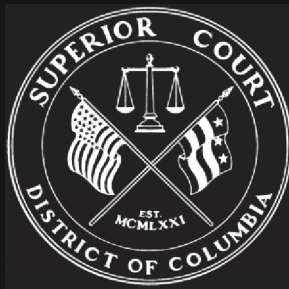


# Superior Court of the District of Columbia



## 2018 Family Court Annual Report



Honorable Robert E. Morin  
*Chief Judge*

March 31, 2019



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## EXECUTIVE SUMMARY

Since the enactment of the District of Columbia Family Court Act of 2001, Pub.L. 107-114 (D.C. Official Code, 2001 Ed. § 11-1101 *et seq.*), the Family Court has achieved many of the goals set forth in its Family Court Transition Plan submitted to the President and Congress on April 5, 2002. The following summarizes some of the measures, aimed at improving services for children and families, taken by the Family Court in 2018 in its continued efforts to achieve each goal.

- **Make child safety and prompt permanency the primary considerations in decisions involving children.**
  - Monitored key performance measures throughout the Family Court, including compliance with the Adoption and Safe Families Act (ASFA)<sup>1</sup> and the performance measures in the *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases*.
  - The Court Social Services Division (CSSD) continued its efforts to screen all referred youth to identify those who may be at-risk of, or subjected to, commercial sexual exploitation.
  - Family Court launched "Here Opportunities Prepare you for Excellence" Court. The program is a treatment court established to address the multiple needs of court-involved youth who are suspected of being, confirmed to be, or at risk of becoming victims of commercial sexual exploitation. For youth in the delinquency system, HOPE Court offers a path to case closure for those who succeed and graduate. For youth in the neglect system, HOPE Court offers specialized services to assist youth and families to achieve their permanency goal. Upon entry to the program, participants set their preferred treatment goals and, by utilizing HOPE Court resources, direct the course of their individualized journey.
  
- **Provide early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.**
  - Working in coordination with the District of Columbia's Criminal Justice Coordinating Council (CJCC), the CSSD continued its focus on high-risk youth through the "Partnership 4 Success" program. The program targets and provides intensive services to high-risk youth under the supervision of CSSD and the Department of Youth Rehabilitation Services (DYRS).
  - The CSSD continued its participation in the Juvenile Detention Alternatives Initiative, Juvenile Data Subcommittee, which seeks to collect and interpret juvenile arrest, diversion, court involvement and overall front-end data. Stakeholders were provided with data trend analysis and other observable facts enabling them to address specific delinquency issues, through timely interventions, occurring in the District of Columbia.

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<sup>1</sup> "ASFA" refers to the federal statute P.L.105-89 unless otherwise specified.

- CSSD maintained a satellite office, housing a Balanced and Restorative Justice (BARJ) Center, in each quadrant of the city. The BARJ centers provide a detention alternative for medium to high-risk juveniles awaiting trial. Additionally, juveniles who have violated probation can receive afterschool services in a structured community-based environment which facilitates family support and involvement.
  - CSSD collaborated with the Courts' Capital Projects and Facilities Management Division on development and construction of a sixth Balanced and Restorative Justice (BARJ) Drop-In Center to be located in the northwest quadrant of the city.
  - During the D.C. Public Schools spring break, the court collaborated with other juvenile justice agencies to provide youth with a variety of strengths-based, pro-social activities to encourage them to stay out of trouble. During the summer, the court joined other agencies in additional curfew checks and monitoring of youth.
- **Assign and retain well-trained and highly motivated judicial officers.**
    - Promoted the participation of Family Court judicial officers in national training programs on issues relating to children and families. Such programs have included courses sponsored by the National Council of Juvenile and Family Court Judges, the National Bar Association, and Safe Shores Child Advocacy Center.
    - Conducted mandatory monthly luncheon trainings on issues frequently arising in family court cases, and presentations from guest speakers on a variety of relevant topics.
    - Hosted the 16<sup>th</sup> Annual Interdisciplinary Conference “Addressing Multiple Dimensions of Domestic Violence in Family Court.” The conference focused on the underlying domestic violence issues prevalent in many Family Court cases. It provided local and national perspectives on domestic violence, as well as sessions on the Court’s response and local resources available in the community.
    - Held an annual in-service training on recent developments in family law and recently enacted legislation affecting the Family Court.
  - **Promote Alternative Dispute Resolution (ADR).**
    - The Multi-Door Dispute Resolution Division, and its research partners at the Universities of Arizona and Indiana, continue to collect and analyze one year follow-up data gathered from a study that examines the effectiveness and safety of two types of specialized mediation—specifically, shuttle and video-conferencing mediation—in family cases with high levels of intimate partner violence/abuse. The study, *Intimate Partner Violence and Custody Decisions: A Randomized Controlled Trial of Outcomes from Family Court, Shuttle Mediation, and Video-Conferencing Mediation* began on September 22, 2014 and is funded by a National Institute of Justice grant. One hundred and ninety-six cases consented to participate in the study. Each mediation

type was compared to the traditional, adversarial court process regarding both outcomes (e.g., settlement or court decree) and process. No empirical study to date has examined whether mediation of any kind is safe and effective for family disputes involving high levels of IPV/A. As the first of its kind, this study will impact not only local families but families across the United States. Recruitment of cases for the study concluded in early 2017 and all cases that participated in the study are followed for one year. A full analysis of all data and a report will be completed and delivered to the National Institute of Justice in 2019.

- The Court partnered with the Family Law Community of the District of Columbia Bar for a group of experienced family law attorneys to conduct ADR in domestic relations cases. In 2018, 41 cases were ordered to participate in this ADR program. The program includes a case evaluation component along with mediation.
  
- **Use technology effectively to track cases of children and families.**
  - The Juvenile Papering Project, an case initiation process, was implemented in September 2018. The project, a collaboration between the Criminal Justice Coordinating Council, Family Court, Court Social Services, Office of the Attorney General and the Metropolitan Police Department, was designed to simplify and expedite the juvenile case initiation process with a paperless data exchange. Benefits of the project include reduced costs, faster processing, ease of complying with discovery obligations, and decreased data entry errors.
  - Family Court continued the use of electronic court orders to all Parentage and Support courtrooms. The process greatly reduced the amount of time it takes to prepare orders that were previously handwritten. Proposed orders are submitted to the judge faster, decreasing the amount of time it takes for the parties to see the judge. The end result is a court order which is free of handwriting and completely legible.
  - The Family Court collaborated with Pro Bono.Net and the DC Bar Pro Bono Program to develop interactive interviews to assist court customers in completing court forms online. The soft launch of these forms began on October 1, 2018. Based on a series of questions and answers, the system will assemble and populate the forms which the user needs.
  - Family Court continued implementation of a call center that reroutes calls from the individual branches to a central location. Customers are able to speak to a live person (not a recording) and have their issues immediately addressed. This has resulted in a dramatic reduction in calls in the individual branches, leading to increased work production in an uninterrupted environment. In 2018, 39,890 customers were assisted by the call center staff, a nine percent increase over 2017.

- **Encourage and promote collaboration with the community and community organizations.**
  - Met regularly with stakeholders and participated on numerous committees of organizations serving children and families, including the Family Court Strategic Planning Committee, the Abuse and Neglect Subcommittee, the Mental Health and Habilitation Subcommittee, the Domestic Relations Subcommittee, the HOPE Court Committee, the Family Court Juvenile Subcommittee, the Parentage and Support Subcommittee, the Education Subcommittee, the Family Court Training Committee and the Juvenile Intake and Arraignment workgroup.
  - Family Court collaborated with the D.C. Bar Family Law Community, the Children’s Law Center, the D.C. Bar Pro Bono Program, and other stakeholders, on multiple training and educational programs.
  
- **Provide a family friendly environment by ensuring materials and services are understandable and accessible.**
  - In 2018, 24 education seminars (Program for Agreement and Cooperation in Contested Custody Cases or PAC) helped 746 parents understand the impact of custody disputes on co-parenting and how these disputes affect their children. Likewise, the children’s component to PAC assisted 155 children in understanding how to identify and express concerns to their parents. The end goal is that participants may improve working relationships and effective communication while striving to keep focused on their children’s needs.
  - The Family Court collaborated with Pro Bono.Net and the DC Bar Pro Bono Program to develop interactive interviews to assist court customers in completing court forms related to their cases online. The soft launch of these forms began on October 1, 2018. Based on a series of questions and answers, the system will assemble and populate the forms which the user needs.
  - The Family Court Self-Help Center, a free walk-in service providing people without lawyers with general legal information on a variety of family law matters, served 8,601 people in 2018, a slight decrease from the previous year.

We continue to implement new initiatives and sustain past initiatives to better serve children and families in our court system.

## INTRODUCTION

The District of Columbia Family Court Act of 2001, Pub.L. 107-114 (D.C. Official Code, 2001 Ed. § 11-1101 *et seq.*, hereinafter the “Family Court Act” or “Act”) requires that the Chief Judge of the Superior Court submit to the President and Congress an annual report on the activities of the Family Court. The report, summarizing activities of the Family Court during 2018, must include the following:

- (1) The Chief Judge’s assessment of the productivity and success of the use of alternative dispute resolution (see pages 17-24).
- (2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court’s performance (see pages 32-41).
- (3) Information on the extent to which the Family Court met deadlines and standards applicable under Federal and District of Columbia law to review and dispose of actions and proceedings under the Family Court’s jurisdiction during the year (see pages 24-55, 59-79).
- (4) Information on the progress made in establishing locations and appropriate space for the Family Court (see pages 15-18).
- (5) Information on factors not under the Family Court control which interfere with or prevent the Family Court from carrying out its responsibilities in the most efficient manner possible (see pages 37-41).
- (6) Information on: (a) the number of judges serving on the Family Court as of December 31, 2018; (b) how long each such judge has served on the Family Court; (c) the number of cases retained outside the Family Court; (d) the number of reassignments to and from the Family Court; and (e) the ability to recruit qualified sitting judges to serve on the Family Court (see pages 3-11).
- (7) An analysis of the Family Court’s efficiency and effectiveness in managing its caseload during the year, including an analysis of the time required to dispose of actions and proceedings among the various categories of Family Court jurisdiction, as prescribed by applicable law and best practices (see pages 24-79, 96-102).
- (8) A proposed remedial plan of action if the Family Court failed to meet the deadlines, standards, and outcome measures prescribed by such laws or practices (see pages 42-54, 73-81).

## **MISSION STATEMENT**

The mission of the Family Court of the Superior Court of the District of Columbia is to protect and support children brought before it, strengthen families in trouble, provide permanency for children and decide disputes involving families fairly and expeditiously, while treating all parties with dignity and respect.

## **GOALS AND OBJECTIVES**

The Family Court, in consultation with the Family Court Strategic Planning Committee, established the following goals and objectives to ensure that the court's mission is achieved. They remained the goals and objectives for continued improvement in 2018.

1. Make child safety and prompt permanency the primary considerations in decisions involving children.
2. Provide early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.
3. Appoint and retain well trained and highly motivated judicial and non-judicial personnel by providing education on issues relating to children and families and creating work assignments that are diverse and rewarding for Family Court judicial officers and staff.
4. Promote the use of Alternative Dispute Resolution (ADR) in appropriate cases involving children and families to resolve disputes in a non-adversarial manner and with the most effective means.
5. Use technology to ensure the effective tracking of cases of families and children; identification of all cases under the jurisdiction of the Family Court that are related to a family or child and any related cases of household members; communication between the court and the related protective and social service systems; collection, analysis and reporting of information relating to court performance and the timely processing and disposition of cases.
6. Encourage and promote collaboration with the community and community organizations that provide services to children and families served by the Family Court.
7. Provide a family-friendly environment by ensuring that materials and services are understandable and accessible to those being served and that the waiting areas for families and children are comfortable and safe.



**JUDICIAL RESOURCES IN THE FAMILY COURT**

On January 1, 2019, the Family Court consisted of 9 associate judges and thirteen magistrate judges, 8 of whom were assigned to hear abuse and neglect caseloads.

**LENGTH OF TERM ON FAMILY COURT**

In December 2012, Public Law 112-229, the D.C. Courts and Public Defender Service Act of 2011, became effective. Section 4 of the law amended D.C. Code § 11-908A to reduce the term of current and future Family Court associate judges from five years to three years. The following are the commencement dates of associate judges currently assigned to the Family Court. The names of associate judges who continue to serve in the Family Court beyond the minimum required term have been marked in bold.

<u>Associate Judges</u>	<u>Commencement Date</u>	
<b>Judge Krauthamer</b>	January	2013
Judge Becker	June	2016
Judge Christian	January	2017
Judge Nooter	January	2017
Judge Wellner	January	2017
Judge Leibovitz	January	2018
Judge Di Toro	January	2019
Judge Soltys	January	2019
Judge Wingo	January	2019

The following are the commencement dates of magistrate judges currently assigned to the Family Court:

<u>Magistrate Judges</u>	<u>Commencement Date</u>	
Magistrate Judge Johnson	April	2002
Magistrate Judge Breslow	October	2002
Magistrate Judge Fentress	October	2002
Magistrate Judge Albert	January	2006
Magistrate Judge Rook	October	2006
Magistrate Judge Nolan	January	2011
Magistrate Judge Seoane Lopez	August	2012
Magistrate Judge Lepley	January	2017
Magistrate Judge De Witt	January	2017
Magistrate Judge Jorge Vila	June	2017
Magistrate Judge Diane Brenneman	January	2018
Magistrate Judge Rahkel Bouchet	January	2019
Magistrate Judge Shana Frost Matini	January	2019

#### **REASSIGNMENTS TO AND FROM FAMILY COURT**

In October 2018, the Chief Judge of the Superior Court of the District of Columbia issued judicial assignments for calendar year 2019. Those assignments, which encompassed changes in Family Court judicial staff, became effective on January 1, 2019. As part of the reassignment, Associate Judges Dalton, Anderson, Williams, McCabe, Okun, and O’Keefe left the Family Court. Magistrate Judges Mulkey and Jones Bosier left the Family Court as well.

Associate Judges Di Toro, Soltys and Wingo began their tenure in the Family Court, as did Magistrate Judges Bouchet and Matini. All newly assigned judicial officers met the educational and training standards required for service in the Family Court. In addition, a pre-service training for newly assigned judicial officers was held

in December 2018.

Below are brief descriptions of the education and training experience of judicial officers newly assigned to the Family Court:

***Judge Di Toro***

Judge Jennifer A. Di Toro was nominated by President Barack Obama in February 2011, and confirmed by the Senate in September 2011.

Judge Di Toro holds a Bachelor's Degree from Wesleyan University, a Master's Degree from The University of Oxford and a Masters in Advocacy from Georgetown University Law Center. Following graduation from Stanford Law School, she received an E. Barrett Prettyman Fellowship to work in the Georgetown University Law Center's Criminal Justice Clinic. There she represented low-income residents of the District of Columbia in D.C. Superior Court. She also supervised law students handling misdemeanor cases. After the completion of her Fellowship, Judge Di Toro joined the Public Defender Service for the District of Columbia as a staff attorney. In addition to handling misdemeanor and felony cases, Judge Di Toro also worked in the Special Litigation Division where she assisted in preparing impact litigation suits, and for the General Counsel's office handling ethics and conflicts inquiries. Judge Di Toro has also been in private practice, as an associate at the law firm Zuckerman Spaeder LLP. There, she participated in white-collar criminal defense, complex civil litigation, and provided direct representation to clients in D.C. Superior Court. During her fifteen years of practice, Judge Di Toro has worked in government, in private practice, and legal services. Immediately before joining the Superior Court for the District of Columbia, Judge Di Toro worked at The District of Columbia's Children's Law Center, where she

served for seven years as the organization's Legal Director. At The Children's Law Center, Judge Di Toro oversaw the work of nearly fifty lawyers engaged in all aspects of litigation involving children and families in the District of Columbia. Judge Di Toro was responsible for hiring, training, and supervising attorneys and supervisors assisting families seeking custody, guardianship, adoption, access to health care and special education services for needy children and families. Together with other members of the Center's management team, Judge Di Toro established supervision standards, training and litigation protocols, and program expansion and innovation. Throughout her career Judge Di Toro has been an active member of the legal profession. She has trained law students, attorneys working in legal services and those in private practice through the Washington Council of Lawyers, Georgetown University Law Center, and the Harvard Law School.

***Judge Soltys***

In July 2015, President Barack Obama nominated Darlene M. Soltys for appointment to the Superior Court of the District of Columbia. The Senate confirmed her nomination as Associate Judge on December 17, 2015.

Darlene M. Soltys was born in Bellingham, Washington, and grew up in Anne Arundel County, Maryland. She graduated from Glen Burnie High School in 1983. She graduated with honors from the University of Maryland, Baltimore County, where she majored in Political Science and History. While in college, she interned for Judge Paul Alpert of the Maryland Court of Special Appeals and served as the chief judge of the school's Judicial Board. In 1990, she received her law degree from Georgetown University Law Center (GULC). At GULC, she participated in the Criminal Justice

Clinic, representing indigent people charged in the Superior Court. Following law school, Judge Soltys served as the first law clerk to the Honorable Gregory E. Mize. She was thereafter appointed as an Assistant Corporation Counsel and tried criminal cases brought against juvenile respondents in the Superior Court. Judge Soltys then served as an Assistant State's Attorney in Prince Georges County, Maryland, where she spent two years in the Child Abuse and Sexual Assault Section and five years in the Homicide Section. In 2004, Judge Soltys joined the United States Attorney's Office for the District of Columbia. During her tenure there, Judge Soltys served primarily in the Violent Crimes and Narcotics Trafficking Section of the Criminal Division. Judge Soltys participated in long-term investigations using wire tap authorizations and other forms of electronic surveillance to infiltrate gangs and drug trafficking organizations alongside members of the FBI/MPD Safe Streets Task Force. For 11 years, she prosecuted multiple co-defendant cases in federal district court for charges including narcotics conspiracies, RICO conspiracies, homicides and firearm related offenses. Judge Soltys is a recipient of the Director's Award for Superior Performance as an Assistant United States Attorney. She was named Senior Litigation Counsel in 2013 and has received numerous special achievement awards from the United States Attorney's Office. Judge Soltys also collaborated with visiting foreign prosecutors and jurists and lectured at area law schools on matters pertaining to gang prosecutions and the use of electronic surveillance.

***Judge Wingo***

In November 2015, President Barack Obama nominated Elizabeth Carroll Wingo for appointment as an Associate Judge of the Superior Court of the District of Columbia.

She was confirmed by the Senate on June 23, 2016.

Judge Wingo was born and raised in Washington, D.C. She received her Bachelor's degree from Dartmouth College magna cum laude, and her law degree from Yale Law School, where she served as Notes Editor of the Yale Law Journal and Co-Director of the Temporary Restraining Order Project. Prior to law school, through the Jesuit Volunteers Corps, Judge Wingo served as the volunteer coordinator for the Pediatric AIDS Program in New Orleans, supervising volunteers and working with the families of children affected by HIV/AIDS. After law school graduation, Judge Wingo worked as an associate in the Washington office of the law firm of Sullivan and Cromwell. She then clerked for the Honorable T.S. Ellis, III in the U.S. District Court for the Eastern District of Virginia, before joining the U.S. Attorney's Office for the District of Columbia. As an Assistant U.S. Attorney, Judge Wingo served in the Appellate, General Felony, Sex Offense/Domestic Violence and Homicide/Major Crimes Sections. She tried over 50 bench and jury trials and argued several cases before the U.S. Court of Appeals for the D.C. Circuit and the D.C. Court of Appeals. She received a number of Special Achievement awards while at the U.S. Attorney's Office. Judge Wingo then joined the Office of the Attorney General for the District of Columbia and served for two years as Chief of the Criminal Section, and then briefly as Deputy of the Public Safety Division of the Office, prior to joining the Superior Court. Judge Wingo was appointed by Chief Judge Rufus G. King, III, and installed as a Magistrate Judge in this Court on August 18, 2006, continuing in that role until her appointment as an Associate Judge. As a Magistrate Judge, she handled calendars in the Civil Division, the Criminal Division, the Family Court, and the Domestic Violence Unit, presiding

over numerous trials in both civil and criminal cases, as well as arraignments and detention hearings in both adult and juvenile cases, and temporary protection order and child support hearings.

***Magistrate Judge Rahkel Bouchet***

Rahkel Bouchet was appointed by Chief Judge Lee F. Satterfield on January 4, 2016. Judge Bouchet was born and raised in Los Angeles, California. Judge Bouchet graduated from Immaculate Heart High School in 1990, at 16 years of age, and traveled to England, Germany, France, Poland and Russia as a People to People student ambassador. Judge Bouchet graduated cum laude from Howard University in 1993, receiving her B.A. in Legal Communications. While attending Howard, she served as a congressional intern and assistant press secretary for Congressman Walter R. Tucker, III, in California's 37th congressional district. After graduating from Howard, Judge Bouchet entered the Howard University School of Law. While at Howard Law, she was a founding member of the Trial Advocacy Moot Court Team. Since graduating from Howard Law in 1997, Judge Bouchet has been admitted to practice law in five jurisdictions: California, New York, Tennessee, Texas and the District of Columbia. Judge Bouchet passed each required examination on her first attempt. In 2008, Judge Bouchet returned to the D.C. metropolitan area and started her own law practice. She is an experienced litigator, with an expansive law practice that included Real Estate, Bankruptcy, Criminal, and all aspects of family law matters, including adoptions. Her practice also included success before the District of Columbia Court of Appeals in criminal and family law matters. She is also an experienced mediator. Judge Bouchet maintained her law practice until her appointment as a Magistrate Judge. In 2013, Judge

Bouchet joined the faculty at Howard University School of Law, as the Supervising Attorney of the Child Welfare/Family Justice Clinic, supervising law students in the representation of parents and caretakers in abuse and neglect matters in the District of Columbia. She also taught Civil Procedure at Howard School of Law Paralegal Studies Program. Judge Bouchet is an active member of her community and has served on boards with several community organizations and committees, including but not limited to The National Bar Association and Howard University Alumni Association. Judge Bouchet is the proud mother of two children, Dominique and Stephen.

***Magistrate Judge Shana Frost Matini***

Shana Frost Matini was appointed by Chief Judge Lee F. Satterfield on January 4, 2016. Judge Matini was raised in New York City, and received her Bachelor of Arts degree in International Affairs from the George Washington University. Prior to law school, Judge Matini taught English at the Language Teacher's Training College in Slupsk, Poland. She returned to the District of Columbia to attend law school at the University of the District of Columbia David A. Clarke School of Law. Judge Matini served as Editor-in-Chief of the District of Columbia Law Review and graduated magna cum laude in 1996. After law school, Judge Matini served as a judicial law clerk for the Honorable Richard A. Levie of the D.C. Superior Court. Prior to her appointment as a Magistrate Judge, Judge Matini served as an Assistant Attorney General in the Civil Litigation Division of the Office of the Attorney General for the District of Columbia. In that position, Judge Matini served as lead counsel in cases brought against the District of Columbia in both the D.C. Superior Court and the U.S. District Court for the District of Columbia, defending the District and its employees in a wide variety of cases involving



alleged constitutional violations, as well as common law torts and statutory violations. Prior to her work with the Office of the Attorney General, Judge Matini worked with Judge Richard Levie for several years in his capacity as Special Master in the federal RICO lawsuit brought by the United States government against the tobacco industry, and served as Senior Legal Fellow for the Einstein Institute for Science, Health and the Courts.

**ABILITY TO RECRUIT QUALIFIED SITTING JUDGES TO SERVE ON FAMILY COURT**

Since its inception, the Family Court has successfully recruited qualified judges to serve on the Family Court. Recruitment efforts were aided by the passage of Public Law 112-229 in 2012, which reduced the term of current and future Family Court associate judges from five years to three years. As required by the Act, all associate judges currently serving in the Family Court volunteered to serve on the court. A two-fold process has been implemented to replace those judges who choose to transfer out after completion of their term. First, there is an ongoing process to identify and recruit associate judges interested in serving on the Family Court, who have the requisite educational and training experience required by the Act. Second, Superior Court associate judges, who are interested in serving but do not have the requisite experience or training required by the Family Court Act are provided the opportunity to participate in a quarterly training program, developed by the Presiding Judge. The training is designed to ensure that these judges have the knowledge and skills required to serve in the Family Court.

Given the overwhelming response from the Bar for the magistrate judge positions previously advertised, no recruitment difficulties are envisioned for future magistrate judge vacancies.

## **TRAINING AND EDUCATION**

The Chief Judge of the Superior Court and the Presiding and Deputy Presiding Judges of the Family Court, in consultation with the Superior Court's Judicial Education Committee, develop and provide training for Family Court judicial staff through the Training and Education Subcommittee of the Family Court Strategic Planning Committee. This interdisciplinary committee consists of judicial officers, court staff, attorneys, social workers, psychologists, and other experts in the area of child welfare.

Family Court judicial officers took advantage of a number of training opportunities in 2018. In December 2018, all Family Court judicial officers participated in an extensive three-day training program updating them on current substantive family law practice and new procedures in Family Court. Some of the topics covered included: Urgency to Permanency (The Life of a Neglect Case); Special Immigration Juvenile Status; Special Victims Unit of the OAG; Juvenile Arraignments; Domestic Violence and the Impact on Children; Findings of Fact and Magistrate Judge Reviews; Educational Issues for Children; Performance Measures; and a Supreme Court Review. Additionally, judicial officers new to the Family Court and judicial officers changing calendars participated in a mandatory in-service training on their respective calendars.

