



FAMILY LAW ADVISORY COMMISSION MEETING MINUTES

March 7, 2025

The Family Court Advisory Commission (FCAC) met at the North Carolina Judicial Center in Raleigh and via Webex on Friday, March 7, 2025. The meeting came to order at 10:00 AM. The following FCAC members, North Carolina Administrative Office of the Courts (NCAOC) staff, and guests participated:

<i>FLAC Members</i>	<i>NCAOC Staff</i>
Tamara Barringer	Kaylin Bennett
Andrea Bosquez-Porter	Tara Kozlowski
G. Galen Braddy	Tina Proctor
Lance Britt	Michael Silver
Nancy Butler	Stephanie Smith
Cindy Casteen	Lillie Ann Taylor
Skye David	Ann Zemba
John Davis	
Rachael Hawes	
Reggie O'Rourke	
Brent Tanner	
Valerie Zachary	

Judge Braddy welcomed FCAC members, NC Administrative Office of the Courts (NCAOC) staff, and guests to the meeting.

Approval of Minutes

Rachel Hawes made a motion to approve the October minutes. The motion was seconded. The meeting minutes were approved by the FCAC members.

AOC Updates:

Tina Proctor - Status update with Enterprise Justice: We're currently live in 63 counties. We are wrapping up week five of our onsite support in Track 7 counties. Track 7 has been implemented and is comprised of Bladen, Brunswick, Carteret, Columbus, Craven, Duplin, Jones, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson Counties.

Counties for Track 8 are Bertie, Edgecombe, Greene, Halifax, Hertford, Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson. They had their kickoff meetings in November and have been having weekly implementation meetings. Their go live date is April 28. We're currently accepting training registrations for them and if anyone was in tracks 1 through 7 and have new employees, they are invited to come to



Track 8 training as well. Training locations are at the Holiday Inn in Greenville, the DoubleTree in Rocky Mount, and we're also training users on portal and file and serve, so any folks that need that additional training can register in the learning center. We also are currently holding Track 8 practice court sessions which allow the district stakeholders to come together and walk through how Enterprise Justice affects courtrooms (for example, traffic administrative court, child support court, domestic violence courts, et cetera). During those sessions, key stakeholders and designated staff that work with the courtroom such as clerks, district attorneys, public defenders, and judges walk through a court session flow using Enterprise Justice to discuss, collaborate, and make decisions if needed for any changes in the current courtroom flows.

We've also started working with Track 9. We held their kickoff meetings during the week of February 26. Track 9 is a large track and those counties are Madison, Yancey, Mitchell, Avery, Watauga, Ashe, Wilkes, Alleghany, Surry, Yadkin, Stokes, Forsyth, Rockingham, and Caswell Counties. Their go live date is July 21. Their training begins June 2 and end June 27. Registration's currently open and they will have training locations in Winston Salem, Kernersville, and Boone.

Track 10 is McDowell, Rutherford, Caldwell, Burke, Cleveland, Alexander, Catawba, Lincoln, Gaston, Iredell, Davie, Rowan, and Davidson Counties. Their kickoff meetings will be held sometime in May, and their go live date is scheduled to take place on October 13.

Please remember we have the eCourts resources hub on Juno. You can find frequently asked questions and keep up to date on what's happening in the eCourts world.

- **Rachael Hawes** - What is the status of the access to domestic violence protective order files for Departments of social services? We were told that they would become available this week.
- **Tina Proctor** - Yes, we have communicated through the portal work stream with all of the DSS directors. They received two communications. If they had already opted in and had their accounts set up, they received a communication that now you have access to dvpos. If they had not opted in and applied for an elevated access account, they received information on how to apply for that elevated access account. Once they complete that process, they would have access to dvpos.

Lillie Taylor - We have successfully implemented One Judge, One Family statewide in conjunction with the auto judge assignment functionality that was made effective January 1 for all counties who are live on Enterprise Justice. As counties continue to come through, we are getting the configurations for your auto judge assignment and quickly bringing them up to speed with One Judge, One Family in conjunction with the judge assignments. It has been successful thus far and we have several different tools that we are able to use within the system. These include process builder and reports to allow for conflict checking, and other means to make sure that One Judge, One Family is working in conjunction with the vision of the Chief Justice.



