

Family Court 2012 Annual Report

Superior Court of the District of Columbia



Honorable Lee F. Satterfield

Chief Judge

March 29, 2013

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EXECUTIVE SUMMARY

Since the enactment of the District of Columbia Family Court Act of 2001, Pub.L. 107-114 (D.C. Official Code, 2001 Ed. § 11-1101 *et seq.*), the Family Court continues to make significant strides toward 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 2012 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 performance measures in the *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases*.
 - Implemented a comprehensive case management and scheduling plan for all neglect cases in the Family Court. The Procedures Memorandum is designed to ensure the most expeditious disposition of cases brought before the court, while providing fairness and due process to the parties; to promote the use of best practices in all phases of court involvement; and to achieve permanency for all children before the court in as timely a manner as possible.
 - The “Expediting Resolution of Adoptions” workgroup completed the study on barriers to permanency in adoption cases. The workgroup identified four areas for continued review including: the outset of a case; the disposition period; following the goal change to adoption; and the definition of adoption timeline. The workgroup report and recommendations are under review.
 - Implemented “Safe and Sound: Community Court Program for In-Home Families Involved with the District of Columbia Child Welfare System.” The program was designed to reduce the number of child welfare cases that convert from in-home (community cases) to court-involved cases. To date, 24 families have been served by the program.
 - Reconstituted the Family Court panel attorneys list which in 2012 identifies attorneys approved to represent parties in abuse and neglect cases. The Chief Judge of the Superior Court issued Administrative Order 12-02 in February 2012 and Administrative Order 12-18 in December 2012 to reconstitute the panels and add additional attorneys. The panel process was designed to improve the quality of representation for all parties.

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

- **Provide early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.**
 - Celebrated Grand Opening of the Southwest Balanced and Restorative Justice (BARJ) Drop-In Center. The BARJ provides innovative, non-traditional juvenile rehabilitation programming and has facilities for pro-social activities. The opening was attended by more than 200 individuals, including Judges, attorneys, advocates, providers and other local juvenile justice stakeholders.
 - Collaborated with juvenile justice stakeholders to launch “Operation Safe Run.” The effort resulted in 40 youth with outstanding custody orders voluntarily surrendering to the Family Court to have their custody order resolved.
 - Coordinated with the Metropolitan Police Department (MPD) and the Department of Youth Rehabilitative Services (DYRS) to provide supervision coverage at the Smithsonian’s National Zoo sponsored “African American Family Tradition Day” event. In the past, the event which features family picnics, social networking, entertainment and touring was marred by youth violence leading to an increase in arrests. Arrest data in 2012, indicated that the presence of CSSD, DYRS, and MPD led to fewer arrests, despite the fact that attendance was higher than in previous years.
 - Continued to engage in Truancy Intervention Initiatives through the city’s Truancy Taskforce. The Taskforce which is co-chaired by the Presiding Judge of the Family Court and the Deputy Mayor for Education (DME) is comprised of a cross-section of the city’s health and human services, education and criminal justice agencies.

- **Assign and retain well-trained and highly motivated judicial officers.**
 - Conducted the 11th annual interdisciplinary conference entitled *"Opening Minds ... Opening Doors: For LGBTQ Youth in Family Court."* More than 350 participants including judges, court staff, LGBTQ youth, social workers, attorneys, foster parents, non-profit organizations and other community stakeholders attended. Attendees indicated that the conference effectively addressed issues facing LGBTQ youth. As a result of the information received, they reported a better understanding of the LGBTQ youth population and the difficulties they experience with the juvenile justice and child welfare systems, the role of the family in supporting them and how to improve needed services.
 - Continued assessing disparate treatment and developing guidelines to address the problem of disproportionality in child welfare and juvenile justice cases. In addition, judicial officers continue to utilize the National Council of Juvenile and Family Court Judges “Courts Catalyzing Change Bench Card.” The purpose underlying the development of the bench card is to transform judicial practice on the

bench in child abuse and neglect cases. The bench card is designed to help judges examine potential biases that may affect their decisions and to aid judges in inquiries surrounding due process considerations as well as inquiries of participants related to specific issues that should be determined at the initial hearing in an abuse and neglect case. Preliminary results indicate that judicial officers are utilizing the bench card and find it useful.

- Continued to promote the participation of Family Court judicial officers in national training programs on issues relating to children and families. Such programs have included courses sponsored by the National Council of Juvenile and Family Court Judges (NCJFCJ), the National Judicial College, the American Bar Association's National Conference on Children and the Law, and the National Center on Substance Abuse and Child Welfare.
- Conducted mandatory monthly luncheon trainings on Mental Health Evaluations, Child and Family Services Agency (CFSA) Differential Response and In-Home Case Management, Educational Screenings for 0-3 and 3-5 year old children, Adolescent Sex Trafficking, E-Filing in Family Court cases, the Intersection of Domestic Violence and Family Court cases, Community-based Collaborative Services, and the Court's Urgent Care Clinic and Adolescent Mental Health Evaluations.
- Conducted annual in-service training on Recent Developments in Family Law and Recently Enacted Legislation Affecting Family Court, Initial Hearings in Juvenile and Abuse and Neglect Cases, Innovations in Systems of Care presented by Bryan Samuels, Commissioner of the United States Department of Health and Human Services, and Integrated Case Management and Systems of Care presented by the Brenda Donald, Director CFSA and Steve Baron, Director of the Department of Mental Health.
- **Promote Alternative Dispute Resolution.**
 - Continued operation of the highly successful Child Protection Mediation Program.
 - Provided ongoing training for Multi-Door's existing corps of mediators in both the Child Protection and Family Mediation programs, as part of ensuring a continued high level of proficiency and skills maintenance.
- **Use technology effectively to track cases of children and families.**
 - Implemented electronic case initiation system for abuse and neglect cases developed in partnership with the CFSA. The initiative saves time by eliminating the need for a visit to the courthouse by agency staff and also improves the quality of court data by eliminating the need to manually input agency data into the court's database.
 - Completed the successful implementation of the final two phases of the bi-directional interface between the Court and the CFSA. The interface provides

for the electronic exchange of petitions, court reports, and court orders between the D.C. Family Court, the OAG, and the CFSA.

- Assisted with the development and implementation of the Maryland/District of Columbia Juvenile Data Exchange Project which commenced in September 2012. The Data Exchange Project, created pursuant to Administrative Order 11-16, is the first exchange of juvenile information between the two jurisdictions. As a result of the project, Maryland juvenile justice system users are able to view information on youth that have been charged in the District of Columbia within the Maryland Dashboard and District juvenile justice users are able to view information on youth charged in Maryland within the Criminal Justice Coordinating Council's (CJCC) JUSTIS system.
 - Implemented E-Filing in September 2012 in juvenile and neglect matters pursuant to Administrative Order 12-10. E-filing provides the legal community with streamlined access to the Clerk's Office and an efficient electronic method to file documents in existing cases and receive service so that filings, documents and data can be transmitted to the court's case management system more effectively, timely and accurately.
 - Continued development of court-wide performance measures including clearance rates, trial date certainty, time to disposition, age of pending caseload, and post-disposition case activity. These metrics assist the Family Court in assessing how well it is meeting its obligations under the Act, measuring compliance with established timelines for case processing and permanency in abuse and neglect cases at both the local and national level.
- **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).
 - Worked collaboratively with DYRS and the MPD to facilitate a second public safety forum for high-risk youth. The event, entitled "Juvenile Call-In" featured the Chief Judge, Presiding and Deputy Presiding Judge of the Family Court, and a host of local directors representing juvenile and criminal justice partnering agencies, all of whom spoke briefly with attending youth to discourage youth from violating court-ordered conditions of community supervision and/or reoffending. Following the formal gathering, participating youth were able to engage in small group discussions with their probation officers, case managers and guest speakers.
 - Held second annual *Family Celebration Day* in recognition of National Reunification Day. The day was designed to celebrate families and communities coming together to raise awareness about the importance of family reunification to children in foster care. The District of Columbia Family Celebration Day, a joint collaboration between the Family Court and the CFSA, brought together families, judges and community officials to

celebrate the accomplishments of local families who overcame numerous challenges to reunify safely and successfully with their children. More than 30 families participated in the event.

- Participated in the Public Defender Service sponsored “Community Reentry and Expungement Summit”. Participants learned about reentry support services available in D.C. including the work of the Self Help Center and kinds of services it could provide.
 - Participated in a Truancy Court Diversion program in collaboration with the District of Columbia Public Schools, Community-based collaboratives, and the CJCC. In this program, six family court judges conducted truancy diversion classes for ten-weekly sessions at six middle schools, with students who were in danger of becoming chronically truant. The sessions were held in the fall and spring semesters with the students and their parents.
 - Staff from the Self Help Center presented information on family law and the resources available to people who need help in these cases on Spanish radio, Radio America. Additionally, staff visited Centronia, a community center for Spanish speaking residents, to discuss the Self Help Center and the resources available to assist community residents.
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- **Provide a family friendly environment by ensuring materials and services are understandable and accessible.**
 - Completed development of an informational video for families with child abuse and neglect cases. The video is designed to explain the court process, the persons involved in neglect proceedings, the timeframe for addressing issues in neglect cases, as well as possible outcomes for children and families. The video is available in English and Spanish on the court’s website.
 - Developed a Family Court calendar. The calendar was designed to help families understand the court process while offering them a tool to help keep track of court hearings, appointments for them and their children, and other important dates. It includes an overview of the court process, family court terminology, court-room etiquette, and community resources available to assist them in meeting their family’s needs.
 - Created a staggered calendar, as a pilot, in the Paternity and Support Branch. The pilot was developed out of the need to reduce the lengthy wait time many litigants experience in paternity and support proceedings.
 - Continued review and revision of Family Court forms to ensure they were accessible to bilingual customers. Several forms utilized in neglect cases including the Scheduling Order, Conditional Release Signature Page, Adjudication of Paternity, Biological Mother’s Affidavit Concerning Paternity, Mediation Referral Form, and the Definitions of Neglect form are now available in Spanish to bilingual customers.
 - The Self Help Center assisted over 8,000 people with family law issues. The Center created and distributed several informational flyers for use by self represented litigants including “Getting Ready for Court: Frequently Asked

Questions,” “Top 10 Myths, Mistakes and Misstatements in D.C. Family Law,” and “Service of Process.”

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

INTRODUCTION

The District of Columbia Family Court Act of 2001, Pub.L. 107-114 (D.C. Official Code, 2001 Ed. § 11-1101 *et seq.*, hereinafter the “Family Court Act” or “Act”) requires that the Chief Judge of the Superior Court submit to the President and Congress an annual report on the activities of the Family Court. The report, summarizing activities of the Family Court during 2012, must include the following:

- (1) The Chief Judge’s assessment of the productivity and success of the use of alternative dispute resolution (see pages 28-33).
- (2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court’s performance (see pages 42-50).
- (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 33-38).
- (4) Information on the progress made in establishing locations and appropriate space for the Family Court (see pages 19-23).
- (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 114-116).
- (6) Information on: (a) the number of judges serving on the Family Court as of December 31, 2012; (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 75-114).
- (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 114-116).

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 2012.

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, 2013, the Family Court consisted of 14 associate judges and 15 magistrate judges.

Length of Term on Family Court

In December 2012, Public Law 112-229, the D.C. Courts and Public Defender Service Act of 2011 became effective. Section 4 of the law amends D.C. Code § 11-908A to reduce the term of current and future Family Court judges from 5 years to 3. Public Law 112-229 changed the two-tiered length of service requirement for judges assigned to the Family Court. Prior to the law, judges assigned to the Family Court served either three 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 were required to serve a period of three years. Judges newly appointed to the Superior Court were required to serve a term of five years in the Family Court. Public Law 112-229 established a three year requirement for all judges in the Family Court. The following are the commencement dates of associate judges currently assigned to the Family Court. The names of associate judges who continue to serve in the Family Court beyond the minimum required term have been marked in bold.

<u>Associate Judges</u>	<u>Commencement Date</u>	
Judge Bush	January	2005
Judge Dalton	August	2008

Judge Puig-Lugo	January	2009
Judge Clark	January	2010
Judge Smith	August	2010
Judge Lee	January	2011
Judge Irving	January	2011
Judge Raffinan	January	2011
Judge Rigsby	January	2012
Judge DiToro	January	2012
Judge Dayson	January	2012
Judge Krauthamer	January	2013
Judge Knowles	January	2013
Judge Pan	January	2013

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 Gray	April	2002
Magistrate Judge Johnson	April	2002
Magistrate Judge Breslow	October	2002
Magistrate Judge Fentress	October	2002
Magistrate Judge Brenneman	January	2004
Magistrate Judge Albert	January	2006
Magistrate Judge Parker	January	2006
Magistrate Judge Rook	October	2006
Magistrate Judge Melendez	January	2008
Magistrate Judge Harnett	January	2011
Magistrate Judge Arthur	January	2011
Magistrate Judge Nolan	January	2011
Magistrate Judge Mullin	January	2012
Magistrate Judge Seoane-Lopez	August	2012
Magistrate Judge Rohr	October	2012

Reassignments to and from Family Court:

The Chief Judge of the Superior Court of the District of Columbia made judicial assignments for calendar year 2013 in November 2012. Those assignments, which encompassed changes in Family Court judicial staff, became effective on January 1, 2013. As part of the reassignment, two associate judges (Judges Kravitz and Ross) left the Family Court. Both were assigned to other divisions in the Superior Court. In

addition, one associate judge (Judge Mitchell-Rankin) retired and was appointed to senior judge status.

Associate Judges Pan, Knowles, and Krauthamer began their tenure in the Family Court. All newly assigned judicial officers met the educational and training standards required for service in the Family Court. In addition, a pre-service training for newly assigned judicial officers was held in December 2012.

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

Kimberley S. Knowles

Judge Kimberley S. Knowles was nominated to the Superior Court bench by President Barack Obama and confirmed by the Senate on August 3, 2012.

Judge Knowles was born and raised in Bronx, New York. She received a Bachelor of Arts degree from Cornell University in 1992 and her Juris Doctor from Howard University School of Law in 1996.

After graduation from law school, Judge Knowles served as a judicial law clerk to the Honorable Eric T. Washington, then an associate judge on the D.C. Superior Court. In that capacity, she worked primarily on criminal matters. After her clerkship, Judge Knowles joined the United States Attorney's Office for the District of Columbia. She served in the Appellate, General Felony, Community Prosecution and Major Crimes, Fraud and Public Corruption and Sex Offense/Domestic Violence Sections, earning numerous special achievement awards. In October 2004, she was selected to be a deputy chief of the Sex Offense/Domestic Violence Section, where she served until her appointment to the Court. As a deputy chief, Judge Knowles supervised the investigation

and prosecution of cases involving domestic violence, the sexual abuse of adults and children and offenses committed against minors. She also regularly conducted trainings on sexual abuse and domestic violence issues for various community organizations.

Judge Knowles was appointed magistrate judge by Chief Judge Lee F. Satterfield on May 10, 2010 and served in that capacity until she became an associate judge in August 2012.

Peter A. Krauthamer

Judge Peter A. Krauthamer was nominated to the Superior Court bench by President Barack Obama and confirmed by the Senate on November 29, 2011.

Judge Krauthamer has resided in the District of Columbia and Silver Spring, Maryland since 1970. He received his Bachelor of Arts degree from Brandeis University in 1979, and a Juris Doctorate from Boston University School of Law in 1982.

Judge Krauthamer began his career as a staff attorney at the Public Defender Service for the District of Columbia (PDS) in 1983. While at PDS, Judge Krauthamer handled juvenile delinquency cases, adult misdemeanors and numerous felony matters, including serious and complex Felony I cases. During his tenure at PDS, Judge Krauthamer served as Deputy Chief of the Trial Division in 1988, Trial Chief in 1990, and Training Director in 1992. He joined the Federal Public Defender Service for the District of Columbia from 1994 to 1995, and then joined the Howard University School of Law Faculty as an Assistant Professor where he taught Evidence and also served as a Clinical Supervising Attorney for the Criminal Justice Clinic from 1995 to 2000. Thereafter, Judge Krauthamer served as Deputy Director for the District of Columbia Pretrial Services Agency until 2004, when he rejoined PDS as its Deputy Director. He held that position until his judicial appointment in 2011.

Florence Pan

Judge Florence Y. Pan was nominated to the Superior Court bench by President Barack Obama and confirmed by the Senate on June 2, 2009.

Judge Pan received her two undergraduate degrees, *summa cum laude*, from the University of Pennsylvania in 1988, and her law degree, with distinction, from Stanford Law School in 1993.

After graduation from law school, Judge Pan served as a law clerk to the Honorable Michael B. Mukasey, United States District Court for the Southern District of New York, and then as a law clerk to the Honorable Ralph K. Winter, United States Courts of Appeals for the Second Circuit. Following her clerkships, Judge Pan spent one year as a Bristow Fellow in the Office of the Solicitor General, U.S. Department of Justice. She then served in the Appellate Section of the Criminal Division at the Department of Justice, and as Senior Adviser to the Undersecretary of Domestic Finance at the U.S. Department of the Treasury.

In 1999, Judge Pan joined the U.S. Attorney's Office for the District of Columbia. While at the U.S. Attorney's Office, Judge Pan prosecuted homicides and other violent crimes in the Superior Court, as well as organized-crime and narcotics-trafficking cases in the United States District Court for the District of Columbia. She also handled criminal appeals in the District of Columbia Court of Appeals and in the United States Court of Appeals for the District of Columbia Circuit.

In 2007, Judge Pan was promoted to Deputy Chief of the Appellate Division of the U.S. Attorney's Office. As Deputy Chief, Judge Pan reviewed briefs, prepared attorneys for appellate arguments, and provided legal advice and training to attorneys and law-enforcement officers. Judge Pan sat by designation on the D.C. Court of Appeals and authored a

published opinion in the family law matter: *Jordan v. Jordan*, 14 A.2d 1136 (D.C. 2011). In addition, she participated in an extensive training program in Family Law in 2011 and 2012.

Judge Pan teaches Criminal Procedure as an Adjunct Professor of Law at Georgetown University Law Center. She previously was an Adjunct Professor at the Washington College of Law, American University. Judge Pan serves on the Committee for the Appointment and Tenure of Magistrate Judges for the D.C. Superior Court. She also serves as Secretary of the Judicial Council of the National Asian Pacific American Bar Association.

Elizabeth A. Mullin

Elizabeth Mullin was appointed Magistrate Judge by Chief Judge Lee Satterfield on January 30, 2012.

Magistrate Judge Mullin received her B.A., with high honors, from Georgetown University in 1994. After graduating from Georgetown, Magistrate Judge Mullin worked at the Federal Trade Commission in Washington, D.C, and at the Vera Institute of Justice, in New York City.

Magistrate Judge Mullin was awarded her law degree, *cum laude*, by the New York University (NYU) School of Law in 2003. After graduating from NYU Law, Magistrate Judge Mullin joined the Public Defender Service for the District of Columbia (PDS) as a staff attorney in the trial division. While at PDS, Magistrate Judge Mullin represented juveniles in delinquency matters in the Family Court trying dozens of cases to both judges and juries. In 2008, she began serving as lead counsel in cases on the District of Columbia's Superior Court's Felony I calendars. She was promoted to supervising attorney in 2008 and in that capacity, supervised junior trial attorneys in criminal trial matters in the Superior Court. During her tenure at PDS, Magistrate Judge Mullin led trial practice groups, conducted

trainings for Criminal Justice Act panel attorneys, and served as a member of the Forensic Practice Group.

Magistrate Judge Mullin has also worked as an adjunct faculty member at Washington College of Law, preparing students for an external mock trial competition involving all aspects of trial advocacy. In addition, she is conducting a training “Views From the Bench” for the Children’s Law Center Permanency Project.

Magistrate Judge Mullin is a member of the Asian Pacific American Bar Association (APABA) and the National Council of Juvenile and Family Court Judges.

Kenia Seoane-Lopez

Kenia Seoane-Lopez was appointed magistrate judge to the Superior Court by Chief Judge Lee Satterfield in August 2012.

Magistrate Judge Seoane-Lopez received her Bachelor of Science degree *cum laude* in Criminal Justice from Northeastern University. In 2002, she received her Juris Doctorate from the University of Wisconsin Law School and a Masters of Arts from the University of Wisconsin Graduate School in Latin American, Caribbean, and Iberian Studies. Upon graduating from law school, Judge Seoane-Lopez served as a Law Clerk to the Massachusetts Superior Court and the Superior Court of the District of Columbia.

Prior to her appointment as a magistrate judge, she served as an Assistant Attorney General in the Legal Services Section of the Child Support Division of the Office of the Attorney General for the District of Columbia. In addition, she served as a Bilingual Attorney Negotiator in the Domestic Violence Unit of the District of Columbia Superior Court.

Magistrate Judge Seoane-Lopez served as President of the Hispanic Bar Association of the District of Columbia, and as a Board Member of the Spanish Education Development Center in Washington, D.C. and the Hispanic Bar Association of D.C. Foundation.

Gretchen N. Rohr

Gretchen Naomi Rohr was appointed Magistrate Judge and Chair of the Mental Health Commission by Chief Judge Lee Satterfield on October 25, 2012.

Magistrate Judge Rohr received her Bachelor of Arts degree in Political Science and Communications from Macalester College. As a Rhodes Scholar, she earned her first law degree from Oxford University in England with a concentration on International Human Rights. She then earned a J.D. at Georgetown University Law Center, where she was selected as a Public Interest Law Scholar for her academic achievement and commitment to public interest.

