

# Superior Court of the District of Columbia



## 2022 Family Court Annual Report



Honorable Anita Josey-Herring  
*Chief Judge*

March 31, 2023



## **Table of Contents**

Family Court Operations During the Covid-19 Pandemic .....	i
Executive Summary .....	iv
Introduction .....	1
Mission Statement .....	2
Goals and Objectives .....	2
Judicial Resources in Family Court .....	3
Length of Term on Family Court .....	3
Reassignments to and from Family Court.....	4
Ability to Recruit Qualified Sitting Judges to Serve on Family Court.....	8
Training and Education.....	8
Family Court Facilities.....	11
Alternative Dispute Resolution in Family Court.....	13
ADR Performance Measures.....	14
Child Protection Mediation Under the Adoption and Safe Families Act (ASFA).....	15
Domestic Relations Mediation .....	17
Family Court ADR Initiatives .....	18
District of Columbia Bar, Family Law Community/Family Court ADR Program.....	18
Family Court Operations Case Activity .....	19
Family Court Case Activity .....	21
Abuse and Neglect Cases .....	22
Children Referred to Family Court.....	24
Transfer of Abuse and Neglect Cases to Family Court .....	27
Compliance with D.C. ASFA Requirements .....	27
Trial/Stipulation of Abuse and Neglect Cases .....	28
Disposition Hearings in Abuse and Neglect Cases .....	30
Compliance with ASFA Permanency Hearing Requirements .....	31
Goal-Setting and Achievement Date .....	32
Barriers to Permanency .....	33
Family Treatment Court Program .....	35
Permanency Outcomes for Children.....	36
Performance Measure 1: Permanency .....	39
Performance Measure 2: Timeliness .....	43
Performance Measure 3: Due Process.....	48
Mayor's Services Liaison Office.....	49

Mayor's Services Liaison Office's Referral Process .....	52
Continuing Initiatives .....	54
New Initiatives in Child Abuse and Neglect .....	55
Court Improvement Program .....	55
Court-Wide Forms Workgroup .....	58
Juvenile Cases.....	58
Most Serious Offense.....	59
Most Serious Offense by Age .....	60
Most Serious Offense by Gender .....	61
Most Serious Offense by Detention Status .....	64
Timeliness of Juvenile Delinquency Case Processing.....	67
Securely Detained Juveniles .....	69
Non-Securely Detained Juveniles .....	71
Released Juveniles .....	71
Family Court Social Services Division (CSSD).....	73
Additional 2022 Highlights.....	78
CSSD Organization .....	79
Juvenile Intake and Delinquency Prevention Branch .....	79
Child Guidance Clinic .....	81
Information, Contracts and Community Outreach (ICCO) .....	82
Region I Pre-Trial and Post-Disposition Supervision .....	83
Region II Pre-Trial and Post-Disposition Supervision.....	84
Mental Health and Habilitation Branch .....	86
Parentage and Support Branch .....	87
Domestic Relations Branch .....	89
Family Court Self-Help Center.....	89
Conclusion.....	91
Notes .....	94



## **Family Court Operations During the Covid-19 Pandemic**

On March 18, 2020, the Joint Committee on Judicial Administration issued an order invoking emergency authority under the D.C. Code to modify court operations.<sup>1</sup> Modifications continued in 2022, consistent with the best interests of the administration of justice while balancing the health and safety needs of litigants, court visitors, and personnel. Recognizing that the state of the pandemic was a fluid situation and the timetable for the resumption of modified court operations would have to be based on guidance from public health officials, the order vested the Chief Judges with the authority to issue additional orders extending the period during which deadlines were tolled or extended.

On June 10, 2022, Chief Judge Anita Josey-Herring issued an updated Reimagining the Superior Court Plan, providing for the resumption of in-person hearings in many types of cases in each division. The plan provides that in Family Court, the following types of proceedings will be held in person unless the judge in the case permits virtual participation: 1. Abuse and Neglect: bench trials and evidentiary hearings; 2. Domestic Relations: initial hearings, bench trials, contempt hearings, and evidentiary hearings; 3. Delinquency: arraignments, initial hearings, bench trials, and evidentiary hearings; disposition hearings may be remote or in person depending on the circumstances of the case; 4. Mental Health: probable cause and Mental Health Commission cases, evidentiary hearings, revocation hearings, and trials; 5. Parentage and Support: initial hearings,

---

<sup>1</sup> DCCOURTS.GOV. 2021. [online] Available at: <<https://www.dccourts.gov/sites/default/files/divisionspdfs/committee%20on%20admissions%20pdf/Joint-Committee-on-Judicial-Administration-for-the-District-of-Columbia-Courts-March-18-2020-Order.pdf>>.

contempt hearings, and evidentiary hearings; 6. Family Treatment Court Calendar; 7. Fathering Court Calendar; and 8. HOPE Court Calendar.

The plan provides that the following proceedings will be held virtually, unless the judge orders otherwise or upon request of a party: 1. Abuse and Neglect: initial hearings and status hearings; 2. Adoption: all hearing types unless contested or the parties seek an in-person finalization hearing for celebration purposes; 3. Uncontested birth certificate and name changes, except contested bench trials; 4. Domestic Relations: uncontested divorce and uncontested custody hearings, pre-trial conferences, and most status hearings; 5. Delinquency: status hearings, guilty pleas, and the making of victim impact statements; 6. Mental Habilitation: all hearing types; and 7. Mental Health: status and pre-trial conference hearings.

All clerks' offices, the Central Intake Center, the Self-Help Center, and the Marriage Bureau implemented hybrid work models, with some staff reporting in-person and others working remotely. Staff rotated between working on-site and working remotely on a weekly basis, adjusting as needed to ensure adequate in-person staffing levels to assist on-site customers.

The Self-Help Center is open to receive in-person unrepresented customers at the courthouse Monday through Friday from 8:30 a.m. to 5:00 p.m. Additionally, the Family Court Attorney Negotiators office now accepts referrals from judges for both in-person and virtual negotiation sessions with parties.

Despite the challenges presented by the pandemic, the Courts implemented innovative solutions to create the "new normal" in court operations. These included:

- The Marriage Bureau reopened for in-person business while continuing to offer online marriage ceremonies as an option for customers. The Marriage Bureau performed 550 civil marriages (a 45% decrease from CY 2021). The Marriage

Bureau also processed 7,469 marriage applications (a 2% increase from CY 2021), resulting in 4,900 marriages performed in the District of Columbia.

- The Custody Assessment Unit (CAU) continued to conduct virtual home studies, social history assessments and brief focused assessments. This innovative approach has allowed CAU to complete assessments for parties in multiple states, including North Carolina, Georgia and Florida. Due to the demand of assessments, the Unit will be expanding in 2023 to add an additional custody assessor.
- The DC Superior Court and the DC Child and Family Services Agency (CFSA) hosted the 36th Annual Adoption Day on November 19, 2022, with a virtual ceremony. During fiscal year 2021, 174 children were adopted in the District of Columbia. Former NBC4 anchor Barbara Harrison, who has been presiding over the adoption ceremony since 1987, interviewed the families and shared their stories with the audience.



## **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 2022 in its continued efforts to achieve each goal.

- **Make child safety and prompt permanency the primary considerations in decisions involving children.**
  - The Family Court monitored key performance measures, including compliance with the Adoption and Safe Families Act (ASFA)<sup>2</sup> and the performance measures in the *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases*.
  - Family Court continued H.O.P.E. "Here Opportunities Prepare You for Excellence" Court in 2022. 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, H.O.P.E. Court offers a path to case closure for those who succeed and graduate. For youth in the neglect system, H.O.P.E. Court offers specialized services to assist youth and families to achieve their permanency goals.
  - The Counsel for Child Abuse and Neglect (CCAN) offered multiple trainings for panel attorneys throughout the year, including: a presentation on Child and Family Services Agency ("Agency") policies by the Howard University Legal Clinic; a presentation on new and revised neglect hearing order forms; a presentation by DC Bar Counsel on ethics and practice management; and a 2022 case law review.
  - The Court Improvement Program (CIP) continues its collaboration with the Child and Family Services Agency and the Office of the Attorney General for the District of Columbia to evaluate delays in achieving permanency in neglect cases. The CIP is exploring working with the Agency using its permanency tracker to examine how Agency and Court processes can better manage case events before they result in delay. Specific causes of delay have been identified and further analysis is ongoing.
  - The Court Improvement Program is in the process of hiring a contract supervisory social worker to set up a grant-funded program to provide social workers to CCAN attorneys representing parents in abuse and neglect cases. This innovative multidisciplinary approach will provide needed support to parents seeking to reunify with children that have been removed from their care.
  - The CIP coordinated with the Family Treatment Court (FTC) to purchase laptops, using funds from a one-time federal grant for Covid-19 related

---

<sup>2</sup> "ASFA" refers to the federal statute P.L.105-89 unless otherwise specified.

technology needs. The CIP also worked with CFSA and the DC neighborhood collaboratives to explore providing laptops and/or other computer equipment on-site at the collaboratives. The CIP will pilot on-site computers at one or more collaborative locations in 2023. The CIP purchased 220 Chromebooks, protective cases, and operating systems software using funds from a one-time federal grant. Those Chromebooks will be loaned to parents involved in neglect matters to enable them to attend virtual hearings during the pendency of the case.

- Family Treatment Court (FTC) remains an invaluable treatment option for families with substance use disorders involved in the child welfare system. FTC, utilizing a grant from the Office Juvenile Justice Delinquency (OJJDP), hosted over 15 client-centered workshops and trainings. The OJJDP grant allowed FTC to provide incentives to participants as they achieved goals and reached recovery milestones. FTC enhanced the model to include Recovery Mentors, offering participants access to individuals with lived experience to support their recovery process. To date, more than 400 families who have achieved reunification since its inception in 2003. FTC hosted its third virtual commencement in December 2022, honoring nine families who successfully completed the program, reunified with their children, and had their cases closed.
- In 2022, in neglect matters, the median length of time from removal to achievement of the permanency goal of reunification decreased from 22.8 months to 20.7 months. Additionally, the percentage of children who spent more than 24 months in care awaiting finalization of their adoption was the lowest it has been for the past five years. Similarly, the percentage of children who spent more than 24 months in care awaiting finalizing of permanent guardianship was the lowest it has been in the past five years, decreasing by 36% from 2021.
- **Provide early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.**
  - During 2022 Court Social Services Division (CSSD) maintained a hybrid telework and on-site work environment, conducting home visits, curfew monitoring, pro-social and restorative justice groups, family group conferencing, mentoring and tutoring both in-person and virtually.
  - CSSD screened 100% of all newly arrested youth, utilizing a Risk Assessment Instrument.
  - CSSD facilitated several delinquency prevention measures, including: (1) empowerment groups; (2) conflict resolution youth group discussions; (3) therapeutic “Paint n Jam” sessions; and (4) several pro-social youth-oriented activities and initiatives in the form of community outings.
  - CSSD also worked in collaboration with MPD and DPR to provide programming on Friday and Saturday nights.
  - Continued to facilitate the expressive art initiative, during which youth draw and paint images reflective of how they feel, see themselves, and believe others

see them in the world. This measure has been successful, and CSSD will commence replicating it across all other BARJ Drop-In Centers in 2022.

- 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.
  - CSSD supported the city-wide Summer Safety Surge. Coordinated several ice cream socials across the city, which were lauded by the MPD Youth Division as directly contributing to crime reductions across several communities.
  - CSSD continued to operate the Juvenile Behavioral Diversion Program (JBDDP), as an intensive non-sanction-based program, designed to link juveniles and status offenders to, and engage them in, appropriate mental health services and support 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.
- **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 Judicial College, the National Council of Juvenile and Family Court Judges, the National Bar Association, and the Capacity Building Center for State Courts.
    - 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 20th Annual Family Court Interdisciplinary Conference entitled “Fatherhood: Fully Present and Fully Engaged” virtually on October 14, 2022. The conference featured Antonio Coe-Redd, author of “Memoirs of an America Dad, Courts, Kids Co-parenting: How to Navigate the Judicial System for Child Custody, Visitation, and Child Support.” In addition to Mr. Coe-Redd, the conference featured panel discussions regarding Fathering Court, as well as Resources and Referrals for Fathers. The speakers shared important information about the Family Court’s Fathering Court as well as the various resources available to fathers involved in court proceedings.
    - 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 Court partnered with the Family Law Community of the District of Columbia Bar—a group of experienced family law attorneys—to conduct alternative dispute resolution (ADR) in domestic relations cases. In 2022, 45 families were ordered to participate in this ADR program, a 2% increase from 2021. The program includes a case evaluation component along with mediation.

- **Instituted a hybrid work model to expand in-person access to justice and continue to use technology to track cases of children and families.**
  - Expanded operations to resume on-site service at all public offices, including the Central Intake Center, Self-Help Center, Marriage Bureau, and all clerk's offices.
  - Continued use of remote courtrooms for all judges.
  - Conducted in-person hearings for certain types of hearings, particularly those involving witness testimony.
  - Continued both in-person and electronic case initiation in all case types, including adoption (using box.com).
  - Accepted payments for certain court fees, fines and costs either in-person or via the electronic payment portals, PayPort and PromptPay.
  - Accepted marriage application and payments in-person or electronically.
  - Processed juvenile bench warrants and arrest warrants both in-person and electronically.
  - Provided certified documents to the public both in-person and electronically.
  - Exchanged confidential documents securely with agency partners and the public through use of box.com.
  - Family Court continued implementation of a call center that reroutes calls from the individual branches to a central location. Customers speak to a live person 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. The Center assisted 53,421 customers in 2022, a 2.2% decrease from 2021. The call center has assisted over 300,000 customers since it began operations in April 2016.
- **Encourage and promote collaboration with the community and community organizations.**
  - Family Court regularly met with stakeholders and participated on numerous committees of organizations serving children and families, including the Family Court Implementation Committee, the Abuse and Neglect Subcommittee, the Mental Health and Habilitation Subcommittee, the Domestic Relations Subcommittee, the H.O.P.E. 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, Children's Law Center, the D.C. Bar Pro Bono Program, and other stakeholders, on multiple training and educational programs.
  - Family Court worked closely with the Family Law Assistance Network (FLAN), a joint project of the D.C. Bar Pro Bono Center, the DC Affordable Law Firm, and the Legal Aid Society of the District of Columbia. FLAN offers

D.C.-based individuals confidential, free legal advice or representation in custody, child support, parentage, and divorce cases heard in the Domestic Relations Branch of DC Superior Court. The Self-Help Center referred 64 customers to FLAN in 2022. In September 2022, every Friday FLAN began staffing an anteroom to assist customers with legal advice.

- **Provide a family friendly environment by ensuring materials and services are understandable and accessible.**
  - The Family Court Self-Help Center (FCSHC) conducted 6,141 customer interviews in 2022. The Self-Help Center continued serving customers on-site and remotely. The SHC welcomed volunteer lawyers and law students back on site in September of 2022, expanding the capacity of the center to serve customers.
  - The Family Court revised and updated court forms by implementing use of plain language to make them more understandable and accessible.

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 Congress an annual report on the activities of the Family Court. The report, summarizing activities of the Family Court during 2022, must include the following:

- (1) The Chief Judge’s assessment of the productivity and success of the use of alternative dispute resolution (see pages 13-19).
- (2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court’s performance (see pages 28-34).
- (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 19-47, 57-72, 84-87).
- (4) Information on the progress made in establishing locations and appropriate space for the Family Court (see pages 11-13).
- (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 i-ii).
- (6) Information on: (a) the number of judges serving on the Family Court as of December 31, 2022; (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 3-8).
- (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 19-47, 57-72, 84-87).
- (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 35-47, 66-72, 89-91).

## **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 (currently the Family Court Implementation 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 2022.

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 Family Court**

On January 1, 2023, the Family Court consisted of nine associate judges and 12 magistrate judges, six of whom were assigned to hear abuse and neglect cases.

#### **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.

<u>Associate Judges</u>	<u>Commencement Date</u>	
Judge Di Toro	January	2019
Judge Soltys	January	2019
Judge Salerno	January	2020
Judge Becker	January	2022
Judge Higashi	January	2022
Judge Pittman	January	2022
Judge Ranga	February	2022
Judge Crowell	January	2023
Judge Wellner	January	2023

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 De Witt	January	2017



Magistrate Judge Noti	January	2020
Magistrate Judge Wiedmann	January	2020
Magistrate Judge Trabal	February	2020
Magistrate Judge Beatty-Arthur	July	2020
Magistrate Judge Medley	May	2022
Magistrate Judge Marblestein-Deare	August	2022

### **Reassignments to and from Family Court**

In October 2022, the Chief Judge of the Superior Court of the District of Columbia issued judicial assignments for calendar year 2023. Those assignments became effective on January 1, 2023. Judge Di Toro continues as the Family Court Presiding Judge, and Judge Soltys is the Deputy Presiding Judge. As part of the reassignment, Judges Israel and Hertzfeld left Family Court. Judges Wellner and Crowell joined Family Court. Judge Wellner previously served in Family Court, while Judge Crowell joined Family Court for the first time. Judge Wellner is assigned to the Domestic Relations Calendar, a calendar he has handled before, and Judge Crowell is assigned to a Juvenile/Adoptions calendar.

Below is a brief description of the education and training experience of the judges joining Family Court in 2023.

#### ***Judge Wellner***

Steven M. Wellner was nominated by President Barack Obama to be an Associate Judge of the Superior Court of the District of Columbia in November 2013. His nomination was confirmed by the United States Senate on November 19, 2015. Judge Wellner was born in Madison, Wisconsin, lived briefly there and in Honolulu, Hawaii, and grew up outside Baltimore, Maryland. He graduated from Randallstown High School, received a Bachelor of Arts degree from the University of Virginia in 1981 and a law degree from the University of Michigan in 1985. After law school, Judge Wellner joined the law firm

of Kirkland & Ellis. His practice as an associate included general litigation, government contracts, intellectual property and environmental law. He served in the U.S. Environmental Protection Agency's Office of General Counsel, Air Division, between 1989 and 1990, and then returned to Kirkland & Ellis to focus on the practice of environmental law. He remained at the firm, as an associate and then a partner, until 2006. For ten years, Judge Wellner was Pro Bono Coordinator for the firm's Washington office, promoting and facilitating pro bono opportunities for lawyers of all practice areas and levels of experience. In 2006, Judge Wellner was appointed to serve as an administrative law judge with the District of Columbia Office of Administrative Hearings. During his tenure with OAH, Judge Wellner heard cases involving unemployment benefits, rental housing, public school discipline, public works and other administrative matters. From 2011 until 2015, Judge Wellner was Principal Administrative Law Judge for Unemployment Insurance Appeals. Judge Wellner has served for many years in various leadership roles with local nonprofit organizations.

### ***Judge Crowell***

Judge James A. Crowell IV was nominated by President Donald Trump in January 2019 and confirmed by the Senate in August 2019. Judge Crowell was born in New Orleans, Louisiana. He received a Bachelor of Arts in History and French from Hampden-Sydney College and his Juris Doctor degree from Boston University School of Law. Following law school Judge Crowell clerked for the Honorable Charles A. Pannell, Jr., of the United States District Court, Northern District of Georgia. After his clerkship, Judge Crowell joined the Department of Justice through the Attorney General's Honors Program. Prior to his appointment as an Associate Judge, Judge Crowell served as the

Director of the Executive Office for United States Attorneys, providing executive assistance and supervision for the United States Attorney's offices, including legal education, administrative oversight, technical support, security, policy, and regulation. In this role, Judge Crowell managed a 900 person staff and a \$2 billion annual budget in support of more than 10,000 United States Attorney employees in 93 United States Attorneys' offices located throughout the 50 states, the District of Columbia, Guam, the Marianas Islands, Puerto Rico, and the U.S. Virgin Islands. Prior to serving as Director, Judge Crowell served in several senior positions in the Office of the Deputy Attorney General, including Associate Deputy Attorney General, and Chief of Staff to the Deputy Attorney General. In these roles, Judge Crowell served as the principal counselor to the department's second highest official, the Deputy Attorney General. In that role, Judge Crowell helped manage 113,000 attorneys, agents, investigators, and administrators, 93 U.S. Attorney offices, and all DOJ law enforcement agencies, such as the Federal Bureau of Investigation, Drug Enforcement Agency, Bureau of Alcohol, Tobacco and Firearms, U.S. Marshals Service, and the Bureau of Prisons. Judge Crowell also liaised regularly on behalf of the Justice Department with the White House, Congressional committees, and federal intelligence, enforcement, and regulatory agencies. Judge Crowell also served as the Director of the Office of the Rule of Law, where he oversaw the Justice Department's rule of law program in foreign conflict zones, working extensively abroad to establish legal systems in Iraq and Afghanistan in coordination with the Chief of Mission/U.S. Ambassador at the U.S. Embassies in Western Europe, North Africa, and Middle East in furtherance of U.S. policy goals promoting rule of law abroad. Prior to these positions, Judge Crowell served as a federal prosecutor, handling

national security, fraud, corruption, violent crime, and narcotics cases. Judge Crowell was an Assistant United States Attorney in the District of Maryland, where he held numerous supervisory positions, including Branch Chief and Criminal Chief. Judge Crowell also served as a Trial Attorney in DOJ's Criminal Division, Public Integrity Section, and DOJ's Antitrust Division. Judge Crowell has served on the Court's Standing Committee on Strategic Planning Leadership Council; Committee on Jury Instructions; Committee on Criminal Justice Act vouchers; Committee on Security and Advisory Committee on Criminal Rules. During his tenure at the Department of Justice and the U.S. Attorney's Office, Judge Crowell received numerous awards, including the Attorney General's Distinguished Service Award for prosecution of public corruption cases in Iraq and Afghanistan, the Assistant Attorney General's Award for Ensuring the Integrity of Government for the prosecution of a Member of Congress and their staff. Judge Crowell has served in the United States Army Reserves for 28 years in the Infantry, Civil Affairs, and Judge Advocate General Corps. He currently serves the Chief of the Information Operations Group for the Joint Enabling Capabilities Command at Naval Station Norfolk. Judge Crowell has taught a variety of courses related to public corruption, white-collar fraud investigations, 4<sup>th</sup> Amendment law and practice, national security law, sentencing guidelines, and related topics at numerous colleges/universities and intelligence/law enforcement agency training facilities. Judge Crowell has published articles/law reviews on various topics, including sentencing models, advisory sentencing guidelines, government investigations, bankruptcy law, and energy law.

## **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. 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 and the Family Court Planning Committee (the Training and Education Subcommittee of the Family Court Implementation Committee), develop

and provide training for Family Court judicial staff through this interdisciplinary committee which consists of judicial officers, court staff, attorneys, social workers, psychologists, and other experts in child welfare.

