

MINUTES
Custody Mediation Advisory Committee
May 26, 2020

The Custody Mediation Advisory Committee (CMAC) met on Tuesday, May 26, 2020 via the ZOOM online video conferencing platform. The Honorable J. Corpening called the meeting to order at 3 p.m.

CMAC Members:

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

NCAOC Staff:

Danielle Carman
Stephanie C. Smith
Kari Marvin
Stephanie Satkowiak
DeShield Greene

Guests:

Olivia Daniels, NCCADV Intern
Alyssa Sanchez, NCCADV Intern

Judge Corpening welcomed everyone to the online meeting to discuss recommended safety provisions for the Custody Mediation Program as courts expand services on June 1, 2020.

DeShield Greene shared that the Technology and Innovation Working Group is supporting remote hearings. Judge Walczyk offered to share wording from District 10 regarding the continuation of online video conferencing for custody mediation orientation and mediation sessions. Stephanie Satkowiak mentioned that Judge McEntire in District 24 had also addressed continuing remote operations and consideration of social distancing for custody mediation in his recent Administrative Order.

Judge Corpening advised that based on his work within his own courthouse and as Co-Chair of the COVID-19 Task Force, health and safety recommendations should include no in-person contact at this point. In-person orientation and mediation sessions would violate social distancing safety recommendations from Chief Justice Beasley.

The Uniform Rules Regulating Custody Mediation were amended in 2018 to address online resources for the program. Rule 12.02 states that telephone mediation sessions are prohibited unless the parties do not have the ability to utilize online video conferencing.

Kari Marvin reported more than 1,700 individuals have participated in online orientation since March 13. Stephanie Smith asked for clarification on whether custody cases are ordered to online custody mediation or whether parties are being offered online sessions. Cheryl Howell suggested she and Judge Corpening could discuss the ordered/offered question with the Chief District Court Judges during their weekly meetings.

Due to safety considerations for victims of domestic violence, Sherry Honeycutt Everett cautioned against an absolute requirement for online participation that didn't also include

the need to continue assessing safety concerns and the ability of parties to apply for a waiver from mediation.

Based on a motion by Rick Igou, seconded by Judge Walczyk, the Custody Mediation Advisory Committee unanimously recommended that until further notice, orientation and custody mediation sessions be held by online video conferencing (ZOOM platform). Safety concerns should be considered, and the parties retain the right to request waiver of mediation for good cause, pursuant to G.S. 50-13.1(c). DeShield Greene will share this recommendation with the Technology and Innovations Working Group.

The meeting concluded at 3:35 p.m.