



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

Annual Report on North Carolina's Unified Family Court Programs

January 27, 2009
Court Programs Division



I. EXECUTIVE SUMMARY

Pursuant to Session Law 1998-202 §25, the General Assembly authorized the North Carolina Administrative Office of the Courts (NCAOC) to establish pilot programs for family courts as described in the 1996 report of the Commission for the Future of Justice and the Courts in North Carolina, *Without Favor, Denial or Delay—A Court System for the 21st Century* (Commission Report). The following year the General Assembly funded three pilot family courts. As of 2009, the General Assembly has funded thirteen unified family court districts that serve twenty-two counties and 44.5% of North Carolina's population (US Census Bureau 2006 population estimates).

II. GOALS OF UNIFIED FAMILY COURT PROGRAMS

Directed by Session Law 1998-202 §25, the NCAOC established pilot family court programs in 1999 in three judicial districts pursuant to the recommendations of the Commission Report to bring consistency, efficiency and fairness to the resolution of family matters and to positively impact caseloads in the district court division. The Commission Report directed the creation of a “forum that resolves family related issues in a manner that respects the rights of each individual family member, promotes the best interest of the family and helps families structure their own solutions” (page 45). In the fall of 1998, the initial task of developing a pilot model was assigned to a group of court officials and professionals acting as a steering/advisory committee to the Chief Justice and the Director of the NCAOC. In 2000, the Chief Justice created the Family Court Advisory Committee (FCAC) that advises the Chief Justice and the Director of the NCAOC on all aspects of North Carolina's Family Court program model. Family courts use court performance standards promulgated by the National Center for State Courts, and best practices identified by North Carolina's Unified Family Courts. The court performance standards address:

- Access to Justice
- Expedition and Timeliness
- Equality, Fairness and Integrity
- Independence and Accountability
- Public Trust and Confidence

III. FUNDING AND ADMINISTRATION

The NCAOC facilitates the development, implementation, oversight and support of family courts through the Court Programs Division. Family court is one of six core programs within the Court Programs Division that includes custody mediation, court management services, drug treatment courts, juvenile court improvement grants and interpreting services. The Division uses a team approach to integrate and coordinate services for these six core court programs. The Division employs specific and measurable strategies to achieve its goal of increasing access to justice and improving efficiency and effectiveness for the North Carolina Court System.

a. Family Courts in North Carolina

Between 1999 and 2007, the General Assembly funded family court programs in thirteen judicial districts. Family court staff positions have increased to a total of forty-eight family court administrators and case coordinators in thirteen judicial districts. In 2006, the NCAOC recommended funding clerk position(s) in districts that start a family court in order to promote collaboration between family court staff and clerks and to assist with increased family court related filings in domestic and juvenile court cases. The counties that make up Districts 3A, 10 and 19B received clerk resources at the same time they started a family court program.

Table 1 below lists the judicial districts with family court, the year they were *funded* by the General Assembly, the chief district court judge as of January 1, 2009 and the number of family court funded positions. (Note: Family courts generally open their doors to the public in the calendar year after receiving funding.)

Table 1: NC Unified Family Courts 1999—2009			
County & Judicial District	1st Year of Funding	Chief District Court Judge	Family Court Positions*
Durham 14	1999	Elaine M. Bushfan	4
Stanly, Richmond, Anson 20A <i>District 20 split in 2006</i>	1999	Lisa Thacker	3
Union 20B <i>District 20 split in 2006</i>	1999	Christopher W. Bragg	2
Mecklenburg 26	1999	Lisa C. Bell	7
New Hanover, Pender 5	1999	Julius H. Corpening II	3
Halifax 6A	1999	Brenda G. Branch	2
Cumberland 12	1999	A. Elizabeth Keever	5
Lenoir, Green, Wayne 8	2000	David B. Brantley	3
Caldwell, Burke, Catawba 25	2000	Robert M. Brady	4
Buncombe 28	2004	Gary S. Cash	3
Wake 10	2005	Robert B. Rader	6
Pitt 3A	2007	David A. Leech	3
Randolph, Moore, Montgomery 19B	2007	Michael A. Sabiston	4

* Does not include additional court positions that local chief district court judges may assign to family court such as trial court coordinators, judicial assistants or the five access and visitation coordinators who are grant funded and located in six family court districts.

b. State Funding For Family Courts

The majority of funding for family courts is for salaries and benefits for administrators, case coordinators and deputy clerk positions. Funds also support required specialized training for judges and staff. Between FY 1998—99 and FY 2007—08, the authorized family court budget increased from \$318,228.00 to \$2,874,924.00 as additional court programs opened.

