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## EXECUTIVE SUMMARY

Since the enactment of the District of Columbia Family Court Act of 2001, the Court has made significant strides towards achieving the goals set forth in its Family Court Transition Plan submitted to the President and Congress on April 5, 2002. Each measure taken is aimed at improving services for children and families in Family Court. The following summarizes some of the measures taken to achieve each goal during 2004.

- **Made child safety and prompt permanency the primary considerations in decisions involving children**
  - Completed implementation of one family, one judge case management approach.
  - Increased compliance with the Adoptions and Safe Families Act (ASFA)<sup>1</sup>.
  - Established Attorney Practice Standards for juvenile cases.
  - Continued use of improved AFSA compliant court order forms.
  - Continued operation of the Mayor's Services Liaison Center at the courthouse.
  - Continued operation of the Benchmark Permanency Hearing pilot program for older youth in foster care to help them make decisions and plans for their future and to coordinate a full range of services necessary for their success when they gain independence.
  - Continued operation of the Family Treatment Court.
  
- **Provided early intervention and diversion opportunities for juveniles charged with offenses, to enhance rehabilitation and promote public safety.**
  - Utilized Time Dollar Institute's Youth Court Diversion Program.
  - Collaborated with Metropolitan Police Department in creating a Restorative Justice Supervision Program to address an increase in unauthorized use of motor vehicle crimes by juveniles.
  
- **Appointed and retained well-trained and highly motivated judicial officers .**
  - Conducted third annual interdisciplinary cross training conference.
  - Planned and hosted bi-monthly cross training programs for all stakeholders.
  - Participated in National Training programs on issues relating to children and families.

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

- **Promoted alternative dispute resolution**
  - Continued operation of the Child Protection Mediation Program.
  - Continued implementation of the case evaluation program in partnership with the D.C. Bar, for domestic relations cases when counsel represents parties.
  - Implemented same day mediation in domestic relations cases.
  
- **Used technology effectively to track cases of children and families.**
  - Collaborated with CFSA to scan court orders into the agency’s automated system so that agency social workers have complete and accurate information.
  - Continued operating court wide integrated case management system (IJIS).
  
- **Encouraged and promoted collaboration with the community and community organizations.**
  - Continued to meet regularly with stakeholders and participated on numerous committees of organizations serving children and families.
  
- **Provided a family friendly environment by ensuring materials and services are understandable and accessible.**
  - Continued operation of the Pro-Se Self Help Clinic at the courthouse, in partnership with the D.C. Bar, so litigants without counsel can obtain materials about Family Court processes and seek assistance with court forms.
  - Continued review and revision of Family Court forms, through working groups, to make them more understandable.

We continue to implement 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 (hereinafter the “Act”) requires that the Chief Judge of the Superior Court submit to the President and Congress an annual report on the activities of the Family Court. The report, summarizing activities of the Family Court during 2004, must include the following:

- (1) The chief judge’s assessment of the productivity and success of the use of alternative dispute resolution (see pages 18-27).
- (2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court’s performance (see pages 33-41).
- (3) Information on the extent to which the Family Court met deadlines and standards applicable under Federal and District of Columbia Law to the review and disposition of actions and proceedings under the Family Court’s jurisdiction during the year (see pages 28-32).
- (4) Information on the progress made in establishing locations and appropriate space for the Family Court (see page 14).
- (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 56-58).
- (6) Information on: (a) the number of judges serving on the Family Court as of December 31, 2004, (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 3-9).
- (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 48-56).
- (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 56-58).

## GOALS AND OBJECTIVES

The goals and objectives outlined in our Transition Plan continue to provide the focal point for our mission as a Family Court.

### ***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 Implementation Committee, established the following goals and objectives to ensure that the Court's mission is achieved.

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 to 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 the community organizations that provide services to children and families served by the Family Court.

7. Provide a family-friendly environment by ensuring that materials and services are understandable and accessible to those being served and that the waiting areas for families and children are comfortable and safe.

**JUDICIAL RESOURCES IN THE FAMILY COURT**

On December 31, 2004, the Family Court consisted of the full complement of 15 associate judges and 16 magistrate judges. In addition, Judge Arthur Burnett and Judge Nan Shuker, both senior judges, assisted the Family Court by presiding over a portion of the neglect and adoption caseload. Prior to becoming senior judges, both Judges Burnett and Shuker had served extensively in the Family Court where they presided over adoption cases.

**Length of Term on Family Court**

Associate judges currently assigned to Family Court have certified that they will serve a term of either three years or five years depending on when they were appointed to the Superior Court. Judges already on the bench when the Family Court Act was enacted are required to serve a period of three years. Judges newly assigned to the Family Court are required to serve a term of five years. The following are the commencement dates of associate judges currently assigned to the Family Court and the length of service required and the commencement dates of magistrate judges currently assigned to the Family Court.

<u>Associate Judges</u>	<u>Commencement Date</u>		<u>Service Requirement</u>
Judge Mott	July	2000	3 years
Judge Josey-Herring	September	2000	3 years
Judge Morin	January	2001	3 years
Judge Satterfield	June	2001	3 years
Judge Beck	January	2002	3 years
Judge Davis	January	2002	3 years

Judge Turner	January	2002	3 years
Judge Vincent	January	2002	3 years
Judge Macaluso	July	2003	5 years
Judge Saddler	July	2003	5 years
Judge Byrd	November	2003	5 years
Judge Ryan	November	2003	5 years
Judge Christian	January	2005	3 years
Judge Bush	January	2005	3 years
Judge Blackburne-Rigsby	January	2005	3 years

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 Nooter	January	2001
Magistrate Judge Stevenson	January	2001
Magistrate Judge Diaz	January	2002
Magistrate Judge Dalton	April	2002
Magistrate Judge Deull	April	2002
Magistrate Judge Gray	April	2002
Magistrate Judge Johnson	April	2002
Magistrate Judge McKenna	April	2002
Magistrate Judge Breslow	October	2002
Magistrate Judge Fentress	October	2002
Magistrate Judge Goldfrank	October	2002
Magistrate Judge Howze	October	2002
Magistrate Judge McCabe	October	2002
Magistrate Judge Epps	January	2004
Magistrate Judge Brenneman	January	2004
Magistrate Judge Lee	January	2005

**The number of reassignments to and from Family Court:**

There were no reassignments of judicial officers to or from the Family Court in 2004. However, three associate judges and one magistrate judge were assigned to the Family Court effective January 1, 2005. Judges Kaye Christian, Zoe Bush, and Anna Blackburne-Rigsby joined the Family Court replacing Judges Judith Bartnoff, Ramsey

Johnson, and Hiram Puig-Lugo who requested assignment to other divisions and completed more than their required term of service. In addition, Magistrate Judge Milton Lee, a member of the Family Court when the Family Court Act was enacted, returned to the Family Court after a one-year assignment in the Criminal Division, replacing Magistrate Judge Aida Melendez. All newly assigned judicial officers meet or exceed the educational and training requirements required for service in the Family Court.

Detailed below is a brief description of newly assigned judicial officers:

***Kaye K. Christian***

Judge Christian was appointed as an associate judge to the Superior Court of the District of Columbia in August 1990. She was assigned to the Family Court on January 1, 2005. Prior to her most recent assignment, Judge Christian presided over a juvenile and neglect calendar from 1990-1992. In 1995 she presided over domestic relations cases and paternity and support cases. From January 1 to August 30, 2000, she presided over a neglect calendar, as well as served as Deputy Presiding Judge of the Family Division.

Prior to her appointment as an associate judge, Judge Christian served as a Hearing Commissioner (now magistrate judge) for the Superior Court of the District of Columbia, from 1987 – 1990, where she presided over numerous family cases including abuse and neglect initial hearings, juvenile detention hearings, child support trials, divorces, and mental retardation cases.

Preceding her appointment as a Hearing Commissioner, Judge Christian served as supervisor of trial attorneys in the Intra-Family Offense Unit of the Office of the

Attorney General of the District of Columbia (formerly Office of the Corporation Counsel). Prior to her promotion to supervisor, she was an Assistant Corporation Counsel. In that capacity, she prosecuted juvenile delinquents, child abuse and neglect cases, spousal and intra-family abuse and abuse and neglect of the elderly.

Prior to joining the Attorney General's Office, Judge Christian served as Law Clerk to the Honorable Henry Kennedy of the District of Columbia Superior Court. Judge Christian received her law degree from the Georgetown University Law Center, and received her undergraduate degree from Georgetown University.

Judge Christian has received several awards during her tenure as a judge including the "Award of Judicial Excellence" awarded by the American Bar Association and the "H. Carl Moultrie Award for Judicial Excellence" awarded by the Trial Lawyers Association of Metropolitan Washington, D.C. In addition she has served on several court committees and task forces dealing with family issues including: the Superior Court of the District of Columbia Child Support Guideline Committee; the Family Court Rules Advisory Committee; the Standing Committee on Fairness and Access to the District of Columbia Courts; and the Family Court Implementation Committee. She also serves as Co-Chair of the Abuse and Neglect Subcommittee of the Family Court Implementation Committee.

***Zoe Bush***

Judge Bush was appointed as an Associate Judge of the District of Columbia Superior Court in 1994. She was voluntarily assigned to the Family Court on January 1, 2005.

During her tenure as an associate judge, Judge Bush has presided over thousands of matters in the Criminal, Civil, and Family Divisions of the Court. Prior to her 2005 assignment, Judge Bush served two terms in the Family Division. During her tenure she has presided over juvenile delinquency, abuse and neglect and domestic relations calendars. She has also served in the Domestic Violence Unit of the court where she handled all aspects of domestic violence cases.

Prior to her appointment to the bench, Judge Bush served as Law Clerk to the late Honorable James Merrow on the United States Court of Federal Claims and to the late Honorable Phillip Nichols on the United States Court of Appeals for the Federal Circuit. She served as a rate lawyer for Washington Gas Light Company and rose from Associate Counsel to Assistant General Counsel to Associate General Counsel at the Potomac Electric Power Company.

Additionally, Judge Bush served as a pro bono mediator for three years in the District of Columbia Court's Multi-Door Dispute Resolution Division.

Judge Bush received her B.A. degree with honors from Wellesley College in 1976 and her law degree from Harvard School of Law in 1979.

***Anna Blackburne-Rigsby***

Judge Blackburne-Rigsby was appointed as an associate judge to the Superior Court of the District of Columbia in July 2000. She was assigned to the Family Court on January 1, 2005.

Prior to her appointment as an associate judge, Judge Blackburne-Rigsby served as a Hearing Commissioner for the Superior Court of the District of Columbia, from

1995 – 2000, where she presided over numerous family cases including child support and domestic violence.

Preceding her appointment as a Hearing Commissioner, Judge Blackburne-Rigsby was the Deputy for the Family Services Division of the Office of the Attorney General of the District of Columbia. The Division included the Child Abuse and Neglect, Child Support and Domestic Violence Sections. As Deputy of the Division, Judge Blackburne-Rigsby supervised the prosecution of all abuse and neglect, child support and domestic violence cases. In addition, Judge Blackburne-Rigsby served as the lead defense counsel in the *Lashawn A.* case, which was the class action lawsuit that resulted in the receivership that led to reforms in the District's child welfare system. Previously, Judge Blackburne-Rigsby served as Special Counsel to the Attorney General.

Prior to joining the Attorney General's Office, Judge Blackburne-Rigsby was a litigation associate at the law firm of Hogan and Hartson, from 1987-1992. Judge Blackburne-Rigsby is a graduate of Howard University School of Law, and received her undergraduate degree from Duke University.

During Judge Blackburne-Rigsby's tenure as the Deputy of the Family Division of the Attorney General's Office and her tenure as a Magistrate Judge, she served on several court committees and task forces addressing abuse and neglect issues including: the District of Columbia Court of Appeals Task Force on Families and Violence; the Superior Court of the District of Columbia Child Abuse and Neglect Task Force; and the Superior Court of the District of Columbia Domestic Violence Coordinating Council. Judge Blackburne-Rigsby also served on the initial Family Court Panels Committee that

established the new panel system for appointment of CCAN attorneys in child abuse and neglect cases.