In 2018, the Presiding Judge convened weekly lunch meetings and mandatory monthly meetings for Family Court judicial officers to discuss issues involving family court cases and to hear from guest speakers on a variety of relevant topics. Topics covered in the mandatory monthly meetings included: the Uniform Interstate Family Support Act; Substance Use Disorders; Types of Evaluations by Department of

Behavioral Health and Court Social Services Division; Mayor's Services Liaison Office; Housing Issues for Family Court Judges; the DC KinCare Alliance; Multi-Door Family Mediation; and Court Appointed Special Advocates for Children of DC. Family Court judges also participated in several multi-disciplinary and collaborative trainings with child welfare and juvenile justice stakeholders on areas of mutual concern.

The 16th Annual Family Court Interdisciplinary Conference entitled "Addressing Multiple Dimensions of Domestic Violence in Family Court" was held on October 12, 2018. The conference focused on the underlying domestic violence issues prevalent in many family court cases. It provided local and national perspectives on domestic violence, as well as sessions on the court's response and local resources available in our community. The conference featured two keynote speakers: Michelle Garcia, Director of the District of Columbia Office of Victim Services and Justice Grants; and Dr. Allison Jackson, Division Chief, Children's National Medical System. Ms. Garcia defined the problem of domestic violence, while Dr. Jackson provided insight into the impact of domestic violence on children from a medical perspective. The conference also featured several breakout sessions highlighting the impact of domestic violence on specific communities, such as immigrants and the LGBTQ community.

In addition to the annual training, the Training and Education Subcommittee established a training series on topics related to the Family Court for judicial officers and the other stakeholders in the child welfare system. The 2018 seminars, which were well attended from all sectors relating to family law practice, included: Various Types of Mental Health Evaluations and When They are Used; Medicaid Training;

Motivational Interviewing: Facilitating the Change; and Evidence – the Hearsay Rule.

The Family Court continues to promote and encourage participation in cross-training and, in collaboration with others, conducts periodic seminars and workshops. The Counsel for Child Abuse and Neglect Branch (CCAN) of the Family Court, which oversees the assignment of attorneys in child welfare cases, conducts trainings for new child abuse and neglect attorneys, co-sponsors an annual two-day Neglect Practice Institute, offers a half-day Adoption Law seminar, and coordinates a brown bag lunch series on topics of importance in child abuse and neglect practice. The brown bag lunches employ the skills of a number of stakeholders involved in the child welfare system and are designed to be interdisciplinary in nature. Topics covered in 2018 included: Commercial Sexual Exploitation of Children; Procedures for HOPE Court; Running a Small/Solo Legal Practice; Protecting the Rights of Parents with Disabilities; Helping Parents Navigate the Foster Care System; Discovery; and Post-Adoption Contracts. Additionally, CCAN hosted a question and answer session with the Family Court Presiding Judges. In 2018, CCAN took advantage of the Court's technological capabilities and recorded multiple training sessions, allowing those unable to attend in person to view at a later time.

Additionally, the Children's Law Center offered the following training presentations to the Family Court: Internet and Social Media Research Strategies; Discovery; My School DC; Intimate Partner Violence Training; Working with Experts; How to Build your Special Education Case; Needs and Advocacy for Children 0-5 Years Old; Self-Care, Wellness, and Boundaries; Evidence; The Dynamics of Interacting with Unrepresented Parties; Advanced GAL Training, Core Conflict

Resolution Tools; and Trial Simulation.

The D.C. Bar Family Law Community, in conjunction with the Family Court, provided several trainings as well: Best Practices for Presenting the Wishes of the Child; Abuse and Neglect Bench/Bar Dialogue; Discovering and Dealing with Adultery; Domestic Violence Bench Bar Dialogue; and Lunch with a Lawyer.

Family Court non-judicial staff also participated in a variety of training programs in 2018. Topics covered throughout the year included: bridging the communication divide; reality decision-making; coaching and developing others; conflict resolution; dealing with unconscious bias; ethical behavior; encouraging innovation; and, customer service. These educational opportunities focused on a variety of topics, all with the goal of moving the court toward improved outcomes for children and families.

The Family Court continues to provide opportunities to gain knowledge on finding more effective ways to streamline caseload processes and administrative procedures. As such, non-judicial staff throughout the Family Court attended a variety of in-house workshops and seminars. The topics related to improving case resolution and data integrity including proficiency in Microsoft Office and Oracle Business Intelligence applications and systems.

### **FAMILY COURT FACILITIES**

The Family Court Act of 2001 required the District of Columbia to establish an operating Family Court as a separate component of the District of Columbia Superior Court System. Upon receiving congressional direction, the District of Columbia Courts established a fully functional Family Court with accommodating interim facilities, and undertook a campus-wide facilities realignment to establish a physically consolidated

Family Court within the H. Carl Moultrie Courthouse.

Construction of the C Street Addition will reunite the Family Court to one campus from its present multiple locations. The 175,000 gross square foot expansion project will rise six stories along the south facade of the Moultrie Courthouse providing over 30,000 square feet of Family Court offices and support space. The expansion will include space for social services, the childcare center and supervised visitation, six courtrooms, and chambers for 20 Superior Court judges. The addition will be fully integrated with JM level and first floor space for the Family Court Mental Health and Habilitation Unit, CCAN, Juvenile Intake, Probation Supervision, Drug Court and the administrative offices for the Family Court Operations and Family Court Social Services Divisions. New facilities will provide ADA accessibility, accommodation of technology, adjacency to genetic testing and the Mayor's Liaison Office, improving Family Court operations.

This effort is a phased multi-year endeavor based upon a Facilities Master Plan completed in 2002, with its most recent update in 2013. Construction of the foundation commenced in November 2013 and was completed in March 2015.

The construction of the superstructure and interior spaces has been divided into two phases, 2A and 2B. Phase 2A of the C Street Addition includes construction of the west side of the building, which will be completed before construction of the addition's eastern half begins. Construction of Phase 2A began in March 2016, and is scheduled to be completed in early 2019.



C Street Expansion Looking Northwest



C Street Expansion Entry



Interior Views of Indiana Avenue Waiting Area

### **ALTERNATIVE DISPUTE RESOLUTION IN FAMILY COURT**

Alternative Dispute Resolution (ADR) in the Family Court is provided through the Superior Court's Multi-Door Dispute Resolution Division (Multi-Door). Both the Child Protection Mediation and Family Mediation programs facilitated by Multi-Door have proven to be highly successful in resolving both child abuse and neglect cases and domestic relations cases. The programs had an equally positive effect on court processing timeframes and cost. These results provide compelling support for the continuation of these valuable public service programs.

### **ADR PERFORMANCE MEASURES**

The Multi-Door Division relies on outcome measures to assess the quantity and quality of ADR performance. Three performance indicators measure the quality of ADR:

- **ADR Outcome** – measures clients' satisfaction with the outcome of the mediation process (including whether a full agreement on the case was reached or if specific contested issues were resolved), fairness of outcome, level of understanding of opposing party's concerns, impact upon communications with other party, and impact



upon time spent pursuing the case;

- ADR Process – measures clients’ satisfaction with the overall mediation process, including their ability to discuss issues openly, fairness of the process, length of session, and whether the participants perceive coercion by the other party or mediator; and
- Mediator Performance – measures clients’ satisfaction with mediators’ performance in conducting the process, including explaining the process and the mediator’s role, providing parties the opportunity to fully explain issues, the mediators understanding of the issues, whether the mediator gained the parties’ trust, and any perceived bias on the part of the mediator.

These quality performance indicators are measured through participant surveys distributed to all participants in ADR processes at Multi-Door. Statistical measures include the satisfaction level of respondents with the overall ADR process, ADR outcome, and mediator performance. Multi-Door staff holds periodic meetings to review these statistical measures and determine initiatives to improve overall program performance. Performance indicators provide a measure of the extent to which ADR is meeting the objectives of settlement, quality and responsiveness.

#### **CHILD PROTECTION MEDIATION UNDER THE ADOPTION AND SAFE FAMILIES ACT (ASFA)**

In 2018, 399 new abuse and neglect cases were filed in the Family Court.<sup>2</sup> Ninety-two percent of those cases (197 families with 367 children) were referred to mediation, consistent with the mandate in the Family Court Act to resolve cases and proceedings

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<sup>2</sup> Each case represents one child in family court. In mediation, however, each case represents a family often with multiple children.

through ADR to the greatest extent practicable, consistent with child safety.<sup>3</sup> Of those 197 families, 10 families (5%, representing 19 children) whose cases were filed in 2018 were offered mediation in 2019. Mediation was offered to 187 families with 348 children in 2018.

Seventy-one percent of the families (133 cases, representing 258 children) offered mediation in 2018, participated in the mediation process; 29% of the families (54 cases, representing 90 children) did not participate and their cases were not mediated.<sup>4</sup>

As was the case in 2017, for families participating in mediation, the court continued to settle a substantial number of cases through the mediation process.<sup>5</sup> In 2018, all cases which went to mediation reached an agreement on jurisdiction, family services, or a plan to resolve the case. Of the 133 cases mediated, 61 (46% of cases representing 127 children) resulted in a full agreement. In these cases, the issue of legal jurisdiction was resolved, and the mediation resulted in a stipulation (an admission of neglect by a parent or guardian). In 72 cases (54% of the cases, representing 131 children) the mediation was partially successful, resolving significant family issues.

Qualitative measures, shown in Figure 1, illustrate satisfaction measures (highly satisfied and satisfied) of 89% for the ADR process, 79% for ADR outcome, and 93% for

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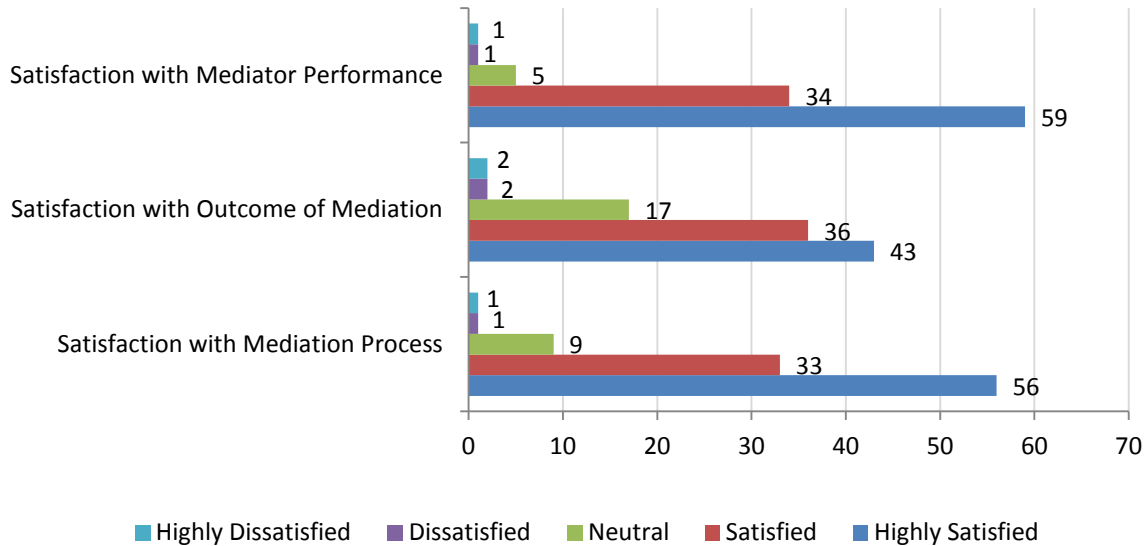
<sup>3</sup> These multi-party mediations are structured so as to enhance safety: pre-mediation information is provided to participants; parents are included in the sessions; appropriate training is provided; and a layered domestic violence screening protocol is implemented for cases with a history of domestic violence by Multi-Door staff and mediators.

<sup>4</sup> Scheduled cases may not be held for the following reasons: (a) case dismissed by the court; (b) case settled prior to mediation; (c) case rescheduled by the parties; (d) case cancelled (e.g., domestic violence); and (e) case scheduled in 2018 for mediation in 2019. Family Court and Multi-Door have implemented measures to reduce the number of rescheduled cases in order to expedite case resolution.

<sup>5</sup> In addition to the new abuse and neglect referrals, 49 post adjudication cases were referred with issues of permanency, custody, visitation and/or post adoption communication. Of these 49 cases, 86% (42 cases representing 68 children) mediated, 14% (7 cases representing 11 children) did not participate. Of the 42 cases mediated, 38% (16 cases representing 28 children) reached settlement on custody or post adoption contact. Partial settlement was reached in 24% of the mediated cases (10 cases representing 15 children). No agreement was reached in 38% of these cases (16 cases representing 25 children).

the performance of the mediator(s).<sup>6</sup>

**Figure 1. Child Protection Mediation Program - Percent of Participant Satisfaction**



**DOMESTIC RELATIONS MEDIATION**

Mediation in domestic relations matters requires several sessions and typically addresses issues of child custody, visitation, child support, alimony, and distribution of property. Domestic relations matters often are characterized by high levels of discord and poor communication, factors which contribute to increasing the level of conflict.

A total of 874 domestic relations cases were referred to mediation in 2018.<sup>7</sup> Seventy-three percent (636) of the cases referred were mediated and completed in 2018. The remaining 27% (238) of cases referred to mediation did not participate in mediation because they were found to be either inappropriate or ineligible for mediation or parties

<sup>6</sup> These statistics are based on data provided by the Multi-Door Dispute Resolution Division. In 2018, participant survey responses were expanded to include the option of selecting neutral.

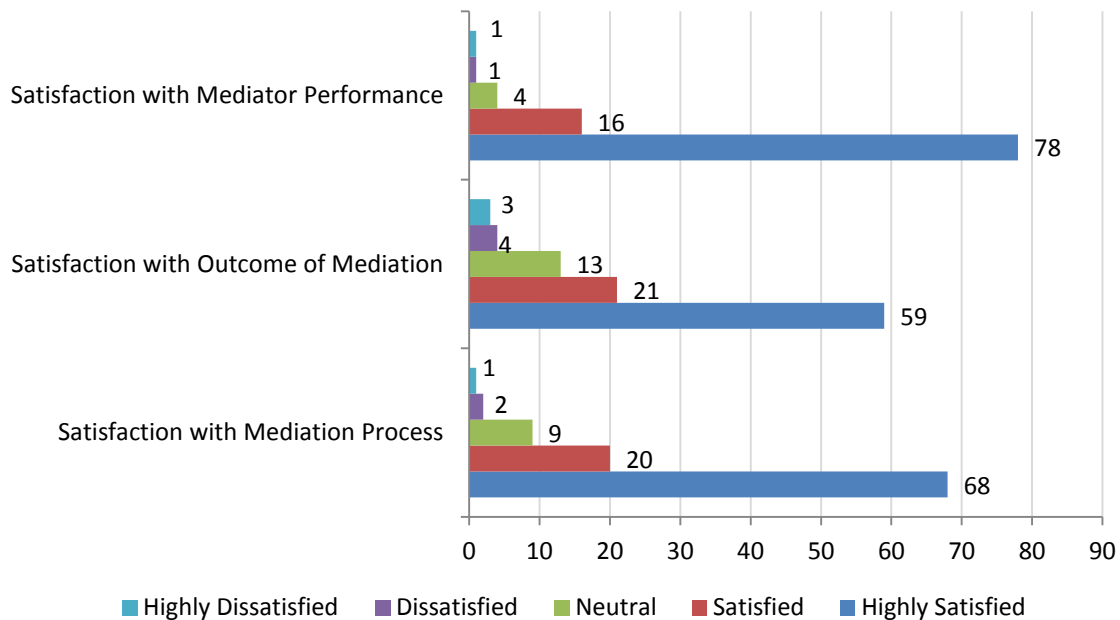
<sup>7</sup> There were 1,099 cases opened at intake. Prior to reaching mediation, 288 of those cases were closed at intake because at least one essential party did not complete the intake interview process or a party refused to mediate.

voluntarily withdrew from the process.<sup>8</sup>

Of the 636 cases mediated, 249 cases (39%) settled in mediation and 387 cases (61%) did not reach a settled resolution. Among the 249 settled cases, a full agreement was reached in 192 cases (77%) and a partial agreement was reached in 57 cases (23%), resolving significant family issues.

Qualitative outcome measures, Figure 2, show satisfaction rates (highly satisfied and satisfied) of 88% for ADR process, 80% for ADR outcome, and 94% for the performance of the mediator(s).

**Figure 2. Domestic Relations Mediation Program - Percent of Participant Satisfaction**



### FAMILY COURT ADR INITIATIVES

The Family Court and Multi-Door have coordinated efforts to implement initiatives to support ADR consistent with the Act. These initiatives are as follows:

<sup>8</sup> Cases that did not participate in mediation include: 59 cases were inappropriate for mediation, 139 cases parties withdrew, nine cases were voluntarily dismissed by the parties, and 31 cases carried over into 2019.

- The Multi-Door Dispute Resolution Division and its research partners at the Universities of Arizona and Indiana continue to collect and analyze one year follow-up data gathered from a study that examines the effectiveness and safety of two types of specialized mediation—specifically, shuttle and video-conferencing mediation—in family cases with high levels of intimate partner violence/abuse. The study, *Intimate Partner Violence and Custody Decisions: A Randomized Controlled Trial of Outcomes from Family Court, Shuttle Mediation, and Video-Conferencing Mediation* began on September 22, 2014 and is funded by a National Institute of Justice grant. One hundred and ninety-six cases consented to participate in the study. Each mediation type was compared to traditional, adversarial court process regarding both outcomes (e.g., settlement or court decree) and process. No empirical study to date has examined whether mediation of any kind is safe and effective for family disputes involving high levels of IPV/A. As the first of its kind, this study will impact not only local families but also families nationwide. Recruitment of cases for the study concluded in early 2017 and all cases that participated in the study are followed for one year. A full analysis of all data and a report will be completed and delivered to the National Institute of Justice in 2019.<sup>9</sup>
- In 2018, 24 education seminars (The Program for Agreement and Cooperation in Contested Custody Cases or PAC) helped 746 parents understand the impact of custody disputes on co-parenting and how these disputes affect their children. Likewise, the children’s component to PAC assisted 155 children in understanding how to identify and express concerns to their parents. The end goal is that participants may improve working relationships and effective communication while striving to keep focused on their children’s needs.
- In 2018, the Abating Truancy through Engagement and Negotiated Dialogue (ATTEND) Mediation Program was established in collaboration between the Office of the Attorney General and the Multi-Door Dispute Resolution Division to abate truancy of younger children through parent engagement, dialogue, and linkage to community-based services through mediation. ATTEND is a pre-charging diversion program created for criminal matters that could be brought in family special proceedings (FSP) against parents and guardians who fail to ensure their child’s school attendance. FSP matters typically focus on parents and guardians of children ages 5 to twelve, who are chronically absent. In 2018, all cases (92 cases, representing 131 children) which went to mediation concluded with a plan to abate truancy – a 100% settlement rate.

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<sup>9</sup> In order to complete the final analysis, the NIJ granted the key personnel an extension into 2019 to deliver the final report.

**DISTRICT OF COLUMBIA BAR, FAMILY LAW COMMUNITY/  
FAMILY COURT ADR PROGRAM**

In addition to domestic relations cases mediated through Multi-Door, the court also has a partnership with the Family Law Community of the District of Columbia Bar. This group of experienced family law attorneys conducted ADR in domestic relations cases. Judges decide on a case-by-case basis, in consultation with the parties and the lawyers, whether it is appropriate to refer a case for mediation. The parties, either pro se or with their counsel, agree to attend and participate in ADR – for up to three hours, if property is at issue, and up to four hours, if issues of custody are involved. The parties agree to pay the ADR Facilitator at a reduced rate of \$200 per hour. As part of their participation in the program, ADR Facilitators agree to accept one pro bono case per year.

The ADR Facilitators are family lawyers with at least five years of experience in domestic relations practice and mediation training or experience. The program includes a case evaluation component, along with mediation, in which parties and counsel are provided with an assessment of the strengths and weaknesses of their respective positions. In 2018, the court ordered 41 families to participate in this ADR program.

**FAMILY COURT OPERATIONS CASE ACTIVITY**

There were 3,081 pending pre-disposition cases in the Family Court on January 1, 2018. During calendar year 2018, there were a total of 10,543 new cases filed<sup>10</sup> and 217 cases reopened in the Family Court. During the same period, 10,526 cases were disposed. As a result, there were 3,315 cases pending in the Family Court on December 31, 2018 (Table 1).

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<sup>10</sup> In 2018, new filings in Abuse and Neglect (37) and Juvenile (56) that were initiated with a pre-petition custody order were excluded from new cases filed pending the filing of a petition in order to more accurately reflect cases that were available to be processed. In previous years, those cases were automatically added to the new filing category.

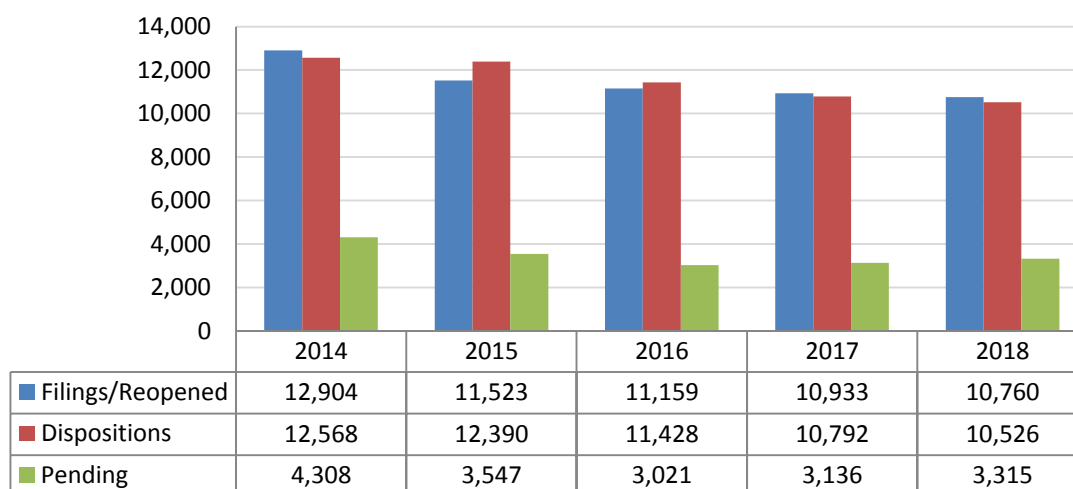
**Table 1. Family Court Operations Case Activity for 2018**

	Abuse & Neglect	Adoption	Divorce & Custody	Juvenile <sup>a</sup>	Mental Health	Mental Habilitation	Parentage & Support	Total
Pending Jan. 1 <sup>b</sup>	114	166	1,248	601	127	0	825	3,081
New Filings	399 <sup>e</sup>	200	4,474	1,242 <sup>e</sup>	2,110	1	2,117	10,543
Reopened	3	3	64	12	132	0	3	217
Total Available for Disposition	<b>516</b>	<b>369</b>	<b>5,786</b>	<b>1,855</b>	<b>2,369</b>	<b>1</b>	<b>2,945</b>	<b>13,841</b>
Dispositions <sup>c</sup>	390	239	4,608	1,376	2,214	1	1,698	10,526
Pending Dec. 31	126	130	1,178	479	155	0	1,247	3,315
Percent Change in Pending	10.5%	-21.7%	-5.6%	-20.3%	22.0%	0%	51.2%	7.6%
Clearance Rate <sup>d</sup>	97%	118%	102%	110%	99%	100%	80%	98%

- a. Includes cases involving Delinquency, PINS (Persons In Need of Supervision), and Interstate Compact.
- b. Figures were adjusted after audits of these caseloads.
- c. A Family Court case is considered disposed when a permanent order has been entered except for Parentage and Support (P&S) cases. A P&S case is disposed when a temporary order is entered.
- d. The clearance rate, a measure of court efficiency, is the total number of cases disposed divided by the total number of cases added (i.e., new filings/reopened) during a given time period. Rates of over 100% indicate that the court disposed of more cases than were added, thereby reducing the pending caseload.
- e. New filings do not reflect cases in pre-petition custody order status.

Over the five year period from 2014 through 2018, the number of filings (including reopened cases) and the number of dispositions has fluctuated (Figure 3). New filings/reopened cases (12,904 in 2014; 10,760 in 2018) and dispositions (12,568 in 2014; 10,526 in 2018) both dropped 16% from 2014 to 2018.