IV. UNIFIED FAMILY COURT BEST PRACTICES

The concept at the heart of a unified family court is the consolidation of a single family’s legal issues before the court that is heard by their assigned district court judge or team of judges. While the concept might appear simple, its implementation is complex, in part because it involves significant changes for an established court culture and its participants. Since the opening of the first family court programs in 1999, family court judges/staff, additional court officials/staff, FCAC, NCAOC and court-related community court partners have continuously observed, evaluated and modified family court programs based on lessons learned from the most rural to the most urban districts in the state. In addition, NCAOC Court Management Staff conduct annual site visits to identify, encourage and support innovations in court management, services and programs. Based upon an in-state assessment and research of national family court models, the following best practices have emerged that give structure, substance and credibility to North Carolina’s Unified Family Courts.

- a. **Judicial Leadership** is the cornerstone of every family court. Family court judges—and especially the chief district court judge—must have courage, vision and a willingness to shepherd a cultural shift in his/her district because family court practices and procedures bring significant changes in the way in which courts have historically operated. Among other tasks, the chief district court judge performs the following functions:
 - i. Assigns judges to family court for an adequate period of time so they can master their subject, participate in specialized training and commit to serving in the same court so that the judge can be involved with a single family whose litigation might last for more than one year;
 - ii. Hires well-qualified family court administrators and case coordinators and provides appropriate supervision, management and support to implement the vision, goals and objectives for the local family court; and
 - iii. Guides, supports and collaborates with court and community partners whose roles and responsibilities are established by family court policies, procedures and local rules.

Table 2 lists the judges assigned to family court in each district as of January 1, 2009.

Table 2: Judges Assigned to NC Unified Family Courts by District As of January 2009			
Durham 14	<ul style="list-style-type: none"> • Elaine M. Bushfan • Ann E. McKown 	<ul style="list-style-type: none"> • Nancy E. Gordon • William A. Marsh 	<ul style="list-style-type: none"> • Marcia H. Morey • James T. Hill
Stanly, Anson Richmond 20A	<ul style="list-style-type: none"> • Lisa Thacker 	<ul style="list-style-type: none"> • Scott Brewer 	<ul style="list-style-type: none"> • Amanda Wilson
Union 20B	<ul style="list-style-type: none"> • Christopher W. Bragg • N. Hunt Gwyn 	<ul style="list-style-type: none"> • William H. Helms 	<ul style="list-style-type: none"> • Joseph J. Williams
Mecklenburg 26	<ul style="list-style-type: none"> • Lewis A. Trosch • Regan A. Miller • Rebecca T. Tin 	<ul style="list-style-type: none"> • Hugh B. Lewis • Christy T. Mann • Ronald L. Chapman 	<ul style="list-style-type: none"> • Paige McThenia • Rickye McKoy-Mitchell
New Hanover, Pender 5	<ul style="list-style-type: none"> • Julius H. Corpening II • Melinda H. Crouch 	<ul style="list-style-type: none"> • James H. Faison III 	<ul style="list-style-type: none"> • Jeffrey E. Noecker
Halifax 6A	<ul style="list-style-type: none"> • Brenda Branch 	<ul style="list-style-type: none"> • Turner Stephenson 	<ul style="list-style-type: none"> • Teresa Robinson Freeman