Magistrate Judge Rohr served for five years as the Director of the D.C. Jail and Prison Advocacy Project for University Legal Services where she represented men, women and youth with mental disabilities who were involved in the criminal justice system. She designed an interdisciplinary initiative for diverting these individuals from behind bars into community-based, self-directed treatment. The Project crafted new reentry practices in federal prisons and administered the city's first initiative transitioning chronically homeless people out of the D.C. Jail and into their own apartments with wrap-around supports. Under Judge Rohr's leadership, this work has been nationally recognized as an innovative model by advocates and administrators alike.

Prior to her practice in D.C., she was a staff attorney with the Georgia Advocacy Office, representing individuals with psychiatric disabilities seeking release from hospitalization, access to community-based alternatives and protection against institutional abuse, neglect and sexual violence.

For two years, Judge Rohr worked as a Holland & Knight LLP Chesterfield Smith Fellow, where she worked in partnership with the Atlanta-based Southern Center for Human Rights litigating constitutional rights cases in prisons. She has previously served as the Co-Chair of the Individual Rights and Responsibilities Section of the American Bar Association's Criminal Justice Committee and on the Board of Directors for several charitable organizations in the District and abroad.

Judge Rohr will serve as Chair of the Superior Court's Commission on Mental Health.

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. Nonetheless, the five year term requirement for associate judges coming into the Family Court presented a challenge to recruitment efforts. The passage of Public Law 112-229 which reduced the term of current and future Family Court associate judges from 5 years to 3 should assist in future recruitment efforts. As required by the Act, all associate judges currently serving in 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 one whose term expired in 2012. Based on the terms of service required, eight associate judges, including the presiding and deputy presiding judges are eligible to

transfer out of the Family Court at the end of 2013. 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 the Family Court.

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

TRAINING AND EDUCATION

The Chief Judge of the Superior Court and the Presiding and Deputy Presiding Judges of the Family Court, in consultation with the Superior Court's Judicial Education Committee, develop and provide training for Family Court judicial staff. 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 2012. In December 2012, all Family Court judicial officers participated in an extensive three-day training program updating them on current substantive family law practice and new procedures in Family Court. In addition, judicial officers new to

the Family Court and judicial officers changing calendars participated in a mandatory in-service training on their respective calendars.

In 2012, the Presiding Judge continued to convene weekly lunch meetings and mandatory monthly meetings for Family Court judicial officers to discuss issues involving family court cases and to hear from guest speakers on a variety of relevant topics. Family Court judges also participated in several multi-disciplinary and collaborative trainings with child welfare and juvenile justice stakeholders on areas of mutual concern.

In addition, Family Court judges, magistrate judges, and senior managers participated in the eleventh annual Family Court Interdisciplinary Training entitled *Opening Minds...Opening Doors for LGBTQ Youth in Family Court* held on October 4, 2012. More than 350 participants including judges, court staff, social workers, attorneys, service providers, foster parents, LGBTQ youth, police officers, probation officers, mental health professionals, agency administrators, medical service providers and other community stakeholders attended.

An overwhelming majority of conference attendees rated the conference as good or excellent and indicated that the conference met or exceeded their expectations. Nearly all (95%) of attendees indicated that the conference effectively addressed issues facing LGBTQ youth. Moreover, as a result of the information received attendees reported a better understanding of the LGBTQ youth population, how to improve needed services, the difficulties LGBTQ experience with the juvenile justice and child welfare systems, and the role of the family in supporting them. Conference attendees also agreed that the workshops provided useful information on identifying strategies and resources for

families to meet the needs of the LGBTQ children, as well as how to address physical and mental health issues in the LGBTQ community. Prior interdisciplinary conferences, which also attracted a variety of community stakeholders, have focused on juvenile justice, systems of care, education, mental health, substance abuse, and adolescent females in the Family Court.

Preliminary plans are already underway for the 2013 Family Court Interdisciplinary Training scheduled to be held in October 2013. Plans for the conference, focusing on Teen Pregnancy, will be finalized in the spring of 2013.

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 the other stakeholders in the child welfare system. The seminars were well attended from all sectors relating to family law practice. The 2012 seminars included:

- *Creating Opportunities Respect and Empowerment (CORE): An Adolescent Extended Acute Care Program at the Psychiatric Institute of Washington (PIW);* Speakers were PIW staff, (January 18.)
- *Recognizing and Treating Grief, Trauma and Loss in Families and Children;* Wendt Center Executive Director, Susan Ley, and Senior Child and Family Therapist, Stephanie Handel, discussed the treatment, services, and referrals offered at the Center, (March 30.)
- *Use of Psychotropic Drugs for Children on Children in the Neglect and Delinquency System;* Dr. Marc Dalton, Medical Director, D.C. Superior Court Urgent Care Clinic; Dr. Lisa Cullins, Director of Psychiatric Services, Jewish Social Services Agency; and Dr. JoAnne Solchany, author of ABA Practice and Policy Brief: Psychotropic Medication and Children in Foster Care, (May 4.)
- *Ethical Representation of Clients with Mental Health Issues,* Laurie Davis, Esq. D.C. Public Defender Service, Mental Health Division, (June 29.)

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. 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 included:

- *The Interstate Compact on the Placement of Children (ICPC)*; Sharra Greer, Rebecca Brink, and Tomar Brown, Children’s Law Center attorneys, (January 18.)
- *Post Adoption Contact Agreements*; Wilma Brier, CCAN Branch Chief, Janice Buie, Mediation Program Manager, and a panel of experienced CCAN attorneys, (February 15.)
- *Introduction to E-Filing in Family Court*; the Honorable Brooke Hedge, Senior Family Court Judge, (March 8.)
- *Revised Family Court Orders*; Despina Belle-Isle, Family Court Attorney Advisor, (March 14.)
- *CFSA Office of Planning, Policy and Program Support*; Virginia L. Monteiro, Policy and Program Support Program Manager, Office of Planning, Policy and Program Support; Rosalie David, Supervisor, Child Protection Register; Donna Ball, Supervisor, Office of Facility Licensing (Group Homes and ILPs); Tamara Rutland, Fair Hearings Coordinator, Office of Fair Hearings and Appeals; and Julie Swaby, Supervisor, Policy Office, (April 25.)
- *The Role of the CCAN Attorney in Re-Opening a Guardianship*; Chaz Holman, CFSA Post-Permanency Center, CCAN attorney Jamie Desjardins, and CCAN Branch Chief Wilma Brier. Focus on how to assist clients in preventing guardianship disruptions and, if disruption cannot be prevented or modifications are needed, representing clients in getting the guardianship/neglect cases re-opened, (May 22.)
- *Consumer Credit and I.D. Theft Affecting Youth in Foster Care*; Lisa Schifferle, Federal Trade Commission, Paul Kurth, Columbus School of Law Consumer Clinic, Tyanna Williams, CFSA Family Support Worker, (June 12.)

- *Early Stages: Education Decision Makers and Services for Children 3 to 5*; Alexa Bantayehu, Early Stages Child Find Field Coordinator and Heather Elliott, Early Stages Director. Early Stages is a District of Columbia Public Schools program serving children three to five years old. The program helps to identify any delays that a child may have and to provide appropriate services to address those delays, (July 19.)
- *Juvenile Behavioral Diversion Program*; Judge Goldfrank, representatives from Department of Mental Health, the OAG, Court Social Services and the Child Guidance Clinic, (August 1.)
- *Rehabilitation Services Administration: Transition Services for Youth with Disabilities*; Staff from the Rehabilitation Services Administration of the Department of Disability Services (DDS/RSA). An overview of RSA services available to youth with disabilities and a description of the process for determining eligibility and for developing an individualized plan for employment with the youth, (September 11.)
- *Discussion and Analysis of In Re D.S., K.M., B.S., R.S., T.S., and P.S. and the Parental Presumption*; Leslie Susskind, Esq. (argued the case in the Court of Appeals), Matt Fraidin, Esq., U.D.C. Child Welfare Legal Clinic, and Laurie McManus, Esq., (October 9.)
- *Drafting Complaints and Motions Practice for Due Process Hearings*; Special Education Attorneys Megan Dho, Lynne DeSarbo, Sarah Tomkins, and Kimberly Glassman. Addressed procedures for drafting complaints and motions practice for special education due process hearings and other substantive issues that routinely arise in special education litigation like motions to dismiss based on no jurisdiction over D.C. wards in Maryland and difficulty with access to school records, (October 16.)
- *Beyond the Binary: Understanding Gender Differences and Best Practices in Representing LGBT Clients*; Ellen James an attorney specializing in family law and a Regional Director for PFLAG National (Parents, Families, and Friends of Lesbians and Gays). This session was a follow up to the Family Court Conference on LGBTQ youth. It provided participants with culturally competent language regarding gender identity and sexual orientation and a guide to best practices for representing LGBT youth and adults, (October 26.)
- *The Special Education Placement Review Process in Charter Schools and Elsewhere*; Lauren Baum, who represents independent charter schools and CLC special education attorneys Megan Dho, Sarah Tomkins and Christy Graham. Discussed how the special education placement process impacts decisions in various school settings, how advocates can engage with the process to get the best outcomes for their clients, and what attorneys can do if their client disagrees with the outcomes of the placement review process, (November 13.)

- *Help for Non-Neglect Legal Problems*; Lise Adams, Managing Attorney of the D.C. Bar *Pro Bono* Program, (November 28.)
- *Annual Case Law Update*; Cynthia Nordone, CCAN Attorney and Wilma Brier CCAN Branch Chief. Summarized the neglect, adoption, TPR, and related cases decided by the D.C. Court of Appeals during the past year, (December 10.)

Family Court non-judicial staff also participated in a number of new and expanded training programs in 2012. Some of the topics covered included ethics in procurement, leadership in a diverse court environment, how to become an effective leader, obstacles to excellent customer service, quality control and error reduction in case filings, and managing communication styles in the workplace. In addition, staff attended the Many Voices, One Court: D.C. 2012 strategic planning forums. These educational opportunities focused on a variety of topics, all with the goal of moving the court toward improved outcomes for children and families.

Family Court non-judicial staff participated in training opportunities sponsored by organizations outside the Court including the National Association of Court Management's (NACM) Mid-year and Annual Conferences, the Child Welfare League of America's (CWLA) State of Children & Families: *Making Children A Priority: Leading Change*, the National Child Support Enforcement Association's (NCSEA) Annual Conference and the Court Improvement Program Annual Conference.

Family Court attorney advisors participated in the 15th American Bar Association National Conference on Children and the Law: *Raising the Bar: Lawyers as Partners for Family Well-Being*, the National Conference on Juvenile and Family Law, and the National Association for Counsel of Children's (NACC) 35th National Child Welfare, Juvenile, and Family Law Conference.

Family Court Self Help Center staff attended a number of trainings and conferences directly relevant to the topics they confront on a daily basis, including such topics as the Paternity Disestablishment, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Violence Against Women Act. The staff attended the NLADA/ABA Equal Justice Conference and the annual conferences of both the National and Eastern Regional Child Support Enforcement Association. The Center held its semi-annual volunteer training, with the help and support of the D.C. Bar Pro Bono Program, adding over 40 new volunteers in the process. The Branch Chief of the Self Help Center and the Family Court staff attorney trained 68 Family Court clerks and deputy clerks from the Central Intake Center, the Domestic Relations Branch and the Paternity and Support Branch on filing, procedures, and rules in Domestic Relations and Child Support cases. In addition, Self Help Center staff was featured on a local Spanish radio station, Radio America, for a segment on family law and resources available to people who need help in such cases.

The Family Court continues to provide opportunities as well as encourage its staff to gain knowledge on finding more effective ways to streamline caseload processes and administrative procedures. As such, non-judicial staff throughout the Family Court Division attended a variety of in-house workshops and seminars on topics relating to improving and modernizing case flow and record keeping, leadership development, diversity in the workplace, ethics, sexual harassment, the court's newly implemented electronic filing system, and Microsoft Office applications and systems.

FAMILY COURT FACILITIES

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

The D.C. Superior Court is at a critical point as it continues to make major progress towards full consolidation of the Family Court. Major projects are in various stages of design and construction. The following is a summary of major milestones achieved and initiated in 2012.

Summary of Milestones

Completed

- Awarded and instantiated architect of record (AOR) services for the C Street Expansion Construction Document package. The design below was approved by the National Capital Planning Commission and United States Commission on Fine Arts in 2011.
- Completed Design and Construction documents for the Marriage Bureau on the JM Level.
- Completed construction of expanded Family Court Intake Center, Quality Control, Courtroom Support Branch and the Self Help Center.
- Completed construction of JM Level Public Corridor Upgrades and Family Court Hearing Rooms.
- Completed Design and Construction Documents for Balanced and Restorative Justice Drop-In Centers at 920 Rhode Island and 118 Q Street NW.

In Progress

- Construction Documents for the C Street Expansion Base Building and Foundations.
- Interior Design and Construction Documents for the Interior spaces of the C Street Expansion.
- Updating of the Facilities Master Plan and Master Plan Implementation.
- Phased construction for modifications to the 4th Floor Criminal Division and attendant swing spaces.
- Building Permit review for Balanced and Restorative Justice Drop-In Centers at 920 Rhode Island and 118 Q Street NW.

- Construction of Chambers in Room 1500 on the Indiana Avenue level to free space elsewhere.
- Construction of upgrades for mechanical and electrical work throughout the building for modernization and to accommodate the C Street Expansion.

Design and Construction of Family Court

Description

Enhancements to the current John Marshall level Family Court Facilities under construction include an expanded Central Intake counter, touch screen kiosks and an electronic messaging system to better serve the public. The design for the new Marriage Bureau will include a larger ceremony room, waiting area, and a modernized office space. The current design focus is the C Street expansion which will consolidate all of Court Social Services currently at 510 4th Street, Juvenile Intake, and the remaining Family Court Operations branches located on the fourth floor of the Moultrie Courthouse. New facilities will provide ADA accessibility, accommodation of technology, adjacency to genetic testing and the Mayors Liaison Office, improving all aspects of Family Court operations.

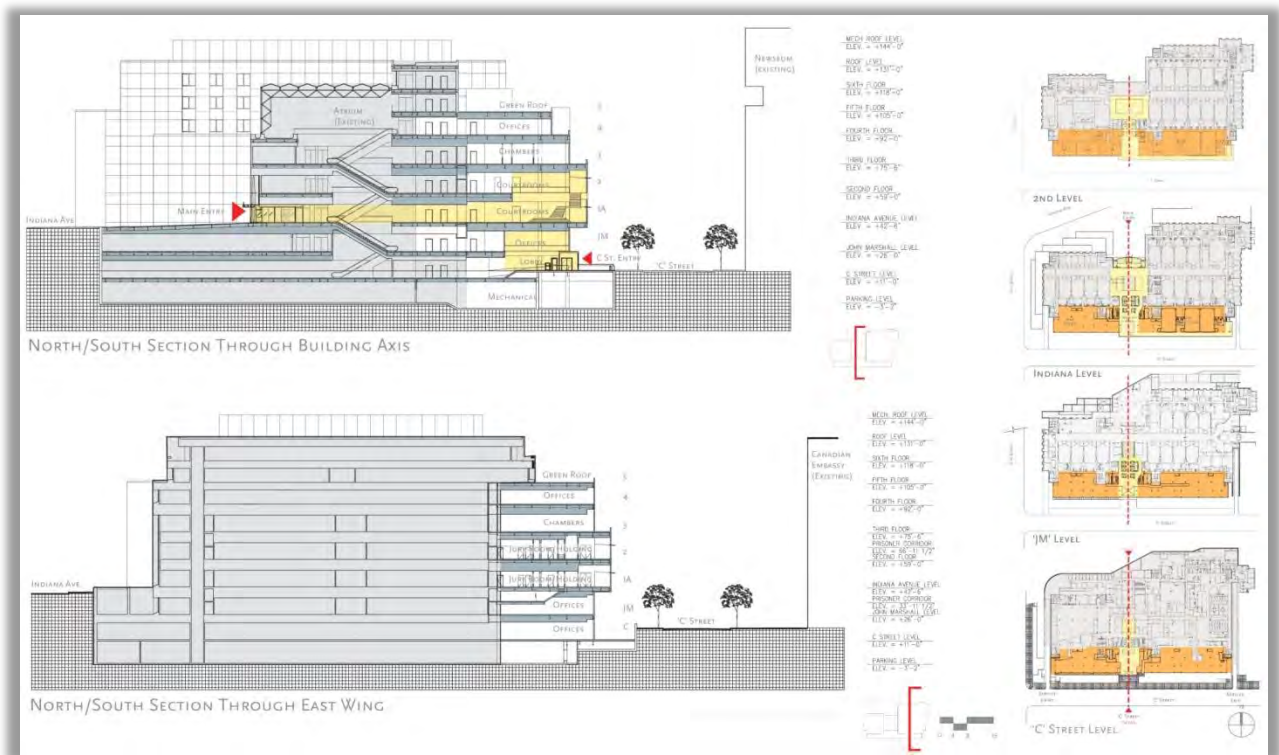
Design of the Moultrie Courthouse C Street Expansion

Description

The 116,000 square foot expansion project will rise six stories along the south facade of the Moultrie Courthouse providing over 30,000 square feet of Family Court offices and support space. The addition will include space for social services, the children's center and supervised visitation, six courtrooms and chambers for 20 Superior Court judges. The expansion will be fully integrated with the JM level space for the Family Court Mental Health and Habilitation Unit, CCAN, Juvenile Intake, Probation Supervision, Drug Court and the immediate offices for the Family Court Operations Division and Court Social Services Division. The project will be phased over 5 years. It is anticipated that construction of the foundation will begin in Fall 2013.



C Street Expansion Looking Northwest (Approved Design)



C Street Expansion Cross Section



C Street Expansion Entry

Facilities Master Plan Update 2022

Description

Implementation of the Courts Facilities Master Plan continues. An update of the 2002 Facilities Master Plan was initiated in 2009 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, Court Social Services, and support functions. In 2002, the District's population had been in steep decline for three decades. Current census data indicates that the population is growing and many areas of the court are responding to expanding demands. Central to the Master Plan and the Family Court consolidation will be the C Street Expansion of the Moultrie Courthouse.

Location

The plan below illustrates the planned location of Family Court elements to be located on the JM level as it will appear after the completion of the C Street Expansion:



CASE AND DATA MANAGEMENT IN THE FAMILY COURT

The Family Court and the Court’s Information Technology Division completed the initiatives defined under the Court Improvement Program grant (CIP) in May 2012 with the successful implementation of the final two phases of the bi-directional interface between the Court and the CFSA. In September 2012, the Court added Abuse and Neglect case type filings to its overall efilings program, fulfilling original CIP requirements for the OAG to transmit electronic filings to the Court for abuse and neglect cases.

Using funding provided by the CIP Data Collection and Analysis Grants the Courts further enhanced the CIP interface, first implemented in 2010, to accept and integrate social worker reports, documents and other subsequent filings in an electronic

format from CFSA. Additionally, the interface now provides the ability for the Court to transmit data as well as the image of judicial orders in abuse and neglect cases to CFSA.

During the testing and validation phases of the project the Court and CFSA discovered significant differences in identifier information each agency maintains in our respective systems. After several rounds of data exchange where these differences were further analyzed, both organizations applied changes to existing data to correct inconsistencies. As a result of these activities, each organization has implemented business process changes that involve a combination of manual monitoring and automated procedures to better synchronize data between the two systems in the future.

These efforts have resulted in efficiencies on both sides including, but not limited to, reduction in the data entry error rate, elimination of manual document scanning, decrease in paper volume, and more streamlined delivery of child welfare reports to judicial officers. With the decrease of erroneous entries and elimination of outdated paper handling procedures, more time and attention can be focused on the care of the families being served by the D.C. Family Court. Further enhancements are planned in 2013 to automatically trigger delivery of electronic versions of CFSA documents to the CCAN attorney assigned to a given case, further reducing the reliance on paper and manual delivery procedures.

As work on the CIP initiative was completed at the end of 2012, the Court elected to further capitalize on this recent success by initiating the conversion of its older electronic interface with CFSA to another platform. In use since 2003, the older interface platform which was installed along with the original version of the CourtView case management system, was designed to provide CFSA personnel with daily notice of

scheduled events in abuse and neglect cases. The interface system had become a risk given the CourtView technology platform had been replaced in 2008. The Court contracted with CourtView Justice Solutions to replicate the existing functionality in the newer IJISBroker interface framework with minimal disruption to current business processes.

A key Family Court project in 2012 was the inclusion of several case types in the Court's efilng program. Originally scheduled in 2010 and 2011, this project was postponed pending execution of a multi-year agreement between the court and File & ServeXpress, formally CaseFileXpress, which took place in late 2011, paving the way for the project. In September 2012, after months of planning, preparation, and user acceptance testing, the Court offered electronic filing as an optional means of filing to public and private filers representing parties in Abuse and Neglect, Termination of Parental Rights, Juvenile and Domestic Relations cases. In December, electronic filing for attorneys became mandatory, requiring the File & Serve portal for the submission of subsequent filings in a case. In addition to reducing physical traffic at the court, the program has resulted in greater efficiencies for the court including a significant reduction in time spent scanning and copying documents. In 2013, the Court plans to further enhance efilng by including the ability to file new cases through the efilng program, and to include other Family Court case types such as mental health, mental habilitation and paternity and support cases.

