

American Bar Association

Unified Family Courts:

A Progress Report

ABA Standing Committee on

Substance Abuse

and

ABA Steering Committee on the

Unmet Legal Needs of Children

with the support of the Robert Wood Johnson Foundation

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For copies of this publication or for further information, contact the Standing Committee on Substance Abuse (202/662-1785) or the Steering Committee on Unmet Legal Needs of Children (202/662-1675).

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We thank Jeff Kuhn, Assistant Director of the Family Practice Division of the New Jersey Courts, Advisory Committee Member to the Standing Committee on Substance Abuse and Chairperson of the Standing Committee's Advisory Board for Communities, Families and the Justice System, for sharing with us his vast knowledge of family courts and for lending to us his wise guidance during the research and writing of this publication.

Michelle Darter Dobles, Program Coordinator of the Standing Committee on Substance Abuse, has been involved in the production of this publication from the beginning. From the devising of the initial questionnaire on which the state survey was based, through the writing of the survey, to the layout and design of the finished publication, Ms. Darter Dobles has labored ceaselessly to bring *Unified Family Courts: A Progress Report* to fruition.

We also thank Anna L. Davis and Ginger Fitch, summer law interns for the Steering Committee on Unmet Legal Needs of Children, and Robert Long, final year law student at the Catholic University of America Columbus School of Law, for their help with this survey.

FOREWORD

In the past few years, judges, lawyers, and other members of the legal community have spoken out about the harmful fragmentation in court systems which address the legal and protection issues of children and families. As a result of such fragmentation, families with legal problems sometimes suffer from harms such as: unnecessary delays in adjudication and services; exacerbating and further complicating the lives of the family members already in crisis; different courts issuing conflicting orders; repeated interviews of children by different examiners; the failure to protect persons at risk of domestic violence and to address substance abuse and addiction; and children who become lost in the child welfare system.

The American Bar Association (ABA) has long recognized the potential of unified family courts as a means of addressing these problems. It first indicated its support for unified family courts in its 1980 Juvenile Justice Standards Relating to Court Organization and Administration, Standard 1.1, Part 1. In its 1993 publication, *America's Children at Risk: A National Agenda for Legal Action*, the ABA urged - among other things - the creation of demonstration family courts and the ultimate adoption of unified family courts throughout the country. The ABA Steering Committee on the Unmet Legal Needs of Children (Steering Committee), created immediately after the release of *America's Children at Risk*, assigned such a high priority to the creation of unified family courts that its first policy recommendation to the ABA House of Delegates was designed to clarify the Association's commitment to this judicial reform. This policy drew a broad outline for justice system reform that would be consistent with the dramatic changes in family structure and function in America. In 1994, the House of Delegates adopted the policy drafted by the Steering Committee supporting unified family courts.

Many ABA entities have devoted efforts on educating the public about unified family courts and working with persons interested in creating unified family court systems in their localities. Of particular importance, the ABA Standing Committee on Substance Abuse, with assistance from the Robert Wood Johnson Foundation, has been working closely with judges, lawyers, and communities in six sites to develop and implement unified family courts. The six sites are located in Fulton County, Georgia; Baltimore, Maryland; Seattle, Washington; Markham, Illinois; Washington, D.C.; and San Juan, Puerto Rico. In addition to providing technical assistance, the Committee emphasized collaboration among the court, the local bar association, and the community-at-large as a way to address institutional and community barriers.

The Steering Committee and the Standing Committee continue to work to make unified family courts a reality. This year, both Committees are working closely with ABA President Jerry S. Shestack, who is hosting a national invitational summit on unified family courts. The ABA Summit on Unified Family Courts: Exploring Solutions for Families, Women, and Children will bring together teams from most

states to work on: (I) adopting all or selected aspects of the unified family court model and improving the delivery of justice to families where parts of the model are already in place; (II) making choices which are appropriate for each jurisdiction; and (III) using unified family courts to address family problems responsibly including issues of family violence and related substance abuse. The conference - which will be held May 14-16, 1998 in Philadelphia - features over fifty nationally acclaimed speakers in the field with over thirty-three states sending official teams as delegates, appointed by their Chief Justices. The remaining states will be represented by individuals. In addition, the 1998 Spring edition of the Family Law Quarterly, a publication of the ABA Section of Family Law, features a symposium on unified family courts. It is anticipated that a follow-up publication to the Summit will be released outlining how to create a unified family court.

This publication, Unified Family Courts: A Progress Report, released at the ABA Summit, is a natural progression in the ABA's continued work to educate the public about unified family courts. We believe this publication will be of assistance for those learning about unified family courts for the first time and even for those who have established unified family courts but want to improve their legal systems. We hope you and others will further explore the concept and components of a unified family court for your locality. Regardless of whether a jurisdiction needs to or is in a position to seek wholesale revisions, we believe that states and localities should be receptive to installing components of unified family courts when appropriate, as communities and needs change over time. Access to justice for all is a continuing and evolving process, which all members of the legal community must pursue.

R. William Ide, III Chair, Standing Committee on Substance Abuse

James L. Forman Co-Chair, Steering Committee on the Unmet Legal Needs of Children

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INTRODUCTION

Throughout our nation, people are increasingly concerned about the multitude of problems within families — domestic violence, substance abuse, abuse and neglect, divorce, mental illness, and violence — which often leads to greater problems in the community. The judicial and legal communities in particular are involved in scrutinizing family and juvenile courts where social, medical, and emotional problems mix with legal problems in a way that demands new modes of review and resolution.

A few statistics dramatize the importance of the problem. In 1994, 4.7 million domestic relations cases were filed in state courts, which comprised of 25% of all civil filings — the largest and fastest growing segment of state civil court caseloads.¹ Cases included divorce, support/custody, domestic violence, paternity, the Uniform Reciprocal Enforcement of Support Act (URESA), adoption, and miscellaneous matters. An additional 1.9 million juvenile cases were filed in state courts including juvenile delinquency, truancy, and abuse and neglect.²

While the sheer numbers of these cases are a problem in themselves, additional problems exist at the state level. For one, although courts are becoming computerized, different districts or jurisdictions are not necessarily able to take advantage of the technology to share information and cross reference cases. In some states, domestic relations, substance abuse, and juvenile matters involving the same family are heard in different courts by different judges. Family members must attend numerous hearings in different locations. Conflicting court orders sometimes arise and incomplete information impedes informed decision-making.

These problems do not exist because of incompetent judges or disorganized courts. The problems lie, in part, with the way in which many courts were originally organized and how the role of the courts has expanded to include services. In addition, the issues families face today have grown in size and become more complex. Small budgets designated for the courts also create problems.

Key issues involving children, families, marriages, and other relationships often end up as a proliferation of cases and controversies in our justice system. Families are often frustrated and hurt by the bewildering array of courts and social service agencies that are typically involved in family matters. Services are fragmented: the same family may have case workers from a child welfare agency, a school, a juvenile delinquency program, and have a domestic violence advocate. Lack of communication between courts and social service agencies results in unnecessary delay, duplication, and contradictory rulings and recommendations.

As a result of growing judicial and community awareness of problems encountered in family court cases, many jurisdictions are reforming their juvenile and family justice systems so their judges can focus in more depth on the adjudication of the legal problems of families and children, provide help and accountability, and address the social, health, economic, and other needs of the families.

UNIFIED FAMILY COURTS

Some jurisdictions have been addressing these serious problems by restructuring and realigning their various justice systems which deal with families into a unified family court. A unified family court combines all the essential elements of traditional family and juvenile courts into one entity and contains other resources, such as social services, critical to the resolution of a family's problems. It is a comprehensive court with jurisdiction over all family-related legal matters. The structure of a unified family court promotes the resolution of family disputes in a fair, comprehensive, and expeditious way. It allows the court to address the family and its long-term needs as well as the problems of the individual litigant. Through its insistence on collaboration among court staffs and units, its "team approach," and its outreach to social service providers and local volunteers, a unified family court can provide the highest quality of service to its clients and its community.

No one system can serve as a paradigm for states or localities looking to create a unified family court system. The development of a unified family court is an ongoing process, adapting to meet the individualized needs of clients and concerns of public safety. In addition, the needs of a state or locality vary - some components of unified family courts may not be practical or possible in a given jurisdiction. Total reconfiguration of existing systems is also expensive and time-consuming.

While it is neither possible nor appropriate to offer a definitive model of a unified family court, there are various characteristics which are generally recognized as integral to a unified family court. (It is not necessary to adopt all characteristics and additional components may be added to meet the localized needs and judicial traditions of each court.) Five most frequently discussed characteristics include: jurisdiction, case management, judges, court-related services, and the use of technology.

