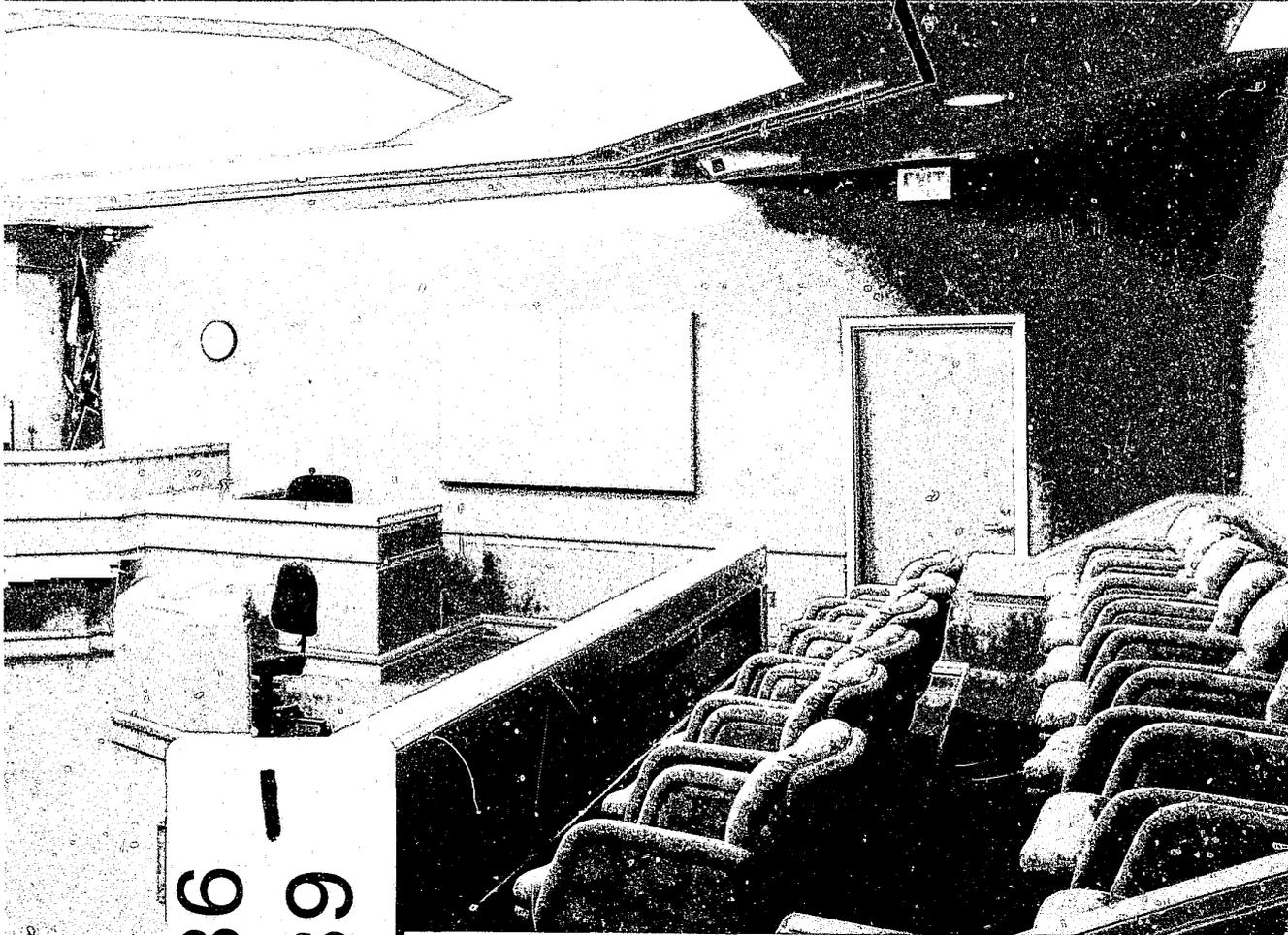


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The *State Court Journal* welcomes and encourages the submission of articles dealing with all aspects of court operation, organization, or administration. Articles should be no longer than 25 double-spaced pages (excluding notes and any tables, charts, or figures). Please place all notes, citations, or references at the end of the article. Articles will be reviewed by members of the editorial committee, who will decide whether the article will be published. All rights are reserved to edit, condense, or reject any material submitted for publication. Submit articles to Managing Editor, *State Court Journal*, National Center for State Courts, P.O. Box 8798, Williamsburg, Va., 23187-8798, or call (804) 259-1840 for more information.

