

# Compendium of Family Court Practices

## From the 2003 Annual Family Court Reports

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## Family Law Advisory Group (FLAG)

- ❖ One FLAG accomplished the following in 2003:
  - The Fatality Review Team was created and has reviewed cases in five counties.
  - The Dependency Drug Court was created and began accepting cases in January 2004. Policies and procedures were implemented and an administrative order was issued.
  - The planning teams for the Dependency Drug Court and for the future Juvenile Delinquency Drug Court are attending training offered through the Drug Court planning initiative and the Bureau of Justice Assistance. Education was presented on the effects of domestic violence on childhood development. Court administration, the deputy clerks and the judiciary received training on defusing hostile situations.
  
- ❖ One circuit's FLAG was instrumental in applying for two grants in 2003 and continued to be instrumental in the oversight of The Center for Prevention of Domestic Violence where the needs of victims of domestic, dating, sexual and repeat violence are being met, including assistance in all aspects of the civil injunction process.
  
- ❖ One county's FLAG addressed the following issues: money and grant funding for Family Group Conferencing training; the loss of dependency pilot program; and budget cuts.
  
- ❖ A presentation of a proposed new parenting program was made to the entire advisory group and approved for use by the domestic relations judges. In addition, the FLAG discussed:
  - The possibility of implementing a dependency mediation program. FLAG members agreed that mandatory case plan conferences would be held in all dependency cases. They also discussed the role of the clerk regarding "ministerial" services, as required by statute.
  - The group noted concern with increased filing fees, the reopening fee for closed cases, and the new fees established for use of the supervised visitation center.
  - Members discussed the importance of considering participant eligibility for the county's new drug court and providing this option to appropriate parties. The members agreed that the availability of community resources needs to be reviewed to determine what sources may be available to render assistance to the family court.
  
- ❖ Each FLAG meeting included a presentation/update by current advisory group members/providers/other interested individuals. Also, subjects addressed included:

Guardian ad Litem Program, introduction to community-based care, Parents Anonymous, Dependency Court Improvement Summit update, local abuse shelter, parents' attorneys and varying shelter hearing times, the visitation center, and pro se office update. In addition, a Parents Anonymous presentation was made and information was distributed by one of the judges. The judge also directed the Clerk's Office to add Parents Anonymous to the Clerk's Order forms.

❖ One FLAG addressed the following issues:

- Foster Care Review Board and Citizen Review Panels
- increase in child support dockets size
- increased number of injunction applications due to the new dating violence injunction family group conferencing
- Article V, Revision 7 budget considerations
- dependency pilot program transition back to judges' dockets
- the \$50 re-open fee
- significant statutory changes to Chapter 63 (adoptions)
- outstanding custody or "pick-up" orders where a juvenile subject has already been taken into foster care

The FLAG also accomplished:

- Beginning in April, the group had a presentation for each monthly meeting. Presentations included: Child Support Enforcement and DOR Administrative Support Procedure; Western Judicial Services, Inc.'s programs for batterers intervention, substance abuse, anger management, and life skills; Guardian ad Litem Program; Recent Changes in the Law Affecting the Family Courts (adoptions and injunctions); Arnette House (teen shelter and non-shelter family counseling); Parents Anonymous providing mutual support and parent leadership; Juvenile Assessment Center and Juvenile Baker Act; and "Kids Corner" child friendly testimony room (included tour).
- In addition, the DCF liaison worked to improve DCF's perception in court. A new form was created to glean needed information from the protective investigators. Reportedly, this has reduced the number of court appearances by DCF staff.
- The group also focused on the implementation of the county's new dependency drug court, which started in January.
- Finally, one judge proposed a mission statement: "To combine our individual and collective strengths, knowledge, and abilities for the improvement of all areas of the family court experience in order to better serve the families who rely on the judicial process."

❖ The accomplishments for one county's FLAG:

- A community resource provider listing has been compiled and distributed to family law judges, juvenile judges, and members of the FLAG. The listing

identifies local service providers, criteria for placement into their respective counseling services, fees for services and other useful information. The listing is provided to parties at dependency shelter hearings and other court hearings.

- A needs assessment survey was pursued and discussions initiated with the University of Florida for assistance.
- A supervised visitation center workgroup has been formed and meets on a consistent basis to pursue funding sources for a center. The need for a supervised visitation center to facilitate visitations in family law and dependency cases has been an ongoing topic of discussion during the FLAG meetings.

❖ Another FLAG:

- The unified family court judges are setting child support payment amounts when the court imposes a duty to support, thus eliminating an additional court appearance for the families involved.
- The Guardian ad Litem program has facilitated on-going meetings with the community-based care provider to facilitate communication between the child protection professionals in keeping with the Governor's Blue Ribbon Workgroup.
- The Guardian ad Litem program coordinated a "special home visit project" where the program's volunteers planned to visit each child in foster care to ensure that services were in place and prepared a report to the Court on the volunteer guardian's findings.
- The subcommittee on Community Resources visited each of the courthouses to ensure that the community resources contact information was current for consumers.
- The Child Protection Subcommittee completed its work on the script for a Dependency Orientation video.
- The Delinquency Subcommittee presented information on the pending 2003 legislation that could have an impact on the Department of Juvenile Justice budget.

❖ The FLAG provided a forum for frank discussion of family law issues within the circuit and an opportunity for discussion of best practices in the family law arena from the counties within the circuit. The FLAG provided a place for the court and court administration to inform stakeholders of coming changes within the family court system.

❖ One FLAG:

- Adopted "Unified Family Court's Guiding Principles."
- Planned and presented the circuit's 2<sup>nd</sup> Family Court Summit, which was held on April 24, 2003.
- Discussed the reorganization of the domestic violence court.

- Increased and improved communication between the court system and the community.
  - Began the groundwork for establishing an Association of Family Court Professionals.
  - Collaborated with Department of Children and Families and Heartland For Children to form the circuit's Dependency Court Workgroup.
- ❖ Some of the issues addressed in one county's FLAG meeting were:
- coordinating cases involving the same family
  - coordinating child support orders in juvenile cases with the Department of Revenue in order to better collect and administer child support
  - language needed in court orders so that all parties understand the order and can comply (particularly schools and teachers who often need to help implement/follow a court order)
  - how to use schools as a natural transition point for exchange of children for visitation
- ❖ Issues addressed in one FLAG were: Article V and its impact on the court system; reassignment of FLAG committees; appointment of lay person to the advisory board; creation of focus group to review questions as to what works and doesn't work in the UFC; and an update on pilot project progress. The accomplishments realized are the outcomes of the three FLAG subcommittees in 2002 (Planning and Procedures Committee, Technology and Funding Committee, and Community Network Committee).
- ❖ Another FLAG accomplished the following:
- Evaluated UFC models considering resources available and best fit for the circuit.
  - Identified crossover cases and generated a listing of cases in two areas: new dissolution of marriage filings were researched to determine if an active domestic violence or a dependency case also existed; and, delinquency and dependency crossover cases were also researched and a list generated of those cases.
  - Assigned existing case management resources to identify dependency and delinquency crossovers, and dissolution cases with related active domestic violence and dependency cases.
  - Explored the potential for assistance from the clerk in gathering statistical data, identifying crossover cases and utilizing a Related Case Form.
  - Reviewed the Tool Kit with the administrative judges in family divisions.
  - Mapped procedures for formalizing the notification of judges involved in crossover cases.
- ❖ A subcommittee of the FLAG, the dependency improvement group, was instrumental in planning and developing this circuit's first family court summit. The

event was held on April 26, 2003, and was successful on many levels. The conference offered an opportunity to link community stakeholders together with those in the community who have the same goal, ensuring the welfare of children. Through informational booths and displays located around the conference center, those in attendance were able to learn more about local agencies who provide services for children.

