



FAMILY COURT ADVISORY COMMISSION

MEETING MINUTES

December 9, 2022

The Family Court Advisory Commission (FCAC) met in person at the NC Judicial Center (NCJC) in Raleigh and via Webex on Friday, December 9, 2022. The meeting came to order at 10:00 AM. The following FCAC members, North Carolina Administrative Office of the Courts (NCAOC) staff and guest participated:

FCAC Members

Judge Galen Braddy, Chair
Nancy Butler
CSC Elizabeth Craver
Erin Enecks
Stephanie Gibbs
Judge John Greenlee
Rachael Hawes
Judge Beth Keever, ex officio
Sonynia Leonard
Gerald Mack
Marie Mobley
Judge William Southern
Rose Stout
Judge Donna Stroud
Brandi Tolbert
Lori Wainright

NCAOC Staff

Lori Cole
DeShield Greene
Liz Kachris-Jones
Joseph Kyzer
Tara Minter
Asia Prince
Mike Silver
Stephanie Smith
Faith Taylor

Guest

Wade Harrison

Welcome & Introduction of new FCAC Member

Judge Braddy recognized newly appointed FCAC Member Pender CSC Elizabeth Craver.

Approval of Minutes

Lori Wainright made a motion to approve the September minutes; Rachael Hawes seconded the motion. The meeting minutes were approved by the FCAC members.

Rule 53 Revision Discussion Update

The FCAC discussed a proposed revision to Rule 53 at the September FCAC. This issue was to be added to the agenda for the fall Chief District Court Judges Conference. Judge Southern advised that the topic was discussed and there was some hesitancy from the judges with using referees in child custody cases but overall, there was favorable response to have the referee as an option in some domestic matters.





Wade Harrison reminded the FCAC that the proposed revision would not require the use of referees by a judge and the judge could dictate its terms. Mr. Harrison advised that Senator Amy Galey is the intended sponsor for the bill to propose this revision. Judge Stroud made a motion that the FCAC conditionally endorse the concept of the referees but noted the FCAC has concerns about the use of referees in child custody matters. Brandi Tolbert seconded the motion. The motion unanimously carried with the FCAC ultimately offering a conditional endorsement of referees in family financial cases and child support but noted concerns with their use in child custody cases.

ICMS/Odyssey Update

The NCAOC Business Analysis and Process Management (BAPM) Division continues to work towards implementation of Odyssey in the four pilot counties. There is a new target go live date of mid to late January 2023. BAPM is responding to inquiries from the pilot counties and working with them on their specific court processes. Mecklenburg County is in implementation track two, and they have received training. Once counties are trained, they continue to have access to the training region to be able to test the functionality and navigate the system.

Both in-person and virtual File & Serve (eFiling) training sessions were scheduled for attorneys statewide. Training materials have been developed for Odyssey Inquiry Only for non-Odyssey end users. The videos and resources are available on Juno at *Odyssey for Inquiry Only*, which Faith Taylor encouraged everyone to review as the information will be very helpful once the pilot counties go live. For more information, see the [eCourts web page](#) or email ecourts@nccourts.org.

Legislative Update

Joseph Kyzer stated that the NCAOC legislative team has been working with the Chief Justice and Judge Heath to identify legislative priorities for the next session. Based on past budget bienniums, it is expected that the budget will be submitted to the Governor by July 4th. The upcoming session appears promising with continued prioritization of providing resources to clear the backlog, preparation for eCourts, and filling vacancies. Non-budget priorities for the session are resolving issues related to and restarting the Second Chance Act for automatic expunctions and identifying technical corrections for the remote electronic notarizations bill that passed late last session.

Judge Braddy inquired if the recommendations from the FCAC regarding the Uniform Parentage Act (UPA) and G.S. 50-7 are part of the legislative agenda. Mr. Kyzer stated that NCAOC will likely not take a position as these recommendations are not operational and more of a policy shift. He suggested the FCAC send the proposals to legislators interested in family law. He will provide a list of those legislators to FCAC staff. The G.S. 50-7 recommendation should also be sent to the Family Law Section of the NC Bar since this issue is on their radar. FCAC Staff will work to get the G.S. 50-7 recommendation to the NC Bar Family Law section.





Stephanie Gibbs updated the FCAC that the Family Law Council is still fine-tuning two sections of the proposed NC UPA. As a result, the FCAC decided to refrain from moving forward on the UPA recommendation but will proceed with efforts to amend G.S. 50-7. Stephanie Gibbs will ask the NC Bar to send their finalized version of the NC UPA to the FCAC for review and consideration.

