

Family Court 2008 Annual Report

Superior Court of the District of Columbia



Honorable Lee F. Satterfield
Chief Judge
March 31, 2009

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EXECUTIVE SUMMARY

Since the enactment of the District of Columbia Family Court Act, the Family Court continues to make 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 by the Family Court in 2008 in its continued efforts to achieve each goal.

- **Make child safety and prompt permanency the primary considerations in decisions involving children.**
 - Continued monitoring compliance with the Adoption and Safe Families Act (ASFA)¹ and the measures in the *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases* developed by the National Center for State Courts.
 - In collaboration with the District of Columbia Child and Family Services Agency (CFSA) and the Office of the Attorney General (OAG), continued the examination of policies and practices related to use of the permanency goal Another Planned Permanent Living Arrangement (APPLA) to ensure that its use is restricted to only those for whom no other permanency option is feasible through participation on the Permanent Connections Workgroup.
 - Continued to collaborate with the CFSA and other child welfare stakeholders in the implementation of the *Education Checklist for Judicial Officers*. The *Checklist* is designed to provide judicial officers with a tool to obtain essential information on a child's educational needs, progress and the efforts made by CFSA to provide appropriate educational services.
- **Provide early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.**
 - Instituted the internationally recognized Family Group Conferencing (FGC) model for use in the development of all pre-trial and post-disposition service and supervision plans. The FGC engages youth in the development of their supervision plan with the collaboration and support of self-identified family members. The foundation of the model is accountability and restorative justice.
 - Completed construction of Phase I of the second Balanced and Restorative Justice Drop In Center (BARJ) for juvenile offenders in Northeast D.C. The BARJ provides innovative, non-traditional juvenile rehabilitation programming and has facilities for pro-social activities.
 - Conducted two civil rights leadership tours during the year. The tours are designed to teach young offenders about their cultural history and the accomplishments that can be achieved when working together for a common

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

cause. Throughout the journey, youth are asked to reflect on their behavior and how it impacts their community. The expectation is that youth will return home with a better understanding of their place in the community and with a renewed commitment to achieve their maximum potential.

- **Assign and retain well-trained and highly motivated judicial officers.**
 - Conducted the seventh annual interdisciplinary cross training conference entitled *Involving and Empowering our Families* to address the need to engage families when working with children in the child welfare and juvenile justice systems.
 - Organized and hosted the Family Court's Juvenile Justice Summit: Examining Evidence-Based Practices and Exploring Promising Programs to educate stakeholders about locally based innovative and promising programs for youth in the juvenile justice system.
 - Planned and implemented interdisciplinary civility training for judges, attorneys, social workers, parents, and others in the child welfare system to promote improved communication and understanding during court proceedings.

- **Promote Alternative Dispute Resolution.**
 - Continued operation of the highly successful Child Protection Mediation Program.
 - Continued to operate the Program for Agreement and Cooperation (PAC) in Custody Cases to assist families involved in high conflict child custody cases.
 - Launched a new training model for prospective mediators that offer the fundamentals of mediation for five different Multi-Door mediation programs in a combined classroom setting. Forty new mediators are expected to be added to Multi-Door's combined roster as a result of this innovative approach.

- **Use technology effectively to track cases of children and families.**
 - Began user testing of the electronic case initiation system for abuse and neglect cases developed in partnership with the CFSA.
 - Defined business rules to support an automated clean up and assignment of unique family identification numbers (FID) to further support the one family one judge case management model.
 - Continued development of performance measures to allow the Court to monitor compliance with established case processing timelines in all Family Court case types.

- **Encourage and promote collaboration with the community and community organizations.**
 - Continued to meet regularly with stakeholders and participated on numerous committees of organizations serving children and families, including the Child Welfare Leadership Team (CWLT) and the Juvenile Detention Alternative Initiative (JDAI).
 - Collaborated with the University of the District of Columbia, David A. Clark School of Law, to develop and operate a child welfare legal clinic.
 - Developed an outreach initiative in Southeast D.C., in collaboration with community organizations, to ensure that the services provided by the Self Help Center are available to residents in underserved communities in the area.
 - Convened the D.C. Model Court Collaborative on Disproportionate Representation of Minorities to assess the representation of minorities in the child welfare and juvenile justice systems.

- **Provide a family friendly environment by ensuring materials and services are understandable and accessible.**
 - Celebrated Children’s Dental Health Month by participating in the Annie E. Casey Foundation’s Healthy Starts for Growing Smiles initiative designed to increase awareness of the importance of dental health. Each Family Court courtroom was stocked with toothbrush kits to distribute to children that came to court during the month of March.
 - Began development of a handbook for older youth in the child welfare system. The handbook is designed to increase their knowledge and understanding of the court process and the options available to them as they leave the child welfare system.
 - Completed revision of all informational materials including pamphlets and forms in the Marriage Bureau. All are now readily accessible on the court’s website for Spanish speaking and bi-lingual citizens.

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 (D.C. Official Code, 2001 Ed. § 11-1101 *et seq.*, hereinafter the “Family Court Act” or “Act”) requires that the Chief Judge of the Superior Court submit to the President and Congress an annual report on the activities of the Family Court. The report, summarizing activities of the Family Court during 2008, must include the following:

- (1) The Chief Judge’s assessment of the productivity and success of the use of alternative dispute resolution (see pages 34-39).
- (2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court’s performance (see pages 50-57).
- (3) Information on the extent to which the Family Court met deadlines and standards applicable under Federal and District of Columbia Law to review and dispose of actions and proceedings under the Family Court’s jurisdiction during the year (see pages 39-45).
- (4) Information on the progress made in establishing locations and appropriate space for the Family Court (see pages 20-29).
- (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 115-116).
- (6) Information on: (a) the number of judges serving on the Family Court as of December 31, 2008, (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 3-12).
- (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 82-112).
- (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 115-117).

GOALS AND OBJECTIVES

The goals and objectives outlined in our Transition Plan continue to guide 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. They remained the goals and objectives for continued improvement in 2008.

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

6. Encourage and promote collaboration with the community and community organizations that provide services to children and families served by the Family Court.
7. Provide a family-friendly environment by ensuring that materials and services are understandable and accessible to those being served and that the waiting areas for families and children are comfortable and safe.

JUDICIAL RESOURCES IN THE FAMILY COURT

On January 1, 2009, the Family Court consisted of 14 associate judges, 16 magistrate judges, and Nan Shuker, a senior judge who has extensive experience in the Family Court.

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 appointed to the Superior Court are required to serve a term of five years in the Family Court. 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. The names in bold mark those judges who continue to serve in the Family Court beyond the minimum required term.

<u>Associate Judges</u>	<u>Commencement Date</u>		<u>Service Requirement</u>
Judge Davis	January	2002	3 years
Judge Saddler	July	2003	5 years
Judge Byrd	November	2003	5 years
Judge Ryan	November	2003	5 years
Judge Bush	January	2005	3 years
Judge Cordero	January	2005	5 years
Judge Jackson	January	2006	3 years

Judge Campbell	January	2006	3 Years
Judge McKenna	January	2006	5 years
Judge Broderick	January	2007	3 years
Judge Mitchell-Rankin	January	2008	3 years
Judge Dalton	August	2008	5 years
Judge Puig-Lugo	January	2009	3 years
Judge Vincent	January	2009	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 Gray	April	2002
Magistrate Judge Johnson	April	2002
Magistrate Judge Breslow	October	2002
Magistrate Judge Fentress	October	2002
Magistrate Judge Goldfrank	October	2002
Magistrate Judge McCabe	October	2002
Magistrate Judge Brenneman	January	2004
Magistrate Judge Lee	January	2005
Magistrate Judge Albert	January	2006
Magistrate Judge Parker	January	2006
Magistrate Judge Rook	October	2006
Magistrate Judge Melendez	January	2008
Magistrate Judge Wingo	January	2008
Magistrate Judge Doyle	January	2009
Magistrate Judge Smith	January	2009

Reassignments to and from Family Court:

The Chief Judge of the Superior Court of the District of Columbia made judicial assignments for calendar year 2009 in November 2008. Those assignments, which encompassed changes in Family Court judicial staff, became effective on January 1, 2009. As part of the reassignment, three associate judges, Judges Josey-Herring (former Presiding Judge), Long and Macaluso and one magistrate judge, Magistrate Judge Diana Epps was assigned to other divisions in the Superior Court after serving longer terms than statutorily mandated by the Family Court Act. Magistrate Judge Carol Dalton was

appointed an Associate Judge in August 2008. Judges Hiram Puig-Lugo, Odessa Vincent and Carol Dalton replaced the outgoing associate judges. Magistrate Judges Dennis Doyle and Judith Smith joined the Family Court. All newly assigned judicial officers meet or exceed the educational and training standards required for service in the Family Court. In addition, a pre-service training for newly assigned judicial officers was held in December 2008.

Detailed below is a brief description of the education and training experience of judicial officers newly assigned to the Family Court:

Hiram E. Puig-Lugo

Judge Puig-Lugo was appointed an associate judge to the Superior Court of the District of Columbia in July 1999. He began his judicial career in the Family Division where he handled juvenile delinquency and neglect cases. Judge Puig-Lugo then served in the Domestic Violence Unit for two years, where he presided over civil, domestic relations and criminal cases involving domestic violence. Judge Puig-Lugo returned to the Family Court in January 2002 and was one of 12 associate judges assigned to the Family Court at the time the Family Court Act was enacted. Under the Act he was required to serve a term of three years.

Judge Puig-Lugo has participated in local, national and international training programs on ASFA compliance, child abuse and neglect, domestic violence and juvenile delinquency. Additionally, he assisted with training judges and lawyers in Spain, Mexico, Puerto Rico, and the United States on how to implement the Hague Convention on the Civil Aspects of International Child Abduction; served as a delegate in bilateral talks with Spain and Mexico on improving cooperation between the United States and

other countries on child abduction matters; and has trained prosecutors and law enforcement in Ecuador on how to investigate and prosecute child trafficking cases.

While in the Family Court, Judge Puig-Lugo served on several councils, committees and task forces including the National Center for Missing and Exploited Children's Judicial Liaison Council on International Child Abduction. In addition, he chaired the Family Court Implementation Committee's Abuse and Neglect Subcommittee and the Lesbian, Gay, Bisexual and Transgender Youth (LGBT) Task Force, as well as served as a member of the Family Court Panels Committee that is charged with the identification of attorneys qualified to receive court appointments in delinquency and neglect matters.

Judge Puig-Lugo is fluent in Spanish and English. His prior professional experience includes tenures at the United States Department of Justice Civil Rights Division and the Public Defender Service for the District of Columbia. He received his Bachelor of Science degree in political science from the University of Wisconsin and obtained his law degree from the University of Wisconsin Law School.

Odessa F. Vincent

Judge Vincent was appointed an associate judge in January 2002 and began her judicial career in the Family Court. Like Judge Puig-Lugo, she was also one of the 12 associate judges assigned to the Family Court at the time the Act was enacted. During her initial tour in the Family Court she handled juvenile delinquency and domestic relations cases.

Judge Vincent has attended numerous court-training programs focused on family law and on issues related to children and families including participation in all of the

training programs developed by the Presiding Judge which included several trainings focused on ASFA, mandatory trainings covering a broad spectrum of family law issues, Family Court Interdisciplinary Trainings held annually during her tenure and many of the monthly interdisciplinary training programs developed by the Education and Training Subcommittee of the Family Court. Finally, she also participated in several training programs developed by CFSA.

Judge Vincent's prior legal experience includes working as an assistant United States attorney in the Sex Offense Unit. While in that position, she participated in training programs on issues of physical, mental and sexual abuse of children, resources for children that are victim of crimes and how to work with child victims and child witnesses. She investigated and prosecuted numerous child abuse and child sex abuse cases. She also attended seminars on the following topics: child sex abuse and exploitation, domestic violence victims, and child maltreatment. Judge Vincent received her Bachelor of Arts degree in political science from the University of the District of Columbia and her law degree from Howard University.

Carol A. Dalton

Judge Dalton was appointed as an associate judge in August 2008 and has served in the Family Court since that time. Prior to becoming an associate judge, Judge Dalton was among the first five magistrate judges appointed in April 2002 pursuant to the Family Court Act of 2001. In that capacity she presided primarily over child abuse and neglect matters, as well as numerous related adoption, custody, juvenile, and domestic violence proceedings.

Prior to her judicial service, she served as Branch Chief of the Family Court's Counsel for Child Abuse and Neglect (CCAN) office from 2000 until 2002. In that role,

she was responsible for training practicing attorneys and recruiting and training new attorneys for appointments to represent parents, caretakers and children in D.C. Superior Court in the area of abuse and neglect.

Judge Dalton's previous legal experience includes establishing a law firm, which evolved from primarily practicing trust and estate cases, to almost exclusively representing clients in D.C. Superior Court on adult and juvenile criminal matters. She also represented clients on matters relating to intervention guardianship, adoptions, custody, termination of parental rights, child abuse and neglect, the mental health system and special education placements.

Prior to establishing the law firm, Judge Dalton worked for five years for the law firm of Winkelman & Mann primarily practicing in the areas of tax law, and trusts and estates. During this time, she obtained a Master of Laws from the George Washington University National Law Center.

Judge Dalton received her law degree from the New York Law School and clerked during law school at the New York Human Resources Administration and the Manhattan District Attorney's Office. She obtained her undergraduate degree from the City College of the City University of New York.

She has participated in numerous in-service Family Court trainings relating to children and families as well as served on several D.C. Superior Court Committees charged with improving family court practices and procedures such as the Family Court Training Committee, of which she was a co-chair, the Family Court Implementation Committee, the Benchmark Permanency Hearing Committee and the Family Division

Advisory Rules Committee. Judge Dalton currently presides over domestic relations cases.

J. Dennis Doyle

Magistrate Judge Doyle was appointed as a Hearing Commissioner with the Superior Court of the District of Columbia in May 1980. His early years with the court were exclusively in the Family Division (now Family Court) where he heard mental retardation, divorce, and paternity and support cases. In subsequent years, he presided over cases in the Civil Division, Criminal Division, the Family Court and the Domestic Violence Unit. His Family Court assignments also included hearing juvenile and abuse and neglect cases primarily in the “New Referrals” assignment.

Prior to his appointment as a Hearing Commissioner, Magistrate Judge Doyle worked with a training and technical assistance project with Georgetown University Hospital concerning developmentally disabled youth offenders and as a teaching fellow at Antioch School of Law, focusing on special education, juveniles, and mental retardation issues.

Magistrate Judge Doyle also served on the Child Support Guidelines Committee that drafted the first Child Support Guidelines for the court, and was the first Hearing Commissioner appointed to the Judicial Education Committee. In addition, Chief Judge Rufus G. King, III appointed him as the first Presiding Hearing Commissioner (now Presiding Magistrate Judge) in December 2001, and he served in this capacity through 2004. He has also served on numerous other committees, including the Family Court Management and Oversight Committee. Magistrate Judge Doyle received his Bachelor

of Arts degree from McGill University and his law degree from the University of Maryland School of Law.

Judith Smith

Magistrate Judge Smith was sworn in as a magistrate judge in September 2008 and presides over neglect and abuse matters that come before the Family Court of the District of Columbia Superior Court.

Prior to her appointment as a magistrate judge, she briefly served as an attorney advisor in the Office of the State Superintendent of Education and the Office of the General Counsel where she was responsible for providing legal advice on education matters as well as drafting policies and procedures to ensure compliance with the Individuals with Disabilities Education Act (IDEA).

Magistrate Judge Smith also worked for nine years at the Public Defender Service (PDS) for the District of Columbia, first as a law clerk investigating cases for criminal defense attorneys and later as a staff attorney and special education attorney. She also served as a Juvenile Services Program Coordinator, where she supervised staff attorneys and law clerks representing juveniles in the delinquency system on post-commitment matters such as aftercare revocation hearings.

In addition to her work at PDS, she served as executive director of Federal and Family Court Monitoring Mediation and Compliance in the Office of Special Education of the District of Columbia Public Schools. In this capacity, she supervised staff ensuring compliance with more than 2,400 annual administrative hearing office determinations pursuant to the IDEA and drafted local regulations to implement federal regulations under IDEA.

Prior to working for PDS, Magistrate Judge Smith's legal experience includes working as an adjunct professor and clinical instructor at Georgetown University Law Center, providing pro bono attorney services for the Washington Legal Clinic for the Homeless, as well as serving as a judicial law clerk. She has sat on numerous Family Court committees and mayoral appointed commissions, such as the State Advisory Panel on Special Education and the Juvenile Justice Advisory Group and has participated in several court training programs on issues involving families and children. She received her B.S. degree from Pennsylvania State University and her J.D. from Georgetown University Law Center.

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

Since its inception, the Family Court has successfully recruited qualified judges to serve on the Family Court. All associate judges currently serving on the Family Court volunteered to serve on the Court. As the terms of associate judges currently assigned to the Family Court expire, the Court anticipates that some may choose to extend their terms, as did some whose terms expired in 2008. Based on the terms of service required, seven associate judges, including the presiding judge are eligible to transfer out of the Family Court in 2009. A two-fold process has been implemented to replace those judges who choose to transfer out. First, there is an ongoing process to identify and recruit associate judges interested in serving on the Family Court, who have the requisite educational and training experience required by the Act. Second, 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.

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

TRAINING AND EDUCATION

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

Family Court judicial officers took advantage of a number of training opportunities in 2008. In December 2008, Judges Puig-Lugo, Vincent and Dalton and Magistrate Judges Doyle and Smith participated in an extensive three-day training program updating them on current substantive family law practice and new procedures in Family Court. In addition, all Family Court judicial officers participated in a mandatory training in December 2008. Topics covered included: "Protocol for Paternity Adjudication in Abuse and Neglect Cases," "2008 District of Columbia Appellate Family Court Decisions-Analysis of Pertinent Decisions," "Continuum of Care and Juvenile Rule 106," "Compassion Fatigue, Personal Assessment and Strategies for Working with Families in Crisis," "Onsite Mental Health Services," "Supreme Court Review and Preview," and "Disproportionate Representation of Minorities in Family Court."

Family Court judicial officers also participated in trainings sponsored by organizations outside the Family Court such as: the annual conference on Family Courts and the Model Court All Sites Conference sponsored by the National Council of Juvenile and Family Court Judges (NCJFCJ); the D.C. Bench/Bar Dialogue on Family Court; the Juvenile Detention Alternative Initiative Annual Conference; the American Bar Association, and the National Association of Drug Court Professionals.

The presiding judge convened weekly lunch meetings of Family Court judicial officers to discuss issues involving family court cases and to hear from guests invited to speak about a variety of topics relating to the Family Court. During 2008, topics have included an overview of the Department of Youth and Rehabilitative Services' (DYRS) Intensive Third Party Monitoring Program; the status of youth substance use disorder services from the Addiction Prevention and Recovery Administration (APRA); a presentation by the OAG on the Youth Mediation Program; a presentation by D.C. Lawyers for Youth on the organization's mission and purpose; an update by the Acting Director of CFSA on the backlog of abuse and neglect cases, personnel issues and permanency goals; a presentation by the Director of the D.C. Court Appointed Special Advocate (CASA) program on the benefits to the Court and children when a CASA is appointed to a child with dual jackets (juvenile and neglect jackets); and a presentation by a judicial officer from a model Juvenile Detention Alternative Initiative program to discuss the organization's goals and methods.

In addition, Family Court judges, magistrate judges, and senior managers participated in the seventh annual Family Court Interdisciplinary Training program in October 2008 entitled "Involving and Empowering Our Families." The conference

addressed the benefits of having family members involved in the court process as well as highlights of best practices for courts and agencies working together to collaboratively serve families in the District of Columbia. One of the high points of the conference was a youth panel presentation addressing the effectiveness of both the child welfare and delinquency systems in meeting their needs and working with their families to ensure long term success. Through that discussion, participants came away with a clearer vision of how courts and agencies can work collaboratively with the families they serve.

More than 375 participants including judges, court staff, social workers, attorneys, foster parents, non-profit organizations and other community stakeholders were in attendance. An overwhelming majority of conference attendees rated the conference as good or excellent and indicated that the conference met or exceeded their expectations. Prior interdisciplinary conferences, which also attracted a diverse group of stakeholders, have focused on juvenile justice, systems of care, education, mental health, substance abuse and adolescent females in the Family Court.

The 2007 conference that focused on the disproportionate representation of minorities in the child welfare and juvenile justice systems continued to be an opportunity for interdisciplinary training and education in 2008. The Family Court invited District of Columbia stakeholders from the child welfare and juvenile justice systems to participate in a second seminar designed to more fully address issues of overrepresentation.

The result, the “D.C. Model Court Collaborative on Disproportionate Representation of Minorities”, which was facilitated by the National Council of Juvenile and Family Court Judges (NCJFCJ), included leadership from the CFSA, Metropolitan

Police Department (MPD), OAG, PDS, DYRS, Criminal Justice Coordinating Council, and Juvenile Detention Alternatives Commission, and the Office of the Deputy Mayor for Education.

Agency leaders developed an action plan that included three goals they would accomplish during the year. In an effort to monitor the progress and challenges of meeting these goals, the Disproportionate Representation of Minorities Committee was formed. In 2008, the DRM Committee met monthly in order to exchange information and gain insight on resources available to aid in the implementation of their agency-specific goals. The Committee intends to continue meeting in 2009 to discuss accomplishments to date, set new goals, and outline future steps.

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, held on Wednesday afternoon, was well attended with more than 50 participants from all sectors relating to family law practice. The 2008 seminars included the following:

- *Medicaid and More: Accessing Services for Children in the Juvenile Justice System.* Presented by Jose DeArtega, DYRS, Wendy Smeltzer, DYRS, and Yvonne Doerre, Department of Mental Health, January 16, 2008.
- *Accessing Dental Care for Kids.* Presented by Laurie Norris, Attorney, Public Justice Center, Kathleen L. Millian, Partner, Terris, Pravlik & Millian, LLP, and Sarah Lichtman Spector, Senior Staff Attorney, Legal Aid Society of the District of Columbia, February 27, 2008.
- *Medicaid and More, Part Two, Expanded Q & A: Accessing Services for Children in the Juvenile Justice System.* Presented by Jose DeArtega, DYRS, Wendy Smeltzer, DYRS, and Yvonne Doerre, Department of Mental Health, March 19, 2008.
- *The Interstate Compact on the Placement of Children (ICPC).* Presented by Judge Stephen W. Rideout, April 23, 2008.

- *Education and Schools in the District of Columbia: Your Questions Answered.* Presented by Dr. Richard Nyankori, Special Assistant to the Chancellor of D.C. Public Schools, Tamera Lewis, Interim Assistant Superintendent of Special Education for the Office of the State Superintendent for Education, and Eve Brooks, Founder and Executive Director of the Public Charter School Center for Student Support, May 28, 2008.
- *Resolving Child Abuse and Neglect Matters through Mediation: Facts and Fiction.* Presented by Janice Buie, Child Protection Mediation Program Manager, June 25, 2008.
- *Youth Gangs and Crews—What You Should Know.* Presented by David Smith, Former Program Manager, East of the River Clergy Police Community Partnership, Dale McFadden, Community Program Coordinator, Columbia Heights—Shaw Family Support Collaborative, Juan Aguilar—Detective Sergeant, Intelligence Fusion Division, D.C. MPD, and Andrew Zirpoli, Assistant Attorney General, OAG, July 30, 2008.
- *Fostering Civility in Family Court: A Focus on Communication.* Presented by Tawara Goode, Georgetown University Center for Cultural Competence, September 17, 2008.
- *The Role of the Attorney in Family Court.* Presented by Jennifer Renne, Esq., Adjunct Professor of Legal Ethics, Georgetown Law School and Assistant Director of Child Welfare, ABA Center on Children and the Law, Peter Krauthamer, Esq., Deputy Director, PDS, and Adriane Marblestein-Deare, Esq., CCAN Panel Attorney, November 19, 2008.