Family Court judicial officers took advantage of several training opportunities in 2022. There were numerous well attended trainings during 2022 for the Judges and other stakeholders: one held on January 28, 2022, with a lively discussion of Professor Kristin Henning's book: "*Rage of Innocence: How America Criminalizes Black Youth*" with over 200 participants; and another interdisciplinary training held on September 23<sup>rd</sup>, on the topic of *Shame*, which also had almost 200 participants. On October 14<sup>th</sup>, the DC Courts' Annual Family Court Conference was held which was again virtual. 337 participants listened to a conference entitled "*Fatherhood: Fully Present & Fully Engaged*." During the year, Family Court law clerks and other employees also received training on a myriad of topics to help them better assist the Judges in the division. Judges and staff are consistently trained on current Family law. Some of the topics included: Law and Process in Juvenile Court; Calendar and Chambers Management; Settling Cases: Mediation, Self-Help Center, Alternative Dispute Resolution ("ADR"), Stipulations; Introduction to Child Abuse and Neglect/Life of a Neglect Case; Intersection of Domestic Violence and Domestic Relations; the Custody Assessment Unit; Child Support: Paternity and Support Calendar and Domestic Relations Cases; and Guardians *ad litem* in Custody and Neglect Cases. Additionally, two new judicial officers joined the Family Court in 2022 and were trained in Family law particular to their calendars as well as general Family law, and those judicial officers changing calendars participated in a mandatory in-service training on their respective calendars.

In 2022, 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. In addition, almost ten Family Court Judges participated in greeting international visitors, welcoming them to the DC Courts and giving them a short informational primer on Family Law in the District. Some of the countries represented last year were: Egypt, Nigeria, Mongolia, China India, Kenya, Republic of Georgia, and the United States.

The 20th Annual Family Court Interdisciplinary Conference, entitled “*Fatherhood: Fully Present and Fully Engaged*” was held virtually on October 14, 2022. The conference featured Antonio Coe-Redd, author of “*Memoirs of an American Dad, Courts, Kids Co-parenting: How to Navigate the Judicial System for Child Custody, Visitation, and Child Support.*” In addition to Mr. Co-Redd, the conference featured panel discussions regarding Fathering Court, as well as Resources and Referrals for Fathers. The speakers shared important information about the Family Court’s Fathering Court as well as the various resources available to fathers involved in court proceedings.

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, and coordinates a brown bag lunch series on important topics in child abuse and neglect practice. The brown bag lunches employ the skills of many stakeholders involved in the child welfare system and are designed to be interdisciplinary in nature. Sessions in 2022 included: a presentation on Child and Family Services Agency policies by the Howard University Legal Clinic; a

presentation on new and revised neglect hearing order forms; a presentation by DC Bar Counsel on ethics and practice management; and a 2022 case law review.

Family Court non-judicial staff also participated in a variety of training programs in 2022. Topics covered included: adapting to a telework environment; best practices in customer service; collaborative leadership, effective communication; procedural fairness; time management; leading with empathy; improving case resolution, data integrity, and many others. These educational opportunities focused on a variety of topics, all with the goal of moving the court toward improved outcomes for children and families.

### **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 including several 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.



Construction of the *C Street Addition* was nearly complete by the end of December 2022, yet work remains on-going on the “monumental stairs”. The planned office space for several of the Courts’ divisions has been completed, including the *Family Court Social Services Division (CSSD)*. As part of this effort, new courtrooms are operational and have been put into service for civil case matters. The completion of these office spaces enabled the remaining branches of *CSSD* to co-locate in the new addition (Phase 2B). The consolidation of *CSSD* is a notable milestone, as it marks the full consolidation of the Family Court. Exterior work such as landscaping, planter construction, and utility connections remains ongoing at the south entrance (C Street side) of the Moultrie Building.

The *Family Court Act of 2001* was enacted to ensure the safety and well-being of children and families in the District of Columbia. In response to this vision, the Courts developed a plan to co-locate staff and critical services that would better ensure the Courts’ ability to execute this vision. This effort required a robust long-term plan that would ultimately enable the consolidation of space and resources in the H. Carl Moultrie I Courthouse.

After twenty years, with the cooperation and support of our appropriators, our partners in the District of Columbia’s building and construction agencies, and because of the diligent efforts of the contractual staff and personnel from the Courts’ *Capital Projects and Facilities Management Division*, the vision of the *Family Court Act* of 2001 has been realized.

With the completion of the construction and co-location of staff, *Family Court* will be better able to execute its mission to protect and support children brought before it,

strengthen families, provide permanency for children, and decide disputes involving families fairly and expeditiously, while treating all parties with dignity and respect.



C Street Addition Looking Northwest

### **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 costs. These results provide compelling support for the continuation of these valuable public service programs.

Due to the pandemic, the Family ADR Branch of the Multi-Door Division ceased all in-person mediations to prevent the spread of Covid-19 among court personnel and families that entered the mediation process. All mediation services were moved to an online platform via a secured service through ZoomGov.com. All families referred to mediation in all family branch programs were invited to participate via Zoom or telephone beginning with Child Protection Mediation in early May 2020, followed by

family mediations in late May 2020, with virtual mediation continuing through 2022.

During the Summer of 2022, in-person family mediations resumed provided that all the parties to the case consented to in-person mediation sessions.

### **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:

- a) 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.
- b) 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 perceived coercion by the other party or mediator; and
- c) Mediator Performance – measures clients’ satisfaction with mediators’ performance in conducting the process, including explaining the process and the mediators’ 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 hold 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 2022, 191 new abuse and neglect cases were filed in the Family Court. Each case represents one child in family court. In mediation however, each case represents a family often with multiple children. Eighty-two percent of those cases (106 families with 156 children) were referred to mediation, and consistent with the mandate in the Family Court Act to resolve cases and proceedings through ADR to the greatest extent practicable, consistent with child safety.<sup>3</sup> Of those 106 families, 11 families (10%, representing 15 children) whose cases were filed in 2021 were offered mediation in 2022. Mediation was offered to 95 families with 141 children in 2022. Of the 95 families offered mediation in 2022, 65% of the families (62 cases, representing 91 children), participated in the mediation process; 35% of the families (33 cases, representing 50 children) did not participate and their cases were not mediated.<sup>4</sup>

As was the case in 2021, for families participating in mediation, the court

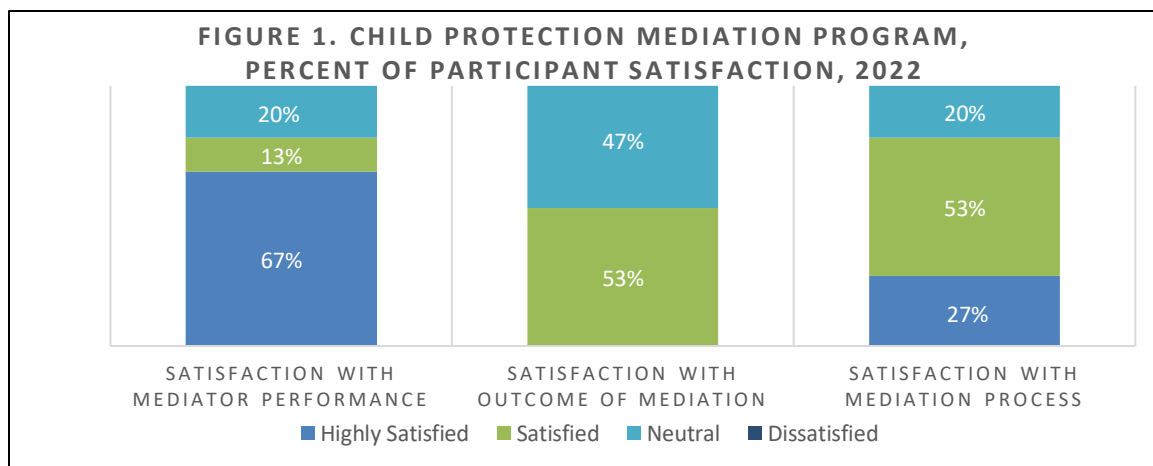
---

<sup>3</sup> These multi-party mediations are structured 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 2022 for mediation in 2023. Family Court and Multi-Door have implemented measures to reduce the number of rescheduled cases to expedite case resolution.

continued to settle a substantial number of cases through the mediation process.<sup>5</sup> In 2022, nearly all cases which went to mediation reached an agreement on jurisdiction, family services, or a plan to resolve the case. Of the 62 cases mediated, 16 (26% of cases representing 22 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 42 cases (68% of the cases, representing 64 children) the mediation was partially successful, resolving significant family concerns. There were 4 cases (6% of the cases, representing 5 children) in which mediation resulted in no agreement.

Qualitative measures, shown in Figure 1, illustrate satisfaction measures (highly satisfied and satisfied) of 80% for performance of the mediator(s), 53% for ADR outcome, and 80% for the ADR process.<sup>6</sup>



<sup>5</sup> In addition to the new abuse and neglect referrals, 24 post adjudication cases were referred with issues of permanency, custody, visitation and/or post adoption communication. Of those 24 cases that were referred in 2022, 23 cases were offered mediation in 2022 and one (1) case was offered mediation in 2023. Of the 23 cases (representing 37 children), 91% (21 cases representing 35 children) mediated, 9% (2 cases representing 2 children) did not participate. Of the 21 cases that mediated, 29% (6 cases representing 12 children) reached settlement on custody or post adoption contact. Partial settlement was reached in 52% of the mediated cases (11 cases representing 16 children). No agreement was reached in 19% of these cases (4 cases representing 7 children).

<sup>6</sup> These statistics are based on data provided by the Multi-Door Dispute Resolution Division. In 2019, participant survey responses were expanded to include the option of selecting neutral.

## **Domestic Relations Mediation**

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

A total of 824 domestic relations cases were referred to mediation in 2022.<sup>7</sup> Seventy percent (580) of the cases referred were mediated and completed in 2022. The remaining 30% (244) of cases referred to mediation did not participate because they were found to be either inappropriate or ineligible for mediation or the parties voluntarily withdrew from the process.<sup>8</sup>

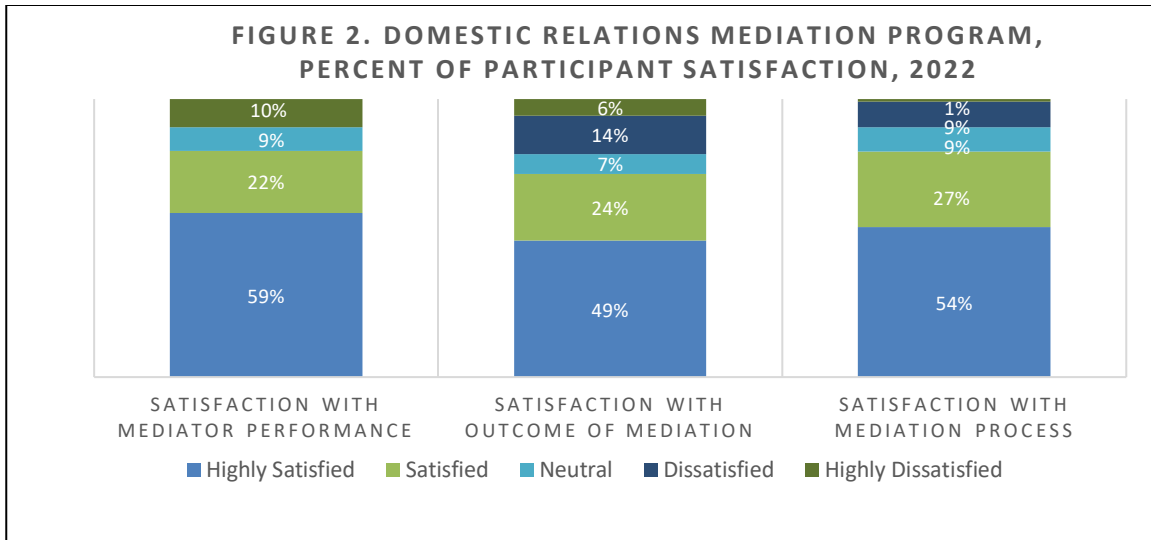
Of the 580 cases mediated, 191 cases (33%) settled in mediation; 389 cases (67%) did not reach a settled resolution. Of the 192 settled cases, a full agreement was reached in 133 cases (69%); a partial agreement was reached in 59 cases (31%), resolving significant family concerns.

Qualitative outcome measures, Figure 2, show satisfaction rates (highly satisfied and satisfied) of 81% for the performance of the mediator(s), 73% for the ADR outcome, and 81% for the ADR process.

---

<sup>7</sup> There were 1,170 cases opened at intake. Prior to reaching mediation, 433 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.

<sup>8</sup> Cases that did not participate in mediation include: 29 cases deemed inappropriate for mediation and 210 cases where parties withdrew.



### Family Court ADR Initiatives

The Family Court and Multi-Door have coordinated efforts to implement initiatives to support ADR consistent with the Act. In 2022, the Program for Agreement and Cooperation in Contested Custody Cases or PAC, was conducted remotely via Zoom. Twenty-four education seminars were conducted in 2022, which helped 195 parents understand the impact of custody disputes on co-parenting and how these disputes affect their children. The objective of the program is to help participants improve working relationships and develop effective communication skills while prioritizing their children’s needs. During this time, the children’s component to PAC remained suspended in response to the Covid-19 pandemic.<sup>9</sup>

### 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.

<sup>9</sup> Effective April 2021, the adult component of the PAC seminar was relaunched via Zoom; however, the children’s component remained suspended through 2022.

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 2022, 45 families were ordered to participate in this ADR program, a 2% increase from 2021.

### **Family Court Operations Case Activity**

There were 3,764 pending pre-disposition cases in the Family Court on January 1, 2022. In calendar year 2022, there were 9,056 new cases filed<sup>10</sup> and 153 cases reopened in the Family Court. During the same period, 9,281 cases were disposed. As a result, there were 3,692 cases pending in the Family Court on December 31, 2022 (Table 1).

---

<sup>10</sup> In 2022, new filings in Abuse and Neglect (33) and Juvenile (29) that were initiated with a pre-petition custody order were excluded from new cases filed pending the filing of a petition to more accurately reflect cases that were available to be processed. Prior to 2018, those cases were automatically added to the new filing category.



TABLE 1. FAMILY COURT OPERATIONS CASE ACTIVITY, 2022

	Abuse & Neglect	Adoption	Divorce & Custody	Juvenile <sup>a</sup>	Mental Health	Parentage & Support	Total
Pending Jan. 1 <sup>b</sup>	58	123	1,521	387	115	1,560	3,764
New Filings	191 <sup>e</sup>	154	4,024	1,022 <sup>e</sup>	2,493	1,172	9,056
Reopened	0	0	30	3	118	2	153
Total Available for Disposition	249	277	5,575	1,412	2,726	2,734	12,973
Dispositions <sup>c</sup>	214	170	3,750	916	2,568	1,663	9,281
Pending Dec. 31	35	107	1,825	496	158	1,071	3,692
Percent Change in Pending	-39.7%	-13.0%	20.0%	28.2%	37.4%	-31.3%	-1.9%
Clearance Rate <sup>d</sup>	112%	110%	93%	89%	98%	142%	101%

a. Includes cases involving Delinquency, PINS (Persons In Need of Supervision), and Interstate Compact.

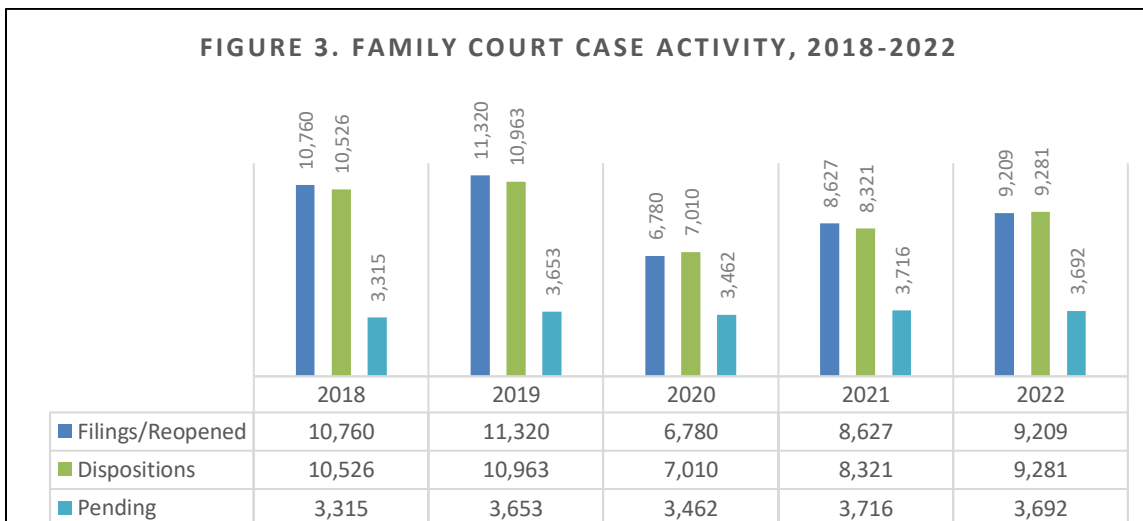
b. All figures were adjusted after audits of caseloads.

c. Family Court cases are 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.

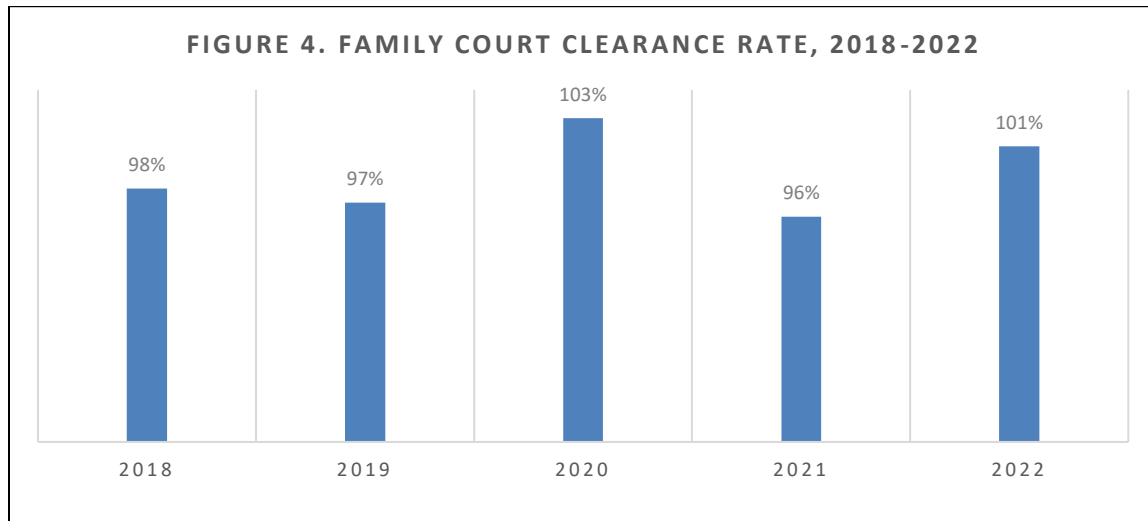
e. New filings do not reflect cases in pre-petition custody order status.

Over the five-year period from 2018 through 2022, the number of filings (including reopened cases) and the number of dispositions has fluctuated (Figure 3). New filings/reopened cases decreased by 14.4% from 2018 (10,760) to 2022 (9,209) while dispositions decreased 11.8% from 2018 (10,526) to 2022 (9,281).



An effective 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 2022 was 101%, an increase from 96% in 2021.



### **Family Court Case Activity**

New case filings in Family Court increased 7% from 2021 to 2022 (8,437 in 2021; 9,056 in 2022). While new case filing increased in Divorce & Custody, Juvenile, Mental Health, and Parentage & Support case types, filings decreased in Abuse & Neglect and Adoption case types. In 2022, the Family Court resolved 9,281 cases, an 11.5% increase in the number of dispositions from 2021 (8,321). While dispositions increased in Divorce & Custody, Juvenile, and Parentage & Support case types, dispositions decreased in Abuse & Neglect, Adoption, and Mental Health case types.

A disposition does not always end court oversight and judicial involvement. In many Family Court cases, after an order is entered, there is a significant amount of post-disposition activity. For example, dispositions in parentage and support cases include cases resolved through the issuance of either a temporary or 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. Child support orders entered in DC are valid until the child attains the age of 21 or is emancipated. In 2022, 1,376 post-disposition parentage and support motions were filed.

Domestic Relations cases are also subject to post-disposition activity such as motions to modify or enforce custody or visitation and motions for contempt; these motions require judicial, administrative and courtroom management. In 2022, 6,447 post-disposition motions were filed.

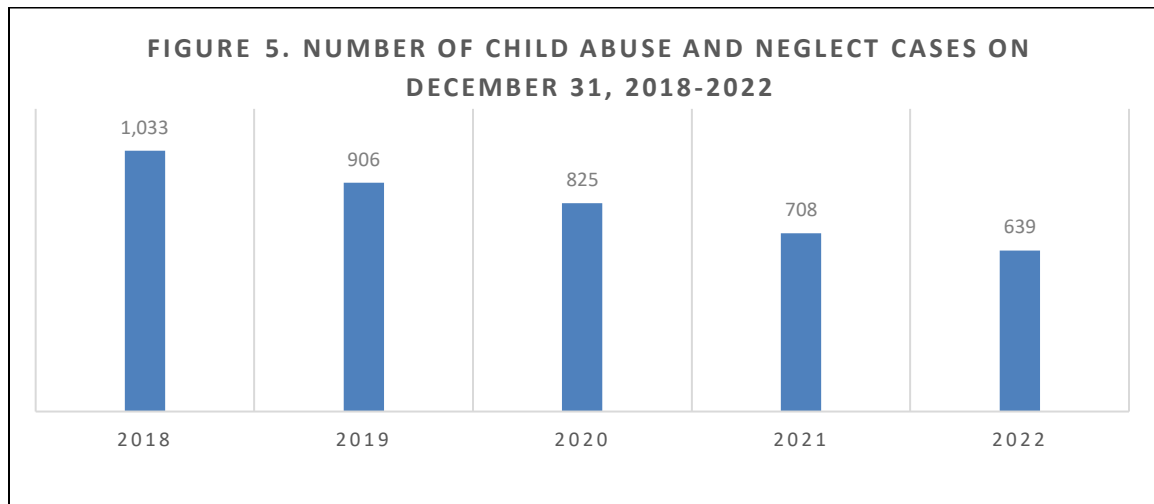
Mental Habilitation cases are considered disposed once an order of commitment or an order of voluntary admission is entered. In 2022, 521 post-disposition mental habilitation cases remained open, requiring annual judicial reviews to determine the need for continued commitment.

Juvenile cases are disposed at sentencing and stay open until sentence expiration or until the Family Court no longer has jurisdiction over the juvenile. In 2022, there were 354 post-disposition juvenile cases. Similarly, 604 post-disposition abuse and neglect cases remained open and required regular judicial reviews until the child reached permanency either through placement in a permanent living situation or aging out of the foster care system.