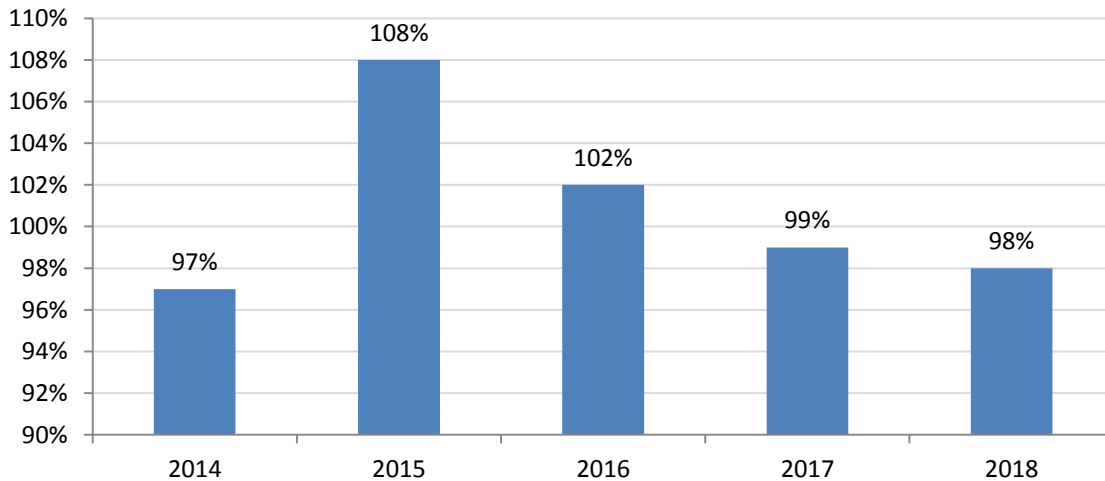
**Figure 3. Family Court Case Activity, 2014-2018**



The best measure of whether a court is managing its caseload efficiently is its clearance rate, or disposing of one case for each new case filed or reopened (Figure 4).

Disposing of cases in a timely manner helps ensure that the number of cases awaiting disposition (pending caseload) does not grow. The overall clearance rate for the Family Court in 2018 was 98%, a decrease from 99% in 2017.

**Figure 4. Family Court Clearance Rates, 2014-2018**



**FAMILY COURT CASE ACTIVITY FOR 2018**

New case filings in the Family Court decreased 1% from 2017 to 2018 (10,684 in 2017; 10,543 in 2018). The decrease was attributed to lower new case filings in juvenile, adoption, and divorce and custody, which were balanced out by an increase in new filings in abuse and neglect, parentage and support, and mental health case types.

During the year, the Family Court resolved 10,526 cases. There was a 2.5% decrease in dispositions from 2017 to 2018. Dispositions decreased in parentage and support, juvenile, and divorce and custody cases. Conversely, dispositions increased in abuse and neglect, mental health, and adoptions.

A disposition does not always end the need for court oversight and judicial involvement. In many Family Court cases, after an order is entered, there is a great deal of post-disposition activity. For example, dispositions in parentage and support cases



include cases resolved through the issuance of either a temporary or a permanent support order. Cases resolved through issuance of a temporary support order often have financial review hearings scheduled after disposition until a permanent support order is established. In addition, all support cases are subject to contempt and modification hearings that require judicial oversight. It should be noted that child support orders entered in DC are valid until the child attains the age of 21 or is emancipated.

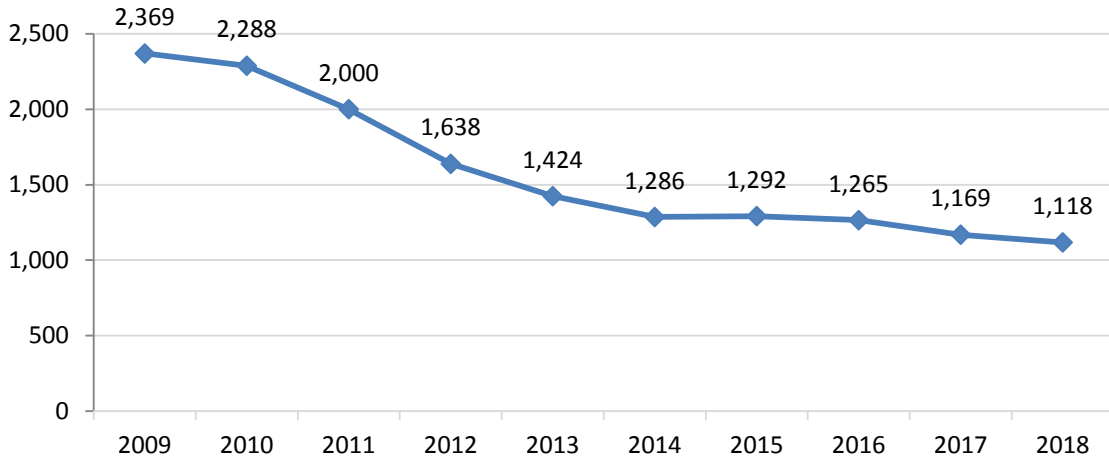
Domestic Relations cases are also subject to post-disposition activity such as motions to modify or enforce custody or visitation and motions for contempt which require judicial, administrative and courtroom management.

Mental habilitation cases are considered disposed once an order of commitment or an order of voluntary admission is entered. In 2018, 676 post-disposition mental habilitation cases remained open, requiring annual judicial reviews to determine whether there was a need for continued commitment. Juvenile cases dispose at sentencing and stay open post-disposition until sentence expiration or until the Family Court no longer has jurisdiction over the juvenile. In 2018, there were 1,006 post-disposition juvenile cases. Similarly, there were 992 post-disposition abuse and neglect cases that remained open and required regular judicial reviews until the child reached permanency either through placement in a permanent living situation or aged out of the foster care system.

#### **ABUSE AND NEGLECT CASES**

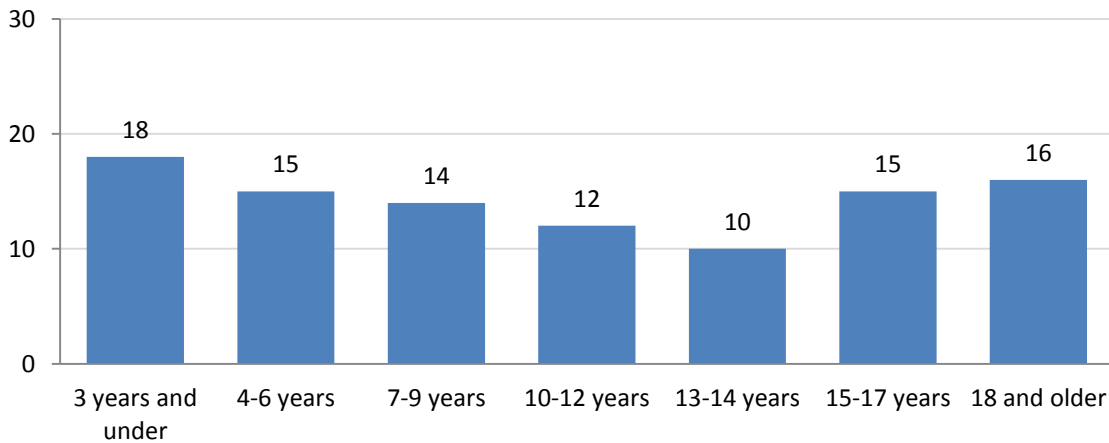
In 2018, there were 1,118 children under Family Court jurisdiction, representing a 4.3% decrease from 2017 (Figure 5). This number includes children with open cases that are either undisposed or where a disposition hearing was held, followed by regularly scheduled permanency hearings.

**Figure 5. Number of Children Under Family Court Jurisdiction, on December 31, 2009-2018**

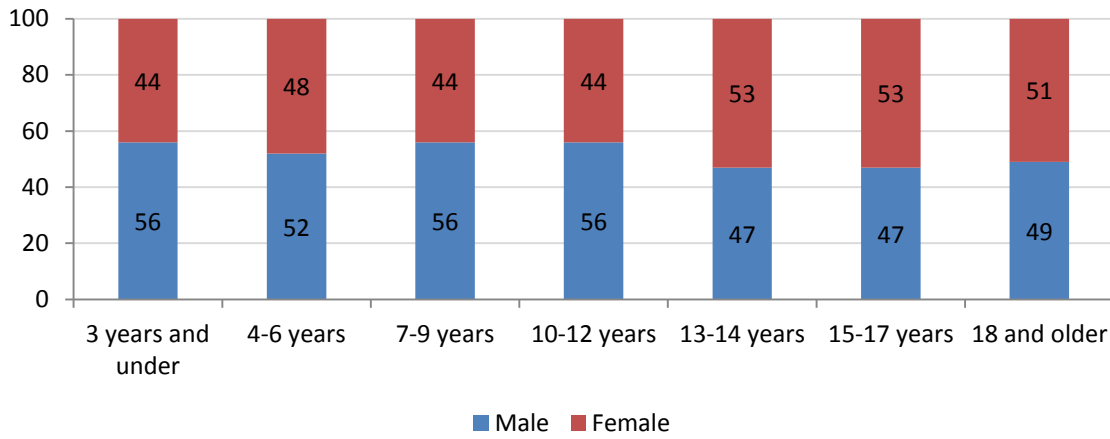


Youth age 15 and older accounted for 31% of all cases under Family Court jurisdiction. Eighteen percent of the child population were age three years and under (Figure 6). While children age 12 and younger were more likely to be male, children age 13 and older were more likely to be female (Figure 7). Whereas this section focused on all children under Family Court jurisdiction in 2018, the next section is specific to child abuse and neglect new referrals.

**Figure 6. Percent Distribution of Current Ages of Children Under Family Court Jurisdiction, 2018**



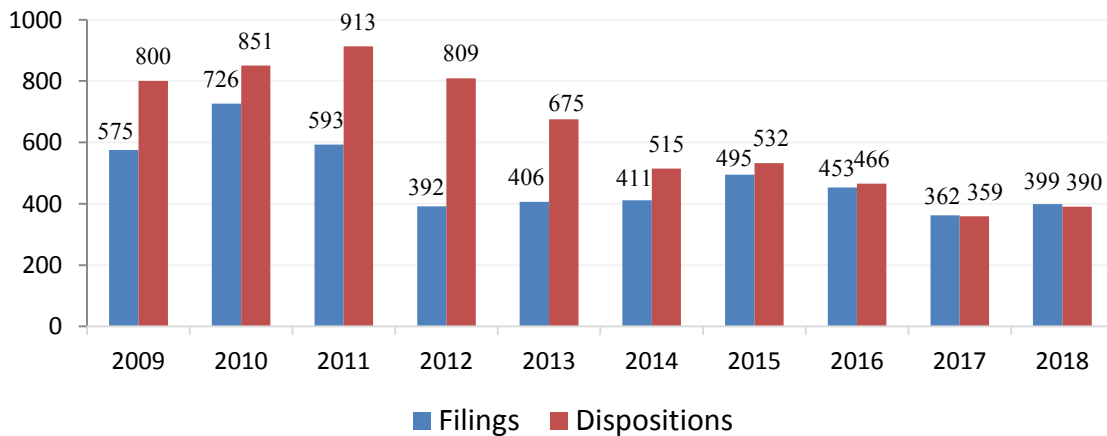
**Figure 7. Percent Distribution of Current Ages of Children Under Family Court Jurisdiction by Gender, 2018**



**CHILDREN REFERRED TO FAMILY COURT IN 2018**

In 2018, there were 399 new child abuse and neglect referrals and 390 child abuse and neglect cases disposed (Figure 8). At the end of 2018, of the 399 entry cohort cases, 62% (247) had a completed disposition hearing, 26% (103) remained undisposed, 6% (25) were dismissed, 3% (12) were closed, and 3% (12) were not petitioned.

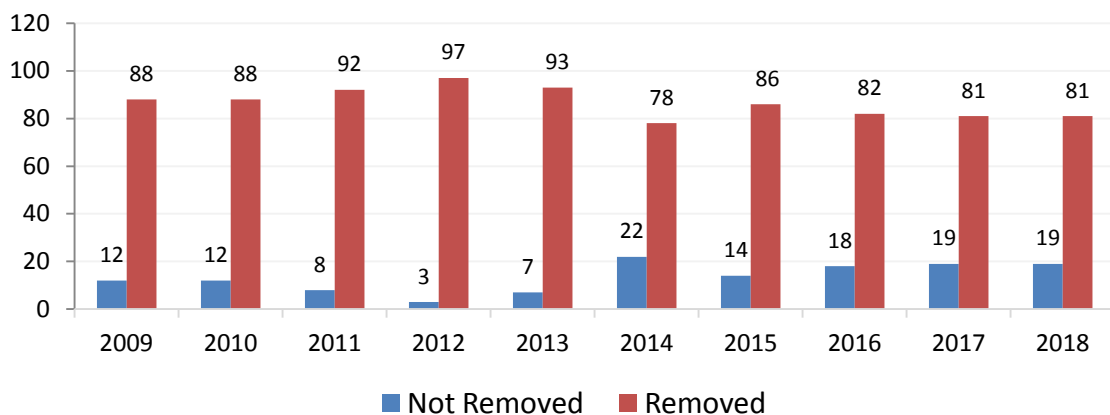
**Figure 8. Number of Children Entering and Exiting Family Court Jurisdiction, 2009-2018**



Fluctuations in the number of referrals to Family Court are often attributable to policy changes at CFSA, such as handling more cases as “in home” cases. In-home supervision of

cases by CFSA provides the family and the agency with an opportunity to address the family’s needs without Court supervision. CFSA’s strategic agenda known as the “Four Pillars” endeavors to improve outcomes for children and families by reducing the number of children coming under Family Court jurisdiction through application of “Pillar One: Narrowing the Front Door.” This pillar was designed to decrease the number of entries into foster care through differential response and placement with kin.<sup>11</sup>

**Figure 9. Percent of Children Entering Family Court Jurisdiction, by Removal Status, 2009-2018**



In 2018, children were removed from the home in 81% of the cases; children remained in the home under protective supervision in 19% of the cases (Figure 9). In 2018, an allegation of neglect (89%) was the most likely reason for a youth to be referred to the Family Court (Figure 10).

<sup>11</sup> CFSA’s “The Four Pillars”

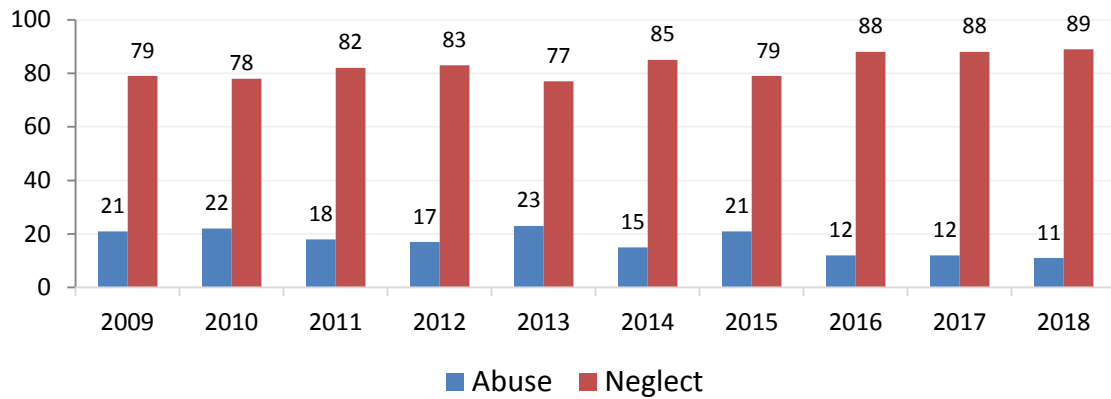
**Front Door:** Children deserve to grow up with their families and should be removed from their birth homes only as the last resort. Child welfare gets involved only when families cannot or will not take care of children themselves. When we must remove a child for safety, we seek to place with relatives first.

**Temporary Safe Haven:** Foster care is a good interim place for children to live while we work to get them back to a permanent home as quickly as possible. Planning for a safe exit begins as soon as a child enters the system.

**Well Being:** Every child has a right to a nurturing environment that supports healthy growth and development, good physical and mental health, and academic achievement. Institutions don't make good parents. But when we must bring children into care for their safety, we give them excellent support.

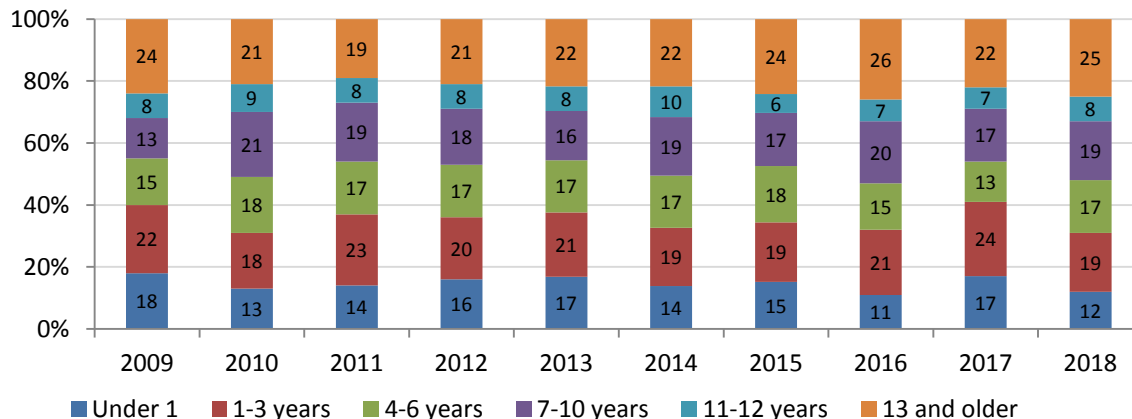
**Exit to Permanence:** Every child and youth exits foster care as quickly as possible for a safe, well-supported family environment or life-long connection. Older youth have the skills they need to succeed as adults.

**Figure 10. Percent of Children Entering Family Court Jurisdiction, by Primary Reason for Entering Care, 2009-2018**



In 2018, at the time of referral, 31% of new petitions were for children three years old or younger and 17% were for children four to six years old. Given the vulnerability of children in these age groups, the Family Court and CFSA are continuing to review the needs of this population, especially as it relates to educational and developmental services and access to other early intervention programs. In 2018, 25% of new petitions to Family Court involved children 13 years of age and older at the time of referral (Figure 11). Referrals of older children increased by 3% from 2017 to 2018. The Family Court, CFSA, and other child welfare stakeholders continue to examine the implications of a larger population of older youth coming into care. The examination includes an assessment of resources in the District to assist parents and caregivers in addressing the needs of this segment of the population before they come into care, as well as the need to identify and develop appropriate placement options once they are in care.

**Figure 11. Percent of Children Entering Family Court Jurisdiction, by Age at Entry, 2009-2018**



**TRANSFER OF ABUSE AND NEGLECT CASES TO FAMILY COURT**

Under the Family Court Act, if the term of a Family Court judge expires before the cases before him/her are disposed, the presiding judge shall reassign the case to a Family Court judge. The exception is that non-Family Court judges can retain a case, with approval from the Chief Judge, under the conditions that: (1) the judge retaining the case had the required experience in family law; (2) the case was in compliance with ASFA; and (3) it was likely that permanency would not be achieved more quickly by reassigning the case within Family Court. In 2018, no judges leaving Family Court requested to retain any abuse and neglect cases.

**COMPLIANCE WITH D.C. ASFA REQUIREMENTS**

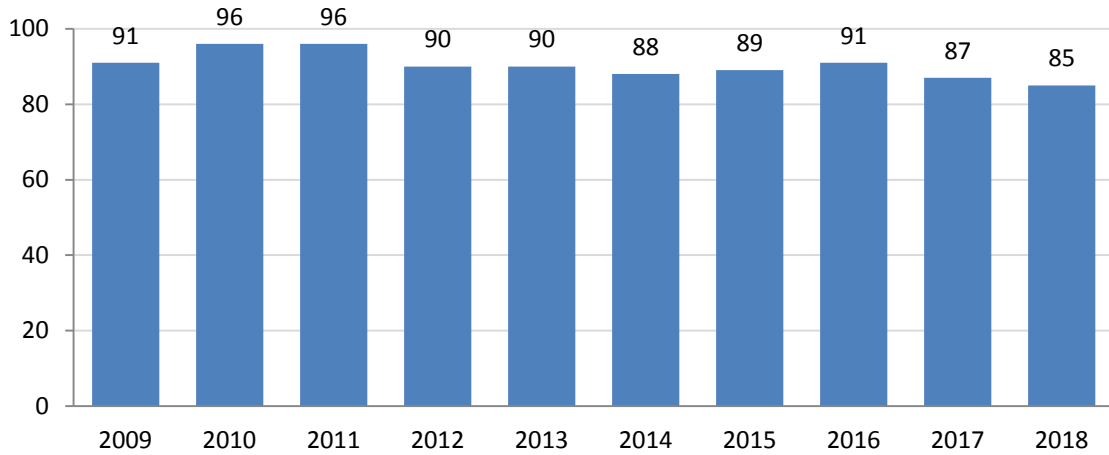
The District of Columbia Adoption and Safe Families Act (D.C. ASFA) (D.C. Official Code Sections 16-2301 et seq., (2000 Ed.)) establishes timelines for the completion of trials and disposition hearings in abuse and neglect cases. The timelines vary depending on whether or not the child was removed from the home. For a child who is removed from the home, the statutory timeframe between filing of the petition and trial

or stipulation is 105 days from the date of removal. For a child who is not removed from the home, the statutory timeframe between filing of the petition and trial or stipulation is 45 days from the petition filing date. The statute requires that trial and disposition occur on the same day, whether the child has been removed or not, but permits the court 15 additional days to hold a disposition hearing for good cause shown, as long as the continuance does not result in the hearing exceeding the deadline.

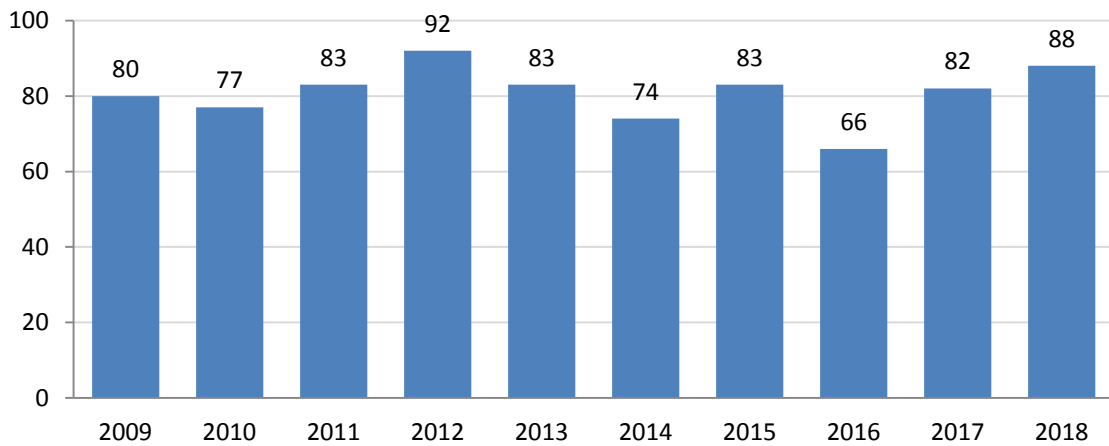
#### **TRIAL/STIPULATION OF ABUSE AND NEGLECT CASES**

In 2018, 81% of children referred to the court were removed from their homes (Figure 9). Eighty-five percent of cases filed had a fact-finding hearing in compliance with the 105 day ASFA timeline for trials in removal cases (Figure 12), down from 87% in 2017. The median time for a case to reach trial or stipulation was 58 days and the average time to reach trial or stipulation was 51 days. The recent performance for time to trial or stipulation can be attributed to issues related to service of process, holding stipulated neglect findings in abeyance for one parent/guardian while the other parent/guardian awaits trial, and trial scheduling. Additionally, the decline in performance may be attributable to the multitude of cases involving “sibling” groups with several parents and step-parents as parties, which increased the complexity of the trial or stipulation events. In 2018, there were 79 cases involving siblings – 35 cases had two siblings, 23 cases had three siblings, 13 cases had four siblings and eight cases had five or more siblings.

**Figure 12. Compliance with D.C. ASFA Timeline for Trial/Stipulation for Children Removed from Home, 2009-2018**



**Figure 13. Compliance with D.C. ASFA Timeline for Trial/Stipulation for Children Not Removed from Home, 2009-2018**



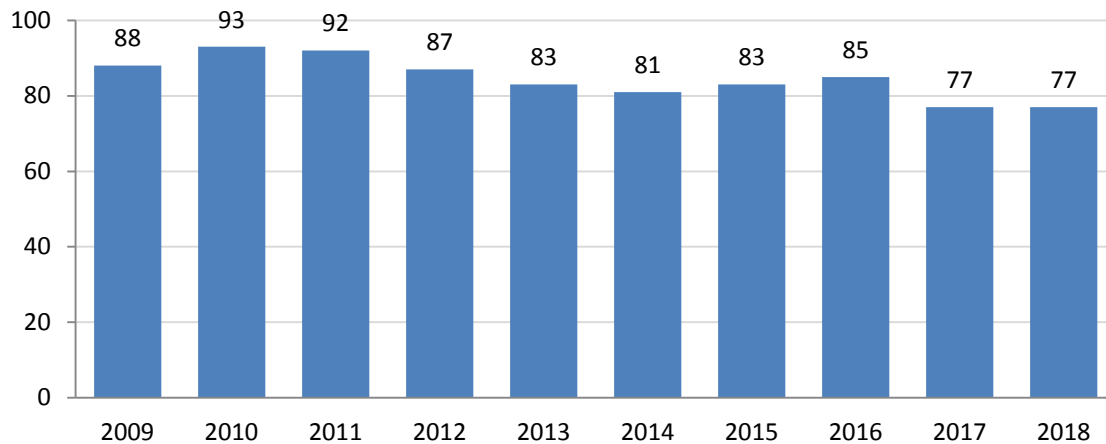
Nineteen percent of children referred to the court were not removed from their homes (Figure 9). For children not removed from home, compliance with the timeline to trial or stipulation (45 days) increased from 82% in 2017 to 88% in 2018 (Figure 13). In 2018, the median time for a case to reach trial or stipulation was 30 days. The court will continue to monitor and track this performance area and implement appropriate measures to continue the improvements in compliance achieved this year.