**The ability to recruit qualified sitting judges to serve on Family Court:**

The Family Court does not anticipate any problems in recruiting qualified judges to serve on the Family Court. All associate judges currently serving on Family Court volunteered to serve on the Court. As the terms of associate judges currently assigned to Family Court begin to expire, the Court anticipates that some may choose to extend their terms, as did many whose terms expired in 2004. Based on the terms of service required, eight associate judges, including the presiding and deputy presiding judges are eligible to transfer out of the Family Court in 2005. For those who choose to transfer out, a two-fold process has been implemented to replace them. First, there is an ongoing process to identify and recruit other associate judges interested in transferring into Family Court who have the requisite educational and training experience required by the Act. Second, associate judges who are interested in serving but do not have the requisite experience or training will be provided appropriate training before assignment to Family Court.

Similarly, because of the overwhelming response from the bar for the magistrate judge positions previously advertised, no recruitment difficulties are envisioned for future magistrate judge vacancies.

## TRAINING AND EDUCATION

The chief judge of the Superior Court and the presiding and deputy presiding judges of the Family Court, in consultation with the Superior Court's Judicial Education Committee, develop and provide training for Family Court judicial and non-judicial staff. To assist in this effort, a Training and Education Subcommittee of the Family Court Implementation Committee was established in February 2002. This interdisciplinary committee, which oversees Family Court training, consists of judicial officers, attorneys, social workers, psychologists, and other experts in the area of child welfare.

Family Court personnel took advantage of a number of training opportunities in 2004. Prior to assignment to Family Court, Judges Christian, Bush and Blackburne-Rigsby, participated in an extensive three-day training program updating them on current family law and new procedures in Family Court. Family Court judicial officers also participated in: the annual conference on Family Court sponsored by the National Council of Juvenile and Family Court Judges (NCJFCJ); attended courses sponsored by the NCJFCJ on Evidence in Juvenile and Family Court Cases and the Judicial Response to Abuse of Alcohol and Other Drugs by Parents and Children; the American Bar Association's National Conference on Children and the Law; and the Substance Abuse, Child Welfare and Dependency Court Conference sponsored by the National Center on Substance Abuse and Child Welfare.

The Presiding Judge continues to conduct weekly lunch meetings for Family Court judicial officers to discuss family matters and hear from guests invited to speak about a variety of topics relating to the Family Court.

In addition, all Family Court judges, magistrate judges, and senior managers participated in the third annual Family Court Interdisciplinary Training program in October 2004. The training, entitled “Family Court Partnerships: Supporting the Emotional Well-Being and Mental Health of Children, Youth and Families” was facilitated by the Family Court Implementation Committee Subcommittee on Training and Education. The training was attended by more than 300 invited guests including judges, social workers, attorneys, court staff, foster parents, non-profits and other community stakeholders.

In addition to the annual training, the Training and Education Subcommittee has established a training series on topics related to the Family Court for judicial officers and all stakeholders in the child welfare system. Each seminar was well attended with more than 50 participants from all spectrums relating to Family Law. The 2004 seminars included the following:

- “Trauma in Immigrant Communities” by Usha Tummala-Nara, Ph.D. Clinical Director of Mental Health Outreach, Georgetown University Hospital;
- “Child Welfare and the Decision Making Process” by Elizabeth Z. Waetzig, J.D.;
- “Ex Parte Contacts in the Family Court: Ethical Guidelines” by Judge Lee Satterfield (Mandatory for Family Court Judicial Officers);
- “Promoting Resilience in Young Children” by Deborah Perry, Georgetown University Center for Human Development and Tracye Polson, Director, Therapeutic Nursery Center, Reginald S. Lourie Center for Infants and Young Children;

- “Malnutrition and Child Neglect: The Impact of Food Insecurity” by Goulda Downer, President and CEO, Metroplex Health and Nutrition Services, Inc.; and
- “Incarcerated Parents: The Effect on Families” by Malika Saar, the Rebecca Project for Human Rights; Angela Acree; Public defender Service; and Princess Whitaker, Jos-Arz Academy.
- “Understanding and Working With Sexual Minority Youth” by Erin Nortrup, Sexual Minority Youth Assistance League, Jonathan Goode, Us Helping Us, D. Edgardo Menvielle, Children’s National Medical Center, Catherine Tuerk, Parents, Families and Friends of lesbians and Gays, Noaka Carey, Children’s Law Center, Macon Bowden, CFSA, Andre Swann, Youth Panelist, and Lucy Osakwe, CCAN Attorney.

The Family Court continues to promote and encourage participation in cross training and, in collaboration with others, conducts periodic seminars and workshops. The Council for Child Abuse and Neglect Branch (CCAN) of the Family Court, which oversees the assignment of attorneys in child welfare cases, facilitates a brown bag lunch series on topics of importance to the Family Court for attorneys appointed to cases of abused and neglected children and their parents or caretakers. During 2004, CCAN sponsored more than fifteen seminars. The series employs the skills of a number of stakeholders involved in the child welfare system and is designed to be interdisciplinary in nature. Topics discussed last year included, but were not limited to:

- “Family Treatment Court: The Aftercare Phase” conducted by Judge Josey-Herring, and Jo-Ella Brooks (Family Treatment Court Coordinator) and “Family Treatment Court: How Is It Working” by Judge Josey-Herring, Jo-Ella Brooks and staff from the Addiction Prevention Recovery Agency;
- “An Introduction to CASA-DC and Volunteers for Abused and Neglected Children” conducted by Shane Salter and Anne Radd;
- “The CCAN Plan” by Wallace Lewis and Vicky Jeter, DC Courts Budget and Finance Division and Harry Goldwater and Frank Lacey, CCAN attorneys;
- “Post Adoption Resources” by Charlie Patterson and Sharla Crutchfield;

- “Guardianship” by Felicia Kraft, Child and Family Services Agency and Michael O’Keefe;
- “Adoption Training” by Judge Beck and attorneys Jarratt, Taylor, Evans, Myles and Goode;
- “A View from the Bench: Meet the New Family Court Judges” facilitated by Judges Satterfield, Ryan, Macaluso, and Byrd;
- “Youth Forensics: The Assessment Center” by Dr. Michael Kronen, Youth Forensics; Kris Laurenti, and Mary Phillips, Department of Mental Health;
- “Prosecuting Termination of Parental Rights” by Johnna Faber and Cory Chandler, Office of the Attorney General and CCAN attorney Deborah Caison-Daniels;
- “New Neglect and Abuse Rules” By Magistrate Judge Pamela Gray and Attorney Advisor Despina Belle-Isle;
- “Child Abuse and Neglect Attorney Practice Standards” by Magistrate Judges Carol Dalton and Karen Howze; and
- “Talking to Children and Parents About Adoption” by Madeline Krebs, Clinical Coordinator, Center for Adoption Support and Education.

Family Court non-judicial staff also participated in a number of trainings provided by the NCJFCJ including the annual conference on “Family Court”, “Drug Court” and the “Child Victims Act Model Court All Sites Conference”. Other training included the “National Conference on Children and the Law: Lawyers and Psychologists Working Together” sponsored by the American Bar Association and the American Psychological Association; “Access to Justice for Children” the annual “Child Support Conference” sponsored by the National Child Support Enforcement Administration; “Racial and Ethnic Fairness” sponsored by the D.C. Courts; and other conferences sponsored by the National Resource Center on Information Technology, the Child Welfare League, and the National Association of Court Managers. In addition,

non-judicial staff participated in the third annual family Court Interdisciplinary Training, as well as ongoing training on the Court's new Integrated Justice Information System.

### **FAMILY COURT FACILITIES**

During 2004, significant progress was made in implementing the Family Court space plan. The current status of capital facilities and space projects in support of the Family Court is detailed below.

#### **Building B, Phase II Renovation:**

Phase II Renovation of Building B commenced in August 2004 under the project management of the Court's Administrative Services Division. Phase II, which included the complete renovation and build out of the second floor, took seven months ending in February 2005. The Court's Social Services Division will move into more efficient and aesthetically pleasing offices in March 2005.

#### **Family Court Facilities – JM Level of the Moultrie Courthouse Building**

The Family Court Interim Consolidation on the JM level of the Moultrie Courthouse was completed in July 2004. The newly constructed space includes the Family Court Central Intake Center, six new courtrooms, family waiting areas, and new space for the Mayor's Liaison Office and the Self Help Center. The space is a colorful and comfortable place for families transacting business with the Family Court. The furniture is softer, the lighting less institutional and the addition of artwork produced by children from the D.C. Public School system makes the space feel much less frightening and more child friendly.

## **CASE AND DATA MANAGEMENT IN THE FAMILY COURT**

The Court has made significant progress in the development of its integrated justice information system (IJIS). In August 2003, the Family Court began using IJIS to process adoptions cases, abuse and neglect cases, and juvenile delinquency cases. In addition, juvenile probation cases in the Court's Social Services Division and mediation cases in support of Family Court operations in the Court's Multi-Door Dispute Resolution Division began to be processed in IJIS. In December 2003, additional Family Court case types including domestic relations, mental health and mental retardation, the Marriage Bureau and the Council for Child Abuse and Neglect began processing cases in IJIS. In August 2004, the Court incorporated Paternity and Support (P&S) cases into IJIS while continuing to process these cases through the D.C. Child Support Enforcement System (DCCSES), an automated system owned and maintained by the D.C. Attorney General's Office. The inclusion of P&S cases into IJIS completes the implementation of IJIS within the Family Court.

### *Family Court Central Intake Center*

During 2004, the IT Division assisted in the design and configuration of the Family Court Central Intake Center (CIC) providing the capability to initiate cases, docket filings, receipt payments, and provide customer service for the Family Court in a single location. As part of the CIC implementation additional IJIS capabilities such as high volume/batch scanning and multi-tiered workflow were put in place. Multi-tiered workflow was designed to integrate additional quality assurance measures into the case management process to reduce errors and improve overall data quality.

### *Interfaces*

The Court continues to refine and where necessary enhance existing electronic interfaces with The Child and Family Services Agency (CFSA), Department of Youth Rehabilitative Services (DYRS), Office of the Attorney General (OAG) and the Pre-Trial Services Agency developed during the Family Court's 2003 implementation of IJIS. To date, the Court sends scheduling and disposition data for Abuse and Neglect cases to the CFSA. In addition, the Court publishes data, including judge assignments and legal case dockets via the JUSTIS system, to the Pre-Trial Services Agency, DYRS, and the OAG. Leveraging JUSTIS, the Family Court has participated in the identification of additional requirements for electronic data exchange with the Metropolitan Police Department (MPD), the Public Defender Service (PDS), and Court Services and Offender Supervision Agency (CSOSA). In addition, the Family Court and the Criminal Division in consultation with the U.S. Attorney's Office and the OAG is in the process of redesigning the categorization of criminal charges to make them consistent throughout the D.C. Courts.

### *Identity Consolidation*

During 2004, to improve its compliance with the One Family One Judge mandate, the Family Court, with assistance from IT, undertook the task of consolidating thousands of individual electronic identifications that were a product of the past legacy case management systems. In December 2004, the Family Court completed the task of ID consolidation with data converted from legacy systems and now has established procedures for ongoing operations to ensure that it maintains the overall integrity of new data entered into the system. The processes and procedures established by the Family

Court for identity consolidation are serving as a model for other court divisions such as Probate and Tax, Civil, and Criminal.