Michael Silver - The one big update for the Family Law Advisory Commission as it relates to the ACEs Task Force is a grant that we have collaborated with the Hope Star Foundation and the Bolch Institute at Duke Law will continue. The Hope Star Foundation provided a grant to the District Attorney's office in Yancey County with District Attorney Seth Banks. Our trauma informed spaces are receiving updates: the floors are nicer and looks more modern. This is in continuation with our partnerships in trying to create more trauma informed spaces for juvenile victims, and those who are court impacted and involved in the court system. Also, we're proud to tentatively announce that the Durham County Safe Baby Courts Team did receive a trauma informed spaces grant. They received about \$400 where they're going to put up wall stickers to help make the space a little bit nicer as they implement their safe baby courts program.

Divorce from Bed & Board

Judge Braddy – We've been trying to get some legislation that comes from within our group about issues that we deal with from the Divorce from Bed & Board Committee. I think over a period of time, our role here has been expanded unintentionally. Our purpose is to discuss domestic issues that we see occurring currently in our court system. We have kind of been deemed almost as a lobbying group and after confirming with the Chief Justice and Justice Barringer, we need to make sure that we maintain the purpose that we originally were slated for. The Divorce from Bed & Board statute has different opinions by both lawyers as well as judges. I have spoken with a judge from another district that says at the conclusion of those Divorce from Bed & Board was granted a possession of a residence that the parties were living in. Judge Keever and Cheryl Howell helped us draft a proposed bill that was granted although not specifically provided in the statute. I don't know if it's been submitted to the legislature as I think we had to vote to approve and then send it to the Chief Justice. I think it was a one sentence modification that didn't involve any type of financial provision to get this statute implemented. The Commission seems to be a lobbying outfit. I don't think that's what the Chief Justice intends for us to do. Any recommendations from our commission goes to the Chief Justice and he will direct AOC from there. Justice Barringer, would you like to add anything to that?

- **Barringer** - One of the many purposes of this committee is to organically identify places where the law could be clarified, where the law could be improved based on our members day to day interaction with the people of North Carolina, our clients in the courtroom, or in the different agencies that we are supporting. In supporting these efforts, I think the issue raised is a good example of where our committee fits. We do not want to be sought out to endorse or not endorse particular ideas. That's not our job. Our job is to identify things in the courtroom and work with the people of North Carolina where we can provide better legal support in the court system.
- **Braddy** - I think the Chief Justice is very adamant that he believes that there is particular room in our body of law for some of these issues to be addressed. But there is potential for creating a conflict of interest for some of our judiciary members who are in the judiciary to hear issues of this commission. Justice Barringer, having a delicate position of being a former senator and now a Justice in the state of North Carolina, fully understands that potential. I was asked to address something for the Senate from Justice Burger about Jesse's law, and I said I will speak with this commission, I don't think it's approved, but what type of effect it would have on the bench as



far as making decisions and proposed requirements. I'll speak to them just as a judge and not as a chairman of this committee because I know the parameters.

For Divorce from Bed and Board, the court may transfer a possession of the party's premises to the prevailing party. The commission has approved the additional language. I'm not sure where that is actually sitting right now. Maybe our legislative liaison, Carr McLamb, can decide how best to push it.

Alternative Dispute Resolution

Tara Koslowski - I'm very happy to let you know that the quarter two statistics we received indicate that cases that entered a mediated settlement conference had a 76 % settlement rate. And if you include the cases that settle after mediation, but before they reach the courthouse steps, is up to 79 %. We received a request quite a few months ago from court staff regarding the implementation of Odyssey in their district and how to maneuver through the mediation procedures with Odyssey. The request was to divide the form that designates a mediator to a case when we were lucky enough to do so. The Supreme Court approved our requested modification on December 11 and the rules went live on January 6. So, for family financial cases, we have two forms to assign a mediator to a family case. We have the designation form, which is AOC CV 825 and we now have a new form simply to appoint media to a family financial case that is AOCCV 841. We're very pleased with that move and we understand that is making court staff's life a little bit better. The commission recently adopted two new advisory opinions, which will be posted on our website shortly. We have two additional advisory opinions that will be open for comments, so I encourage you all to check out our website regarding that information. The commission has recently taken into consideration the mediator's inability to communicate with court staff under standard 3C. This is a common topic for the commission, and it's always that struggle of how the mediator conveys information that will make court staff and judges happy without violating their confidentiality standards. And while the commission declined to vote on the mediator's ability to communicate, we are planning on ramping up our training to make sure that mediators know how to maneuver through those situations. We are also working toward getting into more training components with court staff and judges. We've recently been asked to present at the court Management Conference for family financial mediations coming up on March 20. We are still working toward creating a brief training for court staff on how to implement mediation eligible cases through Odyssey. I've been able to shadow one county to find out how they run through the process, and I have recently received permission to shadow a second county. So hopefully we will have something here in the next few months that court staff can simply walk through to see what steps they can take to maybe quicken or ease that process. Finally, we are still working to move our mediator application into Odyssey. It is a learning process. We're doing the best that we can right now. Our mediator app is on a completely separate server. We are trying to integrate and are hoping to do so by July 1 for our renewal process. In the meantime, we are also working to update all of our training guides for court staff, as well as our mediation bench books, for judges to reflect how the mediation matters are taken through Odyssey when they are implemented in their counties.