The Family Court continues to promote and encourage participation in cross-training and, in collaboration with others, conducts periodic seminars and workshops. The Counsel for Child Abuse and Neglect Branch (CCAN) of the Family Court, which oversees the assignment of attorneys in child welfare cases, conducts training for new child abuse and neglect attorneys, holds an annual two-day Neglect Practice Institute, and facilitates a brown bag lunch series on topics of importance in child abuse and neglect practice. During 2008, CCAN sponsored nearly 20 brown-bag 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 covered include the following:

- *Introduction to Child Welfare Attorney Certification*, Wilma Brier, CCAN Branch Chief, and Despina Belle-Isle, Family Court Attorney Advisor, January 9 and 16, 2008.
- *Review of the New Family Court Scheduling Order*, Magistrate Judge William Nooter, January 23, 2008.
- *Family Treatment Court Update*, Magistrate Judge S. Pamela Gray, Presiding Judge of Family Treatment Court, JoElla Brooks, Family Treatment Court Coordinator, and other members of the Family Treatment Court team, February 6, 2008.
- *History and Current Status of the LaShawn Case*, Attorney Jeremiah Frei-Pearson, Children's Rights Council in New York and Roseana J. Bess, Director for LaShawn Accountability, CFSA, February 27, 2008.
- *The Court Monitor's Office: A Summary of What the Office Does and What Its Most Recent Reports Identify as Strengths, Weaknesses, and Improvements Made by CFSA*, Gayle Samuels, Social Worker and Rachel Joseph, Attorney, Center for the Study of Social Policy, March 26, 2008.
- *A Discussion of the Significance of the LaShawn case to Attorneys in Day-to-Day Practice in Superior Court*, Attorneys from the Office of the Attorney General, CCAN, and the Children's Law Center, April 2, 2008.
- *Brown Bag Meeting with the Finance Office: Web Voucher Update*, Finance Office Staff, April 7, 2008.
- *Adam Walsh Act Provisions Regarding Foster Parents*, Donald Terrell, CFSA General Counsel; Rashmi Jain, CFSA General Counsel; Josh Gupta-Kagan, Children's Law Center, April 30, 2008.
- *Emergency Licensing for Kinship Placements in Maryland*, Rula Swann, CFSA Program Manager; Anna Bell, CFSA Supervisory Social Worker, and Tenille Stokes, Supervisory Social Worker, May 6, 2008.
- *Initial Training for New CCAN Attorneys*, May 8-9, 2008.
- *Ethical Issues in CCAN Practice*, William E. (Gene) Shipp, Bar Counsel, and Ross Dicker, Assistant Bar Counsel, May 14, 2008.

- *Housing Issues in Neglect Cases*, Mashanda Mosley, Esq., D.C. Housing Authority, Ora Graham and Tymira Hunter, Mayor's Services Liaison Office, and Mike FitzPatrick, Children's Law Center, June 18, 2008.
- *Domestic Violence and Neglect Cases*, Amy Myers, Esq., Women Empowered Against Violence (WEAVE), August 6, 2008.
- *Special Education Update*, Donna Wulkan, Esq. and Megan Blamble, Esq., September 10, 2008.
- *Mental Health 101: Common and Controversial Diagnoses*, Dr. Jennifer Carter, Department of Mental Health, October 15, 2008.
- *The CFSA Assessment Tool for Removal and Reunification Decision Making*, Sophia Ferguson and Rebekah Philappart, Child Protection Services, October 22, 2008.
- *A Discussion Session with Parent Advocacy Groups*, October 29, 2008.
- *Adoption Subsidy Update*, Laurie McManus, Esq., and Lise Adams, Esq., November 12, 2008.
- *LYFE Conferences: Finding an Alternative to APPLA*, Nicole Wright-Gurdon, CFSA Program Manager, and Yewande Aderoju, OAG, November 19, 2008.
- *Study Sessions for National Association of Counsel for Children Attorney Certification Test*, Wilma Brier, CCAN Branch Chief, and Despina Belle-Isle, Family Court Attorney Advisor, December 4 and 18, 2008.
- *Adoption Basics from Initiation to Completion*, experienced CCAN adoption attorneys, December 10, 2008.

Family Court non-judicial staff also participated in a number of new and expanded training programs in 2008. These educational opportunities focused on a variety of topics, all with the goal of moving the court toward improved outcomes for children and families. Judicial and non-judicial staff, as well as social workers, foster parents and attorneys, involved in abuse and neglect cases participated in a training focused on courtroom decorum entitled: *Fostering Civility in Family Court: A Focus on Communication*. The purpose of this training was to provide a forum to engage

participants in a structured discussion of the impact of communication on civility within the Family Court as well as to identify methods to improve the climate and culture during Family Court proceedings.

Family Court non-judicial staff also attended training sessions sponsored by the NCJFCJ including the 71st Annual Child Welfare Conference, the 35th National Conference on Juvenile Justice, the Child Victims Act Model Court All Sites Meeting entitled *Model Courts: Learning, Leading, Succeeding*. In addition, staff attended the 2008 National Summit on Grants in Courts entitled *Helping Courts, Identify, Obtain and Administer Grants More Effectively* sponsored by the Hawthorne Institute; the National Association for Court Management's Annual Conference; the National Association of Counsel for Children's Annual Conference; and the Children's Bureau of the Department of Health and Human Services (HHS) Court Improvement Program (CIP) Meeting, as well as the second annual Courts and Agencies Working Together conference.

Non-judicial staff in the Family Court's Central Intake Center received updated instruction on the electronic initiation of Family Court cases as well as training in the areas of customer service, effective writing and team building. In addition, non-judicial staff in the Paternity and Child Support Branch received professional development training in the areas of conflict resolution, leadership performance and personnel policies. The staff of the Self Help Center attended a number of workshops and conferences including training on the Uniform Child Custody Jurisdiction and Enforcement Act as well as broader issues such as children, families and the courts, equal justice, and child support. Additionally, the center held two volunteer trainings, with the support of the

D.C. Bar Pro Bono Program, which resulted in 52 newly, trained volunteer facilitators. Non-judicial staff throughout the Family Court Division also attended a variety of in-house workshops on topics relating to diversity in the workplace, ethics, the court's information system (IJIS), Oracle and Microsoft Office applications and systems.

FAMILY COURT FACILITIES

The Family Court Act of 2001 required that the District of Columbia immediately begin establishing and operating Family Court as a separate component of the Superior Court. To this end, a series of interim steps were taken and planned to create a functioning Family Court that captured the spirit of the Family Court Act well in advance of full implementation.

The D.C. Courts continue to make major progress towards full consolidation of the Family Court. The following is a summary of major milestones achieved in 2008. Further details on projects in progress and initiated are included on the following pages.

Summary of Milestones

Completed

- Planning and Design for the Civil Division relocation from the JM Level to the 5th Floor of the Moultrie Courthouse.
- Planning of Family Court Operations Consolidation on the JM Level of the Moultrie Courthouse in space vacated by the Civil Division.
- Construction of the first phase of the second Balanced and Restorative Justice Drop-In Center (BARJ) in Northeast D.C.
- Design of the Juvenile Holding and At Risk Holding renovation in the Moultrie Courthouse Annex.

In Progress

- Construction for the Civil Division relocation from the JM Level to the 5th Floor of the Moultrie Courthouse.
- Design of Family Court Operations Consolidation on the JM Level of the Moultrie Courthouse in space vacated by the Civil Division.
- Planning, Design, and Construction of the U.S. Marshal Service West facility, C Level, Moultrie Courthouse.

- Planning and Design of the second phase of the Balanced and Restorative Justice Drop-In Center (BARJ) in Northeast D.C.
- Construction of the Juvenile Holding and At Risk Holding renovation in the Moultrie Courthouse Annex (90% Complete).
- Upgrades to Secure Corridors Phases 2 and 3, Moultrie Courthouse.
- Design for Information Technology and Multi-Door Dispute Resolution Division relocation, Building C.
- Facilities Master Plan Update though 2018 including long-term expansion space for Family Court.

Design for the Civil Division Relocation, 5th Floor Moultrie Courthouse

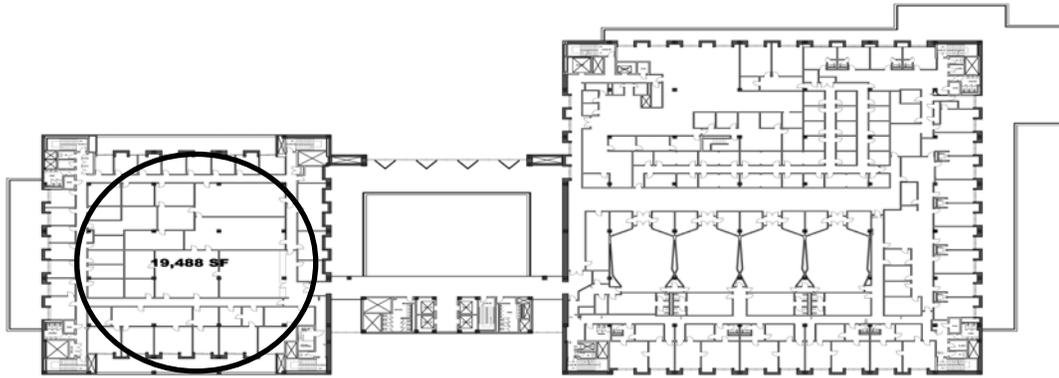
Description

Construction is almost complete for the relocation of the Civil Division from the JM Level to the 5th Floor of the Moultrie Courthouse. This relocation will free space on the JM Level for the Family Court Operations Branches and Court Social Services (CSS) Juvenile Intake Unit, further consolidating units of the Family Court. The Civil Division relocation involves renovation of 15,000 square feet of space on the 5th floor and relocation of 66 staff.

Schedule

ID	Task Name	Duration	Start	Finish	Gantt Chart												
					2008				2009				2010				
					Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4
1	Design Intent Documents [DIDs]	12 wks	Thu 7/26/07	Wed 10/17/07	[Green bar spanning Qtr 4 2007 to Qtr 1 2008]												
2	Construction Documents [CDs] & Permit	32 wks	Thu 10/18/07	Wed 5/28/08	[Green bar spanning Qtr 1 2008 to Qtr 2 2009]												
3	Demolition	16 wks	Mon 4/28/08	Fri 8/15/08	[Green bar spanning Qtr 2 2008 to Qtr 3 2008]												
4	Clean-up	1 day	Mon 8/18/08	Mon 8/18/08	[Green bar at start of Qtr 3 2008]												
5	Construction	21 wks	Mon 8/18/08	Fri 1/9/09	[Green bar spanning Qtr 3 2008 to Qtr 1 2009]												
6	Punchlist	5 wks	Mon 1/12/09	Fri 2/13/09	[Green bar at start of Qtr 1 2009]												
7	Furniture, Fixtures & Equipment [FF&E] & Security	4 wks	Fri 1/30/09	Thu 2/26/09	[Green bar spanning Qtr 1 2009]												
8	Relocation	3 wks	Mon 3/2/09	Fri 3/20/09	[Green bar spanning Qtr 1 2009]												
9	Project Completion	0 days	Mon 3/23/09	Mon 3/23/09	[Green diamond at end of Qtr 1 2009]												

Location



Design of Family Court Operations – Paternity and Support, Domestic Relations, Juvenile and Neglect Branches, JM Level, Moultrie Courthouse

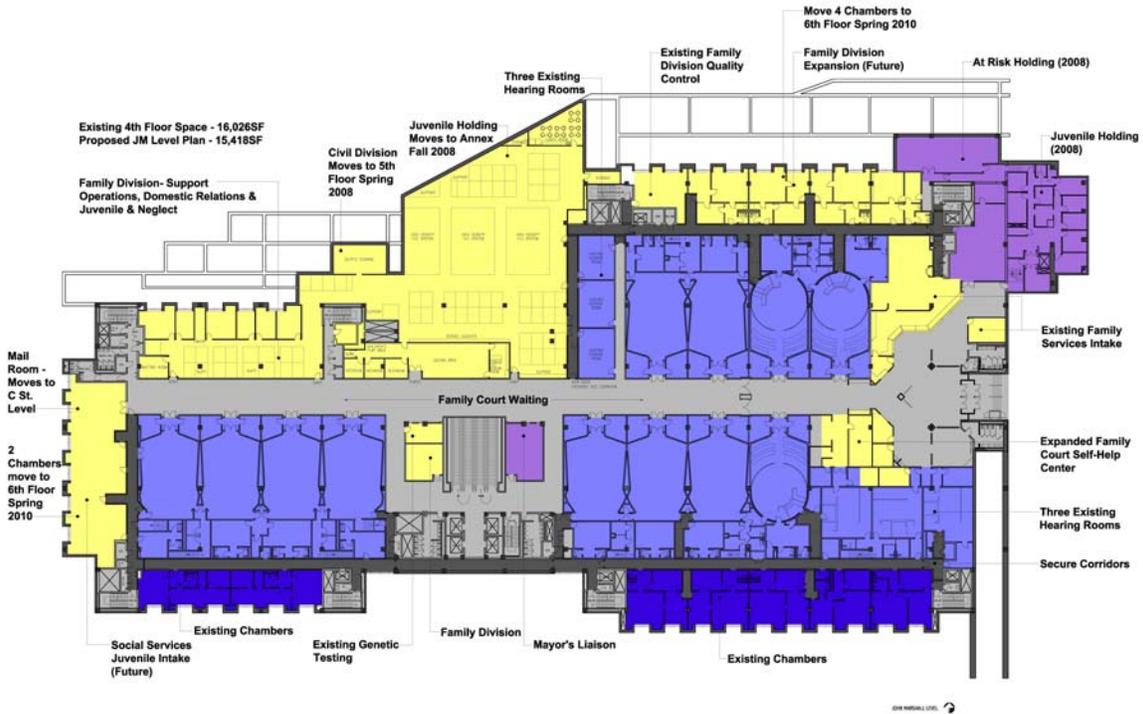
Description

Design work is in progress to relocate the Family Court Operations Branches and Court Social Services Juvenile Intake to the JM Level of the Moultrie Courthouse. This consolidation is predicated on the relocation of the Civil Division. Family Court Operations Branches to be consolidated: Paternity and Support, Domestic Relations, Juvenile and Neglect, Central Intake, Quality Control and the Self-Help Center. This project involves renovation of 18,700 square feet and relocation of 118 staff for the Family Court Operations Branches and renovation of 2,500 square feet and relocation of 11 people for Court Social Services Juvenile Intake.

Schedule

ID	Task Name	Duration	Start	Finish	2010				2011							
					Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct				
1	Design	34 wks	1/5/2009	8/28/2009	Design											
2	Partial Demolition	2 wks	5/4/2009	5/15/2009	Partial Demolition											
3	Full Demolition and Abatement	12 wks	6/22/2009	9/11/2009	Full Demolition and Abatement											
4	Bidding, Award, Permit	8 wks	8/31/2009	10/23/2009	Bidding, Award, Permit											
5	Construction	32 wks	10/26/2009	6/4/2010	Construction											

Location

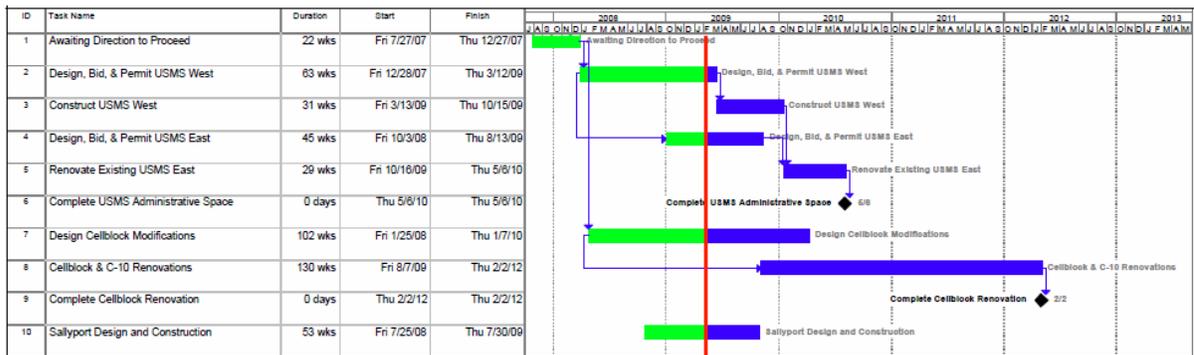


Design for U.S. Marshal Service Relocation, C Street Level, Moultrie Courthouse

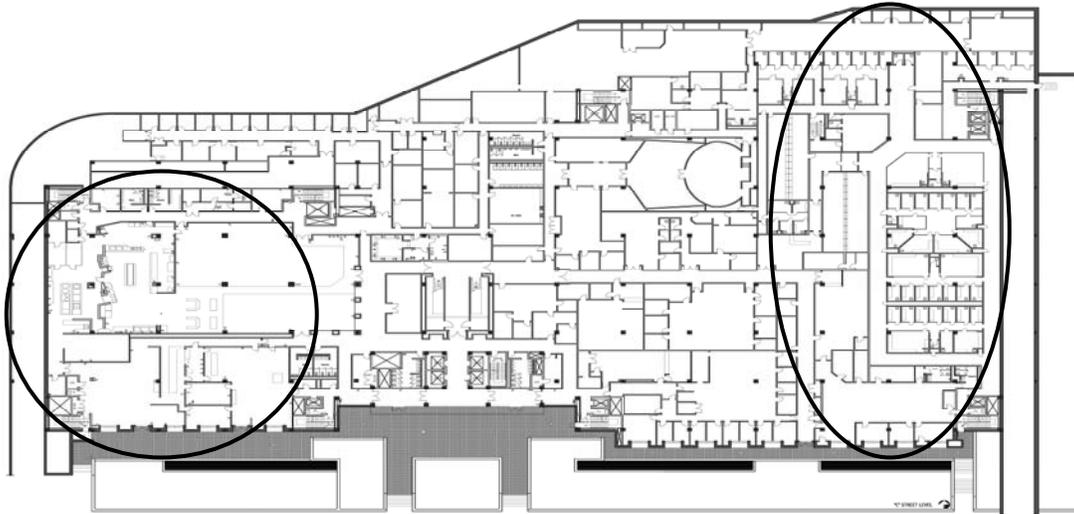
Description

Design work is in progress to relocate the U.S. Marshal Service administrative offices and renovations to the adult cellblock on the C Street level of the Moultrie Courthouse. Construction has commenced to prepare the U.S. Marshal Service west space for occupancy. This project will be completed in partnership with the U.S. Marshal Service. Renovations will improve security for the entire D.C. Courts system, including the Family Court. This project involves renovation of 16,700 square feet of administrative space and 18,500 square feet of adult holding space. This project will relocate 23 U.S. Marshal Service staff in administrative space.

Schedule



Location



Construction of the Balanced and Restorative Justice Drop-In Center, Northeast D.C.

Description

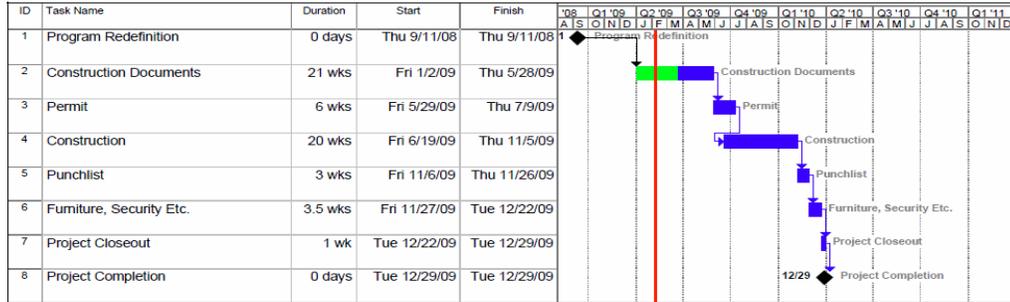
Construction has been completed for the first phase. The second phase of the Balanced and Restorative Justice Drop-In Center (BARJ) at 920 Rhode Island Avenue, N.E. is in the Design Phase. This is the second Drop-In Center to be constructed by the D.C. Courts. BARJ is an innovative, non-traditional juvenile rehabilitation program developed by the Court Social Services to shape and redirect inner-city youth. The BARJ Drop-In Centers are multi-faceted facilities that include space for pro-social activities such as tutoring, mentoring, education and prevention groups, peer mediation, and recreation.