### *Performance Measures Workgroup*

In 2004 the Court created the Performance Measures Workgroup. The workgroup is comprised of representatives from the Family Court, the IJIS Project Team, the IT Division, and the vendor team that designed the Court's case management system. The group meets regularly to validate the accuracy of reports developed to allow the Court to measure its performance. These reports capture and monitor case events in abuse and neglect cases for compliance with the Adoption and Safe Families Act (ASFA) and for reporting performance under the Family Court Act of 2001. A total of twenty-one reports have been under review by the report group. Eighteen of the reports have been validated and accepted.

Six of the reports are timeline reports that calculate, in days, the time elapsing between events in abuse and neglect cases. These reports calculate the time children are removed from the home or a petition is filed to the trial/stipulation, disposition hearing or permanency hearing. One report summarizes family court case activity by noting the changes in filings and dispositions between two designated periods for Family Court case types. The remainder of the reports summarize abuse and neglect data by types of hearings held, current permanency goals for children under court supervision, post-disposition cases by reason for closure, the age distribution of children in abuse and neglect cases, termination of parental rights motion tracking and the return to foster care after a permanency goal has been reached.

### *Load Testing/Performance Monitoring*

To ensure adequate and efficient performance for all Court users of the IJIS system, the IT Division performed automated stress testing on the IJIS system and related infrastructure. Following an iterative process where upgrades and modifications were made to the system following each test, the Court was able to achieve its goal of supporting 1000 concurrent users with average transaction response times of 2 to 3 seconds. The Court is planning to perform additional automated stress testing in the future.

In addition to stress or load testing, the IT Division installed monitoring software to regularly measure and report user response times for average transactions. This provides the Court with a mechanism to identify performance issues more rapidly and apply modifications to alleviate the identified issues. This allows the IT Division the ability to replicate the end user experience while using the system.

As in the past, the Court continued to involve all interested internal and external stakeholders as it validated requirements, developed testing plans, and conducted training.

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

Alternative Dispute Resolution (ADR) in the Family Court is provided through the Court's Multi-Door Dispute Resolution Division (Multi-Door). To determine the impact of ADR on Family Court cases Multi-Door requires that each ADR participant complete a survey evaluating their mediation experience based on the following performance indicators:

- ADR Outcome – measures participants' assessment of the mediation outcome, including whether a full agreement on the case was reached or if specific contested

issues were resolved, fairness of outcome, level of understanding of opposing party's concerns, impact upon communications with other party, and impact upon time spent pursuing the case;

- ADR Process – measures participant's evaluation of the quality of the process, including the ability to discuss issues openly, fairness of the process, length of session, and whether the participants perceive coercion by party or neutral;
- Mediator Performance – measures participants' assessment of the quality of mediators' performance, including explaining the process and the mediator's role, providing parties' the opportunity to fully explain issues, the neutral's understanding of the issues, whether the mediator gained the parties' trust, and any bias on the part of the mediator.

Statistical measures include the satisfaction level of respondents with the overall ADR process, outcome, and neutral performance. These performance indicators provide a measure of the extent to which ADR is meeting its objectives of settlement, quality and responsiveness. Multi-Door staff holds periodic meetings to review these statistical measures and determine initiatives to improve overall program performance.

### **ADR Performance Statistics**

During 2004, ADR performance in programs serving Family Court continued to be highly successful and showed significant positive outcomes in the areas of children and families served, cases settled, and participant satisfaction with the ADR process, outcome, and mediator performance.

### **Child Protection and ASFA Mediation:**

Ninety percent of all abuse and neglect cases filed in 2004 (representing 721 children) were referred to the child protection mediation program, consistent with the

mandate in the Family Court Act to resolve cases and proceedings through ADR to the greatest extent practicable and safe<sup>2</sup>.

As was the case in previous years, the Court continued to settle a substantial number of child abuse and neglect cases through mediation. Of the 328 families that went to mediation, agreements were reached in 89% of the cases mediated. Specifically, in 146 (45%) of the cases mediated (representing 291 children), the issue of legal jurisdiction was resolved and the mediation resulted in a stipulation (an admission of neglect by a parent or guardian). In all of those families, a case plan was also developed and presented to the Court as a part of the mediation agreement. In another 143 (44%) families (representing 244 children), mediation resulted in the development of a case plan even though the issue of jurisdiction was not resolved. Thirty nine (11%) families, representing 78 children, did not reach an agreement during the mediation process.

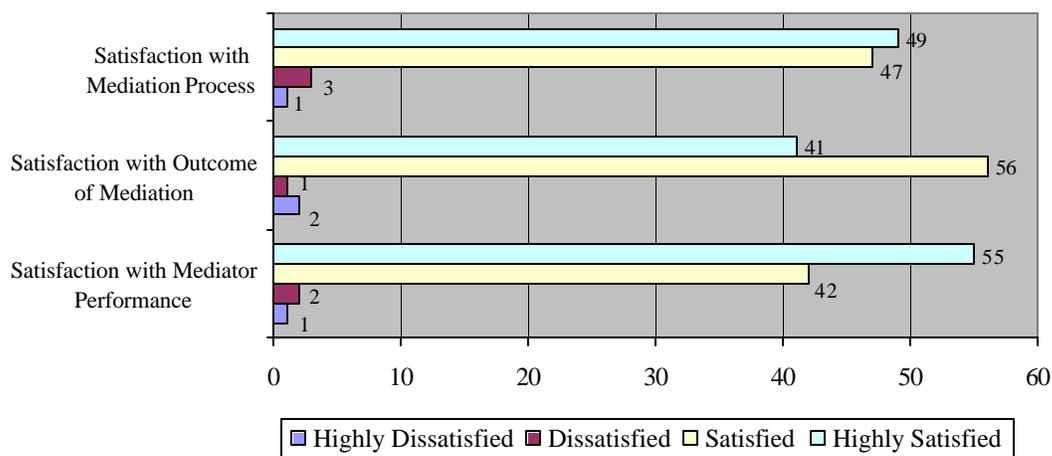
Among families participating in the mediation process, 96% indicated that they were satisfied with the ADR process, 97% were satisfied with the ADR outcome, and 97% were satisfied with the performance of the mediator(s).<sup>3</sup>

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<sup>2</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 each case by Multi-Door staff and mediators.

<sup>3</sup> These qualitative outcome statistics reflect the percentage of mediation participants who report that they are either satisfied or highly satisfied. These statistics are drawn from the ASFA Mediation Pilot and the Child Protection Mediation program.

## Participant Satisfaction with Child Protection Mediation Program



### *Evaluation of Child Abuse and Neglect Mediation Programs*

After lengthy study of methods to improve the management of child abuse and neglect matters,<sup>4</sup> the District of Columbia Courts in 1998 designed and implemented a pilot project – the Child Protection Mediation Pilot – to mediate child abuse cases. The Center for Children and the Law of the American Bar Association favorably evaluated this pilot project in 1999, noting that mediation resulted in earlier case dispositions, expedited case processing, and increased client satisfaction with the court process. Budget limitations precluded an expansion of the pilot program until September 2001, when the Council for Court Excellence funded a one-year expansion and adaptation of the Child Protection Mediation Pilot (called the ASFA Mediation Pilot) through a grant provided by the Annie E. Casey Foundation. The pilot program, which required that every other case be referred to mediation, was expanded when the Family Court Act was

<sup>4</sup> The District of Columbia Courts conducted this study through its Court Improvement Project, funded through the U.S. Department of Health and Human Services. The Final Assessment Report of this project recommended the use of mediation for all child abuse and neglect cases.

passed and has become a permanent program of the Family Court. Since January 2003, all abuse and neglect cases have been referred to mediation.

The Permanency Planning for Children Department of the National Council of Juvenile and Family Court Judges (NCJFCJ) recently completed an evaluation of the Child Protection Mediation program in 2004. The evaluation report, which covers cases referred to mediation from January 1, 2002 to September 30, 2002, revealed that mediated cases reached adjudication, disposition, and permanency (case closure) significantly faster than cases processed without the benefit of mediation. Specifically, the key findings of this report state:

- ***Faster Adjudication:*** Cases receiving early mediation reached adjudication more than one month sooner than unmediated cases. (Early mediation cases were adjudicated within 49 days of the initial hearing, on average, as compared to an average of 86 days for cases receiving no mediation.)
- ***Faster Disposition:*** Early mediation cases reached disposition more than two months sooner than cases not mediated, on average. (Early mediation cases reached disposition an average of 69 days after the initial hearing; cases receiving no mediation reached disposition an average of 132 days after the initial hearing.)
- ***Faster Case Closure:*** Early mediation cases reached case closure one and one-half months sooner than cases not mediated. (Early mediation cases reached closure within 7 months after the initial hearing, on average. Cases not mediated reached closure an average of 8.6 months after an initial hearing was held.)
- ***Settlement Rate:*** Results showed that 93% of all cases entering mediation resulted in either a full or partial settlement. Cases reaching full settlement - agreement on both case plan and stipulation - represented 54% of the cases mediated. Cases reaching partial settlement - an agreement on either a case plan or stipulation but not both - represented 39% of the cases mediated. Only seven (7%) of mediated cases resulted in no settlement.
- ***Recidivism Rate:*** Parties participating in mediation were far less likely to return to court within 12 months after the case closed than parties not participating in mediation. Only 7% of mediated cases returned to court after closure with a new allegation of neglect, while 21% of non-mediated cases returned to court with a new allegation of neglect after closure of the previous case.

The findings of the NCJFCJ evaluation, which support the findings of the original ABA evaluation, are a solid endorsement of the effectiveness of mediation in producing faster results, a high rate of consensus settlements, and high degree of participant satisfaction in abuse and neglect cases.

### **Mediation of Domestic Relations Cases**

Issues of child custody, visitation, child and spousal support, and property are all addressed through the Domestic Relations Mediation Program. Due to the sensitive nature of the issues addressed, mediation in this area often involves hostility, limited communication, and high levels of conflict. As a result, mediation in these cases typically requires several sessions. On average, 2-3 sessions will be scheduled in a case.

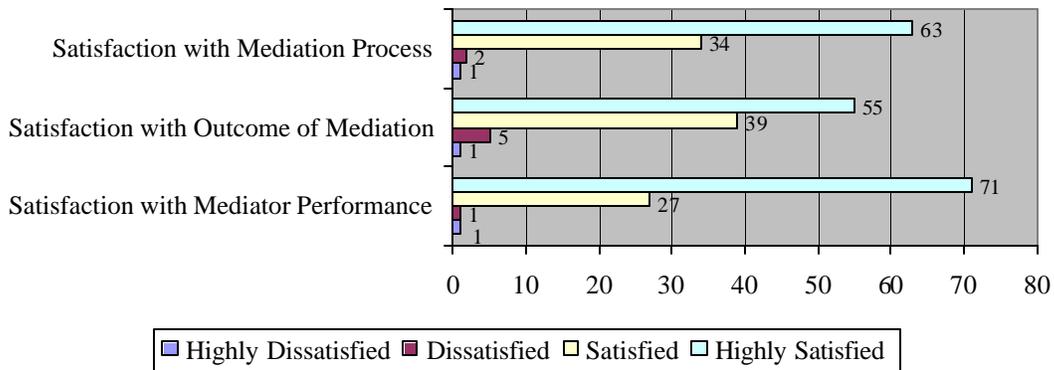
During 2004, a total of 439 domestic relations cases were referred to mediation. Three hundred fifty two (352) of the cases referred were mediated and completed in 2004.<sup>5</sup> Of the cases mediated, 142 settled in mediation. The overall settlement rate was 41% (full agreements were reached in 27% of cases, and partial agreements were reached in another 14% of cases).

Qualitative outcome measures show satisfaction rates of 94% for ADR outcome, 97% for ADR process, and 98% for the performance of the mediator(s) in domestic relations cases. These satisfaction measures indicate that, as is the case in the Child Protection and ASFA Mediation Program, participation in ADR increases public trust and confidence in Family Court.

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<sup>5</sup> Of those cases referred but not completed, in 87 cases the parties withdrew from mediation before the process was completed. In the remaining cases the mediation process is continuing.