Jurisdiction

The jurisdiction of a unified family court encompasses matrimonial, domestic violence, juvenile delinquency, substance abuse, child protection, and family crisis cases. Matrimonial issues include divorce, equitable distribution, separation and annulment, custody, visitation, child support, and alimony. Domestic violence cases include issuance of temporary and civil and criminal protective orders and contempt proceedings for violations of those orders. Child protection cases include abuse and neglect, foster care, termination of parental rights, and adoption proceedings. Family crisis cases include juvenile status cases, delinquency proceedings, truancy, runaway, and unmanageable children.

Case Management

A unified family court should facilitate the coordination and management of the various adjunct agencies which provide services to children and families. This improved coordination and management should help make relevant information for decision-making more accessible. In addition, it should encourage the numerous disciplines that work with children and families in the legal system to work together.

Often, such coordination is accomplished through the creation of a family court organizational structure that administers the family court under the supervision of a family court administrator. This administrator is responsible for coordinating all internal court management activities and for serving as liaison to those agencies providing case-related services.

Judges

A unified family court has a "one judge, one family" system. In other words, a

family is assigned one judge and one social services team to remain with that family during its entire relationship with the court. For some states or localities, the “one judge, one family” model is not practical; in those jurisdictions, judges handling some aspects of a family’s litigation are made aware of all pending matters in the courts that involve all family members.

There is considerable emphasis on training and continuing education of unified family court judges. In addition, while most jurisdictions rotate their judges, it is often recommended that judges in unified family courts should remain there long enough to allow them to become knowledgeable about the laws and issues in question and become sensitized to the problems and crises of families in court.

Court-Related Services

The unified family court should employ a coordinator of services, to oversee the provision of substance abuse counseling; alternative dispute resolution where appropriate; social services liaison to community agencies; guardianship and conservatorship services; restitution and probation; volunteer services; community outreach programs; and enforcement of family support. In addition, the office of the family court administrator can serve as liaison to agencies that provide other services such as individual and group counseling, mediation, forensic psychiatric and crisis intervention services.

Community outreach programs should also be an integral part of unified family courts, because they offer numerous benefits, including educating the public on the workings of the court, facilitating prevention programs (parenting classes, sexual abuse, alcohol and drug addiction), strengthening the relationship between families in court and their communities, and assisting in the delivery of other court services.

Use of Technology

Unified family courts emphasize the use of modern technology and computerization. While not a prerequisite to starting a unified family court, the installation of a uniform shared record keeping system that is family-based and easily accessible to judges and staff is essential. Automated case tracking enhances the capability of court staff to track family court cases and produce statistical reports which monitor the status of each case in the unified family court. At the same time, access to information which has been automated will continue to be governed by constitutional provisions, statutes, court rule, directives, and policies.

This Publication

This publication provides a brief description of unified family courts throughout the country. It is designed for states and localities as well as individual attorneys and bar leaders who are learning about unified family courts for the first time and want to know what currently exists. It is also designed for those in jurisdictions with established unified family courts who want to continue to improve their current systems by learning from others.

The unified family courts described herein may have some or all of the above described characteristics and may include additional components. As stated above, there is no one paradigm of a unified family court.

The American Bar Association gathered information for this publication from state officials and experts in the field. Contacts for each locality or state have been included. The survey covers all jurisdictions that may be considered as having some form of unified family court. Results are listed alphabetically by

state, whether the court be statewide or local. The courts included in this publication are those we were aware of at the time of printing; several additional states and localities are exploring the possibility of unified family courts and additional courts may exist of which we were unaware. If you know of such courts please write or call the ABA Standing Committee on Substance Abuse, 740 15th St., N.W., Washington, D.C. 20005, (202) 662-1785.

Nothing in this publication is intended to suggest that states not included here are not addressing and resolving family problems expediently and efficiently. This publication highlights states or localities which have adopted a unified family court system in the hope that their experiences can contribute to national, state, and local dialogues about how to improve the justice system for families.

1 American Bar Association, *An Agenda for Justice: ABA Perspective on Criminal and Civil Justice Issues* 5 (1996) (citing Brian J. Ostrom & Neal B. Kauder, National Center for State Courts, *Examining the Work of State Courts, 1994: A National Perspective from the Court Statistics Project* 12 (1996)).

2 Id.

STATE-BY-STATE SURVEY OF FAMILY COURTS

CALIFORNIA

FORMAL NAME	Superior Court
DATE ESTABLISHED	1992
ESTABLISHING AUTHORITY	California Family Code
RULE-MAKING BODY	Judicial Council (with consistent local rules)
LOCATION	Partial: Santa Clara County has the only unified family court in California, where one judge oversees the operations of Family, Juvenile and Probate Courts.
JURISDICTION	Santa Clara County operates as any other Superior Court in California, except that one judge has supervision over all the divisions of Santa Clara County Superior Court that hear family issues. Superior Court has general jurisdiction, with organization determined locally by each court. Separate divisions exist for family (domestic), juvenile, and probate matters. Temporary restraining orders and domestic relations cases, including divorce, custody, child support, alimony, and paternity, are heard in Superior Court (Family). Termination of parental rights cases are heard in Superior Court (Juvenile), but can be heard in the Superior Court (Probate), as are medical-legal issues. Elder abuse, presently in Superior Court (Probate), will be moving to Superior Court (Family).
JUDICIAL OFFICERS	Judicial assignments are determined locally. Commissioners are available in every county and hear all types of cases. Special masters are used in some counties, and hear chronic cases involving families. There is some conflict over the authority of special masters, who are not attorneys, but psychologists.
CASE VOLUME	For Santa Clara, all case filings in Family, Juvenile and Probate for 1997 was 23,721. The number of dissolution filings statewide in the family court system for fiscal 1996-97 was 165,547.
CASE TRACKING	California currently utilizes several different computer systems, and this hampers the cross-referencing of cases. Judges generally are not aware of other pending cases involving the same parties. The state, however, plans to improve automation.

SOCIAL SERVICES DELIVERY

Judges can order parties to participate in mental health and substance abuse counseling. Diversion programs exist for juvenile delinquents and some counties have court liaisons to other social services, some of which are located in court facilities. Social service providers are very involved in juvenile and domestic violence cases.

The use of alternative dispute resolution is increasing in divorce and dependency cases. Mediation is mandatory for custody conflicts. About half of the fifty-eight counties have pre-divorce education programs for parents, and more counties are planning such programs.

Every county should have a family law facilitator to work with judges, social services, and pro se litigants. Some courts have self-help centers for pro se litigants and the state is developing instructional videos. There are domestic violence victim advocates.

NOTEWORTHY/UNIQUE CHARACTERISTICS

Some counties hold night court for family matters and there are staffed childcare facilities in some courthouses.

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DELAWARE

FORMAL NAME	Family Court
DATE ESTABLISHED	1971
ESTABLISHING AUTHORITY	Statute
RULE-MAKING BODY	Family Court Rules Committee recommends rules to the state Supreme Court, which has authority to implement or change rules.
LOCATION	Statewide
JURISDICTION	Delinquency, dependency, dissolution of marriage and related financial matters, right to education, parental notice of abortion, criminal jurisdiction for charges against parents relating to abuse or neglect of children and violations of protective orders, except in cases of murder, rape, or robbery.
JUDICIAL OFFICERS	There are thirteen judges, seven commissioners, and eight masters composing the Family Court system. Judges are appointed by the Governor and approved by the legislature for twelve year terms. Commissioners are appointed for four year terms, and hear delinquency misdemeanors, domestic violence, and issue civil protection orders; judgments are appealed to the Family Court judges. Masters are also appointed for four year terms, and hear cases involving status offenses or child support, and other civil cases.
CASE VOLUME	Roughly 58,000 cases were filed between July 1, 1996, and June 30, 1997.
CASE TRACKING	There is an automated tracking system (FAMIS) for civil records; the criminal system is scheduled to go online October 1, 1998.
PERFORMANCE	Standards exist for scheduling and processing. Delaware has adopted the Trial Court
MEASUREMENT/ STANDARDS	Performance Standards. In addition, evaluations are provided to be filled out by attorneys and judges.
SOCIAL SERVICES DELIVERY	Combination of in-court, out-of-court and privatized services. In-court services include a Juvenile Drug Court, and alternative dispute resolution in divorce, custody, and status offense cases. There are pre-divorce education programs for parents. The Children's Department has an office in the courthouse.
REFERENCE MATERIALS	<ol style="list-style-type: none">1. Del. Code Ann. tit. 10. § 921 (1997).2. Delaware Cares Program (Family Court of the State of Delaware).3. Delaware Family Court, The Family Court of the State of Delaware Annual Report: Fiscal Year 1990 (1991) available from the National Center for Juvenile Justice (reference code number SS0061).4. Mary Ann Herlihy and Susan F. Paiken, 12 sum del. law. 14 insert

(1994).