- ❖ The FLAG members who are family law attorneys offered guidance in drafting an administrative order for the family mediation program in one county.
- ❖ The child support subcommittee of the FLAG developed a new policy regarding pro se cases that are also active Department of Revenue child support cases in one county. Pro se cases involving an active child support litigant are being heard once a month by the child support hearing officer. The deputy court administrator manages the cases and provides administrative support to the hearing officer the day of court. There had been a backlog of pro se cases waiting to get on the regular child support docket; however, with the new procedure in place, cases are heard within 60 to 90 days from the day the initial pleading is filed, instead of waiting three to six months to be placed on the regular docket.
- ❖ The pro se subcommittee of the FLAG developed a procedure for referral of complex pro se cases in one county to a legal clinic sponsored by the local bar association. If the litigant is certified as indigent, his or her case is referred to the First Saturday Legal Clinic. The cases are reviewed individually by local attorneys who volunteer their time. Some cases are accepted by the attorneys on a sliding scale and some are taken on a pro bono basis.
- ❖ One FLAG addressed the following three issues:
  - Issue: Re: Family Law Rule 12.400(c); Action Taken: To ensure pro se litigants are made aware of their rights, the Self Help Center(s) now provides a form entitled Request for Removal of Social Security Number, Bank Account, Credit, Debit, or Change Card Number, and Internet Documents. The form is now a part of the standard packet.
  - Issue: The family law judges were not uniformly being notified pursuant to Florida Statute 39.013 (4) (Crossover cases); Action Taken: This matter was brought to the attention of the clerk of court and the clerk is now in full compliance.
  - Issue: Family Law Rule 12.610/Domestic Violence; Action Taken: The domestic violence case process has been taken under advisement by the court.
- ❖ The Family Law Advisory Group has addressed some of the issues surrounding how the circuit will consistently identify collateral cases affecting the same family, and

will ensure that these cases are coordinated for hearing. To help identify cases, the circuit created an “Intake Sheet” which is designed to be filled out by litigants and/or attorneys, and which will be reviewed by case management staff in advance of hearings. The FLAG decided that an “experimental” UFC docket should be created, and that parties, case management staff, and the court feed cases on to these dockets. The definition of these dockets, the resource needs to support the dockets, and expansion of the FLAG to include relevant stakeholders, are ongoing issues to be addressed by the FLAG.

- ❖ The FLAG also decided to make use of the existing case management docket whenever possible, and to consolidate related cases for hearing purposes. By doing so, the circuit moves the related cases to the case management docket, so that additional hearing dates may be eliminated, and the opportunities for resolution of all pending matters are increased.
- ❖ In 2003, the group identified the need to expand supervised visitation and exchange services, and to develop local funding for dependency general masters and case managers. The circuit’s visitation center lost VOCA funding, and was able to secure funding through the Children’s Services Council. In addition, the court lost state funding for dependency general masters and case managers, and was able to secure funding through the Children’s Services Council and the county to maintain a portion of the program.
- ❖ The FLAG was formed in 2001 and met regularly for approximately two years. The group reconvened in late 2003 and currently has new direction and focus utilizing the Tool Kit as guidance. The group’s first project was establishing an inclusive service provider list.
- ❖ The FLAG focused on pro se litigants and domestic violence issues. At each FLAG meeting, a different service provider showcases its program to help educate the stakeholders.
- ❖ The FLAG had a productive year in 2003. Some of the major accomplishments of the group are as follows:
  - One of the most significant committees formed is called the Family Law Advisory Committee Work-Study on Custody Evaluations and New Protocol, or FLACCE. The mission is to create and develop new and alternative protocols in lieu of formal custody evaluation in cases where parents are engaged in parenting disputes, which need evaluation or some appropriate intervention. Formal evaluations are found to be a polarizing, expensive, time consuming process that leaves the parties in a posture to engage in conflict before the court and for years after the divorce. The involvement of Florida Gulf Coast University is to develop

a Family Advocacy Center at the university, which would provide a type of practicum curriculum to serve families in conflict. The partnership with the university may have potential for further continuing professional education to community professionals. The committee is working on nine different protocols, which include the matter of limiting the mental health professional's exposure to professional grievance and malpractice potential.

- A Pay or Appear Program was started through a grant from The Florida Bar Foundation. This program assists in the collection of delinquency child support. The circuit has documented its success with this program.
- Another successful project over the past year is a program called the Family Law Advisory Panel. Through this program, local legal professionals (including therapists, lawyers and financial professionals) have agreed to provide a one-time consultation at a very low cost to individuals needing assistance on limited family law matters. Consults cover issues primarily related to support and visitation. This service has been very well received and utilized.
- Another committee has created a role-play video and DVD for the general public to explain the benefits of a cooperative divorce proceeding versus a litigious divorce proceeding. They are made available to the public at no cost through the Family Law Resource Center.
- The Cooperative Assessment Survey Committee is in the process of developing a cooperation assessment survey software program to be utilized by attorneys and potentially judges in certain cases to determine a client's potential to be cooperative during the course of a family law case.

## Case Management: Delinquency Cases

- ❖ The circuit uses several juvenile diversion programs: arbitration, teen court, neighborhood accountability boards, and Walker Plans.
- ❖ The circuit has a juvenile drug court for juveniles with substance abuse problems.
- ❖ One judge makes sure legal counsel is available at the time of the detention hearing, well in advance of the arraignment. Also, at the detention hearing, the judge notifies the child of the date and time of the arraignment. The judge makes full use of the detention hearing for the benefit of the court and the juvenile.
- ❖ Delinquency judges can refer youth to a “Sanctioned to Read” program. Sanctioned to Read is an individualized, highly motivational, diagnostic and prescriptive reading program. Each child is provided with a distinctive plan of action, which helps the child master reading skills. Each child receives forty hours of tutoring and achieves improvement of at least one grade level in reading.
- ❖ Delinquency detention hearings are heard in the afternoon, and case hearing times are well within the Supreme Court guidelines. Written notice of the next hearing is provided to the litigants at the hearing. In addition, regular meetings are held with the stakeholders.
- ❖ The circuit has implemented a schedule that has reduced the period of time between detention and disposition in delinquency cases. Cases are not continued from docket sounding to docket sounding, but rather set for a specific trial date. Continuances for scheduled pleas or trials require specific justification and are rarely granted. In violation of probation cases where an affidavit is filed, the judges set a trial date immediately from detention, usually well within three weeks, so violations are addressed as immediately as possible. Additionally, if the youth is in a detention hearing on a “failure to appear,” the missed proceeding is handled right then if possible. If not, it is set for the missed proceeding type on a short notice schedule.
- ❖ Disposition hearings in delinquency are set in the morning so remands do not adversely impact Department of Juvenile Justice (DJJ) transport staff or the sheriff’s staff. Detention hearings are handled at 1:15 p.m. before the delinquency judge, which gives DJJ and the attorneys additional time to collect information on the youth for use at the detention hearing.
- ❖ At each proceeding, the next scheduled court event, date, and time is announced and given in writing to the youth. One judge permits the attorneys to excuse youths from

arraignment and docket sounding if they have good contact and the youth would otherwise be in school. As a result, the judge is drafting an instruction memo to all public defender clients as to their responsibilities in keeping in touch and track of their court dates. The judge also uses the assigned juvenile probation officers to verify information and make contact with youths and families on short notice.