Table 2: Judges Assigned to NC Unified Family Courts by District As of January 2009 (Continued)			
Cumberland 12	<ul style="list-style-type: none"> A. Elizabeth Keever Kim K. Tucker 	<ul style="list-style-type: none"> Edward A. Pone John W. Dickson 	<ul style="list-style-type: none"> Laura A. Devan Robert J. Stiehl
Lenoir, Green, Wayne 8	<ul style="list-style-type: none"> David B. Brantley Timothy Finan 	<ul style="list-style-type: none"> Beth Heath 	<ul style="list-style-type: none"> Les Turner
Caldwell, Burke, Catawba 25	<ul style="list-style-type: none"> Robert M. Brady Gregory R. Hayes L. Suzanne Owsley 	<ul style="list-style-type: none"> C. Thomas Edwards J. Gary Dellinger 	<ul style="list-style-type: none"> Burford A. Cherry Sherri W. Elliot
Buncombe 28	<ul style="list-style-type: none"> Gary S. Cash Rebecca B. Knight 	<ul style="list-style-type: none"> Marvin P. Pope 	<ul style="list-style-type: none"> J. Calvin Hill
Wake 10	<ul style="list-style-type: none"> Robert B. Rader Monica M. Bousman Eric C. Chasse 	<ul style="list-style-type: none"> Debra S. Sasser Ned Mangum Anna E. Worley 	<ul style="list-style-type: none"> Craig Croom Christine M. Walczyk
Pitt 3A	<ul style="list-style-type: none"> Gwynett Hilburn 	<ul style="list-style-type: none"> Galen Braddy 	<ul style="list-style-type: none"> Joseph A. Blick, Jr.
Moore, Randolph, Montgomery 19B	<ul style="list-style-type: none"> Michael A. Sabiston James P. Hill 	<ul style="list-style-type: none"> Lee W. Gavin Jayrene R. Maness 	<ul style="list-style-type: none"> Don W. Creed Scott C. Etheridge

- b. **One Judge (or One Judge Team) to One Family** describes the assignment of a single judge or team of judges to a family who might be in different courts or have multiple legal issues such as domestic, domestic violence and juvenile abuse/neglect/dependency or delinquency. Family court case coordinators work with their judge and the parties or attorneys to assign and manage multiple court issues/cases so that all of the family's legal issues are scheduled and heard before the assigned judge or team of judges.
- c. **Specialized Local Rules** make certain that Family Court Best Practices and other court programs, such as custody mediation, parent education and drug treatment courts, are effectively coordinated, managed and integrated into the court culture. The chief district court judge takes the lead by appointing rules/forms committee(s) representative of all court stakeholders and making certain that the rules/forms are vetted by the larger court community. The chief district court judge is the primary person who guides this process by setting expectations, such as deadlines, policies and procedures that produce the greatest benefit for the court and its partners. The enforcement of local rules provides the foundation for court efficiency and mutual accountability for everyone involved in the court process.
- d. **Time Standards for Court Events** are an important indicator and catalyst for successful case management of lawsuits filed in family court. The Commission Report recommended that all family court matters be resolved within one year of filing. The FCAC has set specific benchmarks for events in the life of both domestic and juvenile matters that serve as management goals for family court judges, staff and court partners. All family courts use two automated computer applications that were developed by NCAOC for the management of domestic and juvenile cases—Casewise and JWisE, respectively.

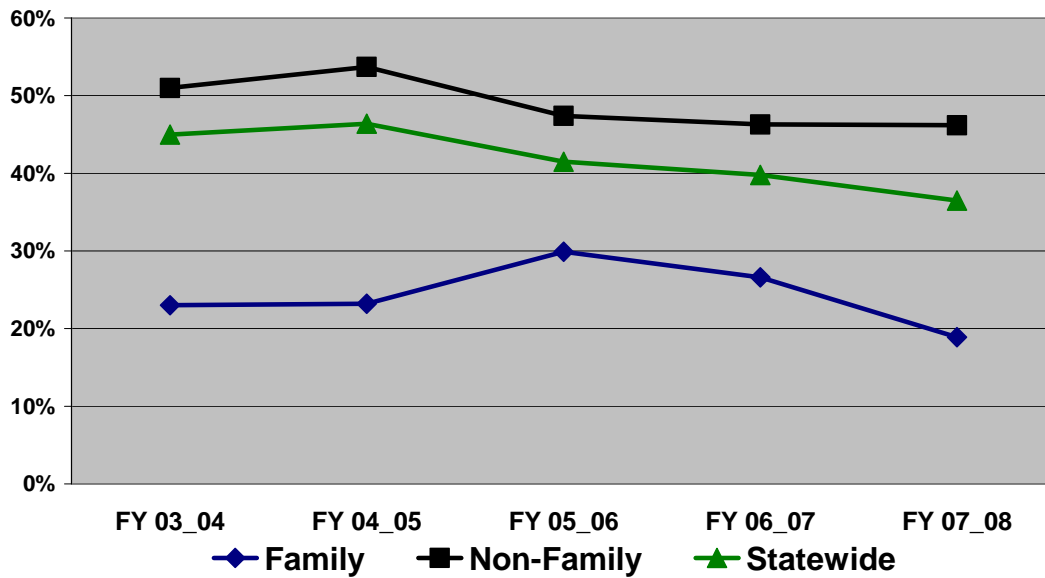
- i. **Casewise** is used by family court staff to manage domestic cases. Casewise is also used by non-family court judicial staff to manage district and superior court civil cases. A major Casewise enhancement was deployed in January 2009 for the automatic daily import of information from the clerk's civil system (VCAP) into Casewise.
 - ii. **JWise** is exclusively dedicated to the juvenile matters of abuse/neglect/dependency, delinquency, termination of parental rights and emancipation. JWise is unique in that it functions as the clerk's official index for juvenile matters as well as a case management tool used by family court and court improvement project grant staff, Guardian *Ad Litem*s, and family and juvenile drug treatment courts' staff. The primary purpose of JWise is to improve the outcomes of juveniles in the NC Court System. In fall 2007, NCAOC formed the JWise and Casewise Advisory Committee made up of NCAOC divisions, including Technical Services, Court Services, Court Programs, Conference of Superior Court Clerks, GAL, Drug Treatment Courts and Indigent Defense Services. Under the direction of this Advisory Committee, JWise has received major attention and enhancements designed to improve JWise's use and effectiveness as the official court index, a case management tool for multiple users and the basis for accurate and complete statewide data necessary to promote court performance standards.
- e. **Active Case Management by the Court** means that the Court, and not a party's attorney is responsible for keeping the case on track according to best practice case management principles, the district's local rules and applicable laws. Tasks, such as randomly assigning judges, scheduling matters early in the process, and enforcing local rules creates accountability and an even playing field so that families can rely on the prompt and just resolution of their legal issues. Both judges and court staff receive extensive training on the best practices for effective case management that includes leadership, consultation with the bar, court supervision of case progress, time standards and goals, attention to detail, system vision, a case assignment system, management information systems, control of continuances, early dispositions and firm trial dates.