## DISPOSITION HEARINGS IN ABUSE AND NEGLECT CASES

Seventy-seven percent of cases filed in 2018, in which the child was removed from home, had disposition hearings held within the 105-day timeline, the same as in 2017 (Figure 14). This number may increase as pending cases filed late in 2018 have their disposition hearings. In 2018, the median time to reach disposition was 73 days and the average was 54 days.

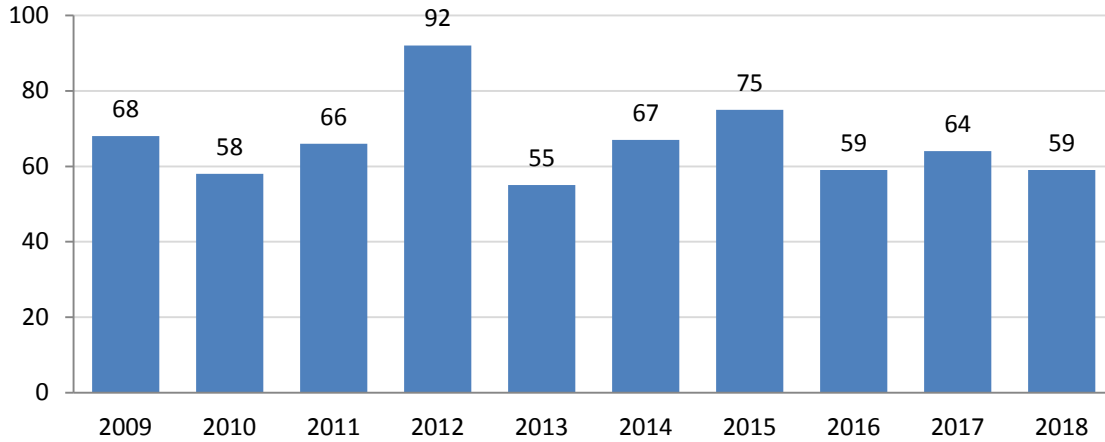
**Figure 14. Compliance with D.C. ASFA Timeline for Disposition for Children Removed from Home, 2009-2018**



Fifty-nine percent of cases filed in 2018, where the child was not removed from the home, had disposition hearings held within the 45-day timeline, a decrease from 64% in 2017, (Figure 15). The decrease in the compliance rate for conducting disposition hearings in these cases can be attributed in part to the relatively small number of children who were not removed from home. When dealing with such small caseloads, a few cases can have a significant impact on compliance rates. The median time to reach disposition was 41 days and the average was 38 days – both within the compliance timeframes – which again suggests the influence of a few outlier cases. As with time to trial and stipulation, the Family Court will continue to monitor and track compliance in this area

throughout 2019, and where appropriate, will institute measures to improve compliance.

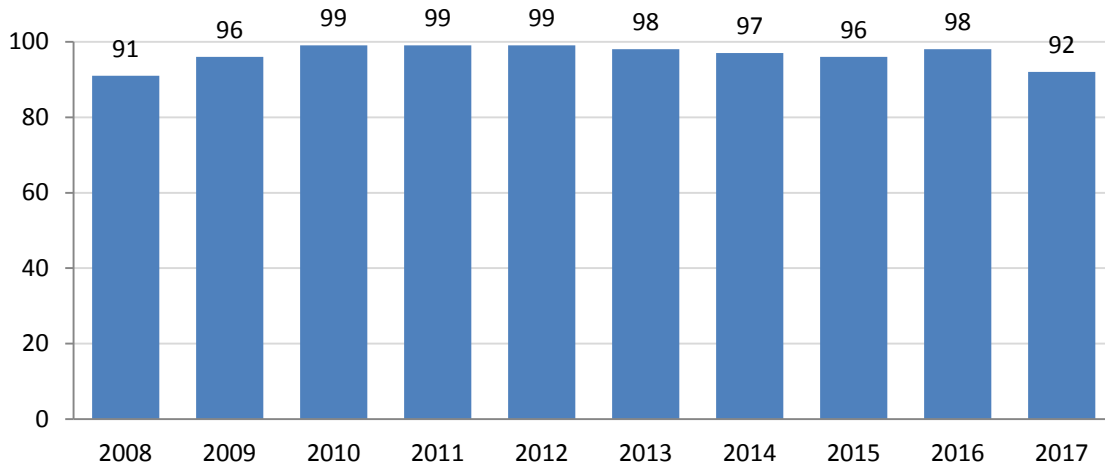
**Figure 15. Compliance with D.C. ASFA Timeline for Disposition for Children Not Removed from Home, 2009-2018**



**COMPLIANCE WITH ASFA PERMANENCY HEARING REQUIREMENTS**

Both the D.C. and Federal ASFA require the court to hold a permanency hearing for each child who has been removed from home within 12 months of the child’s entry into foster care. Entry into foster care is defined in D.C. Code § 16-2301 (28) as the earlier of 60 days after the date on which the child is removed from the home, or the date of the first judicial finding that the child has been neglected. The purpose of the permanency hearing, ASFA’s most important requirement, is to decide the child’s permanency goal and to set a timetable for achieving it. Figure 16 shows the court’s compliance with holding permanency hearings within the ASFA timeline. The level of compliance with this requirement has consistently remained high. Since 2007, more than 90% of cases had a permanency hearing within the required timeline. No cases filed in 2018 had reached the statutory deadline for having a permanency hearing by December 31, 2018, therefore data is not provided for 2018.

**Figure 16. Compliance with D.C. ASFA Timeline for Permanency Hearing, 2008-2017**



**GOAL-SETTING AND ACHIEVEMENT DATE**

ASFA requires that the Family Court set a specific goal (reunification, adoption, guardianship, custody, or another planned permanent living arrangement (APPLA)) and a date for achievement of that goal at each permanency hearing. The Family Court has made significant strides at each hearing, in both goal-setting and in determining a specific date for achievement of that goal.

Federal law requires judges to raise the issue of barriers in achieving the permanency goal with the Agency during court hearings. The early identification of such issues has led to more focused attention and an expedited resolution of issues that would have caused significant delays in the past. Although barriers still exist, the timeframes to achieve permanency have shortened.

In 2018, a permanency goal was set at every permanency hearing and a goal achievement date was set 99% of the time. To maintain a high level of compliance in this area, the Family Court will continue to require its attorney advisors to review every case after a permanency hearing to ensure that these two requirements are being met. If they

are not, the assigned judicial officer and the Presiding Judge of Family Court will be notified that the hearing or the court's order was deficient and recommendations will be made to bring the case into compliance.

The National Council of Juvenile and Family Court Judges (NCJFCJ) and the American Bar Association's Center on Children and the Law have established best practices for the content and structure of permanency hearings mandated by ASFA, including the decisions that should be made and the time that should be set aside for each hearing. In its publication, *Resource Guidelines Improving Court Practice in Child Abuse and Neglect Cases*, the NCJFCJ recommends that permanency hearings be set for 60 minutes. Family Court judges continue to report that the length of their permanency hearings meets or exceeds this standard.

Judicial officers are required to use a standardized court order for all permanency hearings. In 2012, the Family Court Strategic Planning Committee, through a court orders workgroup of the Abuse and Neglect Subcommittee, reviewed, revised, and piloted the official court forms for proceedings in these cases in 2012. The revised orders became effective on January 1, 2013 and are used in every courtroom. The orders not only meet the requirements of ASFA but also the requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), the Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239), and the Indian Child Welfare Act (ICWA). Further modifications of the orders have been submitted for approval to comply with the Preventing Sex Trafficking and Strengthening Families Act of 2014.<sup>12</sup> The Court Improvement Program convened a workgroup to revise the current

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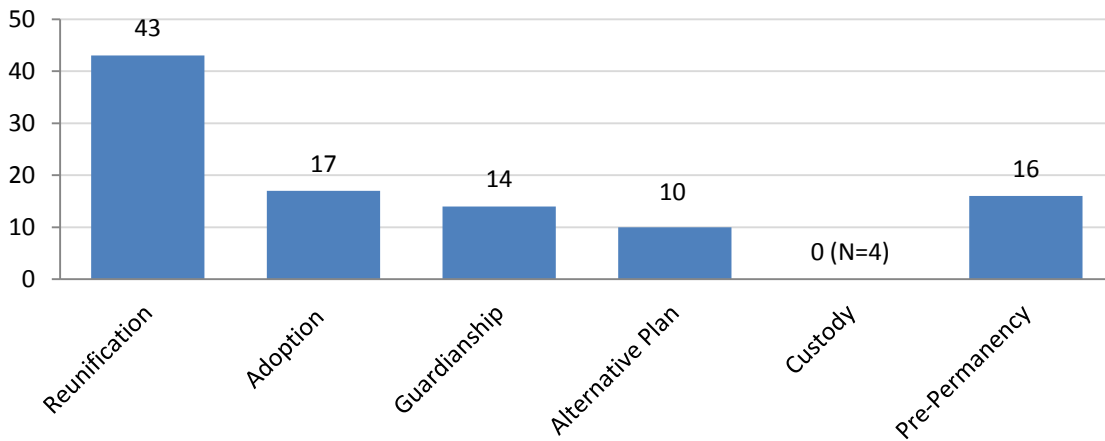
<sup>12</sup> 42 U.S. C. 671 et.seq.

form court orders to comply with all federal and District of Columbia legislation enacted since the previous revision of Court orders. Those orders have been completed in draft and are pending judicial review.

### **BARRIERS TO PERMANENCY**

Figure 17 illustrates permanency goals for children removed from their home including: reunification, adoption, guardianship, legal custody, or another planned permanent living arrangement (APPLA). Pre-permanency cases (16%) have not yet had a disposition hearing, the earliest point at which a permanency goal would be set. Although the court has improved significantly in establishing goals for children, the achievement of those goals presents a variety of challenges.

**Figure 17. Percent Distribution of Current Permanency Goal for Children Under Court Supervision, 2018**



For children with the goal of reunification (43%), the primary barrier to reunification was related to the disability of a parent, the parent's mental health issues, the need for the parent to receive substance abuse treatment, and the need to obtain life-skills training. The lack of adequate housing also presented a significant barrier to reunification. For children with the goal of adoption (17%), procedural impediments such as the completion of adoption proceedings and obtaining appropriate housing were the

most frequently identified barriers to permanency. The lack of adoption resources and issues related to the adoption subsidy were additional frequently cited barriers. For the 14% of children with the goal of guardianship, impediments such as completion of the guardianship proceedings, disabilities of the parent/caretaker, the need to receive substance abuse and other treatment, and issues related to the guardianship subsidy were barriers to achieving permanency.

Youth age 15 and older comprise 31% of all children in foster care. Many of these children cannot return to their parents, but do not wish to be adopted or considered for any other permanency option, making permanency difficult to achieve. In such cases, the court agreed with the agency determination that it was in the youths' best interests to set a goal of APPLA (10%). Pursuant to federal requirements, the agency and the court continue to work to review permanency options and services available for older youth, including reducing the number of youth with a goal of APPLA and the number of youth aging out of the child welfare system.<sup>13</sup> Under the Preventing Sex Trafficking and Strengthening Families Act of 2014, only youth 16 and older are eligible for an APPLA goal. The cases of youth under 16 with an APPLA goal are required to have permanency hearings scheduled to change the APPLA goal to one of the other four goals.

The *Preparing Youth for Adulthood Program*, created through collaboration between CASA for Children of D.C. and the Family Court, has been an effective tool in helping to ensure that older youth in the program, who remain in care through age 21, receive necessary support in achieving independence. The program focuses on life skills

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<sup>13</sup> The Court is an active participant in the agency's development of a Program Improvement Plan (PIP) resulting from the Child and Family Services Review held in June 2016, in which the Court also participated.

development through positivity, empowerment and opportunity, working with each youth on setting and achieving goals, building financial literacy and budgeting skills, and working on long-term housing, employment and education. The program's main component emphasizes connection, as each older youth is paired with one adult who has committed to remaining in the youth's life after emancipation and will continue to mentor that youth as needed in order to create a more seamless transition out of care. The program works seamlessly with CFSA's Office of Youth Empowerment on youth transitional planning, independent living services, educational and vocational training, and improved life skills training. The PYA is funded through the Court Improvement Program (CIP) basic grant, which was recently reauthorized and funded. The Court has applied for the next series of five year grants in order to continue funding this program.

#### **FAMILY TREATMENT COURT PROGRAM**

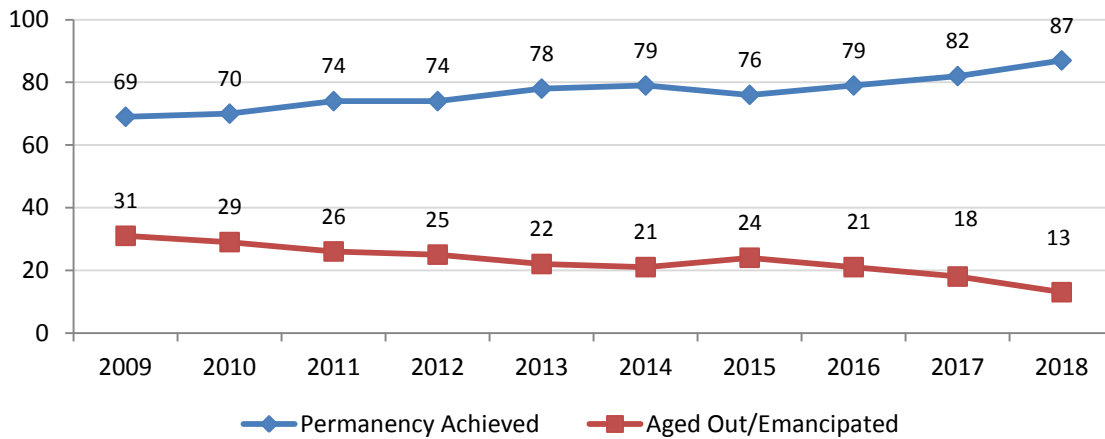
The Family Treatment Court (FTC), in operation since 2003, continues to provide a viable option for treatment of substance addicted families involved in the child welfare system. FTC takes a holistic approach to help participants break the cycle of addiction, shorten the out-of-home placement of children, and expedite permanency. Since its inception, the program has served more than 400 participants and has successfully reunited more than 70 percent of its families. Over the last year, nine participants have completed the program by being reunified with their children and having their cases closed. In 2018 the program was at 90% of its capacity. While the majority of the target population is single mothers, the program is also working with two male custodial parents, and two couples. The multi-disciplinary team approach, fostered under the redesigned

program, continues to improve permanency outcomes and enhance the safety of children whose parents suffer from substance use disorders.

**PERMANENCY OUTCOMES FOR CHILDREN**

In 2018, Family Court judicial officers closed 403 post-disposition abuse and neglect cases. Eighty-seven percent were closed because permanency was achieved, representing the highest permanency rate this decade. Thirteen percent of the cases were closed without reaching permanency, either because the children aged out of the system (27), emancipated (22), or their cases were closed because they no longer desired to have services provided by CFSA (1); one case closed because the respondent died (Figure 18). This accounts for the lowest aged out/emancipation rate during in the last 10 years.

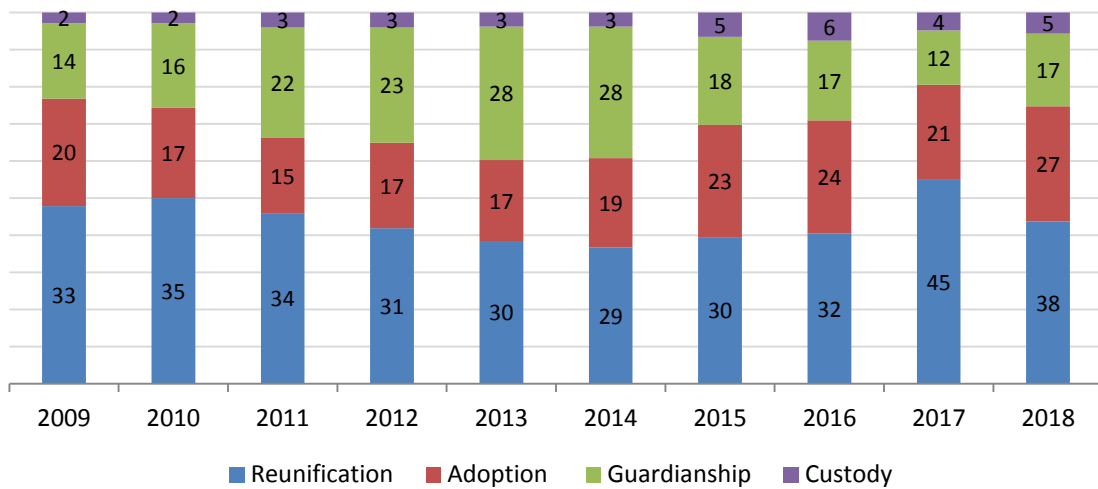
**Figure 18. Percent Distribution of Children Exiting Family Court Jurisdiction, Post Disposition by Exit Reason 2009-2018**



In 2018, thirty-eight percent of cases closed due to reunification (Figure 19). Cases that closed to adoption (27%), guardianship (17%), and custody (5%) increased from 2017 to 2018.



**Figure 19. Percent Distribution of Children Exiting Family Court Jurisdiction By Achieved Permanency Goals, 2009-2018**



In the past several years, the court and CFSA have examined policies and procedures to enhance permanency for children with the goal of adoption. In 2014, the Chief Judge issued an Administrative Order requiring timely entry of findings of fact and conclusions of law and timely decisions on motions filed in adoption, termination of parental rights and neglect cases; the order also set a schedule and actions to be taken in the case of delays. In 2015, a working group led by Magistrate Judge Albert addressed the delays in adoption and termination of parental rights cases. This resulted in a new process requiring pre-trial meetings of counsel and pre-trial hearings to ensure that trials are scheduled on consecutive dates. The court continues to examine how these measures have affected the timeliness of the adoption and termination of parental rights hearing process, including time to trial and disposition; if appropriate, the court will develop additional policies and procedures to address potential problem areas.

Thirteen percent of post-disposition cases were closed without the child achieving permanency. This was due to the child reaching the age of majority or the child refusing

further services from CFSA. CFSA issued new guidelines and procedures for social workers considering a goal of APPLA, to ensure that the maximum number of children reach permanency. The court agreed to work with the agency to help monitor compliance with the requirements for recommending a goal change to APPLA. The agency's policy and the court's monitoring are designed to ensure that only those children for whom no other permanency option is appropriate will receive a goal of APPLA. In 2014, the agency instituted a requirement for youth to participate in a Listening to Youth and Families as Experts (LYFE) conference prior to the social worker making an APPLA recommendation. In addition, approval of the APPLA goal by the CFSA Director was also required.

The Court is required, under the Preventing Sex Trafficking Act, to ensure that the youth participate in case planning. At each permanency hearing the agency must provide information to the Court as to the intensive, ongoing and unsuccessful efforts for family placement, including efforts to locate biological family members using search technologies (including social media). At each permanency hearing the Court is required to ask the child about the child's desired permanency outcome, make a judicial determination explaining why APPLA is still the best permanency plan, and why it is not in the best interest of the child to be returned home, adopted, placed with a legal guardian, or placed with a fit and willing relative. At each permanency hearing the agency is also required to specify the steps it is taking to ensure that the reasonable and prudent parent standard is being followed, and that the child has regular, ongoing opportunities to engage in age or developmental appropriate activities. These requirements have been submitted as proposed changes to the Court orders.

As required by the Act, the court has been developing a case management and tracking system that allow it to measure its performance and monitor the outcomes of children under court supervision. Using the performance measures developed by the American Bar Association, the National Center for State Courts and the NCJFCJ, the court has developed baseline data in a number of areas critical to outcomes for children. The “Toolkit for Court Performance Measures in Child Abuse and Neglect Cases” identifies four performance measures (safety, permanency, timeliness, and due process) which courts can assess their performance. Each measure has a goal, outcomes, and a list of performance elements that courts should consider when developing performance plans to assess their success in meeting the identified goals.

In 2018, the Family Court continued to measure its two main aspects of performance: permanency and timeliness. Performance information is also tracked for a third factor: due process. Due process is thoroughly addressed in the District of Columbia, as counsel is appointed for all parents, guardians and custodians who meet the financial eligibility requirements, and Guardians *Ad Litem* are appointed for all children.<sup>14</sup>

Data for each performance area is measured over a decade and is restricted to cases filed and/or disposed of within a specific timeframe. A cohort analysis approach, based on when a case was filed, allows the court to examine its performance over time in achieving permanency for children, as well as allowing an assessment of the impact of legislative and/or administrative changes over time.

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<sup>14</sup> D.C. Code § 16-2304 (2016); Superior Court Neglect Rule 42.

**PERFORMANCE MEASURE 1: PERMANENCY**

**Goal: Children should have permanency and stability in their living situations.**

*Measure 1a: Percentage of children who reach legal permanency (by reunification, adoption, guardianship, custody, or another planned permanent living arrangement) within 6, 12, 18, and 24 months from removal.*

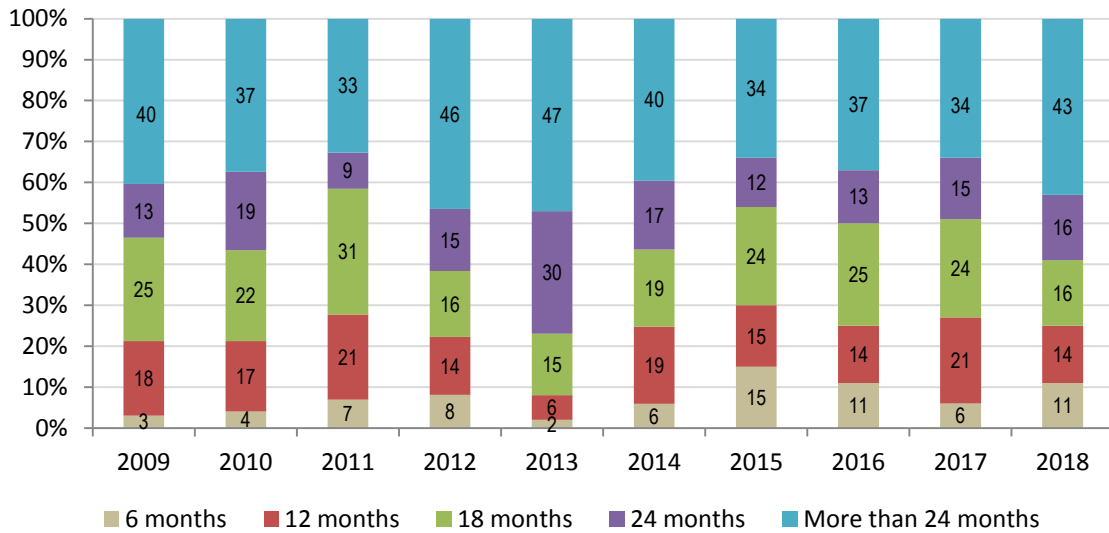
Table 2 reflects median time (in years) to case closure from 2009 through 2018. In 2018, the median time required to achieve permanency from time of removal increased in all categories by an average of two-tenths of a year.

**Table 2. Median Time (in years) from Removal to Achieved Permanency Goal, 2009-2018**

	Reunification	Adoption	Guardianship	Custody
2009	1.6	4.1	2.5	1.5
2010	1.7	3.6	2.4	1.8
2011	1.3	3.8	2.7	2.4
2012	1.9	3.6	2.5	2.9
2013	1.9	3.5	3.1	2.0
2014	1.5	2.9	3.0	1.1
2015	1.5	2.7	2.8	2.1
2016	1.8	3.6	2.8	1.9
2017	1.5	2.6	2.8	1.7
2018	1.7	2.9	3.0	1.8

In 2018, 25% of children were reunified with their parents within 12 months of removal, 41% were reunified within 18 months, and 57% within 24 months (Figure 20).

**Figure 20. Percent Distribution of Time Between Removal and Reunification, 2009-2018**



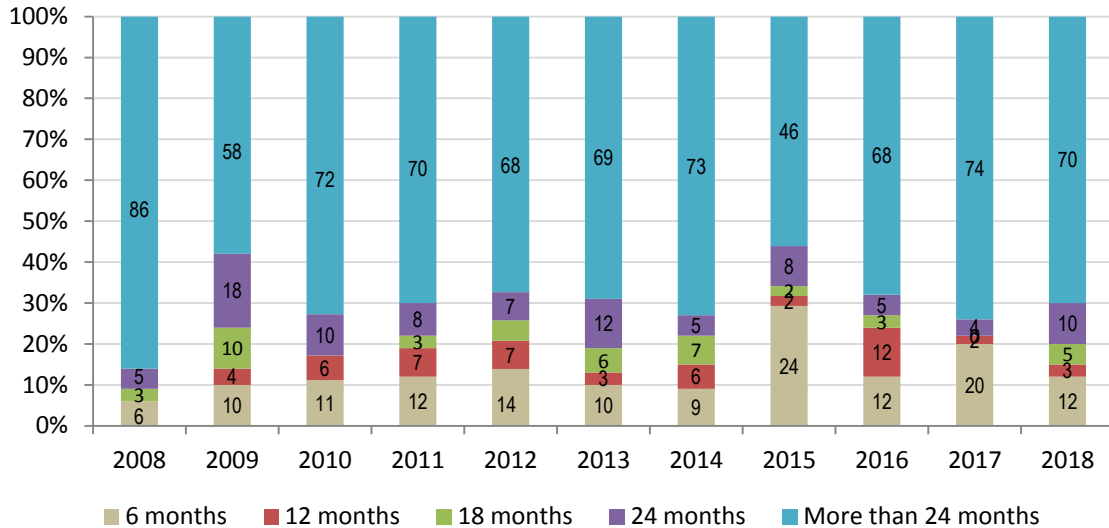
In 2018, 21% of children whose cases closed to adoption spent two years or less in care waiting to be placed in a permanent adoptive home. The percentage of children in care who spent more than 24 months waiting to be placed in a permanent adoptive home remained stable from 2017 to 2018 (Table 3).