- ❖ One judge holds monthly brown bag lunches alternatively with delinquency stakeholder supervisors and with courtroom staff. They discuss any issues that have arisen and any improvements they can make in scheduling and processing.
- ❖ Time frames are recorded by the Clerk's Office and reported monthly for the court's review.
- ❖ Judges report specific time frames for cases under advisement.
- ❖ A case manager is assigned to each juvenile division, through the Model Family Court Pilot Project. The case manager: attends detention and arraignment hearings; reviews parties for companion cases, warrants and outstanding court matters; confers with domestic relations case managers regarding companion cases; and confers with agencies regarding specific cases.
- ❖ The local Bar instituted the Juvenile Practice Committee, which meets a minimum of every other month. This lunch meeting includes judges, court staff, agency attorneys and staff, and all attorneys practicing in the division, including representatives from the state attorney's and public defender's offices, Legal Aid, and private counsel.
- ❖ All parties attending arraignments and detention hearings are screened for crossover/companion cases and demographic information by the juvenile court case managers. The courtroom clerk provides a "Court Event Form," which is signed by the attending parties and indicates the action that occurred in the current hearing, as well as the time, date, and type of subsequent hearing.
- ❖ The Juvenile Restitution and Victim Assistance Program investigates claims for the restitution related to a victim's loss resulting from a juvenile crime.
- ❖ One delinquency judge reports using the detention hearing to its fullest potential, making sure all persons present in the court are identified and the youth understands the meaning of waiving counsel, determining whether the youth has other charges and how he or she is performing at school, identifying what services are needed and when they can begin, as well as addressing cost of care, and confirm the youth's present and physical address. Moreover, the date of subsequent court hearings is provided to the parties at the current hearing. The judge is able to obtain all this

information, and more, because the juvenile probation officer, a mental health counselor, a representative from the school system, school resource officers, and intake officers attend the hearings. The detention hearings are scheduled in the afternoon. In addition, the judge holds a meeting with staff from the Department of Juvenile Justice, State Attorney's Office, Public Defender's Office, local mental health agency, Clerk's Office, school resource officer program and other stakeholders, the first Monday of every month.

- ❖ The Juvenile Domestic Violence Mediation program was created in response to the increase in juveniles charged with the offense of domestic battery or assault. (Although titled "mediation," the program more closely resembles an arbitration program.) The program works toward resolving conflicts and addressing alternative resources to serve the first-time juvenile domestic violence offender and the victim.

## Case Management: Dependency Cases

- ❖ Dependency Court Improvement Project staff collaborated with a county management information systems programmer to develop a software program aimed at tracking dependency cases.
- ❖ The method for dependency case scheduling fosters expedient disposition of cases by scheduling settlement hearings at arraignment and setting a docket call/disposition date two weeks from the settlement date with the Department of Children and Families preparing predisposition report and case plan for next court date if a settlement is reached.
- ❖ Regularly scheduled monthly meetings are held with the dependency stakeholders.
- ❖ Basic case management techniques are in place for dependency case processing. Subsequent hearings are scheduled in advance and parties are provided hand-notice in open court. Child support issues are addressed and a mechanism is in place for the clerk to facilitate the processing of the child support payments through the civil child support system. Mediation conferences are scheduled during the early stages of the dependency cases.
- ❖ The judges in one county have regular monthly meetings with all concerned agencies and parties to address local dependency court issues. A Dependency Court Improvement Subcommittee of the FLAG was recently established to address circuit-wide dependency issues.
- ❖ In addition to monitoring the dockets to ensure that the statutory time frames are met, the court is careful to ensure that counsel is appointed for the parents at the time of the shelter hearing. All hearing dates are set and noticed before the parties leave the courtroom. All family court judges have a Family Treatment Court docket, which apply drug court principles to dependency cases involving parents with substance abuse problems.
- ❖ Two judges report using shelter hearings to their fullest potential by: establishing the frequency and parameters of visitation; exploring relative placements; and addressing diligent search issues. Parents are advised of right to counsel at shelter hearings and subsequent hearings as necessary. Future hearings are scheduled in advance and notice is given during current court hearing. Also, case planning conferences are scheduled in advance and notice is given during shelter hearings. Mediations are scheduled in advance and notice is given during current court

hearing. Shelter hearings are held in the afternoon to give parents and other relatives time to make arrangements to attend the hearings.

- ❖ In collaboration with local partners, the circuit produced "A Parent's Guide to Dependency Court Proceedings," a booklet that is given to parents at all shelter hearings. The booklet is written in language that is easily understood, and there is space for notes, as well as specific lines for names and contact information for lawyers and protective investigators.
- ❖ Time frames are recorded by the Clerk's Office and reported monthly for the court's review.
- ❖ Judicial reviews are pre-scheduled and monitored by court staff for time compliance. An index is updated regularly and reflects time standards that are approaching or others that are out of compliance. The index is in the front of each dependency file that has been set for judicial review.
- ❖ A case manager is assigned to each juvenile division. The case manager: attends shelter and arraignment hearings; reviews parties for companion cases, warrants and outstanding court matters; confers with domestic relations case managers regarding companion cases; and confers with agencies regarding specific cases.
- ❖ The local Bar instituted the Juvenile Practice Committee, which meets a minimum of every other month. This lunch meeting includes judges, court staff, agency attorneys and staff, and all attorneys practicing in the division, including representatives from the state attorney's and public defender's offices, Legal Aid, and private council.
- ❖ Form orders are available and attorneys often have orders prepared prior to the hearing.
- ❖ The contract attorneys for dependency provide case management by monitoring cases through the use of quarterly reports.
- ❖ The revised Pilot Program utilizes both staff and volunteer Guardians ad Litem. The project (initiated October, 2001) proved successful, meeting or exceeding the four goals:
  - Provide 100% representation of abused and neglected children
  - Provide professional and consistent services at the onset of a case
  - Comply with statutory time frames requiring the child to achieve permanency within one year
  - Increase and enhance recruitment and retention of volunteers

- Additional investigative, supervisory and legal staff has enabled the Program to implement the now termed “Blended Model” in all five dependency divisions in the circuit.