Family Court Statistics



Braddy – Mike Silver and I had talked about family court statistics to get some numbers for everybody that are consistent with what we've done in the past and to look at how our domestic courts are performing and ways to improve the performance with our numbers that we show.

- **Michael Silver** – Unfortunately, I do not have any data at this time. Based on the short time we had to try to compile the data, and the fact that this data are in separate pools at this time. We have reached out to the Department of Health and Human Services because they do have statistics on reunification and some other things, but we don't have that available at this time. We should have those stats available by our next meeting.
- **Rachael Hawes** - Judge, can I offer something about the statistics maintained by DHHS? I think it's a great idea to try to pull stats from anywhere, but I will say this has been an ongoing conversation that local DHHSs have been having with DHHS on the state level for about 15 years because we don't have access to JWISE. We're one of the few users who don't have access to it. Therefore, a lot of the information is input by clerks of court or by Guardian Ad Litem programs. We frequently get presented with our JWISE's stats and in 15 years of working for Haywood County, they never once have been correct. For instance, it will say you have this open termination of parental rights action that's been pending for 600 days. But actually, we adjudicated that 45 days after filing and it was all on this date, etc. While I think it's good to pull information wherever you can pull information from. I want to lay out the warning that (at least personally), I have a lot of issues with those sort of statistics, the accuracy of them, at least as it relates to what's happening at the local level.
- **Justice Tamara Barringer** - This is very concerning to me because we face federal audits regularly and we failed all of them. What you're saying is very, very important. These statistics need to be accurate. They need to be correct. So, it baffles me that the local folks don't have access to this information so it can be more closely monitored. I appreciate the comments you made and it's very concerning to me that it needed to be made.
- **Rachael Hawes** - I can't pretend to be knowledgeable about all that goes on at the state level related to that, but it is a request that we've made repeatedly to allow us some form of input or not just once a year be presented with this printout, which is frankly, just numbers. It takes me a great deal of time to even decipher it. We sort of unofficially challenge it and push back and say these numbers are completely incorrect, but I wish there was some sort of computer program, regular meeting, or anything that we could be presented with data and then be able to come back and say, that looks correct for at least this quarterly report, or these are all the issues we have with it.
- **Justice Tamara Barringer** - You need to have the opportunity for ongoing monitoring because these numbers, while they may just look like computer numbers, are used for very important reasons. If they're not accurate, and it sounds like they're not, they can they adversely affect our state; especially federal funding and the optics to the public. Because when the Feds come in with their audits and we fail year after year with these tragic numbers (that evidently many of them aren't correct) it is the public who loses faith in the services that our state is providing to our most vulnerable citizens.
- **Rachael Hawes** - Part of the issue is that hundred counties have hundred different ways of doing things. We keep our own numbers and so, at least from our agency, we would be ready to have



that dialogue on a monthly basis if someone was able to have that dialogue with us. I can't speak for everybody else, and everyone's got a different setup, but I happen to be an in house attorney. We have three in house paralegals and another in house attorney, so I think we're better situated than some. I would love some way to have regulation as to the data and have some sort of input to it.