Court-wide Performance Measures

The Information Technology Division is continuing the process of migrating the business logic and legacy reporting technology that generates the Family Court's

Performance Measurement Reports (Age of Pending Cases, Time to Disposition, Clearance Rate and Trial Date Certainty) to a robust enterprise data warehousing and business intelligence (BI) solution. In support of the BI initiative, the IT Division worked closely with the Family Court to design and develop a series of monthly caseload statistics reports as well as managerial and administrative reports. Reports are organized by case type and/or assigned case judge. New reports designed utilizing the BI tool that became available in 2012 included:

- Performance Measures Report
- Caseload Summary by Case Type
- Caseload Summary by Judge
- Caseload Summary by Judge by Case Type

Post-Disposition Caseload

The Family Court continued to work with representatives from the Research and Development Division, Information Technology and the Office of Strategic Planning to design and develop prototype reports to capture post-disposition activities. Post-disposition reporting is focused on identifying judicial work that takes place after cases are determined to be “disposed of” from a case management perspective and as a result are not accounted for in current performance measure reporting. Initial activities have centered on abuse, neglect, and juvenile case loads. However, post-disposition reports are also planned for other Family Court case types such as domestic relations, paternity and support, and mental health/habilitation.

Youth Automated System

The Youth Automated System (YAS) is an end result of a custom software development project currently underway for the Family Court’s Social Services Division

(CSSD). YAS is a distributed, web-enabled system that retains, displays, and reports on respondent activity within the CSSD.

Serving as a supplement to CourtView, YAS automates CSSD process workflows and miscellaneous paper and electronic documents. Major benefits of the system include: streamlined workflow processes, better information-sharing capabilities, and improved reporting capabilities. Base identity and juvenile case information will still be obtained from the integrated CourtView case management system. The expectation is that the YAS system will be implemented in April 2013.

Digitalization and Indexing of Old Adoption Records

In an effort to maintain the confidentiality and integrity of sensitive case files, the Superior Court has stored adoption files on site; these files date back to September 1956. Beginning in 2003, with the implementation of CourtView, files have been stored electronically. However, for cases filed between 1956 and 2003, which number in the thousands, the physical files continue to be maintained at the courthouse. These case files occupied a substantial portion of the high density filing space in the Domestic Relations Branch. To create an improved record retention system and to enhance its search and retrieval capabilities, in 2011, the Family Court in collaboration with the Information Technology Division began a project to index, digitize, and store these files on a web based search and retrieval system compatible to CourtView. In 2012, the indexing and digitizing of all adoption files was completed.

Starting in October 2012, the process began for all relinquishment of parental rights cases filed in that time period. The 10,000 files contain almost 80,000 pages of

information to be entered. The anticipated completion date for this project is September 2013.

ALTERNATIVE DISPUTE RESOLUTION IN FAMILY COURT

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

ADR Performance Measures

The Multi-Door Division relies on 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 the objectives of settlement, quality and responsiveness.

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

In 2012, 392 new abuse and neglect cases² were filed in the Family Court. Ninety-four percent of those cases (202 families with 329 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 Of those 202 families, 16 families (8% representing 24 children) whose cases were filed in 2012 were offered mediation in 2013.

Seventy-two percent of the families (133 cases, representing 186 children) offered mediation in 2012 participated in the mediation process; twenty-eight percent of the families (53 cases, representing 79 children) did not participate and their cases were

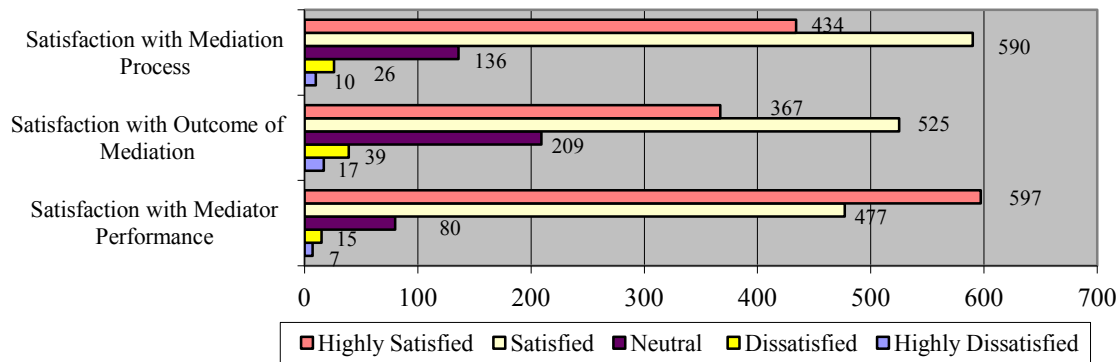
² Each case represents one child in family court. In mediation, however, each case represents a family often with multiple children.

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.

not mediated.⁴ As was the case in 2011, for families participating in mediation, the Court continued to settle a substantial number of cases through the mediation process. Of the 133 cases mediated, 50% (66 cases representing 120 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) and a case plan was developed and presented to the Court as part of the mediation agreement. In 49% of cases (65 cases representing 104 children) the mediation was partially successful resulting in the development of a case plan even though the issue of jurisdiction was not resolved. In only 2 of the cases sent to mediation was there no agreement reached.

Qualitative measures illustrate substantial satisfaction measures of 86% for the ADR process, 77% for ADR outcome, and 91% for the performance of the mediator(s).⁵ Clearly, participation in ADR increases public trust and confidence in the Family Court.

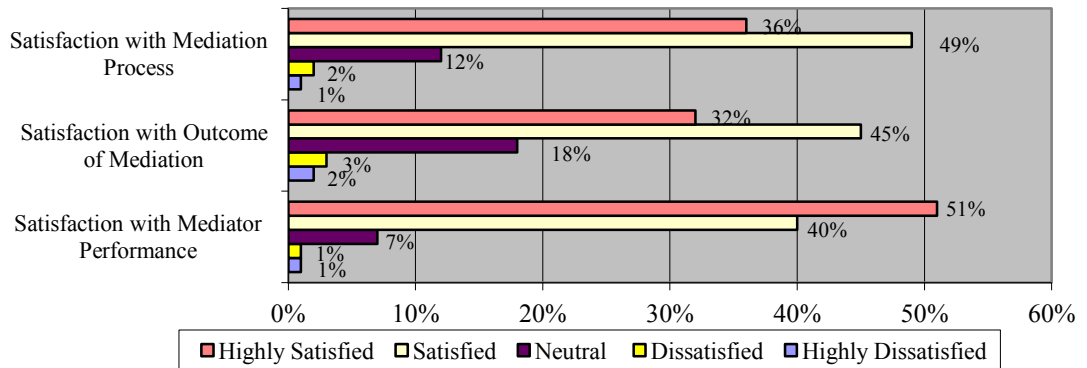
Figure 1. Number of Participants Satisfied with Child Protection Mediation Program, 2012



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., domestic violence); and (e) case scheduled in 2011 for mediation in 2012. Family Court and Multi-Door have implemented measures to reduce the number of rescheduled cases in order to expedite case resolution.

⁵ These statistics are based on data provided by the Multi-Door Dispute Resolution Division. In 2011 participant survey responses were expanded to include the option of selecting neutral (shown in bold).

Figure 2. Percentage of Participants Satisfied with Child Protection Mediation Program, 2012



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 730 domestic relations cases were referred to mediation in 2012. Forty-four percent (319) of the cases referred were mediated and completed in 2012. The remaining fifty-six percent (411) of cases referred to mediation did not participate in mediation because they were found to be either inappropriate or ineligible for mediation or parties voluntarily withdrew from the process.

Of the 319 cases mediated, 131 (approximately 41%) settled in mediation and 188 (approximately 59%) failed to reach an agreement. Among the 131 cases that settled in mediation, full agreements were reached in 65 (50%) cases and partial agreements were reached in 66 cases (50%).

Figure 3. Number of Participants Satisfied with the Domestic Relations Mediation Program, 2012

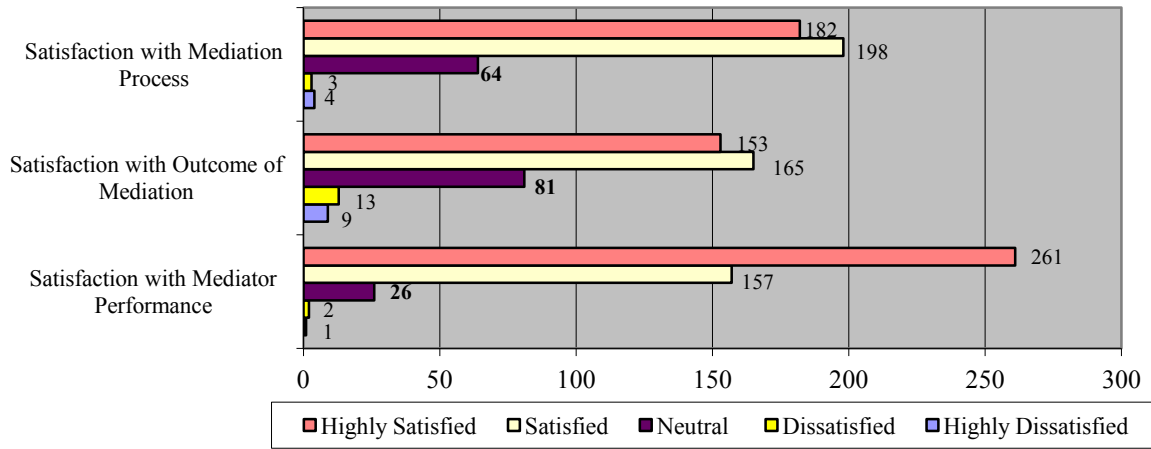
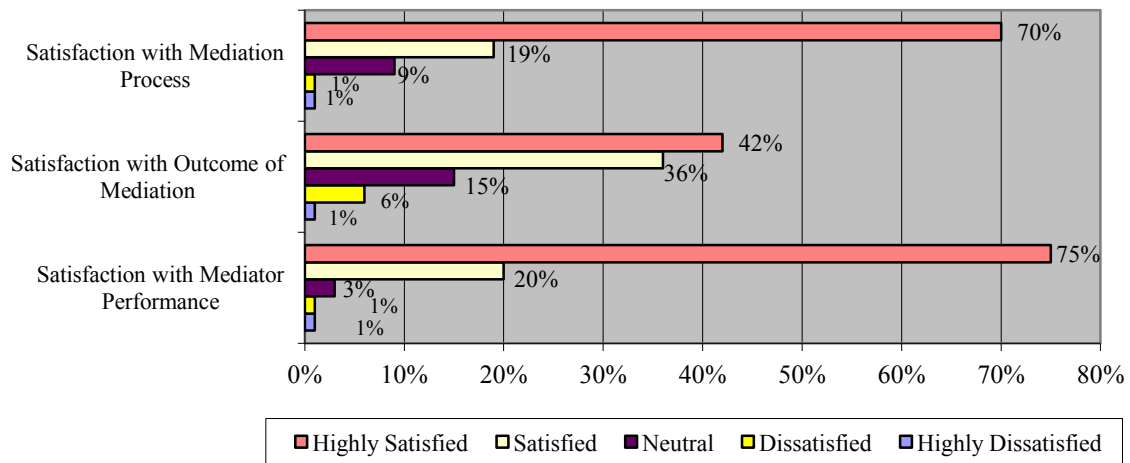


Figure 4. Percent of Participants Satisfied with the Domestic Relations Mediation Program, 2012



Qualitative outcome measures show satisfaction rates of 70% for ADR outcome, 91% for ADR process, and 96% 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 the Family Court.

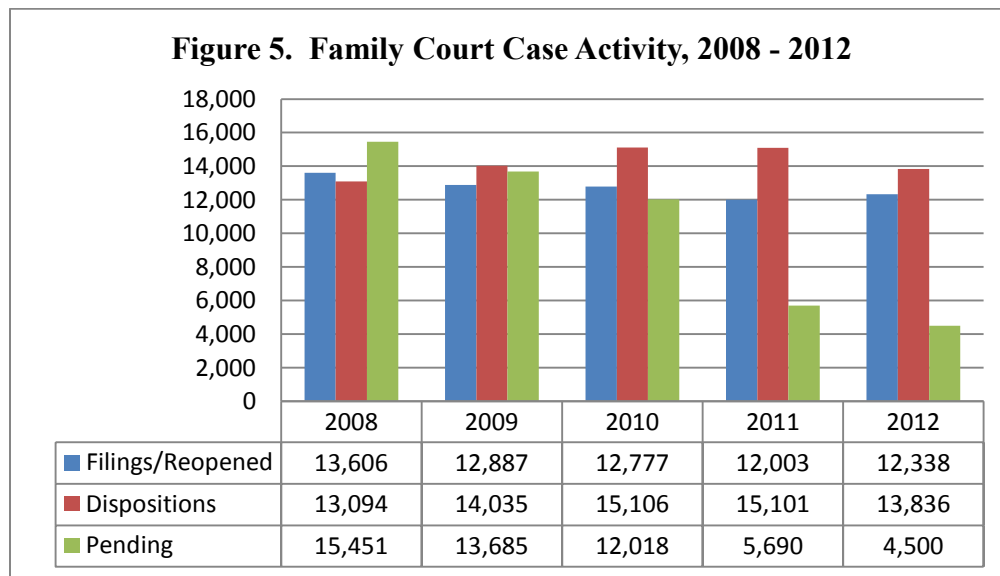
Family Court ADR Initiatives

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

- **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 2012, 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 a useful tool for judges to help resolve disputes; there were 103 referrals in 2012.

FAMILY COURT OPERATIONS CASE ACTIVITY

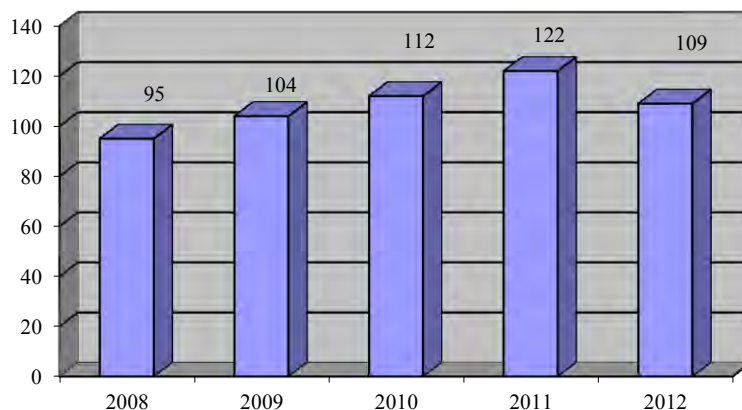
There were 5,690 pending pre-disposition cases in the Family Court on January 1, 2012. During calendar year 2012, there were a total of 12,338 new cases filed and 308 cases reopened in the Family Court. During the same period, 13,836 cases were disposed. As a result, there were 4,500 cases pending in the Family Court on December 31, 2012.



Over the five year period from 2008 through 2012, the number of filings (including cases reopened) and the number of dispositions has shown significant variation. Filings ranged from a low period of 12,419 in 2011 to high period of 13,851 in 2008, down to 13,439 in 2010 and 13,402 in 2009, down to 12,646 in 2012. During the same period, the number of cases disposed rose slightly each year from 2008-2011, from 13,094 cases disposed in 2008, to 14,035, 15,106 and 15,101 respectively before decreasing to 13,836 in 2012.

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. The overall clearance rate for Family Court in 2012 was 109%. Prior year clearance rates ranged from a low of 95% in 2008 to a high of 122% in 2011.

Figure 6. Clearance Rates in Family Court, 2008-2012



The clearance rate demonstrates that the Family Court is doing an excellent job of managing its caseload. However, during 2013 the Family Court will continue to strive to reach its case processing standards, using recently established court-wide benchmarks with the goal of ensuring that each of the individual branches within the Family Court that have not reached a 100% clearance rate, reach that rate.

FAMILY COURT CASE ACTIVITY FOR 2012

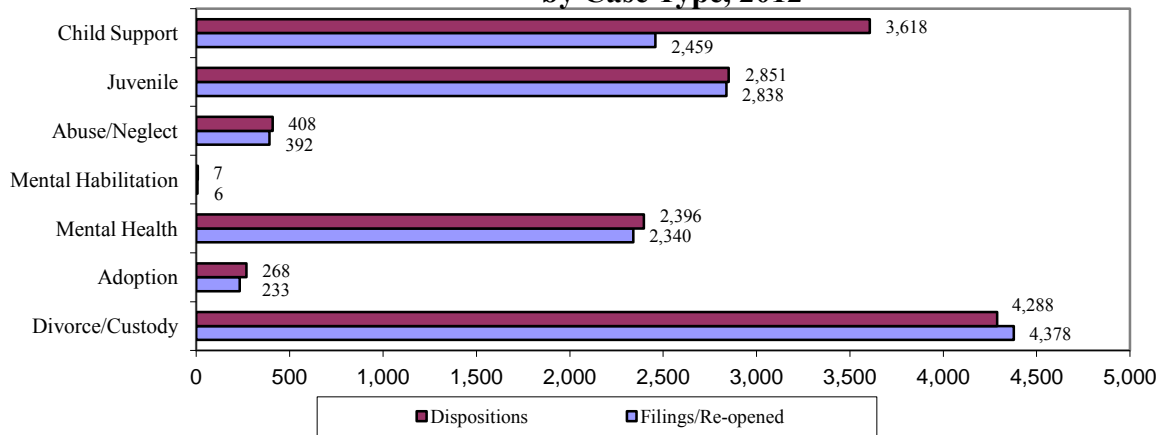
New case filings in the Family Court increased 3% between 2011 and 2012 (12,003 filings in 2011 and 12,338 filings in 2012). However, there were considerable differences in the types of cases filed. For instance, there was a 26% increase in paternity and support filings, a 23% increase in mental health filings, a 7% increase in adoption filings and a 6% increase in domestic relations (divorce and custody) filings. At the same time, filings for abuse and neglect decreased 34%, juvenile filings decreased 18%, and mental habilitation filings decreased by 14%.

Table 1. Family Court Operations Case Activity for 2012

	Abuse & Neglect	Adoption	Divorce & Custody	Juvenile^a	Mental Health	Mental Habilitation^b	Paternity & Child Support	Total
Pending Jan. 1 ^c	82 ^d	267	1,797	555	199	7	2,783	5,690
New Filings	392	233	4,264	2,800	2,214	6	2,429	12,338
Reopened	0	0	114	38	126	0	30	308
Total Available for Disposition	474	500	6,175	3,393	2,539	13	5,242	18,336
Dispositions ^e	408	268	4,288	2,851	2,396	7	3,618	13,836
Pending Dec. 31	66	232	1,887	542	143	6	1,624	4,500
Percent Change in Pending	-19.5%	-13.1%	5.0%	-2.3%	-28.1%	-14.3%	-41.6%	-20.7%
Clearance Rate ^f	104%	115%	98%	100%	102%	117	147%	109%

- a. Includes cases involving Delinquency, PINS (Persons In Need of Supervision), and Interstate Compact.
- b. In 2010, the method of calculating the number of pending Mental Habilitation cases was modified to include only those cases pending an initial disposition; excluded are post-disposition cases under review by the Court.
- c. Figures for Adoption, Juvenile, Mental Health and Paternity and Support were adjusted after a manual audit of caseload.
- d. In 2011, the method of calculating the number of pending Abuse and Neglect cases was modified to include only those cases pending an initial disposition; excluded are post-disposition cases under review by the Court until permanency is achieved.
- e. In the Family Court, a case is considered disposed when an order has been entered.
- f. The clearance rate, a measure of court efficiency, is the total number of cases disposed divided by the total number of cases added (i.e., new filings/reactivated/reopened) during a given time period. Rates of over 100% indicate that the court disposed of more cases than were added, thereby reducing the pending caseload.

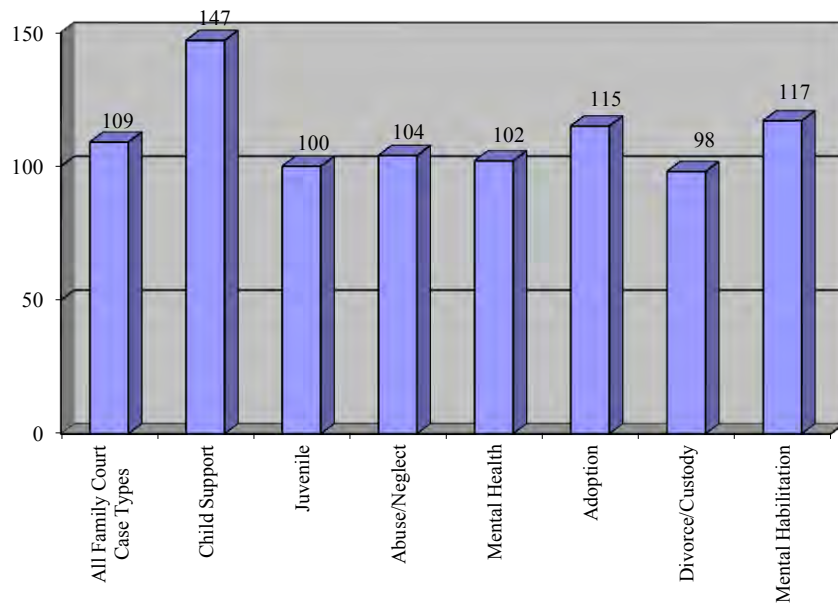
Figure 7. Family Court Filings and Dispositions, by Case Type, 2012



During the year, the Family Court resolved nearly 14,000 cases, including: 2,851 juvenile cases, 4,288 divorce and custody cases, 268 adoption cases, 2,396 mental health cases, 7 mental habilitation cases, 408 child abuse and neglect cases, and 3,618 paternity and child support cases. There was an 8% decrease in dispositions between 2011 and 2012. However, changes in the percentage of dispositions by case type can vary considerably more.