## Case Management: Child Support

- ❖ In child support cases, orders are issued the same day as the hearing and all issues are ruled on at the time of hearing. Addresses of litigants and employers are re-established at the time of the child support hearing.
- ❖ Meetings are held with Title IV-D stakeholders.
- ❖ The Non-Custodial Parent Program is a resource to assist non-custodial parents, who have been identified in child support cases as underemployed or unemployed, obtain viable employment, and enhance their employability skills.
- ❖ In 2003, the circuit implemented a procedure for enforcement of child support orders entered by dependency courts. When the dependency judge enters a child support order, the dependency clerk reports it to the domestic relations division clerk who then opens a child support case and assigns it to a domestic relations division judge. Thereafter, the domestic relations division enforces that support order, and the dependency judge is not burdened by enforcement responsibilities. After the dependency jurisdiction is terminated, all future requests for modification are filed in the domestic relations division. This resolves past confusion where the dependency closed and the dependency support order passed into legal “limbo.”
- ❖ The Florida Bar Foundation awarded a grant in the amount of \$86,000 to one county to fund a Pay or Appear Program. The clerk hired a full time employee to oversee the program, obtain participants, monitor all cases, maintain records, attend hearings and provide statistical records. Participants in the program must appear before a judge if they fail to make their child support payments. The Clerk of Courts has collected data regarding the program and has documented its success. As the grant has been renewed, 2005 will mark the third year of the program’s existence.
- ❖ A calendar of every scheduled case is maintained, along with the order generated from the hearing. In instances when a hearing is continued (which are rare) an Order Continuing Hearing is prepared within 24-48 hours. Form orders have been implemented to expedite this procedure. Some forms are NCR forms (carbon copy forms) and are prepared in the courtroom.
- ❖ A Domestic Relations Affidavit is completed by each party prior to the commencement of the hearing. This form provides parties’ addresses, as well as other standard information.

- ❖ Case managers calculate child support guidelines by utilizing a program called Fin Plan.

## Case Management: Domestic Violence

- ❖ Pursuant to a circuit's administrative order, the number of family law judges hearing domestic, repeat, dating and sexual violence cases in one county increased from one to four. Each judge was assigned a specific day of the week to hear such cases. To assist the judges and the Clerk of Court with this transition, the administrative judge of the family division and the Clerk of Court's domestic violence department manager held a domestic violence workshop and developed a domestic violence manual for use by the judges (a copy was distributed to each circuit judge hearing such cases and is continually updated). One outcome of the workshop was the designation of a back-up judge to respond to domestic, repeat, dating, and sexual violence emergencies during business hours in the event that the designated judge is unavailable (during non-business hours, the assigned duty judge handles such emergencies). But most importantly, the changes outlined in administrative order and the changes in procedure facilitated by the above mentioned workshop improved the court's response time with regards to *ex parte* injunction petitions and other related hearings.
- ❖ The clerk's computer system sets domestic violence return hearings within 15 days of the filing of the petition. A case manager sits in the return hearing and completes the final order for the judge's signature. As a result, the litigants leave the courtroom with an order in hand.
- ❖ The domestic violence specialist monitors cases to ensure compliance with court ordered batterers' intervention programs. Cases which lack compliance are sent to the appropriate unified family court case manager for further action.
- ❖ All family court judges use case management techniques in domestic violence injunction cases. The domestic violence injunction cases are assigned to the family court judges and the initial orders are issued the same day the petition is filed. After hours procedures are controlled by an administrative order, which requires the duty judge to review petitions filed after business hours, and on holidays and weekends. The clerk has been designated to provide intake services, and is responsible for delivering the completed petition and supporting information to the court. The domestic violence coordinators provide relevant background information to the court, including criminal histories and related cases. The coordinators also prepare all the order forms that might be used in advance of the hearing. After the judge has ruled on the petition, all relevant sections of the final injunction are completed, the clerk certifies the copies, and the parties are served before leaving the building.
- ❖ Temporary petitions are ruled on immediately, usually within an hour.

- ❖ In injunction for protection against violence cases, the presiding judge has both parties' county criminal history (CJIS) available in the injunction file. Court administration has assigned two people to assist the family courts in this way. In addition to their other court administration duties, they monitor compliance with court orders – batterer intervention classes, substance abuse evaluation, mental health evaluation and any other specific obligation imposed by the court on a party in a particular case. Occasionally, they contact a petitioner who failed to appear at her injunction hearing to be sure that she is well and was not threatened to stay away from court. The circuit also has a representative from the Domestic Abuse Council who speaks with petitioners after the hearing to reinforce the judge's explanation of what the injunction means and how it will be enforced.
- ❖ The Victim Assistance Program provides assistance to victims in completing forms and can provide translation of statements for the judiciary. The program also provides petitioners with referrals to domestic violence resources, such as shelters and local services.
- ❖ One county has the following domestic violence programs and innovations: (1) an interpreter program that handles return hearing cases needing an interpreter; (2) related dependency cases are identified at the intake level and files are brought to domestic violence return hearings for coordination; and (3) oversight of compliance of batterers intervention program orders (at the return hearing, parties who are ordered into the program are ordered to return to court 7 weeks later to show proof of enrollment and participation).
- ❖ In three counties in one circuit, court staff appears in domestic violence court to offer assistance in the referral of cases to Batterers Intervention Programs, Department of Revenue Child Support Enforcement, battered women's shelters, and supervised visitation centers. If the judge determines the case should be referred to the Department of Children and Families for investigation, court staff prepares the report and faxes it to the department. They follow up to ensure contact has been made with the family.
- ❖ Court staff are available to assist petitioners with questions, and petitioners receive assistance from a clerk who works exclusively with domestic violence cases. Petitioners are provided a private room where they can complete the forms.
- ❖ A local brochure was developed to assist petitioners in understanding the process for obtaining and enforcing a domestic violence injunction.

- ❖ Permanent Injunction Orders are provided immediately to both parties in court, and both parties sign that they have received the order.
- ❖ Forms to file a violation or modification of the injunction are readily available and hearings on those matters are scheduled promptly.
- ❖ Court staff monitor compliance with batterers' intervention or other court ordered treatment and follow-up with Orders to Show Cause or Orders to Pick-up and Commit for violations.
- ❖ Batterers' Intervention Program compliance is also monitored through BIP status review hearings scheduled at the time the permanent order is entered.
- ❖ Court staff are certified for access to FCIC/NCIC records to do background checks on respondents and provide this information to the court.
- ❖ A few years ago, the circuit implemented a domestic violence court, which provided one judge to handle all domestic and repeat violence cases in one court, with a regular clerk's staff that worked in the courtroom for all hearings. Some issues arose with coordinating cases where there were dissolution or other family cases that involved the same persons. There was also some attempts at judge shopping, where if one party didn't like the ruling of the domestic violence judge, he or she had another shot at convincing the assigned family judge to rule differently. In July, 2003, the circuit modified the division structure so that each of the domestic relations division judges would receive an equal share of the newly filed injunction cases, and each of the judges is scheduled to hear his or her assigned injunctions one-half day every week. The clerk's staff generally stays the same throughout the week for running the courtroom, and almost all domestic violence cases are scheduled and heard in one specified courtroom. The circuit has a policy that requires the clerk to assign new domestic violence cases to the judge who is already assigned a pending domestic relations case of the same parties, and to assign new domestic relations cases to the same judge who was already assigned an injunction case involving the same parties, if the newer case is filed within one year of the prior case having court activity. This has greatly reduced issues regarding competing judge's orders, and coordinating between the domestic violence division and the family division.
- ❖ A control date is set in any domestic violence case in which a judge has ordered a domestic violence program or a substance abuse program so as to monitor compliance with the court order.