The following three graphs demonstrate indicators of efficient case management, how family court districts compare to non-family court districts, and the impact family court districts have on all district courts (statewide data) in North Carolina.

Graph 1 (next page) shows the percent of pending, or unresolved, domestic cases that are older than one year in family courts, non-family courts and statewide (both family and non-family courts). Family courts' efficient case management is illustrated by the number of domestic cases older than one year; a major time standard goal is that all legal issues in a domestic lawsuit should be resolved prior to one year.

The five year average percentage of domestic cases that are older than one year is 24.3% in family court districts compared to 49.9% of domestic cases in non-family court districts. In FY 2003-04, the statewide average of domestic cases older than one year was 45% and three years later in FY 2007-08, the statewide average decreased to 36.5%.

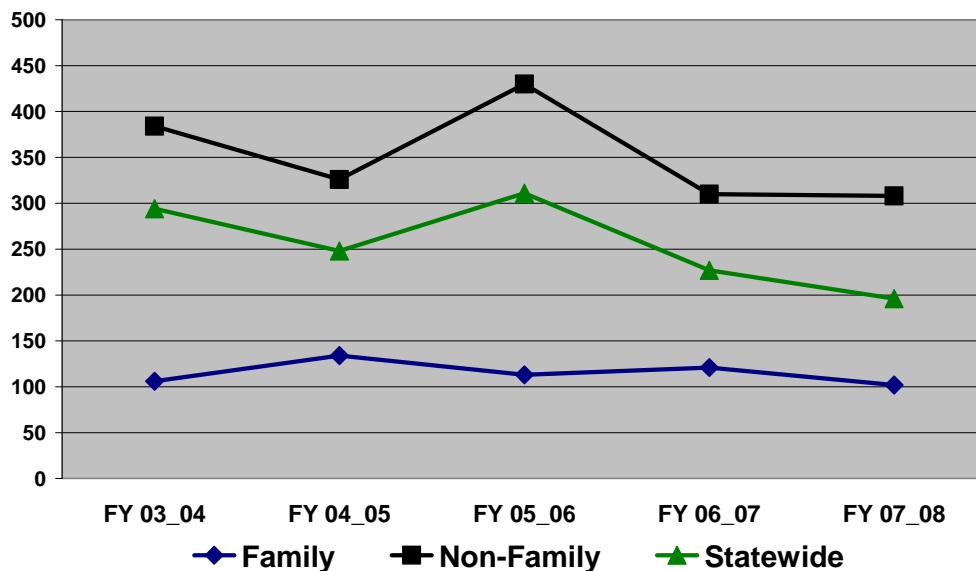
Graph 1: Percent of Pending Domestic Cases Over One-Year Old



Graph 2 below shows the median age of pending domestic cases for the past five years for family courts, non-family courts and statewide (both family and non-family courts). The median pending age is an indicator of how quickly domestic lawsuits are moving through the court system from the filing of the initial legal claim(s) in a complaint and answer to the disposition of these initial legal claim(s).