The overall clearance rate for all Family Court case types was 109%. The clearance rate exceeded 100% for all case types except domestic relations cases (divorce and custody), 98%, indicating that the Family Court is managing its caseload efficiently. Clearance rates increased between 2011 and 2012 for the following Family Court case types: abuse and neglect, adoption, juvenile, and mental health. The clearance rate decreased for the following case types: domestic relations, mental habilitation, and paternity and support.

Figure 8. Clearance Rate by Case Type, 2012

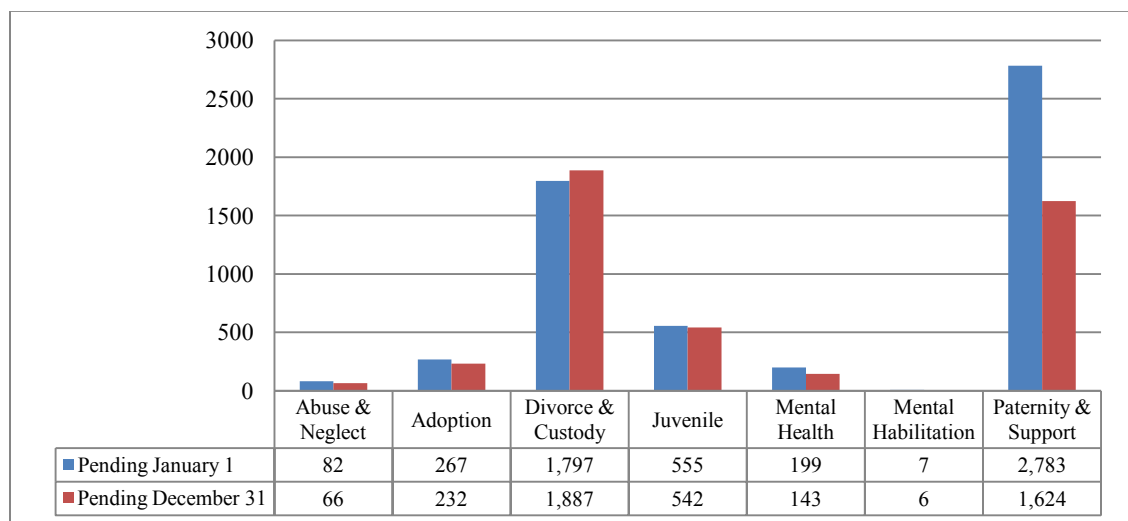


Measuring the number of dispositions is important for any court, however, it is important to note that in Family Court cases, a disposition does not always end the need for court oversight and judicial involvement. In many Family Court cases, after an order is entered there is significant post-disposition activity. For example, among the 2,851 juvenile cases resolved during 2012, 661 juvenile offenders were placed on probation. Those 661 juveniles, as well as the more than 1,200 other active juvenile probation cases, require continuous monitoring by judicial officers to ensure compliance with probation conditions and community safety. Cases of youth under intensive probation supervision and those in the behavioral diversion court are reviewed more frequently. 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 several 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. Mental habilitation cases are considered disposed once an order of commitment or an order of voluntary admission is entered. These cases, numbering over 900 in 2012, remain open and require annual judicial reviews to determine whether there is a need for continued commitment. Similarly, there are more than 1,500 post-disposition abuse and neglect cases that remain open and require regular judicial reviews until the child reaches permanency either through placement in a permanent living situation or ages out of the foster care system.

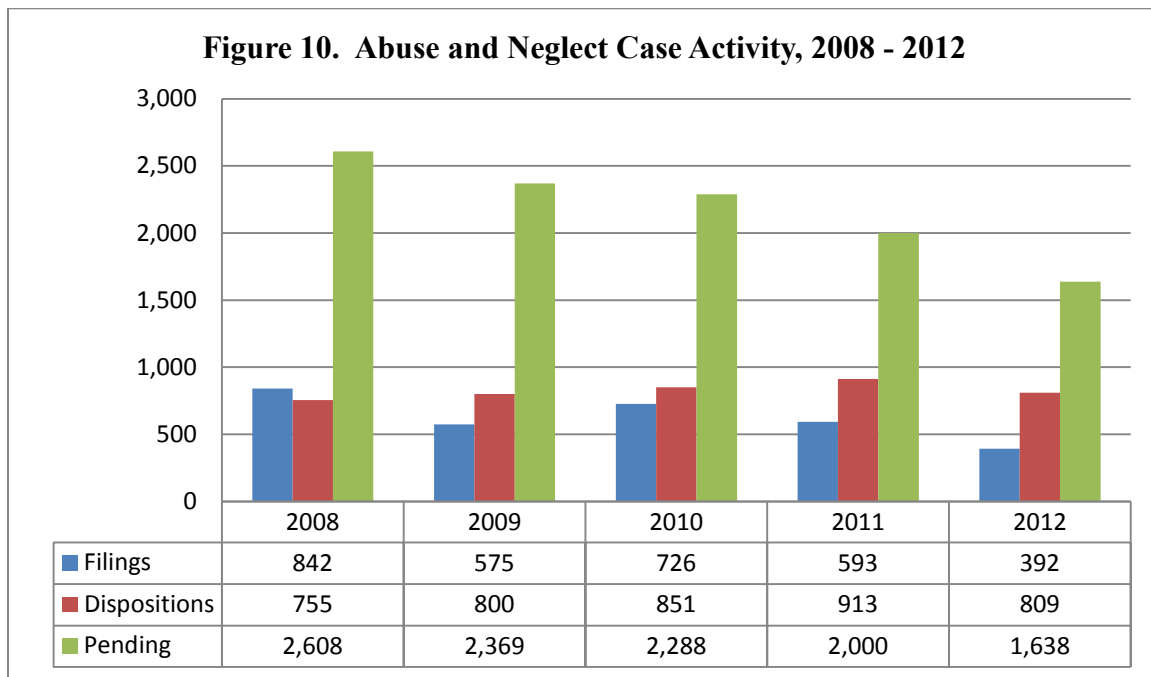
On December 31, 2012, there were 4,500 pending cases in the Family Court. Pending cases are defined as cases that are pending an initial disposition. Pending cases consisted of 1,887 divorce and custody cases, 1,624 paternity and child support cases, 542 juvenile cases, 232 adoption cases, 143 mental health cases, 66 child abuse and neglect cases, and 6 mental habilitation cases.

Figure 9. Family Court Pending Caseload, 2012



ABUSE AND NEGLECT CASES

In 2012, there were 392 new child abuse and neglect referrals to the Family Court, a 34% decrease in filings from 2011. Over the five year period from the start of 2008 to the end of 2012, new child abuse and neglect referrals decreased by 53%. Referrals ranged from a high of 842 in 2008, to a low of 392 in 2012. The high number of filings in 2008 likely resulted from an intense review by CFSA of all cases awaiting investigation, the result of which was a significant increase (58%) in filings from 2007 to 2008. Correspondingly, there has been a 37% decrease in the number of children under court supervision during the same time period.



In 97% of the cases filed in 2012 children were removed from home and 3% remained in the home under protective supervision. The percentage of cases in which children were removed from the home has ranged from a low of 88% in 2009 and 2010, to a high of 97% in 2012. The higher removal rate may be related to CFSA’s recently implemented strategic plan, “Four Pillars,” that has as one of its goals to narrow the front

door to the neglect system. It is designed to reduce the number of entries into foster care through differential response and placement with kin. The result would be that only the more serious cases that require removal would come into the system. Once in the system, the Second Pillar -- foster care as a temporary safe haven-- is designed to ensure that they are returned home or placed with kin as soon as it is safe to do so.

In 2012, neglect was the most likely reason for a youth to be referred to the court. Eighty-three percent of new referrals were for allegations of neglect. During the five-year period from the start of 2008 to the end of 2012, the percentage of children referred for an allegation of abuse has ranged from a low of 17% in 2012 to a high of 22% in 2010. In 2012, females, for the first time, comprised a larger percentage of new referrals than males. With the exception of 2009 when males and females each comprised 50% of referrals, females were less likely than males to be the subject of an abuse and neglect referral over the five year period. Females accounted for 58% of the referrals for abuse and 53% of the referrals for neglect. More than a fifth (21%) of new referrals to Family Court involved children 13 years of age and older at the time of referral. The percentage of referrals of older children, although high, steadily declined in each year from 2008 to 2011 (26% to 19%) before increasing slightly in 2012. Notwithstanding, the Family Court, CFSA and other child welfare stakeholders continue to examine the implications of large numbers of older youth coming into care. The examination includes an assessment of resources in the District to assist parents and caregivers in addressing the needs of this segment of the population before they come into care, as well as the need to identify and develop appropriate placement resources once they are in care.

Table 2. Percent Distribution of Abuse and Neglect Referrals 2008 - 2012, by reason for referral, removal status, gender, and age

Characteristic	Year of Referral				
	2008	2009	2010	2011	2012
Reason for Referral					
Abuse	18	21	22	18	17
Neglect	82	79	78	82	83
Removal Status					
Removed	90	88	88	92	97
Not Removed	10	12	12	8	3
Gender					
Male	51	50	54	52	46
Female	49	50	46	48	54
Age at referral					
Under 1 year	14	18	13	14	16
1-3 years	18	22	18	23	20
4-6 years	16	15	18	17	17
7-10 years	16	13	21	19	18
11-12 years	9	8	9	8	8
13 and older	26	24	21	19	21
Total number of referrals	842	575	726	593	392

Over the five year period, a 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 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 the time of the Act's initiation, 3,500 were assigned to judges not serving in the Family Court. Since then, all of those cases have been transferred into Family Court or closed. Today, non-Family Court judges supervise four open cases each of which is being retained with the approval of the Chief Judge who determined,

pursuant to criteria set forth in the Act, that: (1) the judge retaining the case had the required experience in family law; (2) the case was in compliance with ASFA; and (3) it was 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.

TRIAL/STIPULATION OF ABUSE AND NEGLECT CASES

Figures 11 and 12 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 11, from 2008 through 2012 the court made significant progress in completing trials/stipulations within the established timelines for children removed from home. In each of those years, at least 9 out of 10 cases filed had a fact-finding hearing in compliance with the ASFA timeline for trials in removal cases (105 days). In 2012, the compliance rate was 90%. The Court is monitoring and tracking this performance area and will implement appropriate measures

to reestablish the Court’s high level of performance. In spite of the decrease in compliance level, many cases in 2012 reached trial or stipulation in considerably less time than the statute required. The median time required for a case to reach trial or stipulation was 55 days. Over the five-year period from 2008 to 2012, the median time required for a case to reach trial or stipulation ranged from a high of 59 days in 2009, to 55 days in 2008 and 2012, 45 days in 2011 and to a low of 41 days in 2010.

Figure 11. Compliance with D.C. ASFA Timeline for Trial/Stipulation for Children Removed from Home

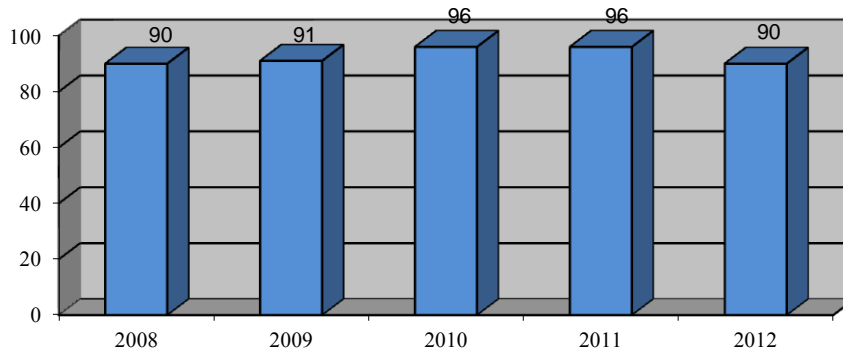
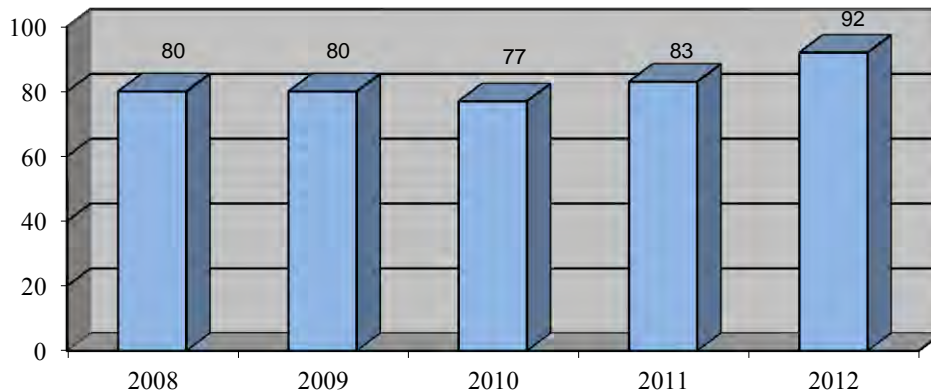


Figure 12. Compliance with D.C. ASFA Timeline to Trial or Stipulation for Children Not Removed from Home



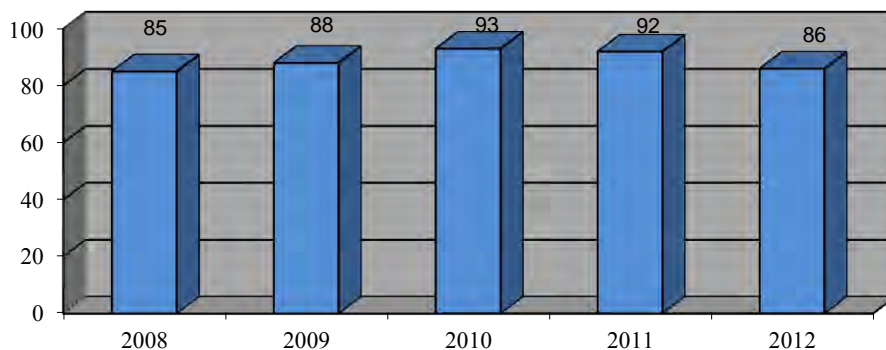
For children not removed from home, compliance with the timeline to trial or stipulation (45 days) rose for the third year in a row. As indicated in Table 2, the majority of children referred to the court are removed from their homes. In 2012, all but 13 children

were removed from home. The compliance rate for those cases was 92%. However, it is important to remember that with small caseloads, one or two cases can have a significant impact on compliance rates as was the case in previous years. The Court will continue to monitor and track this performance area and implement appropriate measures to improve the court's compliance rate.

DISPOSITION HEARINGS IN ABUSE AND NEGLECT CASES

Eighty-six percent of cases filed in 2012 had disposition hearings held within the 105 day timeline (Figure 13). The compliance rate, however, may rise as cases filed late in 2012, which are still pending disposition, have their hearings. Among children removed from home in 2010 and 2011, more than 9 out of 10 disposition hearings were held in compliance with the timeline for disposition. In contrast, 85% were compliant in 2008 and 88% in 2009. In 2012, the median time to reach disposition was 61 days and the average 58 days, both well below the 105-day statutory timeline.

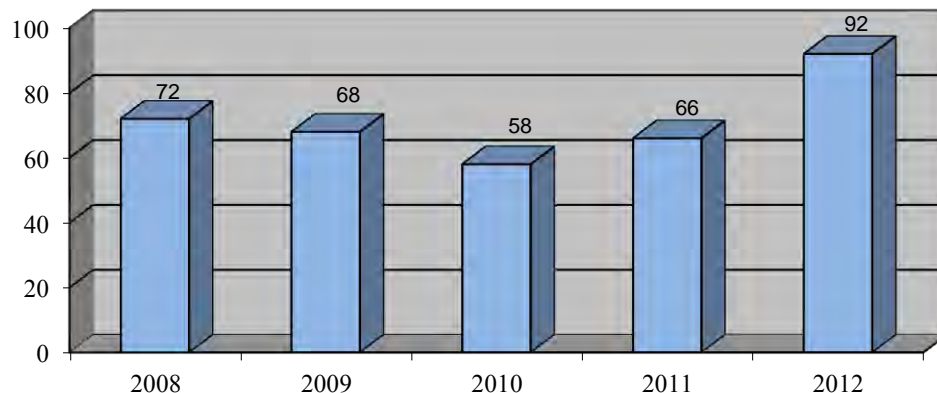
Figure 13. Compliance with D.C. ASFA Timeline for Disposition for Children Removed from Home



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 for children not removed also increased in each of the last three years (Figure 14). The

compliance rate in 2012 was 92%, the highest over the five year period. The compliance rate was 72% in 2008, it dropped to 68% in 2009, 66% in 2011, to a low of 58% in 2010. It is important to remember that due to the relatively small number of children in this category of cases, even the smallest level of non-compliance will affect the percentages markedly. As with time to trial and stipulation, the Family Court will continue to monitor and track compliance in this area throughout 2013, and where appropriate, will institute measures to improve compliance.

Figure 14. Compliance with D.C. ASFA Timeline for Disposition for Children Not Removed from Home

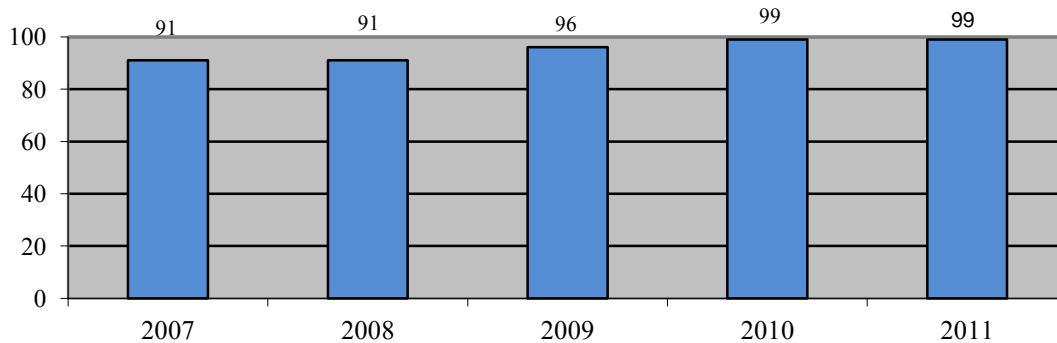


COMPLIANCE WITH ASFA PERMANENCY HEARING REQUIREMENTS

Both D.C. and Federal ASFA require the Court to hold a permanency hearing for each child who has been removed from home within 12 months of the child’s entry into foster care. Entry into foster care is defined as either 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, or one year after a finding of neglect. 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 15 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 2007, more than 90% of cases had a permanency hearing or were dismissed within the required timeline. No case filed in 2012 had reached the statutory deadline for having a permanency hearing by December 31, 2012.

Figure 15. 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 permanent living arrangement (APPLA)) 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.

Data from 2012 indicates that a permanency goal was set at every permanency hearing 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 ensure that these two requirements are being met. If not, the assigned judicial officer and the Presiding Judge of Family Court will be notified that the hearing was deficient and recommendations made for bringing the case into compliance.

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

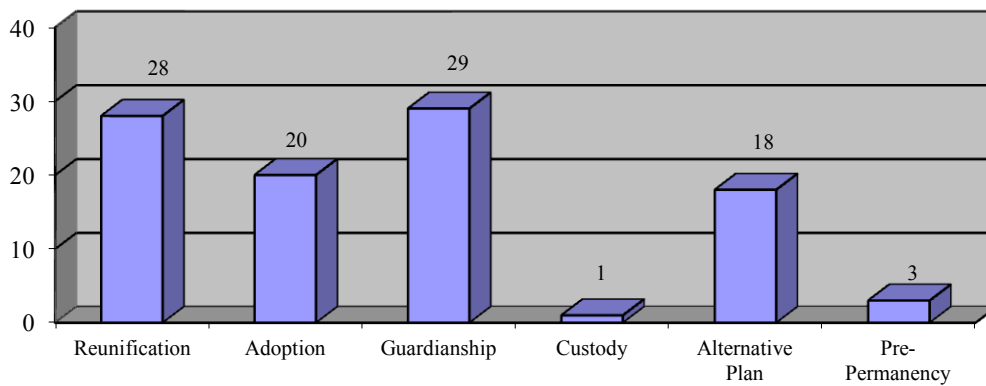
To ensure continued compliance with ASFA and to assist Family Court judges in ensuring that the content and structure of the permanency hearing are consistent with best practices, judicial officers are required to use a standardized court order for all permanency hearings. As required by ASFA, the form 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, reviewed and revised the official court forms for proceedings in these cases. The revision process was completed in March 2012. The revised orders, which now meet not only the requirements of ASFA, but also the requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), the Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239), and the Indian Child Welfare Act (ICWA) were piloted in three courtrooms through July 2012. Following the pilot period, final revisions were made and the orders became effective on January 1, 2013. They are now used in every courtroom.

Barriers to Permanency

Under ASFA, there are four preferred permanency goals for children removed from their home: reunification, adoption, guardianship or custody. Figure 16 identifies

Figure 16. Percent Distribution of Current Permanency Goal for Children Under Court Supervision, 2012



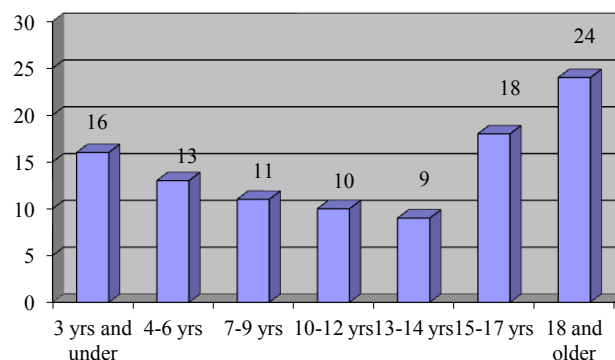
the current permanency goal for children under court supervision. Cases involving children identified as pre-permanency have yet to have a disposition hearing, the earliest

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 related to a disability of the parent, including the need for the parent to receive substance abuse treatment, the need for other treatment, and the need for the parent to obtain life-skills training. Procedural impediments related to housing have also been a significant barrier to reunification. For children with the goal of adoption, procedural impediments, including awaiting the completion of adoption proceedings and housing issues were the most frequently identified barriers to permanency in adoption cases. Other frequently cited barriers to reaching permanency through adoption included the lack of adoption resources and issues related to the adoption subsidy. Similarly, procedural impediments including awaiting the completion of guardianship proceedings were the major barrier to guardianship. Disabilities of the parent/caretaker including the need to receive substance abuse and other treatment and issues related to the guardianship subsidy were also significant barriers.