### Participant Satisfaction with the Domestic Relations Mediation Program



Support for the Domestic Relations Mediation program has increased significantly under the Family Court Act, providing increased availability of mediation services, including referrals to mediation, completion of intake and, in many cases, an initial mediation session on the same day parties appear for their initial court hearing.

In October 2003 Multi-Door began the Same-Day Mediation program. The Same-Day Mediation program provides accelerated access to family mediation for domestic relations litigants by providing for intake interviews and the first mediation session immediately following the initial court appearance. In calendar year 2004, 141 cases were referred for same-day mediation. In 97 (69%) cases, litigants began mediation on the day of referral. In 28 (20%) cases, litigants were not able to begin mediation following their court appearance and were scheduled for another day, usually as a result of parties' preferences rather than because a mediator was not available. In the remaining 16 (11%) cases, litigants chose not to participate in the program.

### ***District of Columbia Bar Case Evaluation Program***

In partnership with the District of Columbia Bar, the Family Court implemented a case evaluation program, in February 2002, for domestic relations cases. This case evaluation program employs experienced family lawyers as case evaluators. Their experience in domestic relations litigation allows them to provide the parties and their counsel with a neutral evaluation of the strengths and weaknesses of their respective positions.

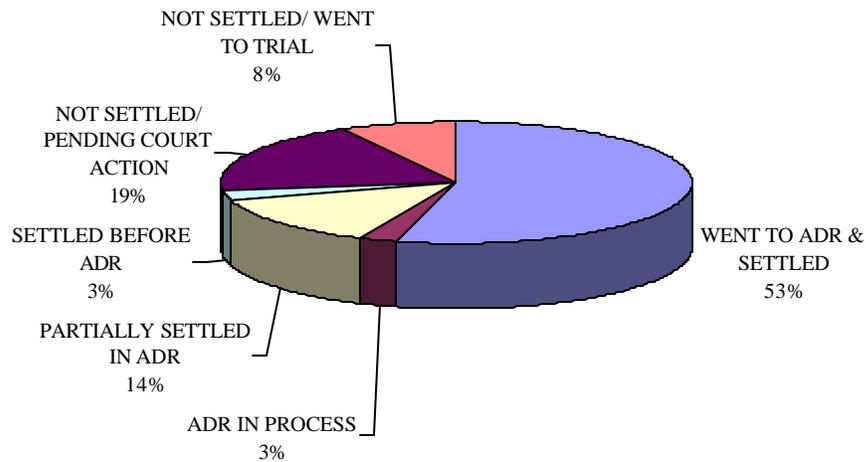
The program is used exclusively for domestic relations cases where the parties are represented by counsel, there are property or custody issues in dispute, and the judge and counsel determine that case evaluation would be beneficial. The parties and counsel agree to attend and participate in ADR for up to three hours if property is at issue and four hours if issues of custody are involved, and the parties agree to pay the case evaluator at a rate of \$150 per hour. The Court then orders the parties to participate in ADR, on those terms, with an assigned case evaluator. The Court usually requires the parties to split the fee of the case evaluator equally, but may order a different division, if circumstances warrant.

Case evaluators must have at least 10 years experience in domestic relations practice and have had mediation training or experience. At present, there are 46 practitioners who have been accepted as case evaluators in the program. Many of them are among the most experienced attorneys who practice domestic relations law in the District of Columbia, and all of them have agreed to serve as case evaluators under the program. The Bar's interest in the program has been a significant factor in its success.

The results of the program are very positive. During 2004, a total of 37 cases were referred to the program. Of those, 1 case (3%) is currently in process. Of the remaining 36 cases, 21 were settled completely (20 at case evaluation and 1 before the session took place), and 5 cases settled in part, for an overall settlement rate of 73%. Three cases, or 8%, of the cases that went to case evaluation were not settled and went to trial.

The Court is continuing to work with the Family Law Section of the D.C. Bar to strengthen and expand alternative resolution of domestic relations cases.

### Case Evaluation Results 2004



### ***Family Court ADR Initiatives***

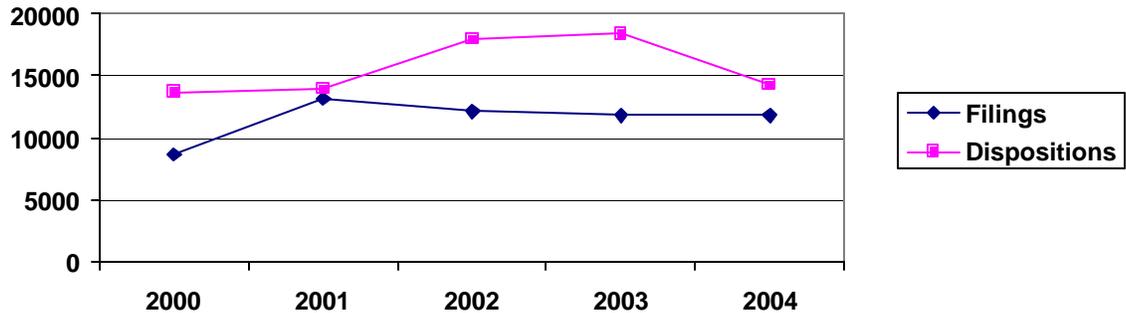
Family Court and Multi-Door have coordinated efforts to implement initiatives to support ADR consistent with the Family Court Act of 2001. These initiatives are as follows:

- ***Continuing Education for Neutrals.*** Multi-Door provided advanced mediation training to a group of 33 experienced family mediators, providing the court with an expanded cadre of mediators able to mediate complex cases involving matters such as spousal support, property division and complex tax issues.
- ***Mediator and Client Resources.*** The Multi-Door Management Action Plan (or MAP), part of the court-wide strategic plan, incorporates goals that will improve the resources available to family mediators and clients. These include the redesign of agreement-writing software to a web-based application accessible to mediators from remote locations and client financial forms to a digital format to increase accessibility to clients and automate calculations.
- ***Continuing Education Requirements.*** Multi-Door will create a minimum continuing education requirement for all active mediators, by the end of 2005, to ensure that mediator qualifications remain high. Multi-Door will increase continuing education offerings to enable mediators to complete the requirement through its own educational programs, if they choose.
- ***Mediator Code of Ethics.*** Multi-Door will complete work on the formal adoption of a Code of Ethics for family and all other mediators by June 2005. The division has used an internal set of working ethical guidelines for its mediators but has not promulgated them in formal, written form. A code of ethics will establish clearer standards of practice for mediators and staff, and will better inform clients about their rights and appropriate expectations when participating in mediation.

## FAMILY COURT CASE ACTIVITY

During calendar year 2004, there were a total of 11,793 new cases filed in the Family Court. During the same period, 14,231 cases were disposed. As has been the case over the past five years, the Family Court was able to efficiently manage its caseload. The best assessment of whether a court is managing its caseload efficiently is its clearance rate<sup>6</sup>. A clearance rate of 100% indicates that a court has disposed of as many cases as were filed during the year. Disposing of cases in a timely manner helps ensure that the number of cases awaiting disposition (pending caseload) does not grow. In 2004, the overall clearance rate for the Family Court was 121%.

**Family Court Case Filings and Dispositions Trend 2000-2004**



### **Family Court Case Activity For 2004**

Case filings remained relatively stable between 2003 and 2004 (11, 809 filings in 2003 and 11, 793 filings in 2004). Delinquency and child support were the only case types registering increases in filings from 2003 to 2004. New cases filed in the Family Court during 2004 were distributed in the following manner: divorce and custody 3,507;

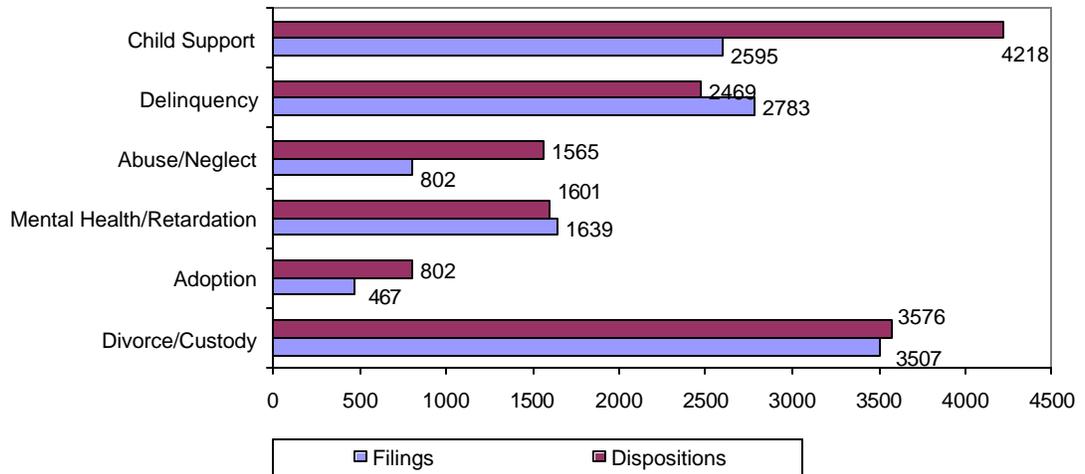
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<sup>6</sup> Clearance rates, calculated by dividing the number of cases disposed by the number filed, measures how well a Court is keeping up with its incoming caseload.

child support 2,595; juvenile delinquency 2,783; mental health and mental retardation 1,639; child abuse and neglect 802; and adoption 467.

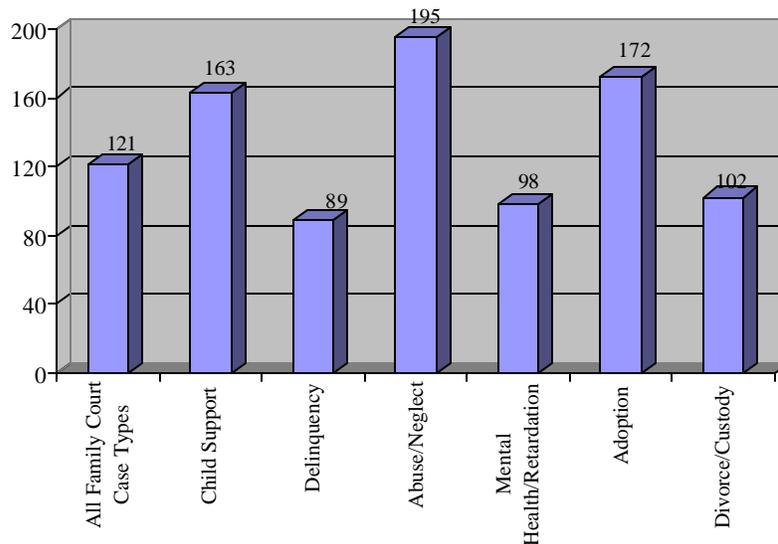
During the year, the Family Court resolved slightly more than 14,000 cases, including: 3,576 divorce and custody cases; 802 adoption cases; 1,590 mental health cases; 11 mental retardation cases; 1,565 child abuse and neglect cases; 2,469 juvenile delinquency cases; and 4,218 paternity and child support cases. There was more than a 20% decrease in dispositions from 2003 to 2004. The decrease is largely attributable to a decrease in dispositions of mental health cases (58%). During 2003, an audit of the pending mental health caseload identified approximately 2,000 cases that remained in the Court’s active inventory of cases although they no longer required court action. All identified cases were closed administratively, increasing significantly the number of dispositions. New case processing protocols were developed to ensure the timely handling of similar cases in the future.

### Family Court Filings and Dispositions, 2004



As was the case with overall case filings in Family Court, individual branches of the Family Court were also able to keep pace with their current caseload. With the exception of juvenile cases and mental health cases, where more cases were filed than were disposed, the clearance rates in 2004 were 100% or higher for all other case types. The rate was 98% for mental health cases and 89% for delinquency cases.