The five-year average for family courts' median pending age is 115 days. This shows that family courts move domestic cases to disposition quicker than in non-family court districts whose five year average is 352 days. In FY 2003-04, the statewide pending median age of domestic cases was 243 days as compared to 196 days in FY 2007-08.

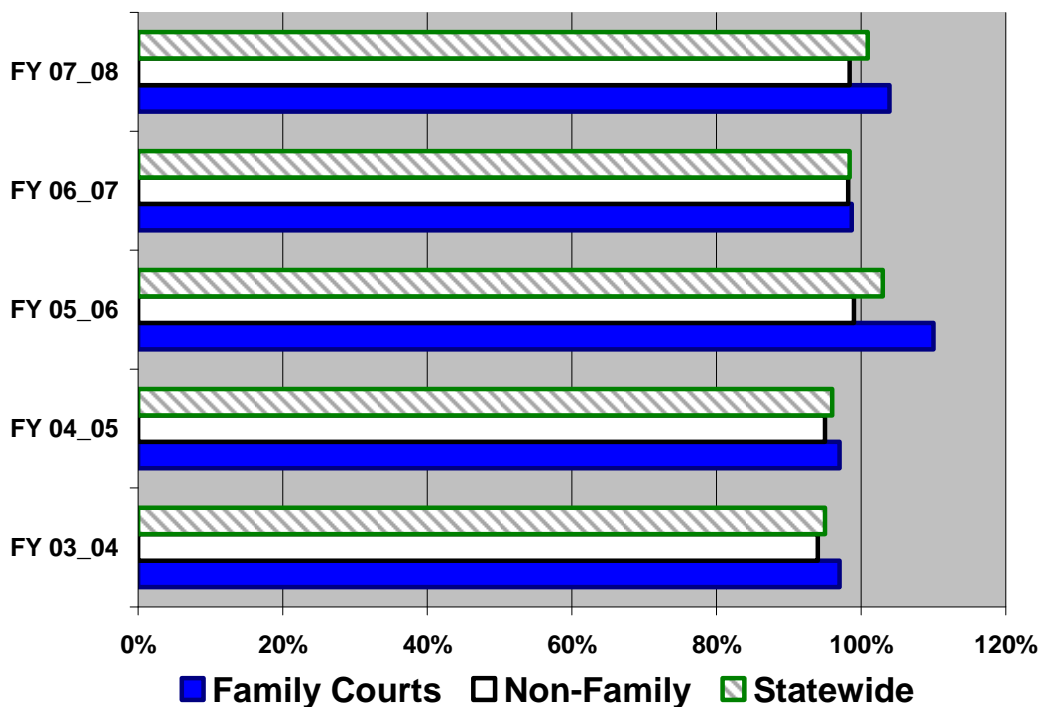
Graph 2: Median Age of Pending Domestic Cases



Graph 3 below shows the disposition rate for domestic cases over the past five years. The disposition rate is the ratio of disposed (resolved) cases to new cases that are filed. A key to efficient case management is to achieve a disposition rate higher than one hundred percent (100%) so that the court is resolving more cases than are being filed. A disposition rate of less than 100% results in a backlog of cases that taxes an already overburdened court system.

For the past five years, family court districts had, on average, a disposition rate of 101.3% while non-family courts have an average disposition rate of 96.9%. In FY 2003-04, the statewide disposition rate was 95% and in FY 2007-08 it was over one hundred percent (100.9%).

Graph 3: Disposition Rates for Domestic Cases



In this past year, the case management of juvenile abuse, neglect, dependency and termination of parental rights cases has received heightened attention due to NCAOC's efforts to implement changes to JWise. A top priority of the JWise & Casewise Advisory Committee was to address the clerks of superior court's statutory obligation to re-calendar juvenile matters in which an order is 30 days past due. In November 2008, the clerks and other JWise users—family and court improvement project courts and GAL—were provided an automatic report that runs once a week for all juvenile orders that are outstanding by at least one day. Among other things, the JWise Entry of Order Due Report lists the age of the order due, the file number and juvenile's name and the name of the judge who decided the matter in which an order is due.