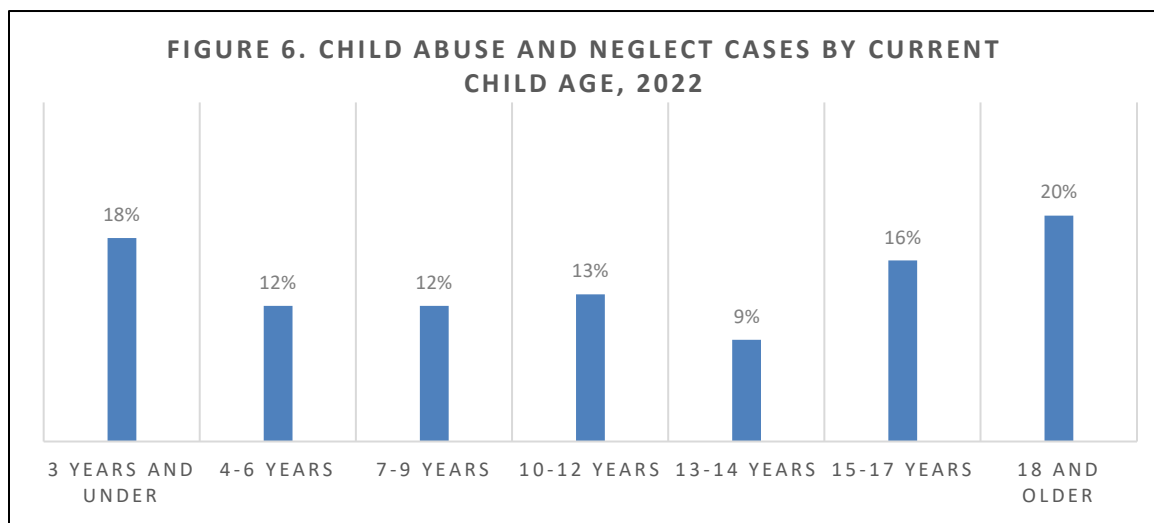
### **Abuse and Neglect Cases**

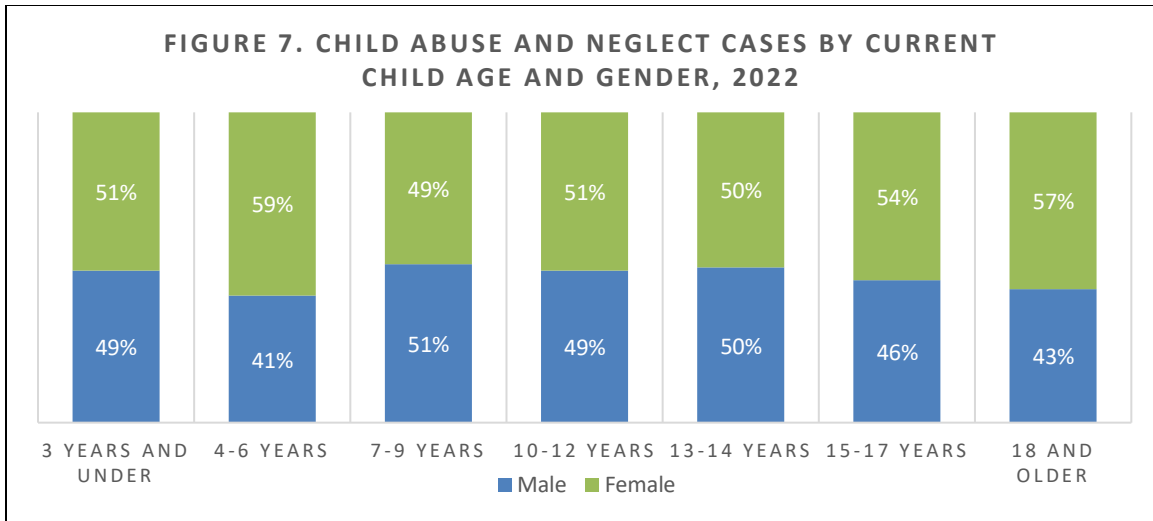
In 2022, there were 639 children under Family Court jurisdiction, representing a 9.7% decrease from 2021 (Figure 5). This number includes children with open cases, that are either undisposed (35) or where a disposition hearing was held, followed by regularly scheduled permanency hearings (604). The post-disposition number (604) includes 50

children with disrupted guardianship cases. Ninety-six cases in pre-petition custody order status are excluded from the total number.



Youth aged 15 and older accounted for 36% of all cases under Family Court jurisdiction (Figure 6). Eighteen percent of the children were aged three years and under. While children aged 13 and 14 were just as likely to be female or male, children aged 7 through 9 were more likely to be male, and the remaining age categories were more likely to be female (Figure 7).

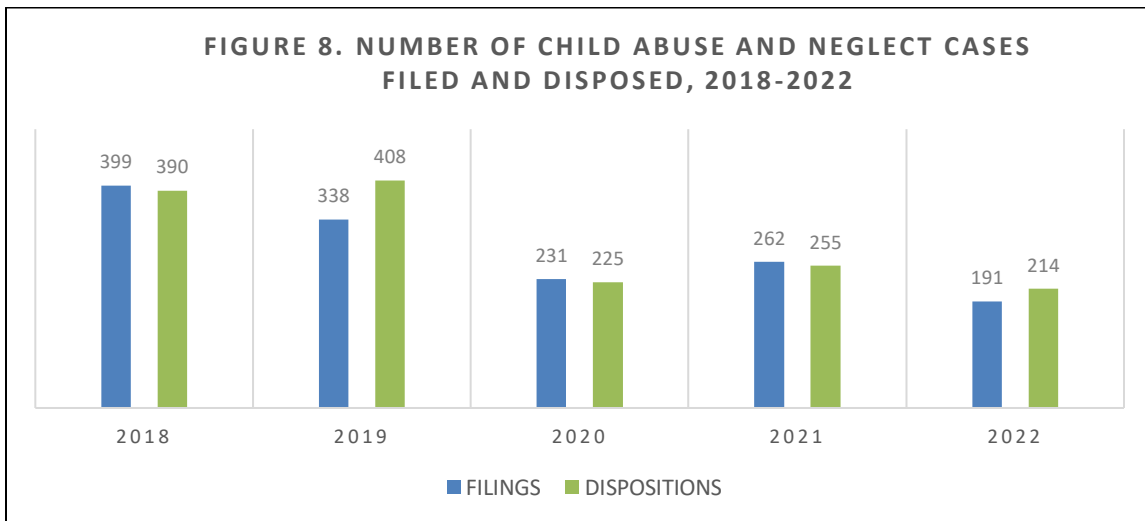




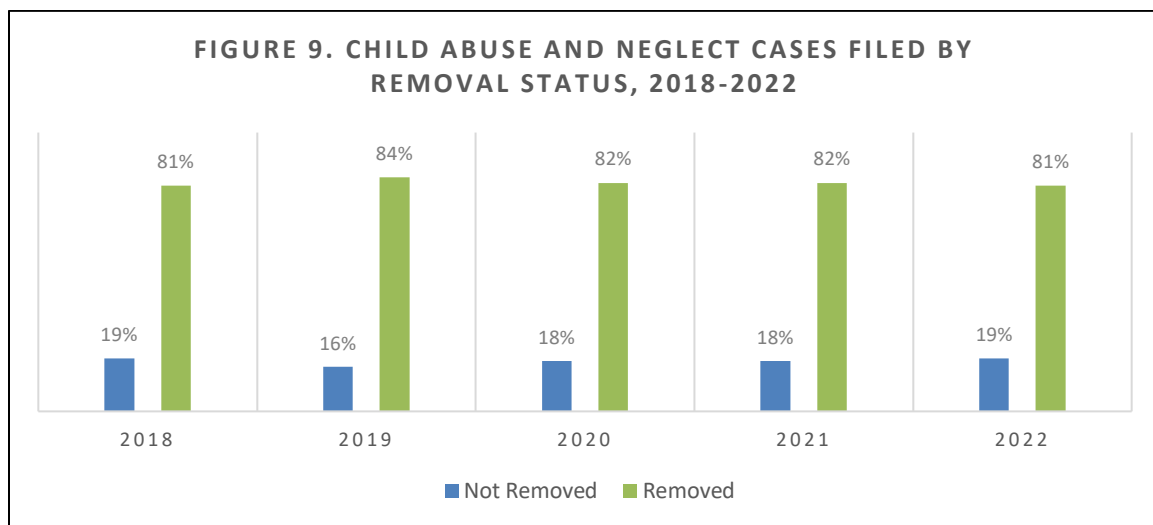
Whereas the previous section focused on all children with open abuse and neglect cases in 2022, the next section is specific to child abuse and neglect new referrals.

### Children Referred to Family Court

In 2022, there were 191 new child abuse and neglect referrals and 214 child abuse and neglect cases disposed (Figure 8). At the end of 2022, of the 191 entry cohort cases, 56% (106) had a completed disposition hearing, 20% (38) remained undisposed, 13% (25) were not petitioned, 7% (14) were dismissed, and 4% (8) were closed with a permanency outcome of reunification (4), custody (3) or emancipation (1).

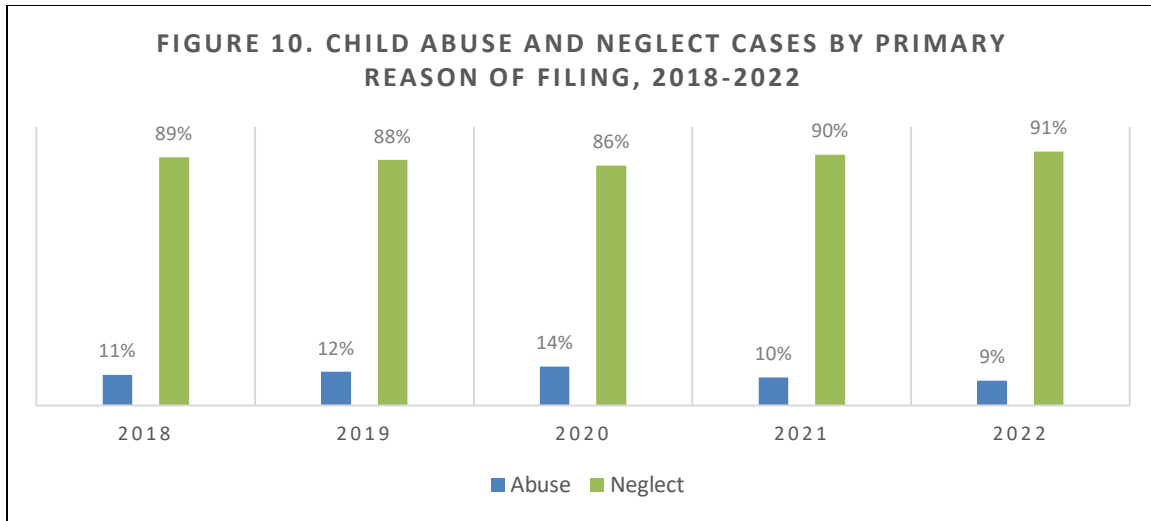


Fluctuations in the number of referrals to Family Court are often attributed to policy changes at CFSA, such as handling more cases as “in home” cases. In-home supervision of cases by CFSA provides the family and the agency with an opportunity to address the family’s needs without Court supervision. CFSA’s strategic agenda known as the “Four Pillars” strives 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>

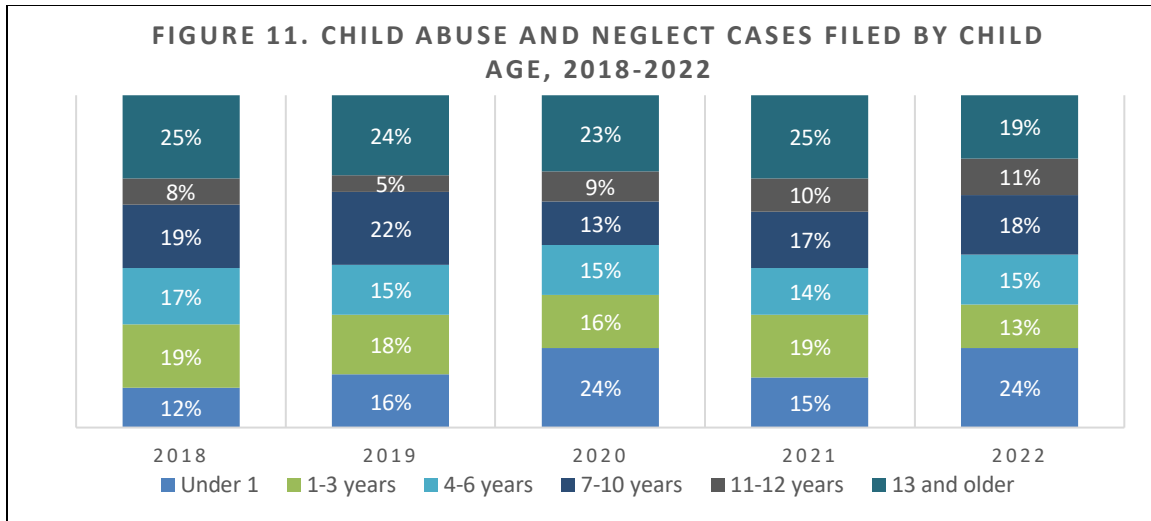


In 2022, children were removed from the home in 81% of the cases; children remained in the home under protective supervision in 19% of the cases (Figure 9). In 2022, an allegation of neglect (91%) was the most likely reason for a youth to be referred to the Family Court (Figure 10).

<sup>11</sup> CFSA.DC.GOV. [online] Available at: <<https://cfsa.dc.gov/page/four-pillars>> [Accessed 12 March 2021].



At the time of referral, 37% of new petitions were for children three years old or younger and 15% were for children four to six years old (Figure 11). 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 2022, 19% of new petitions to Family Court involved children 13 years of age and older at the time of referral. Referrals of older children comprise the second largest age group in the 2022 cohort. 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.



### 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 another 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 2022, no judges leaving Family Court retained any abuse and neglect cases.

### Compliance with D.C. ASFA Requirements

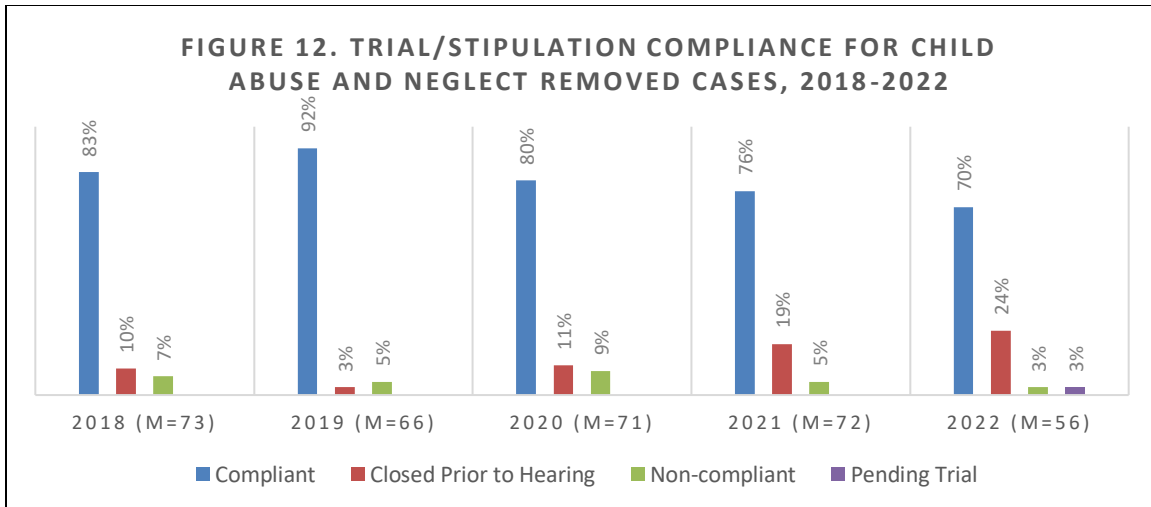
The District of Columbia Adoption and Safe Families Act (D.C. ASFA) (D.C. Official Code §§ 16-2301 et seq., (2000 Ed.)) establishes timelines for the completion of trials and disposition hearings in abuse and neglect cases. The timelines vary depending on whether the child was removed from the home.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



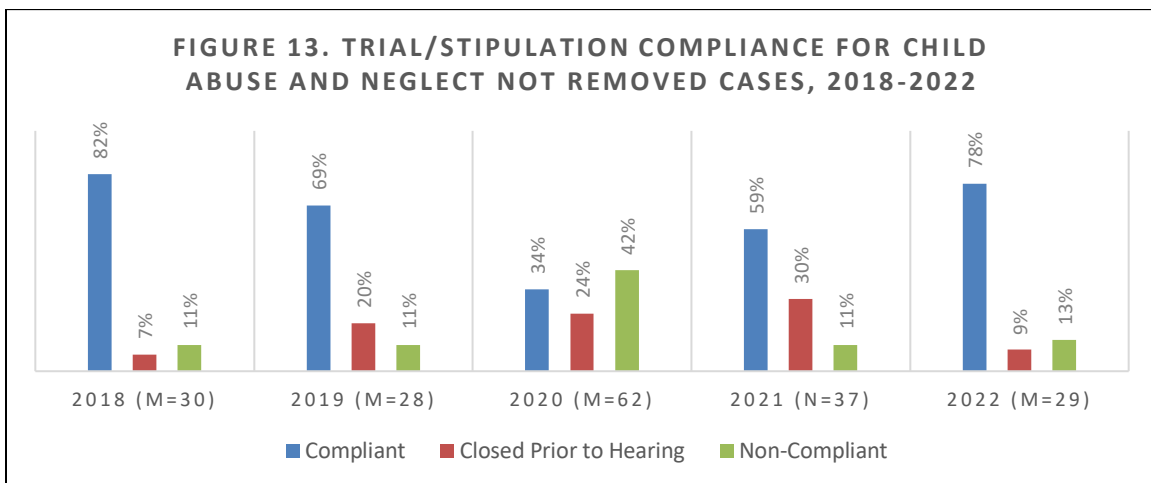
timeframe between filing of the petition and trial or stipulation is 45 days from the petition filing date. The statute requires that trial and disposition occur on the same day, whether the child has been removed or not, but permits the court 15 additional days to hold a disposition hearing for good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

### **Trial/Stipulation of Abuse and Neglect Cases**

In 2022, 81% of children referred to the court were removed from their homes (Figure 9). Seventy percent of cases filed had a factfinding hearing in compliance with the 105-day ASFA timeline for trials in removal cases (Figure 12), down from 76% in 2021. In 2022, 24% of cases filed were closed prior to a factfinding hearing with the remaining 3% of cases out of compliance or pending trial, respectively. In 2021, 19% of cases filed were closed prior to a factfinding hearing and 5% of cases filed were out of compliance. The median time for a case to reach trial or stipulation was 56 days in 2022 and 72 days in 2021. The recent performance for time to trial or stipulation can be attributed to issues related to trial scheduling, especially under the Covid-19 Pandemic Emergency orders. Delays attributed to scheduling issues were exacerbated by the fact that in 2022 we are at the end of the four-year attorney panel recertification cycle, resulting in fewer attorneys handling these cases and therefore less flexibility in scheduling among those who remain. Additionally, the decline in performance can be attributed to the number of cases involving sibling groups with several parents and step-parents as parties, thereby increasing the complexity of the trial or stipulation events. In 2022, there were 91 cases involving siblings – 18 sibling groups with two siblings, 8 sibling groups with three siblings, 4 sibling groups with four siblings and 3 sibling group with five siblings.

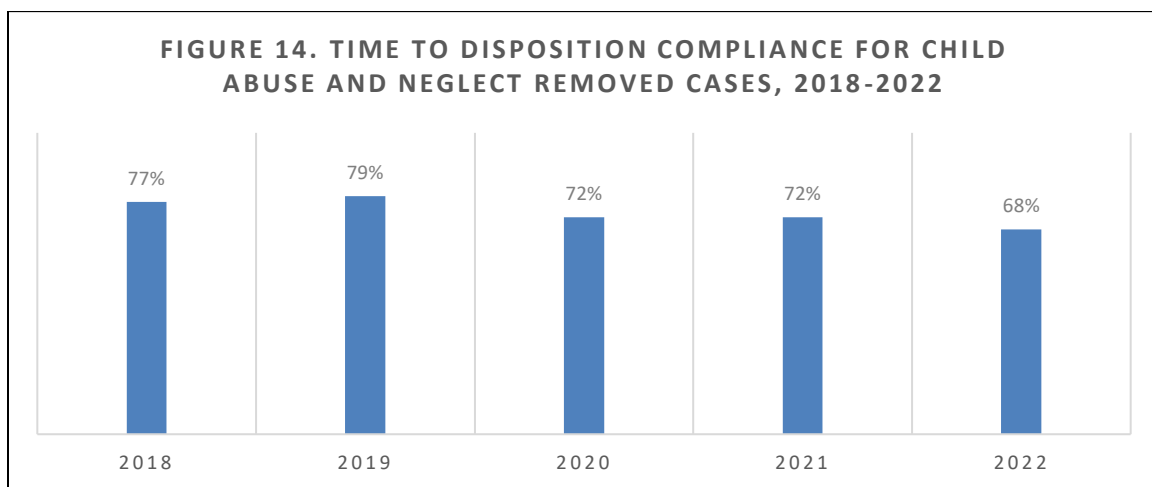


Nineteen percent of children referred to the court were not removed from their homes (Figure 9). For children not removed from home, compliance with the timeline to trial or stipulation (45 days) increased from 59% in 2021 to 78% in 2022 (Figure 13). In 2022, 13% of cases out of compliance with the timeline and 9% of cases filed were closed prior to a factfinding hearing. In 2021, 30% of cases filed were closed prior to a factfinding hearing and 11% of cases filed were out of compliance. The median time for a case to reach trial or stipulation was 29 days. When dealing with small caseloads, a few cases can impact compliance rates. The Family Court will continue to monitor and track compliance in this area throughout 2023.