Another significant barrier to permanency was the percentage of cases which involved older children for whom the court has found compelling reasons to set a goal of APPLA. As Figure 17 shows, about a quarter of all youth in foster care are over the age of 18 and 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. The agency and the court continue to work to review permanency options and services available for older youth, including reducing the number of youth with a goal of

APPLA and the number of youth aging out of the child welfare system. The Family Court’s *Preparing Youth for Adulthood Initiative* has been an effective tool in helping to ensure that older youth in the program who remain in care receive the necessary support in setting concrete goals for achieving independence, established timeframes for the completion of specific tasks, and are connected with at least one adult who has committed to remaining in the youth’s life after emancipation. Significant changes at CFSA’s Office of Youth Empowerment are also expected to lead to improved outcomes for older youth. New initiatives undertaken in 2012 include an improved focus on youth transitional planning, independent living services, educational and vocational training, and improved life skills training.

Figure 17. 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 CFSA's Office of Clinical Practice. Participants are also subjected to a local criminal background check, a Department of Mental Health check, and an interview by the Family Treatment Court Coordinator. 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, if their child was not already adjudicated neglected at trial.

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 allows families to reach permanency sooner.

While in the facility, mothers participate in a rigorous, supervised drug treatment program that includes drug education, life skills, parenting training, and relapse prevention. 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-Mellwood Facility provided residential/inpatient treatment services for the FTC program during 2012. Their mission is “to empower individuals and families with the tools to break the cycle of addiction, to make choices that will enable them to experience a healthy, responsible life free from alcohol, drugs, crime, violence, and exploitation.”

Upon completion of the inpatient phase of the program, FTC clients participate in a graduation 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. Presently, the majority of program participants choose to live in transitional housing. In 2012, Catholic Charities, New Day Transitional House, and the House of Ruth provided 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, GED preparation, and other components of their individualized treatment plan.

In 2012, a changed fiscal climate and the loss of Second Genesis as a treatment provider significantly impacted the program. At the beginning of the year there were 22 women in the program, 10 in residential and 12 in aftercare. Seven women entered the residential phase of the program. During the year, 14 women left the residential phase of the program as follows: 11 (or 79%) after successful completion of the program, one (or 7%) voluntarily left the program due to a medical issue, and two (or 14%) were terminated from the program. At the end of 2012, there were three women in the

residential program. Those successfully completing the residential phase along with the 12 other women already in aftercare at the beginning of the year participated in a very rigorous schedule of activities and continuing care programs. Twelve women left the aftercare phase of the program during the year. Eight (67%) successfully completed the aftercare program, three were terminated and one quit. Most importantly, seven of the eight women who successfully completed the aftercare program had their neglect cases closed and were successfully reunified with their children. Among the 11 women remaining in the aftercare program at the end of 2012, three were at home in the community and eight were in transitional housing units provided by the FTC program.

Due to concerns about the sustainability of the FTC program, given current fiscal realities and the paucity of treatment facilities for women and children to replace Second Genesis, in late 2012 FTC stakeholders began a redesign of the program. The redesign will expand the scope of the existing model to include a continuum of treatment services for males and females based on the assessed need of identified clients. Services will include home-based, out-patient, intensive out-patient and residential services. The goal of the project is to increase the well-being of, improve permanency outcomes for, and enhance the safety of children who are in an out-of-home placement or at risk of being placed in an out-of-home placement as a result of a parent's/caretaker's substance abuse. Additionally, the expansion of supportive services will improve engagement and retention in treatment interventions, while improving and strengthening the social network and resources utilized by families throughout the entire continuum of services. The FTC stakeholder team anticipates launching the newly designed FTC program by October 2013.

PERMANENCY OUTCOMES FOR CHILDREN

In 2012, Family Court judicial officers closed 704 post-disposition abuse and neglect cases. As can be seen from Table 3, 74% were closed because permanency was achieved. Twenty-six percent of the cases were closed without reaching permanency, either because the child aged out of the system or their cases were closed because they no longer desired to have services provided by CFSA; one case closed because the respondent was deceased. The percentage of post-disposition cases which were closed due to a child reaching permanency continued to increase. It was 74% in 2012, 73% in 2011, 70% in 2010, and 69% in 2009.

The percentage of cases that closed due to reunification, approximately a third, was unchanged from 2010 and 2011. On the other hand, the percentage of cases that closed because the child was placed with a permanent guardian increased from 14% of case closures in 2009, to 16% in 2010, to 22% in 2011 and to 23% in 2012. The percentage of cases that closed due to adoption increased slightly from 2011 to 2012 (from 15% to 17%).

In 2012, both the Court and the agency undertook a thorough examination of cases in which the goal was adoption. The agency's review was designed to determine if there were policies and procedures that should be enforced or implemented to ensure that the child reaches permanency in a timely manner. In addition, the examination included a review of children with a goal of adoption that had not been placed in a pre-adoptive home and the timeliness of filing a termination of parental rights motion (TPR) once the goal was changed to adoption. The Court's review focused on the timeliness of adoption proceedings and an identification of barriers at each step in the process that

serve to delay the adoption and hence delay timely permanency for children. In 2013, the Court and Agency will review data from both reviews and, if appropriate, develop policies and procedures to address potential problem areas.

As has been the case in the past, the vast majority of cases closed once the permanency goal was achieved. But that means that a percentage of cases in 2012 closed without the child achieving permanency. However, that percentage of cases (closing without permanency being achieved) has steadily declined from 31% of cases closed in 2009, to 30% in 2010, to 26% in 2011, and 25% in 2012.

**Table 3. Abuse and Neglect Cases Closed Post-Disposition
By Reason for Closure, 2010-2012**

Reason for Case Closure	Number and percent distribution of cases closed					
	2010		2011		2012	
	Number	Percent	Number	Percent	Number	Percent
Permanency Goal Achieved	469	70	528	74	521	74
Reunification	233	35	242	34	221	31
Adoption	112	17	110	15	122	17
Guardianship	108	16	158	22	160	23
Custody	16	2	18	3	18	3
Child Reached Age of Majority	158	23	151	21	158	22
Child Emancipated	43	6	38	5	24	3
Child Deceased	2	<1	1	<1	1	<1
Court Case Closed-Continued for CFSA services	1	<1	0	-	0	-
Total Cases Closed	673	100	718	100	704	100

As stated earlier, 25% of all post-disposition cases were closed without the child achieving permanency. This was due to the child reaching the age of majority or the child refusing further services from CFSA. This finding is not surprising given that at the end of 2012, 42% of children under Court supervision were 15 years of age or older. Many of these children, who have a permanency goal of APPLA (18%), have been in care for a significant period of time, 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 wishing to recommend a goal of APPLA. To help ensure that the new policy is followed, the court has agreed to work with the agency to help monitor compliance with the requirements for recommending a goal change to APPLA. In 2013, a social worker's recommendation to change the permanency goal to APPLA will not be considered by the court unless the youth has participated in a Listening to Youth and Families as Experts (LYFE) conference and the Director of the Agency has approved the recommendation. The agency's policy and the court's monitoring are designed to ensure that only those children for whom no other permanency option is appropriate will receive a goal of APPLA.

As required by the 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 (in "Toolkit for Court Performance Measures 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. "The Toolkit" 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.

In 2012, the Family Court continued to measure its performance in two areas: permanency and timeliness. Data for each area of performance is measured over a five-year period. 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.

In 2007, the median time to achievement of permanency was: 1.9 years for children whose cases closed due to reunification, 3.7 years to reach a goal of adoption, 2.8 years for cases to close due to guardianship, and 3.3 years to reach permanency through a goal of custody. In 2008, the comparable figures were 1.6 years to reunification, 3.9 years to adoption, 3.0 years to guardianship, and 2.7 years to custody. Tables 4b and 4c reflect comparative data on median time to closure for cases closed from 2009 through 2012.

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 2012, 22% of the cases closed due to reunification in 2012, children were reunified with their parent within 12 months of removal, 38% were reunified within 18 months and 53%

within 24 months or less. The median time required to reunify children with their parents for cases that closed in 2012 was 1.9 years.

Table 4a. 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	8	0	0	1	6	0	5
12 months	15	19	1	1	1	0	17	5
18 months	20	21	1	3	9	3	8	11
24 months	26	16	1	3	8	5	8	16
More than 24 months	38	37	96	93	81	86	67	63
Total Cases Closed	183	172	137	101	129	101	12	19
Median Time to Achieve Goal	1.9	1.6	3.7	3.9	2.8	3.0	3.3	2.7
	years	years	years	years	years	years	years	years
Average Time to Achieve Goal	2.5	2.3	4.8	4.4	3.3	3.6	5.2	2.4
	years	years	years	years	years	years	years	years

Table 4b. Percent Distribution of Time Between Case Filing and Achievement of Permanency Goal, for Cases Closed in 2009 and 2010

Number of months to achieve goal	Permanency Goal							
	Reunification		Adoption		Guardianship		Custody	
	2009	2010	2009	2010	2009	2010	2009	2010
6 months	3	4	1	0	10	11	14	0
12 months	18	17	0	0	4	6	7	25
18 months	25	22	1	3	10	0	29	13
24 months	13	19	4	5	18	10	21	19
More than 24 months	40	37	95	92	58	72	29	44
Total Cases Closed	213	233	130	112	99	108	14	16
Median Time to Achieve Goal	1.6	1.7	4.1	3.6	2.5	2.4	1.5	1.8
	years	years	years	years	years	years	years	years
Average Time to Achieve Goal	2.5	2.1	5.0	4.5	2.8	3.1	2.0	2.8
	years	years	years	years	years	years	years	years

The median time to closure for cases closed to adoption in 2012 was 3.6 years.

Over the six year period from 2007 to 2012, the Court and the agency has had difficulty reducing the length of time, a little less than four years, which is required to close a case to adoption. However, in each year from 2007 to 2011, more than 9 out of 10 children spent more than 24 months in care waiting to be placed in a permanent home. In 2012, for the first time the percentage of children waiting more than 24 months to reach permanency through adoption, decreased to less than 90%.

As was the case with adoption, the median time to the achievement of permanency for children whose cases closed due to guardianship also decreased slightly in 2012 -- to 2.5 years. The median ranged from 2.4 years in 2010 to 2.5 years in 2009 and 2012, to 2.7 years in 2011, 2.8 years in 2007 and 3.0 years in 2008.

Table 4c. Percent Distribution of Time Between Case Filing and Achievement of Permanency Goal, for Cases Closed in 2011 and 2012

Number of months to achieve goal	Permanency Goal							
	Reunification		Adoption		Guardianship		Custody	
	2011	2012	2011	2012	2011	2012	2011	2012
6 months	7	8	1	2	12	14	0	0
12 months	21	14	1	2	7	7	6	6
18 months	31	16	2	3	3	5	6	6
24 months	9	15	4	7	8	7	22	22
More than 24 months	33	46	93	85	70	68	67	67
Total Cases Closed	242	221	110	122	158	160	18	18
Median Time to Achieve Goal	1.3 years	1.9 years	3.8 years	3.6 years	2.7 years	2.5 years	2.4 years	2.9 years
Average Time to Achieve Goal	2.1 years	2.4 years	4.4 years	4.0 years	3.0 years	2.5 years	2.7 years	2.8 years

It is important to remember that many of the cases closed since 2007 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 the median time to case closure to remain high; table 5 below which shows the year of case filings for the pending caseload, illustrates why.

Table 5. Age of Pending Caseload, 2012

Year Case Filed	Percent of Pending Caseload
1993-2002	14
2003-2007	18
2008	7
2009	8
2010	16
2011	19
2012	18
Number Pending	1,638

Nearly a third of the cases under court jurisdiction at year end had been open five or more 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, demonstrates that the court is making significant progress in achieving permanency for newly filed cases.

Table 6. Status of Cases Filed, 2007-2012

Year Filed	Number Filed	Case Status	
		Percent Open	Percent Closed
2007	532	10	90
2008	842	13	83
2009	575	21	79
2010	726	33	67
2011	593	50	50
2012	392	72	28

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

In 25% of the cases (182 cases) closed in 2012, the children did not achieve permanency either because they aged out of the system or were emancipated. The percentage of cases closed in this category in 2012 was lower than it was in 2011 (27%), 2010 (30%) and 2009 (31%).

Reentry to Foster Care⁶

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.

Over the past five years, no more than six percent of children whose cases closed to reunification returned to care with 24 months of case closure.

⁶ All reentry rates are based on the number of youth returned to care in the District of Columbia. Excluded are those youth returned to care in other jurisdictions.

Table 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
2008	172	5	1	2	2
2009	213	17	6	6	5
2010	233	7	5	1	1
2011	242	7	7	0	0
2012	221	4	4	0	0

Five of the 172 cases closed to reunification in 2008 returned to care, one within 12 months and two within 24 months of reunification. Seventeen of the 213 cases closed to reunification in 2009 returned to care, six within 12 months of reunification and six within 24 months of reunification. Of the 221 cases closed to reunification in 2012, four returned to care within 12 months of reunification.

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

From 2008 to December 31, 2012, no case closed due to adoption had returned to care in this jurisdiction.

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
2008	101	0	0	0	0
2009	130	0	0	0	0
2010	112	0	0	0	0
2011	110	0	0	0	0
2012	122	0	0	0	0

Eighteen cases closed due to guardianship in 2008 have been disrupted, three within 12 months of placement with a permanent guardian, six within 24 months of placement and 9 more than 24 months after placement. Twenty-four cases closed due to guardianship in 2009 disrupted after placement, nine within 24 months. Of the 16 cases

closed to guardianship in 2010 that were disrupted, 15 occurred within 24 months. Similarly 21 of the 23 cases closed due to guardianship in 2011 disrupted within 24 months of placement. Eight cases closed due to guardianship in 2012 have disrupted. In many instances these guardianship placements disrupt due to the death or incapacity of the caregiver. Consistent with statutory requirements, successor guardians are named and those placements are approved by the court. The cases are reopened to conduct home studies to ensure child safety prior to placement with the successor guardian.

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.

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
2008	101	18	3	6	9
2009	99	24	1	8	15
2010	108	16	7	8	1
2011	158	23	18	3	2
2012	160	8	8	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 42 to 48.

TERMINATION OF PARENTAL RIGHTS

Federal and local law require that when a child has been placed outside of the home for 15 of the most recent 22 months, a motion for termination of parental rights (TPR) must be filed or an exception must be documented. Since passage of the Act the number of TPR motions filed has varied from a high of 161 motions in 2008 to 129

motions in 2009, to 83 in 2010 and 67 in 2011. During 2012, 77 TPR motions were filed.

Table 10 below provides information on compliance with the timely filing of TPR

motions for the five-year period, 2008 through 2012.

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, 2008 – 2012

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
2008	161	585	871	38	55	35	18	15
2009	129	562	835	29	50	31	10	9
2010	83	559	750	26	25	22	4	6
2011	67	532	664	22	26	13	4	2
2012	77	517	693	31	15	19	11	1

The OAG is mandated to take legal action or file a motion for termination of parental rights when children have been removed from home in two instances. First, when the child has been removed from the home for 15 of the most recent 22 months and second within 45 days of a goal of adoption being set. 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 was between 1 ½ to 2 years. Sixty percent of the motions filed in 2012 were filed within 22 months. From 2008 to 2011, there had been steady improvement in the timely filing of TPR motions from 58% in 2008 to 72% in 2011. Table 10 also indicates in several cases the TPR motion was filed after the case had been open for more than 3 years. In most cases where the TPR is filed after the 22 month timeline, a goal of adoption has been set late in the case and the motion is filed within the 45 day timeframe. The OAG continues to track permanency goals of children removed from home very closely to ensure that whenever a goal changes to adoption, a timely TPR motion is filed. In addition, the

status of TPR cases is reviewed by both the court and the OAG on a quarterly basis. This collaborative review process has resulted in improvement in the timely filing of such motions.

Tables 11 – 13 below provide information on the court’s performance as it relates to the handling of TPR motions.

Measure 2f(ii). Time between 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, 2008 - 2012

Year Filed	Total Filed	Total Undisposed	Total Disposed	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2008	161	0	161	30	102	27	2
2009	134	1	133	15	81	37	0
2010	85	9	76	8	43	25	0
2011	72	30	42	10	13	19	0
2012	82	72	10	0	6	4	0

Table 12. Time Between Filing and Disposition of TPR Motions, by Year Motion Filed, 2008 - 2012

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
2008	161	535	627	1	0	0	2	158
2009	133	475	534	0	2	1	5	125
2010	76	325	396	0	2	2	10	62
2011	42	300	349	3	2	1	6	30
2012	10	240	262	0	1	0	3	6

Table 13. Time Between Filing and Disposition of TPR Motion, by Year Motion was Filed and Type of Disposition, 2008-2012

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
2008	161	30	479	564	131	541	642
2009	133	15	779	741	118	460	507
2010	76	8	786	682	68	291	362
2011	42	10	357	334	32	299	321
2012	10	0	-	-	10	240	262

*Includes motions dismissed, withdrawn or denied.

At least 9 out of 10 TPR motions filed in 2008, 2009 and 2010 have been disposed. In comparison, only 58% of motions filed in 2011 and 12% of those filed in

2012 have been disposed, as of December 31, 2012. Most TPR motions are disposed of through dismissal or withdrawal of the motion after an adoption has been finalized. The length of time between filing the TPR motion and disposition of the motion through either granting the TPR or by having the motion either dismissed or withdrawn varied considerably over the past five years. The median time between filing the motion and the order granting the motion ranged from a low of 300 days in 2011 to a high of 535 days in 2008. For the 12% of TPR motions filed in 2012 that have been disposed, the median number of days to disposition was 240.

The median time to dispose of a TPR where the motion was granted exceeded two years in 2009 and 2010. It exceeded a year in 2008 and was 357 days in 2011. The median time required to dispose of TPR motions by means other than granting of the motion (i.e., dismissal, denied, withdrawn) exceeded one year in 2008 and 2009. In each year since then the median has been about nine months.

Case processing performance standards for the disposition of TPR motions was established by the Chief Judge in Administrative Order 09-12, issued in October 2009. The standard, which applies to all cases filed after issuance of the order, requires that 75% of motions be resolved within 9 months and 90% within 12 months. As indicated earlier, 77 TPR motions were filed in 2012. Ten of those motions have been disposed. All 10 dispositions were in compliance with the time standard. In 2013, the court will continue to monitor compliance with this performance measure.

On December 31, 2012, there were 113 TPR motions pending disposition, a 12% increase from 2011 (101 motions). However, it was a 34% reduction from 2010 (172 motions pending) and a 69% reduction from 2008 (361 motions pending). This reduction

in the pending caseload is attributable to the increased focus on the efficient handling of TPR motions by both the OAG and the court. 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 Columbia of terminating parental rights within the adoption case.

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

Over the period from 2008 through 2011, the median number of days for an adoption petition to be filed after a TPR motion had been granted ranged from a low of 172 days in 2010 to a high of 524 days in 2008. In 2012, one adoption petition was filed, 33 days, after the TPR motion was granted. The calculation of the median does not include those cases in which an adoption petition was filed before the TPR motion was granted, 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.

A third of the adoption petitions filed in 2012 have been disposed. In nearly three-quarters of the cases disposed, the adoption petition was granted (Table 14). For those cases in which the petition was granted, the median time between filing and finalization was slightly longer than 6 months (191 days). For adoptions finalized in 2011, the median was 369 days. As can be seen from Table 15, almost all adoption petitions filed from 2008 to 2010 have been disposed. The median time between the filing of the adoption petition and finalization decreased steadily. It was approximately 16 months in 2008, 14 months in 2009, and 13 months in 2010.

**Table 14. Adoption Petitions Filed by CFSA, by Year
Petition Filed and Method of Disposition, 2008 - 2012**

Year Filed	Total Filed	Total Undisposed of	Total Disposed of	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2008	180	0	180	121	24	34	1
2009	151	0	151	105	18	22	6
2010	168	4	164	112	17	33	2
2011	132	18	114	74	9	31	0
2012	144	95	49	35	6	8	0

**Table 15. Time Between Filing and Finalization of Adoption Petition
of Children in Foster Care, by Year Petition Filed, 2008 - 2012**

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
2008	121	491	508	0	7	20	47	47
2009	105	415	474	1	3	35	36	30
2010	112	402	443	1	9	34	37	31
2011	74	369	378	0	5	32	28	9
2012	35	191	190	0	16	19	0	0

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 on the day of the initial hearing.