**Table 3. Percent Distribution of Time Between Removal and Adoption, 2009-2018**

	6 months	12 months	18 months	24 months	More than 24 months
2009	1	0	1	4	95
2010	0	0	3	5	92
2011	1	1	2	4	93
2012	2	2	3	7	85
2013	1	1	2	7	90
2014	1	0	9	12	78
2015	1	1	8	12	78
2016	0	1	6	11	82
2017	0	0	4	17	79
2018	0	0	5	16	79

As illustrated in Figure 21, 15% of children spent a year or less in care before being placed with a permanent guardian. At the same time, 70% of youth spent more than 24 months in care before being placed with a permanent guardian.

**Figure 21. Percent Distribution of Time Between Removal and Guardianship, 2009-2018**



**Measure 1b.** *Percentage of children who do not achieve permanency in the foster care system.*

In 13% (51) of the 403 cases closed in 2018, the children did not achieve permanency either because they aged out of the system (27), were emancipated (22), no longer desired to have services provided by CFSA (1), or died (1).

**REENTRY TO FOSTER CARE**<sup>15</sup>

**Measure 1c.** *Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being returned to their families.*

Ten of the cases closed to reunification in 2018 have returned to care, all of which did so within 12 months of being returned to their families (Table 4).

<sup>15</sup> All reentry rates are based on the number of youth returned to care in the District of Columbia. Excluded are those youth returned to care in other jurisdictions.

**Table 4. Children Reentering Foster Care Pursuant to a Court Order After Reunification, 2014-2018**

Year	Number of Cases Closed by Reunification	Number of Children Returned to Foster Care after Reunification	Number of Months Before Return		
			12 Months	24 Months	More than 24 Months
2014	148	14	6	2	6
2015	138	12	8	3	1
2016	144	17	6	5	6
2017	177	9	7	2	0
2018	153	10	10	0	0

*Measure 1d(i). Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being adopted.*

There were no children, whose cases closed to adoption within the past 5 years, returned to care in this jurisdiction (Table 5).

**Table 5. Children Reentering Foster Care Pursuant to a Court Order After Adoption, 2014-2018**

Year	Number of Cases Closed by Adoption	Number of Children Returned to Foster Care after Adoption	Number of Months Before Return		
			12 Months	24 Months	More than 24 Months
2014	111	0	0	0	0
2015	104	0	0	0	0
2016	110	0	0	0	0
2017	82	0	0	0	0
2018	108	0	0	0	0

*Measure 1d(ii). Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being placed with a permanent guardian.*

Sixty-seven cases closed to guardianship in 2018 with 7 disruptions (Table 6). In many instances guardianship placements disrupt due to the death or incapacity of the caregiver. Consistent with statutory requirements, successor guardians are named and those placements are approved by the court. The cases are reopened to conduct home studies and background checks to ensure child safety prior to placement with the successor guardian.<sup>16</sup>

<sup>16</sup> AO 16-02 enacts new guardianship procedures which formalize the process for naming a successor guardian and requirements for performance of background and other checks, as well as home studies.

**Table 6. Children Reentering Foster Care Pursuant to a Court Order After Placement With a Permanent Guardian, 2014-2018**

Year	Number of Cases Closed by Guardianship	Number of Children Returned to Foster Care after Guardianship	Number of Months Before Return		
			12 Months	24 Months	More than 24 Months
2014	139	37	5	6	26
2015	85	8	1	7	0
2016	72	17	5	10	2
2017	54	3	2	1	0
2018	67	7	7	0	0

**PERFORMANCE MEASURE 2: TIMELINESS**

**Goal: To enhance expedition to permanency by minimizing the time from the filing of the petition/removal to permanency.**

*Measures 2a-2e. Time to adjudication, disposition hearing and permanency hearing for children removed from home and children that are not removed.*

See discussion under ASFA compliance, pages 32-41.

**TERMINATION OF PARENTAL RIGHTS**

Federal and local law require that when a child has been placed outside of the home for 15 of the most recent 22 months from the date of entry into foster care,<sup>17</sup> a motion for termination of parental rights (TPR) must be filed or a compelling reason to exempt the case from the TPR requirement<sup>18</sup> must be documented. To comply with this requirement, the Office of the Attorney General (OAG) is mandated to take legal action or file a TPR motion when children have been removed from the home in two instances – first, when the child has been removed from the home for 15 of the most recent 22 months, as indicated above, or second, within 45 days of a goal of adoption being set.<sup>19</sup>

<sup>17</sup> See 42 USCS § 675 (5)(E) and (F)

<sup>18</sup> Id.

<sup>19</sup> D.C. Code § 16-2354(b) (2016) sets forth the criteria dictating under what circumstances a TPR can be filed, including the 15 out of 22 months timeline. The 45-day filing deadline is a policy set by the Office of the Attorney General to ensure timely action, rather than a deadline set by statute.



**Measure 2f(i).** Time between filing of the original neglect petition in an abuse and neglect case and filing of the TPR motion.

Table 7 provides information on compliance with the timely filing of TPR motions for the five-year period, 2014 through 2018. The median time between the filing of the original neglect petition and the subsequent filing of a 2018 TPR motion was 475 days. There were a total of 82 TPR motions filed in 2018. Forty-six percent (38) of those motions were filed within 15 months. The OAG continues to track permanency goals of children removed from home very closely to ensure that whenever a goal changes to adoption, a timely TPR motion is filed. In addition, the status of TPR cases is reviewed by both the court and the OAG on a quarterly basis. This collaborative review process has resulted in a 17% improvement in the timely filing of such motions from 2014 to 2018.

**Table 7. Time Between Filing of Original Neglect Petition and Filing of TPR Motion, 2014 – 2018**

Year Filed	Total TPR Motions Filed	Median Days To Filing	Number of Motions Filed Within:				
			15 months	22 months	36 months	60 months	More than 60 months
2014	49	558	14	18	9	5	3
2015	60	557	18	26	11	0	5
2016	69	561	25	20	18	0	5
2017	41	463	18	11	9	0	3
2018	82	475	38	18	20	5	1

**Measure 2f(ii).** Time between filing and disposition of TPR motions in abuse and neglect cases.

Tables 8 and 9 provide information on the court’s performance as it relates to the handling of TPR motions.

**Table 8. Time Between Filing and Disposition of TPR Motions, 2014-2018**

Year Filed	Total TPR Motions Filed	Total TPR Motions Undisposed	Total TPR Motions Disposed	Median Days to TPR Disposition	Number of TPR Motions Disposed of Within:				
					120 days	180 days	270 days	365 days	365 + days
2014	49	0	49	266	13	2	11	8	15
2015	60	1	59	349	4	5	6	16	28
2016	69	9	60	403	2	2	12	10	34
2017	41	7	34	353	0	3	10	5	16
2018	82	72	10	214	0	4	4	2	0

**Table 9. TPR Motions Disposed, by Time to Disposition and Method of Disposition,  
2014 – 2018**

Year Filed	Total TPR Motions Disposed	Method of Disposition							
		Granted	Median Days to Disposition	Dismissed	Median Days to Disposition	Withdrawn	Median Days to Disposition	Denied	Median Days to Disposition
2014	49	3	219	18	143	28	276	0	0
2015	59	15	374	17	301	26	349	1	641
2016	60	5	382	31	360	19	413	5	613
2017	34	5	420	12	254	14	397	3	298
2018	10	3	195	5	169	2	241	0	0

In 2018, 82 TPR motions were filed – a 100% increase in filings from 2017.

There are a total of 89 TPR motions pending that were filed during the five-year period 2014 to 2018 (Table 8). All TPR motions filed in 2014 have been disposed, but one motion filed in 2015, 9 motions filed in 2016, 7 motions filed in 2017, and 72 motions filed in 2018 remain undisposed.

Whereas the government is under a statutory requirement to file a TPR, there is no deadline requirement for the resolution of the TPR once it is filed; as a practical matter, the TPR continues simultaneously with the adoption case and is dismissed at the time the adoption is granted, if it is not withdrawn for some other reason. The method of disposition of the TPR motions illustrates the relatively low number of motions that were granted (Table 9). This is largely due to the practice of terminating parental rights within the adoption case, based upon the District of Columbia adoption statute.<sup>20</sup> Terminating parental rights outside of the adoption case is typically avoided so as not to complicate appeals. As a result, most TPR motions are disposed of through dismissal or withdrawal of the motion at the conclusion of the adoption trial or entry of the adoption decree.

Case processing performance standards for the disposition of TPR motions were

<sup>20</sup> A determination as to whether the natural parents are withholding their consents to adoption contrary to a child's best interest requires the weighing of the factors considered in termination of parental rights proceedings, pursuant to D.C. Code § 16-2353(b) (2001). See *In re Petition of P.S.*, *supra*, 797 A.2d at 1223.

established by the Chief Judge in Administrative Order 09-12, issued in October 2009.

The standard requires that 75% of TPR motions be resolved within nine months and 90% within 12 months. As indicated in Table 8, ten of the 82 TPR motions (12%) filed in 2018 have been disposed. All ten motions (100%) were disposed within a year. Fifty-three percent of motions filed in 2017 that have since disposed, did so within one year.

Compliance with the performance standard has improved over the last three years and monitoring will continue in this area.

**Measure 2g.** *Time between granting of the TPR motion and filing of the adoption petition in abuse and neglect cases.*

**Table 10. Time Between TPR Motion Granted and Adoption Petition Filed, 2014 – 2018**

Year Filed	Number of Adoption Petitions Filed	Median Days between TPR Motion Granted and Adoption Petition Filed	Number of Adoption Petitions Filed Within:					Total Number of TPR Motions Granted
			1 month	3 months	6 months	12 months	12 + months	
2014	2	13	2	0	0	0	0	5
2015	3	615	0	0	0	1	2	6
2016	5	141	0	2	2	0	1	9
2017	2	203	0	0	1	1	0	10
2018	0	--	0	0	0	0	0	9

Table 10 depicts the time between the granting of a TPR motion and the filing of the adoption petition. Although 9 TPR motions were granted in 2018, no adoption petitions were filed.

**Measure 2h.** *Time between filing of adoption petition and finalization of adoption in abuse and neglect cases.*

**Table 11. Adoption Petitions Filed by CFSA, by Method of Disposition, 2014 - 2018**

Year Filed	Total Filed	Total Adoption Petitions Undisposed	Total Adoption Petitions Disposed	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2014	148	0	148	111	9	23	5
2015	127	1	126	104	9	12	1
2016	128	8	120	87	21	12	0
2017	139	15	124	88	7	29	0
2018	104	67	37	28	4	5	0

**Table 12. Time Between Filing and Finalization of Adoption Petition of Children in Foster Care, 2014 - 2018**

Year Filed	Total Adoptions Finalized	Median Days to Adoption Finalization	Number of Adoptions Finalized Within:				
			6 months	12 months	18 months	24 months	>24 months
2014	111	386	11	50	32	10	8
2015	104	316	8	51	31	11	3
2016	87	353	6	40	25	10	6
2017	88	285	8	53	20	7	0
2018	28	221	6	22	0	0	0

Thirty-six percent (37) of the adoption petitions filed in 2018 have been disposed (Table 11). The adoption petition was granted in 76% (28) of disposed cases. There are currently 91 pending adoption petitions filed from 2014 to 2018. All of the adoption petitions filed in 2014 have been disposed and one remains undisposed for 2015. The median time between the filing of the adoption petition and finalization has steadily declined from 386 days in 2014 to 221 days in 2018 – a 43% improvement (Table 12).

**PERFORMANCE MEASURE 3: DUE PROCESS**

**Goal: To deal with cases impartially and thoroughly based on the evidence brought before the court.**

*Measure 3d. Percentage of children receiving legal counsel, guardians ad litem or CASA volunteers in advance of the initial hearing.*

D.C. Code § 16-2304 requires the appointment of a guardian *ad litem* for all children involved in neglect proceedings. In 2018, guardians *ad litem* were appointed for all children in advance of their initial hearings.

*Measure 3e. Percentage of cases where counsel for parents are appointed in advance of the initial hearing.*

D.C. Code §16-2304 also entitles parents to be represented by counsel at all critical stages of neglect proceedings and, if financially unable to obtain adequate representation, to have counsel appointed for them. In all cases that met the eligibility

criteria, counsel was appointed for parents on the day of the initial hearing.

### **MAYOR'S SERVICES LIAISON OFFICE**

The Mayor's Services Liaison Office (MSLO), located on the JM level of the Moultrie Courthouse, was established pursuant to the Act. The mission of the MSLO is to promote safe and permanent homes for children by working collaboratively with stakeholders to develop readily accessible services based on a continuum of care that is culturally sensitive, family-focused and strength-based.

The objectives of the Mayor's Services Liaison Office are to:

- Support social workers, case workers, attorneys, family workers and judges in identifying and accessing client-appropriate information and services across District agencies and in the community for children and families involved in Family Court proceedings;
- Provide information and referrals to families and individuals;
- Facilitate coordination in the delivery of services among multiple agencies; and
- Provide information to the Family Court on the availability and provision of services and resources across District agencies.

The MSLO serves children, youth and families who are involved in Family Court proceedings. The Office is supported by 13 District of Columbia government agency liaisons that are familiar with the types of services and resources available through their agencies and can access their respective agencies' information systems and resources from the courthouse. The agency liaisons respond to inquiries and requests for information concerning services and resources, and consult with the assigned social workers or case workers in an effort to access available services for the child and/or family. Each liaison is able to provide information to the court about whether a family or child is known to its system and what services are currently being provided to the family or child.

The following District of Columbia government agencies have staff physically located in the MSLO during specific, pre-assigned, days of the week:

- Child and Family Services Agency
- Department of Behavioral Health
- District of Columbia Public Schools
- District of Columbia Housing Authority
- Department of Disability Administration
- Hillcrest Children's Health Center
- Rehabilitative Services Administration

The following District of Columbia government agencies do not physically locate staff at the MSLO; however, they have designated MSLO liaisons that respond to requests for services and requests for information:

- Department of Youth Rehabilitation Services
- Economic Security Administration
- Department of Human Services: Strong Families Division
- Department of Employment Services
- Metropolitan Police Department: Youth and Preventive Services Division
- Department of Behavioral Health: Addiction Prevention and Recovery Administration

### **Referral Process to the Mayor's Services Liaison Office**

Cases are referred to the MSLO from a variety of sources, including through a court order, or from a guardian *ad litem*, social worker, family worker, attorney, judge, and/or probation officer. The goal of the interagency collaboration within MSLO is to create a seamless system of care for accessing client information, appropriate services, and resources supporting families and children.

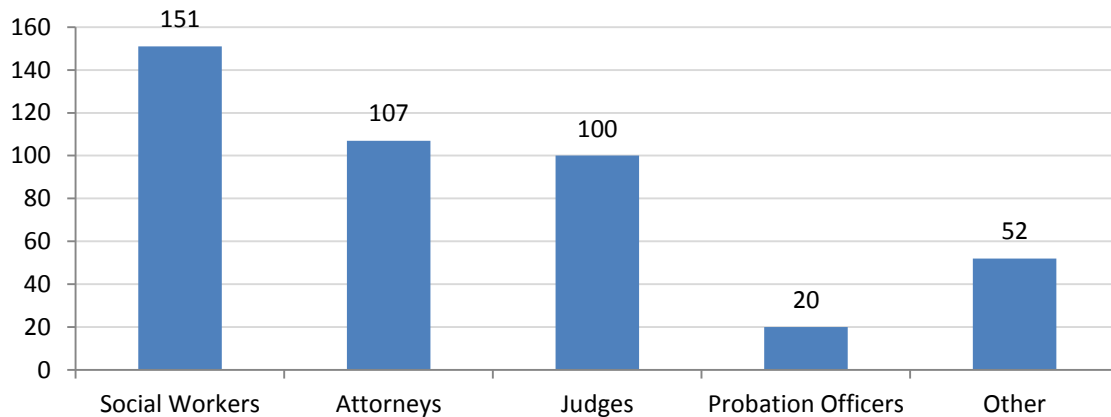
In 2018, the MSLO received 430 referrals, a 6% increase from the 406 referrals received in 2017. The increase in referrals can be attributed to a variety of factors including increased needs for housing and employment; mental health, domestic violence and

substance abuse assistance; increased mandatory reporting at schools; and more community papering.

Ninety-one percent (391) of all referrals were for families with an open case in Family Court and 9% (39) were referred to the MSLO by a judicial officer to be connected with a specific service. Social workers (35%; 151) were the most likely to refer families to the MSLO, followed by attorneys (25%; 107), Family Court judicial officers (23%; 100), probation officers (5%; 20), and some other referral source (12%; 52) (See Figure 22).

Of the 430 referrals for services, over 300 families and children were successfully connected to the services and resources they needed.

**Figure 22. Number of Referrals to MSLO by Referral Source, 2018**

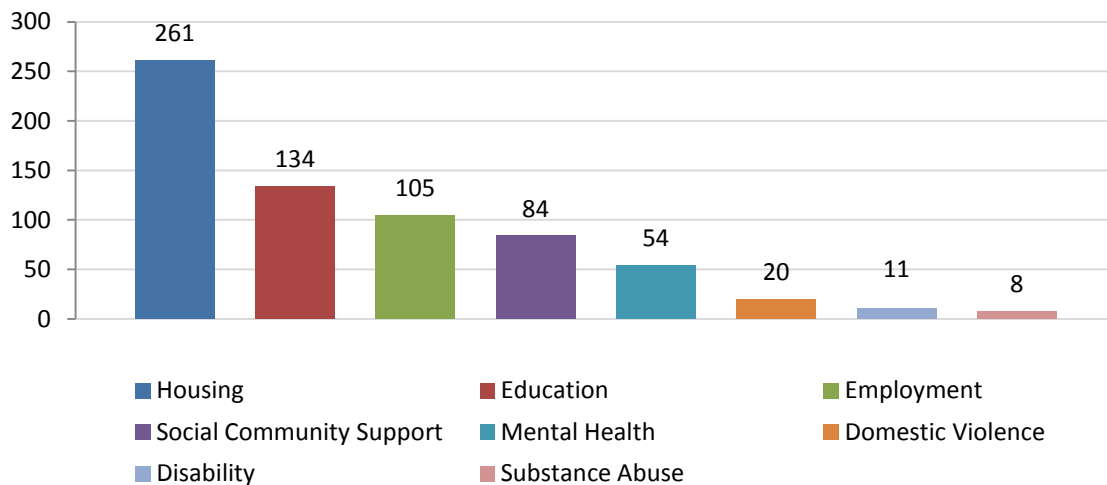


Families seeking the services of the MSLO required assistance with: (a) issues related to housing, such as transfers, inspections, emergency housing; (b) mental health evaluations and assessments; (c) individual and family therapy; (d) substance abuse treatment; (e) school placements; (f) Individualized Education Programs (IEPs) and other special education issues, including testing and due process; (g) general education; (h) Temporary Assistance for Needy Families (TANF) assistance; (i) medical assistance; (j) financial assistance; (k) food assistance; and (l) employment and literacy information (See

Figure 23). The MSLO also provided several resources to women in the Family Treatment Court program, including housing assistance, assistance with the Housing Voucher Client Placement program, eviction prevention, TANF assistance, and medical assistance.

In general, service requests to the MSLO are immediately assigned to the appropriate agency liaison. The agency liaison meets with the family and provides the services and the resources necessary to resolve the issue(s), usually within 24 to 48 hours. In many instances, services are provided in the MSLO at the time of the request.

**Figure 23. Number of Referrals to MSLO by Service Requested, 2018**



MSLO staff participated in several new projects in the Family Court, including: the Case Expediting Project, the Fathering Court, Grandparent Caregivers Program, and the Family Treatment Court. The newest initiative is a collaboration between the Office of the Attorney General, the Superior Court of the District of Columbia, and the Mayor’s Services Liaison Office to decrease truancy of younger children through parent engagement, dialogue, and linkage to community-based services. The Abating Truancy Through Engagement and Negotiated Dialogue (ATTEND) program is designed to help youth and their families address the underlying issues causing chronic absenteeism, while



minimizing the likelihood of repeat referrals. The program also aims to divert parents from criminal prosecutions, while increasing attendance for some of the District's most vulnerable children, thereby helping the entire family.

### **NEW INITIATIVES IN CHILD ABUSE AND NEGLECT**

#### **Revised Abuse and Neglect Form Court Orders**

The Court Improvement Program convened a workgroup to revise the current form court orders to comply with all federal and District of Columbia legislation enacted since the previous revision of court orders. Those orders have been completed in draft and are pending judicial review.

#### **Court Improvement Program**

The Court Improvement Program Advisory Committee was formed and held quarterly meetings to discuss the ongoing grant-funded programs and plans for new programs to be funded by the new five-year grants. Co-chaired by the Deputy Presiding Judge and the CIP Director, the committee membership is comprised of many stakeholders in the child welfare community, including the Child and Family Services Agency (CFSA), the Office of the Attorney General for the District of Columbia, foster parents, a former foster youth, the Department of Behavioral Health, the Court and others. The CIP grant application for all three grants (basic, data and training) for years 2017 through 2021 was submitted to the Children's Bureau. All three grants were reauthorized and funded through 2021, as part of the Family First Prevention Services Act.

The Court Improvement Program director participated in the Child and Family Services Review at CFSA in June 2016 and continues to be involved in the Program Improvement Plan (PIP) process, which is ongoing. A number of new initiatives will be

adopted in support of the Agency's PIP, such as ensuring that the status of termination of parental rights motions are discussed in the Courtroom and documented in the Court order.

The CIP is collaborating with the CFSA and the Office of the Attorney General on a project to address timeliness in permanency planning. As part of that initiative, an Agency-Court Data workgroup has been convened and meets monthly or bi-monthly. The workgroup is currently reviewing a sampling of permanency cases to examine how permanency is delayed and to develop solutions to address those reasons for delay.

### **Addressing Delays in Permanency**

The Abuse and Neglect Subcommittee continued to look at ways to expedite permanency by examining the perceived causes of court delay, including continuances, substitution of counsel, and scheduling conflicts. The committee distributed surveys to the magistrate judges sitting on the neglect calendar, as well as separate surveys to the OAG, CCAN Bar, and Children's Law Center. The survey responses indicated that continuances and substitution of counsel are not significant contributors to court delay. Scheduling conflicts from both the judicial calendar and the attorneys' calendars were identified as the main causes of delay in neglect cases. The magistrate judges indicated that they often do not have enough calendar time available to schedule consecutive trial dates, and that the trade-off to insisting that all trials are scheduled consecutively would be that the trials would be scheduled far into the future and the cases would not meet statutory deadlines. Judges and attorneys alike identified problems with attorney availability – attorneys are often scheduled across multiple judges and courtrooms, making it very difficult to find

trial dates that accommodate all necessary parties within any particular case. Moving forward, the committee will explore possible solutions to the scheduling problems.

### **Child Protection Mediation Evaluation**

*Improving An Effective Program: A Comprehensive Evaluation of the Superior Court of the District of Columbia Child Protection Mediation Program*, conducted by Resolution Systems Institute at the request of the Abuse and Neglect Subcommittee, was completed in April 2018. The purpose of the evaluation was to ascertain the effectiveness of the existing program by compiling and analyzing court mediation data and non-mediated comparison data; holding focus groups with Assistant Attorneys General, Guardians *Ad Litem* from the Children’s Law Center, CCAN attorneys, CFSA social workers and mediators; administering surveys to parents, mediators and other professionals involved in the cases; conducting interviews with parents and judges; and observing mediation sessions and court hearings as part of the process of examining the process and outcomes of the mediations.

The final report concluded that the mediation program is effectively achieving its goals to:

- protect and empower children;
- facilitate the development of early appropriate and comprehensive case plans that serve to protect the safety and interests of the child;
- facilitate a full exchange of the most current case information and encourage accountability of family members and professionals interacting with the family; and,
- provide an expeditious and efficient court process which resolves court cases quickly and reduces the number of contested matters and in-court time.

Additionally, the evaluation found an increase in participants' satisfaction with the court process and outcomes and a reduction in the amount of time that children spend in foster care waiting for permanency.<sup>21</sup> The Abuse and Neglect Subcommittee will examine the evaluation recommendations in 2019.