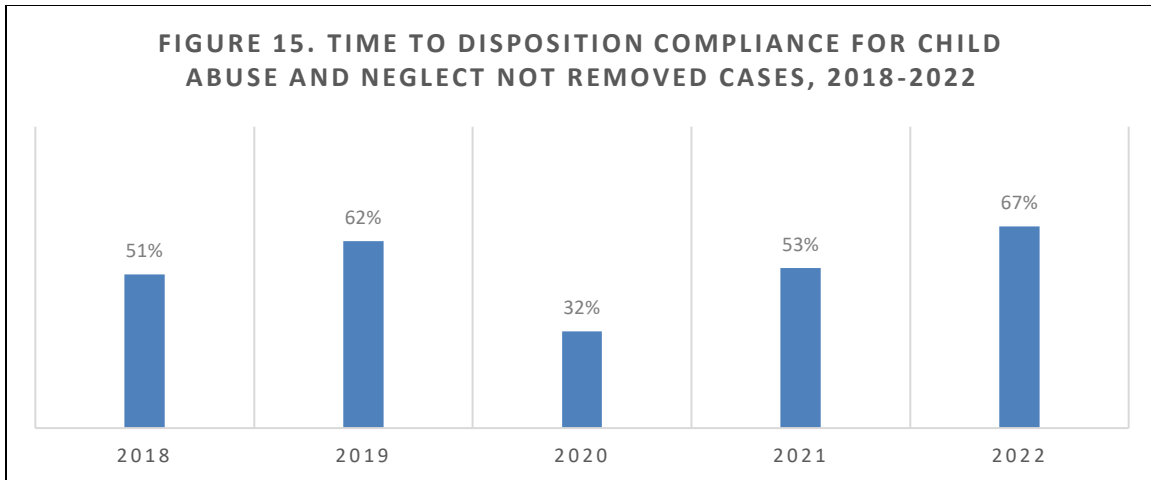


## Disposition Hearings in Abuse and Neglect Cases

Sixty-eight percent of cases filed in 2022, where the child was removed from the home, held disposition hearings within the 105-day timeline (Figure 14). This number may increase as pending cases filed late in 2022 have their disposition hearings. In 2022, the median time to reach disposition was 77 days. The decrease in performance for time to disposition can be attributed to scheduling issues. Additionally, the legal complexities in some cases caused disposition delays as parties worked to resolve them prior to trial.

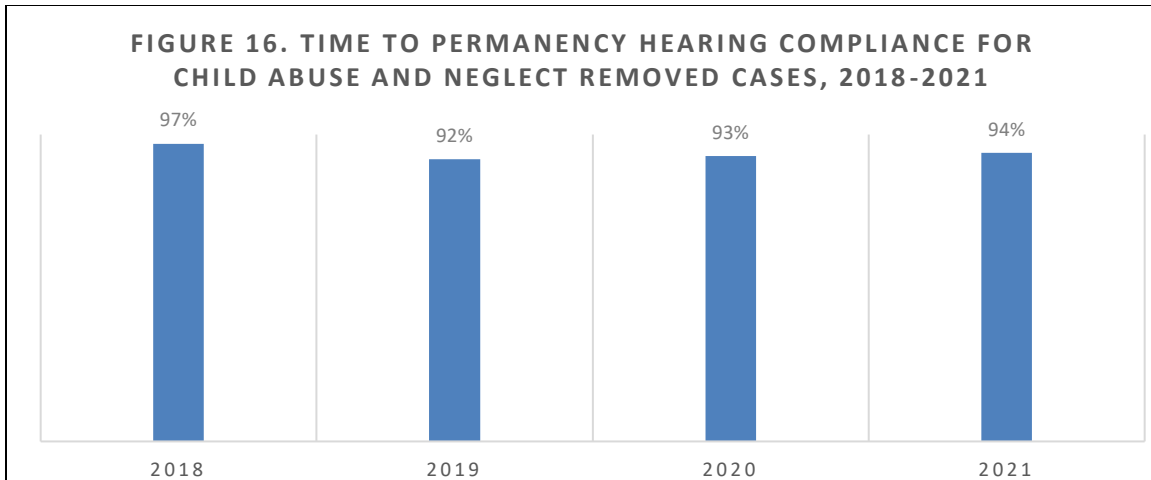


Sixty-seven percent of cases filed in 2022, where the child was not removed from the home, held disposition hearings within the 45-day timeline, an increase from 53% in 2020 (Figure 15). The median time to reach disposition was 42 days.



### **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 2018, 92% or more of removed cases had a permanency hearing within the required timeline. Cases filed in 2022 are pending a permanency hearing, and, if held timely, will increase the compliance rate.



### **Goal-Setting and Achievement Date**

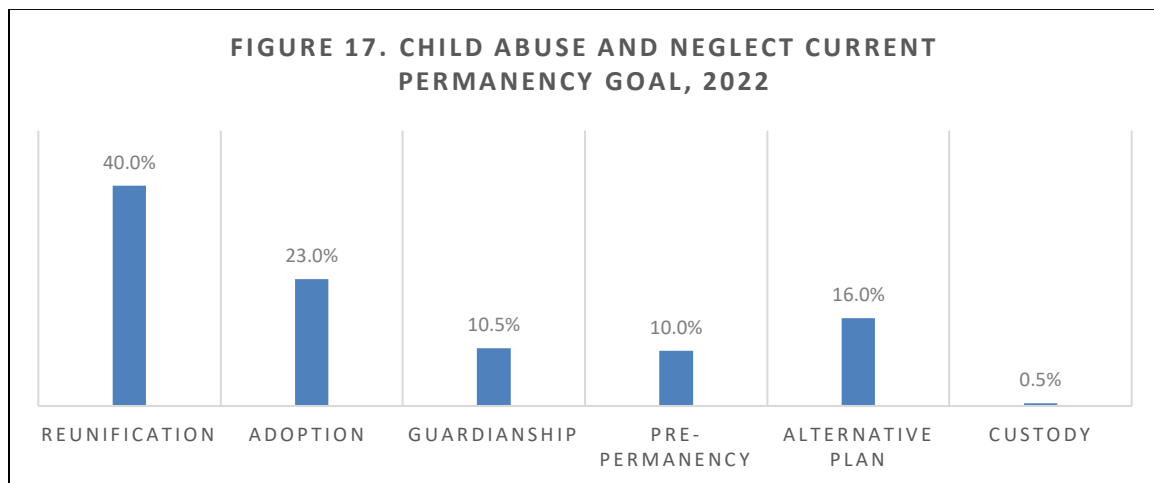
ASFA requires that the Family Court set a specific goal (reunification, adoption, guardianship, custody, or another planned permanent living arrangement (APPLA)) and a date for achievement of that goal at each permanency hearing. Judges are additionally required to raise the issue of barriers in achieving the permanency goal in the court hearings. Early identification of barriers has led to expedited resolution of issues and improved permanency success.

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. 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). In 2022, a working group comprised of judges, OAG, and CCAN attorneys updates all form orders utilized in neglect cases.

### Barriers to Permanency

Figure 17 illustrates permanency goals for children including: reunification, adoption, guardianship, legal custody, or another planned permanent living arrangement (APPLA). Pre-permanency cases (10%) have not yet had a disposition hearing, the earliest point at which a permanency goal would be set. Although the court has succeeded in establishing goals for children, achievement of each type of goal presents several challenges.



For children with the goal of reunification (40%), 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 for the parent to obtain life-skills training. The lack of adequate housing also presented a significant barrier to reunification. For children with the goal of adoption (23%), 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 10.5% 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 aged 15 and older comprise 36% 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's determination that it was in the youths' best interests to set a goal of APPLA (16%). 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. 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 (PYA)*, 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 development through positivity, empowerment and opportunity, working with each youth on goal setting and achievement, building financial literacy and budgeting skills, and working on long-term housing, employment and education. The main component of the program main 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 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 reauthorized and funded. The program admission criteria have been expanded to include youth aged 14 and up with any permanency goal. CASA hired a new program director, a former foster youth, who is building new relationships with community groups to ensure that the program operates at full capacity and provides a wide array of services to assist youth as they transition out of foster care.

### **Family Treatment Court Program**

The Family Treatment Court (FTC), in operation since 2003, is a reunification program that supports mothers and fathers with substance use disorders to achieve and maintain their sobriety, while safely and promptly reunifying them with their children. FTC is a 12–15-month voluntary program which takes a holistic approach to helping



participants break the cycle of addiction, shorten the out-of-home placement of children, and expedite permanency.

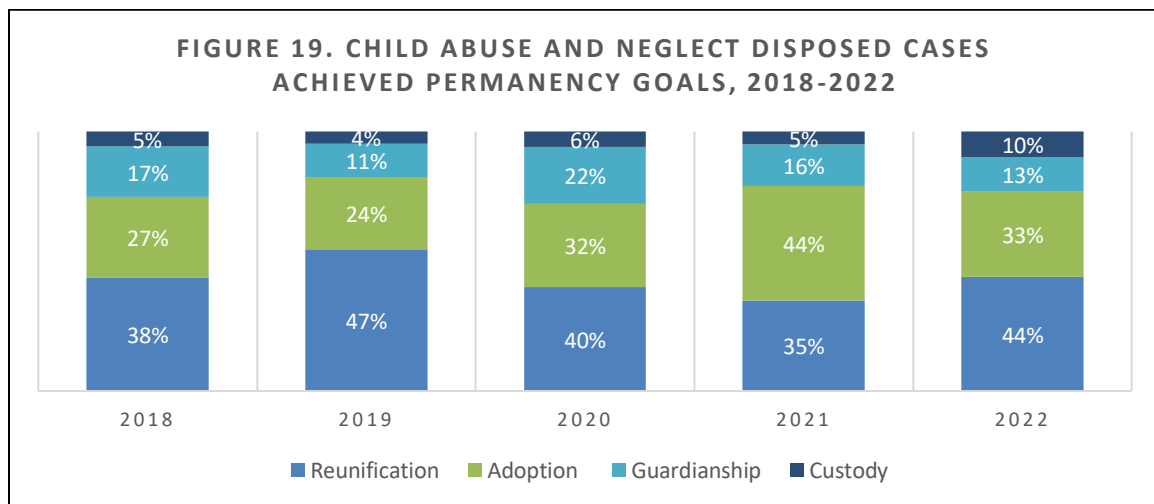
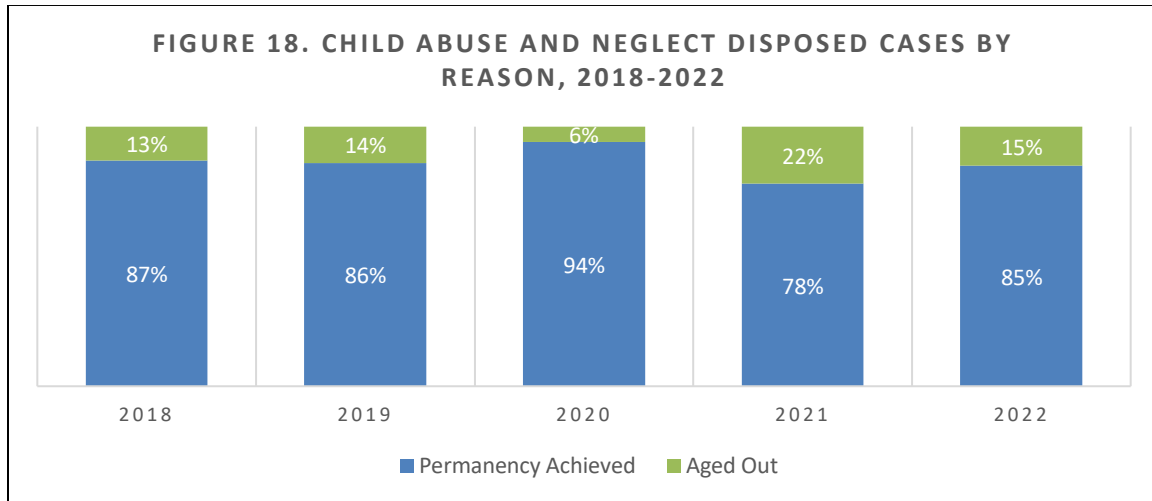
FTC, utilizing a grant from the Office Juvenile Justice Delinquency (OJJDP), hosted over 15 client-centered workshops and trainings on topics including Trauma, Domestic Violence, Parenting, Opioids, and Fentanyl. The three-year grant provided participants with metro cards to assist with transportation to visits with their children, drug testing, and attending mandatory court hearings. The OJJDP grant allowed FTC to provide incentives (certificates, recovery material) to participants as they achieved goals and reached recovery milestones. FTC enhanced the model to include Recovery Mentors, offering participants access to individuals with lived experience to support their recovery process. FTC remains an invaluable treatment option for families with substance use disorders involved in the child welfare system. The success of the program is evidenced by the more than 400 families who have achieved reunification since its inception in 2003. FTC hosted its third virtual commencement in December 2022, honoring nine parents who successfully completed the program, reunified with their children, and had their cases closed.

### **Permanency Outcomes for Children**

This section focuses on permanency outcomes for children following a disposition hearing. In 2022, Family Court judicial officers closed 248 post-disposition abuse and neglect cases. Eighty-five percent were closed because permanency was achieved, representing an increase from 78% in 2021 (Figure 18). Fifteen percent of the cases were closed without reaching permanency, either because the children aged out of the system (37%; 37) or in one case where an adult youth absconded from the jurisdiction prior to his

21<sup>st</sup> birthday.

In 2022, 44% of cases closed due to reunification, an increase from 35% in 2021 (Figure 19). Ten percent of cases closed to custody, an increase from 5% in 2021. The percentage of cases that closed to adoption (33%) and guardianship (13%) decreased by 11% and 3%, respectively, from 2021 to 2022.



Fifteen 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 established enhanced 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.

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). Additionally, the Court is required to ask the child about the child's desired permanency outcome and 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 developmentally appropriate activities.

As required by the Act, the court measures its performance and monitors 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 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 use to 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.

The Family Court performance measures of permanency and timeliness are discussed below. 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>12</sup>

Data for each performance area is measured and 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.

### **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.*

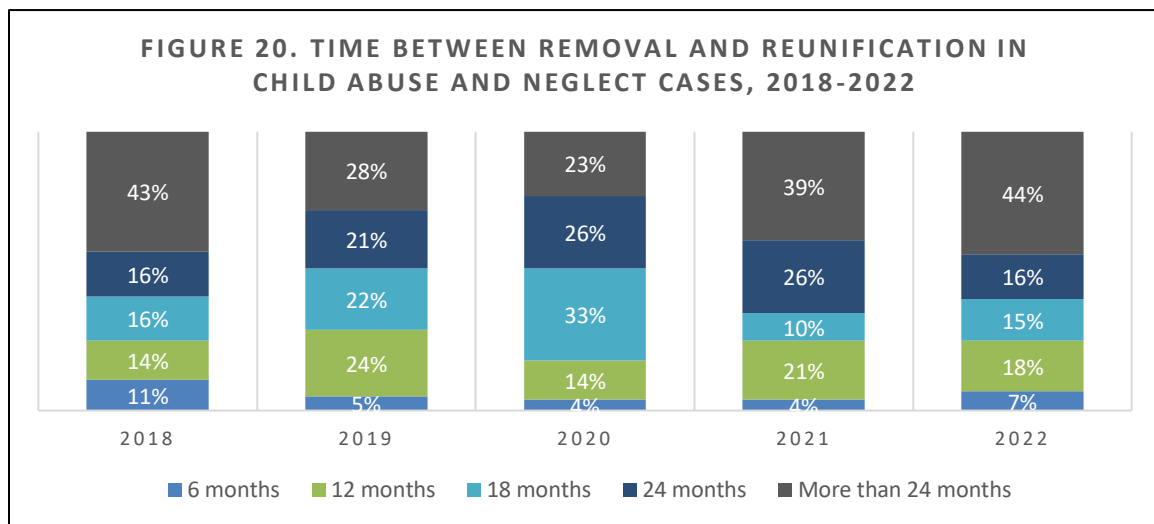
TABLE 2. TIME (IN MONTHS) FROM REMOVAL TO ACHIEVED PERMANENCY GOAL IN CHILD ABUSE AND NEGLECT CASES, 2018-2022

Year	Reunification	Adoption	Guardianship	Custody
2018	20.4	31.5	36.0	21.6
2019	18.0	33.6	34.8	15.3
2020	20.4	37.0	24.0	21.6
2021	22.8	30.2	32.9	20.7
2022	20.7	33.8	18.4	22.7

<sup>12</sup> D.C. Code § 16-2304 (2016); Superior Court Neglect Rule 42.

Table 2 reflects median time (in months) to case closure. In 2022, the median time required to achieve permanency from time of removal decreased in reunification and guardianship while increasing in adoption and custody.

In 2022, 25% of children were reunified with their parents within 12 months of removal, 40% were reunified within 18 months, and 56% within 24 months (Figure 20). Forty-four percent of children reunified in more than 24 months in 2022, the highest percent in the last five years.

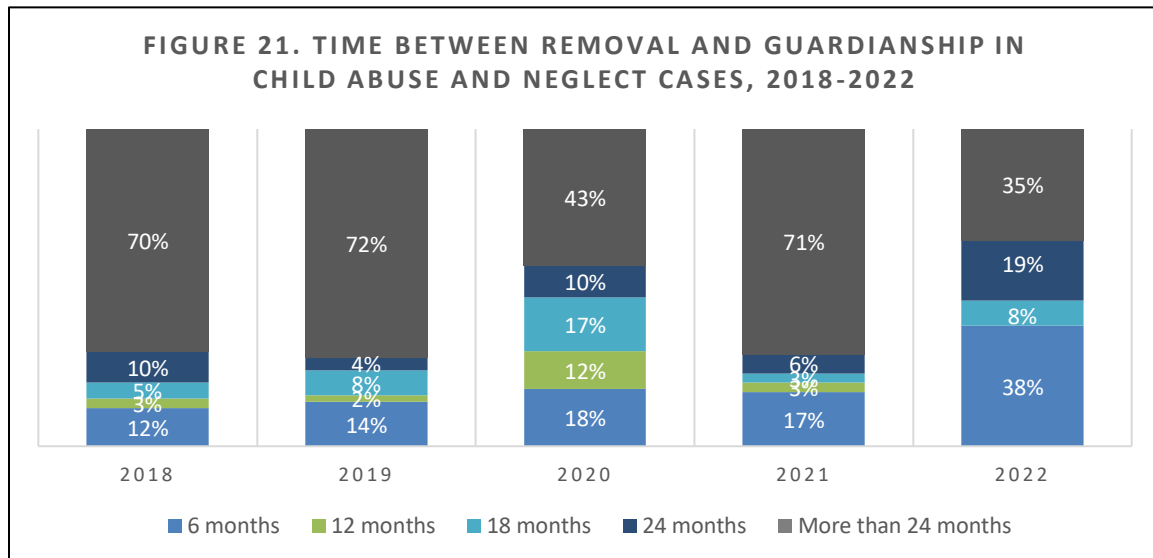


In 2022, 33% of children whose cases closed to adoption spent two years or less in care waiting for adoption finalization. The percentage of children in care who spent more than 24 months waiting for adoption finalization was the lowest (67%) over the past 5 years (Table 3).

**TABLE 3. TIME BETWEEN REMOVAL AND ADOPTION IN CHILD ABUSE AND NEGLECT CASES, 2018-2022**

Year	12 months	18 months	24 months	> 24months
2018	0%	5%	16%	79%
2019	1%	9%	14%	75%
2020	0%	6%	19%	75%
2021	0%	9%	20%	71%
2022	0%	16%	17%	67%

As illustrated in Figure 21, 38% of children spent 6 months or less – a 21% improvement over 2021 - and 65% of children spent 24 months or less in care before reaching permanency with a permanent guardian. At the same time, 35% of youth spent more than 24 months in care before reaching permanency with a permanent guardian – a 36% decrease from 2021.



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

In 15% (38) of the 248 cases closed in 2022, the children did not achieve permanency because they aged out of the system (Figure 18).

### Reentry to Foster Care<sup>13</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.*

In 2022, of the ninety-two cases that closed to reunification, one child returned to foster care within 12 months (Table 4). In 2021, three children returned to foster care

<sup>13</sup> All reentry rates are based on the number of children returned to care in the District of Columbia. Excluded are those children returned to care in other jurisdictions.

within 24 months of reunification.

TABLE 4. NUMBER OF CHILDREN REENTERING FOSTER CARE AFTER REUNIFICATION, 2018-2022

Year	Number of Cases Closed by Reunification	Number of Children Returned to Foster Care after Reunification	Number of Months Before Return	
			Within 12 Months	Between 13-24 Months
2018	164	20	16	4
2019	201	10	5	5
2020	116	6	5	1
2021	96	3	2	1
2022	92	1	1	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 110 cases that closed to adoption in 2022. Since 2018, there were no cases, closed to adoption, whereby children returned to care in this jurisdiction.

**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.*

In 2022, twenty-six cases closed to guardianship with no disruptions (Table 5). In 2021, five guardianship cases were disrupted within 24 months. 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 reviewed 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>14</sup>

---

<sup>14</sup> AO 16-02 enacts 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 5. NUMBER OF CHILDREN REENTERING FOSTER CARE AFTER PLACEMENT WITH A PERMANENT GUARDIAN, 2018-2022

Year	Number of Cases Closed by Guardianship	Number of Children Returned to Foster Care after Guardianship	Number of Months Before Return	
			Within 12 Months	Between 13-24 Months
2018	76	14	8	6
2019	50	3	2	1
2020	59	5	3	2
2021	40	5	4	1
2022	26	0	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 26-32.

## 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>15</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>16</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

<sup>15</sup> See 42 USCS § 675(5)(E) and (F).