5. Jim Morales, "Reinventing Children's Rights" Delaware Lawyer, 12 sum del. Law. 14 (1994).

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DISTRICT OF COLUMBIA

FORMAL NAME	Superior Court of the District of Columbia
DATE ESTABLISHED	1971
ESTABLISHING AUTHORITY	Statute
RULE-MAKING BODY	District of Columbia Court of Appeals
LOCATION	There is only one court for the District of Columbia.
JURISDICTION	Superior Court has general jurisdiction over all matters. There is a unified domestic violence court, which hears both civil and criminal matters, a drug court, and a juvenile drug court.
JUDICIAL OFFICERS	Superior Court judges rotate through various assignments, including domestic violence, juvenile, and other family-related assignments.
CASE VOLUME	Unavailable
CASE TRACKING	At the present time, there is no coordinated case management system used in the District of Columbia.
SOCIAL SERVICES DELIVERY	There is alternative dispute resolution for divorce and custody disputes. The court is considering using mediation for status offenders and dependency cases. The court also offers pre-divorce education programs for parents, and diversion programs for juvenile delinquents. Some mediation, mentor, and substance abuse programs are located in the court house. The Juvenile Court has child-friendly waiting rooms and child care facilities. Social services are involved in about one quarter of family cases and are generally present at hearings.
NOTEWORTHY/UNIQUE CHARACTERISTICS	The American Bar Association is working with the District of Columbia on a unified family court pilot project. There have been recent innovations in divorce and pro se education. A juvenile drug court and automated case-tracking systems are being studied. There is a courthouse waiting room.
CONTACT	H. Edward Ricks Director of the Family Division Superior Court of the District of Columbia Room 4240 500 Indiana Avenue N.W. Washington, D.C. 20001 Phone: 202-879-1633 Fax: 202-737-0807

FLORIDA

FORMAL NAME	Family Division, Superior Court
DATE ESTABLISHED	1991
ESTABLISHING AUTHORITY	In 1991, the Supreme Court accepted the recommendations of the Commission on Family Courts and ordered each of the twenty judicial circuits to establish a Family Division where the current system was unable to coordinate related cases. Most circuits have since established Family Divisions, except in some rural areas.
RULE-MAKING BODY	Supreme Court
LOCATION	Statewide (some jurisdictions only have administrative coordination).
JURISDICTION	Dissolution, custody, visitation, property, URESA, name-change, paternity, adoption, domestic violence; dependency and delinquency are included for administrative purposes. The Family Divisions hear all domestic relations matters, adoption, and dependency cases. Some judicial circuits have specific domestic violence courts that hear intra-family violence cases. Drug courts are not part of the Family Divisions. Family Divisions do not hear delinquency cases. In some counties, Child Support Hearing Officers hear child support cases. In other courts, Masters hear all cases except paternity. Masters' decisions must be approved by the sitting judge. There is a one judge/one family goal and, in some rural areas, this goal is a de facto reality because there is only one judge.
JUDICIAL OFFICERS	Judges are appointed to the bench and then assigned to divisions by the Chief Judge. Some Chief Judges still assign new, inexperienced judges to the family court bench. Other Judges consider preferences when making assignments. The annual judicial college includes optional domestic violence and family education.
CASE VOLUME	There were 239,147 domestic relations cases (dissolution, child support, ERISA, domestic violence, repeat violence) and 167,081 juvenile cases filed statewide in 1997.
CASE TRACKING	The degree of court automation varies, but there is substantial computerization for domestic violence cases. There is no statewide database and several county-based systems may exist in a single circuit.
PERFORMANCE MEASUREMENT/STANDARDS	The Family Court Steering Committee is currently specifying model characteristics that must be implemented within two years in all counties.
SOCIAL SERVICES DELIVERY	Courts can order participation in mental health and substance abuse counseling, but there are problems with the limited availability of resources. Social service providers are very involved in domestic violence and dependency cases. The diversion programs for juvenile delinquents include teen courts, delinquency mediation, and arbitration. Alternative dispute resolution is available in almost all circuits for

divorce and custody cases. Mediation is currently available in nine circuits for dependency cases. Pre-divorce education is generally available, but is not mandatory statewide. In the more rural areas, pre-divorce education classes are not offered separately in every county.

Only one court has a staffed child care facility in the courthouse. The state Supreme Court has instituted a rule prohibiting parents from bringing children to court, unless the child's presence is required in a case. This rule may alleviate the need for child care centers in the courthouses.

Information available for pro se litigants varies by county. Forms are available on the internet and each circuit has a pro se coordinator. Domestic violence victim advocates are available. There are currently plans to create statewide standards for pro se services.

NOTEWORTHY/UNIQUE CHARACTERISTICS

In 1994, the legislature created the Family Courts Trust Fund to pay for the implementation of family court plans in all of the circuits. The trust's funds are generated by a surcharge on family court filing fees and marriage licenses. The more rural circuits have complained that they receive significantly less money per family.

REFERENCE MATERIALS

1. Fla. Stat. Ann. § 25.388 (1994).
2. Funding for Florida's Family Courts: A Comparison Between Rural and Urban Circuits (1996).
3. In re Report of the Commission on Family Courts, 588 So.2d 586 (1991); 633 S.2d 14 and 646 S.2d 178 (1994).

CONTACT

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GEORGIA

FORMAL NAME	Fulton County Family Court
DATE ESTABLISHED	July, 1998
ESTABLISHING AUTHORITY	Legislature in 1998, House Bill 1674
RULE-MAKING BODY	Family Court Committee
LOCATION	Partial (Fulton County Family Court Pilot Project)
JURISDICTION	The pilot program in Fulton County will handle divorce, terminations of parental rights, dependency, adoption, and both felony and misdemeanor domestic violence cases. On July 1, 1998, the Pilot Project will officially begin operation by assuming jurisdiction over all domestic relations issues already in the system, provided the existing case is associated with an ancillary, pending domestic relations or juvenile case. The Pilot Project will also take an as-yet-to-be-determined percentage of all new cases.
JUDICIAL OFFICERS	There are two judges in the Fulton County Pilot Project, and there will be two magistrates, specially assigned to each of the judges, in order to retain the "one team" concept.
CASE VOLUME	There were approximately civil 30,000 filings overall in Fulton County Superior Court in 1997, of which 15,000 were domestic.
CASE TRACKING	Criminal records are computerized, but there is no statewide automated system for civil records. The state has a contract with Georgia Tech University to develop a statewide database. Judges at this time are generally not aware of other cases involving the same family.
PERFORMANCE MEASUREMENT/ STANDARDS	Programs are being devised to evaluate the impact of the one family-one judge goal, training, case management, service delivery and substance abuse/family crisis intervention. Improved record-keeping and case management are among the goals of the project.
SOCIAL SERVICES DELIVERY	The court will provide counseling, mediation, and parental education. The court will rely on the work of victim advocates, child advocates, drug abuse counselors mental health counselors, mediators and negotiators, social workers, and other service providers. The court will also refer parties to protective housing when necessary and maintain a child care center. Because of the complex court structure in Atlanta, the unified family court pilot project will result in the consolidation in the unified family court of cases from several different courts with special, limited, exclusive, or concurrent jurisdiction over various types of family cases.
NOTEWORTHY/UNIQUE CHARACTERISTICS	The American Bar Association is working with Fulton County (Atlanta) on a unified family court pilot project. Cobb, Calapoosa, and Tipton Counties have small pilot programs to implement some unified family

court elements.

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HAWAII

FORMAL NAME	Family Court Division, Circuit Court
DATE ESTABLISHED	1965
ESTABLISHING AUTHORITY	Family Court Act of 1965
RULE-MAKING BODY	Family Court Law Committee proposes rules to the Supreme Court.
LOCATION	Statewide
JURISDICTION	Family Court has four divisions: the Juvenile Division handles delinquency, dependency, termination of parental rights, waivers to adult court, and detention; the Domestic Division hears divorce, paternity, and custody cases; the Criminal Division handles misdemeanors between family members; and the Special Division hears temporary restraining orders, medical-legal issues, adoption, adult abuse and miscellaneous matters.
JUDICIAL OFFICERS	There is a combination system of appointment and self-selection for entering the Family Court, with ten-year terms for Circuit Court judges. The court has general jurisdiction at the highest trial level. Annual training is provided for judges and special training is also available for administrative staff. Family court judges must also attend quarterly symposia. Per diem judges hear some cases.
CASE VOLUME	Approximately 50,000 filings were recorded in 1996.
CASE TRACKING	All juvenile records are computerized and cross-referenced on the "Justice System."
SOCIAL SERVICES DELIVERY	There is a combination of in-court, out-of-court and privatized services. Alternative dispute resolution is used in divorce and custody cases and is beginning to be used in dependency cases. "Kids First" is a pre-divorce education program for parents.
NOTEWORTHY/UNIQUE	Judges meet quarterly to discuss issues facing the Hawaii Family Court system. Directors of the Family
CHARACTERISTICS	Courts meet monthly.
REFERENCE MATERIALS	1. Haw. Rev. Stat. §§571-11 and 571-14. 2. The Honorable Michael A. Town, The Unified Family Court: Greater Justice for America's Families and Children, Presentation at the Fiftieth Annual Awards Luncheon of the Juvenile Justice Commission of San Diego (May 14, 1993).
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ILLINOIS