The J Wise & Casewise Advisory Committee is currently working on a report for many of the statutory time standards set for juvenile abuse, neglect, dependency and termination of parental rights cases. Some of the future statistics that J Wise data will be able to report on by district are under development, including:

- The number of juvenile petitions filed;
 - The number of petitions in which the Department of Social Services took physical custody of the juvenile;
 - For key statutory hearings (first nonsecure custody hearing, adjudication, disposition, first review, first permanency planning hearing and termination of parental rights), a report to identify the number and name of: (1) juvenile matters that are not yet due for the hearing, (2) matters in which the court hearing was concluded within the time standard and (3) those matters outside the time standard and (4) the juvenile cases in which the time standard has passed, but the hearing has not been concluded;
 - The number and identity of juvenile matters in which permanency was achieved within time periods, such as 0-6 months, 7-12 months and over 25 months; and
 - Whether juveniles achieved permanency (reunification, guardianship, custody, adoption or another permanent plan) within or outside the FCAC's time standard goals.
- f. **Maximum Use of Alternative Dispute Resolution (ADR)** is one of the major recommendations of the Commission to benefit families and the court system. Family courts work to support and increase various types of ADR, such as custody and family financial mediation, the use of judicial settlement conferences, family law arbitration and collaborative law. Local family courts are encouraged to implement ADR resources that best fit their district; therefore, not every family court offers the same ADR resources.
- g. **Additional Court and Community Services** are often coordinated and administered by family court staff. These services/programs are similar to ADR resources in that they offer another alternative and often a different focus to the adversarial and limited objectives of traditional litigation.

The premise for both ADR and additional court and community services is that families who are in the family court environment are most often in crisis and need trained court staff who can provide information to locate appropriate services and resources that address their underlying needs.

The following are the most frequently offered ADR resources and additional court and community services in NC:

- i. **Child Custody and Visitation Mediation**—is a program that began in various districts in 1983 and was given statewide legislative funding in 2008. Custody mediators provide parties to a custody/visitation lawsuit the opportunity to attend mediation and develop a parenting plan with the assistance of a trained mediator. A parenting plan developed in mediation becomes an enforceable order of the court. In addition, parties who participate in mediation often incorporate the agreements reached in mediation into a consent order and therefore avoid trial.
- ii. **Family Financial Settlement Program**—is a program started by NCAOC in collaboration with the Dispute Resolution Commission to make various types of ADR, including mediation, judicial settlement, neutral evaluation, collaborative law and family law arbitration, available to families who have lawsuits involving financial matters, such as marital property division and family support. The NC Supreme

Court mandated that every judicial district implement a family financial settlement program by March 2007. NCAOC court programs specialists provide consultation and technical assistance for all district courts regarding their family financial settlement program and annual statistics.

- iii. **One-Hour Parent Information and Four-Hour Parent Education**—is an opportunity for parents and other caregivers involved in a custody lawsuit to learn about the court process and align their motivation and resources for resolving their dispute with the court’s mandate to make decisions that are in the best interest of the child(ren).
- iv. **Child Planning Conferences (also known as Day One or Juvenile Planning Conferences)**—are most often coordinated and facilitated by family court staff very early in the abuse/ neglect/dependency court process so that all court partners (parents, family members, attorneys, social workers, Guardian *ad Litem*s and community service providers) come together to: (1) identify appropriate relatives or friends who might be approved for temporary care of the child; (2) identify appropriate services for the parent so that he/she can begin addressing the problems that necessitated the removal of the child; and (3) establish a visitation schedule appropriate to the developmental needs of the child and the circumstances within the family. Districts that have developed a high level of competency in facilitating child planning conferences are often able to resolve legal issues that in turn achieve adjudication earlier in the court process and dispositions that are more detailed and specific to the needs of the parents and juvenile. Research on NC courts indicates that child planning conferences move children to permanent placement sooner.
- v. **Access and Visitation Coordinators**—are funded by a federal IV-D grant provided through the NC Department of Health and Human Services and managed by the Court Programs Division. Five access and visitation coordinators serve six family court districts to provide services and assistance to parents under a court order to pay child support, but the parents are having problems working out custody and/or visitation.
- vi. **School-Based and Court-Based Truancy Courts**—are local district court initiatives where the focus is prevention and the goal is truancy diversion. National research indicates that being truant or frequently late to school is an early sign of significant problems with the child and family. Many family court judges volunteer in their local schools to hold truancy courts aimed at encouraging and supporting children to attend school and discouraging truant behavior. Several family courts hold formal court-based truancy courts that hear both the undisciplined petition filed against a juvenile who is truant or a criminal action for compulsory school-attendance law violations that are filed against the parent.
- vii. **Drug Treatment Courts**—have been in NC courts since 1996. Family courts work most closely with family drug treatment courts for parents who are involved in an abuse, neglect and dependency action and juvenile drug treatment courts for juveniles in delinquency court. These problem-solving courts’ purpose is to help break the cycle of drug and/or alcohol addiction that influences parental abuse/neglect of children or juvenile delinquency.

