, such as participation in court ordered programs, to monitor program success and to prepare various reports.
- May develop and facilitate educational classes such as parenting skills, effects of divorce on children, etc. for families in the program.
- Designs and presents programs to community and civic groups to explain the mission of the program and how to access its services.
- Serves as a liaison between the program and other agencies, service providers and any other entities involved with Family Court operations.
- May write grant proposals to receive funding for Family Court projects.
- Serves as project director for grant projects and prepares any necessary reports requested by grantor.
- May review and approve or deny attorney requests/motions for continuances.
- May organize local Bar meetings with the Chief District Court Judge by arranging for professional guest speakers to facilitate workshops on educational and legal topics related to Family Court.

**KNOWLEDGE, SKILLS AND ABILITIES:** Knowledge of: program administration, group facilitation, principles of management and human resources management related to day-to-day program operation and the supervision of staff; civil procedure and domestic and juvenile law to assist in scheduling and managing case disposition; statistical principles and techniques used in collecting, interpreting and reporting numerical data for various grant projects and Family Court reports; and computer programs to produce memos, spreadsheets and presentations. Ability to: communicate effectively both orally and in writing; facilitate meetings; give presentations; lobby outside organizations for funding; compose grant proposals; develop and foster a spirit of teamwork to improve the quality of the services the program offers to families; bring people from different agencies together to accomplish the goals of the program; prioritize work assignments to accomplish all tasks; develop, evaluate and implement program policies and procedures to enhance trial court and case flow management; work effectively in groups and teams to foster cooperative partnerships among the staff to accomplish work goals; and keep aware of cultural and social diversity among system users in order to be more responsive and sensitive to their needs.

**WORKING CONDITIONS:** Majority of time is spent working in an office environment.

**SUPERVISION:** May supervise more than three but less than seven employees.

*The above statements are intended to describe the general nature and level of work being performed by people assigned to this job. They are not intended to be construed as an exhaustive list of all responsibilities, duties and skills required of personnel so classified.*

**RECOMMENDED MINIMUM TRAINING AND EXPERIENCE:** Bachelor's degree in a human services field such as psychology, social work, sociology, counseling, or criminal justice and five years of experience in managing programs and/or personnel or related experience in the court system; or a Master's degree in Public Administration or a human services field plus three years of related experience; or a law degree plus two years of related experience; or an equivalent combination of training and experience.

**Job Specification****Family Court Case Coordinator**

<b>Specification Number</b>	44392
<b>Effective Date</b>	June 1, 2001
<b>FLSA Overtime Status</b>	Non-Exempt
<b>Division</b>	District Court
<b>Reports To</b>	Family Court Administrator

**SUMMARY**

Manages Family Court cases and ensures that these cases move through the court system in a timely, efficient manner by calendaring issues, tracking cases and developing case flow procedures. Serves as the public point of contact for families involved in Family Court cases by providing general case information and referring the parties to outside service agencies for assistance to solve their issues. The goal of the program is to provide case management services and to coordinate alternative dispute resolution efforts to have families reach agreement regarding their dispute without going before a judge for a ruling.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

- Assigns new Family Court cases to judges for case tracking purposes.
- Arranges the appropriate event (Child Planning Conference, Equitable Distribution Scheduling Conference, etc.) and court date according to Family Court procedures and timelines.
- Facilitates Child Planning Conferences and/or Equitable Distribution Scheduling Conferences or case status conferences to bring parties together to find a solution to their issues.
- Links parties to needed services, as specified by the court.
- Tracks the progress of cases through contact with judges, attorneys/paralegals, mediators, parties, etc.
- Prepares and publishes court calendars.
- Assures that cases are calendared at the correct times to follow Family Court timelines.
- Assures that an appropriate number of cases are calendared to make proper use of the judge's time.
- Resets all cases continued from or not reached on the trial calendar.
- Reviews all files scheduled for pretrial hearings to determine the general status of the case and to notify the judge of any hearings currently scheduled and pleadings from attorneys.
- Prepares orders as directed by the judge.
- Drafts correspondence for assigned judges as requested.
- Responds to attorney/party requests for case status information or calendaring dates.
- Produces weekly, monthly and quarterly productivity reports by collecting data from various sources to benchmark compliance with Family Court time standards for case disposition.
- May assist Family Court Administrator with facilitating educational classes such as parenting skills, effects of divorce on children, etc. for families in the program.