- ❖ Parties in domestic violence cases remain in the courtroom after the hearing so as to enable the court deputy to serve the respondent with any injunction which may have been entered.
- ❖ The Domestic Violence Intake Unit (DVIU) is currently operated under court administration. Three FTE intake specialists are located in the central courthouse and two FTE intake specialists/self-help staff are located at the west and south county courthouse annexes.
- ❖ The intake offices utilize Florida Supreme Court promulgated forms and have access to court interpreters on an as-needed basis. The intake office is designed to assist petitioners with filling out the forms and providing information about the process. The intake specialists routinely provide referral information about domestic violence services, shelters and programs within the community. When needed, the intake specialists will escort petitioners to local Victim Services for supportive counseling and/or advocacy.
- ❖ Once the Clerk's Office receives the case information from the petitioner and sent electronically from the DVIU, along with criminal histories, a case file is created and delivered to the designated judge for review. The petitioner is advised by the clerk of the outcome and given the serviceable packet or additional information and/or referrals. After-hours injunctions are not common, but when requested, a victim services advocate is available to provide the intake function and as a deputy clerk, faxes the petition to the designated judge. The process is followed up with the appropriate procedures on the following business day.
- ❖ Currently, at the hearing, the clerk prepares the orders for the judge. A legal aid attorney assists with explaining the outcome to the petitioner. The judge completes and signs the appropriate orders, and the clerk certifies them, makes copies, and provides them to the parties at the time of the hearing. Copies are furnished to law enforcement for service if the parties are not present.
- ❖ Through administrative order, all law enforcement agencies are authorized to effect service of injunctions. The Court Services Bureau of the County Sheriff's Office provides a copy of the faxed proof of service to the Clerk's Office. The County Domestic Violence Council also assists with training of law enforcement agencies on related domestic violence service issues.
- ❖ The Domestic Violence Criminal Division oversees the monitoring of all orders for batterer intervention programs. The court program specialist monitors all referrals to, compliance with or non-compliance with, and completion aspects of the batterer intervention programs. The specialist is able to monitor the status of the

defendant/respondent through a centralized computer system, the Domestic Violence Information System (DVIS). This system allows monitoring of cases with the programs, probation and state attorney's office.

- ❖ The Juvenile Domestic Violence Mediation program was created in response to the increase in juveniles charged with the offense of domestic battery or assault. (Although titled "mediation" the program more closely resembles an arbitration program.) The program works toward resolving conflicts and addressing alternative resources to serve the first-time juvenile domestic violence offender and the victim.
- ❖ To address the need for improved communication between the court and providers of batterer intervention programs (BIP's), the court adopted and designed specific and uniform procedures required of all listed providers of such programs. This was established through an administrative order.
- ❖ The Domestic Violence Information System (DVIS) is a VAWA grant funded information system designed to share information between agencies and court programs. This project is also partially funded through a grant from Quantum Foundation. The partners include the circuit, the State Attorney's Office, the Sheriff's Office, Department of Children and Families, Pride Probation, Department of Corrections, and the Batterer Intervention Programs, among others.

## Case Management: Dissolution Cases

- ❖ Emphasis has been placed on early case management in domestic relations cases. The judicial assistants and the pro se coordinator review the cases and set them for early case management hearings before the judge.
- ❖ One judge has adopted the case management techniques suggested in the first volume of the Tool Kit for domestic relations cases. The judge's judicial assistant runs two queries of pending cases at the beginning of each month. The first query is of any case that was filed 60-90 days prior, which remains pending. Once identified, the judge reviews the files and orders a first case management conference to occur in any contested case with at least one attorney. Certain "tasks" are to be completed by the first case management conference, such as parenting certificates to be filed and 12.285 disclosures to be exchanged. The judge then keeps the parties on a schedule of subsequent case management conferences every six to eight weeks until the case is either settled or ready to set for trial. All cases with pro se litigants on both sides are managed through the Family Intake Unit. All cases which do not have a return of service are ordered to obtain service within 120 days of filing or the matter will be dismissed. The second query made by the judicial assistant is of all cases that are pending but have been inactive for more than 90 days. These cases are set for a case management conference and if the parties do not show, the case is dismissed.
- ❖ The Parent Facilitator Program is available for high conflict families. The program is both an educational and counseling tool which allows parents to learn effective tools to co-parent with an ex-spouse and avoid costly litigation for the family. Services are also provided to indigent and low income families.
- ❖ Dissolution of marriage cases are reviewed 45 days after initial filing for purposes of identifying actions with minors at issue for preparation of Orders to Attend a Parent Stabilization Course. Simple/Early Resolution cases are also identified so that the court can dispose of these cases promptly and efficiently.
- ❖ Parenting coordinators are used in high conflict divorce cases.
- ❖ One judge has implemented a case management system for dissolution cases. All cases are set for hearing within 30 days of filing, and return for case management conferences at regular intervals to assess complexity, determine service needs, and ensure compliance with time standards and existing orders. On-site mediation is offered to enhance the opportunities for settlement, and to narrow the issues for adjudication. As the case management docket created a structure for family court

cases where none had existed, litigants and lawyers find fewer delays, and increased opportunity to access the court for hearing time or mediation services. Uncontested cases, and those reaching settlement, are fast-tracked, and final judgments are expedited. The use of case management has had demonstrable results, and the circuit became first in the state in the timely disposition of cases in 2003. The personnel who perform case management functions for the family court are a judicial assistant and a family and probate court staff member, both of whom have other responsibilities. These case managers review all case files in advance of the case management conferences, to help assess complexity and readiness for adjudication. They prepare dockets, hearing notices, scheduling orders, and handle the assignment of masters and mediators. The case managers also provide administrative support for the judge and for the general masters, and ensure that the master's reports, orders, and judgments are prepared and disseminated. The family court in this location has over 60 percent of all family court filings in the circuit, and has reduced the average time to disposition significantly.

- ❖ In 2003 a judge in one county began training a case manager to periodically assess case status to determine what may be necessary for disposition of the case. When she finds a case that has apparently stalled, she brings it to the judge's attention for appropriate action with her recommendation. Usually, the judge will send a letter to the parties, set a "status conference" or set it for final hearing.
- ❖ Judges order drug testing in domestic relations cases when necessary. The drug testing site is across the street from the courthouse and readily available.
- ❖ A case manager schedules dissolution cases for case management hearings at 45, 75, 90 and 120 day intervals for one of the surveyed judges. During these conferences, the judge either resolves the case or determines the next step necessary to move toward resolution. Orders are prepared and distributed at case management conferences, which include the next scheduled court event. This has resulted in a reduction from time of filing to final disposition from the year prior to implementation.
- ❖ One judge reports that he participates in the meeting of the County Collaborative Family Law Group of local attorneys using the collaborative law process.
- ❖ A case manager for one of the judges schedules uncontested dissolutions after ensuring that the parties filed all necessary forms and attended a parenting course.
- ❖ The circuit has a voluntary Attorney ad Litem program that provides services for domestic relations cases. The attorney gathers information and meets with the

parties and especially focuses on the child's input. The attorney then files a written report and is prepared to testify at trial.