**Clearance Rate by Case Type**



While measuring the number of dispositions is important for any Court, it is important to remember that in Family Court disposition of a case does not always end the need for judicial involvement. For example, among the 2,469 juvenile cases resolved during 2004, 495 juvenile offenders were placed on probation. Those 495 cases as well as the more than 800 other active juvenile probation cases require continuous monitoring by judicial officers to ensure compliance with probationary conditions and community safety. On average, each open probation case is scheduled for a review hearing before a judicial officer three times per year. Cases of juveniles under intensive probation supervision and those in juvenile drug court are reviewed

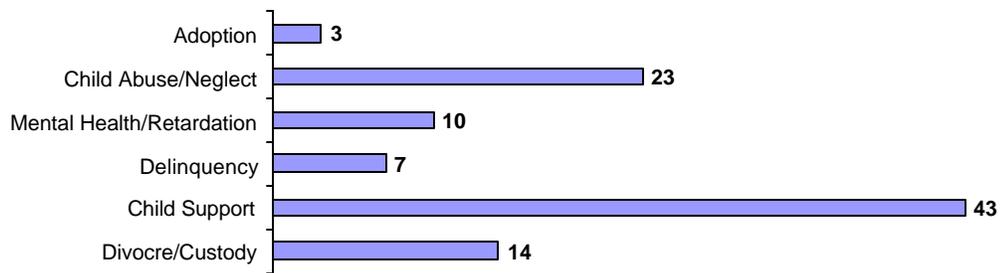
more frequently. Juvenile Drug Court cases are not officially closed or disposed of until the child actually completes one year of outpatient drug treatment. Similarly, paternity and support cases that are disposed of in a given year often come before the Court after resolution. Dispositions in paternity and support cases include cases resolved through the issuance of either a temporary or a permanent support order. Those cases resolved through issuance of a temporary support order often have financial reviews scheduled after disposition until a permanent support order is established.

Similarly, while clearance rates are an important measure of how well a Court is managing its caseload, all case types in Family Court do not fit neatly into such an analysis. This is primarily because high clearance rates, like those in Family Court, generally lead to a reduction in the pending caseload. However, cases involving children who were abused or neglected and mental retardation cases remain in the Court's pending caseload until they are closed. The process of closing such cases may take several years to accomplish.

As of January 1, 2005, more than 15,000 cases were pending resolution in the Family Court, including: 2,187 divorce and custody cases; 507 adoption cases; 252 mental health cases; 1,189 mental retardation cases; 3,421 child abuse and neglect cases (171 pre-disposition and 3,250 post-disposition cases); 1,025 juvenile delinquency cases; and 6,465 child support cases. The pending caseload is comprised of two separate types of cases. First, it includes pre-disposition cases that are pending adjudication by the Family Court. Second, it includes a large number of post-disposition cases that require judicial review on a recurring basis. For instance, of the 3,421 pending abuse and neglect cases, only 171 cases were awaiting trial or disposition at the beginning of

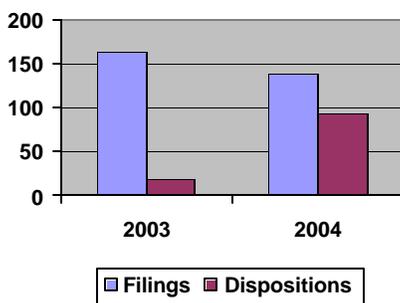
this year, while 3,250 are post-disposition cases in which the Family Court and the CFSA are working towards permanency. The mental retardation pending caseload also includes post-disposition cases that require judicial review prior to case closure. Similarly, many post-disposition paternity and support cases require continued judicial involvement to enforce child support orders through civil or criminal contempt, and parties frequently seek to modify existing child support orders.

**Percent Distribution of Pending Caseload 2004**

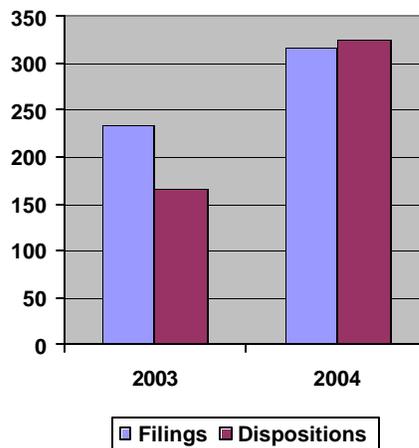


In addition, the Family Court also registered significant increases in filings and dispositions of motions to terminate parental rights (TPR) and motions for guardianship. During 2004, there was a 390% increase in dispositions of TPR cases (19 dispositions in 2003 compared to 93 in 2004) and a 98% increase in disposition of guardianship cases. The impact of the increased work in this area is that abused and neglected children achieve permanency sooner because barriers to permanent placement are removed.

**Motions to Terminate Parental Rights**



**Motions for Guardianship**



## **Abuse and Neglect Cases**

### *Transfer of Abuse and Neglect Cases To Family Court*

The Family Court Act required that all child abuse and neglect cases assigned to judges outside the Family Court be transferred to Family Court judges by October 4, 2003. Of the 5,145 cases pending at that time of the Act's initiation, 3,500 were assigned to judges not serving in the Family Court. Nearly all of those 3,500 cases have been transferred into Family Court or closed. On December 31, 2004, only 16 cases were being retained by non-Family Court judges under provisions of the Act with the approval of the Chief Judge. The principal reason for retaining these cases is the judge's belief, based on the record in the case, that permanency will not be achieved more quickly if it is reassigned to a judge in the Family Court. As required by the Act, however, judges seeking to retain cases outside the Family Court had to submit formal retention requests to the Chief Judge. After review of each request, the Chief Judge determined, pursuant to criteria set forth in the Act, that (1) the judge retaining the case had the required experience in family law, (2) the case was in compliance with the Adoption and Safe Families Act (ASFA) and (3) it is likely that permanency would not be achieved more quickly by transferring it to the Family Court.

### **COMPLIANCE WITH D.C. ASFA'S REQUIREMENTS**

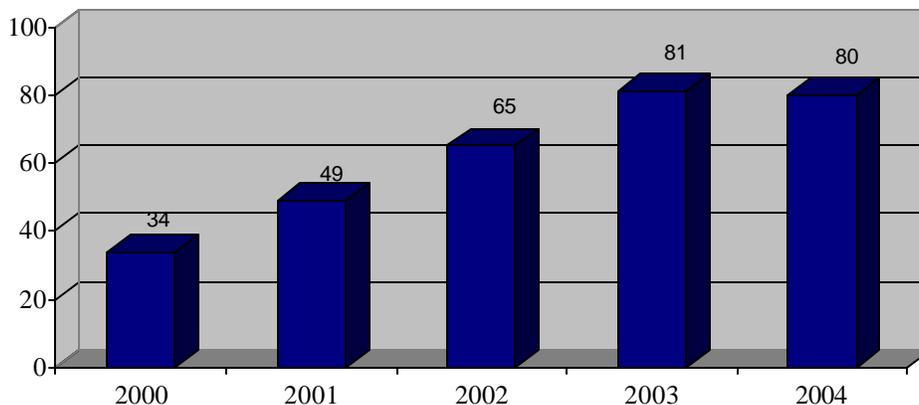
The District of Columbia Adoptions and Safe Families Act (D.C. ASFA) (D.C. Code Sections 16-2301 et seq., (2000)) establishes timelines for the completion of the trial and disposition hearing in abuse and neglect cases. The timelines vary depending on whether the child was removed from his or her home. The statute sets the time

between filing of the petition and trial or stipulation at 45 days for a child not removed from the home and at 105 days for a child removed from the home. 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.

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

The chart below highlights the level of compliance with the statutory requirement for trial/stipulation for both removed and non-removed children over a five-year time period. As can be seen from the chart, the Court has made significant progress in completing trials/stipulations within the established timelines for children removed from home. For example, 80% of the cases filed in 2003 and 2004 were in compliance with the ASFA timeline for trials compared to 65% of the cases filed in 2002, 49% of the 2001 cases and 34% of the cases filed in 2000.

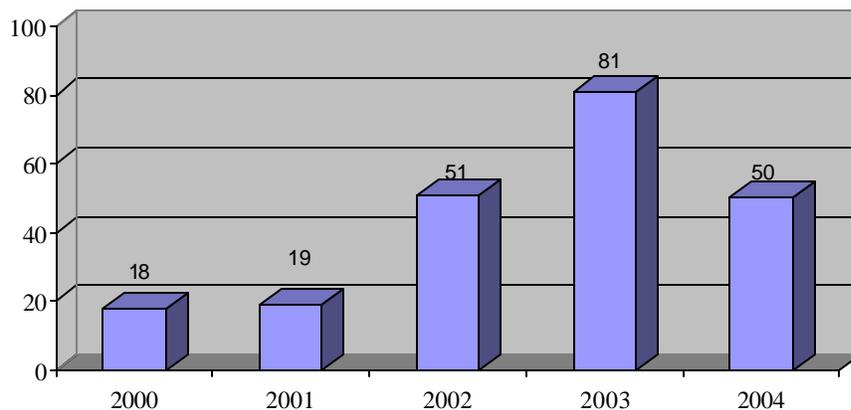
**Compliance with DC ASFA Timeline for Trial/Stipulation for Children Removed from Home**



For children not removed from home, the percentage of cases in compliance with the timeline to trial or stipulation, 45 days, had been steadily increasing, but dropped

sharply in 2004. The compliance rate was 18% in 2000, 19% in 2001, 51% in 2002, 81% in 2003, and 50% in 2004. The time between filing and trial in the cases of children who are not removed from home continues to be an issue for the Court. In response to the drop and to increase compliance with the statutory time limit, since January 2005 the presiding judge has required that all Family Court judicial officers schedule the mediation, pre-trial hearing and trial dates within the 45-day period at the initial hearing. The intent is to schedule all hearings within the statutory limits, and if the mediation is successful the pre-trial and trial hearing dates will be vacated. Family Court attorney advisors are also required to review all cases coming from initial hearing to ensure that all events have been scheduled within the timeline. If events are not scheduled, the assigned judge and the presiding judge of family court are notified, and the assigned judge is asked to reset the case within the timelines or to explain in writing why the hearing cannot take place within the timeline. The presiding judge monitors those cases that are set outside the timeline.

**Compliance with DC ASFA Timeline for Trial/Stipulation  
for Children Not Removed from Home**

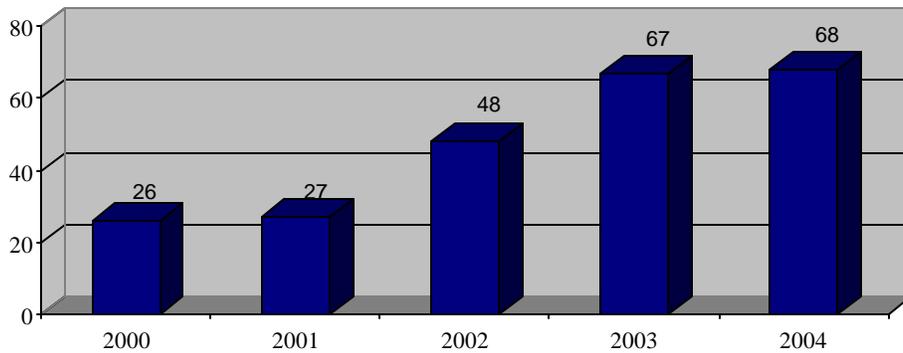


It is important to note that when non-removed cases are scheduled within the statutory timeframe, Family Court Judicial Officers frequently report that there are still delays in adjudicating cases. The delay is often due to the lack of service of process on the parents and the scheduling conflicts of attorneys representing children and parents due to their heavy caseloads.

**Disposition Hearings in Abuse and Neglect Cases**

Judges are also improving their performance in meeting the timelines for conducting disposition hearings in abuse and neglect cases. Among children removed from home there was a significant increase in the percentage of cases in compliance with the ASFA timeline for disposition hearings. Sixty eight percent (68%) of the cases filed in 2004 were in compliance with the timeline as compared to 67% in 2003, 48% in 2002, 27% in 2001 and 26% in 2000.