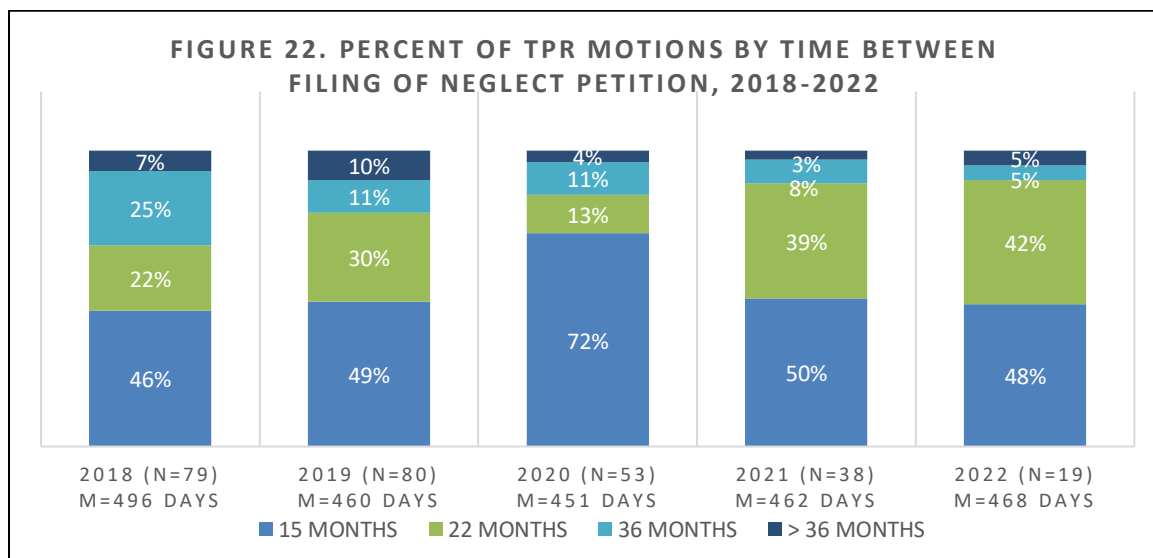
<sup>16</sup> Id.



months, as indicated above, or second, within 45 days of a goal of adoption being set.<sup>17</sup>

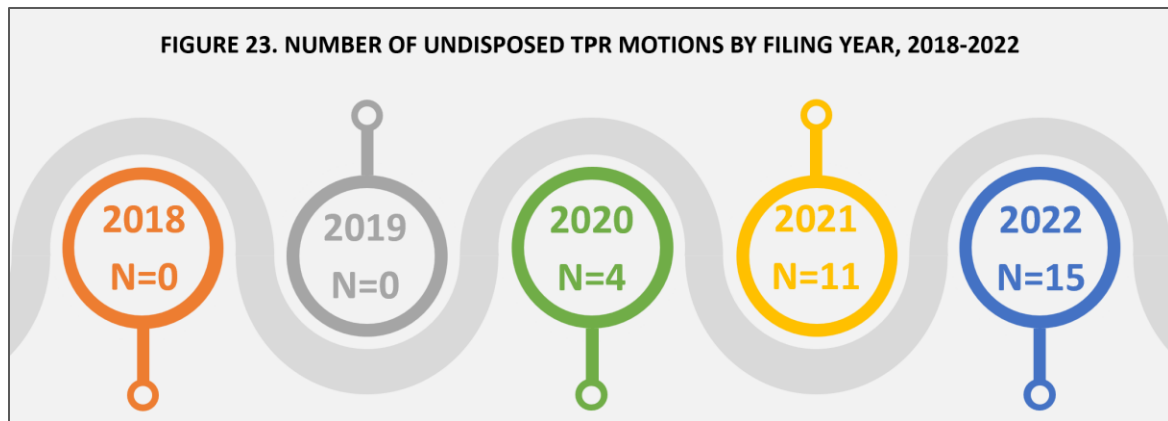
**Measure 2f(i).** *Time between filing of the original neglect petition in an abuse and neglect case and filing of the TPR motion.*

Figures 22-25 provide information on the court's performance as it relates to the handling of TPR motions. Figure 22 depicts the compliance rates of TPR motions filed for the five-year period. The median time between the filing of the original neglect petition and the subsequent filing is listed in the figure under each year. In 2022, 19 TPR motions were filed, half the number (40) filed in 2021 (Figure 22). In 2022, the median time was 468 days. Forty-eight percent (19) of those motions were filed within 15 months. On a quarterly basis, the status of TPR cases is reviewed by both the court and the OAG to ensure that whenever a goal changes to adoption, a timely TPR motion is filed.



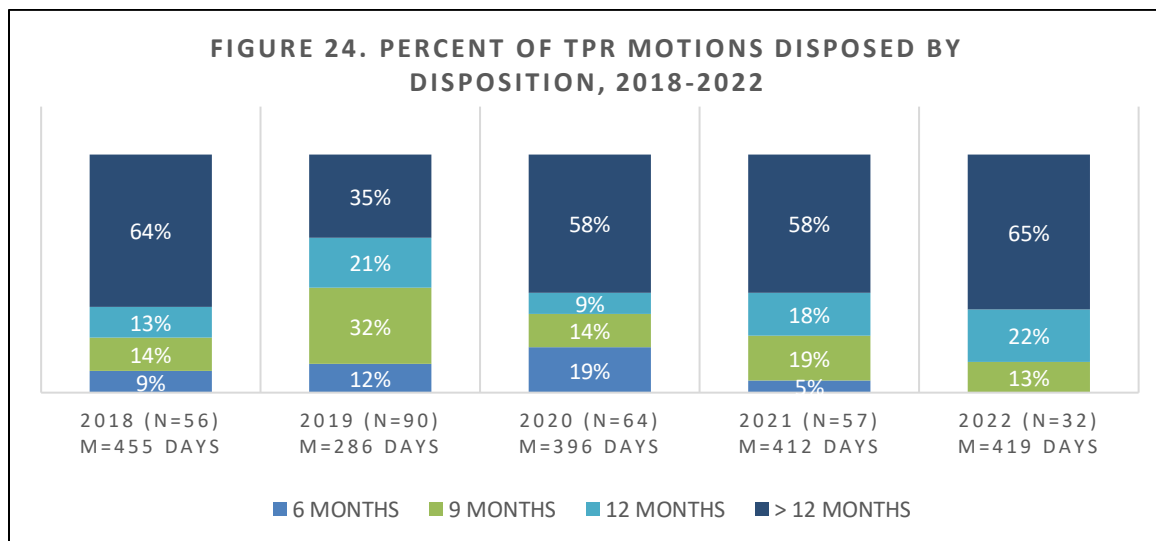
There are 30 TPR motions pending that were filed during the five-year period from 2018 to 2022 (Figure 24). Four motions filed in 2020, 11 motions filed in 2021, and 15 motions filed in 2022 remain undisposed.

<sup>17</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(ii).** *Time between filing and disposition of TPR motions in abuse and neglect cases.*

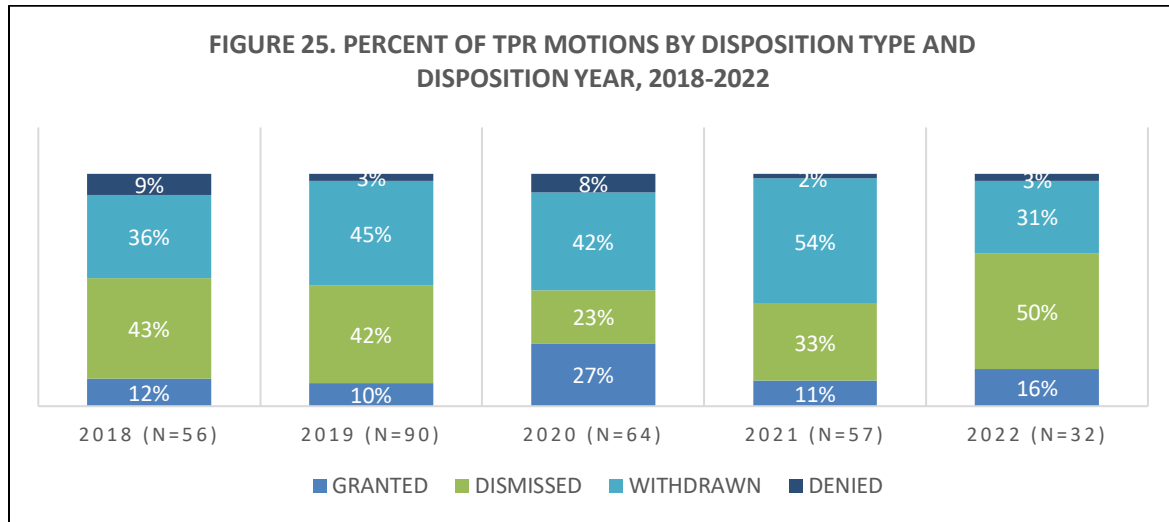
Thirty-two TPR motions were disposed in 2022 (Figure 24). The disposed motions were filed in, and prior to, 2022. The median time between TPR filing and disposition was 419 days in 2022, representing a slight increase from 2021 (412 days).



The government is under a statutory requirement to file a TPR, yet 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 practice of terminating parental rights within the adoption case is based upon the District of Columbia

adoption statute.<sup>18</sup>

In 2022, of the 32 disposed TPR motions, 50% (16) were dismissed, 31% (10) were withdrawn, 16% (5) were granted, and 3% (1) was denied. The percent of motions disposed by dismissed, granted, and denied increased, while dispositions of withdrawn decreased from the previous year (Figure 25).



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

TABLE 6. NUMBER OF ADOPTION PETITIONS FILED BY TIME FROM TPR MOTION GRANTED, 2018-2022

Year Filed	Number of Adoption Petitions Filed	Number of Adoption Petitions Filed Within:					Total Number of Granted TPRs (Year Disposed)
		1 month	3 months	6 months	12 months	12 + months	
2018	0	0	0	0	0	0	8
2019	2	0	0	0	0	2	9
2020	0	0	0	0	0	0	17
2021	0	0	0	0	0	0	6
2022	0	0	0	0	0	0	5

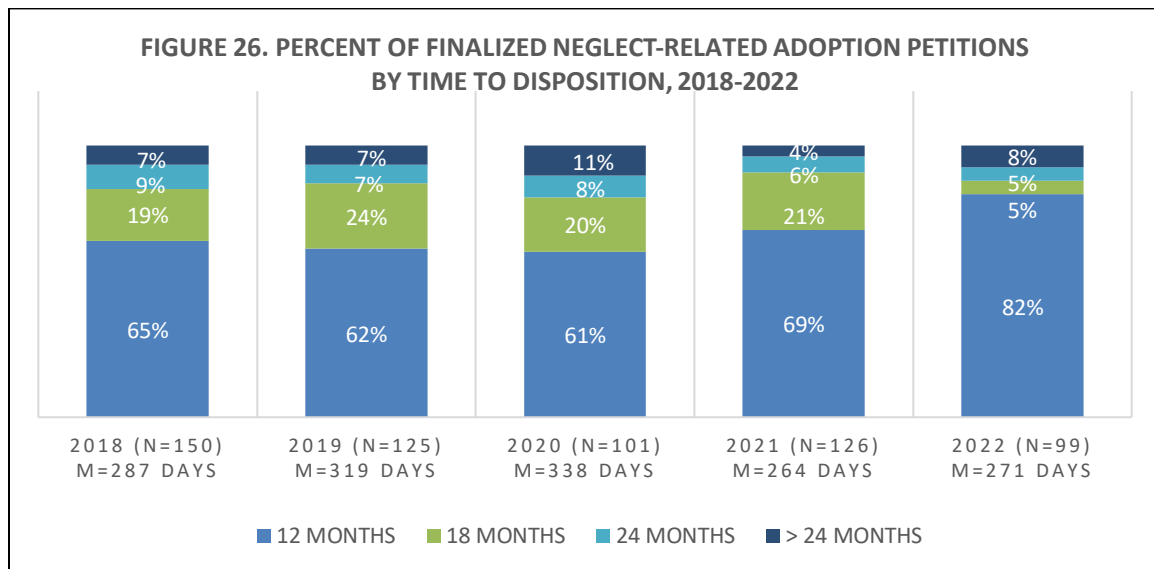
Table 6 depicts the time between the granting of a TPR motion and the filing of the adoption petition. Although five TPR motions were granted in 2022, no adoption

<sup>18</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.

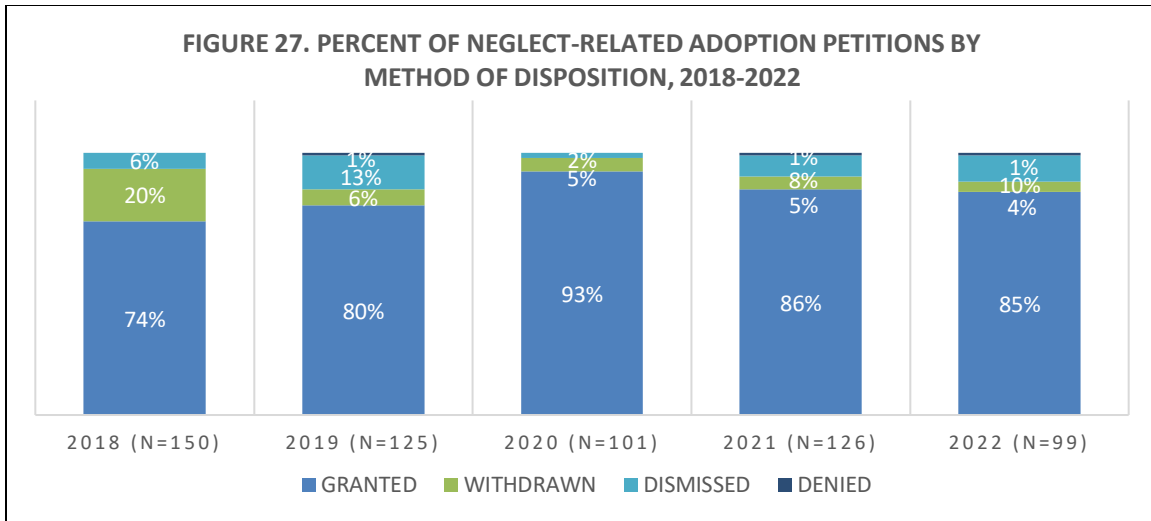
petitions were filed.

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

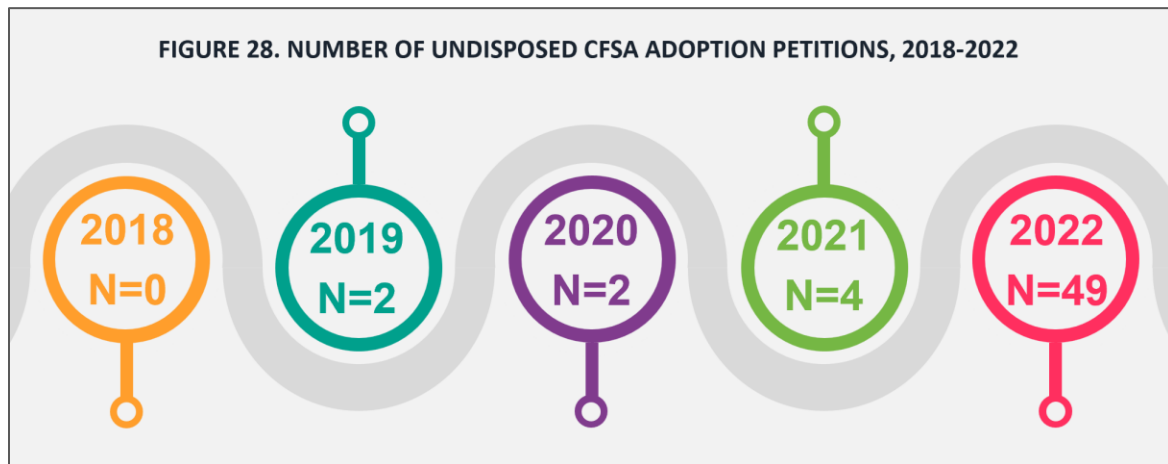
Thirty percent (21) of the adoption petitions (70) filed in 2022 were disposed within 12 months. Figure 26 illustrates the time to disposition (by disposition year) for adoption petitions filed in, or prior to, 2022. Eighty-two percent of disposed adoption petitions in 2022 were resolved within one year. The median time between the filing and finalization of the adoption petition increased from 264 days in 2021 to 271 days in 2022.



Of the 99 disposed adoption petitions, 85% (84) were granted, 10% (10) were dismissed, 4% (4) were withdrawn, and 1% (1) were denied (Figure 27). While denied petitions remained stable, there was an increase in dismissed petitions, and a decrease in granted and withdrawn petitions from the previous year.



There are currently 57 pending adoption petitions filed between 2019 and 2022. This is a 37% decrease from the 91 pending adoptions reported last year. There are two undisposed adoption petitions in 2019 and 2020, respectively, four filed in 2021, and 49 filed in 2022 (Figure 28).



### 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 2022, a guardian *ad litem* was appointed for all children in advance of the initial hearing.

***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 where the parent met the financial eligibility criteria, counsel was appointed for the parent before or 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 strengths-based.

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

- a) 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.
- b) Provide information and referrals to families and individuals.
- c) Facilitate coordination in the delivery of services among multiple agencies.
- d) 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 who are familiar with the types of services and resources available through their

respective agencies and can access their 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 to access available services for the child and/or family. Each liaison can provide up-to-date 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:

- a) Child and Family Services Agency (CFSA)
- b) District of Columbia Public Schools (DCPS)
- c) Department of Disability Administration (DDA)
- d) Rehabilitative Services Administration (RSA)
- e) Department of Employment Services (DOES)

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

- a) District of Columbia Housing Authority (DCHA)
- b) Department of Behavioral Health (DBH)
- c) Department of Youth Rehabilitation Services (DYRS)
- d) Department of Human Services (DHS)
- e) Metropolitan Police Department: Youth and Preventive Services Division (MPD)
- f) Department of Behavioral Health: Addiction Prevention and Recovery Administration (APRA)
- g) Addressing Truancy Through Engagement and Negotiated Dialogue (ATTEND) program with the Office of the Attorney General (OAG)
- h) Parent Watch, Incorporated.

### **Data Management System**

In 2022, under its new leadership, MSLO has revamped its official intake process to further increase public accessibility; improve service connection/delivery, and provide a higher level of transparency during all phases of service delivery to all parties involved.

MSLO has also introduced a community engagement component that supports the new CFSA child and family well-being system by pre-scheduling days and times for the MSLO staff to collaborate with agency-funded family success centers and community collaborative teams to share innovative resources and pertinent information highlighting community/ward-based programs, incentivized initiatives, and workshops that are available to District residents.

MSLO has integrated a new data entry and tracking system supported through the Quickbase platform that is accessible by way of the newly created landing page housed on CFSA's website.

New features include:

- paperless intake submission process;
- built-in pre-screening capabilities;
- the ability to upload official and supporting documents;
- real-time progress tracking (internal and external);
- a system to capture first-time DEIB Information such as race, languages (primary and secondary), gender, disability status, veteran status, ward, and education level;
- a comprehensive shared notes system to provide a collaborative workspace among service connectors;
- a process for all points of contact to receive a formal closure report that outlines connections and service completion dates;
- one-step activation to reopen previous referrals within 12 months of initial submission; and



- a feature that connects families to 16 agency-funded Family Success Centers and Community Collaboratives across all eight wards following connection to requested services.

In addition, a QR code was created to link users to the newly created landing page and service referral form from any preferred digital device with screening capabilities. Next, a general email account was launched to track all incoming internal and external inquiries received from referral sources, judicial officers, clients, stakeholders, partners, and the public.

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

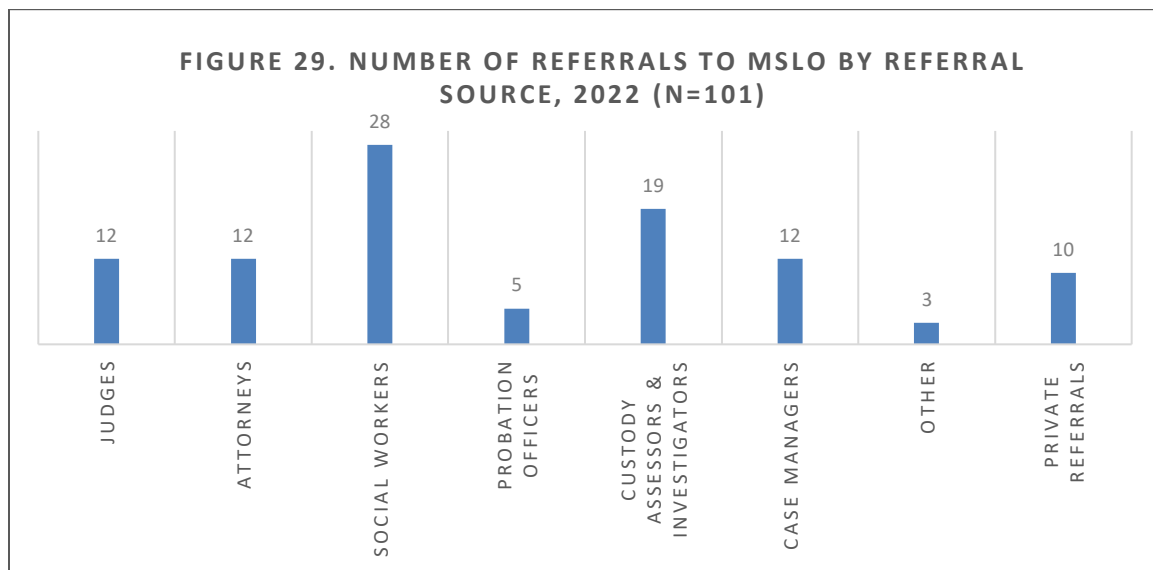
Cases are referred to the MSLO from a variety of sources, including through a court order or from guardians *ad litem*, social workers, family workers, attorneys, judges, and/or probation officers. The goal of the interagency collaboration within the MSLO is to create a seamless system of care for accessing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

### **Calendar Year 2022 Statistics**

In 2022, the MSLO received 101 referrals, a 47% decrease from the 190 referrals received in 2021. Each referral can request a maximum of 6 services. Of the referrals, 6 (6%) were for court-ordered cases, 72 (71%) were court-involved, and 22 cases (23%) were for information and referral.

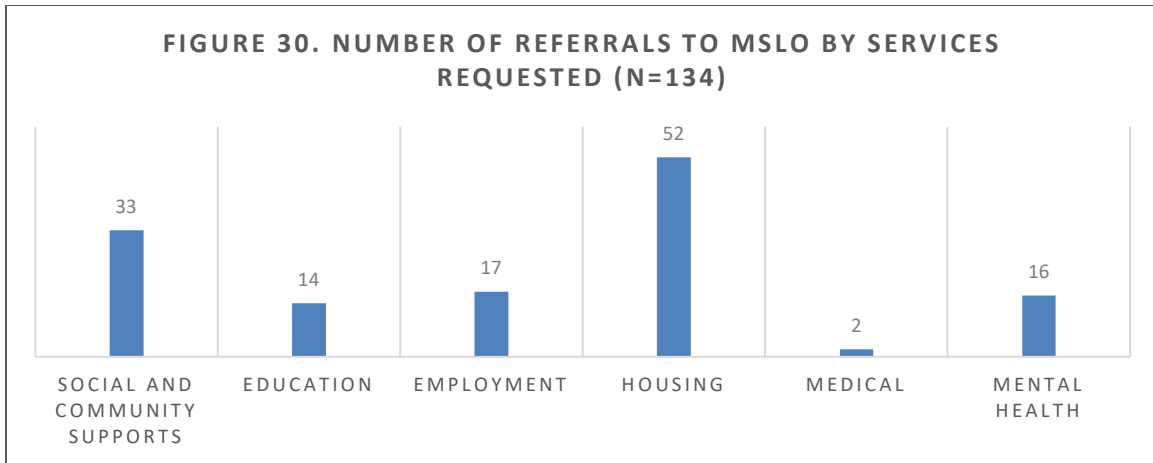
Of those identified, social workers (28, 28%), custody assessors (15, 15%), judges (12, 12%), attorneys (12, 12%), case managers (12, 12%), probation officers (5, 5%), custody investigators (4, 4%), resource development specialist (1, 1%), case worker (1, 1%), court clerk (1, 1%), and “other” encompassing referrals from private individuals and other

organizations not affiliated with the Family Court (10, 9%). Moreover, all 101 referrals for services received during 2022, were successfully connected to needed services and resources.