Task Force on ACEs Informed Courts Update

Mike Silver provided an update on the work of the ACEs Task Force. The two subcommittees have been reorganized into three subcommittees: Education, Trauma Informed Programs for Adults (TIPA), and Children Impacted by Children (CIT). The Education Subcommittee is focusing on: the UNC Injury Prevention Research Center (IPRC) project to provide on demand ACEs training to Judicial Branch court officials and staff; developing a Youth Assessment Screening Instrument (YASI) tool bench card and training video; the Success Sequence program being piloted in Columbus/Robeson County; integration of ACEs and Trauma Informed education in law schools through the Duke Judicial Bolch Institute; adding a trauma informed education component to the new judges' school; and producing data driven research through the Bolch Institute. Customer Service classes that integrate trauma-informed practices are also being offered to all Judicial Branch employees. The TIPA Subcommittee is focusing their efforts on the following programs: family courts, recovery courts, and community mapping and navigation tools (collaboration with the Cape Fear Collective). The CIT Subcommittee is focusing on implementing Safe Babies Courts in NC and statewide implementation of school justice partnerships.

Court Programs Updates

Access & Visitation

Lori Cole shared that the vacant position in Union County has been transferred to Mecklenburg County. She displayed the [new regional A&V model](#) and the area that each of the six coordinators will cover. The positions in Buncombe and Mecklenburg are currently vacant and have been posted for hiring. The free 45-minute on-demand Parent Education training is available statewide and to the public online. Participants receive a confirmation email to record their completion.

Custody Mediation

- Stephanie Smith shared that the last annual custody mediator annual training was held remotely in the fall. Another training is scheduled for the spring with the hopes of this training being conducted in-person.
- Almost all vacancies have been filled and the mediators trained.
- The Domestic Violence Screening protocol is ready to be implemented statewide once funds are available. The Custody Mediation Program received a silver award from the 43rd Annual Telly Awards for their video "Next Steps: Considering Custody Mediation".





The video is part of the new domestic violence screening protocol which is being piloted in Durham County.

Human Trafficking

- The NC Human Trafficking Commission is starting its strategic planning process and will use an outside organization to assist.
- Lindsay Lane (Human Trafficking Institute) has created a “cheat sheet” for law enforcement/prosecutors that will assist with handling human trafficking cases.
- Shared Hope International grades states on how well they address child & youth sex trafficking. The organization changed its criteria resulting in most states, including North Carolina, receiving a failing grade.
- The Charlotte Mecklenburg Human Trafficking Taskforce is coordinated by the U.S. Attorney’s Office (Western District of North Carolina). The Taskforce will release three years of local data on Jan. 11th (Human Trafficking Awareness Day). The Taskforce will give the public access to the information.
- Human trafficking training will be provided to GAL volunteers in January.

Family Court Updates

Conference

The 2023 Family Court Educational Conference will be held at the Great Wolf Lodge in Concord April 26 – April 28. Judges and judicial staff in family court and non-family court district are invited to attend. DeShield Greene reported that the agenda for the conference is being prepared and speakers contacted.

Expansion Districts

Lori and DeShield continue to work with court leadership in Cabarrus, Rowan, and District 4 (Duplin, Jones, Onslow, and Sampson) to implement case management strategies to become a family court. The expansion districts report there is support from legislators to implement family court. Requests for funding was submitted as part of the budget request to NCAOC leadership.

Statistics Update

DeShield reviewed domestic data from the most recent Aging Analysis Report data (May to November 2022). While the pending median case age and percent of pending cases more than a year continues to increase, six districts have a pending median case age of less than 100 days and seven districts are meeting the best practice standard that no more than 15% of their pending cases are over a year old.





FCAC Time Standards

The FCAC determined the FCAC Time Standards for abuse/neglect/dependency cases should be revised to conform to a legislative change to G.S. 7B-906.1, which addresses review and permanency planning hearings. A Subcommittee was formed to review the A/N/D standards and recommend changes to the FCAC at the March meeting. The Subcommittee will include Rachael Hawes, Marie Mobley, Brandi Tolbert, and Liz Kachris-Jones. DeShield will work with the Subcommittee members to set a meeting date and time to discuss these revisions. Judge Braddy suggested that staff invite Chief District Court Judge John Davis (District 9) to the March FCAC to discuss this topic. He represents the district court judges on the NC Trial Courts Time Standards Committee. There was also discussion about the challenges of meeting the ASFA and NC General Statutes time standards, such as lack of judges, lack of attorneys, and delayed medical reports.

Other Business

Judge Greenlee is meeting with a legislator interested in reducing barriers to the adoption process. Anyone with suggestions to improve this process should email Judge Greenlee.

The meeting adjourned at 1:05 p.m.

Future Meeting Dates

- 2023: March 10, June 9, September 22, December 1

Submitted by DeShield Greene