Schedule

Phase 1

ID	Task Name	Duration	Start	Finish	Q4 '07	Q1 '08	Q2 '08	Q3 '08	Q4 '08
1	Program Redefinition	0 days	Wed 8/1/07	Wed 8/1/07	8/1				
2	Lease Negotiation	7 wks	Wed 8/1/07	Tue 9/18/07					
3	Construction Documents	52 days	Wed 9/12/07	Mon 11/26/07					
4	Construction	23 wks	Tue 11/27/07	Wed 5/7/08					
5	Punchlist	12 days	Thu 5/8/08	Fri 5/23/08					
6	Furniture, Security, Etc.	8 days	Thu 5/1/08	Mon 5/12/08					
7	Project Closeout	1 wk	Mon 5/26/08	Fri 5/30/08					
8	Project Completion	0 days	Fri 5/30/08	Fri 5/30/08					

Phase 2



Location

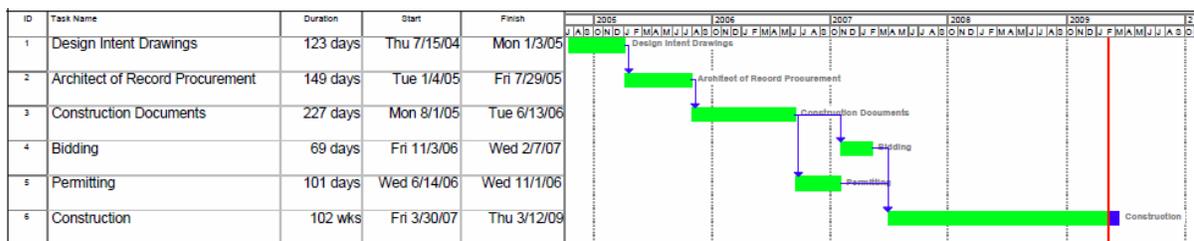


Construction of the Juvenile Holding and At Risk Holding Renovation, Moultrie Courthouse Annex

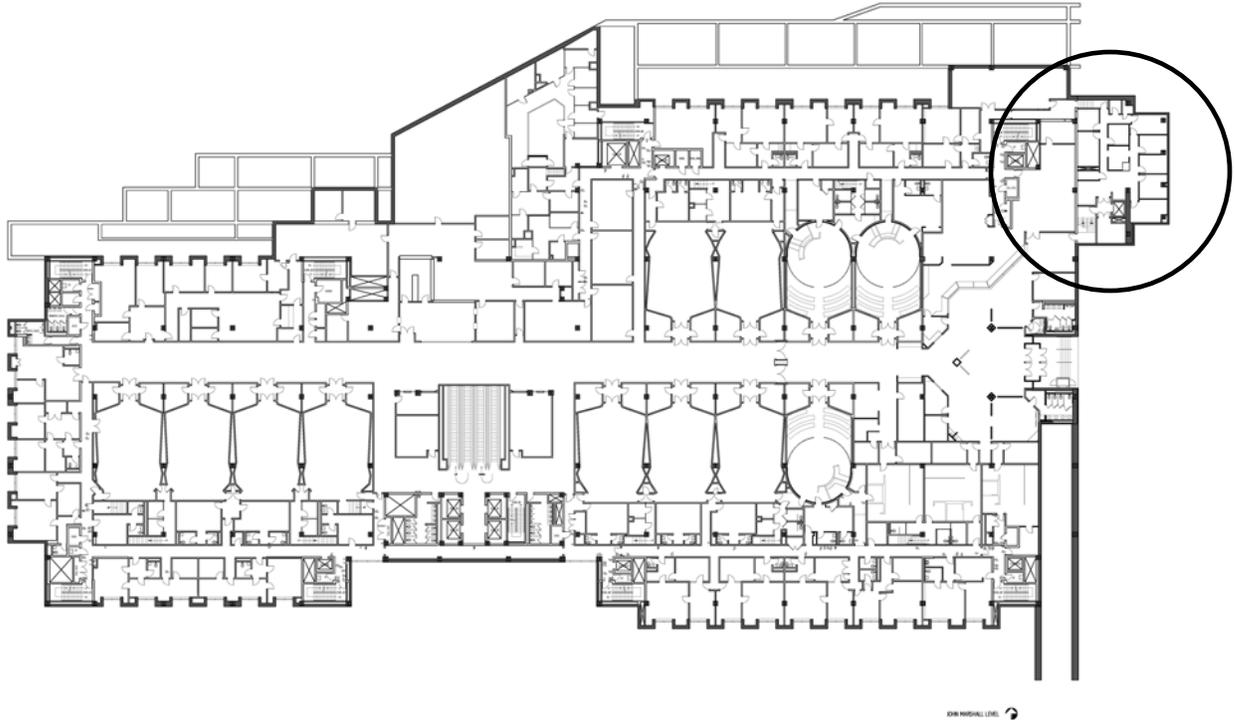
Description

The new Juvenile Holding and At Risk Holding renovations, 10,000 square feet, will include space for these two independent holding operations to be located in the Moultrie Courthouse Annex. The renovation will include a new elevator configuration to allow for enhanced secure movement and circulation of juvenile detainees. Additionally, bare concrete masonry walls and iron bars will be replaced by glazed concrete block and secure wire mesh creating a less harsh environment for juvenile detainees. State of the art security equipment will be installed to enhance security and monitor detainees.

Schedule



Location



Upgrades to Secure Corridors, Phases 2 and 3, Moultrie Courthouse

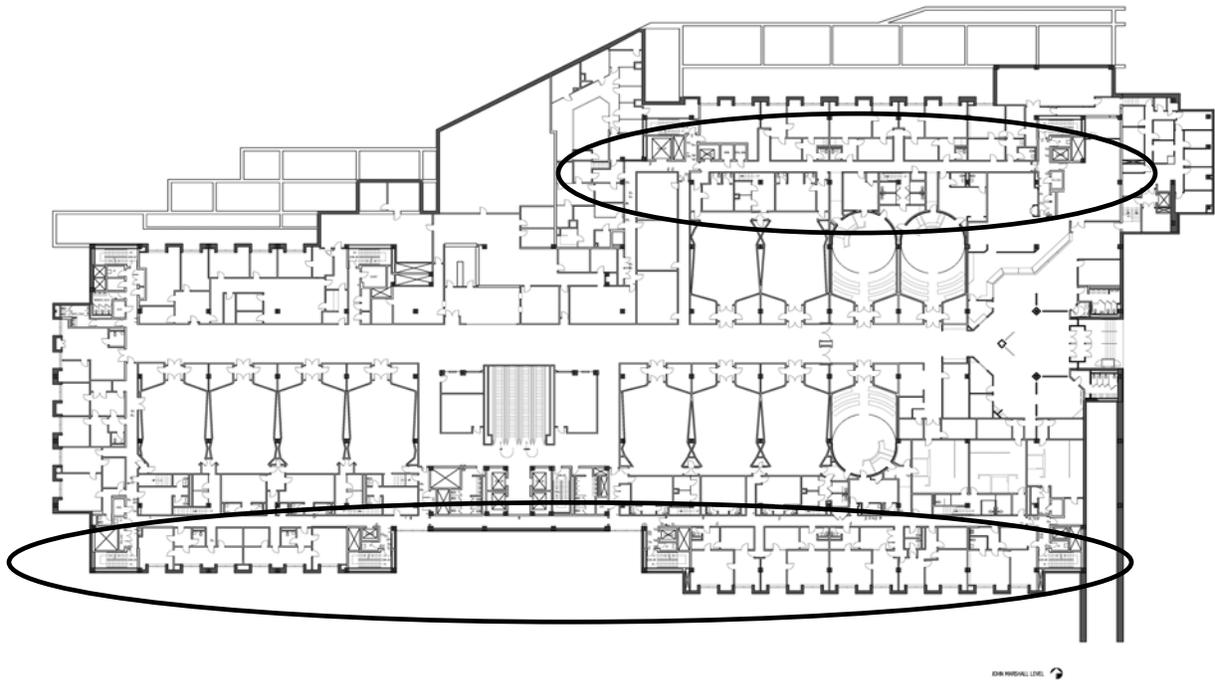
Description

The D.C. Courts are in the process of upgrading security within the Moultrie Courthouse. This project includes installation of a dedicated court telephone system and installation of a new fire protection system, including a new sprinkler system. Phase 2 and 3 upgrades to the secure corridors will include these upgrades on the JM Level and will improve the safety and security of the public, judges, and staff involved in Family Court proceedings.

Schedule

ID	Task Name	Duration	Start	Finish	2007	2008	2009	2010
1	Design Intent Drawings	73 days	Wed 2/1/06	Fri 5/12/06	[Gantt bar for Design Intent Drawings]			
2	Architect of Record Procurement	93 days	Mon 5/15/06	Wed 9/20/06	[Gantt bar for Architect of Record Procurement]			
3	Construction Documents	191 days	Thu 9/21/06	Thu 6/14/07	[Gantt bar for Construction Documents]			
4	Bidding	23 days	Wed 6/27/07	Fri 7/27/07	[Gantt bar for Bidding]			
5	Permitting (Phase II)	117 days	Tue 2/27/07	Wed 8/8/07	[Gantt bar for Permitting (Phase II)]			
6	Construction (Phase II)	213 days	Mon 9/24/07	Wed 7/16/08	[Gantt bar for Construction (Phase II)]			
7	Permitting (Phase III)	79 days	Mon 10/22/07	Thu 2/7/08	[Gantt bar for Permitting (Phase III)]			
8	Construction (Phase III)	258 days	Wed 5/21/08	Fri 5/15/09	[Gantt bar for Construction (Phase III)]			

Location



Design for Information Technology and Multi-Door Dispute Resolution Divisions Relocation, Building C

Description

Design for the renovation of Building C for the D.C. Courts Information Technology (IT) and Multi-Door Dispute Resolution Divisions is in progress. Building C was returned to the D.C. Courts by the D.C. Government and is currently providing a much needed staging area for the Old D.C. Courthouse Restoration project. Upon completion of that construction project, renovation of Building C will begin.

The renovation will provide practical modern office space to the D.C. Courts, and it will bring the building into compliance with all building, mechanical, electrical, fire and life safety, health and accessibility codes. The renovation will also preserve significant and contributing historic elements of the building. This project involves renovation of 27,300 square feet and relocation of 78 IT staff and 37 Multi-Door staff.

Schedule

ID	Task Name	Duration	Start	Finish	2009			2010			2011			2012			
					Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct	Jan
1	Design	14 mons	Mon 12/1/08	Wed 2/3/10													
2	Abatement & Demolition	20 wks	Mon 8/17/09	Fri 1/1/10													
3	Bidding, Award, Permit	22 wks	Mon 11/2/09	Fri 4/2/10													
4	Construction	90 wks	Mon 4/5/10	Fri 12/23/11													

Location



Facilities Master Plan Update 2018

Description

The courts have initiated the update of its 2002 Facilities Master Plan to capture changes in court technology, organization and operations, and the growth of the District of Columbia's population. These changes affect all aspects of the Court including Family Court Operations, Court Social Services, and support functions. In 2002, when the Court developed its Facilities Master Plan it was believed that the District's population had been in steep decline for three decades. However, based on the Decennial Census and its 2007 update, data not available when the plan was developed, the Court learned that the decline had reversed and the population had, in fact been growing since the late 1990s. Based on this new information, the facilities programming is complete, and the courts are exploring physical options to address long-term space needs.

Schedule

ID	Task Name	Duration	Start	Finish	Timeline																			
					'08	Q4 '08	Q1 '09	Q2 '09	Q3 '09	Q4 '09	Q1 '10													
1	Data Collection	15 wks	5/15/2008	8/27/2008	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	
2	Data Review and Analysis	8 wks	8/28/2008	10/22/2008																				
3	Alternatives and Recommendation	8 wks	10/23/2008	12/17/2008																				
4	Draft Masterplan	12 wks	12/18/2008	3/11/2009																				
5	Final Document Presentation	4 wks	3/12/2009	4/8/2009																				

CASE AND DATA MANAGEMENT IN THE FAMILY COURT

During 2008, the Family Court made tremendous progress identifying, designing, and implementing technical solutions in efforts to further comply with the Family Court Act.

Electronic interfaces in abuse and neglect cases

The Family Court continued to work toward developing the capacity to electronically exchange information in abuse and neglect cases with CFSA and OAG, utilizing funds from the Court Improvement Project (CIP). The data exchange program under development has three phases: electronic case initiation with CFSA; electronic submission of subsequent filings, including the petition, with the OAG; and electronic transmission of court orders to CFSA.

In late 2007 and continuing through the first quarter of 2008, the Court's Information Technology team facilitated a series of meetings between Family Court staff, CFSA program staff, CFSA IT staff, and CourtView Justice Solutions (CVJS) to further clarify requirements and formulate a design which would address the business needs and functional requirements of the phase I of the data exchange system. These sessions

proved invaluable as they provided a forum to understand the capabilities as well as the limitations of the proposed technology for this project.

Following the finalization of functional and business requirements, CVJS constructed a comprehensive design specification that outlined the architecture and technical requirements necessary to develop, configure, and ultimately test the application that will automate the abuse and neglect case initiation process. In addition to receiving data from CFSA, this newly designed software tool will produce automated complaints as an output of the case management process. The CFSA IT team also completed modifications to the agency's FACES program, a case management application that had been previously identified as a critical component of the automated case initiation process.

The CFSA to Court interface will greatly streamline the process of creating legal cases in the Court's CourtView case management system. It is designed to reduce data entry for both CFSA social workers as well as court staff responsible for manually reviewing complaints and creating legal cases. The overall goal is to create a more accurate and expeditious process for the creation of complaints, petitions and legal cases for all participating agencies.

Full implementation of the automated case initiation process was hampered in 2008, by a crisis at the CFSA that required the Agency to shift its focus and most of its staff resources to eliminating a massive case backlog. The backlog impacted their ability to include key IT program staff in the testing of the interface technology for the data exchange system.

The Family Court received the first test data from the interface in early November 2008 but identified several defects during system integration testing that resulted in a revised delivery date of mid-December 2008. The Court IT team continues to work with CVJS as well as CFSA's IT staff to identify and resolve issues that have delayed the implementation of the software. The revised projection calls for implementation of the automated case initiation process in April 2009, provided that CFSA's management will allow for implementation of the modified FACES application, and the Court's vendor is able to repair any defects that have been identified to date.

Although the focus during 2008 has been primarily on completing Phase I of the project, the Court has begun initial work on Phases II and III of the project, which calls for further automation of the case filing and document sharing process, including submission of subsequent filings, including the petition, with OAG and electronic transmission of court orders to CFSA. The court, CFSA, and the CVJS teams have scheduled to meet during the first quarter of 2009 to further define the functional requirements for the subsequent phases that are scheduled for completion in late 2009 and early 2010.

Court-wide Performance Measures

In 2008, the Family Court continued to participate in the court-wide initiative, led by the Chief Judge of the Superior Court, to develop and implement court performance measures. The measures, which include clearance rates, trial date certainty, time to disposition, and age of pending caseload, once fully developed will allow the Family Court to meet its obligations under the Family Court Act to measure compliance with established timelines for case processing in all Family Court case types at both the local

and national level. Development of reports for each measure involved collaboration between Family Court Operations management, the Research and Development Division and the Office of Strategic Planning.

In addition to court-wide performance measures, the Family Court has continued to develop and monitor six of the nine abuse and neglect performance measures identified by the Child Welfare Collaborative established by the Department of Health and Human Services (HHS) for courts receiving CIP funds and expects to continue development of the remaining three measures in 2009. Data on measures already completed are discussed in detail on pages 52-56 of this report.

Family Identity Consolidation

Starting with Abuse and Neglect cases the IT team facilitated the identification of business rules and procedures to correct inconsistent “family” identity numbers in the CourtView system created in 2003, during the conversion of data from the courts legacy system to its new integrated case management system (CourtView). These business rules are designed to identify members of the same family unit and assign a unique Family Identifier to each family member to ensure that cases involving all family members are assigned to one judicial officer. By the end of 2009, the rule set will be applied to all of the case types in Family Court including juvenile delinquency, adoption, domestic relations, mental health, mental retardation, and paternity and support.

Juvenile Delinquency

During 2008, the Family Court continued to refine CourtView to be able to rapidly respond to issues raised by both internal and external stakeholders, including the Council of the District of Columbia, the MPD and the media.

In late 2007, the Council of the District of Columbia passed legislation, the “Juvenile Speedy Trial Equity Emergency Act of 2007,” which for the first time, provided a 45-day trial timeframe for non-securely detained juveniles.² The legislation included a requirement for a six-month study to evaluate the impact of the timeframes on the administration of justice in the Family Court. The Council for Court Excellence (CCE) was selected to conduct the study and to make recommendations to the Council on how to proceed with permanent legislation. The study period was January 15, 2008 through July 15, 2008. The IT Division was instrumental in working with the Family Court to provide the data needed for the study. The data was used, among other things, to assess the length of time that children spend in secure and non-secure detention awaiting a fact finding hearing and awaiting disposition after fact finding. The results of the CCE study were included in its report entitled “*Final Evaluation of the Effect of Juvenile Speedy Trial Emergency Legislation*” and was submitted to the Council on September 15, 2008.

As part of the court’s compliance with the One Judge One Family principle, when a child is charged both with a traffic offense and a delinquency offense arising out of the same facts, the cases are consolidated before a Family Court judge. Previously, prosecution and administrative oversight of the traffic case was handled by the Criminal Division of the Superior Court, while prosecution and administrative oversight of the delinquency case rested with the Family Court. In 2008, the IT Division collaborated with the Family Court to refine the technology to support all administrative functions relating to the juvenile traffic case in the Family Court.

² See further discussion of the Juvenile Speedy Trial Equity legislation on page 108.

Throughout the year, the IT Division continued to work with the Family Court to develop reports to improve the efficiency of Family Court operations and to produce performance reports to meet its numerous reporting requirements both internally and externally.

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). Both the Child Protection Mediation and Family Mediation programs facilitated by Multi-Door have proven to be highly successful in resolving child abuse and neglect cases and domestic relations cases. The programs also had an equally positive effect on court processing timeframes and cost. These results provide compelling support for the continuation of these valuable public service programs.

ADR Performance Measures

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

- **ADR Outcome** – measures clients' satisfaction with the outcome of the mediation process (including whether a full agreement on the case was reached or if specific contested issues were resolved), fairness of outcome, level of understanding of opposing party's concerns, impact upon communications with other party, and impact upon time spent pursuing the case;
- **ADR Process** – measures clients' satisfaction with the overall mediation process, including their ability to discuss issues openly, fairness of the process, length of session, and whether the participants perceive coercion by the other party or mediator; and
- **Mediator Performance** – measures clients' satisfaction with mediators' performance in conducting the process, including explaining the process and the mediator's role, providing parties the opportunity to fully explain issues, the mediators understanding

of the issues, whether the mediator gained the parties' trust, and any bias on the part of the mediator.

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

Child Protection and Mediation Under The Adoption and Safe Families Act (ASFA):

During 2008, 709 new abuse and neglect cases were petitioned in the Family Court. More than 93% of those cases (396 families with 660 children) were referred to mediation, consistent with the mandate in the Family Court Act to resolve cases and proceedings through ADR to the greatest extent practicable consistent with child safety.³ In addition to those 396 families, another 42 families whose cases were filed in 2007 were also offered mediation in 2008 for a total of 438 families.

Eighty percent of the families (350 cases) offered mediation in 2008 participated in the mediation process; twenty percent of the families (88 cases) did not participate and their cases were not mediated.⁴ As was the case in 2007, for families participating

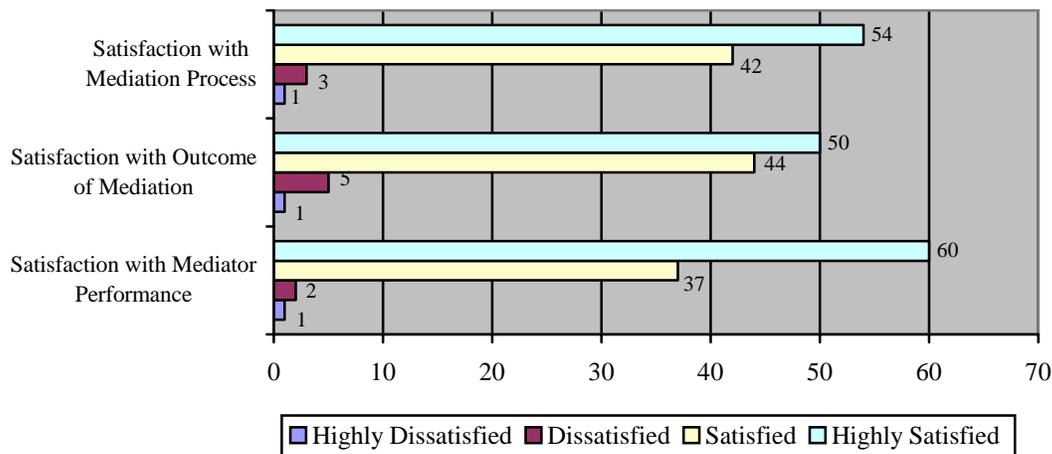
³ These multi-party mediations are structured so as to enhance safety: pre-mediation information is provided to participants; parents are included in the sessions; appropriate training is provided; and a layered domestic violence screening protocol is implemented for cases with a history of domestic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

⁴ Scheduled cases may not be held for the following reasons: (a) case dismissed by the Court; (b) case settled prior to mediation; (c) case rescheduled by the parties; (d) case cancelled (e.g., sibling violence); and (e) case scheduled in 2008 for mediation in 2009. Family Court and Multi-Door have implemented measures to reduce the number of rescheduled cases in order to expedite case resolution.

in mediation, the Court continued to settle a substantial number of cases through the mediation process. Of the 350 cases mediated, 161 (46% of cases representing 273 children) resulted in a full agreement. In these cases, the issue of legal jurisdiction was resolved and the mediation resulted in a stipulation (an admission of neglect by a parent or guardian). In addition, a case plan was developed and presented to the Court as part of the mediation agreement. In 183 cases (52% of cases representing 290 children) the mediation was partially successful resulting in the development of a case plan even though the issue of jurisdiction was not resolved. No agreement was reached in six (2%) of the cases that went to mediation.

Qualitative measures illustrate substantial satisfaction measures of 96% for the ADR process, 94% for ADR outcome, and 97% for the performance of the mediator(s).⁵ Clearly, participation in ADR increases public trust and confidence in Family Court.

Figure 1. Percentage of Participants Satisfied with Child Protection Mediation Program



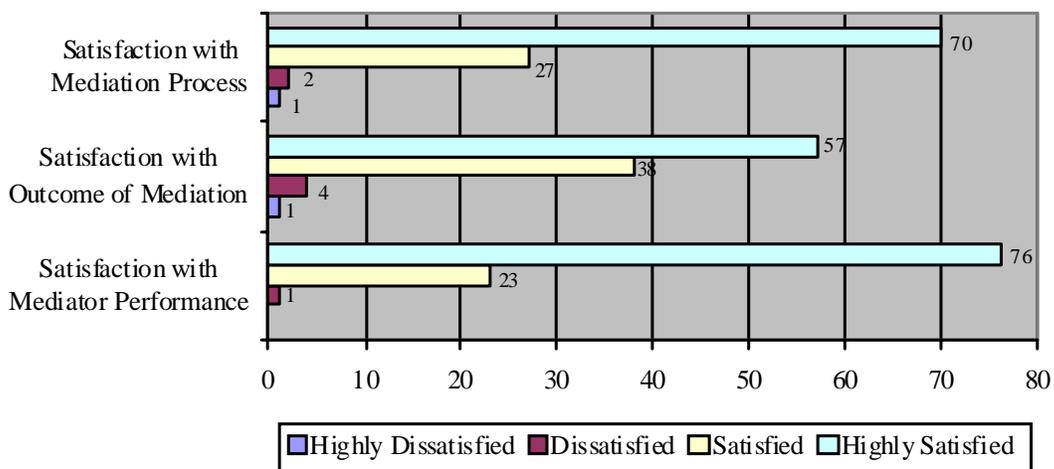
⁵ These statistics are based on data provided by the Multi-Door Dispute Resolution Division.

Domestic Relations Mediation:

Mediation in domestic relations matters requires several sessions, and typically covers issues of child custody, visitation, child and spousal support, and distribution of property. Domestic relations matters typically are characterized by hostility and limited communication, which exacerbate the level of conflict.

A total of 666 domestic relations cases were referred to mediation in 2008, a decrease of 4% from 2007 (691 cases). Sixty-five percent (436) of the cases referred were mediated and completed in 2008. The remaining thirty-five percent (230) of cases referred to mediation did not participate in mediation because they were found to be inappropriate for mediation. Of the 436 cases mediated, 205 (47%) settled in mediation and 231 (53%) did not reach an agreement. Among the 205 cases that settled in mediation, full agreements were reached in 144 (70%) cases and partial agreements were reached in 61 cases (30%).

Figure 2. Percent of Participants Satisfied with the Domestic Relations Mediation Program



Qualitative outcome measures show satisfaction rates of 95% for ADR outcome, 97% for ADR process, and 99% for the performance of the mediator(s). These satisfaction measures indicate that, as is the case in the Child Protection Mediation Program, participation in Family ADR increases public trust and confidence in Family Court.