MAYOR'S SERVICES LIAISON OFFICE

The Mayor's Services Liaison Office (MSLO), located on the JM level of the Moultrie Courthouse, was established pursuant to the Act. The mission of the MSLO is to promote safe and permanent homes for children by working collaboratively with stakeholders to develop readily accessible services 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 Public Schools
- District of Columbia Housing Authority
- Department of Disability Administration
- Hillcrest Children's Health Center
- Rehabilitative Services Administration
- The Fatherhood Education, Empowerment and Development Program

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

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

Referral Process to the Mayor's Services Liaison Office

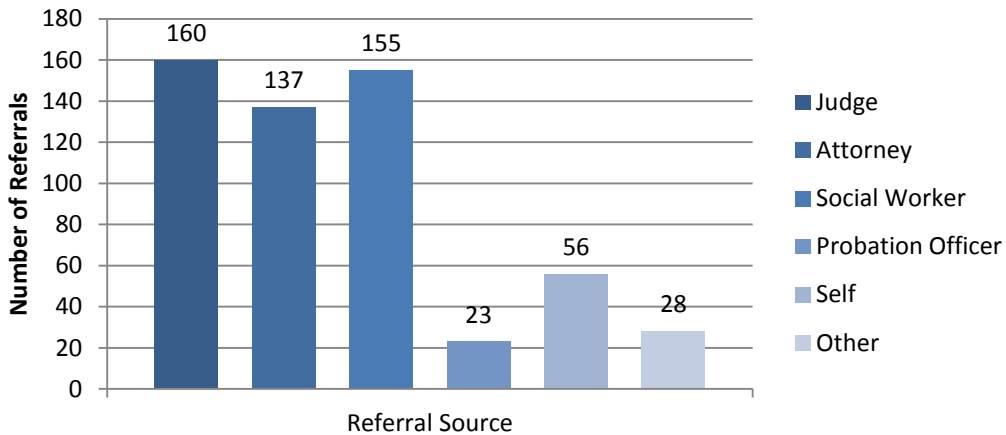
Cases are referred to the MSLO from a variety of sources, including self-referral, referral from a guardian *ad litem*, social worker, family worker, attorney, judge, and/or probation officer, or through a court order. The goal of the interagency collaboration within MSLO is to create a seamless system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

During 2012, the MSLO received 559 referrals. Eighty-two percent of referrals (456) were for families with a currently open case in Family Court and 18% involved walk in clients or clients with a previous history in the Family Court. Among referrals with open court cases, 73% (333) were court involved families referred by the court to

seek the services of the MSLO. The remaining 27% of those seeking services had been ordered to the MSLO by a judicial officer to be connected with a specific service. Family Court judicial officers were the most likely source of referrals to the MSLO, followed by social workers and attorneys.

Of the 559 referrals for service, over 400 families and children were successfully connected to the services and resources they needed.

Figure 16. Referrals to MSLO by Referral Source, 2012



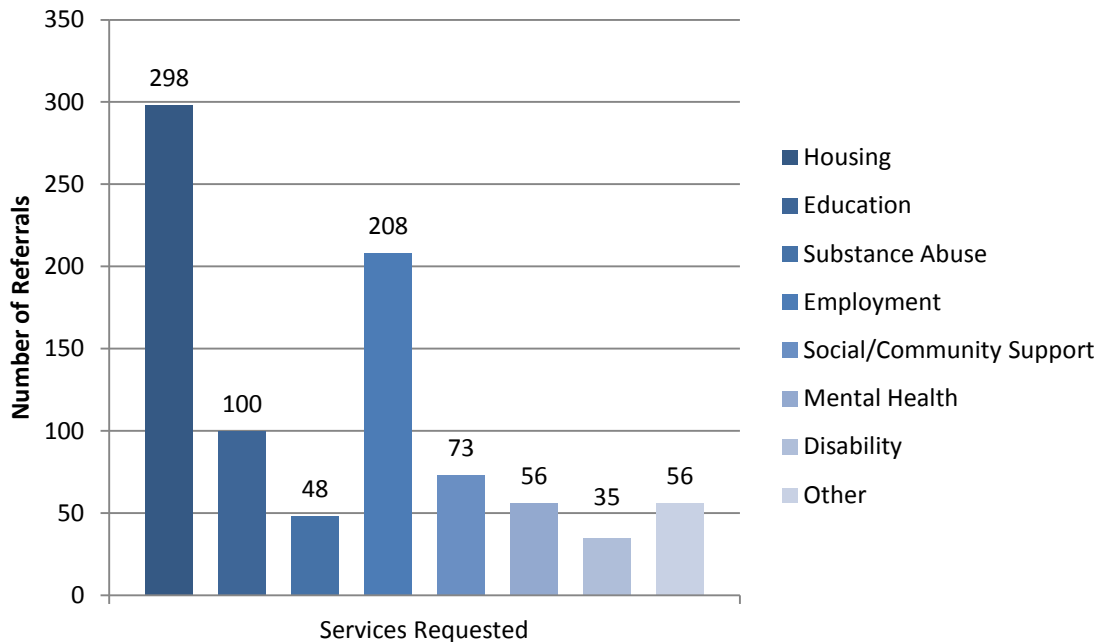
Cases seeking the services of the MSLO required assistance with: (a) issues related to housing, such as transfers, inspections, emergency housing; (b) mental health evaluations and assessments; (c) individual and family therapy; (d) substance abuse treatment; (e) school placements; (f) IEP's and other special education issues, including testing and due process; (g) general education; (h) TANF assistance; (i) medical assistance; (j) financial assistance; (k) food; and (l) employment and literacy information. The MSLO effectively linked these families and children to a variety of services -- chief among them was housing and employment. In addition, 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 (D.C.H.A.), eviction prevention, TANF assistance, and medical assistance.

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

MSLO staff participated in several new projects in the Family Court including: the case expediting project, Safe and Sound, D.C. Fathering Court, Grandparents program, Fatherhood Education Empowerment and Development (FEED), and the Family Treatment Court programs.

Figure 17. Referrals to the Mayors Services Liaison Office, 2012



NEW INITIATIVES IN ABUSE AND NEGLECT

Second Annual Family Celebration Day

On June 16, 2012, the Family Court held its second Family Celebration Day. The goal of the day is to celebrate families who have successfully reunified with their children and to inspire and persuade other parents – particularly those going through the recovery process – that it is possible to confront and resolve the issues that led to their separation, and to reunify with their children. Family Celebration Day is a joint collaboration between the Family Court and the CFSA. Family Celebration Day brought together families, judges and community officials to celebrate the accomplishments of local families who overcame numerous challenges to reunify safely and successfully with their children. Community-based organizations, as well as local providers of services to children and families, were also on hand to help the families celebrate their accomplishments. More than 30 families participated in the event.

Safe and Sound

The Safe and Sound Program, begun in 2011, seeks to reduce the number of children in the child welfare system whose cases move from in-home, where families exhibiting early signs of child neglect receive resources and services, to court-involved, where more serious issues require court intervention to ensure the safety of the child. Safe and Sound is a collaborative effort between the Family Court, the CFSA, the OAG and other child welfare stakeholders. The voluntary program focuses on families currently being served in-home by CFSA. To date, the program has served 24 families, 10 of which have successfully completed the program. Data gathered from cases at entry and exit from the program will assist CFSA in learning more about the barriers to successful

closure of in-home cases, enabling the agency to develop best practices in working with this vulnerable population.

Court Forms

In 2012, the Family Court created new official court forms for proceedings in abuse and neglect cases in order to comply with the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), the Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239) and the Adoptions and Safe Families Act (D.C. Code §§ 16-2301 et seq. (2000)). Three courtrooms piloted the newly revised orders from April – June 2012. Recommendations for modification to the forms were taken under advisement and the new orders were fully implemented in all Family Courtrooms in January 2013.

Child Welfare Legal Clinic

In its effort to address the continuing need for legal representation of families in the District of Columbia involved in child welfare cases, the Family Court created the Child Welfare Legal Clinic. Beginning in October 2012, the Howard University School of Law assumed leadership of the clinic. The clinic serves as a recruitment strategy to introduce and attract student attorneys to the area of child welfare law and to provide quality representation to families with cases before the court.

Foster Care Youth Employment Amendment Act of 2012 (D.C. Law 19-162)

Enacted on July 13, 2012, the Foster Care Youth Employment Act addresses the fact that young people aging out of the District’s foster care system have significantly worse employment options than their peers. It amends the Prevention of Child Abuse and Neglect Act of 1977 (D.C. Code 4-1303.03(a)) to require the Director of the CFSA to offer employment counseling to foster children ages 18 – 21, and when requested by the

foster child, to provide a letter verifying the person’s status in foster care. Further, it amends the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code 1-608.01): to provide a 10-point hiring preference in the Career Service for a person 18 to 21 who is in CFSA foster care, regardless of residency, or who is within 5 years of leaving foster care and is a resident of the District; to require an applicant claiming this hiring preference to submit a letter from CFSA or the Family Court showing that the applicant is or was in foster care or showing the date the applicant left Court supervision. It defines “foster child” as a child who comes under the jurisdiction of the Superior Court pursuant to § 16-2320 or whose parents' rights have been relinquished pursuant to § 4-1406. Defines “foster care” as 24 hour substitute care for children placed away from their parents or guardians for whom the CFSA has placement care and responsibility.

Child Abuse Prevention and Treatment Amendment Act of 2012 (D.C. Law 19-164)

Enacted on July 13, 2012, the Child Abuse Prevention and Treatment Amendment Act amends Section 2 of the Child Abuse and Neglect Act of 1977 (D.C. Code § 4-1301.09a(d)) to clarify that CFSA need not make reasonable efforts to preserve and reunify the family with respect to a parent when a child subject to a petition has been abused by the parent or the parent is required to register with a sex offender registry under section 113(a) of the Adam Walsh Child Protection and Safety Act of 2006. It also amends Section 3 to include a requirement that health professionals report to CFSA when they have professional knowledge of Fetal Alcohol Spectrum Disorder in any child under 12 months.

JUVENILE CASES

In 2012, there were 2,800 new juvenile complaints filed in the Family Court, an 18% decrease from filings in 2011 (3,419). Eighty-seven percent (2,443) of all complaints filed were based on an allegation of delinquency, five percent (134 cases) pursuant to an Interstate Compact Agreement (ISC), and 8% (222 cases) on a person in need of supervision (PINS) allegation. Nearly 60% of complaints filed (1,662) 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 85% (1,410) of the cases that were petitioned; PINS cases (181) accounted for 11% of petitioned cases and ISC cases (71) accounted for 4%. The remainder of this section focuses on the 1,410 cases alleging delinquency in which a petition was filed during 2012.

The number of delinquency cases petitioned decreased by 15% between 2011 (1,662) and 2012 (1,410). There were, however, significant differences by gender in the percentage of cases petitioned. Petitions for males decreased by 18%, while the number of females petitioned was unchanged (283 in both 2011 and 2012). Although males continued to account for at least 8 out of every 10 cases petitioned in 2012 (80%), the percentage of females among petitioned cases increased (from 12% in 2010 to 17% in 2011 to 20% in 2012).

Three percent of cases petitioned in 2012 involved youth aged 12 or younger. Nearly a quarter (23%) involved juveniles who were 13 or 14 years old, 45% were 15-16 years old at the time of petitioning, and nearly 30% were 17 or over. Overall, youth petitioned in 2012 were younger than youth petitioned in recent years. In 2009, 53% of

youth were 16 or older at the time of petitioning in comparison to 55% of youth in 2010, 56% of youth in 2011, and 52% of youth in 2012.

Forty-two percent of juveniles (599 cases) were detained at the time of their initial hearing (19% in non-secure facilities or shelter houses and 23% in secure detention facilities). Males comprised 83% of those detained and females 17%. By the time of disposition, the number of detained youth had decreased to 382, or 27%.

MOST SERIOUS OFFENSE⁷

Fifty-three percent of new delinquency cases petitioned in 2012 were for a violent crime, 28% for a property offense, 8% for a drug law violation and 11% for a public order offense. In 2012, The most common juvenile charges resulting in a petition was for a charge of robbery (16% of referrals) or aggravated assault (14% of referrals), followed by simple assault (11%), larceny/theft (10%) and unauthorized use of a vehicle (8%). Weapons offenses (8%), assault with a dangerous weapon (7%), and unauthorized use of a vehicle (6%), each accounted for a significant percentage of new referrals. Two juveniles were charged with murder and five with assault with the intent to kill in 2012, a drop in both numbers from 2011.

Juveniles charged with assault accounted for 6 out of 10 new petitions for acts against persons (aggravated assault (26%), simple assault (21%) and assault with a dangerous weapon (3%)). Robbery (35%) was the second leading offense petitioned for acts against persons (5% armed robbery and 30% unarmed).

⁷Juveniles 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.

Twenty-five percent of all juvenile cases petitioned for acts against property involved larceny/theft; followed by unauthorized use of a vehicle (23%), unlawful entry (17%), burglary II (11%), and property damage (8%).

The majority of youth charged with acts against public order were charged with weapons offenses (67%); 16% were charged with obstruction of justice. Among juveniles charged with a drug law violation, slightly more than half (54%) were charged with drug possession and the remaining (46%) were charged with drug sale or distribution.

Most serious offense by age

New referrals were younger in 2012 than those in the previous three years. In 2012, 48% of all delinquency cases petitioned by the Family Court involved youth 15 years of age or younger at the time of referral compared to 44% in 2011, 45% in 2010, and 47% in 2009. Referrals of youth 15 or younger represented a larger proportion of offenses against persons and property and smaller proportions of drug and public order offenses. In 2012, there was little difference among the age groups in the most common reasons for referral. The most likely reason for petitioning a youth 15 or younger was a charge of robbery (18% of referrals) or aggravated assault (14%), followed by simple assault (12%), larceny/theft (10%), and assault with a dangerous weapon (7%). Similarly, the most common charge for a youth age 16 or older was robbery (15%) or aggravated assault (13%), followed by simple assault (10% of referrals), larceny/theft (9%), and weapons offenses (9% of referrals).

A review of most serious offense by age at time of petitioning within specific offense categories reveals some significant differences. As was the case in 2011, in

**Table 16. Juvenile Delinquency Cases Petitioned in 2012,
by Age and Most Serious Offense**

Most Serious Offense ⁸	Age at Time of Petition								
	Total cases	Under 10 years	10-12	13-14	15-16	17	18 and over ⁹	15 and younger	16 and older
Acts against persons	746	0	32	190	342	177	5	387	359
Murder	2	0	0	0	0	2	0	0	2
Assault with Intent to Kill	5	0	0	1	1	2	1	1	4
Assault with Dangerous Weapon	94	0	9	17	47	20	1	46	48
Aggravated Assault	191	0	10	37	89	54	1	94	97
Armed Robbery	36	0	2	6	20	8	0	22	14
Robbery	227	0	4	67	104	50	2	119	108
First Degree Sexual Abuse (Rape)	11	0	1	9	1	0	0	10	1
Other Violent Sex Offenses	8	0	0	4	2	2	0	6	2
Car Jacking	6	0	0	2	4	0	0	5	1
Burglary I	9	0	0	0	7	2	0	5	4
Simple Assault	153	0	6	47	65	35	0	78	75
Other Acts Against Persons	4	0	0	0	2	2	0	1	3
Acts against property	390	0	10	86	180	110	4	187	203
Burglary II	42	0	1	9	20	11	1	23	19
Larceny/Theft	136	0	0	43	48	42	3	68	68
Unauthorized Use of Auto	88	0	3	12	55	18	0	40	48
Arson	0	0	0	0	0	0	0	0	0
Property Damage	33	0	3	5	17	8	0	19	14
Unlawful Entry	65	0	2	10	29	24	0	24	41
Stolen Property	23	0	0	6	11	6	0	11	12
Other Acts Against Property	3	0	1	1	0	1	0	2	1
Acts against public order	158	0	3	31	70	54	0	64	94
Weapons Offenses	106	0	2	19	48	37	0	37	69
Disorderly Conduct	2	0	0	0	0	2	0	0	2
Obstruction of Justice	25	0	0	6	10	9	0	12	13
Other Acts Against Public Order	25	0	1	6	12	6	0	15	10
Drug Law Violations	116	0	2	21	38	55	0	32	84
Drug Sale/Distribution	53	0	0	7	17	29	0	9	44
Drug Possession	63	0	2	14	21	26	0	23	40
Other Drug Law Violations	0	0	0	0	0	0	0	0	0
Total Delinquency Petitions¹⁰	1,410	0	47	328	630	396	9	670	740

2012, the percentage of youth charged with crimes involving acts against persons decreased as youth became older. Specifically, 68% of juveniles aged 12 or younger

⁸ See Footnote 7.

⁹ See D.C. Code §16-2301(3)(c)(2001).

¹⁰ 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.

were charged with a crime against a person as compared to 58% of juveniles age 13-14, 54% of those age 15-16, and 45% of those age 17 or older at referral.

In contrast, the percentage of youth charged with a drug offense increased with the age of the offender. The percentages of drug offense charges, by age group, were: 12 and younger, 4%; ages 13-14, 6%; ages 15-16, 6%; ages 17 and older, 14%. Similarly, youth charged with acts against the public order also increased with age.

Most serious offense by gender

As has been the case in the past, when looking at data relative to the gender of youth in petitioned cases, there were significant differences in the types of offenses by gender. A larger percentage of females were charged for offenses against persons than were males – 67% of females compared to 49% of males. Conversely, a greater percentage of males than females were charged with acts against property (28% and 25%, respectively), acts against public order (13% and 5%, respectively), and drug law violations (9% and 3%, 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, 52% were charged with some form of assault and 40% were charged with some form of robbery. In comparison, among females charged with violent offenses, 81% were charged with some form of assault, and 19% for some form of robbery. Among males charged with property offenses, larceny/theft (32%), was the leading charge followed by unauthorized use of a vehicle (25%) and unlawful entry (17%). For females, the leading property charge was larceny/theft (49%) followed by property damage (17%) and unlawful entry (16%). Among both males and females

**Table 17. Juvenile Delinquency Cases Petitioned in 2012
by Most Serious Offense and Gender**

Most Serious Offense ¹¹	Total cases	Male	Female
Acts against persons	746	556	190
Murder	2	2	1
Assault W/I Kill	5	4	1
Assault Dangerous Weapon	94	60	34
Aggravated Assault	191	140	51
Armed Robbery	36	35	1
Robbery	227	191	36
First Degree Sex Abuse	11	11	0
Other Violent Sex Offenses	8	8	0
Carjacking	6	6	0
Burglary I	9	9	0
Simple Assault	153	86	67
Other Acts Against Persons	4	4	0
Acts against property	390	320	70
Burglary II	42	40	2
Larceny/Theft	136	102	34
Unauthorized Use Auto	88	80	8
Arson	0	0	0
Property Damage	33	21	12
Unlawful entry	65	54	11
Stolen Property	23	21	2
Other Acts Against Property	3	2	1
Acts against public order	158	144	14
Weapons Offenses	106	96	10
Disorderly Conduct	2	2	0
Obstruction of Justice	25	24	1
Other Acts Against Public Order	25	22	3
Drug Law Violations	116	107	9
Drug Sale/Distribution	53	49	4
Drug Possession	63	58	5
Other Drug Law Violations	0	0	0
Total Delinquency Petitions	1,410	1,127	283

charged with public order offenses, weapons offenses were the leading charge (67% and 71% respectively). In contrast, while 9% of males were charged with drug offenses, only 3% of females were charged with a similar offense. However, unlike in 2011, when males were more likely to be charged with drug sale and females more likely drug

¹¹ See Footnote 7.

possession, both males and females were equally likely to be charged with sale and possession in 2012.

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 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:¹²

- 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

¹² See Superior Court Juvenile Rule 106.

- 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 above factors, there is a rebuttable presumption that detention is required to protect the person or property of others if the judicial officer finds by a substantial probability that the child committed a dangerous crime or a crime of violence while armed, as defined in D.C. Code § 16-2310 (a-1)(2), or committed the offense carrying a pistol without a license.

In 599 (42%) of the 1,410 juvenile delinquency cases petitioned in 2012, the youth was detained prior to trial.¹³ The percentage of youth detained prior to trial increased between 2011 and 2012, after a decrease in detention use from 2010 to 2011. In 2008, 41% of youth were detained, that figure rose to 43% in 2009 and to 45% in 2010, then decreased to 39% in 2011. Table 18 below presents information on the number of juveniles detained at initial hearing by offense, one of the many factors judges must consider when making a decision to detain a youth.

In 2012, 47% of those charged with acts against public order (i.e. weapons offenses) were detained prior to trial, compared to 46% of those charged with acts against persons, 37% of those charged with property crimes and 34% of those charged with drug offenses. The comparable figures for 2011 were 42%, 41%, 36%, and 28%, respectively. With regard to specific offenses, all juveniles charged with murder and

¹³For 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.

carjacking were detained prior to trial. Eighty percent of those charged with assault with intent to kill, 78% of those charged with armed robbery, 72% of those charged with obstruction of justice, and 56% of those charged with assault with a dangerous weapon

Table 18. Juvenile Delinquency Cases in which the Juvenile Was Detained Prior to Trial, by Offense and Type of Detention, 2012

Most Serious Offense ¹⁴	All Detained Delinquency Cases						
	Total detained	Securely Detained			Non-Securely Detained		
		Total	Males	Females	Total	Males	Females
Acts against persons	342	178	147	31	164	124	40
Murder	2	2	2	0	0	0	0
Assault With Intent to Kill	4	3	3	0	1	1	0
Assault with Dangerous Weapon	53	31	22	9	22	13	9
Aggravated Assault	83	49	37	12	34	27	7
Armed Robbery	28	16	16	0	12	11	1
Robbery	110	52	46	6	58	48	10
First Degree Sex Abuse (Rape)	5	1	1	0	4	4	0
Other Violent Sex Offenses	2	1	1	0	1	1	0
Carjacking	6	3	3	0	3	3	0
Burglary I	3	1	1	0	2	2	0
Simple Assault	43	17	13	4	26	13	13
Other Acts Against Persons	3	2	2	0	1	1	0
Acts against property	143	70	57	13	73	63	10
Burglary II	18	7	6	1	11	11	0
Larceny/Theft	42	19	14	5	23	18	5
Unauthorized Use Auto	44	27	24	3	17	16	1
Arson	0	0	0	0	0	0	0
Property Damage	10	4	3	1	6	3	3
Unlawful entry	21	9	8	1	12	11	1
Stolen Property	8	4	2	2	4	4	0
Other Acts Against Property	0	0	0	0	0	0	0
Acts against public order	75	53	50	3	22	21	1
Weapons Offenses	47	33	31	2	14	14	0
Disorderly Conduct	0	0	0	0	0	0	0
Obstruction of Justice	18	16	15	1	2	2	0
Other Acts Against Public Order	10	4	4	0	6	5	1
Drug Law Violations	39	23	22	1	16	15	1
Drug Sale/Distribution	24	13	12	1	11	10	1
Drug Possession	15	10	10	0	5	5	0
Other Drug Law Violations	0	0	0	0	0	0	0
Total number of detained cases	599	324	276	48	275	223	52

¹⁴ See Footnote 7.

were also detained prior to trial. On the other hand, less than a third of those charged with drug possession, unlawful entry, property damage, and larceny/theft were detained prior to trial.