- viii. **Domestic Violence Courts**—are specialized courts limited to hearing domestic violence issues. These courts often have only one judge or a limited number of judges assigned to hear domestic violence cases. Some family court judges serve in both civil and criminal domestic violence courts and some districts combine civil and criminal domestic violence issues at the same hearing. Domestic violence courts bring together specially trained court and community professionals who have resources, skills and knowledge to advocate and provide appropriate remedies/services for both the victim and perpetrator of the violence.
 - ix. **Permanency Mediation**—is a relatively new pilot program operating in four districts. It is an innovative program that provides facilitated group mediation by contract mediators in abuse, neglect and dependency cases filed in juvenile court. The goal for these mediations is to help all of the parties and professionals involved in the case address the legal issues as well as identify an appropriate and specific plan for the parents so that they can more quickly begin ameliorating conditions that led to the child's removal from the home.
 - x. **Supervised Visitation and Exchange Centers**—are often funded with grants related to the prevention of domestic violence. Some family courts have access to supervised visitation centers so that family court judges are able to order parents to either exchange their children in a safe and monitored environment or actually visit with their children at the center.
- h. **Focus on Customer Service** is a major theme that runs through all nationally recognized court performance standards as well as NC's Best Practices for family court programs. Even though local family courts are designed to improve the efficiency and effectiveness of the court system, family court personnel and judges are uniquely qualified and positioned to influence the public. All family court districts provide services to assist *pro se* (self-represented) litigants. These services vary from district to district but include information, such as instructions and forms to help people file for an absolute divorce and assistance in self-serve centers that coordinate volunteer attorneys to provide legal information and advice on family law topics.
- i. **Specially Trained Judges and Staff** is a core mandate from the Commission Report that has become policy for court staff and judges in family court. Rule II(c) of the North Carolina Rules of Continuing Judicial Education was amended in 2004 to mandate that family court judges receive at least twenty-four of their thirty hours of CJE from courses designed especially for family court. Twenty percent (20%) of the course content must address substantive law issues and 40% must address other issues such as, leadership, substance abuse, and child development. The Court Programs Division implemented a strategic training policy for family courts in 2008.
- j. **A Collaborative Local Family Court Advisory Committee** provides an opportunity for community and court partners to work together on a cohesive vision, including making recommendations for local rules and forms. Typically, members of the committee include representatives from the clerk of court's office, the domestic and juvenile bar, county department of social services and their legal counsel, county department of juvenile justice and delinquency prevention, Guardian *ad Litem*, health department, mental health, schools, law enforcement, local community colleges or other institutions of higher learning, such as law schools, service providers and general members of the community, including the faith community.

V. STATEWIDE FAMILY COURT ADVISORY COMMITTEE

Since its inception, the Family Court Advisory Committee has been chaired by the Honorable A. Elizabeth Keever, Chief District Court Judge in the 12th Judicial District. The FCAC's mission is to:

- a. Set guidelines and standards of practice for all family court districts;
- b. Assure accountability for this program;
- c. Make recommendations about future legislative action, including needed statutory changes, budgetary suggestions or recommendations for expansion of the program, either to additional districts or statewide;
- d. Review and make recommendations about the interrelationship between family courts and other court programs, such as the Guardian *ad Litem* Program, the Child Custody Mediation Program and the Family Drug Courts;
- e. Oversee the further development of the family court training curriculum; and
- f. Advise the NCAOC about automation efforts for family court.

Members of the FCAC represent chief district court judges, clerks of superior court, family court administrators, judges from the NC Appellate Division, Guardian *ad litem*s and various other court partners. The FCAC participated in and supported NCAOC in several initiatives during 2008.