### **JUVENILE CASES**

In 2018, there were 1,242 new juvenile complaints filed in the Family Court, a 21% decrease from 2017 (1,577). Ninety percent (1,115) of the complaints filed were based on an allegation of delinquency, 5% (61 cases) on a person in need of supervision (PINS) allegation, and 5% (66 cases) pursuant to an Interstate Compact Agreement (ISC).<sup>22</sup>

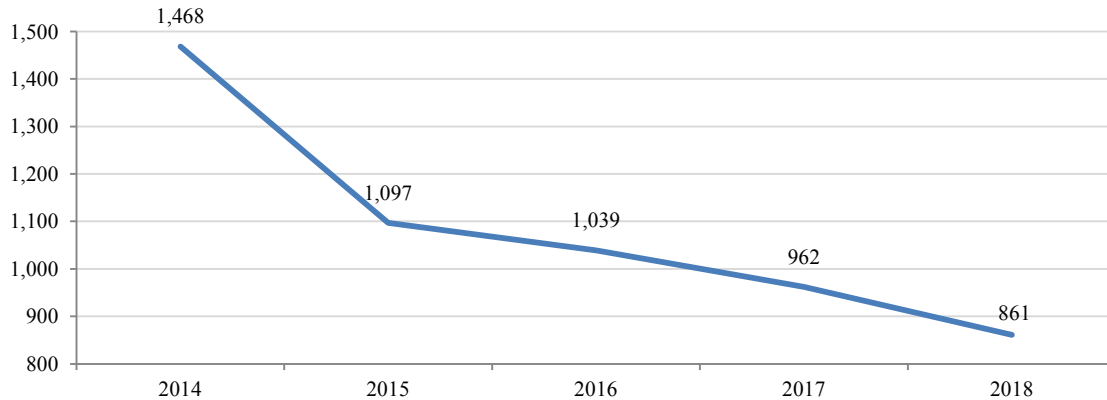
Of the 1,115 complaints filed based on an allegation of delinquency, 77% (861) resulted in a formal petition being filed by the OAG (Figure 24). In 2018, the number of petitioned delinquency cases (861) decreased by 10% from 962 in 2017. The following analysis focuses on the 861 cases petitioned in 2018.

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<sup>21</sup> Shack, J., & Sitko, R. (2018, June 30). Improving an Effective Program A Comprehensive Evaluation of the Superior Court of the District of Columbia Child Protection Mediation Program. Retrieved February 26, 2019, from <https://s3.amazonaws.com/aboutrsi/591e30fc6e181e166ffd2eb0/DC-Eval-FULL-REPORT-PDF-VERSION.pdf>

<sup>22</sup> Interstate Compact cases are comprised of juvenile residents of the District of Columbia who were adjudicated in other jurisdictions, but who are referred to the Court to serve their probation under the supervision of the Court Social Services Division, as a courtesy to the referring jurisdiction.

**Figure 24. Juvenile Delinquency Petitioned Cases, 2014-2018**



**MOST SERIOUS OFFENSE**<sup>23</sup>

Sixty-six percent of new delinquency cases petitioned in 2018 were for acts against persons (the highest in the past five years), 19% for property offenses (the lowest in the past five years), 12% for public order offenses, and 3% for drug law violations (Figure 25). The most common juvenile charges resulting in a petition were for armed and unarmed robbery (26%; 222), followed by simple assault (18%; 157), and weapons offenses (10%; 89) (Table 13). Aggravated assault (53) and larceny/theft (52) each accounted for 6% of new petitions.

Juveniles charged with assault accounted for 49% of new petitions for acts against persons (simple assault (28%; 157), assault with a dangerous weapon (10%; 60), aggravated assault (9%; 53), and assault with intent to kill (2%; 10)). Robbery (39%; 222) was the second leading offense petitioned for acts against persons (unarmed robbery 29%; 167 and armed robbery 10%; 55).

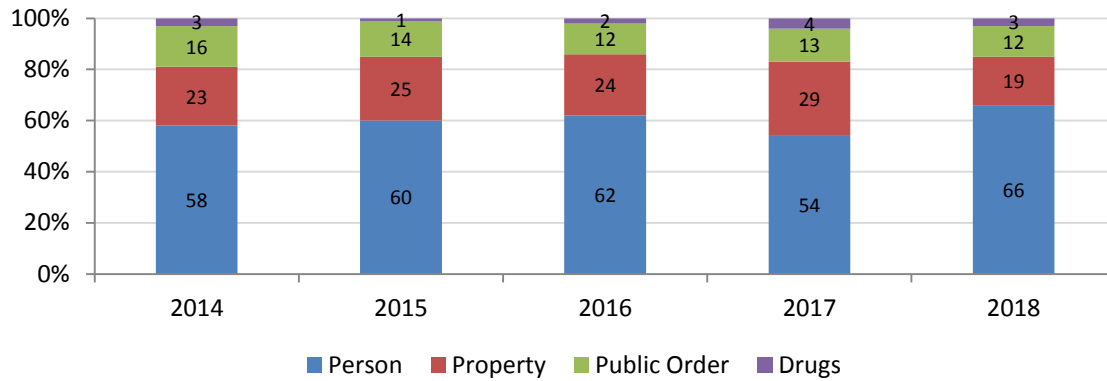
Thirty-one percent of all juvenile cases petitioned for acts against property

<sup>23</sup>Juveniles charged with multiple offenses are categorized according to their most serious offense. For example, in a single case where a juvenile is charged with robbery, simple assault and a weapons offense, the case is counted as a robbery. Thus data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

involved larceny/theft (52), followed by unauthorized use of a vehicle (27%; 46), burglary II (14%; 23) and property damage (13%; 21).

The majority of youth charged with acts against public order were charged with weapons offenses (89%; 89). Among juveniles charged with a drug law violation, 85% (22) were charged with drug sale or distribution and 12% (3) were charged with drug possession.

**Figure 25. Percent Distribution of Juvenile Delinquency  
Petitioned Cases, by Offense Type, 2014-2018**



**Table 13. Juvenile Delinquency Petitioned Cases in 2018,  
by Age and Most Serious Offense**

Most Serious Offense <sup>24</sup>	Age at Time of Petition								
	Total cases	Under 10 years	10-12	13-14	15-16	17	18 and over <sup>25</sup>	15 and younger	16 and older
<b>Acts against persons</b>	<b>567</b>	<b>0</b>	<b>14</b>	<b>137</b>	<b>303</b>	<b>102</b>	<b>11</b>	<b>306</b>	<b>261</b>
Murder	2	0	0	0	2	0	0	1	1
Assault With Intent to Kill	10	0	0	2	4	3	1	5	5
Assault With A Dangerous Weapon	60	0	2	13	31	14	0	33	27
Aggravated Assault	53	0	0	9	32	10	2	22	31
Armed Robbery	55	0	1	12	31	11	0	31	24
Robbery	167	0	2	39	109	15	2	100	67
First Degree Sexual Abuse (Rape)	14	0	0	3	1	6	4	4	10
Other Violent Sex Offenses	10	0	2	4	1	1	2	6	4
Car Jacking	30	0	0	12	12	6	0	18	12
Burglary I	4	0	0	1	1	2	0	1	3
Simple Assault	157	0	7	42	74	34	0	82	75
Other Acts Against Persons	5	0	0	0	5	0	0	3	2
<b>Acts against property</b>	<b>168</b>	<b>0</b>	<b>3</b>	<b>39</b>	<b>76</b>	<b>46</b>	<b>4</b>	<b>74</b>	<b>94</b>
Burglary II	23	0	0	6	10	6	1	9	14
Larceny/Theft	52	0	2	12	22	15	1	21	31
Unauthorized Use of Auto	46	0	0	10	20	14	2	21	25
Property Damage	21	0	1	7	8	5	0	12	9
Unlawful Entry	17	0	0	2	13	2	0	8	9
Stolen Property	7	0	0	2	2	3	0	3	4
Other Acts Against Property	2	0	0	0	1	1	0	0	2
<b>Acts against public order</b>	<b>100</b>	<b>0</b>	<b>1</b>	<b>14</b>	<b>44</b>	<b>40</b>	<b>1</b>	<b>28</b>	<b>72</b>
Weapons Offenses	89	0	1	12	37	39	0	25	64
Disorderly Conduct	2	0	0	0	2	0	0	0	2
Obstruction Of Justice	2	0	0	1	1	0	0	1	1
Other Acts Against Public Order	7	0	0	1	4	1	1	2	5
<b>Drug Law Violations</b>	<b>26</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>7</b>	<b>16</b>	<b>0</b>	<b>5</b>	<b>21</b>
Drug Sale/Distribution	22	0	0	2	6	14	0	3	19
Drug Possession	3	0	0	1	1	1	0	2	1
Other Drug	1	0	0	0	0	1	0	0	1
<b>Total Delinquency Petitions<sup>26</sup></b>	<b>861</b>	<b>0</b>	<b>18</b>	<b>193</b>	<b>430</b>	<b>204</b>	<b>16</b>	<b>413</b>	<b>448</b>

<sup>24</sup> See Footnote 23.

<sup>25</sup> See D.C. Code § 16-2301 (3)(c)(2001).

<sup>26</sup> This table excludes new referrals whose cases were not petitioned by the OAG after a complaint was filed. It also excludes juveniles 16 and over who were charged as adults.

**MOST SERIOUS OFFENSE BY AGE**

In 2018, 48% of all petitioned delinquency cases involved youth 15 years of age or younger at the time of petition. The average age of a petitioned youth was 15.5 years old.

In 2018, the percentage of youth charged with crimes involving acts against persons decreased as youth became older (Figure 26). Specifically, 78% of juveniles aged 12 or younger were charged with a crime against a person as compared to 71% of those age 13-14, 70% of those age 15-16, and 51% of those age 17 or older at referral. In contrast, the percentage of youth charged with public order offenses and drug law violations increased with the age of the offender. Property offenses increased from 17% for youth 12 and under to 20% for those aged 13-14 and then decreased for youth aged 15-16 (18%), increasing again to 23% for those aged 17 and older.

**Figure 26. Percent Distribution of Delinquency Petitioned Cases, by Offense and Age, 2018**

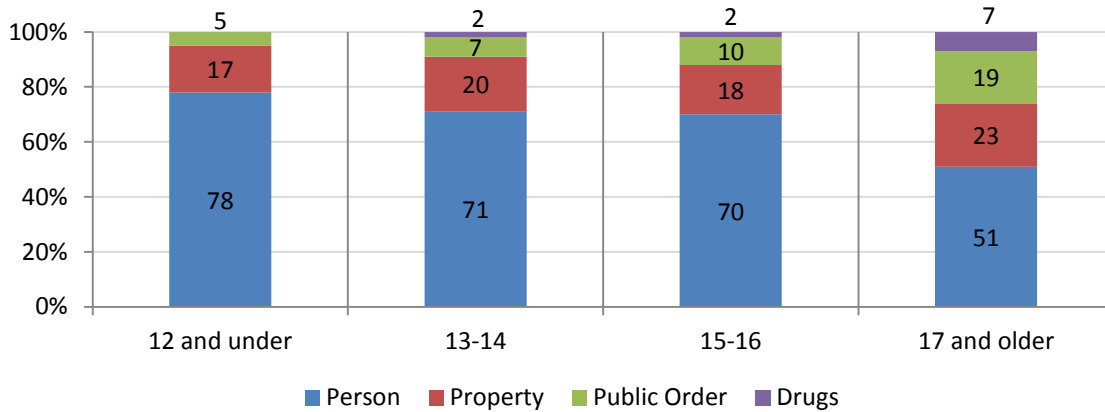


Table 13 shows the offense categories and specific offenses among age groups. The most common charges in the petitioned cases of youth 15 or younger were: unarmed robbery (24%; 100), simple assault (19%; 82), assault with a dangerous weapon (8%; 33),

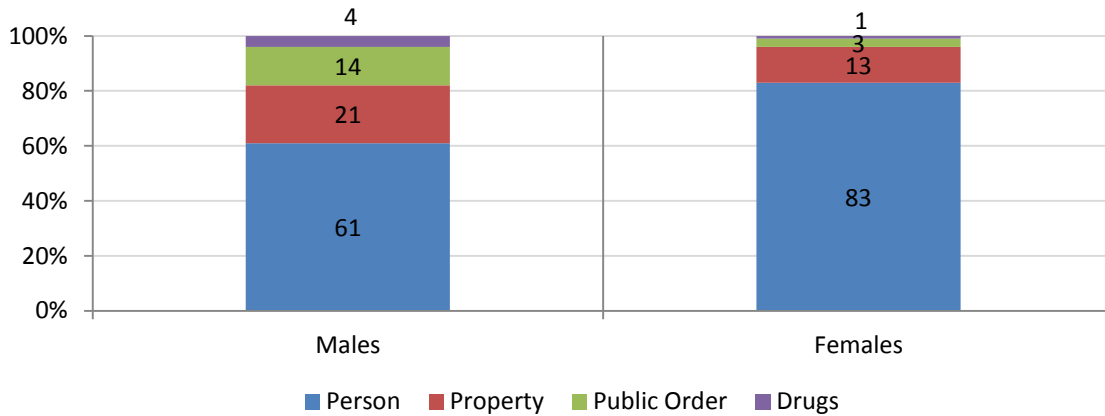


and armed robbery (8%; 31). The most common charges for a youth age 16 or older were simple assault (17%; 75), unarmed robbery (15%; 67), and weapons offenses (14%; 64).

**MOST SERIOUS OFFENSE BY GENDER**

In 2018, males accounted for 79% (677) of petitioned cases and females accounted for 21% (184). Females were charged with offenses against persons at a higher rate than males: 83% of females compared to 61% of males. Conversely, more males were charged with acts against property than females (21% and 13%, respectively), acts against public order (14% and 3%, respectively), and drug law violations (4% and 1%, respectively) (Figure 27). The percentage of juveniles charged with offenses against persons increased for both genders from 2017 to 2018 (males 50% to 61%; females 68% to 83%) yet the percentage of juveniles charges with offenses against property decreased over the same time period (males 31% to 21%; females 24% to 13%).

**Figure 27. Percent Distribution of Delinquency Petitioned Cases, by Offense and Gender, 2018**



As shown in Table 14, among males charged with crimes against persons, 48% (198) were charged with robbery (unarmed and armed) and 38% (157) were charged with assault (simple assault, aggravated assault, assault with a dangerous weapon, and assault

with intent to kill). Among females charged with crimes against persons, 80% (123) were charged with assault (simple assault, assault with a dangerous weapon, aggravated assault, and assault with intent to kill), and 16% (24) with robbery (unarmed and armed). Males were charged with property offenses as follows: larceny/theft and unauthorized use of a vehicle (each at 30%; 43), burglary II (14%; 21), and unlawful entry (12%; 17) and property damage (10%; 14). For females, the leading property charge was larceny/theft (39%; 9), followed by property damage (30%; 7).

Eighty-eight percent (83) of the males with public order offenses were charged with a weapons offense and 7% (7) with other acts against public order. All female public order offenders were charged with weapons offenses (100%; 6). Six percent (24) of all males with delinquency petitions were charged with drug law violations, the majority of which were for drug sale/distribution (83%; 20).

**Table 14. Juvenile Delinquency Petitioned Cases in 2018,  
by Most Serious Offense and Gender**

Most Serious Offense <sup>27</sup>	Total cases	Male	Female
<b>Acts against persons</b>	<b>567</b>	<b>414</b>	<b>153</b>
Murder	2	2	0
Assault With Intent to Kill	10	7	3
Assault With A Dangerous Weapon	60	36	24
Aggravated Assault	53	41	12
Armed Robbery	55	53	2
Robbery	167	145	22
First Degree Sexual Abuse (Rape)	14	14	0
Other Violent Sex Offenses	10	10	0
Carjacking	30	28	2
Burglary I	4	2	2
Simple Assault	157	73	84
Other Acts Against Persons	5	3	2
<b>Acts against property</b>	<b>168</b>	<b>145</b>	<b>23</b>
Burglary II	23	21	2
Larceny/Theft	52	43	9
Unauthorized Use Auto	46	43	3
Property Damage	21	14	7
Unlawful Entry	17	17	0
Stolen Property	7	5	2
Other Acts Against Property	2	2	0
<b>Acts against public order</b>	<b>100</b>	<b>94</b>	<b>6</b>
Weapons Offenses	89	83	6
Disorderly Conduct	2	2	0
Obstruction Of Justice	2	2	0
Other Acts Against Public Order	7	7	0
<b>Drug Law Violations</b>	<b>26</b>	<b>24</b>	<b>2</b>
Drug Sale/Distribution	22	20	2
Drug Possession	3	3	0
Other Drug Law Violations	1	1	0
<b>Total Delinquency Petitions</b>	<b>861</b>	<b>677</b>	<b>184</b>

<sup>27</sup> See Footnote 23.

### **MOST SERIOUS OFFENSE BY DETENTION STATUS**

A child shall not be detained pending a trial or disposition hearing unless he or she is alleged to be delinquent and it appears that detention is required to protect the person or property of others, or to secure the child's presence at the next court hearing. *See* D.C. Code § 16-2310 (a).<sup>28</sup> In addition, a child shall not be placed in shelter care pending a trial or disposition hearing unless it appears that shelter care is required to protect the child or because the child has no parent, guardian, custodian, or other person or agency able to provide supervision and care for him or her, and no alternative resources or arrangements are available to the family to safeguard the child without requiring removal. *See* D.C. Code 16-2310(b). In order to detain the child, the judge or magistrate judge must also have probable cause to believe that the child committed the offense. In determining whether a youth should be detained or not, judicial officers exercising their discretion, consider a myriad of factors before making the detention decision. Factors taken into consideration include but are not limited to:<sup>29</sup>

- the nature and circumstances of the pending charge;
- the record of and seriousness of the child's previous offenses, if any;
- whether there are allegations of danger or threats to any witnesses;
- the length of, and community ties related to, the child's residence in D.C.;
- the child's school record and employment record (if any); and
- record of the child's appearances at prior court hearings.

If the judicial officer determines that detention appears to be justified, he/she has discretion to consider whether the child's living arrangements and degree of supervision might justify release pending adjudication. Notwithstanding the above factors, there is a rebuttable presumption that detention is required to protect the person or property of others if the judicial officer finds by a substantial probability that the child committed a

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<sup>28</sup> D.C. Code § 16-2310 was amended by the Comprehensive Youth Justice Amendment Act of 2016, D.C. Law No. 21-238, § 102(c) (April 4, 2017).

<sup>29</sup> See Superior Court Juvenile Rule 106 which has not been amended but will be amended to reflect the changes warranted by the Comprehensive Youth Justice Amendment Act of 2016.

dangerous crime or a crime of violence while armed, as defined in D.C. Code § 16-2310 (a-1)(2), or committed the offense carrying a pistol without a license.

In 2018, youth were detained prior to the fact-finding hearing in 19% (164) of the 861 petitioned cases, representing a 12% decrease from 2017.<sup>30</sup> Table 15 details information on the number of juveniles detained at initial hearing by offense, one of the many factors judges must consider when making a decision to detain a youth.

**Table 15. Pre-Trial Detention Cases, by Offense and Type of Detention, 2018**

Most Serious Offense <sup>31</sup>	All Detained Delinquency Cases						
	Total detained	Securely Detained			Non-Securely Detained		
		Total	Males	Females	Total	Males	Females
<b>Acts against persons</b>	109	38	35	3	71	52	19
Murder	2	2	2	0	0	0	0
Assault With Intent to Kill	8	5	4	1	3	3	0
Assault With A Dangerous Weapon	17	2	1	1	15	10	5
Aggravated Assault	13	8	7	1	5	2	3
Armed Robbery	15	4	4	0	11	10	1
Robbery	21	3	3	0	18	15	3
Carjacking	16	8	8	0	8	8	0
Simple Assault	13	3	3	0	10	3	7
First Degree Sexual Abuse	2	1	1	0	1	1	0
Other Violent Sex Offenses	1	1	1	0	0	0	0
Other Acts Against Persons	1	1	1	0	0	0	0
<b>Acts against property</b>	22	4	3	1	18	16	2
Burglary II	2	2	2	0	0	0	0
Larceny/Theft	5	1	1	0	4	2	2
Unauthorized Use Auto	11	0	0	0	11	11	0
Property Damage	3	1	0	1	2	2	0
Stolen Property	1	0	0	0	1	1	0
<b>Acts against public order</b>	31	14	13	1	17	16	1
Weapons Offenses	31	14	13	1	17	16	1
<b>Drug Law Violations</b>	2	0	0	0	2	1	1
Drug Sale/Distribution	2	0	0	0	2	1	1
<b>Total number of detained cases</b>	<b>164</b>	<b>56</b>	<b>51</b>	<b>5</b>	<b>108</b>	<b>85</b>	<b>23</b>

<sup>30</sup> For purposes of this report, a juvenile's pre-trial detention status is based on the detention decision made at the initial hearing. It does not reflect the movement of juveniles from one placement status to another either prior to or after adjudication.

<sup>31</sup> See Footnote 23.

In 2018, 31% of youth charged with acts against public order were detained prior to fact-finding, compared to 19% of youth charged with acts against persons, 13% of youth charged with property crimes, and 8% of youth charged with drug offenses. The comparable numbers for detention prior to fact-finding in 2017 were: acts against public order (50%), acts against persons (33%), property crimes (20%), and drug offenses (29%). With regard to specific offenses, 100% of youth charged with murder, 80% of youth charged with assault with intent to kill, and 53% of youth charged with carjacking were detained prior to trial. On the other hand, 35% of youth charged with weapons offenses, 28% charged with assault with a dangerous weapon, 27% of youth charged with armed robbery, 25% of youth charged with aggravated assault, and 13% of youth charged with robbery were detained prior to fact-finding.

Twenty percent of male youth and 15% of female youth were detained prior to trial in 2018. Male and female youth were detained at a lower rate than the previous year, representing a 13% decrease for males and a 9% decrease for females. In 2018, 66% (108) of youth detainees were held in non-secure facilities (shelter houses), a 12% increase from 2017. In 2018, 34% (56) of youth detainees were held in secure detention facilities, a 12% decrease from 2017. In 2018, males accounted for 91% (51) of those detained in secure facilities and 79% (85) of those detained in shelter houses. Since 2017, the percentage of detained males has increased by 3% in secure facilities and decreased by 4% in shelter house. Conversely, the female youth detainee population has decreased by 3% for secure facilities and increased by 4% for shelter houses.

Table 15 also depicts pre-trial detention cases by type of detention facility. Of youth detained, 100% (2) charged with murder were detained in secure facilities as were

63% (5) of youth charged with assault with intent to kill, 62% (8) of youth charged with aggravated assault, and 50% (8) of youth charged with carjacking. Among detained youth in shelter houses, 100% (11) were charged with unauthorized use of a vehicle, 88% (15) were charged with assault with a dangerous weapon, 86% (11) were charged with unarmed robbery, and 77% (10) were charged with simple assault.

### **TIMELINESS OF JUVENILE DELINQUENCY CASE PROCESSING**

Many states, and the District of Columbia, have established case processing timelines for youth detained prior to trial. In addition to individual state timelines, several national organizations, including the American Bar Association, the Office of Juvenile Justice and Delinquency Prevention, the National Council of Juvenile and Family Court Judges (NCJFCJ), and the National District Attorneys Association have issued guidelines for case processing in juvenile cases.<sup>32</sup>

The guidelines, both at the state and national levels, address the time between key events in a juvenile delinquency case. In general, these guidelines suggest that the maximum time between court filing and adjudication for youth detained prior to trial be 30 days or less, and from filing to disposition for detained youth be 60 days or less.

District of Columbia Code §16-2310 (e) establishes timeframes for the trial or fact-finding hearing for youth detained prior to trial in secure detention facilities and non-secure detention facilities or shelter houses. In certain instances, the court may extend the time limit for the fact finding hearing. *See* D.C. Code § 16-2310 (e)(2)(A). In addition, upon good cause, the Attorney General may move for further continuance in 30-day increments.

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<sup>32</sup> See “Delays in Juvenile Court Processing of Delinquency Cases” by Jeffrey A. Butts conducted under the sponsorship of the Office of Juvenile Justice and Delinquency Prevention (1997), and “Waiting for Justice: Moving Young Offenders Through the Juvenile Court Process” by Jeffrey Butts and Gregory Halima conducted under the sponsorship of the National Center for Juvenile Justice (1996). Also see “Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases” (NCJFCJ) (2005) which establishes national best practices in the handling of juvenile delinquency cases.

As for the timeframe for disposition of juvenile cases, Superior Court Juvenile Rule 32 requires that the disposition hearing in cases of securely and non-securely detained youth may be held immediately following adjudication, but must be held not more than 15 days after adjudication. The D.C. Court of Appeals has held that the 15-day time requirement of Rule 32 is directory rather than mandatory and that the trial court does not err when it extends the 15-day time period for a reasonable length of time to obtain the predisposition report. *See, In re J.B.*, 906 A.2d 866 (D.C. 2006).

This report examines case processing standards for youth in four categories:

(1) securely detained juveniles charged with murder, assault with intent to kill, armed robbery, first degree sex abuse, and first degree burglary – D.C. Code § 16-2310 (e) (the statute) allows 45 days to reach adjudication and Rule 32 allows 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition;

(2) securely detained juveniles charged with any offense other than those identified in (1) above – the statute allows 30 days from initial hearing to adjudication and Rule 32 allows 15 days from adjudication to disposition, for a total of 45 days from initial hearing to disposition;

(3) non-securely detained juveniles charged with any offense – the statute allows 45 days from initial hearing to adjudication and Rule 32 allows 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition; and

(4) released youth – Administrative Order 08-13 allows 270 days for disposition. (There is no Family Court statute or rule that dictates time standards for either adjudication or disposition for cases of youth released prior to adjudication.)