- ❖ One or two times a month, each judge sets a block of uncontested and simplified dissolution cases for final hearing. Before their case is assigned a date, the party must contact the Family Self-Help Program. Either by phone or while they are in her office, the Family Self-Help Program representative checks the clerk's system to see that the appropriate and necessary documents have been filed and if so approves the case for calendaring. She does not advise them on the *substance* of what they have prepared.
- ❖ The uncontested hearings are scheduled for 8:30 a.m. Prior to the hearing the parties meet with a volunteer lawyer from Central Florida Legal Services to review the documents they have prepared. Items checked include how residency will be corroborated, accuracy of the information in the UCCJEA statements, sufficiency of the affidavit of diligent search, if applicable, etc. The volunteer lawyer does not provide any legal advice, but does assist the parties to fill in any missing information or correct any mistakes in the form. Each file has a cover sheet clipped to the front that advises the court of any special concerns or that the case is ready for entry of final judgment. These volunteer legal services allow the judge to move through the docket smoothly. The parties are particularly grateful that they avoid the risk of having their case rescheduled because their filings are incorrect or incomplete.
- ❖ The circuit obtained grant funding to provide instant mediation for domestic relations cases. This service provides judges with the ability to refer cases to be mediated the same day, and as a result, the court and parties may achieve resolution without further delay.
- ❖ One judge reported that she reviews all remaining pending cases at 120 days and does one of the following: 1) Motion to dismiss for lack of service; 2) If uncontested, set final hearing (within 20 days), if contested, set trial (within 60 days) and send to mediation; 3) If not at issue, set case management conference and dispose of pending motions and require answer.
- ❖ The pro se intake staff reviews cases prior to filing, provides referrals to mediation and sets a pretrial conference prior to the final hearing.
- ❖ One county's court care center provides: (1) an expanded parenting coordination program; (2) crisis counseling by licensed mental health counselors; (3) Focus on the Children, an eight-week group program designed to help high conflict families; and (4) Cooperating for your Kids, an eight-week group program for parents in moderate conflict families.

- ❖ For dissolution cases, the case is sent to mediation and if that is unsuccessful, then a case management and/or pre-trial conference is held prior to a hearing being scheduled.
- ❖ Mediation is required in all domestic relations cases without family violence. Family court services social workers provide on site triage and emergency care and supervised visitation. They also provide referrals to community-based services.
- ❖ The pro se case manager provides monthly reports on self-represented cases to assist in monitoring the progress of dissolution cases.
- ❖ Case managers are assigned to each division to screen all pro se cases for complexity and track cases to ensure legal and Supreme Court time standard compliance. After determination, cases are assigned to the appropriate track: Fast Track, Standard Track, or High Conflict Track. Each case is assigned to a track within 30-60 days.
- ❖ Cases are screened for companion/related cases through available technical systems and by conferring with the juvenile division case managers.
- ❖ Case status is assessed every 30 days. Orders are prepared for mediation, or set for Status Check to address orders on psychological evaluations, custody evaluations, or therapeutic interventions when appropriate.
- ❖ The case managers of one circuit participate with the local Bar, Family Law Practice Committee. The Committee is comprised of practicing attorneys, court staff, clerks, judges, general master, community service providers and representatives from the juvenile division. The committee meets every other month.

## **Case Management: Assistance to Self-Represented Parties**

- ❖ The circuit has had a highly effective family court self-help program in existence since 1996. This program has bi-lingual staff and assists unrepresented litigants in all three court locations. The staff handles all contacts from these litigants, so that ex parte communications are prevented. This program is essential to the functioning of the family courts in the circuit, and has received the support of the legal community, who routinely refer litigants to the program for assistance with forms and procedural information.
- ❖ A Courts Information and Resource Center (CIRC) was established in two rural-area courthouses. The CIRC is a self-help center (not staffed) and provides sample binders of Supreme Court forms and instructions and locally approved forms for various types of family law actions. There are approximately 20 binders that pro se litigants can peruse. Upon determination of which forms may be needed for their type of action, the parties can then obtain a complete package from the Clerk's Office. The CIRC is also stocked with useful information on how to set a court hearing, any mandatory provisions set forth by current family laws judges' offices as well as information on how to access important websites and detailed instructions on how to access forms online.
- ❖ Central Florida Legal Services holds seminars, taught by an attorney, for litigants who purchase their self-help packets.
- ❖ Pro se litigants have access to family law forms, detailed instructions that are specific for the county, and a brochure that provides information, telephone numbers, and referral sources. In addition, there is an information line that provides important procedural information for pro se litigants, as well as a staffed office in the courthouse to assist pro se litigants by telephone and in person.
- ❖ The law library at the courthouse provides a place for pro se litigants to look up statutes, complete forms, and type orders.
- ❖ Two videos have been made that are available for pro se litigants to view at the courthouse. One video addresses dissolution issues and the other addresses post dissolution matters. Both are about 15 minutes long and provide helpful information and tips for litigants.

- ❖ Intake services are provided for dissolution of marriage litigants. Forms and instructions are provided through the Self-Help Referral Center and online at the circuit's website.
- ❖ The Self-Help Referral Center provides intake services, and paralegal and attorney services contracted through Legal Aid Society. Further, the Self-Help Referral Center includes access to the following:
  - School Board
  - Department of Juvenile Justice
  - Department of Children and Families
  - Elder Justice
  - Parenting Classes
  - Family Counseling Services
  - Parenting Coordination
  - Mediation
  - Law Library
  - Victim and Domestic Violence Services
  - Supervised visitation and exchange programs
  - Juvenile Case Management
- ❖ The circuit has a community outreach program, Destiny By Choice, funded in partnership through VOCA and the circuit. This government/faith-based partnership is designed to assist pro-se litigants in domestic relations matters. It serves a rural community.
- ❖ The Family Law Resource Office manages filings by self-represented litigants as follows: reviews dissolution of marriage paperwork for completeness; reviews file for completeness before scheduling trial; and reviews the order for compliance.
- ❖ The circuit is working with the local bar and legal services agency to obtain pro bono services and unbundled legal services, and to provide community clinics to assist individuals with family cases.
- ❖ The circuit will be making an educational video to help families better understand how to access the courts for specific needs, procedural requirements, and auxiliary services available in the community. The circuit has two videos for dependency cases and two videos for domestic relations cases.
- ❖ The circuit implemented a process to refer complex pro se cases to the First Saturday Legal Clinic in one county, at which local attorneys volunteer their time to review the cases.

## Case Management: Identifying and Coordinating Related Cases

- ❖ The circuit has been providing the related case checks in all dependency cases for over a year, and the checks have become part of the case management procedure. In doing this, the circuit has not only been able to link cases, but has seen where gaps are in the procedure.
- ❖ A significant change in one of the counties has been to assign each family division judge to a speciality, such as juvenile court, as well as a domestic relations docket, to make transferring of cases an easier process. Of the four family division judges, one is assigned to the juvenile cases, one is assigned to domestic violence, one is assigned to Department of Revenues cases and the other is assigned to the Baker/Marchman/Myers Act cases. For example, if a dissolution of marriage case also has a domestic violence injunction case, the case is transferred to the domestic violence judge so that all issues within the family can be addressed by one judge. All domestic relations judges also now hear pro se cases, as opposed to one judge hearing all of them as the circuit had done in the past. This again allows for the case to remain with the same judge if the litigants are initially unrepresented and then later retain counsel, or vice versa.
- ❖ Court staff ask pro se litigants about other pending or closed family cases, and instructions and forms require litigants to list and to file a copy of any other temporary or permanent orders related to matters of custody, support, or other family issues.
- ❖ Pursuant to an administrative order, the court placed emphasis on coordinating related cases. In an effort to identify related cases, the court devised a case management team to review civil injunction cases (domestic, repeat, dating, and sexual violence), pro se cases, dependency cases, delinquency cases, and other domestic relations cases. The case management team consists of case managers and other court personnel working in the family law division. Additionally, many attorneys assisted in identifying related cases. Once identified, someone from the case management team reviewed all related cases. The court then determined how best to coordinate the cases and issues. Some cases were reassigned to one judge and monitored by the case management team. The case management team also monitored the cases that were not reassigned to one judge (to prevent conflicting orders).
- ❖ The pilot project planning committee also accomplished several operational goals related to the family court pilot. Through the committee, the circuit was able to

create a preliminary report that identifies crossover cases from the Criminal Justice Information System and the Civil Information System. The circuit also established a crossover Section in both the Civil Information System and the Criminal Justice Information System, designated as Section 48.