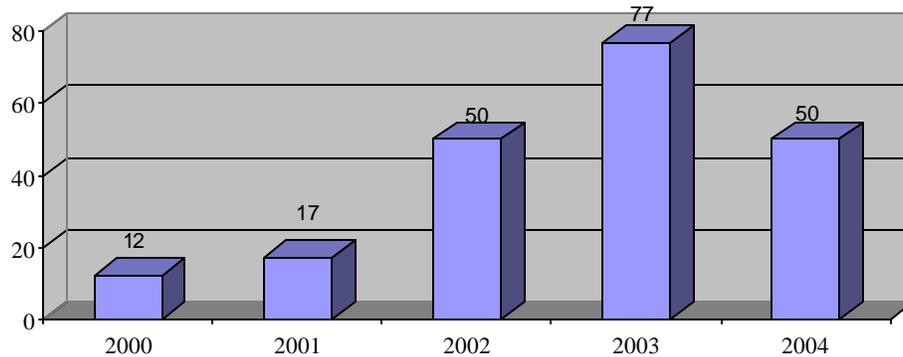
**Compliance with DC ASFA Timeline for Disposition  
for Children Removed from Home**



As was the case for trials/stipulations, the compliance rate for conducting disposition hearings for children not removed from home had also been increasing steadily, but declined significantly in 2004. The Family Court expects that the

compliance rate for both categories should improve in 2005 due to the remedial measures that were implemented in January 2005.

### **Compliance with DC ASFA Timeline for Disposition for Children Not Removed from Home**

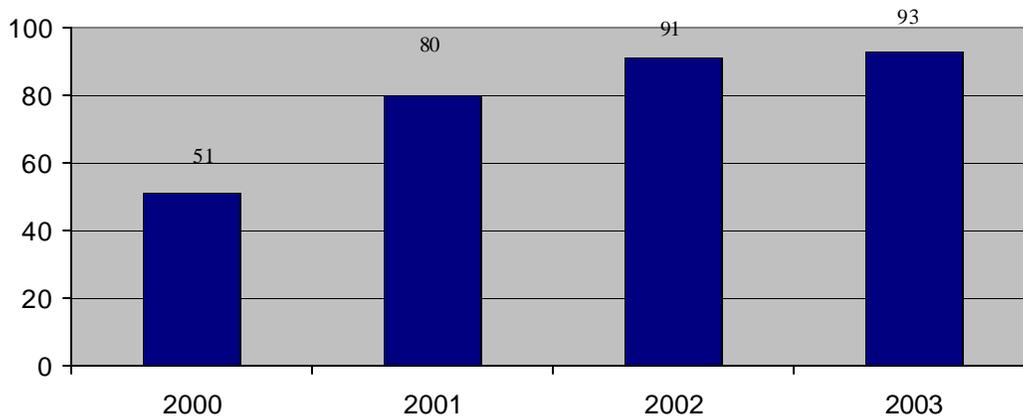


### **COMPLIANCE WITH ASFA'S PERMANENCY HEARING REQUIREMENTS**

Both D.C. ASFA 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 as 60 days after removal from the home, resulting in a net requirement for a permanency hearing 14 months after a child is removed from his or her home. 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.

The chart below shows the Court's compliance with holding permanency hearings within the ASFA timeline. The level of compliance with this requirement has increased substantially over the four-year period for which data are available. In 2000, 51% of cases had a permanency hearing or the case was dismissed within the 425-day (14 month) deadline; in 2001, 80% of the cases had a permanency hearing or were dismissed; in 2002, 91% of the cases had a permanency hearing or were dismissed

**Compliance with ASFA Timeline for Permanency Hearing**



within the 425-day deadline; and in 2003, 93% of the cases were in compliance. No case filed in 2004 had reached the statutory deadline for having a permanency hearing by December 31, 2004.

In addition to holding timely hearings, ASFA also requires that the Family Court set a specific goal and a date for achievement of that goal at each permanency hearing. The Family Court has made significant progress in meeting the requirement of setting a specific goal at the hearing, and has improved in its requirement of ensuring that a specific date for achievement of that goal is set at each hearing. To better monitor compliance with these requirements the Family Court has required that its attorney advisors review every case after a permanency hearing to determine if these two

requirements have been met. If not, the assigned judicial officer and the presiding judge of family court are notified that the hearing was deficient, and recommendations for bringing the case into compliance are made. The Court will continue to work closely with judicial officers during 2005 to ensure compliance with these important measures.

The National Council of Juvenile and Family Court Judges (NCJFCJ) and the American Bar Association's (ABA) 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 report that the length of their permanency hearings are within this standard.

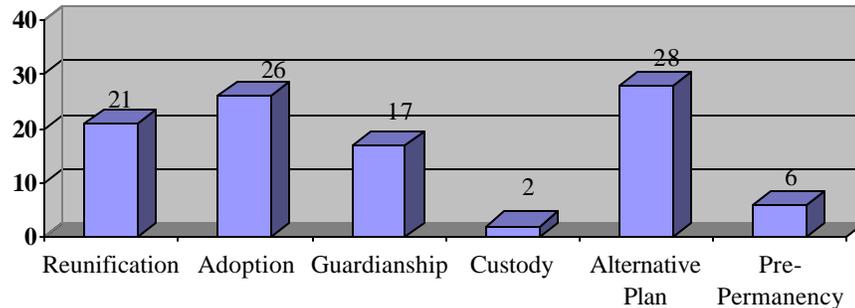
To ensure continued compliance with ASFA and to assist Family Court judges in ensuring that the content and structure of the permanency hearing are consistent with best practices, all judicial officers are required to use a standardized court order for all permanency hearings. As required by ASFA, the form requires the judge to set a specific goal and achievement date at each hearing. The use of this standard form continues to contribute to an increase in compliance with best practices and legal requirements.

#### *Barriers to Permanency*

Under ASFA there are four preferred permanency goals for children removed from their home: reunification, adoption, guardianship or custody. The chart below identifies the current permanency goal for children under court supervision. Cases of

children identified as pre-permanency have not yet had a disposition hearing, the earliest point at which a goal would be set.

**Percent Distribution of Current Permanency Goal for Children Under Court Supervision**



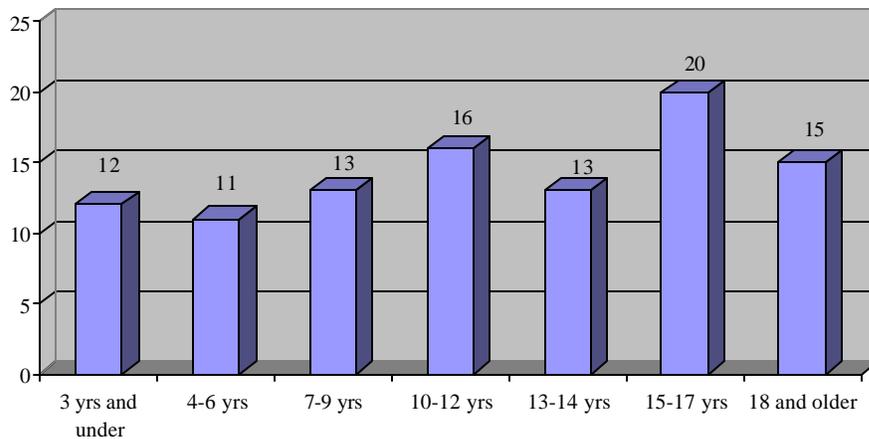
Although the Court has improved significantly in establishing goals for children, the achievement of those goals still remains a challenge. For children with the goal of reunification, the primary barrier is disability of the parent, including the need for substance abuse treatment, followed by disability of the child, such as significant developmental or educational deficits, and procedural impediments, such as housing issues; timeliness of services; and, in some cases, the need for the family to receive additional services while the child is under protective supervision.

In cases where the goal is adoption or guardianship, procedural impediments, including the processing of paperwork under the Interstate Compact on the Placement of Children (ICPC) and timeliness of services are the major identified barriers to permanency. Improvements in removing these barriers have resulted in a significant increase in judicial action in this area. As indicated earlier, there has been a 98% increase in disposition of guardianship motions (165 motions disposed in 2003 and 326

motions disposed in 2004). Disposition of adoption petitions have also increased substantially, from 579 dispositions in 2003 to 802 dispositions in 2004.

In addition, a significant percentage of the cases involve older children for whom the Court has found compelling reasons to plan for an alternative permanent living arrangement. As can be seen from the chart below more than a third of the children under court supervision are 15 years of age or older. Many of them cannot be returned to their parents but do not wish to be adopted or considered for any other permanency option. Additionally, in many of these cases, the child's disabilities and the need for the child to receive additional services while in independent living situations are identified as major barriers to permanency. The Family Court is continuing to work with CFSA and other stakeholders to eliminate or reduce the impact of such barriers on permanency in the future.

**Percent Distribution of Current Age of Children Under Court Supervision**



### PERMANENCY OUTCOMES FOR CHILDREN

During 2004, Family Court judicial officers closed 1,378 post-disposition abuse and neglect cases. As can be seen from the chart, 1,115 children's cases (or 80%) were closed because permanency was achieved. Two hundred thirty nine children's cases were closed without reaching permanency, either because the children aged out of the system or they no longer desired to have services provided by CFSA; 12 cases were closed because the children died while in care; and in another 12 cases the court case was closed but CFSA is continuing to provide services.

#### **Abuse and Neglect Cases Closed Post-Disposition By Reason for Closure, 2004**

Reason for Case Closure	Number	Percent
<b>Permanency Goal Achieved</b>	<b>1,115</b>	<b>81</b>
Reunification	325	24
Adoption	421	31
Guardianship	292	21
Custody	77	5
<b>Child Reached Age of Majority</b>	<b>117</b>	<b>9</b>
<b>Child Emancipated</b>	<b>122</b>	<b>9</b>
<b>Child Deceased</b>	<b>12</b>	<b>1</b>
<b>Court Case Closed-Continued for CFSA services</b>	<b>12</b>	<b>1</b>
<b>Total</b>	<b>1,378</b>	<b>100</b>

As required by the Family Court Act, during the last two years the Court has been actively involved in developing a case management and tracking system that would allow it to measure its performance and monitor the outcomes of children under court supervision. Using the performance measures developed by the American Bar Association, the National Center for State Courts and the National Council of Juvenile and Family Court Judges promulgated in the document "Building A Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and

Neglect Cases” as a guide, the Court has developed baseline data in a number of areas critical to outcomes for children. “Building A Better Court” identifies four goals (safety, permanency, timeliness, and due process) and measures for each goal that Courts should consider when developing performance plans. The Family Court has established a history of success on the goal of due process. In all cases that meet the eligibility criteria, counsel is appointed for parents who cannot afford counsel and guardian ad litem are appointed in all cases in advance of the initial hearing. The implementation of the one judge one family case management approach is complete and there has been a significant reduction in the number of judicial officers involved in a case. Other due process measures, which address the timeliness of notices to parents and changes in counsel, will be developed during 2005.

The Family Court elected to measure two of these goals during 2004: permanency and timeliness. Baseline data for each goal that the Family Court addressed during 2004 are displayed below. Data presented is restricted to cases filed and/or disposed within a specific timeframe. As such it may differ from data presented elsewhere in the report. Such an analysis, using a cohort approach based on when a case was filed, will better allow us to study the impact of legislative changes as well as allow us to better assess our performance over time in achieving positive outcomes for children.