Families seeking the services of the MSLO required assistance with: (a) issues related to housing, such as transfers, inspections, and emergency housing; (b) social community support including Temporary Assistance for Needy Families (TANF) assistance, as well as financial and food support; (c) employment information and assistance; (d) educational assistance including truancy, school placements, individualized education programs (IEPs), special education testing and due process, general educational issues and literacy information; (e) mental health evaluations and individual and family therapy; (f) disability and rehabilitation services; (g) domestic violence assistance; and (h) others.

Of those referred to the MSLO, the total services requested include housing (52); social and community supports (33); employment (17); mental health (16); education (14); and medical (2).



In general, service requests to the MSLO are immediately assigned to the appropriate agency liaison. The agency liaison connects with the family and provides the services and resources necessary to resolve the issue(s), within 24 to 48 hours.

### **Continuing Initiatives**

MSLO staff participated in several continuing projects in the Family Court, including: The Fathering Court, Grandparent Caregivers Program, and the Family Treatment Court. The most recent initiative is a collaboration between the Office of the Attorney General, the Superior Court of the District of Columbia, to decrease truancy of younger children through parent engagement, dialogue, and linkage to community-based services. The Addressing 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. As further confirmed by ATTEND's staff during the public oversight hearing on

Attendance, Chronic Absenteeism, and Truancy in the District of Columbia, “homes are stabilized, and systems adopt a less punitive approach to truancy.” Thus, this initiative continues to yield positive results, and actively supports seven schools in Wards 7 and 8.

### **New Initiatives in Child Abuse and Neglect**

#### **Court Improvement Program**

The Court Improvement Program Advisory Committee held quarterly meetings to discuss programs funded by the current five-year grants. Co-chaired by the Presiding Judge and the Family Court Attorney Advisor, the committee is comprised of stakeholders in the child welfare community, including the court, Child and Family Services Agency (CFSA), the Office of the Attorney General (OAG), foster parents, former foster youth, the Department of Behavioral Health, and others. The Court submitted the CIP grant application for the 2022-2026 grant cycle, and received approval for all three grants (basic, data and training) through 2026 as part of the Family First Prevention Services Act.

The Court participated in several CIP-related programs, including the Permanency Mediation Program, which enhances existing mediation options by offering the option for parents to mediate a permanency goal change from reunification to adoption and waive a sometimes lengthy and unpleasant evidentiary proceeding. The Permanency Mediation Program allows any participant in a neglect case to refer a case for permanency mediation prior to the first permanency hearing or any time CFSA recommends a goal change to adoption. Permanency mediation can be a first step in empowering parents to take responsibility for and participate in permanency planning in cases where reunification appears to be unlikely. In March 2022, leadership from OAG, the Agency, and Casey Family Programs met with DC Family Court judges to present an analysis of factors

relating to timeliness of permanency. The goal of the meeting was to emphasize court-specific action steps that judges can implement into their processes to decrease time to permanency.

To ensure that the Court and the Agency are meeting statutory requirements regarding determination of the appropriateness of filing for termination of parental rights, the Attorney General's Office is raising the issue at every permanency hearing and documenting the court's finding in the order. The PIP-related projects will continue in 2023.

The CIP continued its collaboration with the Child and Family Services Agency and the Office of the Attorney General for the District of Columbia to evaluate delays in achieving permanency in neglect cases. The Court is working with the Agency by using its permanency tracker to examine how Agency and Court processes can better manage case events before they result in delay. The Court and the Agency have collaborated to develop a list of common barriers to permanency so that they are able to track the sources of delays in permanency in each case, use that data to identify the most significant recurring barriers, and then take action to address those issues and ultimately reduce delays.

Additionally, a stakeholder workgroup decided to utilize existing data to create dashboards. One dashboard would include judge-specific measures and counts. The other would contain CIP-specific data measures, such as timeliness data, some of which is captured in the Agency's permanency tracker. The use of dashboards offers the CIP the flexibility to modify the dashboard as project lifecycles end and begin.

The CIP coordinated with the Family Treatment Court (FTC) to purchase laptops, using funds from a one-time federal grant for Covid-19 related technology needs, for FTC

parents to attend virtual court hearings and communicate electronically with their attorneys and members of the FTC treatment team. The CIP also worked with CFSA and the DC neighborhood collaboratives to explore providing laptops and/or other computer equipment on-site at the collaboratives. The CIP will pilot on-site computers at one or more collaborative locations in 2023. The CIP purchased 220 Chromebooks, protective cases, and operating systems software using funds from a one-time federal grant. Those Chromebooks will be loaned to parents involved in neglect matters to enable them to attend virtual hearings during the pendency of the case.

As a condition of receiving CIP grant funding, courts are required to engage in a quality legal representation project aimed at improving legal representation for parents in the neglect system. One-time federal grant funds were used to purchase 50 Adobe Sign one-year licenses to be offered to CCAN attorneys representing parents and children in neglect matters.

Additionally, the CIP is in the process of developing a multidisciplinary representation project that will create parental defense teams to improve parent representation in neglect cases. In 2021, the CIP surveyed the CCAN bar asking what new initiatives would most improve their practice. An overwhelming majority of attorneys selected access to a defense social worker as the resource that would have the greatest impact on the quality of their legal representation. To implement this project, CIP formed a workgroup consisting of representatives from CFSA, OAG, the Court, and the CCAN bar and has consulted with the ABA, other state CIPs, and other states' multi-disciplinary programs. The Court will be hiring a social worker consultant to guide the rollout of this

project in 2023 so that social workers can be added to the list of available resources for parent attorneys.

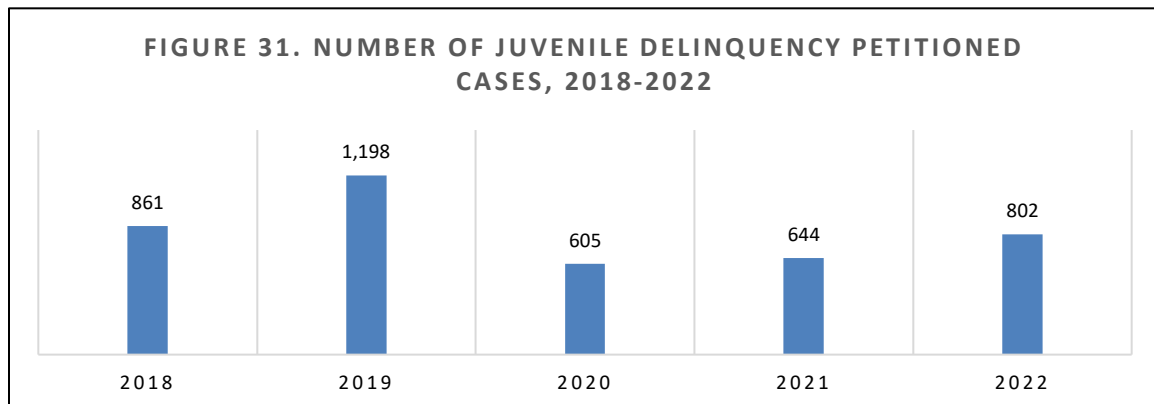
### **Court-Wide Forms Workgroup**

This group’s mission is to standardize and consolidate the Court’s forms, eliminate unnecessary forms, and ensure that automated forms are properly configured in the case management system. In 2022, the group coordinated with the OAG and members of the CCAN panel to update all form orders utilized in neglect cases.

### **Juvenile Cases**

In 2022, there were 1,022 new juvenile complaints filed in the Family Court, a 25% increase from 2021 (819). Ninety-four percent (963) of the complaints filed were based on an allegation of delinquency, 4% (39) pursuant to an Interstate Compact Agreement (ISC)<sup>19</sup>, and 2% (20) on a person in need of supervision (PINS) allegation.

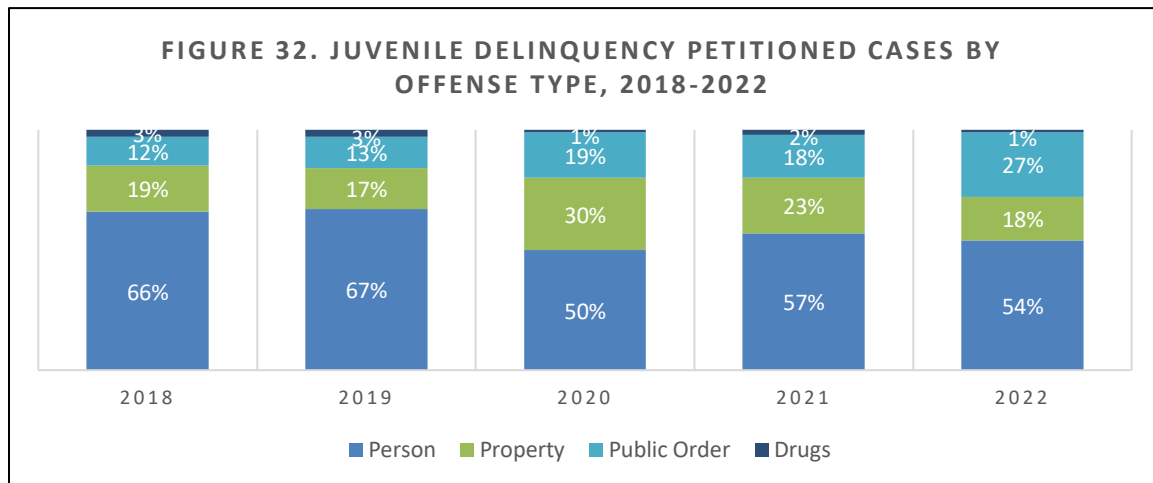
Of the 963 complaints filed based on an allegation of delinquency, 83% (802) resulted in a formal petition being filed by the OAG (Figure 31); this represents a 25% increase in petitions filed in 2021 (644). The following analysis focuses on the 802 cases petitioned in 2022.



<sup>19</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.

### Most Serious Offense<sup>20</sup>

Fifty-four percent of new delinquency cases petitioned in 2022 were for acts against persons, 18% for property offenses, 27% for public order offenses, and 1% for drug law violations (Figure 32). Cases petitioned for acts against persons decreased by 3% (57% to 54%) from 2021.



The most common juvenile charges resulting in a petition were for weapons offenses (24%, 191), armed and unarmed robbery (18%; 143), simple assault (12%, 94), carjacking (10%, 80), and unauthorized use of automobile (9%, 76) (Table 7).

Assault (43%; 188) was the leading offense petitioned for acts against persons -- (simple assault (21%; 94), assault with a dangerous weapon (10%; 43), aggravated assault (9%; 38), and assault with intent to kill (3%; 13)). Juveniles charged with robbery accounted for 33% (143) of new petitions for acts against persons (unarmed robbery (20%; 88) and armed robbery (13%; 55)). Fifty-two percent of all juvenile cases petitioned for acts against property involved unauthorized use of a vehicle (76), followed by larceny/theft at 19% (28). Most youth charged with acts against public order were

<sup>24</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.



charged with weapons offenses (90%; 191). All youth charged with a drug law violation were charged with drug sale or distribution (100%; 11).

TABLE 7. NUMBER OF JUVENILE DELINQUENCY PETITIONED CASES BY AGE AND MOST SERIOUS OFFENSE, 2022

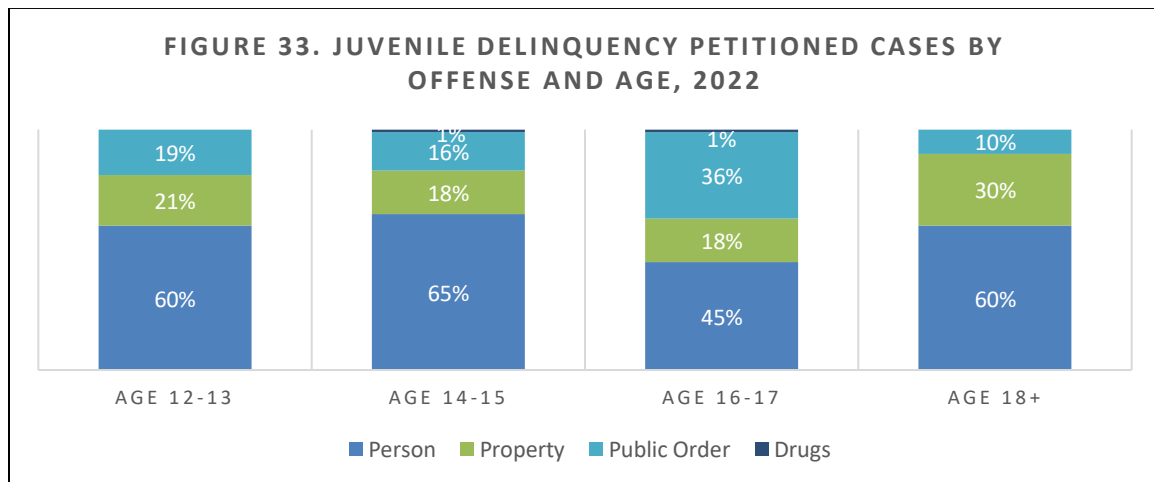
Most Serious Offense <sup>21</sup>	Total Cases	Age 12	Age 13	Age 14	Age 15	Age 16	Age 17	Age 18+
<b>Acts Against Persons</b>	<b>434</b>	<b>3</b>	<b>37</b>	<b>84</b>	<b>113</b>	<b>105</b>	<b>85</b>	<b>7</b>
Murder	12	0	1	0	4	4	2	1
Assault with Intent to Kill	13	0	0	1	5	5	2	0
Assault with a Dangerous Weapon	43	1	5	9	11	10	7	0
Aggravated Assault	38	0	6	8	6	10	7	1
Armed Robbery	55	0	5	9	15	9	15	2
Robbery	88	1	7	17	28	22	12	1
First Degree Sexual Abuse (Rape)	3	0	0	1	0	1	1	0
Other Violent Sex Offenses	2	0	0	1	1	0	0	0
Carjacking	80	0	6	16	21	23	12	2
Burglary I	3	0	0	0	2	0	1	0
Simple Assault	94	1	7	21	19	20	26	0
Other Acts Against Persons	3	0	0	1	1	1	0	0
<b>Acts Against Property</b>	<b>145</b>	<b>2</b>	<b>12</b>	<b>16</b>	<b>38</b>	<b>38</b>	<b>36</b>	<b>3</b>
Burglary II	6	0	0	0	0	3	1	2
Larceny/Theft	28	1	3	0	6	8	9	1
Unauthorized Use of Auto	76	0	7	11	22	20	16	0
Property Damage	15	1	1	1	5	2	5	0
Unlawful Entry	9	0	1	1	2	2	3	0
Stolen Property	10	0	0	2	3	3	2	0
Other Acts Against Property	1	0	0	1	0	0	0	0
<b>Acts Against Public Order</b>	<b>212</b>	<b>1</b>	<b>12</b>	<b>10</b>	<b>38</b>	<b>72</b>	<b>78</b>	<b>1</b>
Weapons Offenses	191	1	7	7	32	68	75	1
Obstruction of Justice	4	0	1	0	1	1	1	0
Other Acts Against Public Order	17	0	4	3	5	3	2	0
<b>Drug Law Violations</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>4</b>	<b>0</b>
Drug Sale/Distribution	11	0	0	0	4	3	4	0
<b>Total Delinquency Petitions</b>	<b>802</b>	<b>6</b>	<b>61</b>	<b>110</b>	<b>193</b>	<b>218</b>	<b>203</b>	<b>11</b>

### Most Serious Offense by Age

In 2022, 54% of all petitioned delinquency cases involved youth 16 years of age

<sup>21</sup> Juveniles charged with multiple offenses are categorized according to their most serious offense. Thus, data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

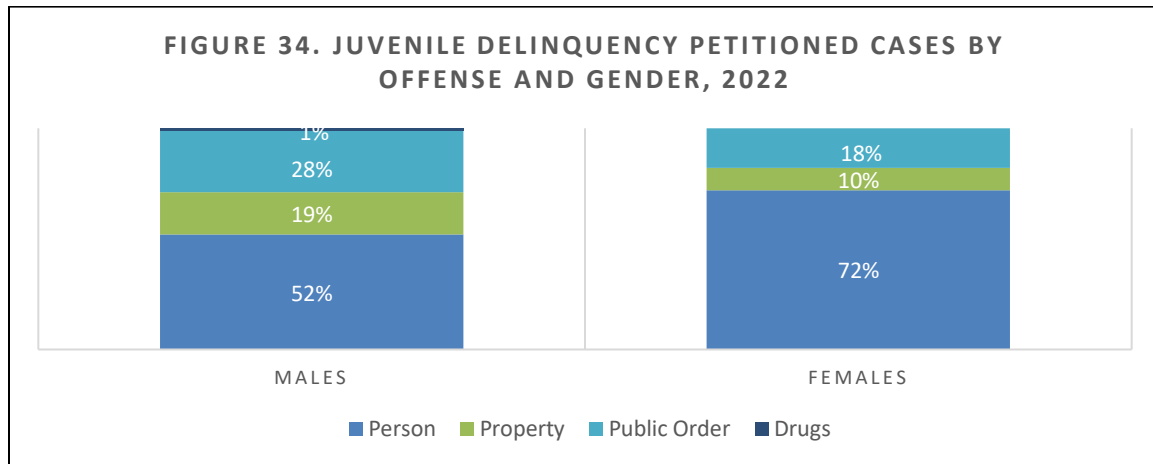
or older at the time of petition. The median age of a petitioned youth was 16 years old. In 2022, the percentage of youth charged with crimes against persons was highest among youths in the 14-15 (65%; 197) age group followed by the 12-13 (60%; 40) age group and the 18+ (60%; 7) age group (Figure 33). The percentage of youth charged with crimes involving acts against property were the highest among the age 18+ (60%, 3) age group followed by the 12-13 (21%, 14) age group. The percentage of youth charged with public order offenses was the highest for the 16-17 (36%, 150) age group followed by the 12-13 (19%, 13) age group. The percentage of youth charged with drug offenses was predominantly in the 16-17 (1%; 7) age group although there were 4 (1%) in the 14-15 age group as well.



### Most Serious Offense by Gender

In 2022, males accounted for 88% (706) of petitioned cases and females accounted for 12% (96). Females were charged with offenses against persons at a higher rate than males (72% of females compared to 52% of males). Conversely, a higher percentage of males were charged with acts against property (19% of males compared to 10% of females), acts against public order (28% and 18%, respectively), and drug law

violations (1% and 0%, respectively) than females (Figure 34).



Among males charged with crimes against persons, 52% (188) were charged with assault (simple assault, aggravated assault, assault with a dangerous weapon, and assault with intent to kill) and 36% (130) were charged with robbery (unarmed and armed) (Table 8). Among females charged with crimes against persons, 74% (51) were charged with assault (simple assault, aggravated assault, and assault with a dangerous weapon), and 19% (13) with robbery (unarmed and armed).

The most common property offenses charged against males were unauthorized use of a vehicle (56%, 75) and larceny/theft (18%; 24). For females, the leading property charge was larceny/theft (40%, 4) followed by property damage (20%; 2). Ninety-three percent (181) of the males and 59% (10) of the females with public order offenses were charged with a weapons offense. All drug law violations were males charged with drug sale/distribution.

TABLE 8. NUMBER OF JUVENILE DELINQUENCY PETITIONED CASES BY  
MOST SERIOUS OFFENSE AND GENDER, 2022

Most Serious Offense <sup>22</sup>	Total cases	Male	Female
<b>Acts Against Persons</b>	<b>434</b>	<b>365</b>	<b>69</b>
Murder	12	12	0
Assault with Intent to Kill	13	13	0
Assault with a Dangerous Weapon	43	32	11
Aggravated Assault	38	32	6
Armed Robbery	55	54	1
Robbery	88	76	12
First Degree Sexual Abuse (Rape)	3	3	0
Other Violent Sex Offenses	2	2	0
Carjacking	80	76	4
Burglary I	3	3	0
Simple Assault	94	60	34
Other Acts Against Persons	3	2	1
<b>Acts Against Property</b>	<b>145</b>	<b>135</b>	<b>10</b>
Burglary II	6	5	1
Larceny/Theft	28	24	4
Unauthorized Use Auto	76	75	1
Property Damage	15	13	2
Unlawful Entry	9	8	1
Stolen Property	10	10	0
Other Acts Against Property	1	0	1
<b>Acts Against Public Order</b>	<b>212</b>	<b>195</b>	<b>17</b>
Weapons Offenses	191	181	10
Obstruction of Justice	4	4	0
Other Acts Against Public Order	17	10	7
<b>Drug Law Violations</b>	<b>11</b>	<b>11</b>	<b>0</b>
Drug Sale/Distribution	11	11	0
<b>Total Delinquency Petitions</b>	<b>802</b>	<b>706</b>	<b>96</b>

<sup>22</sup> See *supra* note 27.

## **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>23</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). To detain a 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 consider a myriad of factors before making the detention decision. Factors taken into consideration include but are not limited to:<sup>24</sup>

- a) the nature and circumstances of the pending charge;
- b) the record of and seriousness of the child's previous offenses, if any;
- c) whether there are allegations of danger or threats to any witnesses;
- d) the length of, and community ties related to, the child's residence in D.C.;
- e) the child's school record and employment record (if any); and
- f) 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 dangerous

---

<sup>23</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>24</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.

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 2022, youth were detained prior to the factfinding hearing in 30% (243) of the 802 petitioned cases, representing a 10% increase from 2021.<sup>25</sup> Table 9 details information on the number of juveniles detained at initial hearing by offense, one of the many factors judges must consider when deciding to detain a youth.

In 2022, 33% (146) of youth charged with acts against persons were detained prior to factfinding, 33% (69) of youth charged with acts against public order, and 18% (26) of youth charged with property crimes and drug law violations (2), respectively. The comparable numbers for detention prior to factfinding in 2021 were: acts against persons (25%), acts against public order (20%), and property crimes (9%). Regarding specific offenses, 92% (11) of youth charged with murder were detained prior to factfinding. The remaining youth charged with murder was transferred to adult criminal court. Eighty-five percent (11) of youth charged with assault with intent to kill were detained prior to factfinding. Of the remaining youth, one was detained on another case and the other was released upon conditions to the custody of DYRS.

Thirty percent (222) of male youth and 21% (20) of female youth were detained prior to trial in 2022. Male youth were detained at a higher rate than in 2021 (a 9% increase) and female youth were detained at the same rate (21%) as last year.

In 2022, 51% (123) of youth detainees were held in non-secure facilities (shelter houses), a 6% decrease from 2021. In 2022, 49% (119) of youth detainees were held in secure detention facilities, a 6% increase from 2021.

---

<sup>29</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.

In 2022, males accounted for 96% (115) of those detained in secure facilities and 88% (108) of those detained in shelter houses. Since 2021, the percentage of detained males has increased by 7% in secure facilities and remained the same in shelter houses. Conversely, females accounted for 4% (5) of those detained in secure facilities in 2022 and 11% (6) in 2021. Females accounted for 12% of those detained in shelter houses in 2021 (9) and 2022 (15), respectively.