- The FCAC addressed the lack of parent attorneys in the state by inviting representatives from the School of Government and Indigent Defense Services to foster discussion and collaboration with the committee about how the number of parent attorneys could be increased as well as the level of competency.
- The FCAC supported NCAOC in the endeavor to increase the use and efficiency of JWise in the state by requesting that the chief district court judges in family court districts lead the endeavor to incorporate new event, type and outcome codes in JWise.
- The FCAC reviewed and provided a response to the research and recommendations contained in the Domestic Violence Best Practices Report, a Governor's Crime Commission funded grant, for submission to the Judicial Council.

VI. FAMILY COURT EXPANSION

A dozen chief district court judges have expressed interest in implementing a family court in their judicial district (thirty counties). In order to demonstrate their readiness for a family court, these districts have been encouraged to begin implementing some of the family court best practices such as (1) revising local rules to incorporate one-judge-one-family policy for domestic and juvenile cases; (2) applying for the Court Improvement Project two-year grant to implement services and resources in abuse, neglect, dependency court like case management and child planning conferences; and (3) inviting NCAOC Court Program staff to present information on family courts to judges, court officials and other court stakeholders and assisting the court in reducing the backlog of domestic cases.

In addition to new districts wanting to start a family court, the existing family courts agreed that the policy of requesting resources from the General Assembly based on one case coordinator for every two family court judges was not an appropriate way to allocate staff resources. Therefore, the FCAC requested a workload study for case coordinators. During the fall of 2008, NCAOC used the methodology of the National Center for State Courts to conduct a workload study for case coordinator positions in family court districts based on information collected from case coordinators about their daily activities.

During the workload study, NCAOC consulted with a Work Group consisting of family court staff from each of the family court districts and an Advisory Committee of chief district court judges from

family court districts. The methodology used in the study included the following steps:

- Designing a workload survey based on input from the Work Group and the Advisory Committee which describes the work completed by case coordinators;
- Determining the number of domestic case filings and juvenile petitions filed for the past fiscal year for each family court district and forecasting future filings;
- Calculating a staff year value (amount of time available to do the work);
- Deploying the workload survey to collect and analyze each district's data;
- Computing an average number of minutes to process domestic and juvenile cases (adjusting for outlier data, staff vacancies and implementation of new courts);
- Analyzing current family court case coordinator staffing per district and comparing it to the additional staff positions produced by the formula; and
- Adjusting the formula output based on business rules for minimum juvenile case coordinator staffing needs in multi-county districts and best practices, such as conducting child planning conferences and efficiencies gained in single county districts for domestic cases.

Table 2 shows the Workload Study's recommendations for 16.5 additional family court case coordinators for nine family court districts.

Table 2: Results of Workload Study on Existing Family Court Districts			
County & Judicial District	Additional Domestic Case Coordinators Needed	Additional Juvenile Case Coordinators Needed	Total Case Coordinators Needed
Stanly, Richmond, Anson 20A <i>District 20 split in 2006</i>	0	1	1
Union 20B <i>District 20 split in 2006</i>	0.5	0	0.5
Mecklenburg 26	3	0	3
New Hanover, Pender 5	1	1	2
Cumberland 12	2	0	2
Lenoir, Green, Wayne 8	0.5	0.5	1
Caldwell, Burke, Catawba 25	0.5	1.5	2
Buncombe 28	1.5	0.5	2
Wake 10	3	0	3

VII. Summary

When first established in 1999, family courts followed the recommendation of the 1996 Commission Report to create a “forum that resolves family related issues in a manner that respects the rights of each individual family member, promotes the best interest of the family and helps families structure their own solutions.” Since that time, family courts have become essential to the way courts resolve domestic and juvenile legal issues. In collaboration with the court community, dedicated family court judges and family court staff implement policies that promote prompt and just resolution of family law issues, including active case management to monitor established time standards and mandatory participation in alternative resolution methods to provide non-adversarial approaches to resolving family matters outside of court. As a result, Family Courts are able to offer families timely, consistent and thoughtful outcomes to their legal issues. Between 1999 and 2007, the support for family courts from judges and the General Assembly resulted in the creation of family courts in thirteen judicial districts (22 counties), which comprises 45% of North Carolina’s population. Data clearly show the benefits of family courts. In family court districts, the median age of cases is lower and the case disposition rate is higher. Applying best practices in family court districts has resulted in a more productive use of court time.