The percentage of males detained prior to trial (44%) increased in 2012 after a decline in 2011 (40%). Prior to that, 47% of males were detained in 2010 and 45% in 2009. Similarly, there was an increase in the percentage of females detained in 2012. In 2012, 35% of females were detained prior to trial compared to 31% in both 2011 and 2010.

In 2012, 54% of those detained were held in secure detention facilities and 46% in non-secure facilities (referred to as shelter houses). The percentage of those detained held in secure detention facilities (54%) continued its downward trend. Fifty-five percent of those detained were held in secure detention facilities in 2011, compared to 68% in 2010 and 70% in both 2009 and 2008. In 2012, males accounted for 85% of those detained in secure facilities and 81% of those detained in shelter houses. The percentage of females among those detained in both secure facilities and shelter houses increased in 2012, as did the percentage detained. In 2012, 17% of those detained were females compared to 14% in 2011 and 8% in 2010.

Among those detained, there were also differences in the type of detention facility utilized based on the offense charged. Of youth detained, 100% of those charged with murder were detained in secure facilities, as were 89% of those charged with obstruction of justice, 75% of those charged with assault with intent to kill, and 70% of those charged with a weapons offense. On the other hand, among detained youth, more

than 60% of those charged with first degree sex abuse, burglary I, burglary II, property damage and simple assault were detained in shelter houses.

TIMELINESS OF JUVENILE DELINQUENCY CASE PROCESSING

Many states and the District of Columbia, have established case-processing timelines for youth detained prior to trial. In addition to individual state timelines, several national organizations, including the American Bar Association, the Office of Juvenile Justice and Delinquency Prevention and the National District Attorneys Association have issued guidelines for case processing in juvenile cases.¹⁵

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 “*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 either 30

¹⁵ See “Delays in Juvenile Court Processing of Delinquency Cases” by Jeffrey A. Butts conducted under the sponsorship of the Office of Juvenile Justice and Delinquency Prevention (1997) and “Waiting for Justice: Moving Young Offenders Through the Juvenile Court Process” by Jeffrey Butts and Gregory Halemba conducted under the sponsorship of the National Center for Juvenile Justice (1996).

days or 45 days from the date of detention, depending on the seriousness of the charge. 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.

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 Juvenile Speedy Trial Equity Act of 2008 was enacted on January 5, 2009. Since 2007, the Family Court began monitoring compliance with the 45 day trial timeline for non-secure detention cases based on internally developed court-wide performance measures.

District of Columbia law sets 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 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 must consider 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. Code §16-2307;
- The absence or unavailability of an essential witness; and
- 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 Equity Act further amends D.C. Code §16-2310 (e) 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 when it extends the 15-day time period for a reasonable length of time to obtain the predisposition report. *See, In re J.B.*, 906 A.2d 866 (D.C.2006).

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. Beginning in 2010, the court began monitoring the adjudication and disposition timeframes for youth released prior to disposition. As a result, this report examines case processing standards for youth in four categories: (1) securely detained juveniles charged with murder, assault with intent to kill, armed robbery, first degree sex abuse, and first degree burglary -- the statute allows 45 days to reach adjudication and Juvenile Rule 32 allows 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition; (2) securely detained juveniles charged with any offense other than those identified in (1) -- the statute allows 30 days from initial hearing to adjudication and Juvenile Rule 32 allows 15 days from adjudication to disposition, for a total of 45 days from initial hearing to

disposition; (3) non-securely detained juveniles charged with any offense -- the statute allows 45 days from initial hearing to adjudication and Juvenile Rule 32 allows 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition; and (4) released youth – Administrative Order 08-13, issued by the Chief Judge in 2008, allows 270 days for disposition.

Beginning in 2011, performance data on time to adjudication and time to disposition is calculated using different performance standards. Data on time to adjudication is based on the detention status of the respondent at the time of the initial hearing. In contrast, data on time to disposition is calculated based on the detention status of the respondent at the time of the disposition hearing. In addition, for the first time, court performance on time to disposition takes into account excludable delay resulting from the absence or unavailability of the child (custody orders) and the period of delay resulting from examinations related to the mental health of the respondent.

Securely Detained Juveniles

Twenty-three out of the 324 securely detained juveniles in 2012 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 15 days of adjudication for a total of 60 days. Throughout this report they will be referred to as “Secure Detention 45-day cases.” The remaining 301 securely detained juveniles were required to have their cases adjudicated within 30 days and their disposition within 15 days of adjudication for a total of 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 2012.

Of the 23 securely detained juveniles charged with the most serious offenses (45-day cases) 14 have been adjudicated. Six of the 14 adjudicated cases (43%) met the 45 day adjudication timeline. In 2011, 50% of cases were adjudicated within the timeline. The median time from initial hearing to adjudication increased from a median of 33 days in 2008 to a median of 41 days in 2009 and 2010, 44 days in 2011 and 48 days in 2012.

For other securely detained juveniles (30-day cases) the Court was in compliance with the 30-day statutory requirement for adjudication in 62% of the cases. The compliance rate in 2012 decreased slightly from 2011 (66%) and was considerably lower than it was in 2008 and 2009 (each 75%). The median number of days to reach adjudication increased from 25 days in both 2008 and 2009 to 27 days in 2010, and 28 days in 2011 and 2012.

Table 19. Adjudication Status of Securely Detained Youth, 2012

Adjudication Status	Secure Detention - 45 day Cases	Secure Detention - 30 day Cases	Total
Adjudication Hearing Held	14	241	255
Dismissed before adjudication	8	50	58
Pending Adjudication	1	10	11
Total	23	301	324

Table 20. Time to Adjudication for Securely Detained Youth, 2012

Securely Detained	Cases in Which an Adjudication Hearing Was Held								Percentage of cases within timeframe ¹⁶	Percentage of cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
*Initial Hearing to Adjudication (Statutory Timeline 45 days)	14	3	3	3	0	5	48	65	43	57
Initial Hearing to Adjudication (Statutory Timeline 30 days)	241	150	38	15	21	17	28	36	62	38

*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 from the calculation.

In 2012, a number of factors contributed to the inability to adjudicate cases of securely detained youth in a timely manner. Those factors include but are not limited to: the absence of an essential witness, unavailability of evidence, lack of availability of attorney, incomplete psychological, psychiatric and neurological tests, and difficulties in scheduling. The court will continue to monitor and track how requests for continuances are addressed with the goal of reducing the number of continuances requested and granted.

Table 21 provides information on the time between initial hearing and disposition for both categories of securely detained juveniles in 2012, based on detention status at the time of disposition.

Table 21. Time from Initial Hearing to Disposition for Securely Detained Youth, 2012

Securely Detained	Cases With Disposition Hearing or Closed Before Disposition Hearing								Percentage of cases within timeframe	Percentage of cases exceeding timeframe
	Days Between Events									
	Total cases	1-30	31-45	46-60	61-90	91 or more	Median	Average		
Initial Hearing to Disposition* (45 Day Cases – 60 days)	8	4	1	0	0	3	36	64	63	37
Initial Hearing to Disposition (30 Day Cases – 45 days)	216	85	42	31	28	30	38	49	59	41

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

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 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. Sixty-three percent of securely detained juveniles with the most serious charges, (45-day cases), were disposed within the 60 day timeframe. The median time from initial hearing to disposition was 36 days and the average was 64 days.

For other securely detained juveniles (30-day cases), fifty-nine percent of cases disposed were disposed of within the 45 day timeframe. The median time between initial hearing and disposition was 38 days. The average was 49 days.

As was the case with delays in the timely adjudication of cases for securely detained youth, delays in the timely disposition of cases are also attributable to a variety of factors. A major factor contributing to delays in disposition is the need to identify and obtain services or programs for the youth prior to disposition. Other factors include delays related to DYRS ability to obtain placement, delays in receipt of required psychological and psychiatric reports, respondents who are not in compliance with court orders, and respondents who are involved in other proceedings before the court.

Non-Securely Detained Offenders

Two hundred seventy-five youth were detained in non-secure facilities or shelter houses prior to adjudication in 2012. Two hundred six had adjudication hearings held, 49 were dismissed before adjudication and 20 were awaiting adjudication. In 65% of cases, adjudication hearings were held within the 45 day timeframe for non-securely detained youth. The compliance rate was 72% in 2011, 67% in 2010, 75% in 2009 and 80% in 2008. The median days to adjudication (41 days), were also higher than in previous years (Table 22).

Table 22. Time Between Initial Hearing and Adjudication for Youth Detained in Non-Secure Facilities, 2012

Non-Securely Detained	Cases in which an adjudication hearing was held							Percentage of Cases within timeframe ¹⁷	Percentage of Cases exceeding timeframe	
	Days Between Events									
	Total cases	1-15	16-30	31-45	46-60	61 or more	Median			Average
Initial Hearing to Adjudication (Timeline 45 days)	206	25	38	71	32	40	41	47	65	35

¹⁷ See Footnote 16.

One hundred twenty-seven (80%) cases of youth detained in non-secure detention facilities at the time of disposition were in compliance with the time standard of 60 days from initial hearing to disposition. The median number of days from initial hearing to disposition was 34 days. In 2013, through rigorous monitoring, the Court intends to improve in meeting adjudication and disposition timelines.

Table 23. Time Between Initial Hearing and Disposition for Youth Detained in Non-Secure Facilities, 2012

Non-Securely Detained	Cases in which a disposition hearing was held or case closed before disposition								Percentage of Cases within timeframe	Percentage of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-15	16-30	31-45	46-60	61 or more	Median	Average		
Initial Hearing to Disposition (Timeline 60 days)	158	31	41	34	21	31	34	44	80	20

Released Offenders

During 2012, in 811 (58%) juvenile delinquency cases petitioned, the youth was released prior to adjudication. Among released youth, 606 had their cases adjudicated and 160 had their cases closed prior to adjudication. Adjudication has not yet occurred in 45 cases. As was the case in 2011, more than 99% of cases of released youth were adjudicated within the timeline in 2012. The median number of days to adjudication was 45 days in 2012, compared to 46 days in 2011.

Table 24. Time Between Initial Hearing and Adjudication for Released Youth, 2012

Released	Cases in which an adjudication hearing was held								Percentage of Cases within timeframe ¹⁸	Percentage of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-85	86-170	171-255	255-270	271 or more	Median	Average		
Initial Hearing to Adjudication (Timeline 255 days)	606	518	79	7	2	0	45	51	99	<1

Currently there is no Family Court statute or rule that dictates time standards for either adjudication or disposition for cases of youth released prior to adjudication.

¹⁸ See Footnote 16.

However, Administrative Order 08-13 did establish a 270-day time standard for disposition of these cases.

In 2012, 776 youth were released at the time of their disposition hearing. More than 99% of cases of youth released at the time of their disposition hearing were in compliance with the timeframe of 270 days from initial hearing to disposition. The median number of days to disposition was 56 days.

Table 25. Time Between Initial Hearing and Disposition for Released Youth, 2011

Released	Cases in which a disposition hearing was held or case closed before disposition								Percentage of Cases within timeframe	Percentage of Cases exceeding timeframe
	Days Between Events									
	Total cases	1-85	86-170	171-255	255-270	271 or more	Median	Average		
Initial Hearing to Disposition (Timeline 270 days)	776	575	172	27	0	2	56	66	99	<1

FAMILY COURT SOCIAL SERVICES DIVISION

Pursuant to Public Law 91-358, the Family Court’s Social Services Division (CSSD) is responsible for screening and presenting cases in the New Referrals courtroom (JM-15), managing cases, as well as serving and supervising all pre- and post-adjudicated juveniles involved in the front-end of the District of Columbia’s juvenile justice system. Juveniles involved in the front-end of the system include: all newly arrested youth entering the Family Court system on juvenile delinquency cases, youth eligible for diversion, status offenders (e.g., persons in need of supervision (PINS) cases and truants) and post-disposition probation youth.

Additionally, CSSD is responsible for conducting psychological, psycho-educational, comprehensive clinical risk assessments, and, when necessary, competency evaluations on all front-end youth. CSSD is also responsible for conducting home studies as ordered, on families involved in contested custody disputes in the Domestic Relations

Branch. In addition, CSSD is responsible for conducting psycho-sexual evaluations on all youth pending adjudication for sexual offenses. On any given day, CSSD supervises approximately 1,750 juveniles. This total represents approximately 65% to 70% of all youth involved in the District's juvenile justice system.

In 2012, CSSD successfully achieved all of its objectives consistent with statutory requirements delineated in the District of Columbia Code. Working with a broad array of juvenile justice stakeholders (e.g., the Presiding Judge of the Family Court, the OAG, the PDS and the Department of Mental Health), the Division continued to operate the Juvenile Behavioral Health Services and Supervision component of the Family Court's larger Behavioral Health Court.

CSSD coordinated with the MPD and DYRS to provide supervision coverage at the Smithsonian's National Zoo sponsored "African American Family Tradition Day" event. In the past, the event which features family picnics, social networking, entertainment and touring was marred by youth violence leading to an increase in arrests. Arrest data in 2012, indicated that the presence of CSSD, DYRS, and MPD led to fewer arrests, despite the higher attendance than in previous years.

In collaboration with DYRS and the MPD, CSSD facilitated a second public safety forum for high-risk youth under CSSD and DYRS supervision at the Moultrie Courthouse. The "Juvenile Call-In" event featured the Chief Judge, Presiding and Deputy Presiding Judge of the Family Court, and a host of local directors representing juvenile and criminal justice partnering agencies, all of whom spoke briefly with attending youth to discourage youth from violating court ordered conditions of community supervision and/or reoffending. Following the formal gathering, participating

youth were able to engage in small group discussions with their probation officers, case managers and guest speakers. As in 2011, data analysis following the Call-In underscored that the event was a huge success.

Building on the success of the Juvenile Call-In, CSSD co-coordinated a fugitive surrender measure, entitled “*Operation Safe Return.*” The effort resulted in approximately 40 youth with outstanding custody orders voluntarily surrendering to the Family Court to have their custody order resolved. Participating agencies included: the U.S. Marshall Services, the Courts Security Officers (CSO), DYRS, OAG, MPD, PDS and the defense bar. As was the case with the Juvenile Call-In, the results of *Operation Safe Return* were so successful, the stakeholders have agreed to repeat this event in July 2013. In June 2012, the CSSD also launched its Weekend Curfew monitoring measure, which builds on the year-round curfew monitoring, and runs during the summer break.

In 2012, the Division, working in collaboration with its contracted service providers, hosted a Black History program, which encompassed youth served by three of the CSSD’s Balanced and Restorative Justice (BARJ) Drop-In Centers: (1) Southeast BARJ, (2) Northeast BARJ, and (3) Southwest BARJ. The program, which was attended by youth, parents, judges and CSSD staff, featured speeches, poems, the spoken word and several skits commemorating historic locations, demonstrations and contributions of African Americans. Participating youth were credited with community service/service learning hours and several youth also utilized the materials created for the event to share their skills and accomplishments with their respective school of attendance.

Working in tandem with Nelson Hart, a vendor specializing in organizational and staff development designated to support the Courts ongoing efforts of “*Building A Great*

Place To Work,” the Division participated in a two-day retreat at Gallaudet University. The retreat focused on team building, conflict resolution, cross-training, collaboration and doing more with less in times of fiscal restraints.

Another major highlight in September 2012 was the grand opening of the Southwest BARJ Drop-In Center. The opening was attended by more than 200 individuals, including Judges, juvenile justice stakeholders, attorneys, advocates, providers, residents of the community and representatives from the Executive Officer of the Mayor.

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

Juvenile Intake & Delinquency Prevention Branch

In 2012, the Intake Branch exceeded its goals and objectives outlined in accordance with statutory duties and CSSD’s Management Action Plans (MAPs). In accordance with core requirements of the federal Juvenile Justice and Delinquency Prevention (JJDP) Act, all youth referred to CSSD following arrest must be screened (resulting in a preliminary detention/release recommendation) prior to presentment of the case in Courtroom JM-15. Building on accomplishments over the past three years, CSSD successfully:

- Screened 100% (more than 3,600 youth) of all newly arrested youth utilizing a valid Risk Assessment Instrument (RAI), a pre-trial social assessment. Among

the youth screened for juvenile crimes, 22% were females and 78% were males; 13% were referred for status offenses (truancy and persons in need of supervision – PINS), and 16% were out-of-state residents.

- Co-chaired the Juvenile Data Sub-Committee, under the auspices of the city’s Juvenile Justice Committee, which is co-chaired by the Presiding Judge of the Family Court.
- Collaborated with the Courts’ Information Technology Division to develop a augmented state-of-the-art access database that supplements data maintained in the CourtView case management database system.
- Implemented the Conner Screening instrument as an additional screening tool, administered to youth during the Intake phase of adjudication. The Conner instrument is utilized by the CSSD to determine the mental health needs of youth, following arrest. It has also enabled the Division to determine which youth are eligible for the Juvenile Behavioral Health Court, following certification of delinquency eligibility by the OAG.
- Coordinated information exchange between the CSSD and adult supervision agencies, PSA and CSOSA, resulting in cross-agency coordination of case management for youth under supervision in juvenile and adult cases.
- Assisted Family Court Judges in the facilitation of the Byer Model Truancy Diversion program which was implemented to abate truancy among middle school students.

Child Guidance Clinic: Post Doctoral Internship Program

The Child Guidance Clinic (CGC) continued to operate its nationally recognized pre-doctoral psychology internship training program accredited by the American Psychological Association. Welcoming a new class of interns from universities across the country, three interns, representing Chicago School of Professional Psychology, Howard University and Pace University were selected from a pool of over one hundred applicants.

Because of the internship program, working under the auspices of the Clinic’s licensed psychologists, a total of 800 psychological evaluations (e.g., general psychological, psycho-education, neuropsychological, sex offender, violence risk,

competency, and Miranda Rights competency) were completed during the year. The CGC also continued to successfully operate its Juvenile Sex Offender program. Other accomplishments include:

- The Chief Psychologist received the Distinguished Services to the Community award, at the Annual American Psychological Association conference in Orlando, Florida.
- The Clinic's Pre-Doctoral Internship program was re-accredited for five years (through 2016), after an intensive Self-Study and site visit from the American Psychological Association Accreditation Site Visit Committee.
- The clinic made a presentation on legal topics specific to juvenile justice and mental health at the Institute for Psychological Services in Arlington, VA.
- The clinic presented its research findings on the Millon Adolescent Clinical Inventory (MACI) validity with District of Columbia court-involved youth at the Society for Personality Assessment Annual Conference in Chicago, Illinois.
- Presented on the topic of Trial Competency and Sex Offenders before District of Columbia juvenile justice stakeholders.
- Submitted an article for publication regarding assessment of the use of the Conner screening instrument.
- Served as a panelist for a presentation on Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) issues at the Annual Family Court training.

Region I Pre and Post-Disposition Supervision

Region I Pre- and Post-Disposition Supervision (Region I) entails four office/units: Southwest Satellite Office (SWSO); Interstate Probation Supervision; Southeast Satellite Office/Balanced and Restorative Justice Drop-In Center (SESO/BARJ); and the Ultimate Transitions Ultimate Responsibility Unit (UTURN) for high risk youth. Region I continued to experience success in virtually all areas of operation. Highlights from Region I's year include:

- Operated three concurrent *Mood Altering Chemical (MAC)* groups, designed to prevent the use of drugs and alcohol: the Anger Management group, the Life

Skills and Creative Expressions groups, and the Parent Orientation and Saturday Sanctions (Community Service) groups. These groups are facilitated by probation officers.

- Successful pre-trial and post-disposition supervision of approximately 600 youth, 10% of whom were under intensive supervision.
- Successfully conducted a total of: 2,500 school visits, 3,240 home visits, 1,400 curfew visits, and 1,570 curfew calls.
- Continuation of the *Real Men and Women Cook*, a Saturday class, in which probation officers (POs), certified in food preparation, teach court-involved youth how to prepare meals.
- Escorted youth to the *Greensboro Four Exhibit* at the Smithsonian Museum. Featured during the exhibit was the story of four men, who staged a sit-in at the Woolworth Department Store counter in Greensboro, North Carolina in 1960. Attending youth were required to write reports on their experience, which were submitted to their respective schools. Several youth received community service/service learning hours as a result of sharing their reports via oral presentations at their attending schools.
- Supervised youth volunteering at the United Medical Centers *Second Annual Community Health Day*. CSSD youth assisted medical staff in providing base-line screenings for blood pressure, vision screenings, and health and nutrition seminars.