TABLE 9. NUMBER OF JUVENILE DELINQUENCY PRE-TRIAL DETENTION CASES BY OFFENSE AND TYPE OF DETENTION, 2022

Most Serious Offense <sup>26</sup>	All Detained Delinquency Cases						
	Total	Securely Detained			Non-Securely Detained		
		Total	Males	Females	Total	Males	Females
<b>Acts Against Persons</b>	<b>146</b>	<b>71</b>	<b>69</b>	<b>2</b>	<b>75</b>	<b>64</b>	<b>11</b>
Murder	11	11	11	0	0	0	0
Assault with Intent to Kill	11	11	11	0	0	0	0
Assault with a Dangerous Weapon	22	13	11	2	9	8	1
Aggravated Assault	3	1	1	0	2	1	1
Armed Robbery	34	11	11	0	23	22	1
Robbery	12	1	1	0	11	9	2
Carjacking	36	18	18	0	18	17	1
Burglary I	1	0	0	0	1	1	0
Simple Assault	13	3	3	0	10	5	5
First Degree Sexual Abuse	2	1	1	0	1	1	0
Other Acts Against Persons	1	1	1	0	0	0	0
<b>Acts Against Property</b>	<b>26</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>18</b>	<b>16</b>	<b>2</b>
Burglary II	2	1	1	0	1	0	1
Larceny/Theft	8	2	2	0	6	5	1
Unauthorized Use Auto	12	4	4	0	8	8	0
Property Damage	2	1	1	0	1	1	0
Stolen Property	2	0	0	0	2	2	0
<b>Acts Against Public Order</b>	<b>69</b>	<b>41</b>	<b>38</b>	<b>3</b>	<b>28</b>	<b>26</b>	<b>2</b>
Weapons Offenses	68	41	38	3	27	26	1
Other Acts Against Public Order	1	0	0	0	1	0	1
<b>Drug Law Violations</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>
Drug Sale/Distribution	2	0	0	0	2	2	0
<b>Total number of detained cases</b>	<b>243</b>	<b>120</b>	<b>115</b>	<b>5</b>	<b>123</b>	<b>108</b>	<b>15</b>

<sup>26</sup>See *supra* note 27.

## **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>27</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 factfinding 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 factfinding hearing. *See* D.C. Code § 16-2310(e)(2)(A). In addition, upon good cause, the Attorney General may move for further continuances in 30-day increments.

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

---

<sup>27</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.



time requirement of Rule 32 is directory rather than mandatory and that the trial court does not err when it extends the 15-day 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

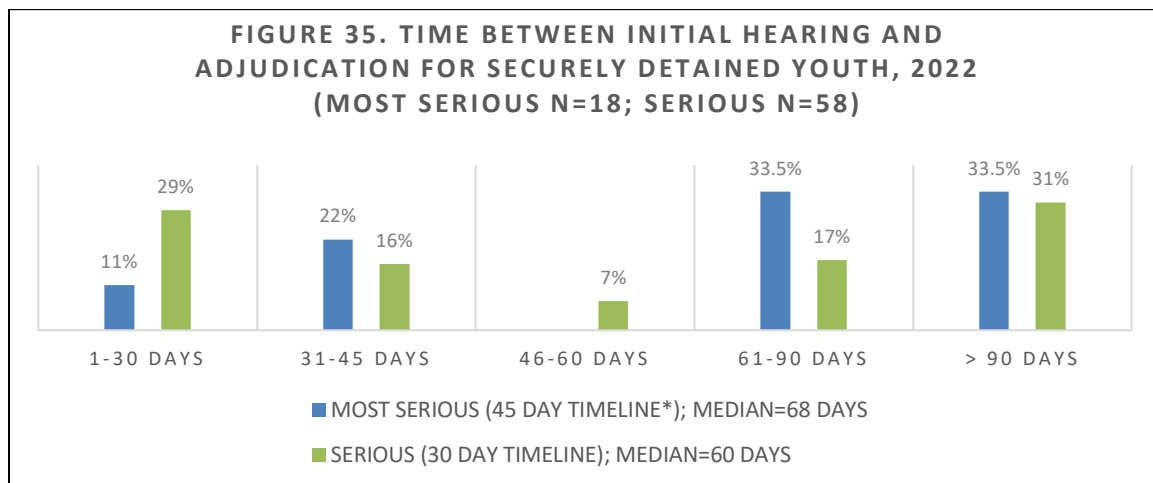
(4) Released youth: Administrative Order 08-13 allows 270 days for disposition. There is no Family Court statute or rule that dictates time standards for either adjudication or disposition for cases of youth released prior to adjudication.

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 accounts for 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 2022, 58 (49%) out of the 119 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 cases require adjudication within 45 days and the disposition hearing within 15 days of adjudication, for a total of 60 days (referred to as “Secure Detention 45-day cases”). An adjudication hearing occurred in 18 (31%) of these 58 (Figure 35). Thirty-three percent (6) of those adjudication hearings occurred within the 45-day timeframe. The median time from initial hearing to adjudication was 68 days. In 2021, securely detained juveniles had adjudication hearings within the 45-day timeline with a median time of 48 days. Of the remaining 40 securely detained most serious cases, thirty-one (78%) remain undisposed, pending adjudication, 8 (20%) were dismissed pre-adjudication, and one (2%) was transferred to adult court.



There were 61 securely detained juveniles who were charged with serious offenses (other than the 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”). Fifty-eight (95%) of the 61 juveniles had an adjudication hearing, 29% (17) of which occurred within the 30-day timeframe (Figure 35). The remaining 3 cases were all undisposed. The median time to adjudication was 60 days. In 2022, the 30-day timeline seriously detained cases had a median time to adjudication of 28 days.

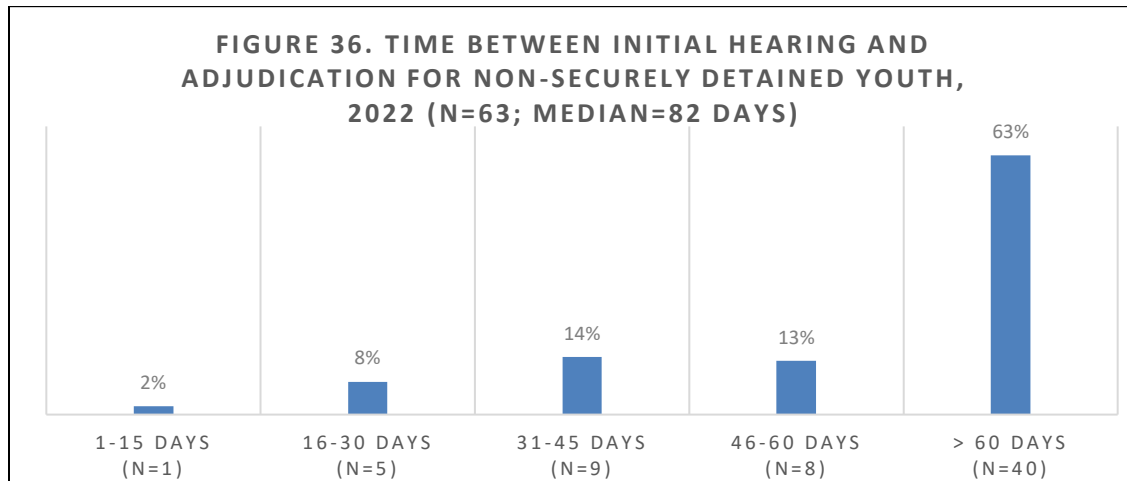
Several factors contributed to the inability to adjudicate all cases of securely detained youth in a timely manner. Those factors included, but are not limited to the absence of an essential witness, unavailability of evidence, unavailability of an attorney, incomplete psychological, psychiatric and neurological tests, and difficulties in scheduling, especially as the court responded to the Covid-19 pandemic. The court will monitor and track how requests for continuances are addressed with the goal of reducing the number of continuances requested and granted.

The calculation of time to disposition includes case processing from initial hearing to disposition. None of the 18 most serious adjudicated cases reached disposition in 2022. For securely detained juveniles with serious offenses (30-day cases; 33), 2 (3%) reached disposition in 2022. Both (2, 100%) of these cases disposed within the 45-day timeframe compared to 56% in 2021. In these cases, the median time between initial hearing and disposition increased from 30 days in 2021 to 32 days in 2022.

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.

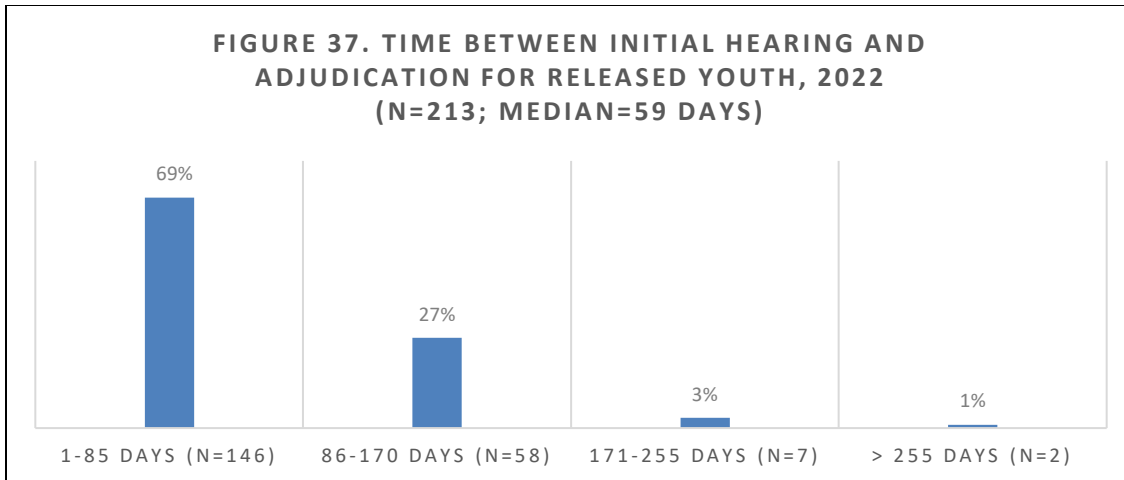
## Non-Securely Detained Juveniles

In 2022, there were 123 juveniles detained in non-secure facilities or shelter houses prior to adjudication. Fifty-one percent (63) of non-securely detained juveniles reached adjudication (Figure 36). Twenty-four percent (15) of the non-securely detained youth had timely adjudication hearings within the 45-day timeframe compared to 44% in 2021. The breakdown of the 24% (15) compliance rate was: 7% (1) within 15 days, 33% (5) between 16-30 days, and 60% (9) between 31-45 days. The median number of days to adjudication was 82 days, an increase from 62 days in 2021. In 2022, none of the non-secure detention cases reached disposition.

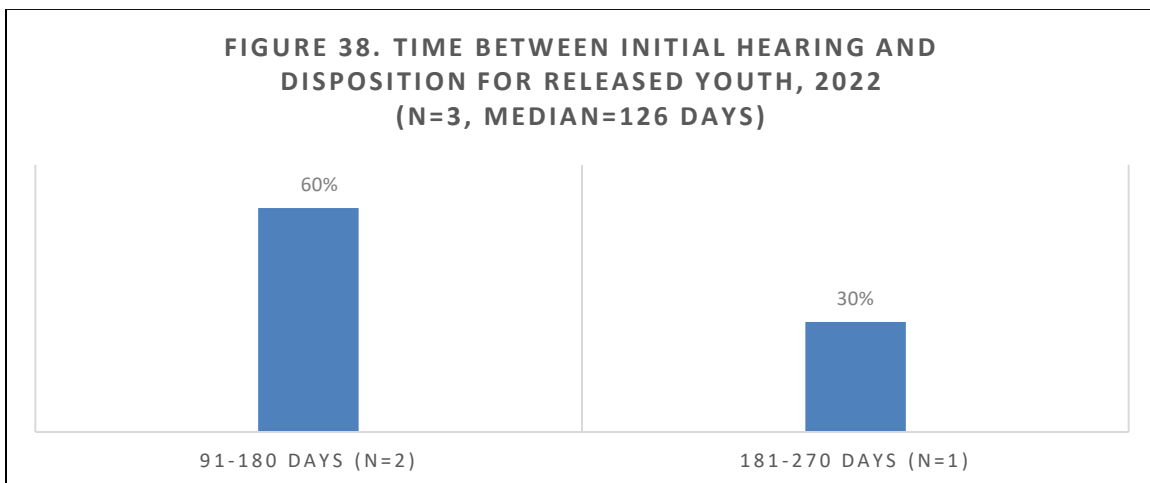


## Released Juveniles

In 2022, 560 juveniles (70%) were released prior to adjudication. Of the 213 cases that had an adjudication hearing, 69% (146) were adjudicated within 85 days, 27% (58) between 86-170 days, 3% (7) between 171-255 days, and 1% (2) greater than 255 days (Figure 37). This equates to a 99% compliance rate with the 255-day timeframe. In adjudicated cases, the median number of days to adjudication was 59 days.



In 2022, three youth were released at the time of their disposition hearing (Figure 38). Sixty-seven percent (2) of cases were disposed between 91-180 days, and 33% (1) between 181-270 days. Therefore, all (100%; 3) of the released cases met the disposition hearing compliance timeframe of 270 days. The median number of days to disposition was 126, an increase from 71 days in 2021. As was the case with securely detained youth, a major factor contributing to delays in disposition was the need to identify and obtain services or programs for the youth prior to disposition, which was more problematic due to the Covid-19 emergency. Other factors included examinations concerning mental competency, failures to appear, and non-compliance with a court order.



### **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). CSSD is further tasked with managing cases, including supervising all pre-trial and post-adjudicated juveniles, as well as youth under diversion agreements (e.g., Consent Decrees, Diversion Tracks I and II, Deferred Prosecution Agreements and Deferred Disposition Agreements, who are 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 facilitating psychological, neuro-psychological, psycho-educational, and comprehensive clinical risk (e.g., violence risk, psychosexual) evaluations. The division facilitates competency to waive trial and Miranda rights evaluations, restoration interventions, and waiver of juvenile jurisdiction evaluations. CSSD administers validated assessment tools; these include its Risk Assessment Instrument (RAI), Social Assessment (SA), and Sex Trafficking Assessment Review (STAR) screening tool (developed by the division in 2015 and validated by CSSD), and the Strategic Management Division. CSSD also administers the Conner Baseline Behavioral Rating Scale (CBRS), which helps ascertain behavioral health needs for each youth. In 2022, RAI, STAR and Conner screenings and Social Assessments were

administered 24 hours a day; they were administered at the Department of Youth Rehabilitative Services' (DYRS) Youth Services Center (YSC) during evening and weekend hours, when court was not in session, and in the Intake Office located in the H. Carl Moultrie Courthouse during court operation hours.

On average, the CSSD supervised approximately 450-460 pre-and post-disposition juveniles and status offenders daily. Youth under CSSD's supervision represented approximately 70-75% of all youth involved in the District's juvenile justice system. In 2022, the division maintained its hybrid telework and on-site schedule. The division met its objectives consistent with statutory requirements by continuing to leverage a combination of emerging, best and evidenced-based practices in the field of juvenile justice and child welfare. Working with a variety of juvenile justice stakeholders—including the Presiding and Deputy Presiding Judges of the Family Court, the Office of the Attorney General (OAG), the Public Defender Services (PDS), the Criminal Justice Attorneys (CJA), and the Department of Behavioral Health (DBH), the Department of Youth Rehabilitative Services, and the Office of Neighborhood Engagement and Safety (ONES)--the CSSD continued to successfully co-lead and support several problem-solving courts. The Family Court's Juvenile Behavioral Diversion Program (JBDP) and HOPE (Here Opportunities Prepare You for Excellence) Court address the needs of youth struggling with behavioral health issues, as well as young victims of commercial sex exploitation and human trafficking, respectively. Through its multifaceted continuum of services, the CSSD identified and addressed Adverse Childhood Experiences (ACEs) among its youth population.

The JBDP continued to operate as a voluntary intensive graduated response

program, designed to engage juveniles and status offenders in appropriate mental health services and support in the community. JBDP eligible youth are those under 18 years of age diagnosed with a behavioral 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, intellectual and/or Autistic Spectrum Disorders are also eligible for clinical consideration. In addition to a qualifying mental health diagnosis, youth must also meet certain eligibility criteria specific to their delinquency history and legal charge(s). Once eligibility is determined, each youth is reviewed by a suitability committee that considers factors such as amenability to treatment and community support. Each youth's participation in the program ranges from three (3) to (12) twelve months; however, shorter or longer durations of time are permitted, depending on the level of engagement with services. From 2010 to date, approximately 245 youth have successfully completed the JBDP.

Working in collaboration with the District of Columbia's Criminal Justice Coordinating Council (CJCC), DC Public Schools and DC Public Charter Schools as well as the Metropolitan Police Department (MPD), the CSSD continued its focus on high-risk youth through the utilization of the Division's Intensive Supervision team Ultimate Transitions Ultimate Responsibilities Now (UTURN). The CSSD and MPD also maintained its collaborative Co-Located Absconder Initiative, developed more than a decade ago with a focus on locating youth with outstanding custody orders and returning those youth to court. The Co-Located Absconder Initiative ensures youth who are not in contact with their Probation Officer (PO) and high-risk youth (designated based on offense charge(s) and/or rate of recidivism) are identified and provided comprehensive



intensive services. The initiative also relies upon resources provided by stakeholders from the Department of Parks and Recreation (DPR) Roving Leaders, Child and Family Services, the District of Columbia Public Schools, D.C. Public Charter Schools, Violence Interrupter Program Cure The Streets Practitioners, and Credible Messengers.

Additional coordinating efforts included: (1) co-chairing and staffing the city's Restorative Justice subcommittee, created to examine alternative measures for resolving conflict and disputes which give rise to juvenile crime, to align accountability to youth through graduated responses, and to explore alternatives to adjudication; and (2) serving as a long-standing member on the following advisory groups and committees: Juvenile Justice Advisory Group (JJAG); Juvenile Justice Committee; City-wide Truancy Taskforce; Building Blocks DC Scientific and Expert Advisory Board; DC Shooter Review Panel; Child Fatality Review Committee; Psychiatric Residential Treatment Facility Review Committee and Commercial Sexual Exploitation of Children Multi-Disciplinary Team (MDT).

With an eye toward increasing in-person contact with youth and families in the wake of the Covid-19 pandemic, CSSD facilitated a host of delinquency prevention measures including, but not limited to: (1) empowerment groups; (2) conflict resolution youth group discussions; (3) therapeutic "Paint n Jam," sessions, during which youth were guided to express themselves through portrait painting; and (4) facilitation of a host of pro-social youth oriented activities including community outings during the winter, spring and summer school breaks.

Beginning in January 2022, CSSD enhanced its onsite footprint, delivering services and supports to court-involved youth. The division also worked in collaboration

with the MPD and DPR to enhance summer safety throughout the city on Fridays and Saturdays. CSSD concentrated its intensive supervision efforts each Friday and Saturday night, targeting roughly 75 high-risk youth (approximately 20% 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 2022, the CSSD coordinated another successful Back-to-School Backpack Drive distributing backpacks filled with school supplies during home and curfew visits to more than 100 court-involved youth and families.

CSSD staff also continued to convene virtual and onsite team, regional, managers and all staff meetings, many of which were co-facilitated by Change Fusion, a management consulting firm working with the DC Court.<sup>28</sup> During team meetings, staff and managers participated in breakout groups focusing on the DC Courts Values: Accountability, Excellence, Fairness, Integrity, Respect, and Transparency. The CSSD designated several staff to co-chair its values initiatives via committee, and the Division continues to work on improvements in communication, trust, and team-building.

CSSD continued its commitment to ensure the remaining 50% of its staff completed a food handling and preparation course, certifying that staff preparing meals for youth are credentialed in food preparation requirements established by the DC Department of Regulatory Affairs (DCRA). Additionally, CSSD continued its division-wide in-house developmental and supportive efforts with staff in Balanced and Restorative Justice (BARJ) Philosophy and Principles to build and expand the knowledge and skills of CSSD staff. At its core, balanced and restorative justice principles hold that when a crime is

---

<sup>28</sup> <https://change-fusion.com/>

committed, the victim, wrongdoer, and community are all impacted. The victim, wrongdoer, and community must all be restored to achieve balance. Guiding BARJ principles include, but are not limited to the following:

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

### **Additional 2022 Highlights**

- a) Ensured all newly referred delinquent youth were screened and assessed for detention/release (when court was not in session) and recommended for petition/non-petition matters within the four-hour timeline required. Also ensured all referrals for Truancy and PINS matters were pre-screened within 48 hours of receiving the referral. Maintained 24–48-hour installation timeline for all youth referred and court-ordered for Global Position System (GPS) Electronic Monitoring
- b) Continued efforts to infuse DC Courts Values into the day-to-day operations of the Division, with an emphasis on naming the value(s) lived in the CSSD work culture: Accountability, Excellence, Fairness, Integrity, Respect and Transparency.
- c) Maintained a hybrid flexplace work-force inclusive of Telework and Compressed Workdays. Flexplace schedules were determined based on the needs of the CSSD preventing the quality and quantity of work from being impacted.
- d) Continued to enable pro se litigants, who needed to log-in to their remote Superior Court matters, to access designated BARJ Drop-In Centers during hours in which youth were not present, thereby increasing access to justice for District residents with little to no internet access.
- e) Enhanced the delivery of services, case management and supervision support to youth and families by way of office, home and school visits. Engaged in curfew monitoring, wellness checks, and co-located absconder outreach in partnership with the MPD to retrieve youth issued custody orders, and coordinated outreach with local public safety stakeholders to maintained safe passages for youth residing in neighborhoods impacted by crime.
- f) Facilitated the following pro-social initiatives: Halloween Trick or Treat Night, Ice Cream Socials across the city, Summer Safety outreach, and a Back-to-School backpack rally. Continued to provide individual and family counseling services virtually facilitated by the psychologists and interns staffing the Child Guidance Clinic (CGC).
- g) Enhanced psychological evaluations, limited individual and groups counseling sessions and consultative supports for youth and families as needed.

## **CSSD Organization**

CSSD is comprised of five branches, two of which have probation teams housed in satellite offices/Balanced and Restorative Justice (BARJ) Drop-In Centers strategically located across the city to serve specific populations. Branches include: (1) the Juvenile Intake and Delinquency Prevention Branch; (2) Child Guidance Clinic (CGC); (3) Information Contacts and Community Outreach (ICCO), which also oversees the Co-Located Custody Order Absconder Unit; (4) Region I Pre-and Post-Disposition Supervision; and (5) Region II Pre-and Post-Disposition Supervision. These branches operate under the Office of the Director.