FORMAL NAME	Circuit Court Family Division
DATE ESTABLISHED	Cook County: 1996 DuPage County: 1997
ESTABLISHING AUTHORITY	Local Rule
RULE-MAKING BODY	Chief Judge of Circuit Court
LOCATION	Partial: Cook County (Markham and Bridgeview); DuPage County
JURISDICTION	Mental health, domestic relations, family law, adoption, juvenile, juvenile abuse and neglect, juvenile delinquency, and orders of protection.
JUDICIAL OFFICERS	One judge in each court is designated as the unified family court judge.
CASE VOLUME	Not yet determined.
CASE TRACKING	Not yet determined.
PERFORMANCE MEASUREMENT/ STANDARDS	Not yet determined.
SOCIAL SERVICES DELIVERY	<p>There is a combination of in-court, out-of-court and privatized services. In Cook County, a pilot mediation program exists. There are pre-divorce educational programs for parents. The courts can order mental health and substance abuse counseling and ADR in divorce cases. There is some diversion for delinquents. Individual courts may make referrals to other social services. Participation in court proceedings by social service providers varies.</p> <p>Some courts have child-friendly courtrooms. Markham provides a daycare center in the courthouse. There is currently a statute pending which would authorize charging a fee to pay for child care centers in DuPage and Lake Counties. Pro se information available in domestic relations cases is limited.</p>
NOTEWORTHY/UNIQUE CHARACTERISTICS	<p>The American Bar Association is working with Cook County (Markham) on a unified family court pilot project. That court, which is located in Chicago, is creating a unified family court pilot that will integrate existing social services. The court has already created a staffed child care center at the courthouse. Because this is a pilot, the court is not able to handle all relevant family and juvenile matters. However, it will use a screening system to determine which families need a more holistic approach.</p>
CONTACT	<p>Honorable Sheila Murphy Presiding Judge Circuit Court of Cook County 16501 S. Kedzie Parkway Markham, Illinois 60426 Phone: 708-210-4170 Fax: 708-210-4441</p> <p>Honorable Susan Snow Associate Judge</p>

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KENTUCKY

FORMAL NAME	Family District Court
DATE ESTABLISHED	1988, with the Jefferson County Pilot Project
ESTABLISHING AUTHORITY	<p>Any judicial district in Kentucky may seek approval to establish a family court pursuant to Kentucky Constitution Section 110. Each district can establish the court and related programs to serve the needs of the community.</p> <p>Funding for the Jefferson County District Court has been a normal part of the state budget for the last five years.</p>
RULE-MAKING BODY	Local Advisory committee consisting of practitioners, judges, and citizens proposes rules to the Supreme Court.
LOCATION	Partial: Jefferson, Pike and Boone Counties (operational in 1998); McCracken, Warren, Polanski, Rockcastle and Lincoln Counties (operational in 1999).
JURISDICTION	Domestic violence, child protection (including mental inquest, dependence and neglect), paternity/ERISA, status offenses, dissolution, adoption and termination of parental rights.
JUDICIAL OFFICERS	Circuit judges who will sit at the District Court level.
CASE VOLUME	There were 17,596 case filings in Family District Court in Jefferson County in fiscal year 1997.
CASE TRACKING	All cases are computerized on "CourtNet" a statewide system, but judges do not always have access. Generally, family judges are made aware of outstanding criminal charges against parties.
PERFORMANCE MEASUREMENT/ STANDARDS	Litigant evaluations are utilized.
SOCIAL SERVICES DELIVERY	There is some use of alternative dispute resolution in divorce and custody cases, though mediation is rarely used in dependency cases. There are pre-divorce education programs for parents, and judges will make recommendations for various types of counseling. There is limited contact between social service providers and judges. Night court for family cases is available in some areas. There are few, if any, pro se services.
NOTEWORTHY/UNIQUE CHARACTERISTICS	There is use of differentiated case management. Recognized as having superior court-agency relationships.
REFERENCE MATERIALS	<ol style="list-style-type: none">1. 1996 Ky. Rev. Stat. & R. Serv. 23A.010 (Baldwin).2. Jefferson County Court, Jefferson County Family Court Pilot Project Summary (1996).3. Planning for the Development of the Family Courts in the Commonwealth of Kentucky, final report (1998).

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MARYLAND

FORMAL NAME	Circuit Court, Family Division
DATE ESTABLISHED	1996 for Baltimore City; others 1998
ESTABLISHING AUTHORITY	Legislative Act; Maryland Rule of Procedure 16-204 (1998)
RULE-MAKING BODY	Individual Circuit Courts
LOCATION	Partial: Baltimore City. As of January, 1998, the Court of Appeals established four more jurisdictions 1) Anne Arundel County, 2) Prince George's County, 3) Montgomery County, and 4) Baltimore County.
JURISDICTION	<p>Domestic relations cases are handled by Circuit Court, which also hears juvenile matters except in Montgomery County. Presently, each of the five above-mentioned judicial districts is engaged in a court reform study in order to achieve uniformity in the rules, procedures and practice affecting family matters.</p> <p>Baltimore City's pilot project has been operational since September, 1996. The court hears divorce, adoption, terminations of parental rights, medical-legal issues, dependency, delinquency, status offenses, temporary restraining orders, and criminal non-support and desertion cases.</p>
JUDICIAL OFFICERS	Baltimore City has instituted a family division, and is attempting to coordinate cases, social service delivery, and assigning all cases generated by one family to one judge, as far as possible. In the other areas, masters hear the majority of cases, but judges do hear some contested cases, and there is no one judge/one family system. In Baltimore City, there are three judges and three masters in the Family Division. Rotation length varies by jurisdiction. There is no mandatory training for judges and masters hearing juvenile matters, but some experience is preferred.
CASE TRACKING	Automated case-tracking systems are being studied. Currently, cases are tracked manually. In Baltimore City, teams of judges and social workers meet to discuss ways to resolve the family issues that underlie the legal cases.
SOCIAL SERVICES DELIVERY	<p>"Differentiated case management" was mandated by legislation in 1994 and has been implemented in some jurisdictions. Cases are identified based on their complexity to help facilitate settlement and implement necessary interventions.</p> <p>Judges can order a variety of social services, as well as alternative dispute resolution, pre-divorce education programs for parents, substance abuse and mental health counseling, and diversion programs for delinquents. Services are handled by executive branch agencies. Social workers are generally available to the court, but not necessarily involved in the proceedings. In some areas, services are located in the same facility as the court. There are some child-friendly waiting rooms and courtrooms. Child care is available at some courthouses. Pro se services</p>

are generally not available and the availability of domestic violence victim advocates varies locally.

In Baltimore City, available services include alternative dispute resolution, pro se assistance, seminars for court personnel, and domestic violence victim advocates. Medical Services Offices will also provide psychological evaluations upon court order.

NOTEWORTHY/UNIQUE CHARACTERISTICS

The American Bar Association is working with Baltimore City on a unified family court pilot project.

REFERENCE MATERIALS

1. Maryland Rule of Procedure 16-204 (1998).
2. Barbara Babb, An Interdisciplinary Approach to Family Law Jurisprudence: Application of an Ecological and Therapeutic Perspective, 72 Indiana L. J. 775 (1997).
3. Barbara Babb, Fashioning an Interdisciplinary Framework for Court Reform in Family Law: A Blueprint to Construct a Unified Family Court, 72 Southern Cal. L. Rev. ____ (1998).

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MICHIGAN

FORMAL NAME	Family Division of Circuit Court
DATE ESTABLISHED	January 1, 1998
ESTABLISHING AUTHORITY	Michigan State Legislature
RULE-MAKING BODY	Michigan Supreme Court
LOCATION	Statewide
JURISDICTION	Divorce, custody, parenting-time, paternity, juvenile offenses, abuse and neglect, status of minors, personal protection orders, name-change, adoption, abortion consent waiver, and guardianships, conservatorships, and mentally ill proceedings only if ancillary to another proceeding in the family division.
JUDICIAL OFFICERS	Circuit and Probate judges are assigned to the family divisions.
CASE VOLUME	Undetermined as of yet.
CASE TRACKING	Information systems are to be developed by local circuits. There are statewide guidelines, but no mandated statewide systems at this time.
PERFORMANCE MEASUREMENT/STANDARDS	Administrative office will determine how evaluations will occur. In each circuit, evaluations should reflect that circuit's family division implementation plan.
SOCIAL SERVICES DELIVERY	Implementation plans are required to designate a central access point to provide customers with information concerning access to services.
NOTEWORTHY/UNIQUE CHARACTERISTICS	Because the court was established January 1, 1998, data is limited. First state to implement family court statewide in last three years.
REFERENCE MATERIALS	1. Michigan Public Act 388 (created family division) (1996). 2. Supreme Court Administrative Order 1997-1, along with attached Memorandum of State Court Administrative Office re Family Division Requirements and Guidelines for Implementation of Operation Plans (February 25, 1997).
CONTACT	John D. Ferry, Jr., Director, Office of the State Court Administrator William Newhouse Manager of Family Division Implementation Services 309 North Washington Square Lansing, Michigan 48909 Phone: 517-373-0130 Fax: 517-373-8922