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Courts and Families: A Time of Change

H. Ted Rubin and Victor E. Flango



Joseph Hirsch (1910-1981), *PASSENGERS*, 1980, oil on canvas 66" x 34", West Art and the Law 1984, copyright 1984 West Publishing Company, Eagan, Minnesota.

An Illinois trial court administrator calls to ask about family courts. The new chief judge transfers intra-family misdemeanors to a family court division along with juvenile and domestic relations matters. "What's been the experience of other states with this?" he asks.

- A Missouri juvenile court administrator phones to talk about what might be involved if a family court division is created in his county. Legislative interest is the spark there.
- A planning official in the Rhode Island state court office inquires about improving the coordination of abuse and neglect cases. Judges are interested in coordinating information about other cases involving these families.
- In Nevada, the vote of the people, followed by legislation, launched family court divisions in the state's two most populous counties in Janu-

EDITOR'S NOTE: *This article was developed based upon information gathered under a grant from the State Justice Institute (SJI-90-06E-B-063). For a full report on this project, see H. Ted Rubin and Victor E. Flango, Court Coordination of Family Cases (Williamsburg, Va.: National Center for State Courts, 1992). Points of view and opinions expressed here do not necessarily represent the views or policies of the grantor or grantee. The authors would like express their appreciation to a number of people at each site who contributed to this effort; to the National Center for Juvenile Justice, who did the Utah site visit; and to Carol Flango and Pam Petrakis, who edited this manuscript.*

ary 1993. A court official wants information about family courts in other states and help in thinking through the operations of the new court.

- The chief justice of Maine notes in his 1992 state of the judiciary address that the state legislature has authorized a family court pilot project in Cumberland County that involves coordination of cases involving children and families in upper and lower courts.
- The Supreme Court of Florida requires all trial courts to develop family divisions that include divorce; custody, support, and visitation separate from divorce; domestic violence protection orders; and adoptions, but allows local jurisdictions to decide whether to integrate traditional juvenile court matters of delinquency and abuse into the new family divisions.
- The Judicial Council of Virginia asks for help in evaluating experimental family courts authorized by the legislature for a two-year period.
- California establishes two demonstration family court divisions that handle probate matters along with traditional domestic relations and juvenile matters. If adopted statewide, the family division and the criminal and civil divisions would be the three main court divisions.
- The Utah legislature directs a task force to study and recommend whether the nation's only separately standing statewide juvenile court should be integrated into the district court and whether a juvenile department or a family court division should be created.
- Study commissions envisioning state courts in the years 2000 and 2020 recommend a family court in Arizona and Colorado; a legislatively directed task force also expresses enthusiasm for a family court division in Colorado.

These are just some recent indicators of a rejuvenated interest in courts that

serve children and families. Since the 1970s, a surge in activity was spawned by a congressionally inspired child support enforcement initiative; by the increased use of restraining orders in domestic violence matters; and by the explosion in civil child abuse petitions, triggered especially by drug-related abuse (including "crack" babies) and the tumultuous expansion in child sexual abuse filings. The AIDS epidemic affects adoption, termination of parental rights, and custody. Recent federal requirements for the latter petitions, e.g., reasonable efforts, review, and permanency planning hearings, also have contributed to state judicial workloads.

National court standards have consistently urged the creation of a family court division of the general jurisdiction trial court, which is authorized to hear a wide array of child and family proceedings.¹ Undoubtedly, national standards on this issue have been influenced by another national standard that urges the unification of trial courts, i.e., that there be just one trial court in any geographical location.²

Despite the spate of interest in the family courts, most states see no strong reason to undergo the stress of making a major change in court structure that has an uncertain result—especially if lesser changes will accomplish the same goals. Only New Jersey (1984) and, more recently, Vermont (1990) have established a statewide family court during the past 18 years. For now, the interest is in improving the way courts handle family cases. Despite the lack of consensus on the mission and jurisdiction of a family court, the need to coordinate an array of child and family proceedings is unquestioned.