Data on time to adjudication is based on the detention status of the respondent at



the time of the initial hearing. In contrast, data on time to disposition is calculated based on the detention status of the respondent at the time of the disposition hearing. In addition, court performance on time to disposition takes into account excludable delay resulting from the absence or unavailability of the child (custody orders) and the period of delay resulting from various examinations and assessments.

**SECURELY DETAINED JUVENILES**

In 2018, 12 (21%) out of the 56 securely detained juveniles were charged with the most serious offenses of murder, assault with intent to kill, armed robbery, first degree sexual abuse, or first degree burglary. As stated above, these juveniles were required to have their cases adjudicated within 45 days and their disposition hearing within 15 days of adjudication, for a total of 60 days (referred to as “Secure Detention 45-day cases”). As seen in Table 16, an adjudication hearing occurred in nine (75%) of these 12 cases. However, only 44% (four) of those adjudication hearings occurred within the 45-day timeframe. Of the remaining three cases, two were dismissed prior to adjudication and one is pending adjudication. The median time from initial hearing to adjudication was 51 days.

**Table 16. Time Between Initial Hearing and Adjudication for Securely Detained Youth, 2018**

Securely Detained	Cases in Which an Adjudication Hearing Was Held								Percent of cases within timeframe <b>33</b>	Percent of cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
Initial Hearing to Adjudication* (Statutory Timeline 45 days)	9	3	1	1	0	4	51	72	44	56
Initial Hearing to Adjudication (Statutory Timeline 30 days)	27	14	6	1	2	4	30	52	52	48

\*Includes juveniles charged with murder, assault with intent to kill, first degree sex abuse, armed robbery, and first degree burglary.

<sup>33</sup> This table uses straight time in determining cases within the timeframe. As such, periods of delay resulting from statutorily allowed continuances have not been excluded from the calculation.

There were 44 securely detained juveniles who were charged with serious offenses (other than most serious cases) who were required to have their cases adjudicated within 30 days, and their disposition within 15 days of adjudication – for a total of 45 days (referred to as “Secure Detention 30-day cases”). Twenty-seven (61%) of the 44 juveniles had an adjudication hearing, 52% of which occurred within the 30-day timeframe (Table 16). The remaining 17 cases (39%) were either dismissed prior to adjudication (11) or are pending adjudication (six) and not included in the calculation. The median time to adjudication was 30 days.

In 2018, a number of factors contributed to the inability to adjudicate cases of securely detained youth in a timely manner. Those factors included, but were not limited to: the absence of an essential witness, unavailability of evidence, lack of availability of attorney, incomplete psychological, psychiatric and neurological tests, and difficulties in scheduling. The court will continue to monitor and track how requests for continuances are addressed with the goal of reducing the number of continuances requested and granted.

**Table 17. Time Between Initial Hearing and Disposition for Securely Detained Youth, 2018**

Securely Detained	Cases With Disposition Hearing or Closed Before Disposition Hearing								Percent of cases within timeframe	Percent of cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
Initial Hearing to Disposition* (45 Day Cases – 60 days)	8	1	1	0	4	2	87	99	25	75
Initial Hearing to Disposition (30 Day Cases – 45 days)	18	2	4	1	6	5	69	77	33	67

\*Includes juveniles charged with murder, assault with intent to kill, first degree sex abuse, armed robbery, and first degree burglary.

The calculation of time to disposition includes case processing from initial hearing to adjudication to disposition. Eight (89%) of the most serious adjudicated cases reached disposition in 2018 (Table 17). Twenty-five percent (two) of the securely

detained most serious cases (45-day cases) were disposed within the 60 day timeframe. The median time from initial hearing to disposition in those cases was 87 days.

For securely detained adjudicated juveniles with serious offenses (30-day cases), 18 (67%) reached disposition in 2018. However, only 33% (6) of these cases disposed within the 45 day timeframe. In these cases, the median time between initial hearing and disposition was 69 days.

A major factor contributing to delays in disposition was the need to identify and obtain services or programs for the youth prior to disposition. Other factors included delays related to DYRS ability to obtain placement, delays in receipt of required psychological and psychiatric reports, respondents who were not in compliance with court orders, and respondents who were involved in other proceedings before the court.

**NON-SECURELY DETAINED JUVENILES**

In 2018, there were 108 juveniles detained in non-secure facilities or shelter houses prior to adjudication. Sixty-five (60%) non-securely detained juveniles reached adjudication. Forty-six percent (30) of the non-securely detained youth had timely adjudication hearings within the 45-day timeframe. The median number of days to adjudication was 48 days (Table 18).

**Table 18. Time Between Initial Hearing and Adjudication for Non-Securely Detained Youth, 2018**

Non-Securely Detained	Cases in which an adjudication hearing was held								Percent of Cases within timeframe <sup>34</sup>	Percent of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-15	16-30	31-45	46-60	61 or more	Median	Average		
Initial Hearing to Adjudication (Timeline 45 days)	65	5	7	18	12	23	48	67	46	54

Seven non-secure detention cases (18%) were timely disposed within the 60-day

<sup>34</sup>See Footnote 33.

time period from initial hearing to disposition. The median number of days from initial hearing to disposition was 97 days. In 2018, the court will continue to monitor these cases to improve compliance with case disposition requirements.

**Table 19. Time Between Initial Hearing and Disposition for Non-Securely Detained Youth, 2018**

Non-Securely Detained	Cases in which a disposition hearing was held or case closed before disposition								Percent of Cases within timeframe	Percent of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-15	16-30	31-45	46-60	61 or more	Median	Average		
Initial Hearing to Disposition (Timeline 60 days)	40	0	0	4	3	33	97	128	18	82

**RELEASED JUVENILES**

In 2018, 697 juveniles (81%) were released prior to adjudication. Of those cases that had an adjudication hearing, 100% (369) were adjudicated within the 255-day time period. In these cases, the median number of days to adjudication was 56 days.

**Table 20. Time Between Initial Hearing and Adjudication for Released Youth, 2018**

Released	Cases in which an adjudication hearing was held								Percent of Cases within timeframe <sup>35</sup>	Percent of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-85	86-170	171-255	255-270	271 or more	Median	Average		
Initial Hearing to Adjudication (Timeline 255 days)	369	271	83	15	0	0	56	65	100	0

In 2018, 169 youth were released at the time of their disposition hearing. Ninety-six percent (163) of released cases met the disposition hearing compliance timeframe of 270 days from initial hearing to disposition. The median number of days to disposition was 114 days.

**Table 21. Time Between Initial Hearing and Disposition for Released Youth, 2018**

Released	Cases in which a disposition hearing was held or case closed before disposition								Percent of Cases within timeframe	Percent of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-85	86-170	171-255	255-270	271 or more	Median	Average		
Initial Hearing to Disposition (Timeline 270 days)	169	52	77	34	0	6	114	123	96	4

<sup>35</sup> See Footnote 33.

## **JUVENILE BEHAVIORAL DIVERSION PROGRAM**

The Juvenile Behavioral Diversion Program (JBDP) continues to operate as an intensive non-sanction- based program, designed to link juveniles and status offenders to, and engage them in, appropriate mental health services and supports in the community. The goal is to reduce behavioral symptoms that result in the youth's involvement with the juvenile justice system and to improve the youth's functioning in the home, school, and community. Program participants must be under 18 years of age and they must have been diagnosed with a mental health or substance use disorder, according to the current version of the Diagnostic and Statistical Manual of Mental Health Disorders (DSM). Youth with co-morbid mental health and Intellectual or Autistic Spectrum Disorders are also eligible for clinical consideration. In addition to having a qualifying mental health diagnosis, respondents also have to meet certain eligibility criteria related to their criminal history. Once eligibility is determined, respondents are reviewed by a suitability committee who take factors such as amenability to treatment and community support into account. The respondent's participation in the program is expected to be for a period of three to twelve months, but may be for a shorter or longer period, depending on the level of engagement with services.

There was a decline in the number of youth referred and enrolled into JBDP in 2018. Several cases previously identified as being eligible for JBDP were referred to the newly created HOPE Court (which will be discussed below). In 2018, the JBDP Suitability Committee reviewed 75 cases. Sixty-nine of the reviewed youth were accepted by the Suitability Committee and 50 of these youth accepted by the Committee were enrolled in JBDP. Of the 50 enrolled, 12 were female and 38 were male. As of December 2018, 23

youth referred and enrolled in the program in 2018 left. Twelve youth successfully completed the program and 11 were terminated (due to re-arrests or other criteria for dismissal). The remaining 27 youth are actively enrolled in the program. There were 19 cases accepted by the Suitability Committee that did not enter by the end of 2018. Fourteen youth declined the program and opted for other dispositions, including traditional probation or deferred prosecution/adjudication agreements. Five cases were pending entry into the program at the end of 2018.

At the end of 2017, there were six cases pending entry into JBDP. In 2018, six youth accepted to JBDP in 2017, enrolled into the program. Of the six cases accepted in 2017, but enrolled in 2018, four were male, one was cis-female, and one was transgender female. As of December 2018, five youth accepted by the Suitability Committee in 2017 and enrolled in 2018 left. Three successfully completed the program, two were terminated (due to re-arrests or other criteria for dismissal) and one remains actively enrolled. A total of 56 new youth enrolled in JBDP in 2018.

### **HOPE COURT**

In 2018, the Family Court launched HOPE "Here Opportunities Prepare you for Excellence" Court. The program is a treatment court established to address the multiple needs of court-involved youth who are suspected of being, confirmed to be, or at risk of becoming victims of commercial sexual exploitation. For youth in the delinquency system, HOPE Court offers a path to case closure for those who succeed and graduate. For youth in the neglect system, HOPE Court offers specialized services to assist youth and families to achieve their permanency goal. Upon entry to the program, participants set their preferred treatment goals and, by utilizing HOPE Court resources, direct the

course of their individualized HOPE Court journey. In 2018, 36 cases were enrolled in HOPE Court, 31 youth with PINS or DEL cases and 5 youth with NEG cases. Of the 36 cases, 35 participants were female and one was male. In 2018, five youth left the program, three successfully graduated and two were terminated (due to re-arrests or other criteria for dismissal).

### **FAMILY COURT SOCIAL SERVICES DIVISION (CSSD)**

In accordance with Public Law 91-358, the Family Court's Social Services Division (CSSD) is responsible for screening, assessing, and presenting status offender cases in courtrooms JM-4 and JM-5, and juvenile delinquency cases in the New Referrals courtroom (JM-15); managing cases, as well as serving and supervising all pre-trial and post-adjudicated juveniles involved in the front-end of the District of Columbia's juvenile justice system. Juveniles involved in the front-end of the system include: all newly arrested youth entering the Family Court in juvenile delinquency cases, youth eligible for diversion, status offenders (persons in need of supervision (PINS), truants, runaways, as well as youth referred for ungovernable behavior) and post-disposition probation youth.

CSSD is responsible for conducting psychological, neuro-psychological, psycho-educational, and comprehensive clinical risk (e.g., violence risk, psychosexual) evaluations. The division conducts competency to waive trial and Miranda rights evaluations and restoration interventions, and waiver of juvenile jurisdiction evaluations. CSSD also administers the Sex Trafficking Assessment Review (STAR) screening tool, developed by the CSSD and validated with youth under CSSD supervision. The STAR was developed in 2015, to identify youth exposed to and/or victims of human trafficking and exploitation. Prior to the administration of the STAR, the baseline Connors Behavioral

Rating Scale is administered, which helps to ascertain each youth's need for more extensive behavioral health assessments and evaluations. STAR screening is administered to referred youth by designated CSSD staff, 24 hours a day, at three locations.

On average, the CSSD supervises approximately 630 pre- and post-disposition juveniles and status offenders daily. Youth under the supervision of the CSSD represent approximately 70%-75% of all youth involved in the District's juvenile justice system.

In 2018, CSSD successfully achieved all of its objectives consistent with statutory requirements defined in the District of Columbia Code, employing a combination of emerging, evidenced-based best practices in the field of juvenile justice and child welfare. Working with a variety of juvenile justice stakeholders (e.g., the Presiding and Deputy Presiding Judges of the Family Court, the Office of the Attorney General, the Public Defender Services, the Criminal Justice Attorneys and the Department of Behavioral Health), the division continued to successfully support the Juvenile Behavioral Diversion Program (JBDP) and the pre- and post-disposition probation supervision component of the Family Court. The CSSD, in collaboration with juvenile justice stakeholders, successfully launched the city's first-ever treatment court designed to address the needs of youth exposed to or victims of exploitation and human trafficking, entitled the HOPE (*Here Opportunities Prepare You For Excellence*) Court. HOPE Court expanded the range of diversion opportunities available to many youth who would otherwise have their cases adjudicated while their Adverse Childhood Experience (ACE) remained unidentified and/or unaddressed.

The division also collaborated with the Capital Projects and Facilities Management Division on the development and construction of the Superior Court's Balanced and



Restorative Justice (BARJ) Drop-In Center, located in the northwest quadrant of the city. This center, our sixth, will serve court-involved youth residing in the surrounding area. Working in coordination with the District of Columbia's Criminal Justice Coordinating Council, the CSSD continued to focus on high-risk youth through the "Partnership 4 Success" program. This multi-agency collaborative initiative ensures high-risk youth, under the CSSD's supervision, are identified and provided comprehensive intensive services. The initiative also relies upon resources provided by stakeholders from the Metropolitan Police Department, the Department of Parks and Recreation Roving Leaders, the District of Columbia Public Schools and D.C. Public Chartered Schools.

The CSSD co-chaired and staffed the city's Restorative Justice Subcommittee, created to examine alternative measures for resolving conflict and disputes which give rise to juvenile crime and to explore alternatives to adjudication. The division also facilitated multiple pro-social delinquency prevention initiatives during Spring Break 2018, including a crime prevention, carnival-like, day-long gathering on the grounds of St. Elizabeth's Hospital (the RISE Center), community service projects throughout the city, and in-house educational activities with guest speakers and collegial workshops. CSSD youth participated in college tours to: the University of the District of Columbia, Bowie State University and the University of Maryland, as well as a Science Technology Engineering and Mathematics (STEM) Fair on the DC Courts' campus. CSSD youth also enjoyed a therapeutic "Paint and Jam," during which youth were guided to express themselves through portrait painting. The Annual CSSD Youth Spring Fling concluded with youth, joined by Chief Judge Morin and CSSD staff, presenting chemo hats and

socks they made for youth undergoing treatment for cancer, to the Vice President of the Hospital for Sick Children.

CSSD youth also participated in a number of local field trips to historic landmarks including museums, monuments, historic houses, tours of federal buildings and visits to the local and federal legislative branches of government. These field trips occurred weekly, on either Friday or Saturday of each week, and continued to be important activities for our youth. The CSSD also co-sponsored several block parties in various communities impacted by serious crime and coordinated its annual “*Fright Night*” Halloween party for youth under supervision. Immediately following the Fright Night activity, CSSD staff joined the MPD in several parts of the city to provide an increased presence to prevent crime.

In 2018, the CSSD continued its enhanced Summer Safety supervision efforts for low, medium and high-risk youth during summer school break. CSSD concentrated its intensive supervision efforts each Friday and Saturday night, targeting roughly 175 high-risk youth (approximately 27% of the daily population). Low, medium and high-risk youth were engaged programmatically weekly, bi-weekly, and monthly based on their level of progress. In 2018, the CSSD facilitated another successful Back-To-School/Juvenile Call-In Banquet in the Southeast quadrant of the city at St. Luke’s Church, attended by more than 150 court-involved youth and parents. Participants gathered for a semi-formal banquet style dinner, which featured an award ceremony honoring youth and also included backpacks filled with school supplies for each youth in attendance. Also honored during the banquet were 16 youth who successfully completed the culinary arts training program, several of whom have secured employment in local restaurants. A signature highlight of

the banquet was the opportunity for youth to share their talents with their peers, parents and CSSD staff.

Other activities conducted by the CSSD to expand weekend summer programming included: daily community supervision visits, escorting youth to several Washington Nationals, Wizards and Mystics games, Laser Tag, bowling, skating, touch football and Tee-ball competitions, and also attending a Redskins Meet and Greet at FedEx Field. These extracurricular activities are utilized to incentivize law abiding and pro-social behavior among youth. Working in collaboration with the Metropolitan Police Department, CSSD escorted twenty youth to Camp Riverview in Scotland, Maryland.

CSSD continued its commitment to ensure the vast majority of staff completed a Food Preparation Course and continued its division-wide training of staff in Balanced and Restorative Justice (BARJ) philosophy principles. At its core, balanced and restorative justice principles hold that when a crime is committed, the victim, wrongdoer, and community are all impacted. The victim, wrongdoer, and community must all be restored in order to achieve balance. Guiding BARJ principles include, but are not limited to the following:

- All human beings have dignity and worth, and accountability for those who violate the person or property of others means accepting responsibility.
- Parties (e.g., victim, wrongdoer, and community) should be a central part of the response to the crime.
- The community is responsible for the well-being of all its members.

### **Contract Monitoring, Data and Financial Management**

With respect to case management and coordination of services and supports, the Court Social Services Division Contract Monitoring, Data and Financial Management (COMDAF) team processed 1,500 referrals, resulting in approximately 24,375 mentoring

and tutoring sessions funded with CSSD resources. COMDAF also oversaw a host of other contracts including Global Position System (GPS) Electronic Monitoring, BARJ principles and philosophy training and Food Preparation for all staff.

The Contract Monitoring Financial Analysis Staff participated and collaborated with the Metropolitan Police Department Youth Division and the CSSD Event Planning Committee to plan positive and safe activities during holidays and school breaks. These included coordinating comprehensive pro-social outings for CSSD youth during many holidays (Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day) as well as DCPS teacher end-of-term days, when students have the day off. The COMDAF unit ensured activities met the courts' guidelines and standards and included community service endeavors aimed at enabling youth to help restore communities impacted by juvenile crime.

### **CSSD Organization**

CSSD is comprised of four branches, two of which house probation satellite offices/units designated to specific populations, and two administrative units. Branches include: Juvenile Intake and Delinquency Prevention Branch, Child Guidance Clinic, Region I Pre- and Post-disposition Supervision, and Region II Pre- and Post- disposition Supervision. The three administrative units include: Juvenile Information Control Unit, Contract, Data and Financial Analysis Unit, and the co-located Custody Order Unit.

## **Juvenile Intake and Delinquency Prevention Branch**

Comprised of Intake Unit I (day intake), Intake Unit II (night intake), and the Delinquency Prevention Unit, the branch is responsible for:

- screening, investigating, making recommendations, and case presentment for all newly referred youth for delinquency cases;
- screening and determining the status of all truancy referrals; and,
- providing electronic monitoring, transportation (for all arrested youth to their home when the parent/guardian/custodian is unable to retrieve them) and community relations.

In 2018, the Intake Branch exceeded its goals and objectives outlined consistent with statutory duties and CSSD's Management Action Plans (MAPs). The Intake Branch successfully screened 698 youth referred for truancy (a 19% reduction from calendar year 2017), of which 498 (71%) and 200 (29%) were referred by the DC Public Schools and DC Public Charter Schools, respectively. With respect to youth referred for delinquency matters, the CSSD screened a total of 2,215 youth compared to 2,816 in 2017 (a 21% reduction). The Intake Branch also successfully completed over 1,173 Global Position System (GPS) Electronic Monitoring installations. Consistent with core requirements of the federal Juvenile Justice and Delinquency Prevention (JJDP) Act, all youth referred to the CSSD following arrest must be screened (resulting in a preliminary hold/release recommendation) within a four hour period, prior to presentment of the case in the Initial Hearing located in courtroom JM-15. The Branch had the following accomplishments:

- Screened 100% (2,215 youth) of all newly arrested youth utilizing a valid Risk Assessment Instrument (RAI), a pre-trial social assessment. Among the youth screened for juvenile crimes, 711 (32%) were females and 1,504 (68%) were males. Among youth referred for a status offense (truancy), the CSSD received

and screened approximately 698 referral packages. The Intake Branch also screened and assessed approximately 119 PINS youth, in the 2018 fiscal year.

- Participated in the Juvenile Detention Alternatives Initiatives, Juvenile Data Subcommittee, which seeks to collect and interpret juvenile arrest, diversion, court involvement and overall front-end data. Providing stakeholders with data trend analysis and other observable facts enables stakeholders to provide timely interventions and address specific delinquency issues occurring in the District of Columbia.
- Participated as a stakeholder in the Juvenile Papering Project (JPP) which seeks to provide all juvenile stakeholders with near real-time access to the juvenile arrest, petitioning and court outcome process. The system went live in September 2018. CSSD collaborates with the Superior Court's Integrated Justice Information System (IJIS) team, Central Intake Center (CIC), Office of the Attorney General (OAG) and the Criminal Justice Coordinating Council (CJCC) to identify and correct errors in Courtview such as multiple social files, incorrectly spelled names or dates of birth, and duplicate x-reference or family ID numbers.
- The CSSD also continued its collaborative efforts with the D.C. Courts' Information Technology (IT) Division to improve the Juvenile Probation Case Management System (JPCMS), which went live in October 2017. The JPCMS was renamed Teens at Promise for Success (TAPS).
- Continued to serve as a stakeholder on the Truancy Taskforce, a citywide initiative to address causes and reduce the incidents of truancy in public and private schools through coordinated efforts and meaningful interventions.
- The CSSD also continued to participate in the Juvenile Intake and Arraignment workgroup tasked with analyzing and refining current stakeholder (MPD, DYRS OAG, CSSD, and Juvenile Clerk's Office) processes to create better workflow for cases that are presented in the Juvenile New Referrals (JM-15) courtroom.
- Attended Area Neighborhood Committee (ANC), Police Service Area (PSA) and other community meetings and shared their findings with their managers. These information exchanges enabled the CSSD to continue serving as the "eyes and ears of the court" and maintain high visibility in the community.

### **Region I Pre-Trial and Post-Disposition Supervision**

Region I Pre-Trial and Post-Disposition Supervision (Region I) is comprised of four teams: Southeast Satellite Office (SESO)/Balance and Restorative Justice (BARJ) Drop-In Center; Southwest Satellite Office (SWSO)/Balance and Restorative Justice (BARJ) Drop-In Center; Interstate Probation Supervision Team; and the Ultimate Transition Ultimate Responsibility Now (UTURN) Team. Throughout 2018, Region I achieved success in virtually all areas of operation to include successful implementation of

the Balanced and Restoration Justice (BARJ) philosophy and principles throughout the division. Among the many accomplishments, Region I successfully supervised an average monthly population of approximately 255 youth, preparing approximately 169 reports for the judiciary per month. Region I also conducted a total of 2,881 home visits, 1,852 Family Group Conferences (FGC), 2,406 school visits, 7,788 curfew visits, and 8,292 curfew calls. Additional highlights include, but are not limited to:

- Maintained the following groups in the SESO/BARJ Drop-In Center, facilitated by staff and service providers: *Accelerating the Aptitude of Children; Adopt A Block; Topical Review and Civic Empowerment; Drug Awareness Responsibility and Education; Real Men & Women Cook; Developing Leaders and Creating Legacies; Life Skills; Influencing Future Empowerment; Anger & Emotional Management; When in Rome; and, Life Support*. SESO facilitated circle groups focused on topics such as the Fifth and Thirteenth Amendments, gun violence, mass incarceration, the use of violence and force and shootings by police. Staff coordinated movie nights where youth viewed movies such as *Black Panther, 12 Years a Slave, and This is America* and then engaged in thought-provoking discussions contrasting messages from the movies with their everyday experiences. Staff also expanded community service opportunities to include: volunteering at the DC Central Kitchen; supporting and participating in the Susan G. Komen Race for the Cure. Additionally, staff coordinated youth visits to the National Building Museum (*Evicted* exhibit), Lincoln Memorial, Frederick Douglas National Historic home, Pop Up Hip Hop Museum and escorted youth to see the *Long Way Down* play at the Kennedy Center. Staff enhanced their relationship with Fifth and Sixth District MPD Community Beat Officers resulting in weekly visits to the SESO BARJ center, attendance at community meetings and targeted summer safety community-based measures.
- Maintained the following groups in the SWSO/BARJ Drop-In Center, facilitated by staff and service providers: *Drug Free World Drug Education Program; Things My Momma Taught Me; Anger & Emotional Management; Sports & Life; and The Guardian Accountability Program*. SWSO staff successfully worked with UTURN Intensive Supervision staff to enhance the scope of BARJ programming and expand youth participants. Staff also worked with youth during the spring break to complete a beautification project, during which youth landscaped the entire area surrounding the SWSO BARJ facility. SWSO staff hosted a 1D Community Advisory Commission (CAC) meeting enabling community leaders to join BARJ youth in a discussion centered-around the aspirations and ambitions of each youth. As a result of this meeting, several community members have volunteered to identify resources to assist SWSO BARJ youth. The SWSO Supervisory Probation Officer (SPO) served as Mistress of Ceremonies for the 2018 Annual Beat the Streets Award banquet held at the University of the District of Columbia's University Ballroom, and the SWSO and UTURN staff hosted a New Year's Eve

celebration including an indoor friendly tabletop athletic competition. Champions were provided gift cards.