MINNESOTA

FORMAL NAME	Ramsey County Combined Jurisdiction Pilot Project
DATE ESTABLISHED	1996
ESTABLISHING AUTHORITY	Legislative
RULE-MAKING BODY	Local Court Rule
LOCATION	Partial: Ramsey County (St. Paul)
JURISDICTION	Divorce, neglect and abuse, custody, some paternity, domestic abuse, and some child support. Other paternity and child support matters are heard by administrative law judges, per legislative reform. At the present time, juvenile matters are limited to neglect and abuse, and termination of parental rights.
JUDICIAL OFFICERS	Four judges and six referees serve two year rotations in the pilot project. Judicial officers do not sit full-time on the pilot project. Rather, these are the judicial officers to whom pilot project cases can be assigned.
CASE VOLUME	Thirty-six families with multiple, qualifying cases were identified in 1997.
CASE TRACKING	TCIS (Trial Court Information System) is in place.
PERFORMANCE MEASUREMENT/ STANDARDS	The pilot project is in the process of receiving bids for an evaluation program.
SOCIAL SERVICES DELIVERY	Services are provided by the county government. There is a social service advisory committee, but social services are not involved as much as they would be if delinquency matters were heard by the pilot project.
NOTEWORTHY/UNIQUE CHARACTERISTICS	The pilot project has a one judge-one family goal, which is the basis for identifying families rather than cases for the pilot project. The pilot project has been extended for two years in order to increase the involvement of social services at case intake and to identify more families who qualify for the pilot project.
REFERENCE MATERIALS	Protocols for case assignments, State Bar Association guidelines, and the initial proposal are available from Tama Hall.
CONTACT	Tama Hall Juvenile Court Manager for Ramsey County and Pilot Project Administrator 480 St. Peter St. Paul Minnesota 55102 Phone: 612-298-6980 Fax: 612-298-4703

MISSOURI

FORMAL NAME	Family Court Division of the Circuit Court
DATE ESTABLISHED	1993
AUTHORITY	<p>The Family Court Bill of 1993 was enacted to “encourage specialization within larger circuits.” Judges and staff handling dissolution and juvenile cases are to receive special training. Individual circuits may choose to establish a family court.</p> <p>St. Louis County Circuit Court Rules specify the jurisdiction of the Family Court Division in that county. Those judges hear cases delineated by state statute and also hear drug cases that involve families already in the family court system.</p>
RULE-MAKING BODY	Supreme Court
LOCATION	Partial: eight circuits
JURISDICTION	<p>The trial courts of general jurisdiction is the Circuit Courts, which consist of five divisions: Circuit, Juvenile, Associate, Probate and Municipal. Family Court Division is an optional division and is established in eight of Missouri’s forty-five judicial circuits. The remaining thirty-seven have Juvenile Divisions. In those counties without a Family Court Division, domestic relations, medical-legal issues, and temporary restraining orders are heard in Circuit Court. These matters, as well as termination of parental rights, status offenses, delinquency, and dependency, are heard in Family Court Division in those circuits that have established that division. The Family Court and Juvenile Court Divisions function at the highest trial level.</p>
JUDICIAL OFFICERS	<p>Family Court Divisions utilize commissioners, who must have the same qualifications as judges. Commissioners are appointed by the administrative judge and judges are elected in each county for six year terms, after which they receive their division assignments. In those areas with Family Court Divisions, judges serve a largely administrative role, but hear some cases. Cases are usually assigned by family, thus furthering a one judge/one family policy. Judges receive training on family issues at judicial colleges, under the Family Court Bill of 1993. Commissioners are required to take additional training on family issues.</p>
CASE VOLUME	<p>There were 99,623 domestic relations cases and 28,656 juvenile cases filed in fiscal year 1997.</p>
CASE TRACKING	<p>Some courts are completely automated. The state is creating a comprehensive case management system which is already in use in some pilot programs.</p>
PERFORMANCE MEASUREMENT/ STANDARDS	<p>The primary goal is to provide better service to families.</p>
SOCIAL SERVICES DELIVERY	<p>Generally, statewide, alternative dispute resolution is available for divorce, custody, and status offense cases. The courts utilize a pre-divorce education program for parents and can order mental health</p>

and substance abuse counseling. Social service providers have contact with judges through written reports, unless they are on staff at the court. A diversion program exists for delinquents. Some courts have child-friendly waiting rooms, courtrooms, and day care facilities. Courts in St. Louis hear family issues at night. There are pro se pamphlets and domestic violence victim advocates.

NOTEWORTHY/UNIQUE CHARACTERISTICS

The Division of Family Services (DFS) has created pilot projects in six jurisdictions providing a full-time liaison between the courts and DFS. This team approach has produced significant decreases in the number of children in out-of-home placement, and the number of re-placements needed. DFS savings are funneled back into the projects. Other pilot programs are being pursued. Court filing fees help pay for the services and operation of the court. Parenting education programs are available as is alternative dispute resolution, which is mandatory in Kansas City.

REFERENCE MATERIALS

1. Mo. Rev. Stat. §§487.080, 487.050.5.
2. Twenty-First Cir. R. 6.2.
3. Court Services Division, Office of State Courts Administrator, Family Support Efforts in the Justice System (October 1995).

CONTACT

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NEVADA

FORMAL NAME	Family Division of District Court
DATE ESTABLISHED	1991
ESTABLISHING AUTHORITY	Nevada is conducting an interim study of the Family Division following continued criticism of the Eighth Judicial District's handling of cases. The results of the study will be presented to the legislature, which could decide to dissolve the family divisions.
RULE-MAKING BODY	Committee of family division judges and attorneys propose rules to Supreme Court for approval.
LOCATION	Partial: Metropolitan Counties of Clark (Las Vegas) and Washoe (Reno)
JURISDICTION	Family Courts are authorized in counties with populations over 100,000. Family Courts have jurisdiction over delinquency, dependency, child support enforcement, domestic violence, child custody, adoption, and involuntary commitment. Currently, there are Family Courts in the Second and Eighth Judicial Districts. Elsewhere in Nevada, juvenile and family cases are heard in District Court. First offenses for domestic violence are heard in Municipal Court; repeat offenders go directly to District Court.
JUDICIAL OFFICERS	<p>Judges in the Family Courts hear divorce, termination of parental rights, and adoption cases. Court masters specialize in one area and hear primarily those types of cases. Areas of specialty include: domestic violence, child support enforcement, delinquency, or dependency. Masters' orders must be approved by presiding judges. In the Eighth Judicial Circuit there are fifteen judicial officers, eight judges and seven masters. Judges are elected for terms of six years. Statute mandates judges participate in judicial training.</p> <p>An effort is made to consolidate multiple pending cases and once a judge hears a case he or she will follow it until closure. All judges and referees must attend the National Judicial College and education programs at the National Council of Juvenile and Family Court Judges. Additional education is not mandatory, but is well-attended. Judges run for election to specific judicial seats. Should a seat becomes vacant mid-term, the Governor will appoint a judge to take that seat.</p>
CASE VOLUME	There were 34, 818 filings in the Eighth Judicial District in 1997.
CASE TRACKING	The state is about to begin an automation assessment. All judicial districts are computerized, but there is no cross-referencing between or within districts.
PERFORMANCE MEASUREMENT/ STANDARDS	The ABA Trial Court Performance Standards have been adopted.
SOCIAL SERVICES DELIVERY	In the Family Courts, alternative dispute resolution is used in all divorce cases and in some custody cases. The "Children Coping with Divorce" education program is mandatory for divorcing parents. There are also diversion programs for juvenile delinquents and the Family Division

Administrator has liaisons between the courts and social services. Social service providers are heavily involved in all dependency cases. In the Second Judicial District, there is a child care facility and the Eighth District will have one by 1999. Currently, there are no pro se services, but the courts are considering creating programs to meet the growing need. Domestic violence victim advocates are available.

NOTEWORTHY/UNIQUE CHARACTERISTICS

The Second and Eighth Judicial Districts run family drug courts and juvenile drug courts. The juvenile drug court is the first of its kind in the country, and hears cases of children with moderate to severe substance abuse problems. Juveniles are committed to the court for one year. Aftercare programs are available. The court masters meet with the juveniles in a weekly group sessions. There is also family and individual counseling. Urinalysis is conducted three times a week and the juveniles face immediate consequences for a violation. Initial observations suggest that juveniles are receiving the support necessary to overcome chemical dependence. The family drug court hears dependency reviews as well as criminal cases involving drug use.