Jurisdiction of family cases

Seven states now have statewide family courts. In Rhode Island, Delaware, and South Carolina, a family court is a separate court with its own administration

and judges. In Hawaii, the District of Columbia, and New Jersey, the family court is a division of the general trial court, and judges may rotate between the family division and other court divisions. In Vermont, the family court is a separate court served by judges drawn from the upper and lower trial courts. (In this article, both separate family courts and family court divisions are referred to as *family courts*.)

The most widely accepted definition of *family court* requires, at a minimum, jurisdiction over marriage dissolution, juvenile delinquency, and abuse and neglect cases. A family court should also have jurisdiction over involuntary termination of parental rights, voluntary termination of parental rights (relinquishment), and adoption proceedings, as well as paternity, custody, support, and visitation proceedings separate from divorce.

New York is not counted, even though its legislature created a statewide family court in 1962, because in New York the supreme court retains jurisdiction over divorce. Nevertheless, the New York Family Court has jurisdiction over cases that are not usually associated with juvenile courts, such as paternity, custody, support, and visitation matters separate from divorce. Family courts in Gulfport, Miss., and East Baton Rouge Parish, La., also have jurisdiction broader than that of traditional juvenile courts, but lack authority over divorce matters.

Should family court jurisdiction include domestic violence protection orders, both temporary and permanent? Two-thirds of the states now vest this jurisdiction exclusively in the general jurisdiction court.³ Inclusion of protection orders in a family division is logical, but to be effective requires the coordination of court proceedings with extensive social service agency and probation department services.⁴

Should family court jurisdiction include intrafamily criminal offenses and adult mental illness proceedings? Only Hawaii authorizes intrafamily felonies in the family division. Hawaii, Dela-

ware, and Rhode Island handle intra-family misdemeanors as part of their family jurisdiction. Most often, these misdemeanors are heard in the lower trial courts.⁵ Because juvenile and domestic relations matters are commonly placed in the general jurisdiction trial courts, very expansive information system efforts would be necessary to coordinate criminal and civil cases involving a family.

Some, however, would argue that a family court should remain a civil court and, thus, not include jurisdiction over intrafamily criminal matters, even misdemeanors. Should a family court judge who is to hear the criminal charge of parental abuse also hear the corresponding civil protection proceeding that alleges parental abuse against the same child?⁶ Furthermore, all felonies and certain misdemeanors have an option of a jury trial, which means that a family court would require access to courtrooms that can accommodate jurors. Yet, the same parents and children may be involved in the criminal case, in the protection of the child matter within the juvenile court, and in a contested custody dispute in a domestic court. If these causes are not heard in the same court division, where they can be more readily coordinated, then very clear intercourt agreements and rules are needed to coordinate cases and obtain consistent results.⁷ A coordinated approach to minimize trauma for a child witness who appears in two or even three different proceedings and their preliminaries is desperately needed.

Family courts in several states review the relatively small number of mental illness commitment procedures that affect children, while only Hawaii also includes adult mental illness procedures in its family division. A family court may also incorporate certain miscellaneous matters, such as permission to marry for underage persons, determination of whether a young woman is competent enough to decide to have an abortion, and certain guardianship matters.

Workloads

Interest in family courts has revived in recent years. One stimulus is the substantial growth of case filings in domestic relations.⁸ The domestic relations caseload now comprises 33 percent of the civil caseloads of general jurisdiction courts. Divorces constitute 36 percent of this domestic relations caseload; custody, support, and visitation matters separate from divorce are 28 percent; and paternity is 8 percent. The increase in domestic violence protection orders is another part of the domestic relations workload.⁹ In addition, juvenile court caseloads increased by 28 percent from 1984 to 1990.¹⁰

Another characteristic of these workloads encourages new court structures or procedures and at the same time intimidates officials away from improving case handling. Many family cases involve multiple hearings until a disposition is made. For example, divorced parties reopen support and visitation provisions from earlier decrees; child support is set, goes unpaid, results in an enforcement action, goes unpaid, results in further enforcement actions, and will require regular updating proceedings. Similarly, delinquent juveniles reoffend frequently, necessitating new detention hearings, adjudicatory hearings, and dispositional hearings; commonplace in abuse and neglect proceedings is a review hearing that is required at six-month intervals following removal into protective custody. Dysfunctional families have many problems that require court involvement. About 20 percent of divorces involve multiple related cases within several years before or after the divorce.¹¹

Multiple cases involving families

The need for coordination among courts and between courts and social service agencies, as well as the fundamental rationale for family courts, is based on

the premise that multiple cases involving members of the same family occur frequently. If each family were involved in one brief court contact once in the lifetime of each of its members, there would be no benefit to consolidating all cases involving the family in one court, or in designing recordkeeping systems to identify related cases involving the family. The National Center for State Courts, assisted by the National Center for Juvenile Justice and supported by the State Justice Institute, has been engaged in a study to help courts answer this question.¹² The methodology used was exploratory and had shortcomings, but the findings point the direction for future research on case coordination.