- ❖ The circuit implemented a family court pilot project. As of October 2003, the project judges took in 77 cases that represented 26 families, or an average of three to four cases per family. These represented approximately one to two percent of the eligible cases. Surveys were distributed to a limited number of participants. Preliminary results show that the attorneys found that the time spent on their cases was reduced by at least 50 percent of what it would have been had they proceeded in more than one court. They overwhelmingly agreed that the cases were handled in a more efficient and effective manner by consolidating the family's cases and their issues. The responses also reflect that the social services were well coordinated and were not duplicated. Most of the parties agreed that one judge handling all matters in the family was superior to multiple judges addressing the same issues. The work of the pilot resulted in an administrative order, which reaffirms the circuit's unified family court plan, establishes a Complex Litigation Division for family cases, establishes procedures for the unified family court, and creates an evaluation method. The pilot judges also prepared a final report which includes a number of recommendations based on their experience hearing unified family court cases.
- ❖ Ad Hoc Coordination refers to the process whereby case managers specifically look at filings to determine the necessity or benefit of one judge handling multiple cases involving the same parties. This activity reduces the potential for judges issuing conflicting orders, having duplicate hearings and lends to a more informed judiciary. Additionally, this case identification process assists in providing parties with needed services and can create opportunity for mediation or other dispute resolving techniques.
- ❖ The unified family court concept has been in place in the circuit for three years through the Model Family Court Pilot Project. The circuit continues to improve upon and make necessary changes to the pilot project on a regular basis. This program has proven to be extremely beneficial to the circuit, and the local attorneys and judiciary are very supportive of the program. The circuit has found that a greater number of domestic relations cases are settling prior to trial and that many issues are being resolved in case management conferences. This saves the parties money and saves judicial resources.
- ❖ One county has one domestic relations judge, one juvenile judge and one domestic violence judge. Currently, the county has a cooperative effort within the Clerk's Office and court administration programs that allow them to identify multiple cases

and assign them to the proper court. For example, the Victim Assistance Program will coordinate the filing of a domestic violence injunction case in the dissolution court when the couple has a pending divorce action rather than the case going before the domestic violence judge. The domestic relations court judge also has coordinated cases of dependency/custody.

- ❖ Juvenile dependency cases are the portal of entry into the UFC in one county. Court staff (case managers) check the various data systems to identify all family-related companion cases to the dependency cases. These case types include: domestic relations, domestic violence and juvenile delinquency cases. The cases are reassigned and transferred to the UFC judge and the cases are conducted on a dedicated UFC docket. This practice minimizes inconvenience to the parties and eliminates conflicting court orders.
- ❖ The judges have been given access to each county's database and all databases for their county. This allows the judges to search for the names and parties in other divisions (criminal, juvenile, civil and domestic relations) or other cases within the same division.
- ❖ Cases involving the same children in domestic relations cases and juvenile dependency cases are consolidated and assigned to the dependency judges. Cases involving the same children in dependency and delinquency court are either handled by the same judge or coordinated between the two judges. All cases affecting children are linked pursuant to administrative orders and through coordination and communication between our judges, clerks, governmental agencies, guardians ad litem, and general masters.
- ❖ The Clerk of Court developed a program to identify related cases involving dependency, domestic relations and domestic violence. Case managers research the related cases and provide memos to the presiding judges on the status of the cases. In addition, the Clerk's Office is identifying crossover dependency and delinquency cases involving cases in one judge's dependency division and another judge's delinquency division. These judges are piloting hearing the crossover dependency and delinquency cases.
- ❖ The circuit requested that the jail furnish a weekly master list of all inmates who are being detained under family court orders. (This had been done in the criminal divisions for many years.) The case manager checks each prisoner's case to be sure that a hearing has been scheduled or the judge knows about the prisoner and can determine what other action may be appropriate.

- ❖ Crossover cases and related cases are identified by the Clerk's Office at time of any new filing of dissolution of marriage, paternity, child support, custody, domestic violence, and daily for dependency. Crossover case numbers are identified on an "orange sheet" in the court file. Crossover between dependency and family are identified and information is provided to the respective judges by memo. Domestic violence cases are transferred to the judge handling the dissolution case by automatic transfer and the use of the "orange sheet". Related domestic relations cases and domestic violence injunction cases are filed in the same domestic relations division. In addition, matters which are refiled are filed in the division in which the original action was filed.
- ❖ The clerk cross references the case with other domestic relations, criminal, dependency, delinquency, and mental health cases, and monitors compliance with court orders.
- ❖ All case managers continue to work to identify parties that are involved in more than one type of family law case, establishing "master cases". The case managers attend dependency motion calendars, in order to provide further assistance as necessary. This year, the case managers worked with the State Attorney's Office's Child Welfare Legal Services Division to institute a method for establishing child support amounts in disposition orders in dependency cases.
- ❖ The circuit has begun identifying crossover cases by taking new family filings and researching for domestic violence and active dependency cases. The clerk notes on the outside of the domestic relations court file if there are any domestic violence cases pending or previously filed between the parties. They are also researching dependency and delinquency case dockets for crossovers.
- ❖ There is a unified family court case manager who identifies crossover cases and a system has been developed through the agreement of the other judges and the Clerk's Office to ensure that the 'one-judge/one family' concept is fairly implemented.
- ❖ In two counties, the circuit continues to use the UFC cover sheet that identifies related cases involving immediate family members.
- ❖ The circuit has added self-help coordinators and case managers, and we have provided training for the coordinators and managers, as well as clerks, to identify crossover cases. The circuit has set up a system to track and get all case files for each family, person or child.