REFERENCE MATERIALS

1. Family Division, 8th Judicial District of NV, Organization and Operations Analysis: Progress Report & Recommendations (April 1997).
2. Nev. Rev. Stat. § 3.223 (Supp. 1995).
3. Craig Boersema, Judicial Assessment Commission Reports Released, 3-Feb Nev. Law. 7 (1995).
4. James J. Jimmerson, Just Solutions: Suggestions for Justice System Improvements, 2-Aug Nev. Law. 10, 13 (1994).
5. Cathy Krolack, A Look at the Second Judicial District Court, 5-Mar Nev. Law. 21 (1997).

CONTACT

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NEW HAMPSHIRE

FORMAL NAME	Judicial Branch, Family Division
DATE ESTABLISHED	Operational as of July 1, 1996
ESTABLISHING AUTHORITY	Chapter 152 of the Laws of 1995
RULE-MAKING BODY	Rules Committee of the Supreme Court
LOCATION	Rockingham and Grafton Counties
JURISDICTION	Divorce, alimony, custody, child support, paternity, delinquency, dependency, domestic violence and protection orders (with concurrent jurisdiction in Superior, District and Municipal Courts), adoption and guardianship, termination of parental rights and all juvenile matters (including CHINS, abuse and neglect, and delinquency).
JUDICIAL OFFICERS	Judges selected from all levels of judiciary sit in the two Family Divisions, which operate at the highest trial court level. Judges initially make a two year commitment, after which they have the opportunity to remain in Family Division. Masters may hear marital cases, domestic violence, guardianship and dependency cases, but their orders must be approved by presiding judges.
CASE VOLUME	There were 9,000 cases (approximately) filed in the two Family Divisions in 1997.
CASE TRACKING	The Family Divisions are able to cross-reference records to identify other cases involving the same parties. A statewide computerization program is in progress.
PERFORMANCE MEASUREMENT/ STANDARDS	According to legislation, both the judiciary and the Family Issues in the Courts Study Committee are conducting evaluations of the pilot projects, to be completed by November, 1998.
SOCIAL SERVICES DELIVERY	There is increased utilization of alternative dispute resolution in the Family Divisions. Pro se litigants in divorce cases meet with case managers and must attend a mandatory program regarding the impact of divorce on children. Mediation is available for status offenders, and may be available in dependency cases. Judges can refer, but not order, parties to participate in mental health and substance abuse counseling. Domestic violence victim advocates are available.
NOTEWORTHY/UNIQUE CHARACTERISTICS	There is a one judge/one team-one family goal.
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NEW JERSEY

FORMAL NAME	Family Practice Division, Superior Court
DATE ESTABLISHED	January, 1984
ESTABLISHING AUTHORITY	Voters approved a constitutional amendment in the 1983 general election. State legislature jointly established the family court by legislation.
RULE-MAKING BODY	Supreme Court Family Practice Committee, composed of judges, lawyers and court managers, recommends rule changes to state Supreme Court which has final authority. Specific rules exist for family court practice.
LOCATION	Statewide
JURISDICTION	Divorce, custody, visitation, support, equitable distribution, alimony, UCCJA, URESA, UIFSA, domestic violence, juvenile delinquency, abuse and neglect, termination of parental rights, adoption, criminal non-support, criminal contempt in domestic violence, and family crisis intervention.
JUDICIAL OFFICERS	<p>There are 114 Superior Court judges and it is the highest trial court. Judges are nominated by Governor, confirmed by Legislature for initial seven year terms. Tenure hearings in the seventh year are conducted by the State Senate Judiciary Committee. The Committee recommends granting or not granting tenure to the Legislature, which votes as an entire body. Granting of tenure results in life service to age seventy.</p> <p>There is a three-year, non-mandatory, rotation. Judges can remain in family court if they choose.</p> <p>Mandatory judicial education held three times annually includes annual judicial college (three days), new family judge's school (two weeks), and family court retreat (two days). Special training provided through various federal and state grants.</p> <p>Hearing Officers (quasi-judicial officers, not required to be attorneys) are utilized frequently to hear Title IV-D child support (paternity) and applications for temporary domestic violence restraining orders. Orders are proposed and forwarded to a family court judge for review and approval.</p>
CASE VOLUME	There were 410,000 filings spanning the entire jurisdiction of the family court in court year 1997. Heaviest volume: Title IV-D child support (paternity); lowest volume: termination of parental rights.
CASE TRACKING	FACTS (Family Automated Case Tracking System) is in place statewide. Functionality includes automatic docketing and indexing of new cases, identification of persons and relationships, printing of pleadings, automated scheduling of court events, on-line inquiry and statistical management.

PERFORMANCE MEASUREMENT/ STANDARDS

Filing-to-disposition time goals are in place for several case types. Pilot programs require comprehensive evaluation before implementation as permanent programs. Staffing standards have been developed and published in report form, and are used as basis for staffing allocations. Occasional public hearings are conducted to determine litigant satisfaction.

SOCIAL SERVICES DELIVERY

Combination of in-court, out-of-court and privatized services. In-court services include mediation, parent education, crisis counseling and supervised visitation.

NOTEWORTHY/UNIQUE CHARACTERISTICS

1. 4,000 volunteers are used in the family court serving on Citizen Review Boards, Juvenile Conference Committees, Supervised Visitation Programs and Court Appointed Special Advocate (CASA) Programs.
2. Matrimonial Early Settlement Panels (MESPs) provide access to an expert panel of volunteer family law attorneys for divorcing parties attempting to settle property distribution issues by mediation.

REFERENCE MATERIALS

1. New Jersey Family Practice Division White Paper.
2. Family Practice Division Pathfinders Report.
3. Family Practice Division Staff Reference Manual.
4. Family Practice Division Staffing Ratios Report.

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NEW YORK

FORMAL NAME	Family Court
DATE ESTABLISHED	1962
ESTABLISHING AUTHORITY	Constitutional Amendment
RULE-MAKING BODY	Court of Appeals
LOCATION	Statewide
JURISDICTION	Family Court is a court of special jurisdiction, established in each county and in the city of New York. It has jurisdiction over child protection, family offenses, custody, paternity, delinquency, dependency, status offenses, paternity, adoption, child support, elder abuse, and domestic violence. Criminal charges against spousal abusers are handled in criminal court, but sometimes criminal charges against abusive parents are heard in Family Court. Surrogate's Court has jurisdiction over guardianships.
JUDICIAL OFFICERS	The judges are elected in all counties but appointed by the mayor in New York City. All judicial terms are for ten years. Court attorney referees who are hired by Family Court hear any type of case if the parties consent to accept the final decision. Hearing examiners, which hear support matters only, are appointed by administrative judges. Family Court has original jurisdiction at the second highest trial court level. Judges rotate through different assignment parts daily (i.e., they hear specific calendars, such as delinquency, on a daily basis). There is a required three-day judicial seminar for on-going judicial education which includes family issues.
CASE VOLUME	There were 650,000 filings in the Family Courts of New York state in 1996.
CASE TRACKING	There is one computer system for the five counties of New York City. Outside New York City, there is no statewide system and often different systems operate within the same county. Domestic violence records are available online statewide.
PERFORMANCE MEASUREMENT/ STANDARDS	Family Courts have established goals and standards.
SOCIAL SERVICES DELIVERY	<p>Alternative dispute resolution is organized by city or county agencies, or on a voluntary basis. Mediation is used in many jurisdictions for custody matters not involving domestic violence. Court-attorney referees also help with arbitration. The courts can order mental health and substance abuse counseling. There are also liaisons to other social services. Social service providers are directly involved in court proceedings and have frequent contact with judges.</p> <p>The state has begun building Children's Centers in courthouses. Volunteers and staff try to help children sort out their feelings about court proceedings. The children are fed and volunteers attempt to evaluate what services are needed and then make recommendations to</p>

parents or other care givers. The program has expanded to provide information and referrals to WIC, Head Start, and Lifeline (which connects phone service for people qualified to receive WIC).

Currently there are pro se pamphlets available and computer kiosks. Domestic violence victim advocates are provided by city agencies.