Family Court ADR Initiatives

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

- ***Expanding Mediator Rosters.*** Multi-Door now accepts applications from mediators with experience in other jurisdictions through its new open enrollment process. Through open enrollment, trained and experienced mediators are now conditionally accepted into the Family and Child Protection Mediation Programs without completing Multi-Door's mandatory basic mediation training prerequisite. The applicant is observed by Multi-Door staff in either a simulated or live mediation conducted at Multi-Door. If the applicant demonstrates knowledge in the subject matter area and proficiency in mediation skills, the applicant will be added to Multi-Door's roster.
- ***Re-Designed Training Model.*** In October 2008, Multi-Door launched a new training model that offers the fundamentals of mediation to all prospective mediators for five different programs in a combined classroom setting. Under this new format, trainees receive four days of basic mediation skills training, followed by six days of specialized training in their program of choice, which includes Civil, Small Claims, Landlord & Tenant, Family and Child Protection. For the first time, 40 new mediators are expected to be added to Multi-Door's combined roster as a result of this innovative approach.
- ***Continuing Education for Mediators.*** Multi-Door provided ongoing training for its existing corps of mediators in both the Child Protection and Family Mediation Programs during 2008, as part of ensuring a continued high level of proficiency and skills maintenance.
- ***Same Day Mediation.*** A same day mediation program for domestic relations cases was implemented in October of 2003. The program offers litigants the opportunity to be interviewed for mediation and start mediation on the same day they appear in court for their initial hearing before a Family Court Judge. The program has proven popular; there were 182 referrals in 2008.

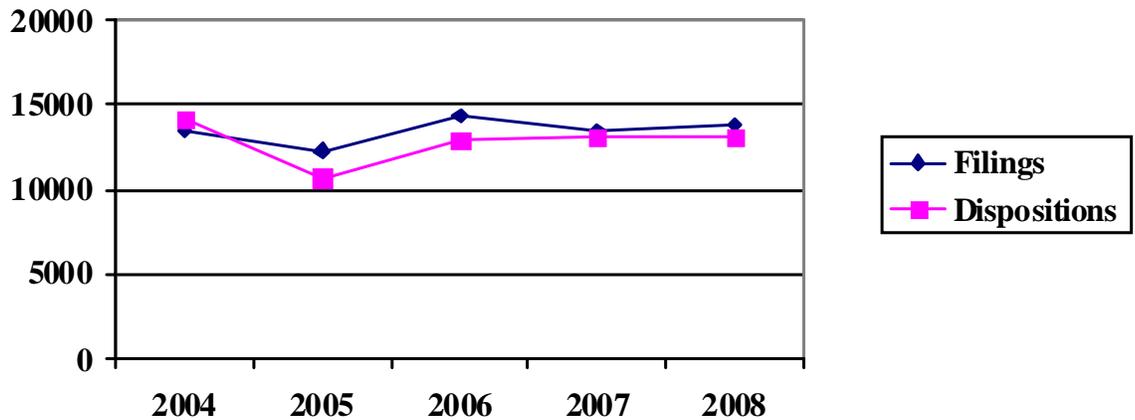
FAMILY COURT CASE ACTIVITY

There were 14,748 cases pending in the Family Court on December 31, 2007. During calendar year 2008, there were a total of 13,606 new cases filed and 244 cases reopened in the Family Court. During the same period, 13,094 cases were disposed of. As a result, there were 15,504 cases pending in the Family Court on December 31, 2008.

Table 1. Family Court Operations Case Activity for 2008								
	Abuse & Neglect	Adoption	Divorce	Juvenile ^b	Mental Health	Mental Retardation	Paternity & Child Support	Total
Pending Jan. 1 ^a	2,492	277	2,533	719	441	1,254	7,032	14,748
Filings	842	274	3,756	3,499	1,327	12	3,896	13,606
Reopened ^c	29	-	-	37	99	-	79	244
Total Available for Resolution	3,363	551	6,289	4,255	1,867	1,266	11,007	28,598
Resolutions	755	252	3,676	3,448	1,329	13	3,621	13,094
Pending Dec. 31	2,608	299	2,613	807	538	1,253	7,386	15,504
Percent Change in Pending	4.7%	7.9%	3.2%	12.2%	22.0%	-0.1%	5.0%	5.1%
Clearance Rate ^d	86.7%	92.0%	97.9%	97.5%	93.2%	108.3%	91.1%	94.5%
a. Pending January 1 figures for Abuse & Neglect, Adoption, and Juvenile were adjusted after an audit of caseload. b. Includes cases involving Delinquency, PINS, and Interstate Compact. c. Includes cases that had previously reached a final disposition, but have been restored to the court's pending caseload due to the requirement of additional judicial activity in the case. d. Clearance rates are calculated by dividing the number of cases disposed by the number filed and measures how well a court is keeping up with its incoming caseload.								

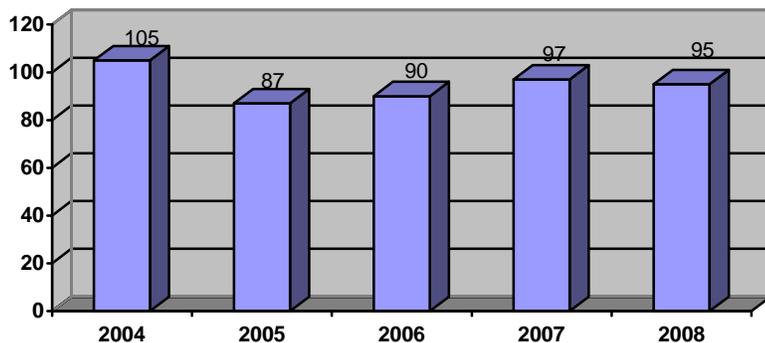
Over the five year period from 2004 through 2008, the number of filings (including cases reopened) and the number of dispositions has shown significant variation. Filings ranged from a period high of 14,329 in 2006, to a period low of 12,305 in 2005, up to 13,418 in 2007 and 13,851 in 2008. Similarly, the number of cases disposed each year has also shown significant variation, ranging from a high of 14,231 cases disposed in 2004 to a low of 10,696 cases disposed in 2005 and back up to 13,094 in 2008.

**Figure 3. Family Court Case Filings and Dispositions
2004-2008**



Because filings and dispositions can vary significantly from year to year, the best assessment of whether a court is managing its caseload efficiently is its clearance rate. A clearance rate of 100% indicates that a court is very efficient and 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. This performance measure is a single number that can be used to compare performance within the Family Court over time and by case type. In 2008, the overall clearance rate for Family Court was 95%. The rate was lower than the rate of 97% in 2007, but significantly higher than the rate of 90% in 2006 and 87% in 2005. During 2009, the Family Court along with other divisions of the Superior Court will continue to monitor case processing standards, using recently established court-wide benchmarks, to improve efficiency with the goal of eventually meeting the 100% clearance rate standard.

Figure 4. Clearance Rates in Family Court, 2004-2008



Family Court Case Activity For 2008

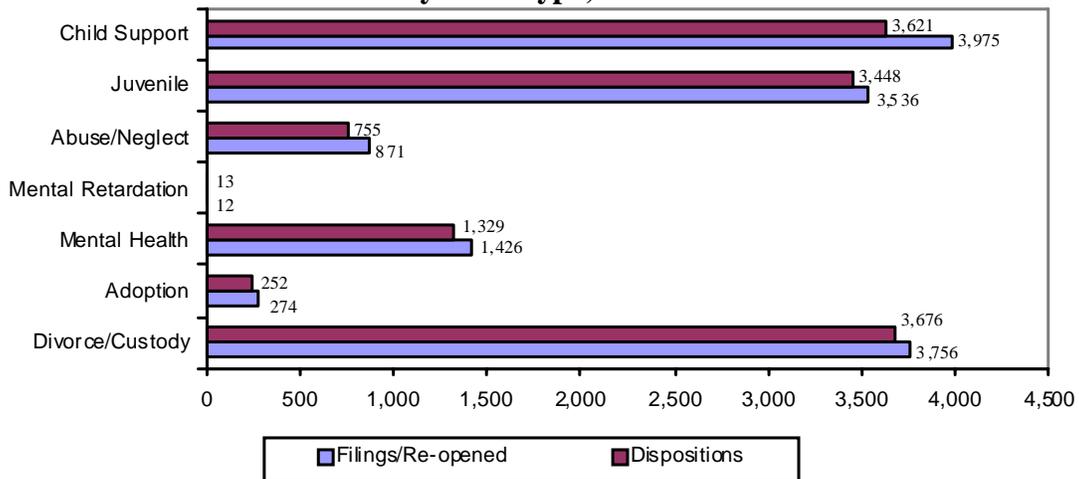
New case filings in the Family Court increased 6.8% between 2007 and 2008 (12,739 filings in 2007 and 13,606 filings in 2008). The increase in filings occurred in most Family Court case types. For instance, there was a 58% increase in abuse and neglect filings, a 12% increase in juvenile filings, a 10% increase in adoption filings, a 6% increase in mental health filings and a 3% increase in divorce and custody filings. At the same time new filings for paternity and support decreased slightly (0.5%) while filings for mental retardation decreased by more than 50% after remaining constant from 2006 to 2007.

Paternity and support cases and divorce and custody cases each accounted for nearly 3 out of 10 new cases filed in the Family Court during 2008. Juvenile cases accounted for a quarter of new cases filed and abuse and neglect cases accounted for 6% of new filings.

During the year, the Family Court resolved more than 13,000 cases, including: 3,676 divorce and custody cases; 252 adoption cases; 1,329 mental health cases; 13 mental retardation cases; 755 child abuse and neglect cases; 3,448 juvenile cases; and 3,621 paternity and child support cases. There was a very slight increase (less than half

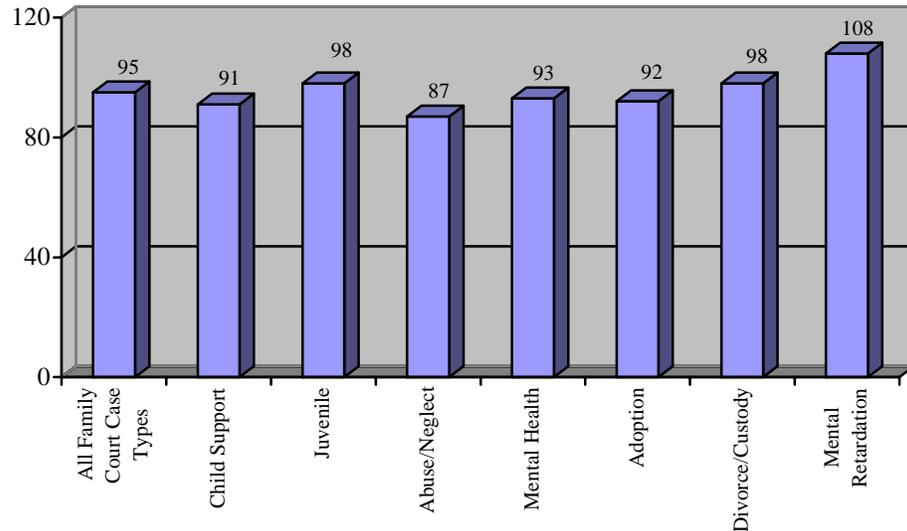
a percent) in dispositions from 2007 to 2008. That slight increase however, masked sharp differences in the change in dispositions during the period. For instance, dispositions decreased significantly in mental retardation cases (-19%), paternity and child support cases (-11%), and mental health cases (-3%); however dispositions increased in divorce and custody cases (11%) and juvenile cases (4%). There was no change in the number of dispositions between 2007 and 2008 in abuse and neglect cases and adoption cases.

Figure 5. Family Court Filings and Dispositions, by Case Type, 2008



Clearance rates decreased between 2007 and 2008 for abuse and neglect, adoption, juvenile, and mental health cases. On the other hand, clearance rates increased for divorce and custody cases and paternity and child support cases. In 2007, the Family Court disposed of as many or more cases than it received during the year for abuse and neglect, juvenile, mental health and adoption cases. In 2008, the only case type with a 100% clearance rate was mental retardation.

Figure 6. Clearance Rate by Case Type, 2008



While measuring the number of dispositions is important for any court, it is important to note that in Family Court cases a disposition does not always end the need for court oversight and judicial involvement. In many Family Court cases, after an order is entered there is significant post disposition activity that occurs. For example, among the 3,448 juvenile cases resolved during 2008, 1,090 juvenile offenders were placed on probation. Those 1,090 juveniles, as well as the more than 900 other active juvenile probation cases require continuous monitoring by judicial officers to ensure compliance with probation 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 youth 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 four months to 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

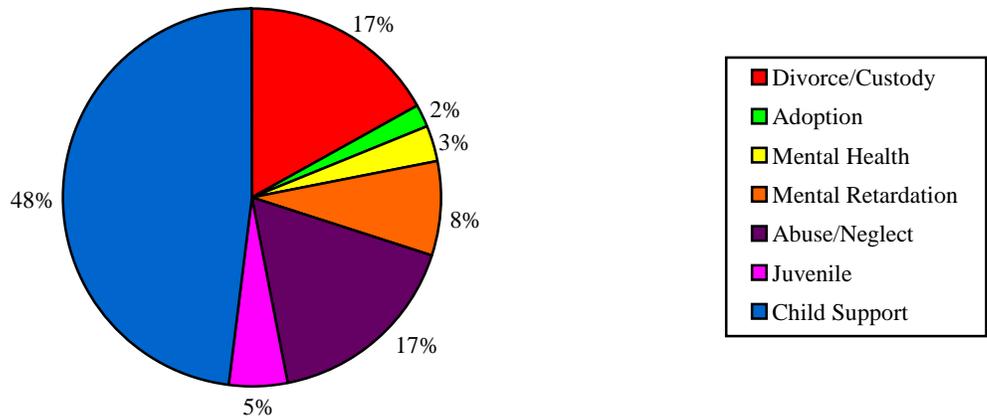
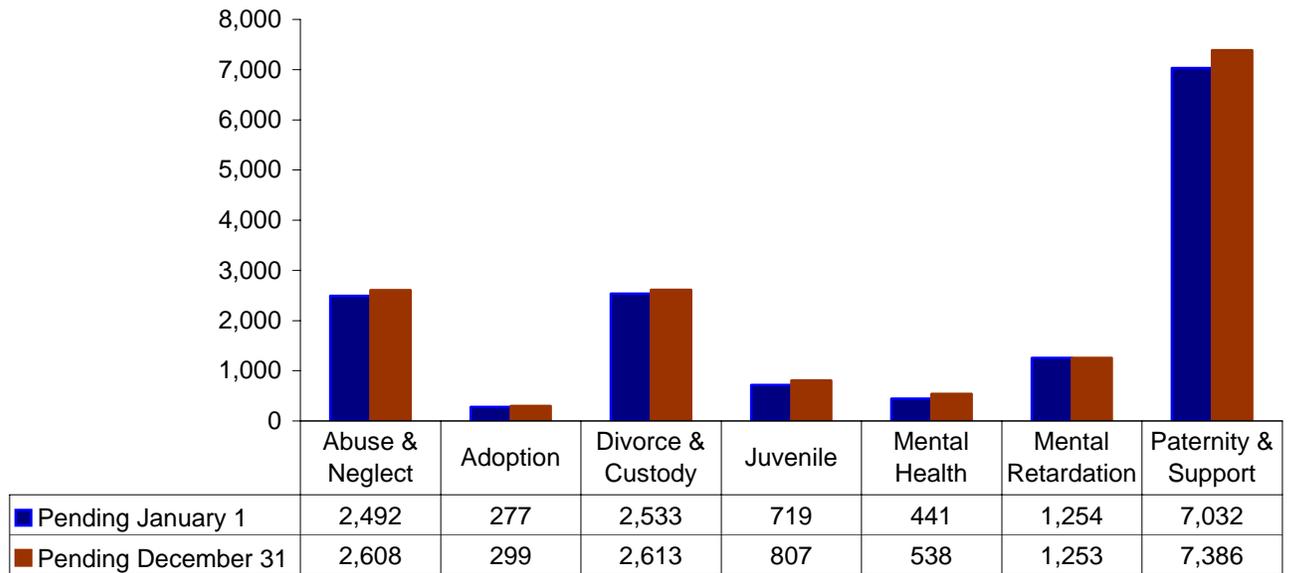
order. Those cases resolved through issuance of a temporary support order often have financial reviews scheduled after disposition until a permanent support order is established. In addition, all support cases are subject to contempt and modification hearings that require judicial oversight.

Although 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. Cases involving abused and neglected children and mental retardation cases, remain in the Court's pending caseload for extended periods of time. Typically, mental retardation cases are considered closed only if the respondent dies, leaves the jurisdiction or in limited circumstances returns to his/her family; and abuse and neglect cases remain in the pending caseload until a final permanency option is achieved which may take several years to accomplish.

On December 31, 2008, 15,504 cases were pending resolution in the Family Court, including: 2,613 divorce and custody cases, 299 adoption cases, 538 mental health cases, 1,253 mental retardation cases, 2,608 child abuse and neglect cases, 807 juvenile cases, and 7,386 paternity and child support cases. The pending caseload consists of two separate types of cases. First, it includes pre-disposition cases that are pending adjudication and disposition 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 2,608 pending abuse and neglect cases, only 151 cases were awaiting trial or disposition at the end of the year, while 2,457 are post-disposition cases in which the Family Court and the CFSA are working towards permanency. The mental retardation pending caseload includes post-commitment cases that require long term

recurring judicial review to determine whether there is a need for continued commitment. 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.

Figure 7. Family Court Pending Caseload, 2008



Abuse and Neglect Cases

During 2008, there were 842 new child abuse and neglect referrals to the Family Court, a 58% increase in filings from 2007. Over the five year period (2004 to 2008), new child abuse and neglect referrals have increased by 5%. The 5% growth, however, marks wide variation within the period. Referrals ranged from a high of 933 in 2005, to a low of 532 in 2007. With the exception of 2005, which showed an increase in referrals over the previous year, there had been a substantial decrease in the number of new referrals in each year (802 in 2004, 933 in 2005, 652 in 2006 and 532 in 2007). The decreases in 2006 and 2007 were likely attributable to policy changes at CFSA, especially the implementation of Family Team Meetings, which resulted in an agency decision to handle more cases as “in home” cases. In-home supervision of cases by CFSA dispenses with the need to petition or officially charge a parent or caretaker with neglect or abuse, and thus such cases are not subject to supervision by the Family Court. This same policy, of serving more families through the provision of in-home services and bringing fewer and more serious cases to the attention of the Court, is also a likely contributor to the high number of children removed from home among those whose cases are referred to the court. Among cases filed in 2008, 90% of the children were removed from home at the time the complaint was filed and 10% remained in the home. The percentage of children removed from home has ranged from a low of 86% in 2007, to a high of 90% in both 2005 and 2008.

Eighty percent of new referrals in 2008 were for allegations of neglect and 18% were for allegations of abuse. During the five-year period from 2004 to 2008, the percentage of children referred for an allegation of abuse has ranged from a high of 26%

in 2004 to a low of 15% in 2005. Females were more likely than males to be the subject of an abuse and neglect referral in each year from 2004 to 2006. In 2008, like 2007, males (51%) were more likely to be the subject of a referral than females (49%). Females did, however, continue to represent a higher percentage of abuse referrals than did males. As has been the case over the last several years, more than a quarter of new referrals to Family Court involved children 13 and older at the time of referral. The figure increases to more than a third of referrals when older youth between the ages of 11 and 12 are included. The Family Court, CFSA and other child welfare stakeholders continue to examine the implications of large numbers of older youth coming into care. The

Table 2. Percent Distribution of Abuse and Neglect Referrals 2004-2008, by reason for referral, removal status, gender and age

Characteristic	Year of Referral				
	2004	2005	2006	2007	2008
<i>Reason for Referral</i>					
Abuse	26	15	23	20	18
Neglect	74	85	77	80	82
<i>Removal Status</i>					
Removed	89	90	88	86	90
Not Removed	11	10	12	14	10
<i>Gender</i>					
Male	48	47	48	52	51
Female	52	53	52	48	49
<i>Age at referral</i>					
Under 1 year	16	13	13	18	14
1-3 years	19	17	18	17	18
4-6 years	16	15	14	15	16
7-10 years	17	19	15	14	16
11-12 years	10	11	9	9	9
13 and older	22	25	31	27	26
Total number of referrals	802	933	652	532	842

examination includes an assessment of resources in the District to assist parents and caregivers in addressing the needs of this segment of the population before they come

into care, as well as the need to identify and develop appropriate placement resources once they are in care.

Over the five year period, another third of new referrals were children less than four years old at the time of referral. Given the vulnerability of children in this age group, the Family Court and CFSA are also reviewing the needs of this population, especially as it relates to educational and developmental services and access to other early intervention programs.

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. Since then, all but one of those cases have been transferred into Family Court or closed. Today, non-Family Court judges supervise only five cases, all of which are being retained under provisions of the Family Court Act with the approval of the Chief Judge who determined, pursuant to criteria set forth in the Family Court Act, that: (1) the judge retaining the case had the required experience in family law; (2) the case was in compliance with the ASFA; and (3) it is likely that permanency would not be achieved more quickly by reassigning the case within the Family Court.

COMPLIANCE WITH D.C. ASFA REQUIREMENTS

The District of Columbia Adoption and Safe Families Act (D.C. ASFA) (D.C. Official Code Sections 16-2301 et seq., (2000 Ed.)) establishes timelines for the

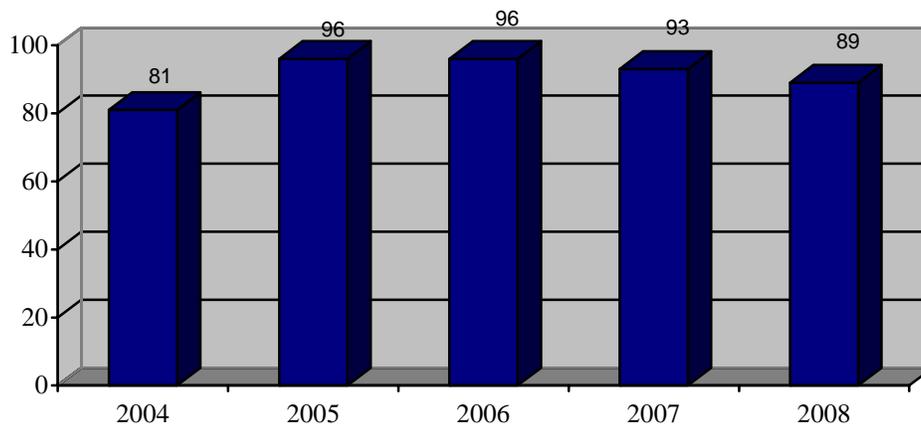
completion of the trial and disposition hearing in abuse and neglect cases. The timelines vary depending on whether the child was removed from his or her home. The statute sets the time between filing of the petition and trial or stipulation at 45 days for a child not removed from the home and at 105 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.

