

MINUTES
Custody Mediation Advisory Committee
April 3, 2020

The Custody Mediation Advisory Committee (CMAC) met online via ZOOM Friday, April 3, 2020. The Honorable J. Corpening called the meeting to order at 10 a.m.

CMAC Members:

Judge J. Corpening, Committee Chair
Andrea Bosquez-Porter
Sanya Eller
Sheila Eley
Cheryl Howell
Sherry Honeycutt Everett
Rick Igou
Judge Christine Walczyk
Marci Ward

NCAOC Staff:

Stephanie C. Smith
Kari Marvin
DeShield Greene
Tara Minter
Stephanie Satkowiak

Welcome & Approval of Draft Minutes from November

Judge Corpening welcomed everyone to the meeting. The minutes from the November 8, 2019 CMAC meeting were approved without changes on a motion from Sheila Eley and seconded by Rick Igou.

Custody Mediation Program Update

Following the Emergency Order issued by Chief Justice Beasley on March 13, 2020, custody mediators have transitioned to online orientations (live and self-directed) and mediation sessions are being held online via the Zoom videoconferencing program. In 2017, Stephanie Smith obtained special approval from the NCAOC director to purchase a Zoom license for Custody Mediation Program to utilize. This exception was granted primarily because of enhanced features like break-out rooms that allow mediators to easily caucus with the parties, a feature that was not available in WebEx. Some mediators have used Zoom frequently when distance would otherwise prevent the parties from attending the program, while others have never used it and have a learning curve to navigate.

Kari Marvin shared the results of a survey describing the resources mediators have for working remotely. Most mediators have work-issued laptops and have obtained access to VPN. Stephanie indicated permanency mediations continue to be held.

Mediators have reported that some parties requested to wait until they can mediate in person. Stephanie asked whether Chief District Court Judges (CDCJs) can/will order parties to participate online. The committee members discussed the various reasons parties may resist participating online: 1) discomfort with technology; 2) stalling the process; 2) connectivity issues; and 4) privacy/safety issues. Judge Corpening indicated he will bring up the issue during the next CDCJs meeting.

The annual training held March 19-20 featured nationally recognized trainer Derek Scott on Internal Family Systems (IFS). The training was originally scheduled to be held in person, but due to the coronavirus pandemic it was successfully transitioned to an online presentation, and attendance was almost 100% for both days.

Uniformity in Preparation of Integrated Case Management System (ICMS)

Currently each district has their own Parenting Agreement template. To prepare for the uniformity requirements of ICMS, Kari is working with a group of mediators to develop a statewide Parenting Agreement template. Once a draft is prepared, it will be shared with the CMAC for review.

Domestic Violence Screening Protocol/Uniform Rules

The DV Screening Protocol pilot project in Durham is continuing during the pandemic, but the pilot project for Harnett County is on hold.

Domestic Violence Update

Stephanie Satkowiak reports there are numerous challenges facing DV victims during the pandemic, including varying court hours and securing interpreters. As court personnel become more experienced with remote hearings, they can provide a wider range of accessibility for *ex parte* and return hearings. Stephanie thanked Sherry Honeycutt Everett for the weekly sessions she is leading to discuss trends and challenges for DV victims during the pandemic.

Family Court Update

DeShield Greene replaces Lori Cole as the Family Court Advisory Commission (FCAC) representative to the CMAC. DeShield reported to the group that several CDCJs, including Judge Corpening and Judge Walczyk, developed helpful district guidelines to assist parents navigating custody and visitation issues during the pandemic. In consultation with Judge Braddy, Chairman of the FCAC, DeShield spearheaded an effort on behalf of the FCAC to develop guidelines that can be shared statewide and she has shared the document with CMAC members for feedback. DeShield inquired whether the guidelines should be issued solely by the FCAC or from the FCAC and the CMAC. Judge Corpening shared the focus of this group is to provide feedback from the custody mediation perspective, and that acknowledging the Custody Mediation Program in the preamble of the guidelines was important. The CMAC members agreed the guidelines should be issued solely by the FCAC. Andrea Bosquez-Porter indicated the Family Law Bar would welcome guidance for parents with custody issues during the pandemic. Judge Walczyk suggested the guidelines be as general as possible. She expressed concern around wording that assumes a traditional school year calendar and any assurance that missed time would be ordered to be made up. Judge Corpening encouraged members to send any other comments/concerns to DeShield.

Human Trafficking

Tara Minter reported she is moving forward with child sex trafficking training and she shared an internet safety toolkit created by the NC Coalition Against Human Trafficking.

Conclusion

Judge Corpening concluded the meeting at 11:15 am.