**KNOWLEDGE, SKILLS AND ABILITIES:** Knowledge of: case management and calendaring rules and procedures to administer case tracking and calendaring system; court system and procedures to effectively interact with judges, other government organizations, program participants and the general public; organizational skills to monitor case activity and prepare court calendars; group facilitation to help parties resolve their differences; various computer skills to maintain case status records, and produce orders, local forms and informative reports. Ability to: effectively manage time in order to prioritize and complete multiple tasks; pay close attention to detail to assure that cases are moved through the system correctly; guide program participants while not disseminating advice regarding their cases; communicate effectively both orally and in writing to provide information to judges, team members, program participants and the general public; and keep aware of cultural and social diversity among system users in order to be more responsive and sensitive to their needs

**WORKING CONDITIONS:** Majority of time is spent working in an office environment

*The above statements are intended to describe the general nature and level of work being performed by people assigned to this job. They are not intended to be construed as an exhaustive list of all responsibilities, duties and skills required of personnel so classified.*

**RECOMMENDED MINIMUM TRAINING AND EXPERIENCE:** Bachelor's degree in a human services field such as psychology, social work, sociology, counseling, or criminal justice and two years of experience in a human services field or the court system; or an Associate's degree in a human services field plus four years of equivalent experience; or an equivalent combination of training and experience.