- Interstate staff co-facilitated the following groups at the SESO/BARJ: *Adopt A Block; Topical Review and Civic Empowerment; Drug Awareness Responsibility and Education; Real Men & Women Cook; Developing Leaders and Creating Legacies; Life Skills; Influencing Future Empowerment; Anger & Emotional Management; When in Rome; and, Life Support*. Interstate staff also coordinated a CSSD Media Day, during which youth visited the XM Radio and Channel 9 local news stations to interview staff, view media recordings and engage in mock media recordings. Staff also fostered positive working relationships with other jurisdictions nationwide. Finally, staff coordinated and facilitated Paint and Jam sessions, in conjunction with NWSO, to provide youth with a creative outlet through painting.
- UTURN Intensive Supervision team maintained the following groups, facilitated by staff and service providers: *Probation Options Life Options (POLO); Saturday Sanctions Program; Monthly Parent Youth Orientation; Anger & Emotional Management; and Life Skills*. UTURN youth are designated high-risk due to the nature of serious offenses. The POLO group offers high-risk youth an opportunity examine their personal goals, life choices, and engage in critical thinking before actions. Staff also successfully integrated youth and programming into the SWSO BARJ, resulting in an increase in the number of youth attending the SWSO BARJ. UTURN staff continued to participate in the Dual Supervision Committee, joined by representatives of the Department of Youth Rehabilitative Services (DYRS), Child and Family Services Agencies (CFSA) and the Court Services and Offender Supervision Agency (CSOSA), coordinated by the Criminal Justice Coordinating Committee (CJCC).
- Coordinated the participation of youth at the National Capital Area Food Bank where they worked from 11am to 3pm, packing food boxes for delivery to senior citizens in D.C.
- Attended various local festivals including the Purple Wave Festival, the MLB All Stars Festival and the Anacostia Mardi Gras Festival
- Participated in the SESO Black History Month celebrations through essay writing, historical research, and a knowledge competition
- Co-facilitated a Youth and Family Community Night to examine the city's increase in gun violence at Matthew's Memorial Baptist Church

## **Region II Pre-Trial and Post-Disposition Supervision**

Region II Pre-Trial and Post-Disposition Supervision (Region II) is comprised of four teams: Northwest Satellite Office (NWSO); Northeast Satellite Office (NESO)/Balance And Restorative Justice (BARJ) Drop-In Center; Status Offender, Behavioral Health Diversion and HOPE Court Office (SOBHDHC); and the Leaders Of



Today In Solidarity (LOTS) Satellite Office. Throughout 2018, Region II exceeded expectations in virtually all areas of operation to include successful implementation of the Balance And Restoration Justice (BARJ) philosophy and principles throughout the division. Among the many accomplishments, Region II successfully supervised an average monthly population of 375 youth, preparing roughly 132 reports to the judiciary per month. Region II also conducted a total of 1,504 home visit, 942 Family Group Conferences (FGCs), 4,516 curfew visits, and 8,255 curfew calls. Additional highlights include, but are not limited to:

- Maintained the following groups within the NWSO, facilitated by staff and service providers weekly to youth: *Co-facilitated the Probation Offering Life Opportunities (POLO) Peer-to-Peer; Conflict Resolution; and Anger & Emotional Management*. Also coordinated several large community service projects in collaboration with the D.C. Department of Parks and Recreation (DPR); co-coordinated one of the divisions' co-facilitated the Alternative Suspension Program at the NESO, during which CSSD youth suspended between three and five days are required to report to either the NESO or the SOJBDHCP various satellite offices to complete coursework provided by their school so that youth are able to return to school receiving full credit for work completed. Staff also hosted an on-site Summer Youth Employment Program (SYEP) registration for CSSD youth, and worked extensively with the MPD to resolve conflicts among various neighborhood crews and known gangs. The NESO also co-facilitated a number of crime prevention, rehabilitative pro-social measures during school closures and holidays.
- Maintained the following groups in the NESO/BARJ Drop-In Center, facilitated by staff and service providers: *Just Chill - Anger & Emotional Management, Preventing Addiction through Information and Dedication (PAID); Healthy Lifestyles; Boys to Men (Young Men's Peer Group); and Taking Care of Business (Lifeskills)*. Staff also coordinated with contract vendors escorting youth to educational outings, including the Martin Luther King Jr. Memorial, and the United States Capitol to witness our nation's legislative process in action. During winter and spring school breaks, NESO staff leveraged volunteer African Drummers and art therapists to work with youth attending BARJ programming. NESO staff also participated in the National Youth Against Violence supported the Annual CSSD Spring Break activities as well as summer programming, the Halloween Fright Night and Veteran's Day activities.
- Maintained the following groups at the LOTS/BARJ Drop-In Center facilitated by staff and service providers: *Anger & Emotional Management; Image Building and Self Esteem; Ladies Etiquette; Conflict Resolution; Your Network Is Your Net*

*Worth and Banking and Finance.* LOTS staff and youth also coordinated a variety of community service projects in collaboration with the Department of Parks and Recreation (DPR). Staff conducted onsite registration for eligible youth to secure summer jobs under the city's Department of Employment Services (DOES) and conducted a well-attended comprehensive Back-To-School night, during which advocates, school officials, parents and youth met to prepare each youth for a successful academic year. LOTS staff continued to facilitate its Parent Empowerment Support Group in partnership with interns from the Child Guidance Clinic. The group offers both an orientation to parents of youth entering the juvenile justice system and also enables parents to meet weekly to process their experiences and share lessons learned. Staff also maintained its "Red Door" closet, providing a supply of new and gently used clothing and other items available to youth and families in need. Donations of casual wear, formal wear, coats, shoes, baby supplies, and toiletries are received from employees of the D.C. Courts and external juvenile justice stakeholders. Finally, staff and youth participated in the Beauty Within Program, facilitated by the Young Ladies of Tomorrow (YLOT) Mentoring provider aimed at enabling CSSD female youth to bond and define their inherent internal and external beauty.

- Maintained the following groups at the SOBHDHC/BARJ Drop-In Center, facilitated weekly by staff and service providers: *What Does Anger Look Like? (An Enhanced Anger & Emotional Management Group)*; *Physical and Mental Effects of Drugs*; *Critical Thinking-Forming Opinions*; *Self Worth*; *Wellness and Fitness*. Staff continued to serve and supervise three distinct populations including: Status Offenders, Behavioral Health Diversion and HOPE Court. Staff also coordinated a host of educational, pro-social outings and worked with youth to complete an array of community service projects throughout the city. Staff Co-facilitated the Alternative Suspension Program, supported targeted programming during the spring break, summer initiative, and designated holidays. Additionally, staff partnered with Courtney's House, a renowned provider serving adolescents victimized by human trafficking and exploitation; hosted an international Churchill Fellow from Australia; and continued to participate on the citywide Missing Youth Committee.
- Hired several bilingual Spanish speaking staff who are acclimating themselves well to the DC Courts and CSSD. Bilingual staff are also participating on various committees, enabling the CSSD to enrich programming culturally and linguistically.
- Continued to participate in the monthly Citywide Child Fatality Committee, enabling CSSD to partner with other citywide stakeholders in investigating and uncovering the causes of child fatalities in the city.
- Ensured all Region II BARJ Drop-In Centers facilitated a Thanksgiving Dinner for youth and families. Thanksgiving baskets were distributed to families as needed.
- Continued to participate in the citywide Multi-Disciplinary Treatment Committee targeting youth at-risk for or victimized by human trafficking and/or exploitation.

## **Child Guidance Clinic**

The Child Guidance Clinic (CGC) continued to operate its nationally recognized pre-doctoral psychology internship training program accredited by the American Psychological Association (APA). Welcoming three new interns in 2018, the students were selected from the University of Virginia, Fielding University, and the American School of Professional Psychology-Atlanta. The interns were selected from a pool of over 100 applicants. The CGC also redeveloped its website in an effort to further engage the public and research community about the work underway within the Court Social Services Division.

Clinic psychologists and interns received and initiated referrals for 486 youth, for which 376 comprehensive psychological evaluations (e.g., general psychological, psycho-education, neuropsychological, sex offender, violence risk, competency, and Miranda Rights competency) were completed. The most common reasons evaluations were not completed were refusals, no shows, and case dismissal.

The CGC manages six contractors to administer the Conner assessment instrument and the Sex Trafficking Assessment Review (STAR), which is used to identify youth vulnerable to sex trafficking. The CGC also continued to successfully operate its Juvenile Sex Offender Program, *entitled* Sex Abuse Violates Everyone (SAVE).

The CGC also developed a mock trial that provides training for the Clinic's APA accredited interns, attorneys from the Office of the Attorney General and the Public Defenders Service; conducted trainings on the Sex Trafficking Assessment Review (STAR) at the 17th Judicial Circuit Court in Rockford Illinois, the DC Department of Human Services, and the DC Child and Family Service Agency.

Additional accomplishments include:

- Continued to serve on varying committees that support the mental health of youth in Washington, DC. These committees include the Psychiatric Residential Treatment Facility (PRTF) committee, The JBBDP Suitability Committee, The Restorative Justice Committee, and the HOPE Court planning committee.
- Attended multiple trainings on commercial sexual exposure in children.
- Attended training at the American Academy of Forensic Psychologist on psychological *evaluations* in the forensic environment.
- Continued to serve as a member of the DC Ombudsman Office, Clinical Subcommittee.
- CGC was awarded a grant from the Office of Juvenile Justice and Delinquency Prevention to expand the Juvenile Behavioral Diversion Program (JBBDP), to provide specialty services to HOPE Court participants, and to raise community awareness of the signs of child sexual exploitation.
- CGC employees presented two papers one on commercial sex trafficking and other on psychological testing and measurement at the Annual American Psychology and Law Society Conference in Memphis, TN.
- Welcomed two new clinical psychologists, one who manages the APA Doctoral Internship and another who performs a major role with the JBBDP and HOPE Court, in addition to conducting adolescent evaluations and assessments.

#### **RESEARCH HIGHLIGHTS<sup>36</sup>:**

- 11 published peer-reviewed manuscripts
  - publications in 4 APA journals:
  - *Psychology, Public Policy, and Law*
  - *Journal of Family Psychology*
  - *Cultural Diversity and Ethnic Minority Psychology*
  - *Journal of Counseling Psychology*

#### **Selected Manuscripts in Print**

- Andretta, J.R., Worrell, F.C., Watkins, K.M., Sutton, R.M., Thompson, A.D., & Woodland, M.H. (2019). Race and stereotypes matter when you ask about conduct problems: Implications for violence risk assessment in juvenile justice settings. *Journal of Black Psychology*. doi.org/10.1177%2F0095798418821278
- Andretta, J.R., Watkins, K.M., Barnes, M.E., & Woodland, M.H. (2016). Towards the discreet identification of commercial sexual exploitation of children (CSEC) victims and individualized interventions: Science to practice. *Psychology, Public Policy, and Law*

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<sup>36</sup> ResearchGate data shows our research is being consumer with nearly 2000 read.

- Andretta, J. R., Worrell, F. C., Ramirez, A.M., Barnes, M.E., Odom, T., & Woodland, M. H. (2016). A pathway model for emotional distress and implications for therapeutic jurisprudence in African American juvenile court respondents. *Cultural Diversity and Ethnic Minority Psychology, 22*, 341-349. doi: 10.1037/cdp0000053.
- Andretta, J.R., Ramirez, A.M., Barnes, M.E., Odom, T., Roberson-Adams, S., & Woodland, M.H. (2015). Perceived parental security profiles in African American adolescents involved in the juvenile justice system. *Journal of Family Psychology, 29*, 884-894. doi: 10.1037/fam0000105.
- Andretta, J.R., Worrell, F.C., Ramirez, A.M., Barnes, M.E., Odom, T., **Brim, S.**, & Woodland, M.H. (2015). The effects of stigma priming on forensic screening in African American youth. *The Counseling Psychologist, 43*, 1162-1189. doi: 10.1177/0011000015611963.
- Ramirez, A.M., Andretta, J. R., Barnes, M. E., & Woodland, M. H. (2015). Recidivism and psychiatric symptom outcomes in a juvenile mental health court. *Juvenile and Family Court Journal, 66*, 31-46. doi: 10.1111/jfcj.12025.
- Woodland, M.H., Andretta, J. R., Moore, J. A., Bennett, M. T., Worrell, F. C., & Barnes, M. E. (2014). MACI scores of African-American males in a forensic setting: Are we measuring what we think we are measuring? *Journal of Forensic Psychology Practice, 14*, 418-437. doi: [10.1080/15228932.2014.973773](https://doi.org/10.1080/15228932.2014.973773)

### **Juvenile Information Control Center**

The Juvenile Information Control Center (JICC) is an administrative team within the CSSD. JICC processed approximately 25 reports monthly from the CGC, of which about 15 of those are scanned into CourtView monthly. JICC received and processed approximately 600 closed cases from all CSSD satellite units for the 2018 calendar year.

JICC also provides in-house mail runs to all divisional satellite units daily. The total number of in-house mail runs completed in 2018 was 1,265.

### **Co-located Absconders Team**

The Co-located Absconders Team (CAT) operates, in part, in conjunction with the Metropolitan Police Department (MPD) special team to bring into custody youth who have absconded from court-ordered placements. The co-located probation officers and the MPD team share designated space within Building B, the administrative office location for

CSSD. The CAT Team ensures the safe return for youth who are deemed at high-risk or peril.

For the calendar year 2018, the Absconders Team conducted 641 custody order checks at homes and listed addresses across the District of Columbia area. Each CSSD supervision team submits a Custody Order list that is updated on a weekly basis. For cases with immediate needs for safe return and monitoring, youth names are added by telephone, email or personal contact.

During the remainder of the week, CAT Team Probation Officers (PO) go into the community to look for and solicit their voluntary return after absconding. Likewise, two days weekly CAT Team POs assist the Intake Team in monitoring and escorting youth who have been brought to the Moultrie Courthouse on a Person In Need of Supervision (PINS) petition. In accordance with the Comprehensive Youth Justice Amendment Act of 2017, PINS youth can no longer be held in detention status. Thus, a specially equipped room has been identified by CSSD for those youth to receive services while they await hearings.

## **NEW INITIATIVES IN JUVENILE DELINQUENCY**

### **Juvenile Subcommittee**

The Juvenile Forms Revision group continued to revise juvenile court orders to comply with changes in the law. For example, the Comprehensive Youth Justice Amendment Act of 2016, D.C. Law No. 21-238, which became effective in 2017, resulted in part in the amendment of the detention statute, D.C. Code § 16-2310.

Habitual truancy and runaway behavior are signs of other problems a family may be facing such as substance abuse, sex trafficking, mental health and homelessness. The

Truancy/Runaway Implementation Committee's completed its Case Processing Manual for the Court, Practitioners and Stakeholders. This manual was joint effort with the Office of the Attorney General, Family Court Social Services Division, the Department of Behavioral Health, D.C. Public Schools, and D.C. Public Charter Schools. This manual will assist stakeholders in making efforts to ensure family needs are met. Resources and processes have been identified to assist those involved in decreasing these co-occurring problems.

### **Juvenile Delinquency New Referrals**

The JM-15 New Referral Working Group was developed to improve the efficiency of the juvenile new referral calendar while protecting the due process rights of juveniles. The group is a partnership between the Office of the Attorney General, Department of Youth Services, Metropolitan Police Department, the Courts, the U.S. Marshal's Service, the Public Defender Service, Criminal Justice Act Attorneys and the Pretrial Services Agency to improve the new case referral process. The group has developed written protocols modifying business processes to make them more efficient. Some examples include:

- Phone trees for the Office of the Attorney General and Central Intake Center have been created
- Daily emailing groups have been created to notify the group about case statuses and other issues
- DYRS created a pick-up and drop-off schedule
- The JM-15 judge has created a calendar call between CSS, OAG, PDS, and CJA

This group continues to meet on a periodic basis to monitor the business processes implemented to ensure they remain effective and efficient.

### **The Juvenile Papering Project**

The Juvenile Papering Project, an electronic case initiation process, was

implemented in September 2018. The project, a collaboration between the Criminal Justice Coordinating Council, Family Court, Court Social Services, Office of the Attorney General and the Metropolitan Police Department, was designed to simplify and expedite the juvenile case initiation process with a paperless data exchange. Benefits of the project include reduced costs, faster processing, ease of complying with discovery obligations, decreased data entry issues and the ability to track each youth through the system.

### **PARENTAGE AND SUPPORT BRANCH**<sup>37</sup>

The Parentage and Support Branch is responsible for the adjudication of cases involving the establishment of parentage and support and the accurate and secure maintenance of records resulting from these activities.

In 2018, 2,117 support and parentage actions were filed in the Family Court and 3 cases were reopened. In cases seeking to establish or modify support, D.C. Code § 46-206 requires the court to schedule an initial hearing within 45 days from the date of filing. In 2018, 99% of all initial hearings in parentage and support cases were scheduled within 45 days, down from 100% in 2017.

Federal regulations mandate that orders to establish support be completed in 75% of the cases within six months of the date of service of process and 90% of the cases within 12 months of the date of service (*see* 45 CFR § 303.101). Data for cases disposed in 2018 indicate that the court performed well in meeting these standards: 86% of cases were disposed or otherwise resolved within six months (180 days) of service of process. Ninety-seven percent were disposed or otherwise resolved within 12 months of service of

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<sup>37</sup> Pursuant to Administrative Order 18-17, the Paternity and Support Branch was renamed the Parentage and Support Branch.



process. The court will continue to monitor compliance with these mandated timeframes and performance measures as it continues to collaborate with the Child Support Services Division of the OAG, the city's designated IV-D agency.

### **MENTAL HEALTH AND HABILITATION BRANCH**

The Mental Health and Habilitation Branch is responsible for the adjudication of cases related to the hospitalization and continued treatment of persons in need of mental health services and persons with intellectual disabilities, and the accurate and secure maintenance of records resulting from these activities. The Mental Health and Habilitation Branch also recruits and provides volunteer advocates for persons with intellectual disabilities through the Mental Habilitation Advocate Program. This year 2,110 mental health cases were filed and 132 cases were reopened. There was one new mental habilitation case filed before Title II of D.C. Law 22-93, the "Disability Services Reform Amendment Act of 2018" went into effect on May 5, 2018. The legislation comprehensively repealed and amended the "Citizens with Intellectual Disabilities Constitutional Rights and Dignity Act of 1978," ending new admissions and commitments of persons with intellectual disability and providing that, for current commitments, the court will terminate commitment unless there is informed consent for continued commitment.

Court performance measures established by Administrative Order include disposing of 99% of cases filed within 60 days. In 2018, the Court disposed of 91% of the cases within the standards, with an average disposition of 21 days. This was a slight decrease from 2017 when 92% of the cases were disposed of within the established timeline, with an average disposition of 20 days.

## DOMESTIC RELATIONS BRANCH

The Domestic Relations Branch has responsibility for all cases involving divorce, legal separation, annulment, child custody, and adoption. In 2018, 4,474 domestic relations cases were filed and 64 cases were reopened.

Court performance measures in domestic relations cases are as follows:

- Uncontested divorce cases, uncontested custody cases, and uncontested third-party custody cases - 95% of the cases should be disposed within 60 days;
- Contested divorce II cases, contested custody II cases, and contested custody II third-party cases (which are disputed cases expected to require less than a week for trial) - 98% should be disposed within nine months.

Performance in uncontested divorce cases disposed in 2018 exceeded established standards with 97% of the cases reaching disposition within 60 days. Eighty-three percent of uncontested custody cases and 84% of uncontested third-party custody cases reached the time to disposition standard. There were less than 50 cases of each type. When dealing with such small caseloads, a few cases can have a significant impact on compliance rates, as was seen in 2018 – 17% (8 of the 47) uncontested cases exceeded the time to disposition goals; similarly, 16% (7 of the 44) uncontested third-party cases failed to reach time standards. The court will continue to monitor and track this performance area and implement appropriate measures to improve compliance rates.

In 2018, 89% of contested custody II cases reached disposition within nine months – a 2% decrease over 2017 performance. Additionally, 91% of the contested custody II third-party cases were disposed of within the time standard, which was the same as 2017 performance. Ninety-three percent of contested divorce II cases reached disposition within the nine month standard – performance that mirrored 2017.

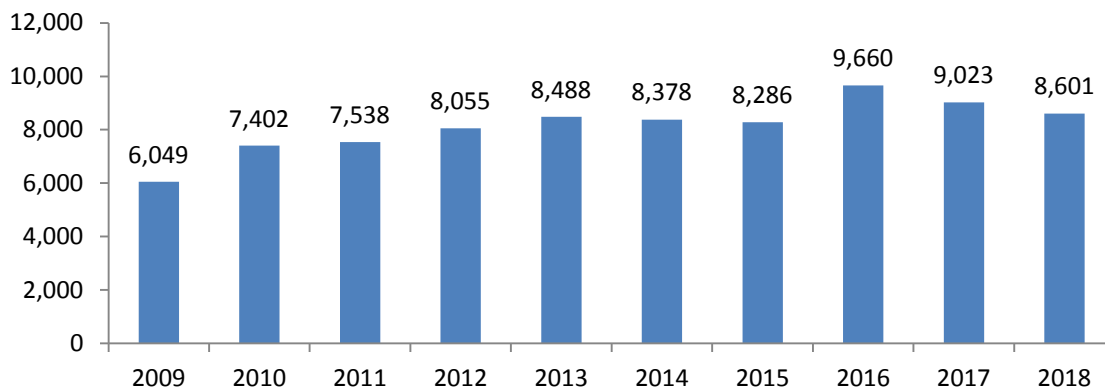
## FAMILY COURT SELF HELP CENTER

The Family Court Self-Help Center (SHC) is a free walk-in service that provides people without lawyers (self-represented parties) with general legal information in a variety of family law matters, such as divorce, custody, visitation, and child support. Although the SHC does not provide legal advice, it does provide legal information and assistance to litigants, allowing them to determine which of the standard form pleadings is most appropriate, how to complete them, and how to navigate the court process. When appropriate, the SHC staff and volunteer facilitators will refer litigants for legal assistance to other helpful clinics and programs in the community.

Detailed below are a few of the findings from data collected for 2018:

- Since its inception in March 2005, the SHC has served nearly 100,000 customers.
- The SHC served 8,601 people in 2018, a 5% decrease from the previous year (Figure 28).

**Figure 28. Self-Help Center Client Count 2009-2018**



- On average, the Center served 717 individuals per month in 2018 compared to 752 individuals per month in 2017, and 805 individuals per month in 2016.
- As has been the case since 2006, a large majority of the parties seeking help from the SHC had issues related to custody (59%), visitation (19%), divorce (20%), or child support (18%).

- Eighty-two percent of the parties visiting the Center sought general information; 71% needed assistance with the completion of forms; 7% came in seeking a referral; and 1% sought assistance with trial preparation.
- Ninety percent of the parties served indicated that their primary language was English; 7% identified themselves as primarily Spanish speakers and 3% had another primary language.
- Among parties providing data on income, 45% of those assisted reported monthly incomes of \$1,000 or less; 19% had a monthly income between \$1,001 and \$2,000; and 17% had monthly incomes between \$2,001 and \$4,000. Nineteen percent reported monthly incomes above \$4,000.

### **NEW INITIATIVES IN FAMILY COURT SELF-HELP CENTER**

#### **DC Kin Care Alliance**

The Self-Help Center collaborates with DC Kin Care Alliance to provide brief legal advice and full representation for kin caregivers (usually grandparents or other relatives) in family law cases on Mondays from 10 a.m. to 2 p.m.

## CONCLUSION

In 2018, the Family Court built on the progress already made by our dedicated judiciary and personnel, as well as our justice system and community partners. In keeping with the mission of protecting and providing permanency for children, strengthening families, and deciding disputes fairly and expeditiously, the Court resolved more than 10,500 cases, improved access and services to court participants, continued the modernization of court facilities, and supported our judicial officers and workforce through education and training.

The Court continued to focus on abuse and neglect, TPRs, and adoptions, resulting in the highest percentage of closure to permanency for post-disposition abuse and neglect cases in a decade and a 17% improvement in the timely filing of TPR motions from 2014. Compliance with the performance standard of disposing of TPRs within one year continued its three-year improvement. Additionally, the median time between the filing and finalization of an adoption petition declined from 386 days in 2014 to 221 days in 2018.

The Family Court made progress in case processing times in securely detained juvenile cases. The time to disposition for securely detained – most serious, and securely detained – serious youth showed improvements of more than 15% in median time over 2017.

In 2018, performance in parentage and support cases remained consistent compared to the previous year. The Court disposed of 86% of cases within six months of service of process and 97% within 12 months of service of process, exceeding federally mandated standards by 11% and 7% respectively.

Other enhancements for Family Court participants included: implementing Here

Opportunities Prepare you for Excellence (HOPE) Court to address the unique mental health and service needs of youth at risk for commercial sexual exploitation; utilizing ADR to resolve appropriate cases; collaborating with our justice partners to implement the Juvenile Papering Project to simplify and expedite the juvenile case initiation process with a paperless data exchange; improving service in the call center so that 39,890 phone calls were answered by a live person; and others.

The Family Court is committed to meeting the changing and complex needs of juveniles and their families. The judicial officers and staff will continue to utilize best practices, expanded technology and data analysis, and collaborations with our justice partners to promote child safety, prompt permanency, and enhanced rehabilitation for the good of the families of the District of Columbia.



*Open to All*



*Trusted By All*



*Justice for All*



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