During 2008, there was a decrease in compliance rates with time to adjudication and time to disposition for children removed from home. As indicated earlier, the 58% increase in filings had a significant impact on the Court's ability to move cases to trial and disposition in a timely manner. To minimize the impact of an increase in the number of cases on compliance with ASFA timeliness, the presiding judge established new policies and procedures for the assignment of cases. After receiving more than four cases in a given day, Magistrate judges who hear initial hearings in all new referrals cases were required to notify the associate judges designated as their team judge who was responsible for handling the initial hearings and dispositions in new referrals exceeding the cap. The associate judge, in consultation with the magistrate judge, was responsible for ensuring that the trial and disposition hearings occurred in a timely manner. Following disposition, the case would be returned to the magistrate judge for ongoing case management. Without the implementation of this policy change, ASFA compliance rates would have been lower because the magistrate judges would have been unable to try and dispose of cases within the statutory timelines.

Trial/Stipulation of Abuse and Neglect Cases

Figures 7 and 8 highlight 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 Figure 7, the Court has made significant progress in completing trials/stipulations within the established timelines for children removed from home since 2004. Although decreasing slightly in 2008, nearly 9 out of 10 cases filed had a fact finding hearing in compliance with the ASFA timeline for trials in removal cases. In addition to improving the rate of compliance with the statutory timeline requirements, the Court has also shown significant improvement in reducing the median time it takes for a case to reach trial or stipulation from a high of 84 days in 2004, to 47 days in 2008.

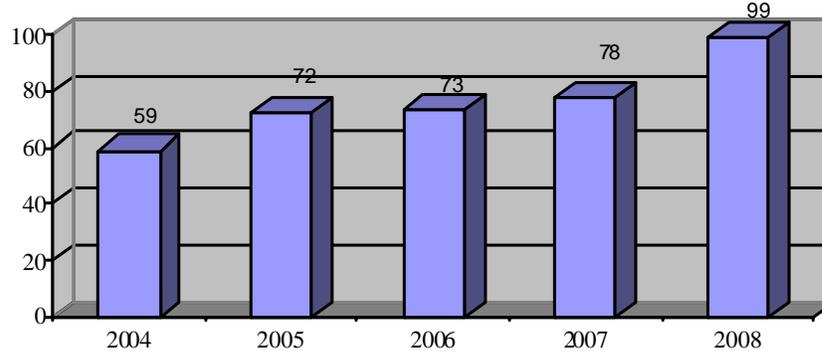
Figure 7. Compliance with D.C. ASFA Timeline for Trial/Stipulation for Children Removed from Home



For children not removed from home, the percentage of cases in compliance with the timeline to trial or stipulation (45 days) rose significantly. In 2008, all but one case was in compliance with the timeline. The median number of days to stipulation was 32 days and the average 33 days.

Family Court attorney advisors continue to review all cases coming from initial hearing to ensure that all events have been scheduled in a timely manner. 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. In 2009, the Court intends to continue to improve in this area.

Figure 8. Compliance with D.C. ASFA Timeline to Trial or Stipulation for Children Not Removed from Home

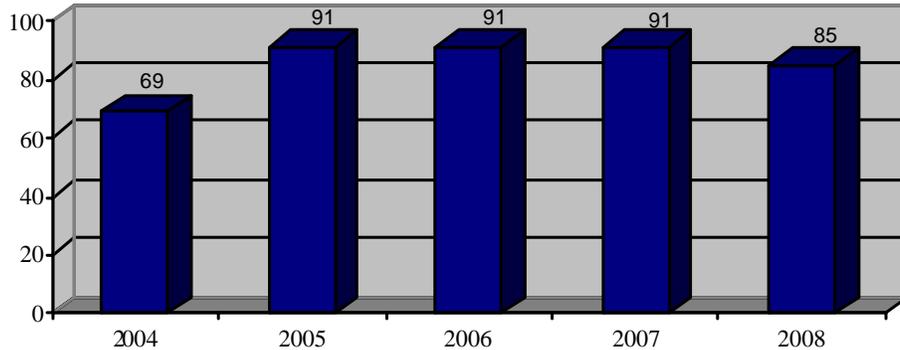


Disposition Hearings in Abuse and Neglect Cases

Over the five-year period from 2004 to 2008, judges improved their performance in meeting the timelines for conducting disposition hearings in abuse and neglect cases (Figure 9). Among children removed from home in 2004, approximately two-thirds of the cases were in compliance with the timeline for disposition. In contrast, more than 9 out of 10 cases were compliant in each year from 2005 thru 2007 and 85% were compliant in 2008. This figure may rise as cases filed in 2008 that are still pending disposition have their hearings. In 2008, the median time to reach disposition was 58

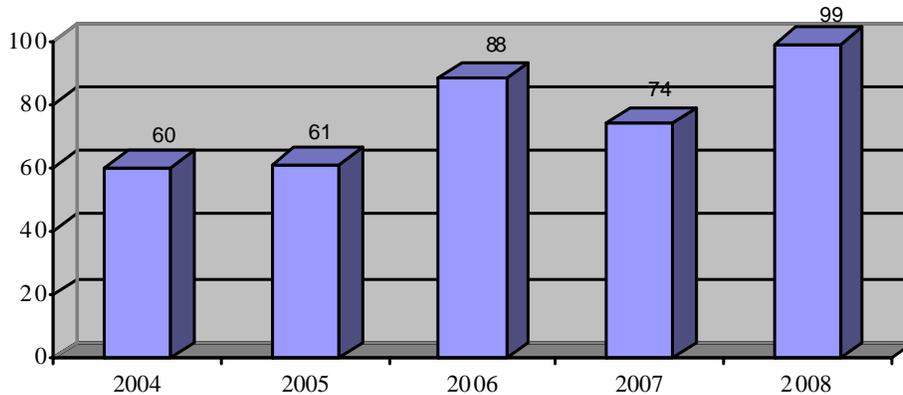
days and the average 67 days, both less than they were in 2007 and well below the 105-day statutory timeline.

Figure 9. Compliance with D.C. ASFA Timeline for Disposition for Children Removed from Home



As was the case for reaching trial/stipulation for children not removed from home in a timely manner, the compliance rate for conducting disposition hearings also improved significantly over the five year period (Figure 10). The compliance rate rose from a low of 60% in 2004 to 99% in 2008.

Figure 10. Compliance with D.C. ASFA Timeline for Disposition for Children Not Removed from Home

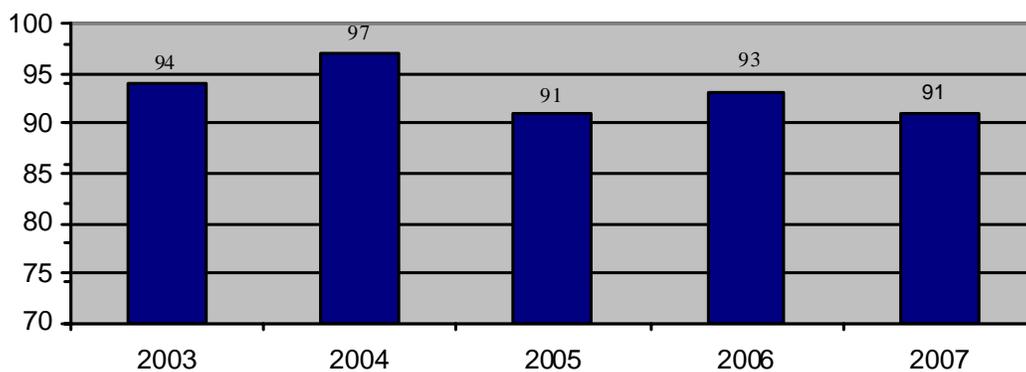


As with time to trial and stipulation, the Family Court will continue to monitor and track compliance in this area throughout 2009, and where appropriate, will institute measures to improve compliance.

COMPLIANCE WITH ASFA 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. Figure 11 shows the Court's compliance with holding permanency hearings within the ASFA timeline. The level of compliance with this requirement has remained consistently high. Since 2003, more than 90% of cases had a permanency hearing or were dismissed within the 425 day deadline. Compliance rates ranged from a high of 97% in 2004, to 91% in both 2005 and 2007. No case filed in 2008 had reached the statutory deadline for having a permanency hearing by December 31, 2008.

Figure 11. Compliance with ASFA Timeline for Permanency Hearing



Goal Setting and Achievement Date

In addition to holding permanency hearings in a timely manner, ASFA also requires that the Family Court set a specific goal (reunification, adoption, guardianship,

custody, or another planned living arrangement) 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.

In addition, judges are required to raise the issue of identified barriers to the permanency goal. The early identification of such issues has led to more focused attention and earlier resolution of issues that would have caused significant delays in the past. Although barriers still exist, the periods of delay that result from those barriers has decreased.

During 2008, the Court continued to improve on meeting the requirements that at a permanency hearing it establish both a permanency goal and an achievement date for the goal. Data from 2008, indicates that a permanency goal was set at all but 2 permanency hearings and a goal achievement date was set at 98% of hearings. To ensure that the court maintains a high level of compliance in this area, the Family Court will continue to require its attorney advisors to review every case after a permanency hearing to 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 National Council of Juvenile and Family Court Judges (NCJFCJ) and the American Bar Association's (ABA's) Center on Children and the Law have established best practices for the content and structure of permanency hearings mandated by ASFA, including the decisions that should be made, and the time that should be set aside for

each hearing. In its publication, *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*, the NCJFCJ recommends that permanency hearings be set for 60 minutes. Family Court judges report that the length of their permanency hearings meets or exceeds this standard.

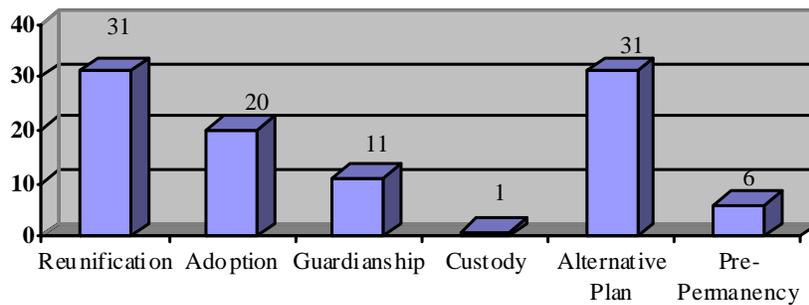
To ensure continued compliance with ASFA and to assist Family Court judges in ensuring that the content and structure of the permanency hearing are consistent with best practices, all judicial officers are required to use a standardized court order for all permanency hearings. As required by ASFA, the 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. In its ongoing effort to ensure that the structure and content of permanency hearing orders are consistent with best practices and easy to use, the Family Court Implementation Committee through the Abuse and Neglect Subcommittee will be reviewing and modifying, if appropriate, this form order during 2009.

Barriers to Permanency

Under ASFA, there are four preferred permanency goals for children removed from their home: reunification, adoption, guardianship or custody. Figure 12 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. 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 was disability of the parent, including the need for substance abuse treatment and the need for the parent to

receive life skills training, followed by significant disabilities related to the child, such as significant emotional impairment, procedural impediments, such as housing, and finally, other circumstances such as the family’s need for additional protective supervision services.

Figure 12. Percent Distribution of Current Permanency Goal for Children Under Court Supervision

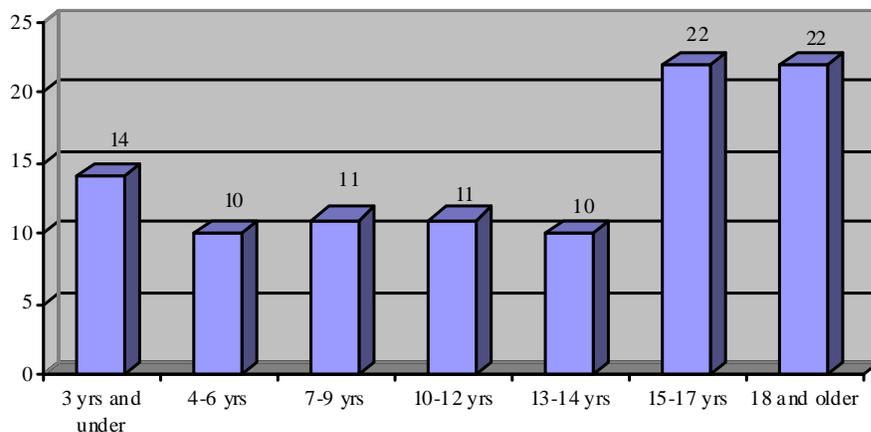


In cases where the goal is adoption, procedural impediments, including the timeliness of the adoption proceedings and disabilities related to the child, such as significant emotional impairment, were the major impediments. Disabilities of the child including significant emotional impairment of the child and serious anti-social behavior on the part of the child were also major impediments in guardianship cases, followed by the need for the parent/caretaker to receive life skills training, and procedural impediments, including the timeliness of guardianship proceedings and housing issues. Continued improvements in addressing the barriers to permanency have led to improved outcomes for children in care.

In addition, a significant percentage of the cases involve older children for whom the Court has found compelling reasons to set a goal of another planned permanent living arrangement (APPLA). As Figure 13 shows, more than 4 out of 10 youth 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, which makes permanency difficult to achieve. 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. In 2008, the Family Court partnered with CFSA in a study of youth with a goal of APPLA. The study reviewed the number and profile of youth with a goal of APPLA. The outcome of the study was the development of a new agency administrative policy outlining the steps social workers must take before recommending a goal of APPLA to the court in the future. The new policy also led to the initiation of a pilot study involving 60 youth currently with a goal of APPLA to determine if that goal could be changed because some other permanency option may now be viable. In addition, the Family Court is continuing to work with CFSA and other stakeholders to eliminate or reduce the impact of barriers on permanency for all children in care.

Figure 13. Percent Distribution of Current Ages of Children Under Court Supervision



Family Treatment Court Program

The Family Treatment Court (FTC) is a fifteen-month comprehensive voluntary substance abuse treatment program for mothers or female guardians whose children are the subject of a child abuse or neglect case. The program gives mothers a chance to rebuild their lives and their families. Mothers involved in neglect and/or abuse cases where there is a nexus between substance abuse and child neglect are submitted for consideration to the FTC program through the OAG after a review of their case and an initial screening. Potential cases identified after this initial screening are then forwarded to the Mayor's Services Liaison Office (MSLO) for a more in-depth intake process which includes a local criminal background check, mental health history, medical history, and an interview. Mothers who qualify for the program enter into a contract with the FTC, agreeing to the mandates of the program, including stipulating to the allegations of neglect.

Once the FTC contract is signed, clients enter the six-month residential treatment component of the program. After an initial adjustment period, mothers may be reunited with their children in the treatment facility. A mother may have up to four children under age 10 with her in the treatment facility. The ability to keep mothers and children together is the most significant aspect of the program in that it enables children to stay out of foster care, and families to generally reach permanency sooner.

While in the facility, mothers participate in a rigorous, supervised drug treatment program that includes drug treatment and education, life skills and parenting training. In addition, through our stakeholder and community partnerships, both mothers and children receive a variety of services. These services include but are not limited to: psychological

and/or psychiatric counseling, individual counseling, educational assessments, developmental evaluations, speech and bonding studies, GED preparation, job skills training, tutoring, family counseling, play therapy, and summer camp opportunities for children. Funding for many of these services is provided through Medicaid, the Crime Victims Compensation Fund, and CFSA.

The Second Genesis-Melwood Facility continues to provide residential/inpatient treatment services for the FTC program. Upon completion of the inpatient phase of the program, FTC clients participate in a ceremony to memorialize their transition to community-based aftercare. Clients returning to the community either return to their pre-existing housing or move into transitional housing units provided through the FTC program. At present, the majority of program participants choose to live in transitional housing. Catholic Charities, New Day Transitional House, and the House of Ruth currently provide transitional housing services. Funding for transitional housing is provided by CFSA through an independent contract with each provider for a specified number of units for the sole use of the FTC program. While in aftercare, ongoing drug testing continues. In addition, clients continue to participate in job-readiness training or GED preparation.

In 2008, 104 women were referred to the in-patient phase of the FTC program. Twenty-seven women (26% of referrals) were admitted and 77 were not admitted. Many of the women found ineligible for participation in the FTC program had severe mental illness, a violent criminal history, or lacked the requisite nexus between their substance abuse and neglect. Other factors such as current or prior allegations of serious physical or sexual abuse, as well as the need for methadone treatment also reduced the number of

women eligible for the program. The FTC is a voluntary program; therefore, some eligible women chose not to participate.

During the year, twenty-eight women left the in-patient phase of the program as follows: 15 (or 54%) after successful completion of the program, seven (or 25%) because they voluntarily left the program, and six (or 21%) who were terminated from the program. The success rate in 2008 was lower than it was in both 2007 (77%) and 2006 (88%). The lower success rate has prompted stakeholders to reexamine the methods used to determine eligibility for the program. To better ensure that women admitted to FTC are appropriately suited for program, the FTC intake coordinator will begin administering a new screening tool in 2009. The new instrument, the Addiction and Severity Index (ASI), is widely used in the evaluation of substance abuse and it should more accurately determine the probability of a client's success in the FTC program. The instrument is used to gather information on a person's history, frequency, and consequences of alcohol and drug use, as well as the five areas that are commonly associated with drug use: medical, legal, employment, social/family, and psychological functioning. FTC stakeholders will evaluate the effectiveness of the instrument during the year, and will consider other methods that can be used to better support women and to ensure their successful completion of the FTC program.

In 2008, a graduation celebration was held to honor the 15 women who successfully completed the in-patient phase of the program and entered the community-based aftercare phase. They, along with 14 other women already in aftercare at the beginning of the year, participated in a very rigorous schedule of activities and continuing care programs. Thirteen women left the aftercare phase of the program during the year.

Ten (77%) successfully completed the program and three were terminated. More importantly, five women who completed the program had their neglect cases closed and were successfully reunited with their children. Among women remaining in the aftercare program at the end of 2008, five were at home in the community and eight were in transitional housing units provided by the FTC program. FTC stakeholders continue to review the eligibility criteria and program components with a goal of increasing the yield from women referred to the program, as well as, maximizing the number of women who successfully complete the program. The yield from referrals in 2008 (26% of referrals) was a 26% decrease from the yield of referrals in 2007 (35%).

In 2009, the FTC program will also undergo a number of changes designed to better meet the needs of participants and to ensure that they have the greatest possibility for successful completion of the program. Changes in the tools used to determine program eligibility, courtroom procedures, and the focus and frequency of case staffings are currently in progress. A new community service component for program participants, a review of the use of incentives in the program, and the development of a newsletter that would keep current and former program participants in contact with one another are all in the discussion phase. In addition, revised program materials for stakeholders and clients are in the final stages of development, including the FTC Manual, a FTC participant handbook, a FTC parent calendar and guide book, and a workbook “Passport to a New Beginning.” The workbook will allow clients to document and track key milestones in their case, and serve as a repository for important information they will need when they leave the FTC program.

PERMANENCY OUTCOMES FOR CHILDREN

In 2008, Family Court judicial officers closed 561 post-disposition abuse and neglect cases. As can be seen from Table 3, 66% were closed because permanency was achieved. Thirty-four percent of the cases were closed without reaching permanency, either because the children aged out of the system or they were emancipated because they no longer desired to have services provided by CFSA; and one percent of the cases closed because the respondent was deceased.

In 2008, 29% of the cases closed to reunification and 17% to adoption. The percentage of cases closing to adoption has decreased significantly from 2005 to 2008. In 2005, adoption was the primary method of case disposition (29%) followed very closely by reunification (23%) and guardianship (22%). In 2006 and 2007, about a fifth of cases closed to adoption. On the other hand, the percentage of cases closed without reaching permanency has increased in each year since 2005, increasing from a fifth of closures in 2005, to almost a third of closures in 2008. The change in the distribution of case closures reflects both the significant work done by the OAG, CFSA and the Court to reduce the number of children in foster care awaiting adoption over the past three years, as well as the growing impact of the number of older youth in care. A taskforce created by the CWLT is in the process of examining children with the goal of adoption to determine if there are policies and procedures that should be enforced or implemented to ensure that they reach permanency in a timely manner. In addition, the review is focusing on the number of children with a goal of adoption who have not been placed in a pre-adoptive home and the timeliness of filing a TPR motion once the goal is changed

to adoption. Although, the number of children awaiting adoption has decreased many still wait too long to find a permanent home.

In 2008, 34% of all post-disposition cases closed without the child achieving permanency, either because the child reached the age of majority or no longer wanted services from CFSA. The finding that more than a third of children aged out of the system is not surprising given that at the end of 2008, 44% of the children under Court

**Table 3. Abuse and Neglect Cases Closed Post-Disposition
By Reason for Closure, 2006-2008**

Reason for Case Closure	Number and percent distribution of cases closed					
	2006		2007		2008	
	Number	Percent	Number	Percent	Number	Percent
Permanency Goal Achieved	707	77	429	70	368	66
Reunification	284	31	173	28	163	29
Adoption	197	21	135	22	95	17
Guardianship	192	21	110	18	93	17
Custody	34	4	11	2	17	3
Child Reached Age of Majority	108	12	131	22	123	22
Child Emancipated	93	10	40	7	67	12
Child Deceased	3	1	2	-	3	1
Court Case Closed-Continued for CFSA services	5	1	4	1	0	-
Total Cases Closed	916	101	606	100	561	100

supervision were 15 years of age or older. Many of these children, who have APPLA as their permanency goal (31%), have been in care for a significant period of time, or are unlikely to be reunited with their parents and do not wish to be adopted. As indicated earlier, to ensure that the maximum number of children reach permanency, CFSA has issued new guidelines and procedures for social workers planning to recommend a goal of APPLA to the Court. The policy is designed to ensure that only those children for whom no other permanency option is appropriate will receive a goal of APPLA. In addition, a review of all older youth currently with a goal of APPLA is in progress. To

ensure that judicial officers were aware of the new policies, CFSA conducted an information session for judicial officers in November 2008. The CWLT also continues to review the use of APPLA in its quarterly meetings.

As required by the Family Court Act, 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 NCJFCJ 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 performance measures (safety, permanency, timeliness, and due process) against which courts can assess their performance. Each measure has a goal, outcomes, and a list of performance elements that courts should consider when developing performance plans that will allow them to assess their performance in meeting the identified goals.

During 2008, the Family Court continued to measure its performance in two areas: permanency and timeliness. Data for each area of performance was measured against baseline data established in 2004. Data presented is restricted to cases filed and/or disposed of 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, allows the court to examine its performance over time in achieving permanency for children, as well as allowing an assessment of the impact of legislative and/or administrative changes over time.

Performance Measure 1: Permanency

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

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

The Family Court first measured time to achievement of permanency goal for children exiting foster care in 2004. At that time, the median time to achievement of permanency was 2.4 years for children whose cases closed to reunification; 5.3 years to reach a goal of adoption; 3.4 years for cases to close to guardianship; and 2.8 years to reach permanency through a goal of custody. In 2005, the comparable figures were 1.6 years to reunification, 5 years to adoption, 4.4 years to guardianship, and 3.8 years to custody. Table 4 reflects comparative data on median time to closure for cases closed in 2007 and 2008.