Region II Pre and Post-disposition Supervision

Region II Pre- and Post-Disposition Supervision (Region II) includes four office/units: Northwest Satellite Office (NWSO); Status Offender/Juvenile Behavioral Diversion Program, Northeast Satellite Office/Balanced and Restorative Justice Drop-In Center (NESO/BARJ); and the adolescent female unit: *Leaders of Today In Solidarity (LOTS)* unit. Region II continued to experience success in virtually all areas of operation.

Highlights from Region II's 2012 year include:

- Operated four concurrent *Mood Altering Chemical (MAC)* groups, designed to prevent the use of drugs and alcohol. Also operated three anger management groups, one of which was uniquely designed to reduce the likelihood of domestic violence suffered by adolescent girls. Facilitated the adolescent girls

Life Skills group, and a well-attended Parent Orientation group. These groups are facilitated by probation officers.

- Successful pre-trial and post-disposition supervision of over 700 youth, of which 22% were females.
- Conducted a total of 2,500 school visits; scheduled 3,000 home visits, of which 90% were successful; maintained a 72% compliance rate among curfew visits and maintained a 74% compliance rate among curfew calls.
- Continued to operate the Red Door Closet, which consists of donated clothes and personal hygiene products provided to LOTS girls at no cost.
- Continued to operate the Saturday Sanctions Community Service project for males under intensive supervision and developed a Saturday Community Service project for LOTS girls. This group permits girls to complete community service and service learning projects while at the same time addressing behavior modification, as a way of restoring justice and reducing recidivism.
- Coordinated a mock election, in which staff and youth constructed make-shift ballot boxes, watched the election coverage and cast their votes. The highlight of the event was the discussion among staff and youth regarding the history of voting in the District of Columbia and the evolution of voting technology over the years.
- Adopted several city blocks which are monitored by youth and staff, and cleaned by youth as a part of community service/service learning activities.
- Facilitated a trip to the D.C. Armory for a presentation entitled “Lessons From the Life and Death of Trayvon Martin.”
- Established a small library for youth through donations from court staff and other individuals.
- Held banking and finance seminars, facilitated by staff and representatives from PNC Bank.
- Continued to facilitate Family Group Conferences (FGC). One FGC was held at the D.C. Jail to enable the parent of a youth to fully participate in the conference.

New Initiatives in Juvenile Delinquency

Juvenile Reoffending Study

In 2010, the Superior Court of the District of Columbia entered into a contract with the National Center for Juvenile Justice (NCJJ), the research division of the National Council of Juvenile and Family Court Judges, to examine reoffending activity of post-disposition youth in the District of Columbia. The study examines data on a cohort of juvenile offenders who were either placed on probation or committed to the Department of Youth Rehabilitation Services (DYRS) in 2007. The study released in August 2012 showed that less than half of the juvenile offenders in Washington in 2007 had new cases filed against them after they were placed on probation or put under the supervision of the DYRS. The National Center for Juvenile Justice found that Washington's rates of reoffending for juvenile offenders were slightly higher than the average in a number of other jurisdictions, including Maryland and Virginia. However, researchers said that those numbers were expected since D.C. is a concentrated urban area, as opposed to a state with a mix of urban, suburban and rural communities. The NCJJ is working with the court to improve our data collection so we can complete these types of surveys more regularly in the future.

South Capitol Street Memorial Amendment Act of 2012 (D.C. Law 19-141)

The South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012, was a response to the murders of four teenagers and the wounding of six others, the bill addresses unmet youth behavioral health needs and truancy. In part, this Act defines “behavioral health” as a person’s overall social, emotional, and psychological well-being and development. In Section 502, it requires the Mayor to create a comprehensive

resource guide for families who come into contact with the child welfare or juvenile justice systems by October 1, 2013. Further, it amends the D.C. municipal regulations, Section 304(b)(2), to require schools to develop a process to: (1) refer students ages 5-13 to CFSA no later than two school days after the accrual of 10 unexcused absences within one school year (and/or completion of the appeal procedures), or immediately at any time that educational neglect is suspected; and (2) refer students age 14 and over to CSSD and the OAG, Juvenile Section no later than 2 school days after the accrual of 25 unexcused absences at any time within 1 school year. Beginning with the 2014-15 school year the referral shall be made after the accrual of 20 or more unexcused absences.

Truancy Intervention Initiatives

The Presiding Judge of the Family Court is the Co-Chair, along with the Deputy Mayor for Education (DME) of the city's Truancy Taskforce, which is comprised of a cross-section of the city's health and human services, education and criminal justice agencies. The Taskforce began its work by completing a Memorandum of Agreement that allows for the sharing of student data among the DME, Department of Health and Human Services, and the Office of the State Superintendent for Education, MPD, CSSD, DCPS, CJCC, and CFSA.

The Task Force began a Case Management Partnership which identified ninth grade students who have historically exhibited chronic truant behavior at five high schools. The school attendance counselors and the Far Southeast Family Strengthening Collaborative have provided intensive case management support for a subset of these high need students and their families.

The Family Court sponsored training to judges, school administrators, probation officers and social workers on the “Byer Model,” a truancy intervention program. In order to improve overall attendance, students at Kramer, Browne Educational Campus, LaSalle-Backus, Eliot-Hine, Shaw and Johnson Middle Schools, who have been identified as truant or who are at risk for truancy, participate in a ten-week program which provides intensive case management from a community collaborative social worker, and one-on-one sessions with a volunteer judge.

The Task Force also conducted a “Back to School” Media Campaign in which 500 youth signed up for text messaging and 1.8 million Washington area residents heard radio station messages promoting school attendance.

Juvenile Behavioral Diversion Program

The Juvenile Behavioral Diversion Program (JBDP) was established as a problem solving program in January 2011. The program is an intensive non-sanction based program designed to link juveniles and status offenders to, and engage them in, appropriate mental health services and supports in the community. The goal is to reduce behavioral symptoms that result in contact with the court and to improve the juvenile’s functioning in the home, school, and community. Program participants must be under 18 years of age and they must have been diagnosed with an Axis I mental health disorder or be at significant risk of receiving such a diagnosis. Participants may also have an Axis II developmental disability, however, an Axis II diagnosis alone does not qualify for program participation. In addition to having a qualifying mental health diagnosis, respondents also have to meet certain eligibility criteria related to their criminal history. Once eligibility is determined, respondents are reviewed by a suitability committee who

take factors such as amenability to treatment and community support into account. The respondent's participation in the program will generally be for a period of four to six months, but not longer than 12 months. The judge may shorten or lengthen the period, depending on the compliance and engagement of the respondent with services and supports. In 2012, the JBDP Suitability Committee reviewed 78 cases. Seventy-two or 92% of reviewed youth were accepted by the Suitability Committee and 64 (89%) of the youth were enrolled in JBDP. Of the 64 enrolled, 64% were male and 36% were female. As of December 2012, 25 (35%) of youth referred and enrolled successfully completed the program. The remaining youth are actively enrolled or were terminated (due to re-arrests or other criteria for dismissal).

In 2011, there were 54 participants in the JBDP. Current recidivism data for program participants in 2011, tracked at three and six month review intervals for roughly one third of the youth, show no or 0% recidivism. Thirty were successfully graduated and the remaining 21 are currently under review.

CHILD SUPPORT AND PATERNITY CASES

This year there were 2,429 child support and paternity actions filed in the Family Court, in addition to 30 cases that were reopened. In cases seeking to establish or modify child support, D.C. Code §46-206 requires the court to schedule hearings within 45 days from the date of filing. 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 most Family Court case types, the court began to monitor compliance with these important milestones. Data for cases

filed in 2012 indicate that the Court performed well in meeting these 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. Going forward, the court will continue to monitor compliance with these mandated timeframes and performance measures as it continues to collaborate and share information with the Child Support Services Division of the OAG, the city's designated IV-D agency.

Initiatives in Paternity and Support

In 2012, the Family Court continued to refine its Fathering Court program. The Fathering Court program is a voluntary, court-supervised, comprehensive support services program for prisoners returning to the District of Columbia who also have active child support orders.

The goal of the Fathering Court is to strengthen D.C. families by providing non-custodial parents with individualized, community support services, employment training and counseling, parenting training and interventions focused on empowering the participating parent to reconnect with minor children, to co-parent and to provide financial support concurrent with or exceeding the court-ordered child support obligation.

The Judge presiding over the Fathering Court schedules regular hearings to review the participants' progress and compliance with supervised release requirements, monitored by the Court Services and Offender Supervision Agency (CSOSA), child support payments, tracked by the OAG Child Support Services Division, and various training and employment services monitored by the programs' court staff.

After one year, successful program participants are expected to have met all the conditions of their supervised release, acquired employment, substantively reconnected with their minor children and met all of their current financial child support obligations.

Program highlights for 2012 include:

- On January 27, 2012, the Fathering Court conducted its fourth Fathering Court graduation, where 12 of the 14 most recently successful participants in the Fathering Court were publicly honored for having completed one full year of employment, current child support payments and establishing meaningful participation in their minor children's lives.
- On July 6, 2012, the Fathering Court hosted its second annual "Family Day in the Park" for program participants, their minor children and families at Washington Nationals Stadium. Program participants were provided free tickets to a Washington Nationals home game through a generous donation from its program partner, the OAG Office of Child Support Services Division.
- On August 4, 2012, the Fathering Court conducted a Completion Ceremony for 14 participants who successfully completed the parenting curriculum "Quenching the Father's Thirst." Quenching the Father's Thirst is a researched-based curriculum developed by the Urban Father/Child Project to reach out to fathers in urban areas who face challenging situations with the goal of increasing the well-being of their children. It was written to be relevant to real life issues, engaging all learning styles, taking place in a therapeutic small group and effecting life changes through break-through fathering skills. This mandatory program curriculum is an intensive 14 session course, dedicated to teaching participants both parenting and life skills.
- As of December 31, 2012, ten more participants are scheduled and on track to graduate from the Fathering Court.
- As of December 31, 2012, the Fathering Court had reached full capacity for the year delivering services to forty-five (45) fathers who were reentering the community after a period of incarceration.

DOMESTIC RELATIONS AND CUSTODY CASES

The Domestic Relations Branch has responsibility for all cases involving divorce, legal separation, annulments, child custody and adoptions. In 2012, 4,264

domestic relations cases were filed in Family Court. In addition, 114 domestic relations cases formerly disposed were reopened.

In 2008, as part of a court-wide initiative to capture time to disposition data in most Family Court case types, the court adopted the following performance measures in domestic relations cases:

- Uncontested divorce cases and uncontested custody cases, 30% within 30 days, 70% within 45 days, and 95% within 60 days;
- Contested divorce and custody I which are 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 which are disputed cases expected to require less than a week for trial – 75% within 6 months and 98% with 9 months.

In 2012, 92% of contested custody II cases reached disposition within 6 months and 99% with 9 months. In 2012, both the six and nine month compliance rate exceeded that of 2011 (85% and 97%, respectively). The median time to disposition continued to decrease from 169 days in 2009, to 111 days in 2010, to 107 days in 2011, to 90 days in 2012. Similarly, 92% of contested divorce II cases reached disposition in 6 months (180 days) and 98% within 9 months (270 days). In both instances, the compliance rate met or exceeded the established case processing goal. The median time to disposition was 93 days, an 11% decrease from 2011 (104 days).

Compliance with case processing goals in uncontested cases continued to improve in 2012. Forty-six percent of uncontested divorce cases reached disposition within 30 days, 75% within 45 days, and 92% within 60 days. The 92% compliance rate, while lower than the established goal, was 1% higher than in 2011 (91%) and 8% higher than in 2010 (84%). The median number of days to dispose of a case in 2012

was 38 days, compared to 43 days in 2011, and 46 days in 2010. Twenty-eight percent of uncontested custody cases reached disposition within 30 days, 43% within 45 days, and 61% within 60 days. The median days to reach disposition was 62 days. For both uncontested divorce and uncontested custody cases, the performance did not meet established standards. In 2013, the court will continue to review and monitor compliance with time to disposition standards for uncontested cases to improve performance in these case types. In addition, the court will develop procedures to address those cases that are uncontested at filing but become contested before disposition.

THE FAMILY COURT SELF HELP CENTER

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

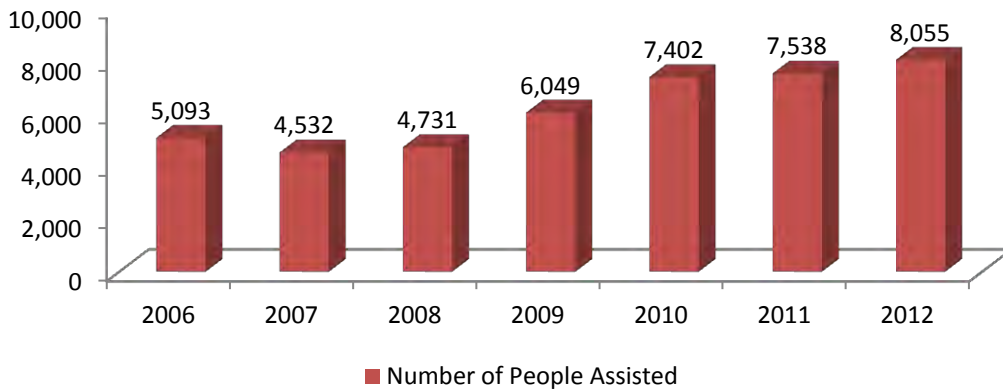
Detailed below are a few of the findings from data collected for 2012:

- Continuing a steady increase, the SHC served over 8,000 persons for the first time in program history. The 8,055 people served in 2012 are an increase of 7% from 2011, when 7,538 people were served and a 9% increase from 2010 when 7,402 people were served. On average, the Center served 671 individuals per month in 2012 compared to 628 individuals per month in 2011, 617 individuals per month in 2010, 504 individuals served per month in 2009, and 394 individuals served per month in

2008. In March 2012, the SHC achieved another milestone when they served their 40,000th customer.

- As has been the case since 2006, a large majority of the parties seeking help from the SHC had issues related to custody (50%), divorce (27%), child support (23%) or visitation (22%).
- Ninety percent of the parties visiting the Center sought general information; 65% needed assistance with the completion of forms; 7% came in seeking a referral; and 1% sought assistance with trial preparation.
- As in 2010 and 2011, ninety percent of the parties served indicated that their primary language was English. Seven percent (7%) identified themselves as primarily Spanish speakers; and 3% had another primary language.
- Among parties providing data on income, 52% of those assisted reported monthly incomes of \$1,000 or less; 24% had a monthly income between \$1,001 and \$2,000; and 16% had monthly incomes between \$2,001 and \$4,000. Eight percent had monthly incomes above \$4,000.00.
- In May 2012, the Research and Development Division completed a continuing review of customer satisfaction with the SHC. The survey was conducted in April 2010, May 2011, and April 2012. Data from the survey indicated satisfaction levels of 98% or higher for each reporting period for the following questions: staff at the SHC treated me with courtesy and respect; service received from the SHC was excellent; after visiting the SHC, I understand my legal situation better; if I needed help in the future, I would return to SHC; and I would recommend SHC to a friend. The only question receiving less than a 98% satisfaction rating was: I did not have to wait a long time to be assisted – a direct correlation to their increased volume.

Self-Help Center



Family Court Self Help Center Paperless Check-in System

On November 20, 2012, the SHC began using a paperless intake system. Before the system was instituted all customers of the SHC signed a customer agreement and completed a manual questionnaire concerning their background and the type of help needed. This information was then recorded in a computer program to be used for the SHC statistics.

The new system has eliminated the use of paper customer agreements and questionnaires. The customer now reads the agreement, signs the agreement and fills in their statistical information on a computer. The customer name then appears on a queue on the desktop of every facilitator in the SHC, allowing them to see how many are waiting for services and for how long. All data needed for statistical reports is generated by the computer program. The new system has improved customer service, increased efficiency of the program and saved court resources and space.

New Initiatives in Domestic Relations

Civil Marriage Dissolution Equality Amendment Act of 2012 (D.C. Law 19-133)

Enacted on May 31, 2012, the Civil Marriage Dissolution Equality Amendment Act of 2012, amends D.C. Code § 16-902 to allow same gender spouses to obtain a divorce in the District even if neither is a resident at the time the action is commenced if: (1) the marriage was performed in the District of Columbia; and (2) neither party resides in a jurisdiction that will maintain an action for the divorce. It creates a rebuttable presumption that a jurisdiction will not maintain an action for divorce if it does not recognize the marriage.

Military Parents' Child Custody and Visitation Rights Act of 2012 (D.C. Law 19-110)

The Military Parents' Child Custody and Visitation Rights Act, effective March 14, 2012, adds D.C. Code § 16-914.02 to provide for issuance of temporary child custody and visitation orders for military parents during periods of actual or imminent deployment. It allows the deploying parent to request an expedited hearing when there is no existing custody or visitation order, and in the case of an existing order, allows either the deploying parent or a non-deploying parent to file a motion for a temporary child custody or visitation. It allows the deploying parent to present testimony or evidence by affidavit or electronically when military deployment precludes the parent's personal appearance. A temporary order issued under the new section will terminate and the permanent order will resume within 10 days after notification of the deploying parent's ability to resume custody or visitation unless the court finds that resumption of the custody or visitation order in effect before deployment is no longer in the child's best interest. Upon motion or with the consent of the deploying parent, the Court may issue a temporary order delegating the deploying parent's visitation rights (only) to a family member with a close and substantial relationship to the child for the duration of the deployment if in the best interest of the child. In issuing a temporary order, the Court shall ensure that the parties are advised of the possible modification of child support and may also decide the issue of child support, in accordance with the child support guideline in D.C. Code §16-916.01, during the hearing on the motion for a temporary order. The Court may not issue a permanent order modifying the terms of an existing custody or visitation order until 90 days after the termination of the deployment of a military parent. Neither activation nor deployment may be the sole factor in the Court's decision to grant

or deny custody or visitation, and neither deployment nor the potential for further deployment may by itself be regarded as a material change in the circumstances of any existing order, or against the best interests of the child for purposes of issuance of a permanent order modifying the terms of an existing custody or visitation order.

Judicial Adjudication of Parentage Act of 2012 (D.C. Law 19-233)

The Judicial Adjudication of Parentage Act of 2012 was signed by the Mayor on November 20, 2012. The bill was transmitted for congressional review on January 29, 2013 and became effective on March 19, 2013. The Act allows the court to issue an adoption or parentage judgment on the basis that the child was born in District, to address the failure of some states to recognize parental rights of same-sex couples under D.C. law. It amends D.C. Code § 16-301(b) to give the court jurisdiction over an adoption of a child born in the District of Columbia, regardless of the residence of the petitioner. It applies retroactively to all children born on or after July 18, 2009, the effective date of the Domestic Partnership Judicial Determination of Parentage Amendment Act of 2009. It adds D.C. Code § 16-909 (b-2) to allow the court to adjudicate parentage of a child born in the District of Columbia since July 18, 2009, where the parents reside outside the District if: both parents have a legal relationship with the child under D.C. Code §16-909 through a presumption of parentage or consent to artificial insemination; and both parents submit to the jurisdiction of the District by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction. The Act clarifies that the Uniform Child-Custody Jurisdiction and Enforcement Act does not govern adoption proceedings pursuant to D.C. Code §16-301, or adjudications of parentage under D.C. Code §16-909(b-2).

The Program for Agreement and Cooperation in Custody Cases (PAC)

The PAC program, now in its sixth year, is an education program provided to parents involved in contested custody cases targeted at reducing conflicts between parents and the adverse effects of those conflicts on their children. The parties participate in a mandatory educational seminar and mediation sessions in an effort to establish a custody agreement in the best interest of the children. The children, who are aged 5 – 15, participate in their own sessions, specifically designed for their emotional and educational levels. Psychologists, trained and licensed in child psychology and early child development, facilitate the education seminars for parents and children. In 2012, 1,342 cases were scheduled to participate in the PAC program. Twenty-four seminars were held for 875 parents and 148 children. Participation in the program is now available to non-English speakers.

CONCLUSION

Since passage of the Family Court Act, the Family Court of the D.C. Superior Court has improved significantly in the services and resources provided to families that come before it. These improvements have occurred throughout the court including: better trained and more knowledgeable judicial and non-judicial staff, increased use of alternative dispute resolution, enhanced diversion programs for juveniles, development of educational materials for parents, creation of programs to reconnect fathers with their families, implementation and tracking of case processing standards, and improved cooperation and collaboration with our partners in the child welfare and juvenile justice systems.

In 2012, the Court continued its focus on older youth in the child welfare system through its *Preparing Youth for Adulthood* initiative. This initiative along with several other initiatives by CFSA including the establishment of the Office of Youth Empowerment is designed to increase the array of services available to older youth while at the same time reducing the number of youth with a goal of APPLA and the number of youth aging out of foster care. The impact of the increased focus has already shown excellent results. In 2012, fewer than 400 youth had a goal of APPLA down from the more than 800 youth with this goal when the PYA initiative was created. To further address this issue, the court continues to participate in the Permanency Forums developed by CFSA to gain greater insights into the challenges impacting permanency for older youth.

The court recognizes that work must continue on several levels if we are to be successful in moving children to permanency sooner. The Family Court and CFSA both accept responsibility for ensuring adequate and timely case processing in abuse and neglect cases and share a strong commitment to achieving outcomes of safety, permanency and well-being for children and families. In 2013, we will continue to prioritize the barriers to permanency and expect to make significant improvements in the coming year for children with all permanency goals.

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 2012. CFSA has continued to show improvement in many areas but some of the same challenges that existed in 2011 still 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.

In 2012, 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.