Court clerks at three sites distributed one-page surveys to parents who came to court on a delinquency matter, on a child abuse or neglect matter, or on a divorce that involved children. The parties checked off, from a lengthy list, those case types that had involved their family members in court during the past five years. Research staff also interviewed the key actors in these courts and examined 1,152 divorce, abuse and neglect, and delinquency records. They looked in the court's information system, case files, probation department reports, social service department reports, and psychological reports for references to other court cases involving this family and the nature and frequency of these cases.

Research sites

The research sites were the family division of superior court, Hudson County (Jersey City), N.J.; circuit court and juvenile and domestic relations court, Fairfax County (Fairfax), Va., and district court and juvenile court, Third District (Salt Lake City), Utah. Reasons for the selection of the three different sites for project research are pertinent to current developments regarding families in court. Hudson County was selected because the family division is part of the general

Figure 1
Proportion of Related Cases: Client Survey Responses Compared with Court Record Examination

| County | Divorce | | Child Abuse/Neglect | | Juvenile Delinquency | | Overall | |
|-----------|--------------------------|-------------------------|--------------------------|-------------------------|--------------------------|-------------------------|--------------------------|-------------------------|
| | Client Reports (Percent) | Court Records (Percent) |
| Hudson | 20 | 16 | 16 | 42 | 23 | 30 | 21 | 25 |
| Fairfax | 50 | 3 | 43 | 70 | 48 | 41 | 48 | 38 |
| Salt Lake | 25 | 28 | 48 | 63 | 61 | 71 | 41 | 53 |
| Totals | 25 | 16 | 35 | 64 | 42 | 48 | 34 | 41 |

jurisdiction trial court, the state court administrator's office has provided extensive assistance to family divisions across the state to help them achieve their objectives, and the state has advanced automation of court records.

Fairfax County was selected because it was the site of one of Virginia's experimental family courts. The general jurisdiction trial court—the circuit court—has jurisdiction over divorce and adoption. The juvenile and domestic relations court hears abuse and neglect, delinquency, parentage determinations and child support enforcement matters, domestic violence protection orders, misdemeanor prosecutions relating to crimes against family members, civil mental illness procedures for juveniles and adults, and custody, visitation, and support matters separate from divorce. Appeals are taken to the circuit court, where they are heard *de novo*, rather than to an appellate court. For the purposes of the experiment, up to 20 percent of divorces were heard by judges of the juvenile and domestic relations court, and appeals of divorce cases and the other domestic relations jurisdiction of the court were made directly to an appellate court rather to the circuit court. Assessment of the experimental changes in jurisdiction and procedures will help policymakers in that state determine how the courts will handle families.

Salt Lake County was selected because it represents the dominant Ameri-

can method of handling families in court, i.e., domestic relations matters are in one court or court division (district court) and child protection and delinquency matters are in another court or court division (juvenile court). Selection was made, also, because of a statute that provided that contested custody, support, or visitation dimensions of a divorce shall be transferred from a district court to the juvenile court when the child or children of the parties are already within the juvenile court's jurisdiction. Further, for abuse and neglect cases, Utah's code of judicial administration requires the county attorney to file notices in both courts stating whether there is a related matter in the other court. The code also requires private attorneys who file domestic matters in which custody of children is an issue to inform the court whether any case concerning these children is pending in juvenile court. This type of cross-court collaboration can be useful in preventing conflicting decisions or multiple hearings in different courts that involve the same family.