- **Braddy** - Okay, I'm just wondering with the continued rollout of eCourts if we could potentially use that program to get even more up to date and accurate statistics.
- **Hawes** - I know one of the issues we're having is that the state platform for users is completely different from a non-state platform. So, what our judges see, what our clerks see, what the Guardian Ad Litem program sees is completely different from what we see as users. So, it appears that they have access to calendaring and other data setups that are just not available to us because we're counties were essentially treated like any other user. So, I don't know how that would interact because it seems we're sort of a "normal user."
- **Braddy** - Are you saying the particular server that could provide that would be our administrative office of the courts? Maybe discussing this with Brad Fowler about getting those type of statistics is an idea. I'm trying to look for a suggestion of how we can look into this and dig into it a little bit for the future.
- **Hawes** - So my first answer is "I don't know" because I am certainly not a tech expert. I can say that our access to eCourts, Odyssey, Enterprise Justice, etc. is just of a "normal user." All I can do is see cases on portal and then I can efile, but I can't do any calendaring. The clerk has to do the actual calendaring. If there was some sort of special status perhaps that could be given to DSS legal access, I think at that point we could help. But without having that state platform, I can't really answer that question because I've only seen it sort of over my colleague's shoulders, and her access looks like markedly different.
- **Braddy** - Check into that and give us some feedback at some point in time about trying to get more access. Mike Silver and I had developed timetables about trying to resolve different types of matters to give some guidance to our domestic courts, in conjunction with some of the Chief Justice's guidelines and the Supreme Court guidelines. If it is actually kept in a file somewhere, then we may be able to get that information to share. I know yesterday we were playing around with some of the new tools on the Odyssey program and it was really interesting to see what you can do once you get in the Odyssey navigator.

Access & Visitation/Custody Mediation

Stephaine Smith – Everything is going well with custody mediation. Yesterday we completed our in-service training, which we held remotely for our 47 mediators, and they all attended. In the fall we have another training and it will be in person with a national trainer. That will be in late September. New mediators are being interviewed for a position that's vacant in District 24, and once that's filled then I'll be training that person along with a couple of other people who are doing permanency mediation. Also, there is a custody mediator in the eastern band of Cherokee Indians who's asked to join that training. I've also been talking to you all each time about permanency planning mediation and we've now held a couple of them and continue with our outreach to various districts. Durham has expressed an interest so



I'll be meeting with their social services folks next week to explain permanency mediation and generate a little bit more interest there.

October 1 began the new grant cycle for the access and visitation program. October 2023, the number of Access & Visitation positions were reduced from six to five. Access & Visitation coordinators provide services such as counseling, parent education, community referrals, and legal information to the non-custodial parents. Access & Visitation Coordinators continue to be housed in Buncombe, Cumberland, Durham, Mecklenburg, and Wake counties, and they offer remote services to parents and counties within their region covering every county in North Carolina. Access & Visitation coordinators in Mecklenburg have self service centers and Wake legal Resource Centers are stationed there where they're easily accessible to parents and grandparents. The hours of operation are only during certain hours, but they've been expanded to normal business hours due to the volume of users. That was effective in February 2025. Counseling information and parent education are the most frequently provided Access & Visitation services. Parent education continues to be provided in all locations where there's an Access & Visitation coordinator on site. Four of the five coordinators facilitate parent education in conjunction with the custody mediation orientation. This is where I came in several years ago and created a video with a team affiliate with UNCTV to make the parent education component jive with the information that we provided at orientation. Therefore, after orientation in these districts the Access & Visitation coordinator would come in because the whole idea is that we don't want the mediator presenting parent education information because then the parties come into mediation seeing that person as their educator rather than the facilitator of the conversation.

The hurricane last fall caused a shortage of viable candidates and a recent change in judicial leadership has made recruitment efforts challenging. Efforts to recruit for vacancies were recently postponed to evaluate program funding. We're in the process of working through this issue.

De Maca Adams and Norma Boyd, Access & Visitation coordinator, will be presenting on the Access & Visitation program at the NCAACM conference on 20 March. The session will provide information to court management staff about the program and remote services provided by Access & Visitation coordinators and counties that do not have an onsite coordinator.

Updates – Skye David

- There is an expected hurricane package that will head out to Western North Carolina by the end of next week. The House and the Senate have different plans, but they are working those out right now and it looks to be about \$500 million and additional relief going out there, including some business grants.
- Those bills are still being filed for the next couple of weeks. So, if there's anything that I see, I may flag Carr McLamb down in the legislature, and say something to him, but as far as where we are, we're still in the, you know, beginning stages of session. I took a look at the budget that Mr. McLamb had submitted and that process is starting as well. So, we're kind of just right in the beginning.

The meeting adjourned at noon.



Future Meeting Dates

October 30

December 5

See [Family Law Advisory Commission \(FLAC\) Meetings and Minutes | North Carolina Judicial Branch \(nccourts.gov\)](#)

Submitted by Ann Zemba on behalf of Michael Silver