## **APPENDIX I**

### **FY 2011-12 Certified Family Court Budget**

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KBDSD02 BD701-03		STATE OF NORTH CAROLINA GENERAL LEDGER SYSTEM AGENCY MANAGEMENT BUDGET REPORT FOR THE PERIOD ENDING JANUARY 31, 2012						PAGE: 1 C-U-GL-BD701-CERT-DETAIL RUN DATE: 02/28/2012 ATBD701	
020 THE JUDICIAL DEPARTMENT 12000 AOC-GENERAL 1410 SPECIALITY SRV & PROG 1251 FAMILY COURT		DETAIL REPORT BY FUND							
		***** B U D G E T E D *****		***** A C T U A L *****		***** UNEXPENDED / UNREALIZED *****			
ACCOUNT	DESCRIPTION	CERTIFIED	AUTHORIZED	CURRENT-MONTH	YEAR-TO-DATE	CERTIFIED	AUTHORIZED	ENCUMBRANCES	RATE
EXPENDITURES-BUDGET AND ACTUAL									
-----									
531111	EPA-REG SALARIES-APP	2,089,467.00	2,085,916.00	164,903.43	1,187,157.63	902,309.37	898,758.37	.00	.98
531461	EPA&SPA-LONGVTY PAY-	10,198.00	25,588.00	6,135.00	25,588.00	15,390.00-	.00	.00	1.71
531511	SOCIAL SEC CONTRIB-A	159,844.00	157,600.00	12,585.68	89,264.76	70,579.24	68,335.24	.00	.97
531521	REG RETIRE CONTRIB-A	282,689.00	264,583.00	22,440.21	159,112.79	123,576.21	105,470.21	.00	1.03
531561	MED INS CONTRIB-APPR	208,926.00	203,222.00	18,216.97	129,971.73	78,954.27	73,250.27	.00	1.10
531572	UNEMP COMP PAYMNTS T	.00	11,971.00	11,970.87	11,970.87	11,970.87-	.13	.00	1.71
531576	FLEXIBLE SPENDING SA	.00	2,244.00	212.34	1,510.44	1,510.44-	733.56	.00	1.15
-----									
531XXX	PERSONAL SERVICES	2,751,124.00	2,751,124.00	236,464.50	1,604,576.22	1,146,547.78	1,146,547.78	.00	1.00
-----									
532441	MAINT AGRMT-OTHER SO	1,760.00	1,760.00	.00	.00	1,760.00	1,760.00	.00	.00
532443	MAINT AGRMT-OTHER DP	1,840.00	1,840.00	.00	.00	1,840.00	1,840.00	.00	.00
532447	MAINT AGREE-PC/PRINT	210.00	210.00	.00	.00	210.00	210.00	.00	.00
532513	RENT/LEASE-OTH FACIL	1,267.00	1,267.00	.00	.00	1,267.00	1,267.00	.00	.00
532523	RENT/LEASE-VOICE COM	225.00	225.00	.00	.00	225.00	225.00	.00	.00
532712	TRANS AIR-OUT STATE,	9,958.00	6,541.00	.00	.00	9,958.00	6,541.00	.00	.00
532714	TRANSP-GRND - IN STA	99,287.00	3,144.00	503.00	3,143.15	96,143.85	.85	.00	1.71
532715	TRANS GRND-OUT STA,I	805.00	418.00	.00	.00	805.00	418.00	.00	.00
532721	LODGING - IN STATE	39,217.00	7,473.00	.00	.00	39,217.00	7,473.00	.00	.00
532722	LODGING-OUT STATE, I	2,962.00	2,962.00	.00	.00	2,962.00	2,962.00	.00	.00
532724	MEALS - IN STATE	15,060.00	5,060.00	.00	.00	15,060.00	5,060.00	.00	.00
532732	BD/NON-EMPLOYEE SUBS	803.00	803.00	.00	.00	803.00	803.00	.00	.00
532840001	POST,FR&DEL-MAILING	2,746.00	2,746.00	450.00	1,638.00	1,108.00	1,108.00	.00	1.02
532840003	POST,FR&DEL-POSTAL M	852.00	852.00	.00	.00	852.00	852.00	.00	.00
532850	PRINT,BIND,DUPLICATE	953.00	953.00	14.30	349.81	603.19	603.19	.00	.63
532913	LIABILITY INSURANCE	1,000.00	1,000.00	.00	.00	1,000.00	1,000.00	.00	.00
532930	REGISTRATION FEES	8,391.00	2,883.00	.00	.00	8,391.00	2,883.00	.00	.00
532941	EMP EDUCATION ASSIST	361.00	361.00	.00	.00	361.00	361.00	.00	.00
-----									
532XXX	PURCHASED SERVICES	187,697.00	40,498.00	967.30	5,130.96	182,566.04	35,367.04	.00	.22
-----									
533110	GENERAL OFFICE SUPPL	.00	5,887.00	719.77	5,886.46	5,886.46-	.54	.00	1.71
533120	DATA PROCESSING SUPP	.00	1,552.00	313.57	1,551.36	1,551.36-	.64	.00	1.71
-----									
533XXX	SUPPLIES	.00	7,439.00	1,033.34	7,437.82	7,437.82-	1.18	.00	1.71
-----									
534630	LBRRY&LRNING RESRCE	3,748.00	.00	.00	.00	3,748.00	.00	.00	***
-----									
534XXX	PROPERTY, PLANT & EQ	3,748.00	.00	.00	.00	3,748.00	.00	.00	***
-----									
535241	UNEMP COMP PAYMENTS	200.00	200.00	.00	.00	200.00	200.00	.00	.00
535830	MEMBERSHIP DUES&SUBS	598.00	1,545.00	.00	1,544.40	946.40-	.60	.00	1.71
-----									
535XXX	OTHER EXPENSES & ADJ	798.00	1,745.00	.00	1,544.40	746.40-	200.60	.00	1.52
-----									
	TOTAL NON-SALARY ITE	192,243.00	49,682.00	2,000.64	14,113.18	178,129.82	35,568.82	.00	.49

RMDSID02  
BD701-03  
020 THE JUDICIAL DEPARTMENT  
12000 AOC-GENERAL  
1410 SPECIALITY SRV & PROG  
1251 FAMILY COURT

STATE OF NORTH CAROLINA GENERAL LEDGER SYSTEM  
AGENCY MANAGEMENT BUDGET REPORT  
FOR THE PERIOD ENDING JANUARY 31, 2012

PAGE: 2  
C-U-GL-BD701-CERT-DETAIL  
RUN DATE: 02/28/2012  
ATBD701

DETAIL REPORT BY FUND

ACCOUNT	DESCRIPTION	***** B U D G E T E D *****	***** A C T U A L *****	*****	UNEXPENDED / UNREALIZED *****				
		CERTIFIED	AUTHORIZED	CURRENT-MONTH	YEAR-TO-DATE	CERTIFIED	AUTHORIZED	ENCUMBRANCES	RATE
EXPENDITURES-BUDGET AND ACTUAL									
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	EXPENDITURES	2,943,367.00	2,800,806.00	238,465.14	1,618,689.40	1,324,677.60	1,182,116.60	.00	.99
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REVENUES-ESTIMATED AND ACTUAL									
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	APPROPRIATION	2,943,367.00	2,800,806.00	238,465.14	1,618,689.40	1,324,677.60	1,182,116.60	.00	.99
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