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OHIO

FORMAL NAME	Family Court
DATE ESTABLISHED	1968
ESTABLISHING AUTHORITY	Modern Courts Amendment to Constitution
RULE-MAKING BODY	Supreme Court
LOCATION	Partial
JURISDICTION	<p>The Court of Common Pleas has exclusive jurisdiction over domestic relations, probate, and juvenile matters.</p> <p>In the eighty-eight counties of Ohio, there are eight Family Courts and some Juvenile Courts, which function at the highest trial level but are a division of the Court of Common Pleas. Family Courts hear domestic relations matters, juvenile cases including juvenile drug cases, temporary restraining orders, and intra-family violence misdemeanors. In those counties without Family or Juvenile Courts, the Court of Common Pleas has jurisdiction, except that medical-legal issues, dependency, delinquency, adoption, status offenses, and termination of parental rights are heard in Probate Court.</p>
JUDICIAL OFFICERS	Judges and magistrates hear all types of cases, but magistrates' orders must be approved by presiding judges. There is no one judge/one family policy, but this is a de facto reality in some areas. Judges and magistrates are required to attend judicial college, but this does not necessarily include programs relevant to family issues. Judges are elected locally to the family seat for six-year terms. Magistrates are appointed by the Family or Juvenile Court judge for a term set by that judge.
CASE VOLUME	Approximately 300,000 juvenile filings, 80,000 domestic relations, and 100,000 probate filings in Ohio in 1996.
CASE TRACKING	Computerization is lacking at this point, but there are six pilot sites for the Juvenile Data Network and plans to extend the network statewide within three years. The network includes court records of juvenile and family cases.
PERFORMANCE MEASUREMENT/ STANDARDS	Processing goals ranging from one year to thirty-six months, depending on the type of case filing, have been established.
SOCIAL SERVICES DELIVERY	There is some use of alternative dispute resolution, and there are pre-divorce education programs for parents. Most courts can order mental health and substance abuse counseling. The involvement of social service providers in court proceedings varies by county and the type of case. There are some diversion programs for juvenile delinquents. Courts can order parents to apply for WIC or Head Start. There are few child-friendly courtrooms and waiting rooms, and few child care facilities located within the courthouse. Pro se litigants have access to pamphlets and some counties offer classes for pro se litigants. There are domestic violence victim advocates.

NOTEWORTHY/UNIQUE CHARACTERISTICS

The Juvenile Court in Cincinnati was the first unified family court in the United States. It is no longer functioning as a unified family court, though in dependency cases, there is a single judge/magistrate team for each family. It hears delinquency, juvenile status and traffic offenses, dependency, criminal neglect and abuse, paternity, child support contempt and enforcement, and termination of parental rights. Probation, work-detail, and substance abuse and juvenile facilities are available in that court. Two elected judges, serving six-year terms, hear the commitment proceedings for juveniles and any adult cases with jail time. Twenty magistrates hear the bulk of the cases.

Toledo and Cleveland are considering the unified family court model.

REFERENCE MATERIALS

1. Ohio Const. art. 4, sections 4.

CONTACT

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OREGON

FORMAL NAME	All family courts are part of the Circuit Court. The formal name varies by circuit, e.g., Family Law Department of the Circuit Court for Multnomah County.
DATE ESTABLISHED	Varies by county
ESTABLISHING AUTHORITY	Legislation enables individual counties to apply for permission to establish family divisions within the Circuit Court. Although an attempt was made to pass a statewide Family Court Act, resistance within the court system has thwarted the establishment of a statewide unified family court.
RULE-MAKING BODY	Varies, but usually by court rule.
LOCATION	Partial: Multnomah, Marion, Josephine, Jackson and Deschutes Counties have established some form of family court.
JURISDICTION	<p>Where family courts exist, they are part of the Circuit Court, which has exclusive jurisdiction over domestic relations, adoptions, mental health, and juvenile matters.</p> <p>Multnomah County, the most populous county in Oregon, has a combined family court that hears domestic relations, dependency, delinquency, probate, and some non-felony intra-family criminal cases. Mediation is required of all custody and visitation disputes unless family violence is an issue. Juveniles go through intake screening with immediate referral to social services. The judges' calendars are divided into juvenile, domestic relations, and probate. Juvenile cases are heard at a separate court facility, which also houses detention and some social services. The computer system provides a list of related cases for the six judges and four referees. Once a judge has heard a case, later related cases will be assigned to that judge. There are no specific educational requirements for family court judges.</p>
JUDICIAL OFFICERS	Varies by county. For example, Multnomah County employs seven judges and five referees. Referees in Multnomah and Deschutes Counties hear juvenile cases, but cannot hear termination of parental rights matters. Marion and Jackson Counties are moving away from their referee systems. Oregon espouses the one judge/one family goal. Judicial orientation includes three hours of juvenile and family related instruction. Judicial rotations last two to three years.
CASE VOLUME	Unavailable.
CASE TRACKING	There is statewide computerization, which provides for some degree of cross-referencing.
SOCIAL SERVICES DELIVERY	<p>In general, the judicial branch is not a service delivery agency. Services fall under the executive branch, or are privatized.</p> <p>Alternative dispute resolution is available for divorce and custody cases, and there are pre-divorce education programs for parents in some</p>

counties. The court can order substance abuse and mental health counseling. The involvement of social service providers in court proceedings varies by county. There are diversion programs for delinquents. Multnomah and Marion Counties provides child-friendly waiting rooms or courtrooms. Domestic violence victim advocates are available only as private volunteers. Pro se services vary by county.

In Josephine County, the new family court and juvenile justice building provides juvenile detention space, probation and parole monitoring, as well as parental education programs and mediation for divorce cases. One judge has jurisdiction over domestic relations, juvenile, and adult criminal cases involving intra-family violence.

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PENNSYLVANIA

FORMAL NAME	In Philadelphia County: the Family Court Division of the Court of Common Pleas; in Allegheny County: the Family Division of the Court of Common Pleas
DATE ESTABLISHED	1968 in Philadelphia and Allegheny Counties
ESTABLISHING AUTHORITY	Constitution of 1968, then codified in Pennsylvania Consolidated Statutes, Title 42, Section 951
RULE MAKING BODY	Court of Common Pleas
LOCATION	Partial: Philadelphia and Allegheny Counties. Otherwise, family cases are handled by the judges of the Courts of Common Pleas.
JURISDICTION	<p>The court of general jurisdiction is the Courts of Common Pleas, which has original jurisdiction over all civil matters and exclusive jurisdiction over juvenile matters.</p> <p>The Family Court Division of the Courts of Common Pleas in Philadelphia County and Allegheny County hears domestic violence, divorce, delinquency, dependency, status offenders, paternity, and adoption. Allegheny County uses the one judge/one family rule for divorce and custody cases. Allegheny County also has Thursday night court for family issues.</p>
JUDICIAL OFFICERS	<p>In Philadelphia County, there are nine juvenile judges, eleven domestic relations judges and one administrative judge. In Allegheny County, there are three juvenile judges, four adult judges, and one administrative judge.</p> <p>Masters hear divorce cases, but not custody or domestic violence cases. Hearing officers handle support matters. The availability of both masters and hearing officers varies by county. Continuing education on juvenile and family issues is optional. The local administrative judge generally determines rotation or case assignments.</p>
CASE VOLUME	In 1996, there were 333,609 case filings.
CASE TRACKING	Computerization is statewide, but the degree of computerization varies. The child support system should be on-line at this time. The state is also working on a statewide domestic violence registry.
SOCIAL SERVICES DELIVERY	Currently, mediation is available only in certain areas and only in custody disputes. It is not available in divorce cases. Pre-divorce education is often mandatory in the counties where mediation is used, but is not available everywhere. Generally, the courts can order parties to participate in mental health and substance abuse counseling. The courts also provide diversion programs for delinquents. Social services are not located in the same facilities as the courts, but social service workers tend to be very involved in cases. Most courts have on-site child care centers staffed with volunteers. Magistrates are available at night for emergency temporary restraining orders. Pro se services vary by county,

but pamphlets are generally available, as are domestic violence victim advocates.

NOTEWORTHY/UNIQUE CHARACTERISTICS

The state bar association sponsored a discussion on unified family courts at a conference in March, 1996. In May, 1997, the Bar Association's Commission on Women in the Profession held a conference entitled "Fractured Families, Fragmented Courts." This conference further explored unified family courts.

REFERENCE MATERIALS

1. Penn. Judiciary Sched. Art. 5 § 16.
2. Piccone, Arthur L., At the End of the Road, 18-Jun Pa. Law. 2 (1996).
3. Sally Kalson, The One Judge/One Family Rule, pittsburgh post-gazette (June 1, 1997).
4. Sherri Kimmel, Making the Case for Unified Family Court, 19-Apr Pa. Law. 26 (1996).