As would be expected, children who were reunified with their parents spent less time in foster care than those whose cases closed through other permanency options. In a third of the cases closed in 2007, children were reunified with their parent within 18 months of removal, and three-fifths were reunified within 24 months or less. Like 2007, three-fifths of children were reunified with their parent within 24 months of removal in 2008, but considerably more reunified within 18 months of removal (44%). The median time to closure for cases closed to adoption steadily declined from 2005 to 2007, (5.0 years in 2005, 3.9 years in 2006 to 3.7 years in 2007) before increasing slightly in 2008. However, in spite of the decline in median time to closure, fewer than 10% of children adopted had their cases closed within 24 months. As was the case with adoption, the median time to achievement of permanency for children whose cases closed to

guardianship also decreased steadily from 2005 to 2007, (4.4 years in 2005, 3.5 years in 2006 to 2.8 years in 2007) before increasing slightly to 3.0 years in 2008.

Table 4. Percent Distribution of Time Between Case Filing and Achievement of Permanency Goal, for Cases Closed in 2007 and 2008

Number of months to achieve goal	Permanency Goal							
	Reunification		Adoption		Guardianship		Custody	
	2007	2008	2007	2008	2007	2008	2007	2008
6 months	1	5	0	0	0	0	0	0
12 months	15	19	1	1	0	0	9	0
18 months	18	20	1	2	6	3	0	12
24 months	25	16	1	3	8	5	9	12
More than 24 months	41	40	96	94	86	92	82	76
Total Cases Closed	173	163	135	95	110	93	11	17
Median Time to Achieve Goal	2.0 years	1.7 years	3.7 years	3.9 years	2.8 years	3.0 years	3.6 years	2.7 years
Average Time to Achieve Goal	2.6 years	2.5 years	4.9 years	4.6 years	3.3 years	3.8 years	5.7 years	2.7 years

It is important to remember that many of the cases closed in 2007 and 2008 were older cases where the children had already been in care for extended periods of time. As these older cases close or the youth age out of the system, the court expects to see the median time to case closure to remain high. Table 5 shows the year of case filings for the

Table 5. Age of Pending Caseload, 2008

Year Case Filed	Percent of Pending Caseload
1988-1996	8
1997-2001	16
2002-2003	9
2004	7
2005	12
2006	12
2007	12
2008	25
Number Pending	2,608

pending caseload and demonstrates why the median will remain high over the next several years. Nearly a quarter of the cases under court jurisdiction at year end had been open seven or more years; another one-tenth had been open at least five years. As these cases close, they will continue to drive the median time to closure and keep it high over the next several years. Table 6, on the other hand, shows that the court is making significant progress in achieving permanency for newly filed cases.

Table 6. Status of Cases Filed, 2003-2008

Year Filed	Number Filed	Case Status	
		Percent Open	Percent Closed
2003	853	14	86
2004	802	22	78
2005	933	33	67
2006	652	44	56
2007	532	58	42
2008	842	73	27

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

In 34% of the cases (190 cases) closed in 2008, the children did not achieve permanency either because they aged out of the system or were emancipated. The percentage of cases closed in 2008 in this category was higher than it was in 2007 (29%), 2006 (22%) or 2005 (19%). Again, this may be attributable to the number of older children in the system.

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

Eight of the 173 cases closed to reunification in 2007 have returned to care, 5 within 12 months and 3 within 24 months of reunification. Only one of the 163 cases closed to reunification in 2008 has returned to care.

Table 7. Children who reenter foster care pursuant to a court order after being returned to their families

Year	Number of Cases Closed by Reunification	Number of Children Returned to Foster Care after Reunification	Number of Months Before Return		
			12 Months	24 Months	More than 24 Months
2004	325	35	23	3	9
2005	215	15	3	1	10
2006	281	19	8	10	1
2007	173	8	5	3	0
2008	163	1	1	0	0

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

Of the 425 children whose cases closed to adoption in 2004, four adoptions disrupted and the children returned to care, two within 24 months of adoption and two more than 24 months after adoption. In 2008, none of the 285 cases closed to adoption in 2005, or the 196 cases closed in 2006, or the 95 cases closed in 2008, have returned to care in this jurisdiction. Of the 135 cases closed to adoption in 2007, one child has returned to care.

Table 8. Children who reenter foster care pursuant to a court order after being adopted

Year	Number of Cases Closed by Adoption	Number of Children Returned to Foster Care after Adoption	Number of Months Before Return		
			12 Months	24 Months	More than 24 Months
2004	425	4	0	2	2
2005	285	0	0	0	0
2006	196	0	0	0	0
2007	135	1	0	1	0
2008	95	0	0	0	0

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

Of the 214 children whose cases closed to guardianship in 2005, three cases disrupted, two within 24 months and one after more than 24 months of being placed with a permanent guardian. Seven of the 194 cases closed to guardianship in 2006 disrupted, one within 12 months of placement with a permanent guardian, three within 24 months and 3 after more than 24 months of placement. In addition, 4 cases closed to guardianship in 2007 have also disrupted.

Table 9. Children who reenter foster care pursuant to a court order after being placed with a permanent guardian

Year	Number of Cases Closed by Guardianship	Number of Children Returned to Foster Care after Guardianship	Number of Months Before Return		
			12 Months	24 Months	More than 24 Months
2004	292	4	0	0	4
2005	214	3	0	2	1
2006	194	7	1	3	3
2007	110	4	3	1	0
2008	93	0	0	0	0

Performance Measure 2: Timeliness

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

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

See discussion under ASFA compliance, pages 48 to 55.

TERMINATION OF PARENTAL RIGHTS

Federal and local law requires that when a child has been placed outside of the home for 15 of the most recent 22 months, a motion for termination of parental rights (TPR) be filed or that an exception be documented. In light of decisions from the D.C. Court of Appeals, the general practice in the District had been to file the TPR motion,

and hold it in abeyance when an adoption petition has been filed thereby terminating parental rights through the adoption case. The CWLT continues to express concern with the processing of TPR motions. Concerns center on the appeals process, difficulties created by the current process in recruiting adoptive parents, the conflict for social workers legally obligated to continue to provide services and contact for birth parents once the court has identified adoption as the permanency goal and TPR as the means for achieving that goal, and delay in permanency for children who are left in what are perceived to be stable placements, but not leading to permanency.

Considerable work has been done to address this lingering issue over the past several years. First, the CWLT developed voluntary guidelines on compelling reasons not to file a TPR. The document was reviewed and a consensus was reached concerning these reasons. Second, the OAG, working with CFSA and the court, using the compelling reasons document as a guide, completed a detailed review of all cases in which the child had been in an out of home placement for more than 15 of the most recent 22 months. In each case reviewed, the OAG made a decision as to whether to file a motion for a TPR or document acceptable compelling reasons for not filing. If it was determined that a TPR was necessary, the OAG had 30 days from the date of review to file the motion. Once the TPR motion was filed, the OAG turned over all relevant documents to the attorneys for the parents to advance the discovery process and reduce delay in proceeding on TPR matters.

To prepare for an anticipated increase in TPR filings, Family Court judicial officers participated in specialized training on the management of TPR proceedings and the importance of moving these cases forward fairly and expeditiously. As part of the

training, CFSA adoption recruitment workers spoke to judicial officers about CFSA’s efforts to recruit pre-adoptive families and the positive impact that legally “freeing” children have on their recruitment efforts.

To prevent future delays in the filing of TPR motions, the OAG tracks the permanency goals of children more closely once they are removed from the home. In addition, the CWLT monitors the number and status of TPR cases identified by both the court and the OAG at each of its quarterly meetings.

Tables 10 – 13, detail the court’s performance as it relates to the handling of TPR motions. It is important to bear in mind the above discussion when reviewing the findings.

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

Table 10. Time Between Filing of Original Neglect Petition and Filing of TPR Motion, by Year TPR Motion Filed

Year Filed	Total TPR Motions Filed	Median Days To Filing	Average Days To Filing	Number of Motions Filed Within :				
				15 months	22 months	36 months	60 months	More than 60 months
2005	248	1,059	1,510	31	37	59	37	84
2006	145	569	937	49	38	21	14	23
2007	129	688	940	37	26	31	23	12
2008	163	585	871	38	55	35	19	16

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

Table 11. Termination of Parental Rights Motions Filed, by Year Motion Filed and Method of Disposition

Year Filed	Total Filed	Total Undisposed of	Total Disposed of	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2004	141	14	127	45	76	5	1
2005	248	34	214	51	136	24	3
2006	145	37	108	39	64	4	1
2007	129	93	36	7	22	5	2
2008	163	152	11	6	5	0	0

Table 12. Time Between Filing and Disposition of TPR Motion, by Year Motion Filed

Year Filed	Total Motions Disposed of	Median Days to Disposition	Average Days to Disposition	Number of Motions Disposed of Within:				
				30 days	90 days	120 days	180 days	180 + days
2004	127	488	496	0	2	2	5	118
2005	214	557	480	3	7	7	22	175
2006	108	515	510	0	0	0	3	105
2007	36	377	353	1	1	2	3	29
2008	11	346	293	1	0	0	2	8

Table 13. Time Between Filing and Disposition of TPR Motion, by Year Motion Filed and Type of Disposition

Year Filed	Total Motions Disposed of	Time to Disposition, by Type of Disposition					
		Motion Granted			Other Disposition of Motion*		
		Number of Motions Granted	Median Days to Disposition	Average Days to Disposition	Number of Other Dispositions	Median Days to Disposition	Average Days to Disposition
2004	127	45	387	449	82	489	567
2005	214	51	334	474	163	438	498
2006	108	39	329	383	69	599	592
2007	36	7	371	369	29	377	369
2008	11	6	405	395	5	164	171

*Includes motions dismissed, withdrawn or denied.

As a result of the renewed focus on TPR, there was a significant increase in the number of TPR motions filed from 2003 through 2005. In 2003, 177 TPR motions were filed. One hundred forty-one TPR motions were filed in 2004, and 248 motions were filed in 2005. Due to the extensive work done by the OAG in 2005 to timely file TPR motions, TPR filings declined in 2006 and 2007 (145 in 2006 and 129 in 2007). In 2008, filings (163) increased 26% over 2007. The increase may be attributable to a number of factors including the filing of a TPR in cases reviewed in 2005 that had compelling reasons not to file but the compelling reasons no longer exist, and an increased focus on freeing children for adoption to expedite permanency.

A review of the time between the filing of the original neglect petition in a case and the subsequent filing of a TPR motion in that case indicates that the median number

of days between these two events declined from 2005 through 2008. Moreover, more than half of the TPR motions filed in 2006 through 2008 were filed within the 22 months timeframe. However, a review of Measure 2f (i) also indicate that in many cases the TPR motion was filed after the case had been open for more than 3 years. It is important to note that many of these cases were thoroughly reviewed as part of the overall assessment of TPR cases by the OAG mentioned above. At the time of the assessment in each of these cases, there were documented compelling reasons for not filing the TPR. Unfortunately, since the review process was complete, changes in the status of the case led to the decision to file the TPR.

The length of time between filing the TPR motion and the order granting the TPR has declined significantly over the three year period from 2004 to 2006. TPR motions granted took a median of 387 days in 2004, 334 days in 2005, and 329 days in 2006. The majority of TPR motions filed in 2007 and 2008 have yet to be decided.

TPR motions disposed of by means other than granting of the motion (i.e., dismissal, denied, withdrawn) increased over the same 3 year period. The median time to dispose of motions through those methods increased from a median of 489 days for motions filed in 2004, to 599 days for motions filed in 2006. Again, the majority of motions filed in 2007 and 2008 have not yet been disposed.

Currently, there are 330 TPR motions pending disposition. As those motions are disposed of, it will be important to see if the improvements noted above remain. The Court continues to examine this data with the goal of establishing case processing standards in the future.

It is important to note that TPR motions that have been pending for a number of years, as well as the large number of TPR motions disposed of through dismissal are largely a reflection of previous practice in the District of terminating parental rights within the adoption case. As a result, a significant percentage of these motions are being held in abeyance or are trailing an adoption case and will be dismissed once the adoption is granted.

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

Over the period from 2004 through 2008, the median number of days to file an adoption petition after a TPR motion had been granted was 325 days. The calculation of the median does not include those cases in which an adoption petition was filed before the TPR motion was granted, a situation that occurred in each year during that period, or those cases in which a TPR motion was granted and no adoption petition has been filed.

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

**Table 14. Adoption Petitions Filed by CFSA, by Year
Petition Filed and Method of Disposition**

Year Filed	Total Filed	Total Undisposed of	Total Disposed of	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2004	316	5	311	233	50	27	1
2005	248	6	242	158	51	31	2
2006	209	17	192	139	28	23	2
2007	165	48	117	85	17	15	0
2008	177	143	34	16	13	5	0

**Table 15. Time Between Filing and Finalization of Adoption
Petition of Children in Foster Care, by Year Petition Filed**

Year Filed	Total Adoptions Finalized	Median Days to Finalization	Average Days to Finalization	Number of Adoptions Finalized Within:				
				3 months	6 months	12 months	18 months	>18 months
2004	233	267	390	4	22	106	67	34
2005	158	480	372	2	16	58	52	29
2006	139	261	410	1	22	40	53	23
2007	85	302	375	0	9	34	36	6
2008	16	285	207	0	7	9	0	0

At present, a fifth of the adoption petitions filed in 2008 have been disposed. In approximately half of the cases disposed, the adoption petition was granted. For those cases in which the petition was granted, the median time between filing and finalization was approximately nine months (285 days). For adoption petitions filed in 2007, the median time from filing of the adoption petition to finalization of the adoption was 10 months. As can be seen from Table 15, the median time between filing of the adoption petition and finalization was approximately 9 months in 2004 and 2006, and 15 months in 2005.

Performance Measure 3: Due Process

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

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

D.C. Code §16-2304 requires the appointment of a guardian ad litem who is an attorney for all children involved in neglect proceedings. Guardians *ad litem* were appointed for all children in advance of the initial hearing.

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

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

Mayor's Services Liaison Office

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

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

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

The MSLO serves children, youth and families who are involved in Family Court proceedings. The Office is supported by twelve District of Columbia government agency liaisons that are familiar with the types of services and resources available through their agencies and can access their respective agencies' information systems and resources from the courthouse. The agency liaisons respond to inquiries and requests for

information concerning services and resources, and consult with the assigned social worker(s) or case worker (s) in an effort to access available services for the child and/or family. Each liaison is able to provide information to the court about whether a family or child is known to its system, and what services are currently being provided to the family or child.

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

- Child and Family Services Agency
- Department of Mental Health
- District of Columbia Housing Authority
- District of Columbia Public Schools
- Department of Youth Rehabilitation Services
- Department of Health: Addiction Prevention and Recovery Administration

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

- Income Maintenance Administration
- Metropolitan Police Department: Youth and Preventive Services Division
- Department of Health and Human Services: Strong Families Division
- Department of Health: Maternal and Family Health and Youth Prevention Services Division
- Department of Employment Services

Referral Process to the Mayor's Services Liaison Office

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

Since inception, the MSLO has served more than 4,200 individuals. A quarter of the requests were for information on issues such as education, employment opportunities, and financial assistance; half of those seeking service had been ordered to the MSLO by a judicial officer to be connected with a specific service; and another quarter involved families under the jurisdiction of the court for whom it was recommended that they seek the services of the MSLO.

Cases seeking the services of the MSLO through a court order were for assistance with issues related to housing, such as transfers, inspections, emergency housing; mental health evaluations and assessments; individual and family therapy; substance abuse treatment; school placements; IEP's and other special education issues, including testing and due process; general education; TANF assistance; medical assistance; financial assistance; food; and employment and literacy information. The MSLO effectively linked these families and children to a variety of services. Chief among them was drug treatment for parents/guardians and youth. Other service linkages and resources included housing, mental health services, and educational services. The MSLO provides several resources to women in the Family Treatment Court program, such as housing assistance, including assistance with the Housing Voucher Client Placement program (DCHA), eviction prevention, TANF assistance, and medical assistance.

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

New Initiatives in Abuse and Neglect

Abuse and Neglect Clinic at the University of District of Columbia's David A. Clarke School of Law

To further address the unmet legal needs of abused and neglected children and their families, the Family Court, using CIP funds, collaborated with the University of the District of Columbia David A. Clarke School of Law (UDC-DCSL) to establish a child welfare legal clinic. The clinic has two goals: first, to develop a recruitment strategy that ensures a continual stream of attorneys interested in child welfare law; second, to provide practical experience to young lawyers who are willing to represent parties in abuse and neglect cases under the guidance of senior attorneys/faculty.

The Superior Court entered into an agreement with UDC-DCSL which specifies the goals and objectives of the clinic. The Supervisory Attorney, hired in June 2008, oversees the daily operations of the clinic that began accepting students in September 2008. The focus of the clinic is on serving low-income families and providing students with a substantive understanding of the legal issues that arise in abuse and neglect cases as well as the myriad of underlying issues that affect the Court's ability to expeditiously address these cases. The clinic also offers coursework in child welfare issues taught by stakeholders from the various components of the child welfare system. As part of the agreement, the Family Court and the UDC-DCSL have agreed to evaluate the clinic on an annual basis to determine whether the relationship encompassed by the agreement should continue and/or whether any modifications are necessary. In addition, the UDC-DCSL has agreed to provide quarterly progress reports to the Court on all matters pertaining to the agreement.

National Association of Counsel for Children (NACC) Attorney Certification

The Family Court recognizes the practice of law for children and families as an area of specialty that requires the skill and commitment of highly qualified counsel. Therefore, the Family Court, utilizing CIP funds, in partnership with the National Association of Counsel for Children (NACC), provided the opportunity for 40 eligible agency, CCAN and GAL panel attorneys to obtain Child Welfare Law Certification. During January 2008 the Family Court conducted informal information sessions to publicize the NACC certification program to interested attorneys. At the conclusion of each session, the Family Court pre-screened applications from interested attorneys to determine their eligibility for the program. Sixty eligible attorneys were identified through the informal information sessions. Those sixty attorneys were invited to participate in a training program facilitated by the NACC on February 25, 2008. The training course followed the NACC's *Red Book* that covered the major competency areas of dependency practice and prepares an attorney for the NACC Child Welfare Attorney certification exam.

Forty applicants were chosen to complete the formal NACC application process. The remaining 20 attendees were placed on a pre-established ranked wait list. Attorneys, who withdrew or were unable to complete the NACC application process, were replaced by one of the 20 attorneys on the waiting list to ensure the Family Court had a full complement of 40 attorneys prepared for the NACC review process. Forty attorney applications, including five from the wait list, were submitted to NACC in May 2008 for panel review. In December 2008, NACC sent the results of its initial attorney screening. Thirty-four of the forty attorneys were found eligible to sit for the certification exam. The

next steps for attorneys found eligible to sit is test preparation and completion of the written competency examination in the spring of 2009. To assist attorneys in preparation for the certification examination, the Family Court provides bi-monthly study sessions at the court. Those attorneys that pass the examination and satisfy all other NACC certification standards will be certified as Child Welfare Law Specialists (CWLS) in September 2009.

Handbook for Older Youth on the Court Process

After successful implementation of handbooks explaining the court process in English and Spanish for younger children and parents, the Family Court is utilizing CIP funds to begin development of a handbook for older youth, under the guidance of the Abuse and Neglect Subcommittee of the Family Court Implementation Committee. The Subcommittee is in the process of reviewing a draft of the handbook, which is expected to be in March 2009. A full illustrated version of the handbook is expected to be completed and submitted to the Family Court Implementation Committee for review by April 30, 2009.

JUVENILE CASES

During 2008, there were 3,499 new juvenile complaints filed in the Family Court. Ninety percent (3,163) of all complaints filed were based on an allegation of delinquency, 6% (207 cases) on a person in need of supervision (PINS) allegation and 4% (129 cases) on an Interstate Compact Agreement (ISC). Two-thirds of all complaints filed (2,359) resulted in a formal petition being filed by the OAG. The remaining cases were either “no papered” or the petition has yet to be filed. Delinquency cases comprised ninety percent (2,113) of the cases that were petitioned; PINS cases (182) accounted for 7 percent of petitioned cases and ISC cases 3%. The remainder of this section focuses on the 2,113 cases alleging delinquency in which a petition was filed during 2008.

The number of delinquency cases petitioned increased 10% from 2007 to 2008; the increase for males was 8% and for females 23%. Males continued to account for more than 8 out of every 10 cases petitioned in 2008 (85%). However, the percentage of females among petitioned cases increased by 15% (from 13% in 2007 to 15% in 2008).

Four percent of cases petitioned in 2008 involved youth aged 12 or younger. A quarter involved juveniles who were 13 and 14 years old, nearly half were 15-16 years old at the time of petitioning, and another quarter were 17 or over. Overall, youth petitioned in 2008 were older than youth petitioned in 2007. In 2007, 44% of youth were 16 or older at the time of petitioning in comparison to 51% of youth in 2008.

Forty-one percent of juveniles (874 cases) were detained at the time of their initial hearing (13% in non-secure facilities or shelter houses and 29% in secure detention facilities). Males comprised 89% of those detained and females 11%.

Most Serious Offense⁶

Forty-five percent of new delinquency cases petitioned in 2008 were for a violent crime, 30% for a property offense, 14% for a drug law violation and 10% for a public order offense. The single most common reason for a juvenile case to be petitioned in 2008 was for a charge of simple assault (13%), followed by unauthorized use of a vehicle (12%), unarmed robbery (10%), aggravated assault, larceny/theft, and drug sale/distribution (all 9% of referrals), weapons offenses (7%), and assault with a dangerous weapon (6%). Although few in numbers, it is important to point out that 9 juveniles were charged with murder and 11 with assault with the intent to kill in 2008.

Juveniles charged with assault accounted for more than 6 out of 10 new petitions for acts against persons (aggravated assault (34%) and simple assault (29%)). Robbery (28%) was the second leading reason for a petition for acts against persons (6% armed robbery and 22% unarmed), followed by juveniles charged with first degree sexual abuse or rape (3%).

Nearly forty percent of all juvenile cases petitioned for acts against property involved unauthorized use of a vehicle (38%), followed by larceny/theft (30%), property damage (14%) and unlawful entry (10%).

The overwhelming majority of youth charged with acts against public order had allegedly committed a weapons offenses (70%); 5% were charged with obstruction of justice and 3% with disorderly conduct. Among juveniles charged with a drug law

⁶Juveniles charged with multiple offenses are categorized according to their most serious offense. For example, in a single case where a juvenile is charged with robbery, simple assault and a weapons offense, the case is counted as a robbery. Thus data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

violation, two-thirds were charged with drug sale or distribution and one third with drug possession.

Most serious offense by age

In 2008, 49% of all delinquency cases petitioned by the Family Court involved youth 15 years of age or younger at the time of referral. Compared with delinquency referrals for older youth (16 and older), referrals of youth 15 or younger included larger proportions of offenses against person and property and smaller proportions of drug and public order offense cases. The single most likely reason for petitioning a youth 15 or younger was a charge of simple assault (15%), followed by unauthorized use of a vehicle (13%), larceny/theft (11%) and robbery (11%). In contrast, the most common charge for a youth age 16 or older was drug sale/distribution (14%), followed by simple assault (11%), unauthorized use of a vehicle (10%), unarmed robbery (9%) and aggravated assault (9%). Compared to 2007, the caseloads in 2008 of both younger and older youth involved the same or greater proportions of crime against persons, public order, and drug law violations and smaller proportions of property offenses.