## Access to Services

- ❖ The circuit is continuing to update the Family Resource Guide, which includes references to community resources, attorneys, mediators, programs and mental health professionals.
- ❖ First Call for Help, the directory of Community Resources developed by United Way, is made available to family court judges and court administration staffs who want it, to ensure that a current listing of community resources is available to provide linkages to services needed by litigants and their families.
- ❖ Linkages to community services continue to be provided in domestic violence, dependency, delinquency and domestic relations cases. The court administers referrals for competency evaluations in delinquency cases, psychological and psychosocial evaluations in dependency, maintains a list of reduced fee mediators for domestic relations, maintains a list for reduced fee psychological and custody evaluations in domestic relations cases, and provides linkages to community based service in domestic violence cases.
- ❖ A “community resource” listing was compiled by the UFC case manager to establish linkages with community resources, providing an overview of services available throughout the local community. It also provides the criteria for placement into services as well as information on the cost for services. Persons appearing at court hearings are provided with the community resource listing.
- ❖ Referral information for community services is available in the court rooms and chambers. For example, in one county, a copy of “First Call for Help” is available for staff and litigants in each judicial office and at the Family Law Resource Office.
- ❖ One county continues to use a Court Program Specialist II case manager in all shelter and detention hearings to provide information on community resources to court participants. In addition, that case manager attends hearings upon request from the judges where the participants have several needs and issues. That case manager has frequently met with participants directly after their hearings to arrange housing or other emergency services from the courthouse.
- ❖ The Custody Evaluation program performs court-ordered family assessments for family court judges in contested custody cases within the circuit. Evaluations may also be ordered in adoption cases or domestic violence matters. Services are provided by in house staff. In 2003 a position will be placed in the south county courthouse. Another is located in the self-help center of the main courthouse while

the primary location is also in the main courthouse. The self-help center staff also addresses custody. By the close of 2003, the custody evaluation staff will be cross trained in family mediation and parent coordinating skills and will be certified family mediators.

- ❖ The Family Connection Supervised Visitation program provides services of supervised visitation and monitored exchange for families who are court ordered to participate in the program. The case managers are also cross trained in county mediation, domestic violence intake and the self-help center.
- ❖ The Court Psychology office provides expert in-house psychological evaluation/examination and consultation services primarily to the juvenile and family courts.
- ❖ The circuit has an Elder Justice Center that is available to elders over the age of 60 who may have questions about the court system. The program can provide guidance to court and community services, including referrals to legal services.
- ❖ The following are housed in the courthouse and immediately available:
  - School board representative
  - Department of Juvenile Justice representative (provides CJNET face sheets)
  - Department of Children and Families representative
  - Parenting coordination
  - Mediation
  - Law library
  - Victim and domestic violence services
  - Supervised visitation and exchange programs

## **Continuing Education for Judges and Court Staff**

- ❖ Judges who are assigned to hear domestic relations cases for the first time or who have not served in that division for two years, receive mandatory training in the fundamentals of family law and domestic violence. All of the circuit judges have served as dependency and/or delinquency judges.
- ❖ The circuit has an in-house educational program featuring a variety of presentations on court-related services and issues. Speakers include judges, court staff and community leaders.

## Alternative Dispute Resolution

- ❖ The circuit has on-site mediation. The circuit uses mediation for dependency cases and mediation for restitution in delinquency cases.
- ❖ Since 1993, the circuit has enjoyed a court-connected mediation program staffed by two contract mediators. They are available to mediate all contested family issues as well as Chapter 39 termination of parental rights cases. Occasionally, Department of Children and Families uses this program to mediate other contested dependency issues. Fees are based upon a sliding scale.
- ❖ The circuit has no formal mediation program to serve any of the three court locations. Despite this lack of resources, the circuit's family courts have mediation services available in dissolutions/modifications and in dependency and termination of parental rights cases. Members of the family court staff have been cross-trained as mediators, and the circuit has been able to maximize available court funds by assessing some of the costs to non-indigent parties. The circuit has mediators "on-call" during the case management dockets, who have agreed to mediate at a reduced rate for the court. "On-site" mediation services have made it possible for litigants to resolve their family related legal conflict in one trip to the courthouse: On the same day as the case management conference, a referral to mediation is made, mediation is conducted, and the case is recalled, so the court can review and accept the agreement.
- ❖ As an outgrowth of the circuit's innovative mediation program, a group of family mediators donated their time in advance of the Thanksgiving and Christmas Holidays to mediate visitation disputes at no charge to the court or the litigants. This alternative response to the litigation of numerous "emergency" motions for visitation helped many families have peaceful and enjoyable holidays, while saving significant hearing time for the court.
- ❖ Mediation is required prior to any hearings for temporary or final relief.
- ❖ The family court coordinator has been directed to send out mediation orders in cases involving children at an earlier date than those cases not involving children. The idea of having parties with children go to mediation earlier in the case is to hopefully resolve the case quicker, or, at least provide some stability for the parties and their children while the case is pending.

- ❖ The circuit has a well respected alternative dispute resolution program for dependency and dissolution cases. In addition, mediation is provided in appropriate domestic violence cases after the judge has entered an injunction, to work on issues such as visitation and support.
- ❖ A Family Mediation Program was established in one county to assist indigent litigants with the cost associated with mediation. The monies to support the program were collected from a local ordinance.
- ❖ The circuit obtained grant funding to provide instant mediation for domestic relations cases. This service provides judges with the ability to refer cases to be mediated the same day, and as a result, the court and parties may achieve resolution without further delay.

## Technology

- ❖ Speakerphones are frequently used, as suggested by Rule 2.071. This expedites the holding of hearings even when counsel may be local but not reasonably available to attend at the moment, particularly for attorneys who practice on the other side of the county.
- ❖ Judges use monthly statistical printouts to review case progress.
- ❖ An effort that has remained constant in one circuit is the tracking of cases through the use of technology. Due to the diligence of the information and technology staff, judges and court staff can easily look at case reports to determine not only the number of cases open with each judge, but has given the circuit the ability to ensure that the cases move through the system in a timely manner. The circuit has cleaned up old cases and is now concentrating more resources on the cases that are actually open.
- ❖ Laptops/personal computers are available in juvenile/family general masters hearing rooms for immediate report availability. There are laptops/personal computers for all case managers and domestic violence intake staff. There are computers in all juvenile courtrooms with access to juvenile court records, internet and local warrant/arrest information. There are video conference capabilities with one of the courthouses and child testimony video capabilities.
- ❖ The clerk's computer system sets domestic violence return hearings within 15 days of the filing of the petition.
- ❖ In injunction for protection against violence cases, the presiding judge has both parties' county criminal history (CJIS) available in the injunction file.
- ❖ Court staff are certified for access to FCIC/NCIC records to do background checks on domestic violence respondents and provide this information to the court.
- ❖ A court program specialist is able to monitor the status of the defendant/respondent through a centralized computer system, the Domestic Violence Information System (DVIS). The Domestic Violence Information System (DVIS) is a VAWA grant funded information system designed to share information between agencies and court programs. This project is also partially funded through a grant from Quantum Foundation. The partners include the circuit, the State Attorney's Office, the Sheriff's Office, Department of Children and Families, Pride Probation, Department of Corrections, and the Batterer Intervention Programs, among others.

- ❖ Dependency Court Improvement Project staff collaborated with a county management information systems programmer to develop a software program aimed at tracking dependency cases.
- ❖ Case managers calculate child support guidelines by utilizing a program called Fin Plan.
- ❖ The pilot project planning committee also accomplished several operational goals related to the family court pilot. Through the committee, the circuit was able to create a preliminary report that identifies crossover cases from the Criminal Justice Information System (ACJS) and the Civil Information System (SIVA). The circuit also established a crossover Section in both the Civil Information System and the Criminal Justice Information System, designated as Section 48.
- ❖ The judges have been given access to each county's database and all databases for their county. This allows the judges to search for the names and parties in other divisions (criminal, juvenile, civil and domestic relations) or other cases within the same division.
- ❖ Two videos have been made that are available for pro se litigants to view at the courthouse. One video addresses dissolution issues and the other addresses post dissolution matters. Both are about 15 minutes long and provide helpful information and tips for litigants.