***Goal 2: Children should have permanency and stability in their living situations***

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

For the first time in 2004, the Court is able to measure the time for children to reach permanency. From the chart below it is clear that children in the District spend a considerable amount of time in care under court supervision before reaching permanency, irrespective of permanency outcome. Three-fifths of the children whose cases closed to reunification had been under court supervision for more than two years. For children whose cases closed through the awarding of custody, usually to a non-custodial parent not involved in the abuse or neglect, almost three-fourths had been under supervision for more than two years. For children whose cases closed to either guardianship or adoption, more than nine out of 10 had been under supervision for two or more years.

**Percent Distribution of Time Between Case Filing and Achievement of Permanency Goal for Cases Closed in 2004**

Number of months to achieve goal	Permanency Goal			
	Reunification	Adoption	Guardianship	Custody
6 months	3	0	0	8
12 months	5	0	0	9
18 months	19	0	2	12
24 months	13	1	7	4
More than 24 months	60	98	91	67
<b>Total Cases Closed</b>	<b>325</b>	<b>420</b>	<b>293</b>	<b>77</b>
<b>Median Time to Achieve Goal</b>	<b>2.4 years</b>	<b>5.3 years</b>	<b>3.4 years</b>	<b>2.8 years</b>
<b>Average Time to Achieve Goal</b>	<b>2.9 years</b>	<b>5.8 years</b>	<b>4.3 years</b>	<b>3.2 years</b>

**Measure 2.** Percentage of children who do not achieve permanency in foster care system.

In 239 cases closed in 2004, the children did not achieve permanency either because they aged out of the system or were emancipated.

**Measure 3.** Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being returned to their families.

Of the 325 children whose cases closed to reunification in 2004, 10 (3%) returned to care within 12 months with new allegations of abuse.

**Measure 4a.** Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being adopted.

To date, none of the 420 children whose cases closed to adoption in 2004 have returned to care.

**Measure 4b.** Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being placed with a permanent guardian.

To date, none of the 292 children whose cases closed to guardianship in 2004, have returned to care.

***Goal 4. To enhance expedition to permanency by minimizing the time from the filing of the petition/removal to permanency.***

**Measures 1-5.** 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 33 to 39.

#### **TERMINATION OF PARENTAL RIGHTS**

Over the past year, there has been an increased urgency among CFSA, the OAG and the Family Court to remove—when appropriate—the legal barriers that are sometimes obstacles to a child’s chances of being adopted. The OAG and CFSA are engaged in an initiative to increase the number of TPR filings in Family Court. The Family Court judicial officers have participated in additional training on the management of TPR proceedings and the importance of moving these cases forward as expeditiously as possible. As part of the training, CFSA adoption recruitment workers spoke to the judges about CFSA’s efforts to recruit pre-adoptive families and the positive impact that legally “free” children would have on their recruitment efforts.

The presiding judge of the Family Court has established a policy that TPR motions should be considered a priority when there are no related adoption proceedings. As has been the case in the past, when there is a related adoption proceeding, generally,

the parental rights are terminated during the course of the proceedings. The measures below assess the Court's performance as it relates to the handling of termination of parental rights cases. It is important to bear in mind the above discussion when reviewing the findings.

**Measure 6.** Time between the filing and disposition of termination of parental rights (TPR) motions in abuse and neglect cases.

Year Filed	Median Days to Disposition	Average Days to Disposition
2002	720	668
2003	481	402
2004	328	214

As indicated, the court has seen a significant increase in the number of TPR motions filed over the last two years. There has also been a significant decrease in the length of time between filing the motion and disposition. On average, TPR motions filed in 2002, which have been disposed, took 720 days to reach disposition. Motions filed in 2003, took on average 481 days compared to 328 days for motions filed in 2004. Currently, there are over 300 TPR motions pending disposition. As those motions are disposed, it will be important to see if the improvements noted above remain.

**Measure 7.** Time between granting of the termination of parental rights motion (TPR) and filing of the adoption petition in abuse and neglect cases.

Nineteen TPR motions were granted in 2004. Adoption petitions were filed in four cases after the TPR had been granted. It took on average slightly more than a month (34 days) for the adoption petition to be filed. It is important to note that in two additional cases in which the motion for TPR was granted an adoption petition had been filed previously and was withdrawn shortly after the motion was granted. In another case an adoption petition had been filed and was granted two months after the TPR was granted.

**Measure 8.** Time between the filing of adoption petition and finalization of adoption in abuse and neglect cases.

Year Filed	Median Days to Finalization	Average Days to Finalization
2003	436	411
2004	231	231

For adoption petitions filed in 2003, it took, on average, 14 months from the time the adoption petition was filed until it was granted. For petitions filed in 2004, it took on average, 7.7 months from the time of filing until the petition was granted, about half the time it took for petitions filed in 2003.

**Recent and Upcoming Initiatives**

- After a careful review of a number of case assignment processes, the Child and Family Services Agency (CFSA), with the support of the Family Court, began the geographic assignment of social workers to cases beginning in January 2004. The geographic assignment of social workers is designed to maximize the effectiveness of social workers and judicial officers by allowing them to concentrate in a specific area of the District where they can develop a greater familiarity with community resources and strengths.
- For the first time in 2004, the Family Court is able to report out on performance measures using the IJIS system. The system has been designed to track and facilitate the monitoring of among other things the implementation of one judge one family; the number of placements a child has while under Family Court supervision, the number of reunifications that fail, and the number of adoptions that disrupt.
- The Benchmark Permanency Hearing Program marked its one-year anniversary in September 2004. Close to 70 young people, ages 16-21, attended periodic informal hearings during which they were given the opportunity to discuss their plans for the future and begin to develop a concrete plan for achieving these goals prior to their emancipation from foster care. The response to the initiative has been overwhelmingly positive.
- An informational booklet for parents explaining the court process in abuse and neglect cases has been disseminated to every parent since October 2004. A workbook for children on the court process is in development.

## JUVENILE CASES

Filings in juvenile cases rose 15% during 2004, from 2,412 filings in 2003 to 2,783 filings in 2004. The overall increase was largely driven by increases in referrals for violent crimes (38%) and referrals in drug law violations (22%). Public order offenses and property offenses decreased 15% and 4% respectively. Filings increased for both males (12%) and females (28%).

Females comprised a slightly higher percentage of new referrals, accounting for 21% of all new referrals in 2004 compared to 18% of referrals in 2003. In addition to including more females, juvenile new referrals were also younger than in the past, almost 2 in 5 new referrals (38%) involved youth aged 14 or younger compared to nearly 1 in 4 new referrals (23%) in 2003.

### **Most Serious Offense<sup>7</sup>**

Thirty-eight percent of new referrals in 2004 were for a violent crime, 30% for a property offense, 14% for a drug law violation and 11% for a public order offense. The respective percentages in 2003 were 32% violent; 36% property, 13% drug law violations, and 15% public order. There were significant differences in the types of offense committed by gender. Juvenile girls were more likely to commit offenses against persons than were juvenile boys – 56% of girls were charged with acts against persons, compared to 33% of boys. Juvenile boys, on the other hand, were more likely than girls to commit acts against property (34% and 14%, respectively) and drug law violations (17% and 4%, respectively).

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<sup>7</sup> Juvenile referrals involving 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,

Juveniles charged with assault comprised nearly 7 in 10 new referrals for a violent offense. Robbery (16%) was the second leading reason for referral for a violent offense. Among juveniles charged with property offenses, 57% were charged with unauthorized use of a vehicle and 17% were charged with larceny/theft. Weapons offenses (46%) and disorderly conduct (26%) were the leading cause of referrals for public order offenses. With the exception of public order offenses, where the leading cause of referrals for females was disorderly conduct, male and female juveniles tended to be referred for the same charges within major crime categories.

***Juvenile Referrals in 2004, by Age at Referral for Most Serious Offense***

Offense	Age at referral					
	Total cases	Under 10 years	10-12	13-14	15-17	18 and over
<b>Acts against persons</b>	<b>1,046</b>	<b>4</b>	<b>119</b>	<b>382</b>	<b>535</b>	<b>6</b>
Assault	720	3	82	261	371	3
Robbery	171	0	15	56	99	1
Rape or other violent sex offense	50	1	16	18	14	1
Other Acts Against Persons	105	0	6	47	51	1
<b>Acts against property</b>	<b>827</b>	<b>1</b>	<b>65</b>	<b>279</b>	<b>473</b>	<b>9</b>
Unauthorized Use of Auto	468	1	28	146	290	3
Larceny/Theft	142	0	13	55	69	5
Property Damage	71	0	9	28	34	0
Stolen Property	54	0	6	23	25	0
Burglary	40	0	7	12	21	0
Other Acts Against Property	52	0	2	15	34	1
<b>Acts against public order</b>	<b>313</b>	<b>0</b>	<b>19</b>	<b>71</b>	<b>216</b>	<b>7</b>
Weapons Offenses	143	0	6	28	103	6
Disorderly Conduct	81	0	4	17	60	0
Other Acts Against Public Order	89	0	9	26	53	1
<b>Drug Law Violations</b>	<b>393</b>	<b>0</b>	<b>1</b>	<b>54</b>	<b>331</b>	<b>7</b>
<b>PINS</b>	<b>75</b>	<b>0</b>	<b>5</b>	<b>26</b>	<b>43</b>	<b>1</b>
<b>Interstate Compact</b>	<b>119</b>	<b>0</b>	<b>2</b>	<b>28</b>	<b>86</b>	<b>3</b>
<b>Other Offenses</b>	<b>10</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>10</b>
<b>Total cases</b>	<b>2,783</b>	<b>5</b>	<b>213</b>	<b>843</b>	<b>1,689</b>	<b>33</b>

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the case is counted as a robbery. Thus new referral data does not provide a count of the number of crimes committed by juveniles.

*Juvenile Referrals in 2004, by Offense, Gender and Detention Status*

Offense	Total cases	Male	Female	Juveniles Detained
<b>Acts against persons</b>	<b>1,046</b>	<b>724</b>	<b>322</b>	<b>55</b>
Assault	720	438	282	26
Robbery	171	158	13	10
Rape or other violent sex offense	50	45	5	2
Other Acts Against Persons	105	22	83	17
<b>Acts against property</b>	<b>827</b>	<b>747</b>	<b>80</b>	<b>56</b>
Unauthorized Use of Auto	468	429	39	32
Larceny/Theft	142	128	14	7
Property Damage	71	57	14	6
Stolen Property	54	51	3	5
Burglary	40	36	4	0
Other Acts Against Property	52	46	6	6
<b>Acts against public order</b>	<b>313</b>	<b>248</b>	<b>65</b>	<b>26</b>
Weapons Offenses	143	123	20	15
Disorderly Conduct	81	60	21	0
Other Acts Against Public Order	89	65	24	11
<b>Drug Law Violations</b>	<b>393</b>	<b>372</b>	<b>21</b>	<b>26</b>
<b>PINS</b>	<b>75</b>	<b>46</b>	<b>29</b>	<b>0</b>
<b>Interstate Compact</b>	<b>119</b>	<b>67</b>	<b>52</b>	<b>0</b>
<b>Other Offenses</b>	<b>10</b>	<b>8</b>	<b>2</b>	<b>3</b>
<b>Total cases</b>	<b>2,783</b>	<b>2,212</b>	<b>571</b>	<b>166</b>

Six percent of all new juvenile referrals were detained in secure detention facilities prior to trial. There was very little difference in the percentage of juveniles detained prior to trial by offense. Eight percent of juveniles referred for acts against public order were detained prior to trial, compared to 7% of those referred for acts against property, 7% of those referred for drug law violations and 5% of those referred for acts against persons. Regardless of the offense, many states have established case-processing timelines for juveniles detained prior to trial. In addition to individual state timelines, several national organizations, such as the American Bar Association, the Office of Juvenile Justice and Delinquency Prevention and the National District Attorneys Association have issued guidelines for case processing in juvenile cases<sup>8</sup>. The

<sup>8</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 and “Waiting for Justice: Moving

guidelines both at the state and national level address the time between key events in a juvenile case. In general, the guidelines suggest that the maximum time between court filing and court adjudication for juveniles detained prior to trial be set at 30 days or less. The guidelines suggest that the total time from filing to disposition for detained juveniles be set at 60 days or less. As is the case in many states, the District of Columbia Code and Superior Court Rules establish that juveniles detained prior to trial in secure detention have an adjudicatory hearing within either 30 days or 45 days depending on the seriousness of the charge. Court rules require that the disposition in cases of detained juveniles be held within 15 days after adjudication. The District of Columbia Code sets forth a number of reasons for extending the trial or adjudication, for good cause shown for additional periods not to exceed 30 days each, beyond the statutory period. Under D.C. Code §16-2310 the following constitute good cause to extend the time limit for trial or adjudication:

- The delay resulting from other proceedings concerning the child, including, but not limited to, examinations to determine mental competency or physical capacity;
- The delay resulting from a hearing with respect to other charges against the child;
- The delay resulting from any proceeding related to the transfer of the child pursuant to §16-2307;
- The delay resulting from the absence of an essential witness;
- The delay resulting when necessary autopsies, medical examinations, fingerprint examinations, ballistic tests, drug analysis, or other scientific tests are not completed, despite due diligence.