A review of most serious offense by age at time of petitioning within specific offense categories also reveals some significant differences. In 2008, the percentage of youth charged with crimes involving acts against persons decreased significantly in cases involving older youth. Specifically, 63% of juveniles aged 12 or younger were charged with a crime against a person as compared to 54% of juveniles age 13-14, 43% of those age 15-16, and 38% of those age 17 or older at referral.

In comparison, the percentage of youth charged with a drug offense increased with the age of the offender. No youth 12 or younger were charged with drug offenses.

The percentages of drug offense charges, by age group, were: ages 13-14, 5%; ages 15-15, 17%; ages 15-16, 17%; ages 17 and older, 20%. Similarly, youth charged with acts against the public order also increased with age.

Table 16. Juvenile Delinquency Cases Petitioned in 2008, by Age and Most Serious Offense

Most Serious Offense ⁷	Age at Time of Petition								
	Total cases	Under 10 years	10-12	13-14	15-16	17	18 and over ⁸	15 and younger	16 and older
Acts against persons	957	3	56	276	435	182	5	532	425
Murder	9	0	0	4	4	0	1	6	3
Assault with Intent to Kill	11	0	0	1	7	3	0	4	7
Assault with Dangerous Weapon	137	0	12	43	56	25	1	80	57
Aggravated Assault	186	2	10	46	88	39	1	92	94
Armed Robbery	53	0	2	12	25	14	0	28	25
Robbery	210	0	6	58	99	47	0	113	97
First Degree Sexual Abuse (Rape)	28	0	4	12	7	3	2	20	8
Other Violent Sex Offenses	12	0	2	6	3	1	0	8	4
Car Jacking	16	0	0	3	12	1	0	12	4
Burglary 1	17	1	3	3	10	0	0	9	8
Simple Assault	273	0	16	87	122	48	0	157	116
Other Acts Against Persons	5	0	1	1	2	1	0	3	2
Acts against property	637	0	27	173	297	139	1	342	295
Burglary 2	34	0	2	7	19	5	1	18	16
Larceny/Theft	192	0	8	63	75	46	0	109	83
Unauthorized Use of Auto	245	0	12	67	122	44	0	139	106
Arson	3	0	0	1	1	1	0	2	1
Property Damage	86	0	3	27	33	23	0	47	39
Unlawful Entry	61	0	1	6	37	17	0	19	42
Stolen Property	15	0	1	2	9	3	0	8	7
Other Acts Against Property	1	0	0	0	1	0	0	0	1
Acts against public order	219	0	7	40	110	61	1	90	129
Weapons Offenses	154	0	6	28	80	39	1	63	91
Disorderly Conduct	7	0	0	1	1	5	0	1	6
Obstruction of Justice	10	0	0	3	7	0	0	6	4
Other Acts Against Public Order	48	0	1	8	22	17	0	20	28
Drug Law Violations	300	0	0	25	175	97	3	70	230
Drug Sale/Distribution	196	0	0	11	120	63	2	43	153
Drug Possession	100	0	0	13	53	33	1	26	74
Other Drug	4	0	0	1	2	1	0	1	3
Total Delinquency Petitions⁹	2,113	3	90	514	1,017	479	10	1,034	1,079

⁷ See Footnote 6.

⁸ See D.C. Code §16-2301(3)(c)(2001).

⁹ This table excludes new referrals whose cases were not petitioned by the OAG after a complaint was filed. It also excludes juveniles 16 and over who were charged as adults.

Most serious offense by gender

As was the case in 2007, when looking at data relative to the gender of youth in petitioned cases, there were significant differences in the types of offenses by gender.

**Table 17. Juvenile Delinquency Cases Petitioned in 2008
by Most Serious Offense and Gender**

Most Serious Offense ¹⁰	Total cases	Male	Female
Acts against persons	957	738	219
Murder	9	9	0
Assault W/I Kill	11	9	2
Assault Dangerous Weapon	137	97	40
Aggravated Assault	186	144	42
Armed Robbery	53	50	3
Robbery	210	191	19
First Degree Sex Abuse	28	26	2
Other Violent Sex Offenses	12	10	2
Carjacking	16	12	4
Burglary 1	17	16	1
Simple Assault	273	169	104
Other Acts Against Persons	5	5	0
Acts against property	637	577	60
Burglary 2	34	32	2
Larceny/Theft	192	167	25
Unauthorized Use Auto	245	233	12
Arson	3	1	2
Property Damage	86	70	16
Unlawful entry	61	58	3
Stolen Property	15	15	0
Other Acts Against Property	1	1	0
Acts against public order	219	193	26
Weapons Offenses	154	144	10
Disorderly Conduct	7	6	1
Obstruction of Justice	10	5	5
Other Acts Against Public Order	48	38	10
Drug Law Violations	300	294	6
Drug Sale/Distribution	196	194	2
Drug Possession	100	96	4
Other Drug	4	4	0
Total Delinquency Petitions	2,113	1,802	311

¹⁰ See Footnote 6.

More females were charged for offenses against persons than were males – 70% of females were charged with acts against persons, compared to 41% of males.

Conversely, more males than females were charged with acts against property (32% and 19%, respectively) and drug law violations (16% and 2%, respectively).

Within major crime categories, there were also significant differences in the offenses for which males and females were charged. Among male offenders charged with crimes against persons, 56% were charged with some form of assault and 33% were charged with some form of robbery. In comparison, among females charged with violent offenses, 84% were charged with some form of assault, and 10% for robbery. Among males charged with property offenses, unauthorized use of a vehicle (40%) was the leading charge followed by larceny/theft (29%) and property damage (12%). For females, however the leading property charge was larceny/theft (42%) followed by property damage (27%) then unauthorized use of a vehicle (20%). Among both males and females charged with public order offenses, weapons offenses were the leading charge (75% and 38% respectively). In contrast, while 16% of males were charged with drug offenses, only 2% of females were charged with a similar offense.

Most serious offense by detention status

A child shall not be detained pending a trial or disposition hearing unless he is alleged to be delinquent or in need of supervision and unless it appears that detention is required to protect the person or property of others or of the child, or to secure the child's presence at the next court hearing. *See* D.C. Code §16-2310 (a). In addition, a child shall not be placed in shelter care pending a trial or disposition hearing unless it appears that shelter care is required to protect the child or because the child has no

parent, guardian, custodian, or other person or agency able to provide supervision and care for him, and no alternative resources or arrangements are available to the family to safeguard the child without requiring removal. *See* D.C. Code § 16-2310 (b). In order to detain the child, the judicial officer must also have probable cause to believe that the child committed the offense.

In determining whether a youth should be detained or not, judicial officers, exercising their discretion, consider a myriad of factors before making the detention decision. Factors taken into consideration include but are not limited to the following:¹¹

- the nature and circumstances of the pending charge;
- the record of and seriousness of the child's previous offenses, if any;
- whether there are allegations of danger or threats to any witnesses;
- the emotional character and mental condition of the child;
- indication of the child's drug/alcohol addiction or drug/alcohol use;
- any suicidal actions or tendencies of the child;
- any other seriously self-destructive behavior creating imminent danger to the child's life or health;
- the length of, and community ties related to, the child's residence in D.C.;
- the child's school record and employment record (if any);
- record of the child's appearances at prior court hearings;
- and the record of, and circumstances of, any previous abscondences by the child from home.

If the judicial officer determines, that detention appears to be justified, he/she has discretion to consider whether the child's living arrangements and degree of supervision might justify release pending adjudication.

Notwithstanding the factors above, there is a rebuttable presumption that detention is required to protect the person or property of others if the judicial officer finds by a substantial probability that the child committed a dangerous crime or a crime of

¹¹ See Superior Court Juvenile Rule 106.

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

After careful consideration of the above factors, in 874 (41%) juvenile delinquency cases petitioned in 2008, the youth was detained prior to trial.¹² The percentage of juveniles detained prior to trial increased 15% from 2007 to 2008. In 2007, 36% of youth were detained; during 2008, that figure rose to 41%. The increase in the use of detention occurred across all offense categories. Table 18 presents information on the number of juveniles detained at initial hearing by offense, one of the many factors taken into account when making a decision to detain a youth.

In 2008, 48% of those charged with acts against public order (i.e. weapons offenses) were detained prior to trial, compared to 36% of those charged with drug offenses, 38% of those charged with property crimes and 44% of those charged with acts against persons. The comparable figures for 2007 were 42%, 33%, 35%, and 37% respectively. With regard to specific offenses, 8 out of 9 youth charged with murder and 10 out of the 11 charged with assault with intent to kill were detained prior to trial. Ninety-four percent of those charged with carjacking, 60% of those charged with weapons offenses, 57% of those charged with armed robbery and 56% of those charged with assault with a dangerous weapon were also detained prior to trial. As expected,

¹² For purposes of this report, a juvenile's pre-trial detention status is based on the detention decision made at the initial hearing. It does not reflect the movement of juveniles from one placement status to another either prior to or after adjudication.

those charged with drug possession, unlawful entry, property damage, and simple assault were less likely to be detained prior to trial.

Table 18. Juvenile Delinquency Cases in which the Juvenile Was Detained Prior to Trial, by Offense and Type of Detention

Most Serious Offense ¹³	All Detained Delinquency Cases						
	Total detained	Securely Detained			Non-Securely Detained		
		Total	Males	Females	Total	Males	Females
Acts against persons	420	275	236	39	145	105	40
Murder	8	8	8	0	0	0	0
Assault W/I Kill	10	10	8	2	0	0	0
Assault Dangerous Weapon	77	43	34	9	34	20	14
Aggravated Assault	78	54	47	7	24	18	6
Armed Robbery	30	25	25	0	5	2	3
Robbery	95	68	60	8	27	24	3
First Degree Sex Abuse	13	9	9	0	4	4	0
Other Violent Sex Offenses	1	1	1	0	0	0	0
Carjacking	15	14	10	4	1	1	0
Burglary 1	6	4	4	0	2	2	0
Simple Assault	84	37	28	9	47	33	14
Other Acts Against Persons	3	2	2	0	1	1	0
Acts against property	240	163	156	7	77	73	4
Burglary 2	16	10	10	0	6	6	0
Larceny/Theft	77	54	49	5	23	22	1
Unauthorized Use Auto	104	77	77	0	27	27	0
Arson	0	0	0	0	0	0	0
Property Damage	23	11	9	2	12	10	2
Unlawful entry	15	7	7	0	8	7	1
Stolen Property	5	4	4	0	1	1	0
Other Acts Against Property	0	0	0	0	0	0	0
Acts against public order	105	89	83	6	16	14	2
Weapons Offenses	92	79	78	1	13	12	1
Disorderly Conduct	0	0	0	0	0	0	0
Obstruction of Justice	5	5	4	1	0	0	0
Other Acts Against Public Order	8	5	1	4	3	2	1
Drug Law Violations	109	82	81	1	27	26	1
Drug Sale/Distribution	83	62	62	0	21	20	1
Drug Possession	25	20	19	1	5	5	0
Other Drug	1	0	0	0	1	1	0
Total number of detained cases	874	609	556	53	265	218	47

Seventy percent of those detained were held in secure detention facilities and 30% in non-secure facilities referred to as shelter houses. The percentage of juveniles

¹³ See Footnote 6.

held in secure detention facilities in 2008 (70%) was higher than the number held in similar facilities in 2007 (55%). The percentage of males detained prior to trial was lower in 2008 than it was in 2007 for both secure and non-secure detention facilities. In 2008, males accounted for 91% of those detained in secure facilities and 82% of those detained in shelter houses. In 2007, males accounted for 94% of those detained in secure facilities and 90% of those detained in shelter houses. On the other hand, the percentage of females detained in both secure facilities and shelter houses increased between 2007 and 2008.

Among those detained, there were also differences in type of detention facility by offense. Of youth detained, 100% of those charged with murder, assault with intent to kill, other violent sex offenses, and obstruction of justice were detained in secure facilities, as were 93% of those charged with carjacking, 86% of those charged with a weapons offense, 83% of those charged with armed robbery, and 80% of those charged with stolen property. On the other hand, among detained youth, 56% of those charged with simple assault were detained in shelter houses, as was 52% of those charged with property damage and 44% of those charged with assault with a dangerous weapon.

Timeliness of Juvenile Delinquency Case Processing

Many states, including the District of Columbia, have established case-processing timelines for youth detained prior to trial. In addition to individual state timelines, several national organizations, including the American Bar Association, the

Office of Juvenile Justice and Delinquency Prevention and the National District Attorneys Association have issued guidelines for case processing in juvenile cases.¹⁴

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

In August 2005, the NCJFCJ published the *“Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases.”* The Guidelines establish national best practices in the handling of juvenile delinquency cases, in addition to establishing time parameters from initial hearing to disposition for both detained and non-detained youth. Suggested timeframes range from two weeks to six weeks depending on the child’s detention status.

District of Columbia Code §16-2310(e), in part, establishes timeframes for the trial or fact finding hearing for youth detained prior to trial in secure detention facilities. When a youth is securely detained, the timeframe for the fact finding hearing is 30 days or 45 days, from detention, depending on the seriousness of the charge. Specifically, if a youth is securely detained and charged with murder, assault with intent to kill, first degree sexual abuse, first degree burglary, or armed robbery the case must go to trial within 45 days of the child’s detention. For all other securely detained youth the case must be tried within 30 days.

¹⁴ 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 Young Offenders Through the Juvenile Court Process” by Jeffrey Butts and Gregory Halemba conducted under the sponsorship of the National Center for Juvenile Justice.

In 2007, the District of Columbia City Council implemented emergency legislation, which amended D.C. Code §16-2310 (e) by establishing a 45 day trial timeframe for youth detained in non-secure detention facilities or shelter houses. The current version of this temporary legislation is Act 18-0007, “The Juvenile Speedy Trial Equity Congressional Review Emergency Amendment Act of 2009.” Since 2007, the Family Court began monitoring compliance with the 45 day trial timeline for non-secure detention cases based on court-wide performance measures developed by the Court.¹⁵

District of Columbia law set forth a number of reasons for extending the fact finding hearing for one additional 30 day period beyond the statutory period in certain circumstances. Pursuant to Under D.C. Code §16-2310 (e)(2)(A), upon motion of the Attorney General and for good cause, the court may extend the time limit for trial. The law provides, in part, that in determining whether there is “good cause”, the court considers whether there has been , or will be, delay resulting from one or more of the following factors:

- Other proceedings concerning the child, including, but not limited to, examinations to determine mental competency or physical capacity;
- A hearing with respect to other charges against the child;
- Any interlocutory or expedited appeals;
- The making of, or consideration by the court of any pretrial motions;
- Proceedings related to the transfer of the child pursuant to D.C. Official Code §16-2307;
- The absence or unavailability of an essential witness; and

¹⁵ The Family Court 2007 Annual Report incorrectly stated that the timeline for adjudication for youth detained in non-secure facilities was based on D.C. Code. It also incorrectly indicated that the 15 day timeframe from adjudication to disposition for all detained youth was governed by statute rather than court rule.

- When necessary autopsies, medical examinations, fingerprint examinations, ballistic tests, drug analysis, or other scientific tests are not completed, despite due diligence.

The Juvenile Speedy Trial legislation further amends D.C. Code §16-2310 to state that in the following circumstances, the Attorney General, for good cause shown, may file a motion for further continuance (i.e., seek successive continuances in 30-day increments) if:

- The child is charged with murder, assault with intent to kill, or first degree sexual abuse;
- The child is charged with a crime of violence, as defined in D.C. Code §23-1331(4), committed while using a pistol, firearm, or imitation firearm; or
- Despite the exercise of due diligence by the District and the federal agency, DNA evidence, analysis of controlled substances, or other evidence possessed by federal agencies has not been completed.

In addition, under D.C. Code §16-2330, in part, the following time periods are excluded from the time computation for reaching adjudication:

- The period of delay resulting from a continuance at the request or consent of the child or his counsel;
- The period of delay resulting from other proceedings concerning the child, including but not limited to an examination or hearing on mental health or retardation and a hearing on a transfer motion;
- The period of delay resulting from a continuance granted at the request of the OAG if it is granted because of unavailability of material evidence in the case, or if the continuance is granted to allow the OAG additional time to prepare;
- The period of delay resulting from the imposition of a consent decree;
- The period of delay resulting from the absence or unavailability of the child; and

- A reasonable period of 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.

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

Since 2007, the court has monitored the adjudication and disposition timeframes for youth held in non-secure detention facilities or shelter houses, in addition to timeframes for juveniles held in secure detention facilities. As a result, this report examines case processing standards for youth in three categories: (1) securely detained juveniles charged with murder, assault with intent to kill, armed robbery, first degree sex abuse, and first degree burglary -- the statute allows 45 days to reach adjudication and 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition; (2) securely detained juveniles charged with any offense other than those identified in (1) --the statute allows 30 days from initial hearing to adjudication and 15 days from adjudication to disposition, for a total of 45 days from initial hearing to disposition; and (3) non-securely detained juveniles charged with any offense -- the legislation allows 45 days from initial hearing to adjudication and 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition.

As indicated in previous reports, all timeline information contained in this report is calculated as straight time. It measures the time between the initial hearing and when the adjudication hearing and disposition hearing was held and completed. It does not exclude time periods attributable to those factors outlined in D.C. Code §16-2310 and §16-2330 or the time between when a fact finding hearing or disposition hearing commences and ends.

Securely Detained Juveniles

Fifty-six out of the 609 securely detained juveniles were charged with murder, assault with intent to kill, armed robbery, first degree sexual abuse, or first degree burglary. As such they were required to have their cases adjudicated within 45 days and their disposition hearing within 60 days. Throughout this report they will be referred to as “Secure Detention-45 day cases”. The remaining 553 securely detained juveniles were required to have a trial within 30 days and their disposition within 45 days, they will be referred to as “Secure Detention-30 day cases”. Table 19 shows the adjudication status and Table 20 provides information on the time to adjudication for both categories of securely detained juveniles in 2008.

Table 19. Adjudication Status of Securely Detained Youth, 2008

Adjudication Status	Secure Detention - 45 day Cases	Secure Detention - 30 day Cases	Total
Adjudication Hearing Held	47	498	545
Dismissed before adjudication	6	41	47
Pending Adjudication	3	14	17
Total	56	553	609

Table 20. Time to Adjudication for Securely Detained Youth, 2008

Securely Detained	Cases in Which an Adjudication Hearing Was Held								Cases within timeframe ¹⁶	Cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
*Initial Hearing to Adjudication (Statutory Timeline 45 days)	47	20	12	6	4	5	33	44	32	15
Initial Hearing to Adjudication (Statutory Timeline 30 days)	498	373	76	19	16	14	25	27	373	125

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

There was a considerable improvement in the percentage of cases in which the adjudication was held within the timeframe between 2007 and 2008. Forty-seven of the fifty-six securely detained juveniles charged with the most serious offenses (45 day cases) cases had been adjudicated. Thirty-two cases (68%) met the 45 day adjudication timeline compared to 58% in 2007. The median time from initial hearing to adjudication decreased from a median of 42 days in 2007 to a median of 33 days in 2008.

For other securely detained juveniles (30 day cases) the Court was in compliance with the 30- day statutory requirement for adjudication in 75% of the cases, up from a 62% compliance rate in 2007. As was the case with securely detained juveniles with the most serious charges, the median time from initial hearing to adjudication also decreased from a median of 27 days in 2007 to a median of 25 days in 2008.

Table 21. Time from Adjudication to Disposition for Securely Detained Youth, 2008

Securely Detained	Adjudicated Cases in Which A Disposition Hearing Was Held								Cases within timeframe ¹⁷	Cases exceeding timeframe
	Days Between Events									
	Total cases	1-15	16-30	31-45	41-60	61 or more	Median	Average		
Adjudication to Disposition* (45 day Cases)	41	12	10	5	7	7	27	38	12	29
Adjudication to Disposition (30 day Cases)	449	222	80	60	35	52	16	30	222	227

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

¹⁶ This table uses straight time in determining cases within the timeframe. As such, periods of delay resulting from statutorily allowed continuances have not been excluded.

¹⁷ See Footnote 16.

As can be seen from the Table 21, the court had more difficulty holding disposition hearings within the 15 day timeframe for 45 day and 30-day secure detention cases. Nearly ninety percent of the secure detention-45 day cases that had been adjudicated also had their disposition hearing (41 out of 47 cases). The disposition hearing was held within 15 days of adjudication in 29% of the cases. Similarly, 90% of secure detention – 30 day cases that had been adjudicated also had their disposition hearing. For this category of securely detained youth disposition hearings were held timely almost 50% of the time. Compliance rates for case processing times from adjudication to disposition improved for both categories of securely detained youth, 45-day and 30-day cases. In addition, there was also improvement in the median time required to get from adjudication to disposition. For secure detention-45 day cases, the median decreased from 42 days in 2007 to 27 days in 2008; for secure detention – 30 day cases the median decreased from 39 days in 2007 to 16 days in 2008.

As stated earlier, securely detained youth are required to have their cases disposed/resolved within either 60 days or 45 days depending on their charges. The

Table 22. Time from Initial Hearing to Disposition for Securely Detained Youth, 2008

Non-Securely Detained	Cases With Disposition Hearing or Closed Before Disposition Hearing								Cases within timeframe ¹⁸	Cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
Initial Hearing to Disposition* (45 Day Cases – 60 days)	47	4	7	8	15	13	73	84	19	28
Initial Hearing to Disposition (30 Day Cases – 45 days)	508	146	135	78	79	70	44	56	281	227

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

¹⁸ See Footnote 16.

calculation of time to disposition includes cases that moved through the system from initial hearing to adjudication to disposition, as well as cases that were dismissed either prior to or after adjudication. Of the 56 securely detained juveniles with the most serious charges, (45 day cases), 47 have had their cases resolved. Nine are still pending, 3 are pending adjudication and 6 have been adjudicated and are awaiting disposition.

Among the 47 cases that have been disposed, 40% were disposed within the 60 day timeframe up from 16% in 2007. There was also a reduction in the median number of days to reach disposition. The median time from initial hearing to disposition was 73 days in 2008 down from 101 days in 2007 and 185 days in 2006.

For other securely detained juveniles, (30 day cases), 508 out of 553 cases had been resolved and 45 were pending, 14 are pending adjudication and 31 have been adjudicated and are awaiting disposition. Fifty-five percent of the 508 cases disposed were disposed of within the 45 day timeframe. Again, the percentage of cases disposed within the timeframe showed an improvement over 2007 (32%). The median time between initial hearing and disposition was 44days, down from a median of 66 days in 2007.

In general, the Court was more successful in 2008 than it was in 2007 in adjudicating and disposing of securing detained cases (both 45- day and 30-day cases) within the established timeframes.

Non-Securely Detained Offenders

Two hundred sixty-five youth were detained in non-secure facilities or shelter houses prior to adjudication in 2008. Among youth held in shelter houses, 230 had had

there cases adjudicated and 26 were closed before adjudication occurred. Adjudication has not yet occurred in 9 cases (Table 23).

Two hundred and four of the cases adjudicated in 2008, also had their disposition hearing. Eight adjudicated cases were dismissed after the adjudication and 18 adjudicated cases are awaiting a disposition hearing. In total, 238 of the 265 cases of youth held in non-secure facilities have been disposed or dismissed and 27 (10%) are pending (9 pending adjudication and 18 pending disposition).