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

The Intake Branch is comprised of Intake Units I (day intake) and II (night intake), and the Delinquency Prevention Unit - DPU (responsible for electronic monitoring, transporting all eligible youth home following arrest when the parent/guardian/custodian is unable to retrieve their child, and community relations). The Branch is responsible for screening, investigating, making recommendations, and case presentation in JM-15 for all newly referred youth in delinquency cases. The Branch is also responsible for screening and determining the status of all truancy referrals and the operation of all electronic monitoring services for CSSD youth.

In 2022, the Intake Branch successfully screened 239 youth referred for truancy, compared to 531 in CY 2021, a 55% decrease. With respect to youth referred for delinquency matters, CSSD screened a total of 1,316 youth, compared to 1,104, an increase of 16% compared to CY 2021. The Intake Branch also successfully completed 475 Global Positioning System (GPS) Electronic Monitoring installations, an increase of

15% compared to CY2021. Notwithstanding the accomplishments across the Intake and Delinquency Prevention Branch, the easing of the Covid-19 pandemic coincided with an increase in juvenile crime and arrests.

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 when court is in session and determination when court is not in session) within a four (4) hour period, prior to presentation of the case at the Initial Hearing. Building on accomplishments over the past four years, CSSD successfully:

- a) Screened 100% (1,316 youth) of all newly arrested youth utilizing a valid Risk Assessment Instrument (RAI), a pre-trial social assessment, and the Conner baseline behavioral screening and Sex Trafficking Review (STAR) assessment. Among the youth screened for juvenile crimes, 262 or 20% were females and 1,054 or 80% were males. Among youth referred for a status offense (truancy), the CSSD received and screened approximately 531 referral packages. The Intake Branch also ensured 475 Global Positioning System Electronic Monitoring units were installed timely, following each court order. The Branch also conducted 97 GPS unit service calls to youth within CSSD Balanced and Restorative Justice (BARJ) Drop-In Centers and youth residing in Congregate Care Shelter Homes.
- b) Continued as a principal stakeholder on the Juvenile Justice Committee, coordinated by the Criminal Justice Coordinating Council, and served as a principal member of the Juvenile Data Subcommittee, ensuring critical data detailing juvenile arrest, diversion, court involvement and overall front-end data trend analysis were accurately submitted.
- c) Continued to serve as a stakeholder on the Truancy Taskforce, a citywide initiative to address causes and reduce the incidents of truancy through coordinated meaningful intervention. 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.
- d) 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.
- e) Served as representative member on the Data Collection and Planning Committee consisting of representatives of various Divisions and Executives within the Superior Court and led by the Chief Judge.

## **Child Guidance Clinic**

Returning to full onsite operations in the wake of the Covid-19 pandemic, 2022 was a uniquely successful year for the Child Guidance Clinic (CGC). In January, the CGC commenced scheduled on-site evaluations across three locations: Youth Services Center (YSC); Northeast Balanced and Restorative Justice (BARJ) Drop-In Center; and the H. Carl Moultrie Courthouse. As the Family Court continued holding juvenile hearings via virtual platforms, the clinic received 291 referrals (an increase of 28% compared to CY 2021) for psychological evaluations (i.e., general psychological, psycho-educational, neuropsychological, sex offender risk, violence risk, competency, and the Sex Trafficking Assessment Review (STAR) tool and emergency forensic evaluations) of which 248 were completed with the use of personnel protective equipment (PPE) and social distancing. Of significance, the CGC experienced an increase in evaluations by 39% over the number of referrals in CY 2021, and the completion rate among youth completing evaluations increased was 85%.

CGC maintained its nationally recognized pre-doctoral psychology internship training program accredited by the American Psychological Association (APA). Welcoming three new interns in 2022, students were selected from Adelphi University, Montclair State University, and the Hawaii School of Professional Psychology. The interns were selected from a diverse pool of roughly 79 applicants.

Clinical staff and interns continued to serve as interim primary clinicians for court ordered emergency forensic evaluations. Forensic evaluations are generally conducted by psychiatrists under the Department of Behavioral Health (DBH); unfortunately, the

pandemic diminished DBH's staffing ability to conduct these important evaluations. CGC staff were also able to effectively continue operating its signature sex offender prevention program, Sex Abuse Violates Everyone (SAVE) virtually and offer individual and family therapy and competency attainment training, also online. Additional highlights include:

- a) Continued to serve as a member of the DC Ombudsman Office, Clinical Subcommittee.
- b) Clinic staff continued to serve on various committees that support the mental health of youth in Washington, DC. These committees include the Psychiatric Residential Treatment Facility (PRTF) committee, the JBDP Suitability Committee, the Restorative Justice Committee, and the H.O.P.E. Court planning committee.
- c) Maintained frequent and regular contact, providing individual therapy and crisis support to court-involved youth onsite in various locations under the CSSD, including limited use of secure virtual platforms based on the needs of youth and families.
- d) Conducted in-person and virtual trainings for CSSD probation officers on the administration of the Sex Trafficking Assessment Review (STAR).
- e) Held a virtual presentation to South Carolina Department of Juvenile Justice (SC DJJ) which provided an overview of DC Court's Sex Trafficking Assessment and Review (STAR) screening instrument and discussed promising practices related to identifying youth under court supervision who are at the highest risk for commercial sexual exploitation.
- f) CGC staff psychologists and interns attended the Annual American Psychology Law Society Conference in Denver, Colorado and participated in trainings on topics including "Integrating Race, Ethnicity, and Culture (REC) into Forensic Mental Health Assessments"
- g) Developed a protocol in consultation with Drexel University to support the Federal District Court's Reentry Court with cognitive-behavioral training for returning citizens to the District of Columbia.

### **Information, Contracts and Community Outreach (ICCO)**

The CSSD Information Contracts and Community Outreach (ICCO) team processed referrals for more than 375 youth (an increase of 20% above CY2021), enabling the provision of mentoring, life skills and tutoring sessions funded with CSSD resources. ICCO also oversaw, as Contracting Officer Technical Representatives (COTRs), a host of other contracts, including Global Positioning System (GPS) Electronic Monitoring,

Balanced and Restorative Justice (BARJ) principles and philosophy training, and food preparation for all staff. Additionally, the Branch oversaw incoming and outgoing mail delivery, managed the division's fleet of vehicles fueling and maintenance, coordinated information and contact request from the public, and provided general information about the Division and staff contacts. Finally, ICCO ensured the Co-Located Absconder Team (CAT) continued its operations in partnership with the Metropolitan Police Department (MPD) to bring youth into custody who failed to participate in scheduled court hearings, absconded from court ordered placements, lost contact with their Probation Officers (PO), or were alleged to have been involved in a crime under investigation. For CY 2022, the CAT processed 335 custody orders, of which roughly 150 were resolved via voluntary surrender by the youth, and 134 youth retrieved by the CAT.

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

Region I Pre-Trial and Post-Disposition Supervision (Region I) is comprised of four teams: (1) Southeast Satellite Office (SESO)/Balanced and Restorative Justice (BARJ) Drop-In Center; (2) Southwest Satellite Office (SWSO)/Balanced and Restorative Justice (BARJ) Drop-In Center; (3) Interstate Probation Supervision Team; and (4) the Ultimate Transition Ultimate Responsibility Now (UTURN) Team. Returning to full onsite operations, with a capacity to facilitate limited virtual support as needed, in 2022 Region I achieved success in a significant number of operations. Among the many accomplishments, Region I successfully supervised an average of 260 youth monthly and completed an average of 255 reports. Region I also conducted a total of 1,726 home visits, 1,338 school visits, 3,252 curfew visits, and 9,017 curfew calls. Additional highlights include, but are not limited to:



- a) In collaboration with mentors and tutors, maintained attendance and participation among youth in BARJ evening programming, winter and spring break activities as well as summer safety programming. Escorted youth and a subset of parents and siblings to a host of outings, including bowling, the Autobahn, Kings Dominion, Universal Circus, African American Museum, college tours and several movie nights in the community and BARJ.
- b) Maintained the following groups across the SESO/BARJ and SWSO/BARJ, in collaboration with co-located Interstate and UTURN staff and service providers: *Accelerating the Aptitude of Children; Adopt A Block; Topical Review and Civic Empowerment; Drug Awareness Responsibility and Education; Anger Management; Developing Leaders for Life and Creating Legacies; Life Skills; Influencing Future Empowerment; and Anger & Emotional Management*. Staff facilitated circle groups focused on a host of topics including gun violence, mass incarceration, the use of violence and force and shootings by police.
- c) Co-coordinated and participated in the Spring break college tours, accompanied youth to volunteer at an Urban Farm, and maintained the Adopt-A-Block clean-up initiative, focusing on the immediate blocks surrounding the Southeast and Southwest BARJ Centers. Attending youth also created vision boards, participated in the city-wide Late-Night Drip (swimming initiatives) and attended the Late-Night Hype.
- d) Southeast, Southwest, Interstate and UTURN staff continued their relationship with First, Fourth, Fifth, Sixth and Seventh District MPD Community Beat Officers, resulting in weekly collaboration at various venues across the city, in which SESO and SWSO youth were escorted to and participated in structured outdoors activities.
- e) Staff continued to participate in community-based virtual public safety meetings, including, but not limited to, Police Service Area (PSA), Area Neighborhood Commission (ANC), and Civic Associations.
- f) Supported the city-wide Summer Safety Surge: coordinated several ice cream socials across the city, which were lauded by the MPD Youth Division as directly contributing to crime reduction across several communities, and participated in the CSSD Trunk or Treat Halloween festive gathering.
- g) Interstate continued to successfully utilize the new UNITY national database for all states and territories; the 2021 migration from JIDS to UNITY was seamless, resulting in Interstate maintaining compliance in timely submitting scheduled reports.
- h) 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 and continued to participate in the citywide Multi-Disciplinary Treatment Committee targeting youth at-risk of or victimized by human trafficking and/or exploitation.

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

Region II Pre-Trial and Post-Disposition Supervision (Region II) is comprised of four teams: (1) Northwest Satellite Office (NWSO)/Balanced and Restorative Justice

(BARJ) Drop-In Center; (2) Northeast Satellite Office (NESO)/Balanced and Restorative Justice (BARJ) Drop-In Center; (3) Status Offender, Behavioral Health Diversion and H.O.P.E. Court Office (SOBHDHC) Balanced and Restorative Justice (BARJ) Drop-In Center; and (4) the Leaders Of Today In Solidarity (LOTS)/ Balanced and Restorative Justice (BARJ) Drop-In Center. In 2022, Region II achieved success in a significant number of operations. Among the many accomplishments, Region II successfully supervised an average of 200 youth monthly and completed approximately 195 reports monthly. Region II also conducted a total of 3,588 home visits, 1,265 school visits, 3,597 curfew visits, and 8,071 curfew calls. Additional highlights include, but are not limited to:

- a) Maintained the following groups across the NWSO/BARJ, NESO/BARJ, SOJBDP/BARJ, and LOTS/BARJ, facilitated by staff and mentors: *Daily Circles, Conflict Resolution; Anger & Emotional Management; Social Media & Impact; Art In Life Parent Empowerment; Boys to Men, Life Skills; and Banking & Finance.. LOTS/BARJ also maintained its Red Door clothing closet for adolescent girls and engaged youth by including Double Dutch, Volleyball, Kickball and golf engagements and competitions*
- b) In collaboration with mentors and tutors, maintained attendance and participation among youth in BARJ evening programming, winter and spring break activities, as well as summer safety programming. Escorted youth and a subset of parents and siblings to a host of outings, including bowling, the Autobahn, Kings Dominion, Universal Circus, African American Museum, African American Civil War Museum, African American Leadership Conference, college tours and several movie nights in the community and at BARJ.
- c) Transported youth to and from residential placement programs as well as evening and weekend programming and activities. Eligible youth were also transported to and from the Day Suspension Program, which was facilitated at the NWSO/BARJ and NESO/BARJ. The program was developed to enable youth suspended from school for more than two (2) days and less than (10) ten days to work with tutors onsite to complete classwork, thus enabling students to return to school without falling behind academically
- d) Continued to develop and maintain relationships with various Area Neighborhood Commissions (ANCs), civic associations and other community groups, and collaborated with Fair Girls and Courtney's House.
- e) Continued to facilitate the Expressive Art initiative at the NESO/BARJ, during which youth draw and paint images reflective of how they feel, see themselves, and believe others see them in the world. This program continues to be

successful. NESO/BARJ also maintained the highest number youth attending BARJ Centers from October-thru-December 2022.

- f) Supported the city-wide Summer Safety Surge: coordinated a host of ice cream socials across the city, which were lauded by the MPD Youth Division as directly contributing to crime reductions across several communities, and participated in the CSSD Trunk or Treat Halloween festive gathering.
- g) Co-coordinated and participated in the Spring break college tours, accompanied youth to volunteer at an Urban Farm, and continued to support youth volunteering throughout the city. Attending youth also created vision boards, participated in the city-wide Late-Night Drip (swimming initiatives) and attended the Late-Night Hype.

### **Mental Health and Habilitation Branch**

The Mental Health and Habilitation Branch is responsible for the adjudication of causes 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. In 2022, 25 advocates supported respondents in 36 cases. Three new advocates joined the program in 2022. Virtual quarterly trainings were conducted, including one with the Presiding Judge, to address ongoing Covid-19 concerns and to share positive feedback from attorneys. In 2022, 2,493 mental health cases were filed, compared to 2,594 in 2021. One hundred eighteen cases were reopened. No mental habilitation cases were filed in 2022. The “Disability Services Reform Amendment Act of 2018,” which took effect on May 5, 2018,<sup>[1]</sup> comprehensively repealed and amended the “Citizens with Intellectual Disabilities Constitutional Rights and Dignity Act of 1978,” ending new admissions and commitments

---

<sup>[1]</sup> D.C. Code §§ 7-1304.01 to .13

of persons with intellectual disabilities 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 09-12 require that 99% of cases filed are disposed within 60 days. Despite the challenges of 2022, the Court disposed of 95% of the cases within that standard, a 7% increase from 2021. Cases were disposed with an average time to disposition of 19 days, a decrease of 7 days from the average in 2021.

### **Parentage and Support Branch**

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 2022, 1,172 new parentage and support actions were filed in the Family Court, and 2 cases were re-opened. In 2022, the Office of the Attorney General initiated 90% (1,055) of parentage and support filings. The remaining 4% (119) were filed privately.

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 2022 indicate that the court did not meet these standards: 38% of the cases were disposed or otherwise resolved within six months (180 days) of service of process and 58% within 12 months of service of process. The Court and D.C. Child Support Services Division continue to collaborate to ensure that all cases are processed and resolved

efficiently and timely. From April through July 2022, a senior judge assisted the Parentage and Support magistrate judges by conducting remote hearings twice a week, accounting for 30 cases per week. In June 2022, the Parentage and Support magistrate judges began holding in-person hearings. Additionally, hearings for Parentage and Support matters were moved from smaller courtrooms on the First Floor to larger courtrooms on the JM Level, to increase the comfort and safety of all involved. In July 2022, both magistrate judges increased their weekly scheduled cases from 66 cases per week to 92 cases per week. In April 2022, the Office of the Attorney General and Family Court launched Phase I of the Child Support Conciliation Program (Administrative Child Support Orders). Phase I allowed parties to complete DNA testing before the initial hearing at no cost to the parties. The program allows adjudications to be entered for minor children prior to the hearing date if the testing is positive; if the testing is negative, it allows the request for a dismissal prior to the hearing date.

The Court helped facilitate the Office of the Attorney General's new Amnesty Initiative. The Amnesty Initiative is a program by which OAG reaches out to parties with outstanding bench warrants and offers them the opportunity to make a payment towards their support arrears and, in exchange, OAG asks for the warrant to be quashed.

The Court, in collaboration with legal service providers Legal Aid and Bread for the City, maintains a Child Support Resource Center located in the anteroom of Courtroom JM-14. The attorneys staffing the Child Support Resource Center assist litigants, mostly respondents, by providing information and brief advice.

### **Domestic Relations Branch**

Despite losing a Domestic Relations judge in April 2022 and operating the remainder of the year with only five of the usual six judges, in 2022, 92% of uncontested divorce cases, 77% of uncontested custody cases, and 54% of uncontested third-party custody cases met established disposition standards. Additionally, 87% of the contested divorce cases, 87% of the contested custody third-party cases, and 80% of contested custody cases reached disposition within the nine-month standard. The court will continue to monitor and track this performance area and implement appropriate measures to improve compliance rates.

In 2022, to increase the efficiency of judicial officers, the Family Court Presiding Judge assigned two magistrate judges to handle initial hearings. This change allowed the associate judges to focus their attention on the later stages of litigation, which resulted in overall greater efficiency in case processing.

As the operational status of the Court expanded during the pandemic, the Domestic Relations Branch was able to provide additional services to litigants. A portal was made accessible to litigants to request and receive certified copies by electric means. During this period, 713 requests were successfully processed.

### **Family Court Self-Help Center**

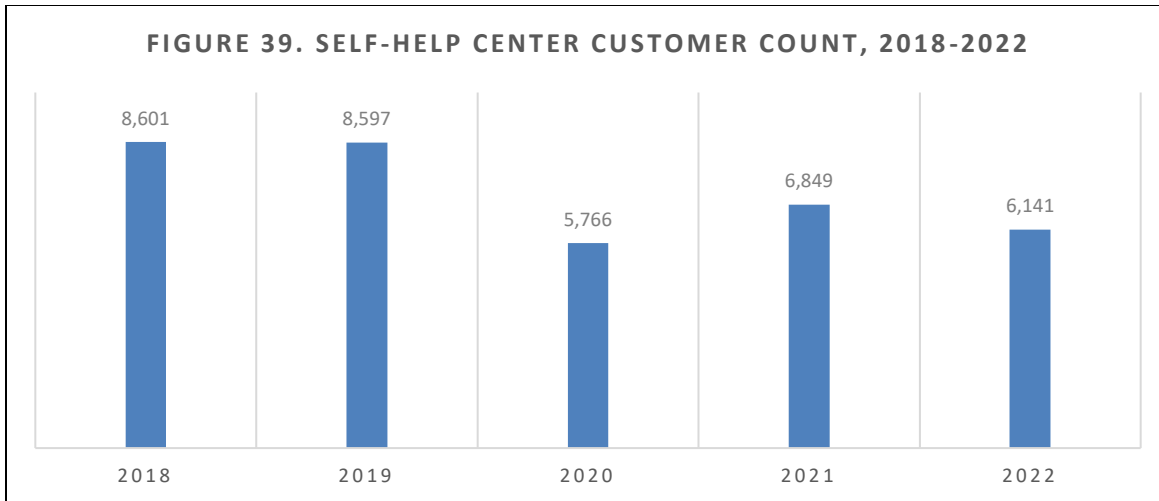
The Family Court Self-Help Center (SHC) is a free walk-in service that provides people without lawyers (self-represented parties) with general legal information in a variety of family law matters, such as divorce, custody, visitation, and child support. Although the SHC does not provide legal advice, it does provide legal information and assistance to litigants, allowing them to determine which of the standard form pleadings

is most appropriate, then explaining to them how to complete forms and how to navigate the court process. When appropriate, the SHC staff and volunteer facilitators will refer litigants for legal assistance to legal clinics and programs in the community. Since its inception in March 2005, the SHC has served over 117,000 customers.

The Self-Help Center continued serving customers on-site and remotely. The SHC welcomed volunteer lawyers and law students back on site in September of 2022, expanding the capacity of the center to serve its customers. Family Court worked closed with the Family Law Assistance Network (FLAN), a joint project of the D.C. Bar Pro Bono Center, the DC Affordable Law Firm, and the Legal Aid Society of the District of Columbia. FLAN offers D.C.-based individuals confidential, free legal advice or representation in custody, child support, parentage, and divorce cases heard in the Domestic Relations Branch of DC Superior Court. In September 2022, every Friday FLAN began staffing an anteroom to assist customers with legal advice. The Self-Help Center referred 64 customers to FLAN in 2022.

Detailed below are a few of the findings from data collected for 2022:

- a) The SHC served 6,141 people in 2022, a 10% decrease from 2021 but still a 7% increase over 2020 (Figure 41).
- b) On average, the SHC served 512 individuals per month in 2022, compared to 571 individuals per month in 2021, and 481 individuals per month in 2020.
- c) Over 80% of the customers served made less than 200% of the federal poverty guidelines for a family of four in 2022.
- d) As has been the case since 2006, a large majority of the parties seeking help from the SHC had issues related to custody (63%), divorce (17%) or child support (16%).



### **Conclusion**

In 2022, the Family Court built on the progress already made by our dedicated judiciary and personnel to adapt to the ever-changing conditions during the Covid-19 pandemic. Working alongside our community partners and stakeholders, the Court expanded on-site operations and made improvements to its hybrid service model, permitting access to justice both virtually and in-person. In keeping with the mission of protecting and providing permanency for children, strengthening families, and deciding disputes fairly and expeditiously, the Court resolved 9,281 cases. On average, the Court Social Services Division supervised approximately 450-460 pre-and post-disposition juveniles and status offenders daily. The Court expanded the implementation of remote courtrooms and enhanced electronic case initiation, fee payment, and other remote services to court participants. The Court 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, termination of parental rights, and adoptions. As the Court continued to identify and eliminate barriers to permanency, the percentage of children who spent more than 24 months before being adopted was the



lowest it has been over the past five years. Similarly, the percentage of children who spent more than 24 months in care awaiting finalization of permanent guardianship was the lowest it has been in the past five years, decreasing by 36% from 2021. In 2022, in neglect matters, the median length of time from removal to achievement of the permanency goal of reunification decreased from 22.8 months to 20.7 months.

Although there was a 25% increase in the number of juvenile cases filed in 2022 as compared to 2021, the Family Court made progress in case processing times in certain classes of case. For securely detained youth with serious offenses, 100% of adjudication hearings occurred within the 45-day timeframe, an improvement over 2021 when 56% of these cases met the 30-day timeframe.

Other enhancements for Family Court participants included: utilizing alternative dispute resolution to resolve appropriate cases, including continuation of a new Permanency Mediation Program; continuing to provide a free service to people without lawyers with general legal information in a variety of family law matters, including divorce, custody, visitation, and child support; improving service in the call center so that 53,421 phone calls were answered by a live person, not a recording; and others.

There are specific areas for improvement in the Family Court. The Court will closely monitor these areas to ensure scheduling of timely permanency hearings in neglect matters. Additionally, the Court is working diligently to address the backlog of Parentage and Support cases and Domestic Relations cases resulting from the Covid-19 pandemic. The Court remains committed to engaging stakeholders and community partners to ensure that all members of the community can access the Court, whether it be in-person or via the use of technology.

The Family Court is committed to meeting the changing and complex needs of young people and their families while expanding services, and maintaining the safety and security of all with business before the Court. The judicial officers and staff will continue to utilize best practices, expanded technology, evidence-based policy making, and enhanced 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.

## **Notes**



*Open to All*



*Trusted By All*



*Justice for All*



[www.dccourts.gov](http://www.dccourts.gov)