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Young Offenders Through the Juvenile Court Process” by Jeffrey Butts and Gregory Halemba conducted under the sponsorship of the National Center for Juvenile Justice.

- The delay resulting from a continuance granted at the request of the OAG if it is granted because of unavailability of evidence in the case; and
- When the ends of justice outweigh the interest of the child and the public in a speedy trial.

The disposition of a detained juvenile's case may also be extended beyond the 15-day period. Under D.C. Code §16-2330 the following time periods are excluded in the time computation for reaching disposition:

- The delay resulting from a continuance at the request of the child or his counsel;
- The delay resulting from other proceedings concerning the child;
- The delay resulting from a continuance granted at the request of the OAG if it is granted because of unavailability of evidence in the case;
- The delay resulting from the imposition of a consent decree;
- The delay resulting from the absence or unavailability of the child; and
- The delay when the child is joined for a hearing with another child as to whom the time for a hearing has not run and there is good cause for not hearing the case separately.

During 2004, the median time between initial hearing and disposition was 79 days for those juveniles detained prior to trial who are required to have a trial within 30 days. Specifically, the median time from initial hearing to the fact-finding hearing, or adjudication, was 36 days and the median time between adjudication and disposition was 43 days. For detained juveniles charged with the most serious offenses, who are required to have a trial within 45 days, the median time to trial was 43 days and the median time between trial and disposition was 68 days. However, it is important to note that these times include requests for extension by agreement of the parties, by counsel

on behalf of the juvenile, or by the OAG consistent with the requirements of D.C. Code §16-2310; absent such a request, adjudication is held within either the 30 day or 45 day statutory period.

**Median Time Between Events  
for Juveniles Held in Secure Detention, 2004**

Level of Offense for Detained Juveniles	Median Days Between Events	Average Days Between Events
<i>Serious</i>		
Initial Hearing to Adjudication (Statutory Timeline 30 days)	36	48
Adjudication to Disposition (Statutory Timeline 15 days)	43	51
Initial Hearing to Disposition (Statutory Timeline 45 days)	79	99
<i>Most Serious</i>		
Initial Hearing to Adjudication (Statutory Timeline 45 days)	43	63
Adjudication to Disposition (Statutory Timeline 15 days)	68	79
Initial Hearing to Disposition (Statutory Timeline 60 days)	111	142

***Recent Initiatives***

- Court and its stakeholders implemented attorney practice standards for attorneys seeking appointment in juvenile cases.
- During 2004, the first Juvenile Sex Offender Treatment Group referred to as the Juvenile Interpersonal Behavior Management Program was implemented.
- The Social Services Division of the Family Court in collaboration with the Youth Division of the Metropolitan Police Department provided services to youthful offenders charged with Unauthorized Use of Vehicles (UUV). Program youth participated in anger management classes, were paired with mentors, and participated in tutoring and self-esteem building exercises. The program had a significant impact on the reduction of UUV crimes in the service area.
- The Family Court has begun to explore alternative ways to handle cases of juveniles who are truant and cases involving parents or caretakers who illegally prevent their children from attending school. In January 2004, the Court consolidated before one judge cases of truants and parents or caretakers who must be compelled to monitor the school attendance of their children. In 2005, the Family Court will continue to coordinate with the District of Columbia

Public Schools, the OAG and the Metropolitan Police Department in the handling of these cases.

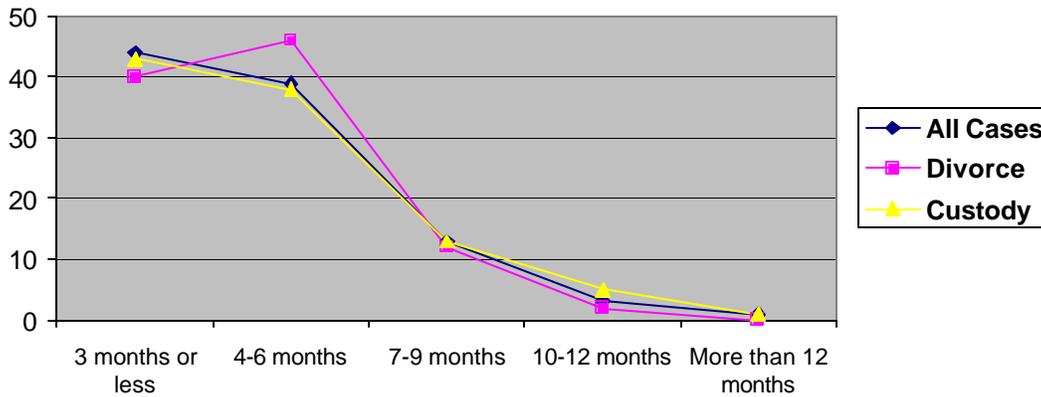
### **CHILD SUPPORT AND PATERNITY CASES**

During 2004, there were 2,595 child support and paternity actions filed in the Family Court. D.C. Code, 2001 Ed. § 46-206 requires the Court to schedule hearings in cases seeking to establish or modify child support within 45 days from the date of filing of the petitions. Additionally, federal regulations mandate that orders to establish support be completed in 75% of the cases within 6 months and 90% of the cases within 12 months of the date of service of process (see 45 CFR §303.101). At the present time, the Court does not collect data on federal case processing timelines. However, as indicated earlier paternity and support cases were incorporated into the Court's IJIS case management system in August 2004. The Court, as part of its implementation of IJIS, has continued to collaborate with and share data with the OAG. At present, discussions continue on the best approach to ensuring that the data necessary to assess compliance with these guidelines will be available to the Court, including the possibility that the Court will create its own measurement instruments.

### **DOMESTIC RELATIONS AND CUSTODY**

During 2004, 3,507 domestic relations and custody cases were filed in Family Court. By December 31, 2004, 76% of those cases were closed and 24% were still pending. The chart below shows the time from filing to disposition for cases filed in 2004 that were closed (2,676 cases) by December 31, 2004. Custody cases filed in 2004 took a slightly longer time to reach disposition than divorce cases filed during the same period.

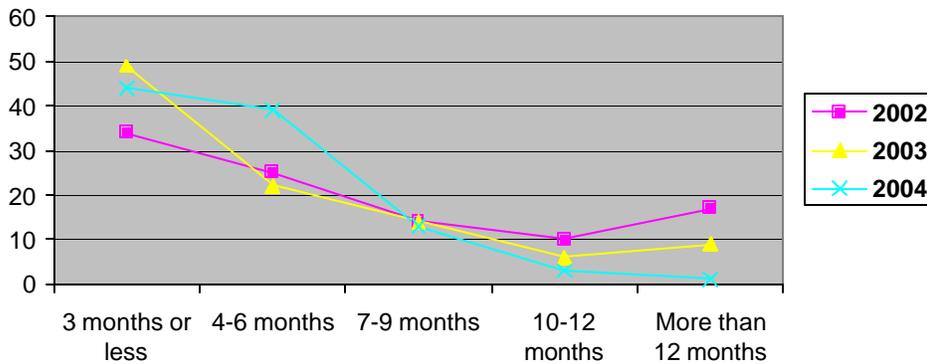
*Time from filing to disposition for closed domestic relations and custody cases filed in 2004.*



The figure below provides information on time from filing to disposition for domestic relations and custody cases filed from 2002 thru 2004. On December 31, 2004 more than 99% of the cases filed in 2002 and 96% of the cases filed in 2003 were closed. Seventy-six percent of the cases filed in 2004 were also closed. Cases filed in 2003 showed considerable improvement in the time to disposition when compared to cases filed in 2002. Cases filed in 2004 seem to be taking slightly longer to dispose of than those filed in 2003. However, nearly a quarter of the cases filed in 2004 have not reached a disposition. As required by the Family Court Act, court staff reviewed the literature for the existence of national timelines for case processing in divorce and custody cases. No national standards on case processing were found, and in their absence the Family Court has used information on time from filing to disposition in 2001 and 2002 to establish baseline data for measurement of performance in future years. To date, the Family Court has reduced substantially the amount of time it takes to resolve a domestic relations and custody case, nearly 60% were resolved within 6

months in 2002 compared to 71% resolved within the same time period in 2003 and 83 % within 6 months in 2004.

*Time from filing to disposition for domestic relations and custody cases filed in 2002 -2004*



### CONCLUSION

Whether training to enhance the knowledge of judges and others, implementing diversion programs for juveniles or developing educational materials for parents and children, or creating a central location for the filing of all Family Court cases, the Family Court has as its core values protecting children, strengthening families and public safety. 2004 saw a significant increase in the filing and disposition of termination of parental rights and guardianship motions and an increase in the number of children achieving permanency through adoption and guardianship. The impact of the increased focus in these areas is to shorten the timeline for permanency for children removed from their families by removing barriers to permanent placement, which will ultimately result in a greater number of children being free for adoption.

In 2004, the Family Court resolved the legal issues of jurisdiction in more cases of abused and neglected children in more cases and more quickly than in 2003, largely as a result of the Court's successful Child Protection Mediation Program. As a result,

issues of permanency are being considered much earlier in the life of a case. In the area of domestic relations, family disputes were resolved more quickly in 2004 than in 2003, which allowed families to begin the healing process sooner. The full implementation of the Family Court Self-Help Center in 2005 is expected to further reduce the time required to resolve domestic relations cases. In 2004, we also integrated the paternity and support caseload into the Court's Integrated Justice Information System, which completes the implementation of IJIS in Family Court. During 2005, the Court will begin developing performance goals for these cases.

The same factors that have historically impacted the Family Court's ability to carry out its responsibilities in the most effective manner possible continued to be factors in 2004. CFSA has shown considerable improvement in many areas over the years but some of the same challenges remain: lack of adoption resources for older children; the lack of drug treatment resources for children and parents; and the inability of DCPS to provide educational assessment services, such as individual education plans (IEPs) in a timely manner. These have all limited the Court's effectiveness when addressing the needs of children and families in abuse and neglect cases. The lack of wrap around services and drug treatment beds for juveniles, as well as the limited number of front-end alternatives for juveniles, such as diversion programs, also continue to affect the Court.

The Family Court has steadily increased its compliance with ASFA. Continued monitoring, especially as it relates to children who are not removed from home, is required for the Family Court to identify and improve in those areas where full compliance is not being achieved.

Finally, during 2005 the Family Court will continue to pay particular attention to case processing times in juvenile cases. The Family Court has developed a number of monitoring procedures to ensure that juveniles held in secure detention prior to adjudication reach trial and disposition in a timely manner.

In 2004, the Family Court continued to improve its ability to serve the community and to work collaboratively and cooperatively with other members of the justice system to protect, support and strengthen families. The new year brings new challenges and changes, but as 2005 begins, the Family Court remains committed to our mission to provide positive outcomes for children and families in the District of Columbia.