Table 23. Adjudication and Disposition Status of Non-Securely Detained Youth, 2008 (265 cases)

Adjudication Status		Disposition Status	
Adjudication Hearing Held	230	Disposition Hearing Held	204
Dismissed before adjudication	26	Disposed - Dismissed before or after adjudication	34
Pending Adjudication	9	Pending Disposition	27
Total	265	Total	265

Adjudication hearings were held within the 45 day timeframe for non-securely detained youth in 80% of cases. The compliance rate was much higher in 2008 than it was in 2007 (53%). There was also a reduction in the median days required to reach adjudication. The median days to adjudication in 2008 were 30 days, in comparison to a median of 43 days in 2007 (Table 24).

Of the 204 adjudicated cases which also had a disposition hearing, 40% of the hearings were held within 15 days of adjudication. There was marked improvement from 2007 to 2008, in the median number of days to reach disposition once a case had been adjudicated. The median was 28 days in 2008 compared to 41 days in 2007.

Table 24. Median Time Between Events for Youth Detained in Non-Secure Facilities, 2008

Non-Securely Detained	Cases in Which A Hearing Was Held								Cases within timeframe ¹⁹	Cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
Initial Hearing to Adjudication (Timeline 45 days)	230	116	68	22	8	16	30	37	184	46
Adjudication to Disposition (Timeline 15 days)	204	110	34	21	16	23	28	38	82	122
Initial Hearing to Disposition (Timeline 60 days)	238	43	48	46	42	59	53	68	137	101

Fifty-eight percent of the cases of youth detained in non-secure detention facilities prior to adjudication were in compliance with the timeframe of 60 days from initial hearing to disposition. In 2007, 30% of cases were in compliance with the 60 day disposition timeframe. The median times from initial hearing to disposition in 2008, 55 days, have shown improvement from 2007; when the median number of days to reach disposition was 91 days.

From 2007 to 2008, hearings for youth held in non-secure detention facilities prior to trial showed significant improvement. A higher percentage of cases are being held within the timeframe and the median days between events have been reduced. Through continued monitoring, the Court intends to continue to improve in meeting adjudication and disposition timelines.

Juveniles Committed in 2008

Among the 3,448 juvenile cases (with many juveniles having more than one case) adjudicated in calendar year 2008, 449 resulted in the juvenile being committed to DYRS, a 45% increase over the 309 youth committed in 2007. Twelve percent of

¹⁹ See Footnote 16.

committed youth were first time offenders with no prior juvenile cases in the D.C. Family Court and 88% had one or more prior juvenile cases. Of those youth with at least one prior case, 40% were already committed to DYRS at the time of their 2008 commitment. The average number of prior cases in D.C. Family Court for these youth was 3 per youth.

In 2008, 38% of committed youth had been charged with a crime against a person; 31% with a crime against property; and 18% with a drug law violation as their primary offense.

Over three quarters (77%) of the youth who received a disposition of commitment were 15-17 years of age at the time of their 2008 adjudication. One-third was 17 years of age and the overall average, for both males and females, was 16 years of age. Females comprised one-tenth of the youth who were committed.

FAMILY COURT SOCIAL SERVICES DIVISION

Pursuant to the D.C. Court Reorganization Act of 1970, Public Law 91-358, the Family Court's Social Services (CSS) Division serves as the juvenile probation department for the District of Columbia. CSS is responsible for, screening, assessing, presenting in the New Referrals courtroom (JM-15), case managing, serving and supervising all pre- and post- adjudicated youth who are not committed to the District of Columbia. Youth under CSS supervision include: all newly arrested youth entering the Family Court system in juvenile delinquency cases, youth eligible for diversion, status offenders (e.g., truants and Persons In Need of Supervision), youth under consent decree or diversion, and youth on probation post disposition. Additionally, CSS is responsible for conducting psychological evaluations of all youth when they first come under the court's jurisdiction and conducting home studies on all families involved in contested

custody disputes. On any given day, CSS supervises approximately 1,700 youth, about 65%-to-70% of all youth involved in the city's juvenile justice system.

Upgrading the Global Position System (GPS) Electronic Monitoring and Telecommunications Systems

CSS' Delinquency Prevention Unit (DPU) which is designed to increase public awareness, coordinate electronic monitoring, and assist in diverting youth awaiting pick-up by their parent, guardian or custodian from referral to the District's Child Welfare Agency or court ordered shelter home placement, upgraded the capacity of its telecommunications and GPS electronic monitoring systems. The DPU uses GPS to serve youth, who would otherwise be detained prior to adjudication, in the community without compromising public safety. The upgrades to the GPS system allow CSS to better ensure that youth are supervised and the community is safe. The upgrades include the procurement of new telephones that allow for increased acquisition inside buildings; back-up batteries that extend telephone usage from an average of eight (8) hours to an average of twenty (20) hours; updated telephone features that allow staff to draw multi-point polygon zones around a *specific* location as compared to the more general area previously offered; extended memory on telephones to allow for an increase of storage from one thousand (1,000) points to three thousand (3,000) points; and a change in the telecommunications provider to Verizon, which resides on a code division multiple access network and provides better wireless coverage because it also allows roaming on the Sprint network as well.

Child Guidance Clinic (CGC) and Juvenile Sex Offender Services

CSS, through its Child Guidance Clinic (CGC), continues to operate its nationally recognized post doctoral psychology internship training program accredited by the American Psychological Association (APA). The CGC, which utilizes a diverse group of students from universities and colleges across the country, continues to successfully serve youth adjudicated for sex offenses in the Juvenile Interpersonal Behavior Management (JIBM) program. As the only community-based intervention program targeting youth adjudicated for sex offenses, it serves participating youth who would otherwise be placed in an out-of-state residential program. These youth benefit from obtaining local services consistent with best practices that emphasize community-based alternatives.

Family Group Conferencing

CSS launched its Family Group Conferencing (FGC) model in 2008, following comprehensive training provided by the Columbia Heights-Shaw Family Strengthening Collaborative. The FGC focuses on accountability and restoration. As a result of CSS' training and certification in this internationally recognized model, pre-trial and post-disposition service and supervision plans (including probation durations) are developed for all youth entering the juvenile justice system through the use of the FGC. FGC also allows the youth to develop their plan with the collaboration and support of their self-identified family.

Civil Rights Leadership Tour

Court Social Services in partnership with the Peaceaholics (a CSS contract vendor) coordinated two (2) civil rights trips that allowed participating youth the opportunity to travel to historic civil rights landmarks in Georgia and Alabama and to

meet with former civil rights activists. In addition to historic sites, participants toured county and local jails where activists were arrested and jailed more than 30 years ago. The tours, designed to enable young people involved in the Family Court to connect with the historic experiences encountered by millions of Americans that culminated with the passage of the Civil Rights Act. For many D.C. youth who participated, this experience was the first time they left D.C. From the moment they boarded the bus, they were inundated with learning materials which they reviewed as they traveled across state lines. Throughout the journey, D.C. youth were accorded the opportunity to meet adults who were arrested as children because they defied laws that disenfranchised their citizenship. The chief experience derived from these encounters is that the youth who went to jail then, went because they were standing for something, which caused our youth to ask themselves why are they going to jail? Is it because they are standing for something or is it because they are destroying something. Participation in the jubilee (which culminates the reenactment of the historic march across the Edmund Pettis Bridge) enables D.C. youth to physically, mentally, and spiritually connect with the sacrifices and shared experiences of men and women of all ages and races bound by a common goal to end discrimination in America. From this sojourn, it is expected that D.C. youth will return home driven by a focus that values their fellow citizens and enables them to achieve their maximum potential. The sojourns have proven to be very successful as evidenced by the fact that more than six (6) months after those trips, not one participating youth has been arrested.

Leaders of Today in Solidarity – LOTS: Seamless Female Adolescent Services and Supervision

In 2008, CSS continued to celebrate the success of its “Leaders of Today in Solidarity (LOTS)” female adolescent pre-and-post adjudication probation service/supervision unit. LOTS, the District’s first female probation program, offers its participants a variety of court supervised initiatives including but not limited to field trips, social justice activities, conflict resolution skills building activities, gang mediation, community service learning opportunities and the opportunity to engage in public speaking through activities such as providing testimony at D.C. City Council Hearings on issues confronting youth in the city. The goal of the unit is to ensure that the needs of female adolescents involved in the juvenile justice system are addressed in a systemic and efficient manner.

Seamless Male Adolescent Services and Supervision: Ultimate Transitions Ultimate Responsibilities Now (UTURN)

Created to address the complex needs of high-risk youth and serve as an alternative to post-disposition commitment, UTURN staff is charged with providing services to and supervising the most serious youth involved in court. To ensure that high risk youth placed in the community do not increase public safety concerns, UTURN staff provides an increased volume of community supervision including two evening home visits, two weekly school visits, and four weekly telephone contacts. Additionally, through the use of Third-Party Monitoring, youth in the UTURN program receive an additional ten community contacts weekly. Since its inception, UTURN has been found

to be a highly prescriptive, comprehensive, effective, and culturally sound model for supervising high-risk and serious offense youth in the community.

Balanced and Restorative Justice (BARJ) Drop-In Centers

The BARJ Drop-In Centers developed by CSS are an innovative, non-traditional vehicle for the delivery of juvenile probation services. The centers, one in the Southeast and one in the Northeast quadrants of the city, provide office space for probation officers, a kitchen, community room, and a recreation room. The Southeast center currently operates a daily supervision program (Monday thru Friday) for pre-and post-adjudicated youth who have been suspended from school for more than 3 days, and an after-school enrichment program which provides tutoring, counseling and group interventions, and a nutritious meal. On Saturdays, youth are required to attend the Drop-In Center for four (4) hours. Structured programming on Saturday allows the youth to participate in group intervention activities and enables youth to complete court-ordered community service under the supervision of CSS probation officers.

The Northeast center, which is currently under construction, will allow CSS to increase the number of programs offered as well as the number of youth served. CSS anticipates serving/supervising an average of three hundred fifty (350) youth at this Center.

Interstate Compact Cases

Court Social Services is also charged with the responsibility of managing Interstate juvenile (pre-trial and post disposition) probation. This population includes adolescent males and females residing in the District who have been adjudicated in another jurisdiction and adolescent males and females adjudicated in the District who

reside in another jurisdiction. Because male juveniles make up roughly eighty (80%) of CSS population across all satellite offices, units and programs, a designated unit “Juvenile Interstate Probation” serves the interstate male population. Interstate girls are supervised under the Leaders of Today in Solidarity (LOTS) unit by designated probation officers.

New Initiatives in Juvenile Delinquency

Juvenile Speedy Trial Equity Amendment Legislation

The Juvenile Speedy Trial Equity Amendment legislation amended D.C. Official Code §16-2310 (e) to require, in part, that fact-finding hearings for children ordered to shelter care be conducted within 45 days of the initial hearing. The legislation also placed limits, with exceptions, on the length of time a child may be held in secure detention or shelter care. In addition, the legislation required the City Council to contract with a nonprofit organization with expertise in juvenile justice to conduct a six-month study of the time frames in D.C. Official Code §16-2310 (e) in order to evaluate the impact of the required time frames on the administration of justice in the Family Court. The Act specified that the study shall review, among other things, the lengths of time that: (1) children spend in secure detention and shelter care awaiting a plea or fact-finding hearing; (2) children spend in secure detention and shelter care awaiting disposition after a fact-finding hearing; and (3) children ordered to shelter care spend in secure detention while on the shelter home waiting list. The study period was January 15, 2008 through July 15, 2008. The results of the study, conducted by the Counsel for Court Excellence, were included in its report entitled “Final Evaluation of the Effect of Juvenile Speedy Trial Emergency Legislation” and were submitted to the Council on September 15, 2008.

The principal finding of the study was that the District of Columbia has achieved a high rate of compliance with the new speedy trial deadline for youth in shelter care as well as with the previous speedy trial deadline for youth in secure detention.

CHILD SUPPORT AND PATERNITY CASES

During 2008 there were 3,896 child support and paternity actions filed in the Family Court, in addition to 79 cases that were reopened. D.C. Official Code §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). In 2008, as part of a court-wide initiative to capture time to disposition data in all Family Court case types, the court began to monitor compliance with these important milestones. Preliminary data for cases filed during the period 3/1/2008 thru 12/31/2008 indicate that the Court not only met but exceeded these time standards, 95% of cases were disposed or otherwise resolved within 6 months (180 days) of service of process, and 100% were disposed or otherwise resolved within 12 months (365 days) of service of process. During 2009, the Court will continue to refine and monitor compliance with these mandated timeframes as it continues to collaborate and share data with the Child Support Services Division of the Office of the OAG, the State's IV-D agency around performance measures related to this case type.

New Initiatives in Paternity and Support

During 2008, the Family Court continued to refine its Family Fathering Court Reentry Pilot Program which was launched in November 2007. The Fathering Court initiative is a voluntary, court-supervised, comprehensive support services program for prisoners returning to the District of Columbia who are the subject of active child support cases. The judge presiding over the Fathering Reentry Court schedules regular hearings to review the participants' progress and compliance with supervised probation requirements, monitored by CSOSA, child support payments, tracked by the OAG Child Support Services Division, and various training and employment services monitored by the programs' case monitors. The use of improved recruitment techniques, including the ability to conduct a teleconference with inmates prior to release, led to the growth of the program from 3 participants at the beginning of the year, to 29 participants by yearend. A Program Manager is available in these teleconferences to detail the requirements and benefits of the program while a representative of the OAG Child Support Services Division is involved to discuss the details of the inmate's support order and arrears.

During 2008, the Family Court Fathering Court Initiative received two grants that allowed it to improve the services it offered. One grant covers the costs associated with the provision of individual case monitoring services by The Healthy Families, Thriving Communities Collaborative. The second grants provided funds to cover the costs associated with employment counseling services provided by Educational Data Systems Inc. These services are intended to provide participants with the additional training and skills needed to transition from subsidized wages to private, stable and upwardly mobile

employment. At the end of 2008, 15 participants were receiving this service and 4 had acquired employment in the private sector.

To date, every participant who successfully completed the training program and was placed into a subsidized employment position, including those who have now moved to private sector employment, has remained current in paying the modified child support ordered by the Court and is compliant with the program's other components that are designed to build parenting skills and re-integrate the participant into the community as a person with and who acknowledges his responsibilities.

DIVORCE AND CUSTODY

The Domestic Relations Branch has responsibility for all cases involving divorce, legal separation, annulments, child custody and adoptions. During 2008, 3,756 domestic relations cases were filed in Family Court. On December 31, 2008, 68% of those cases were closed and 32% were still pending.

To ensure that processing of domestic relations matters in the Family Court occurred in a timely manner, the Domestic Relations Subcommittee of the Family Court Implementation Committee completed a study of national standards in this practice area. Based on that review, the court adopted the following performance measures in domestic relations cases beginning in 2008:

- Uncontested divorce cases and uncontested custody cases, 50% within 30 days and 98% within 45 days;
- Contested divorce and custody I- cases scheduled to take more than a week to try due to the complexity of legal issues involved – 75% within 9 months and 98% with a year; and
- Contested divorce and custody II – disputed cases expected to require less than a week for trial – 75% within 6 months and 98% with 9 months.

Preliminary time to disposition data on uncontested divorce and custody cases and contested divorce and custody II cases is also available for the period 3/1/2008 through 12/31/2008. Preliminary data indicate that the Court is more successful at meeting disposition time standards in contested cases than in uncontested cases. In contested custody II and contested divorce II cases, the level of compliance exceeded the guidelines. Specifically, 86% of contested custody II cases reached disposition within 6 months (180 days) and 100% within 9 months (270 days). Similarly, 91% of contested divorce II cases reached disposition in 6 months (180 days) and 100% within 9 months (270 days).

On the other hand, 11% of uncontested divorce cases reached disposition within 30 days and 57% within 45 days. Fifteen percent of uncontested custody cases reached disposition within 30 days and 21% within 45 days. For both uncontested divorce and uncontested custody cases, the performance did not meet established standards. However, it is important to note that nearly 90% of uncontested divorce cases were disposed within 60 days and 98% within 120 days. Similarly, three-fourths of uncontested custody cases were disposed within 120 days, both significant improvements from past years. During 2009, the Court will continue to refine and monitor compliance with time to disposition standards for uncontested cases to improve performance in these case types.

The Family Court Self Help Center

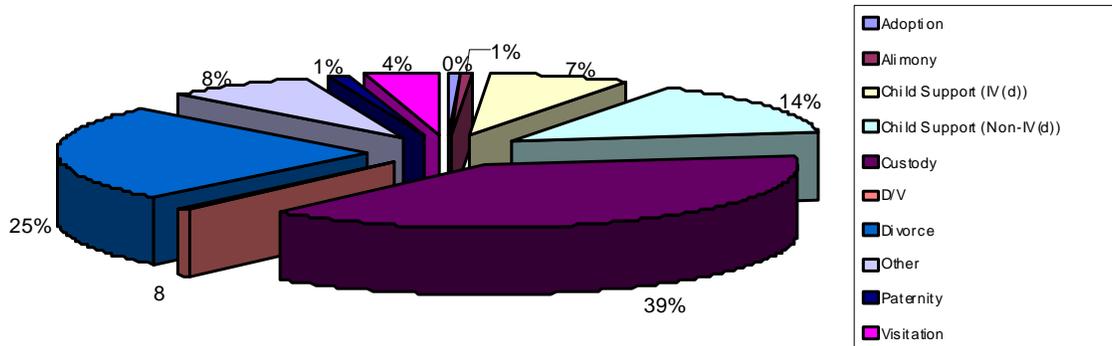
The Family Court Self-Help Center (SHC) is a free walk-in service that provides people without lawyers (pro se parties) with general legal information in a variety of family

law matters, such as divorce, custody, visitation and child support. Although the SHC does not provide legal advice, it does provide legal information and assistance to litigants that allow them to determine which of the standard form pleadings is most appropriate and how to complete them, and how to navigate the court process. When appropriate, the SHC staff and volunteer facilitators will refer litigants for legal assistance to other helpful clinics and programs in the community.

In September 2008, in an effort to better provide services to D.C. residents in underserved communities, the SHC opened a satellite office in Southeast D.C. This pilot project provides assistance on Tuesdays from 9 am – 1 pm and is located in the offices of Bread for the City (a legal and community services organization), at 1640 Good Hope Road, SE. In connection with the satellite office, the SHC has partnered with community organizations in Southeast, including: the Greater Southeast Collaborative, the Far Southeast Family Strengthening Collaborative, Legal Aid Society, and Whitman Walker Legal Services. While the number of people helped has been relatively low thus far, the SHC is hopeful that with increased publicity and word-of-mouth, the number will grow substantially in 2009.

Detailed below are a few of the findings from data collected for 2008:

Figure 16. Parties Served by Family Court Self Help Center, By Case Type, 2008



- The SHC served 4,732 people in 2008 – an increase of 4% from 2007, when 4,532 people were served. On average the Center served 394 individuals per month in 2008, in contrast to the 378 individuals served per month in 2007.
- As was the case in 2006 and 2007, a large majority of the parties seeking help from the SHC had issues related to custody (39%) or divorce (25%). And, similar to years past, approximately one fifth (21%) of the parties sought assistance for a child support case.
- Eighty-six percent of the parties visiting the Center sought general information; 65% needed assistance with the completion of forms; and 3% came in seeking a referral.
- Eighty-eight percent of the parties served indicated that their primary language was English, a slight increase from 2007 (86%). Ten percent (10%) identified themselves as primarily Spanish speakers, down 1 % from 2007; and 2% had another primary language;
- Among parties providing data on income, 50% of those seen had monthly incomes of \$1,000.00 or less; 25% had a monthly income between \$1,001.00 and \$2,000.00; and 19% had monthly incomes between \$2,001.00 and \$4,000.00. Six percent had monthly incomes above \$4,000.00.

New Initiatives in Domestic Relations

The Program for Agreement and Cooperation in Custody Cases (PAC) a program of the Domestic Relations/ Paternity & Support Subcommittee of the Family Court

Implementation Committee was created in 2007. The program offers alternatives for resolution in cases of contested custody issues in divorce, custody and legal separation cases. The cases are identified from the total population of contested custody matters with children ages 14 years old and younger; whereby, the parties and children participate in a mandatory educational seminar and mediation sessions in an effort to establish a custody agreement in the best interest of all parties, especially the children. A minimum of 26 educational seminars are held each year.

During 2008, 1,596 parents and 315 children aged 7-14 participated in education seminars. In addition, 300 cases were scheduled for mediation. Although there has been no formal evaluation of the program, members of the Domestic Relations Bar and other stakeholders, as well as program participants, have been very pleased with the program and indicated that it has been helpful.

In November 2008, the Office of the Parenting Coordinator was developed as a pilot program to serve low-income families involved in high conflict domestic relations cases. The program is the result of collaboration between the court, the American Psychological Association (APA) and the Family Law Section of the D.C. Bar and provides parenting coordination services, a highly specialized form of dispute resolution, to court involved parties.

CONCLUSION

Whether training to enhance the knowledge of judges and others, implementing diversion programs for juveniles, developing educational materials for older youth or creating new programs for families in high conflict cases, the Family Court has as its core values protecting children and strengthening families and public safety. In 2008,

the Court continued its focus on TPR and adoptions. The impact of the increased focus in these areas has been to expedite permanency for children removed from their families by removing barriers to permanent placement. This will ultimately result in a greater number of children being free for adoption. In addition, a renewed focus on the use of APPLA as a goal and the impact of the goal on youth in care was begun.

Although an unprecedented increase in new case filings caused some challenges, in 2008, the Family Court continued to resolve the legal issues of jurisdiction in cases of abused and neglected children removed from home in a timely manner. In the area of domestic relations, family disputes were resolved more quickly in 2008 than in 2007, which allowed families to begin the healing process sooner. The newly developed Program for Agreement and Cooperation in Custody cases and the Office of the Parenting Coordinator has helped families learn to mediate their disagreements thereby reducing the impact of divorce and custody issues on children and families.

The same factors that have historically affected the Family Court's ability to carry out its responsibilities in the most effective manner possible continued to be factors in 2008. CFSA has continued to show improvement in many areas but some of the same challenges that existed in 2007 remain: lack of adoption resources for older children; the lack of sufficient drug treatment resources for children and parents; and the inability of the District of Columbia Public Schools to provide educational assessment services, such as Individual Education Plans in a more timely manner. The District's need to further build service capacity to meet the changing and complex needs of juveniles and their families also continue to impact the effectiveness of the court in improving outcomes in delinquency matters.

Finally, in 2008 the Family Court demonstrated significant improvement in the case processing times in juvenile cases. The Family Court has developed a number of monitoring procedures to ensure that juveniles detained in both secure and non-secure detention facilities prior to adjudication reach trial and disposition in a timely manner.

In 2008, the Family Court continued to improve its ability to serve the community and to collaborate with other members of the justice system to protect, support and strengthen families. Where goals have not been met, the Court maintains a strong commitment to improve. The Family Court remains committed to its mission to provide positive outcomes for children and families in the District of Columbia.