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PUERTO RICO

FORMAL NAME	Unified Juvenile and Family Court
DATE ESTABLISHED	Fall of 1997; operational March 1, 1998
ESTABLISHING AUTHORITY	Court rule
RULE-MAKING BODY	Court rule
LOCATION	Partial: Abonito, Arecibo and San Juan
JURISDICTION	As part of an administrative initiative of the Chief Justice, the jurisdiction over domestic and juvenile matters has been placed in one judge of the Superior Division of the Court of First Instance. Previously, domestic and juvenile matters could not be heard by the same judge.
JUDICIAL OFFICERS	The judges of the unified family court are generally-appointed Superior Division judges assigned to hear family court matters. These "family" judges are assigned to work within a particular area under the supervision of the presiding Superior Division judge for their region.
SOCIAL SERVICES DELIVERY	The unified family court will attempt to integrate existing social services into the court system in a more coordinated and effective manner. There are plans to modify courtrooms and waiting rooms in order to make them more child and family friendly.
REFERENCE MATERIALS	1. Stephen J. Cribari, Secrecy, Confidentiality and the Problem of Recusal in the Unified Family Court, presented at Foro Especial de Asuntos de Familia y Menores, in Puerto Rico, September 25, 1997.
NOTEWORTHY/UNIQUE CHARACTERISTICS	The American Bar Association has been working with Puerto Rico on a unified family court pilot project.
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RHODE ISLAND

FORMAL NAME	State of Rhode Island Family Court
DATE ESTABLISHED	1961
ESTABLISHING AUTHORITY	The Act Creating a Family Court, General Law 8-10-3 (1960)
RULE-MAKING BODY	Enacted by the Family Court, then adopted by the Supreme Court.
LOCATION	Statewide; main courthouse at Garrahy Judicial Complex, Providence.
JURISDICTION	Domestic relations, nonsupport, paternity, adult crimes against juveniles, juvenile delinquency, dependency, mental health, traffic matters, marriage, post-dissolution support, custody, adoption, criminal neglect, temporary protection orders related to domestic violence, and all civil matters related to the enforcement of laws regulating child-placement agencies and child care facilities. Family Court Judges do not have jurisdiction over criminal contempt cases involving violations of their own orders.
JUDICIAL OFFICERS	There is one Chief Judge, eleven Associate Justices, one General Master and three Masters.
CASE VOLUME	There are approximately 20,000 to 25,000 filings per year in the Family Court.
CASE TRACKING	All court records are computerized and can be cross-referenced.
SOCIAL SERVICES DELIVERY	<p>Child Protective Services and Court Appointed Special Advocates (CASA) have been in place since 1978.</p> <p>The court offers alternative dispute resolution for divorce and custody cases. Currently, pre-divorce education programs are provided by private organizations, but there are plans to make this a mandatory program.</p> <p>Social services are provided within the court system, and the court makes referrals to substance abuse and mental health agencies. Social service providers are generally involved in court proceedings. There is a diversion program for delinquents. The Department of Health gives referrals to WIC and Head Start. Domestic violence victim advocates are available.</p>
NOTEWORTHY/UNIQUE CHARACTERISTICS	A Child Protection Case Management/Mediation program will begin in Providence County when funding is secured. A Juvenile Justice Task Force will likely suggest changes in the handling of juvenile delinquency cases.
REFERENCE MATERIALS	1. R.I. GEN. LAWS Sec. 8-10-3 (1996).
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SOUTH CAROLINA

FORMAL NAME Family Court

DATE ESTABLISHED 1977

ESTABLISHING AUTHORITY The legislature combined all single county and multi-county family courts, juvenile courts, and domestic relations courts into one family court system.

RULE-MAKING BODY Supreme Court

LOCATION Statewide

JURISDICTION The Family Court has exclusive jurisdiction over domestic and juvenile matters including marriage, divorce, legal separation, custody, visitation rights, termination of parental rights, adoption, support, alimony, division of marital property and change of name. It also has exclusive jurisdiction over minors under the age of seventeen alleged to have violated state or municipal ordinances.

JUDICIAL OFFICERS Judges apply for Family Court and are then screened by the judicial screening committee before being appointed by the legislature for five year terms. Judges have mandatory continuing legal education requirements relating to family issues and there is a mentoring program for new judges. There is no one judge/one family policy and judges are rotated between counties every few weeks or months to avoid excessive ex parte communication with attorneys.

CASE VOLUME In 1996, there were 95,068 filings in the Family Court system.

CASE TRACKING Court records are not computerized and judges are unaware of other cases involving the same family unless informed by counsel.

PERFORMANCE MEASUREMENT/ STANDARDS Family Courts attempt to dispose of 80% of all cases within 270 days.

SOCIAL SERVICES DELIVERY Mediation is used to resolve custody and division of property disputes. Currently, alternative dispute resolution is used on a limited basis in status offense cases. Pre-divorce education programs for parents are not standard, but are available in some areas. There is a diversion program for juvenile delinquents. The court can order both mental health and substance abuse counseling. Few services are located in the courthouse. Guardians ad litem are appointed in all protective services cases and the Department of Social Services generally makes recommendations in court. There are plans for clinics for pro se litigants. At this time, the only pro se service available through the courts are domestic violence victim advocates.

REFERENCE MATERIALS 1. S.C. Code Ann. § 14-2-10 (Law. Co-op. 1996).

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VERMONT

FORMAL NAME	Family Court
DATE ESTABLISHED	1990
ESTABLISHING AUTHORITY	Statute
RULE-MAKING BODY	Supreme Court
LOCATION	Statewide
JURISDICTION	Family Court has exclusive jurisdiction over paternity, interstate support, marriage dissolution, support/custody, domestic violence, miscellaneous domestic relations, mental health, and exclusive jurisdiction over juvenile matters. Jurisdiction also includes divorce, custody, support proceedings, delinquency and dependency, some medical-legal cases, and emergency protection orders. Family Court has begun hearing adoption cases, but Probate Court retains jurisdiction as well. Criminal charges against spouse or child abusers are heard in District Court.
JUDICIAL OFFICERS	Judges are assigned to the Family Court bench by the administrative judge. Rotations range from six months to two years. A Family Court may consist of one judge on a one-year rotation aided by a magistrate, who can only hear support cases. Visitation masters are available in some counties. In all, there are eighteen judges and five full-time magistrates in the Family Court system. There is a one judge/one family goal, which is a de facto reality in some areas where there is only one judge.
CASE VOLUME	There were 22,250 Family Court filings recorded between July 1, 1996, and June 30, 1997.
CASE TRACKING	There is a statewide computer system. Cross-referencing is possible within counties and the state is working to make this system available statewide.
PERFORMANCE MEASUREMENT/ STANDARDS	The Vermont Family Court system is constantly striving to become more child friendly.
SOCIAL SERVICES DELIVERY	Mediation for divorcing partners must be ordered by the court or recommended by case management personnel. Alternative dispute resolution is available for divorce cases and some pre-divorce education programs for parents are available. There are diversion programs for delinquents. Courtrooms being built now are more child-friendly, and some courthouses have staffed child care facilities. Night court is available in emergency situations. Social service agencies appear in court in connection with proceedings involving children. There are instructional classes for pro se litigants, as well as pamphlets and computer programs, but availability varies by county. Domestic violence victim advocates are available in every county.
NOTEWORTHY/UNIQUE CHARACTERISTICS	Task forces are used to evaluate and improve services.

REFERENCE MATERIALS 1. Vt. Stat. Ann. Tit. 3 §454 (1996).

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VIRGINIA

PILOT PROJECT Ten unified family court pilot projects were established in 1990-91. These projects were evaluated and, in 1993, the state legislature established a structural and procedural framework for the statewide restructuring of Domestic Relations and Juvenile Courts. The Juvenile and Domestic Relations District Court (a court not-of-record) would gain jurisdiction over divorce and adoption and become a court of record (similar to Circuit Courts). Funding for this restructuring was allocated in 1994, but was not pursued in 1995 or 1996. Unless there is renewed funding before June 1, 1998, the legislation authorizing the restructuring will expire.

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WASHINGTON

FORMAL NAME	King County Superior Court Unified Family Court Project
DATE ESTABLISHED	Established 1995, opened September, 1997
ESTABLISHING AUTHORITY	Local rule
RULE-MAKING BODY	Local rules committee
LOCATION	Partial: King County Regional Justice Center
JURISDICTION	Dissolution, divorce, paternity, dependency, and juvenile offenders.
JUDICIAL OFFICERS	One judge and three Commissioners are devoted to unified family court matters, whose decisions are subject to judicial review or appeal. There are on-going training requirements. King County has formally adopted the one judge/one family goal.
CASE VOLUME	Not yet available.
CASE TRACKING	All jurisdictions are computerized on a statewide system. Programs to facilitate intra- and inter-county cross-referencing are being developed.
PERFORMANCE MEASUREMENT/STANDARDS	Evaluation is by an independent evaluator, who is presently developing measures to gauge success.
SOCIAL SERVICES DELIVERY	The court is located in the new King County Regional Justice Center, which is designed to accommodate a functioning unified family court. Implementation teams have helped establish a pro se information center, a sophisticated case-tracking system, alternative dispute resolution programs, a staffed child care center and a continuing education program for judges and staff. A specific Unified Family Court Case Manager monitors case progress and acts as liaison between judges, staff, families, and social service providers.
NOTEWORTHY/UNIQUE CHARACTERISTICS	The American Bar Association is working with King County on a unified family court pilot project. Thurston County is also pursuing the establishment of a unified family court. Ground breaking for a new courthouse took place in 1996. Four subcommittees are developing programming. Because the project is short of funds, it has been difficult to adequately staff the project. Thurston County promotes the one judge/one family goal, but judicial rotation remains an issue.
REFERENCE MATERIALS	1. Wash. Rev. Code Ann. § 26.12.190 (West 1996).
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