Monmouth County (Freehold), N. J., although not included in the study, was visited to evaluate an innovative family division concept—one family; one case management team; one judge. Three case management teams, consisting of clerks, probation officers, and social services professionals, each serve a particular catchment area of the county. The case management teams conduct in-

take screening to determine whether delinquency and status offenses should be filed; provide information regarding community resources available to persons who are filing domestic violence protection orders; interview parties involved in child support matters to clarify procedures and seek agreements; conduct disputed child custody evaluations; and mediate some issues in dissolution proceedings. Because three family division judges each serve a particular catchment area and have a particular case management team associated with them, different family members interact with the same case management team and the same judge regardless of the type of family cases involved. One other family division judge hears divorces, and another hears juvenile delinquency cases countywide. These two judges also are served by the three case management teams, so family members will have the same team regardless of case type. Clerical staff on a case management team arrange case scheduling and recordkeeping. Juvenile probation officers, who perform field supervision functions with adjudicated delinquents, are not part of a case management team because they are employees of the probation agency and not of the court. But through cooperative agreements these field officers are assigned to particular catchment areas, and become, in effect, additional team members.

Figure 2
Divorce, Abuse and Neglect, and Delinquency Cases and Their
Relationship to Other Case Types from Court Records

| Case Type | Divorce | Child Abuse/Neglect | Delinquency | Totals |
|---|---------|---------------------|-------------|--------|
| Divorce | 23 | 74 | 74 | 171 |
| Spousal Support | 3 | 0 | 1 | 4 |
| Custody | 6 | 78 | 33 | 117 |
| Child Support | 8 | 7 | 9 | 24 |
| Visitation | 2 | 11 | 1 | 14 |
| Domestic Assault | 42 | 21 | 12 | 75 |
| Child Abuse and Neglect | 4 | 58 | 47 | 109 |
| Intrafamily Criminal | 2 | 31 | 27 | 60 |
| Termination of Parental Rights | 0 | 6 | 0 | 6 |
| Adoption | 5 | 2 | 8 | 15 |
| Juvenile Delinquency | 3 | 45 | 56 | 104 |
| Child in Need of Supervision/Services (CHINS) | 0 | 24 | 79 | 103 |
| Totals | 98 | 357 | 347 | 802 |

Related cases involving families

Overall for the three sites, 34 percent of court clients reported that a family member had experienced another (and different) family-related proceeding during the past five years (see Figure 1). This number may be an underestimate because families involved in litigation may be reluctant to discuss prior cases, or indeed may not remember them.¹³ A court record search at the same three sites revealed that 41 percent (474 of 1,152 searched records) of cases found a prior case involving a family member. Because these families tended to be involved in multiple cases, these 474 cases resulted in a total of 798 companion cases. Parents involved with child abuse and neglect proceedings recorded the highest number of companion cases, 64 percent overall at the three sites.

In sum, a sufficient number of families had been in court before on a variety of cases and with enough frequency to encourage further consideration to mandating case coordination.

Even the proportion of related cases obtained from court records may underestimate the number of companion cases because clients may have recently

moved into the community, and court records could be in other counties or states. Moreover, we searched records for the previous five years. Obviously, the further back records are searched for cases related to the family, the more related cases one is likely to find.

Parents involved with abuse and neglect proceedings earlier were involved with divorce and with custody matters separate from divorce (see Figure 2). Divorcing parties had the smallest number of related court cases and few prior occurrences with abuse and neglect or delinquency proceedings. Negative implications for the consolidation of divorce and juvenile jurisdiction in the same courts should not be drawn from this finding because (1) parents of abused and neglected children are very heavily engaged with divorce and custody matters, and parents with delinquent children have many prior divorces and a considerable number of custody proceedings, (2) these two sets of parents do come to court on domestic assault proceedings, child support and visitation concerns, and intrafamily criminal proceedings, and (3) divorcing parties will often have children too young to be engaged in delinquency, so in reality a stronger tie may exist between divorce

and delinquency if the time frame of the research is extended.

A national survey

A national survey of courts in 150 locations was conducted to identify interest in and progress toward improved case coordination. The survey also enabled project staff to determine the extent to which conclusions drawn on the bases of an in-depth study of three sites could be generalized to the nation.

Respondents were asked how important it is to know whether family members are currently involved in either current or previous court actions involving the families. Seventy-one percent of the respondents believed that it is very important, and 27 percent believed it is somewhat important that judges and court officials be informed of current court actions. Sixty-two percent said it is very important, and 34 percent said it is somewhat important to know about previous court actions involving the family. All respondents from states with family courts considered case coordination very important. Only 3 of the 195 respondents asserted that it is not important to know about

current or previous related cases involving a family.

With respect to the number of cases associated with other family-related cases, respondents estimated the following.

| Case type | Number of respondents | Proportion of related cases |
|-------------------------|-----------------------|-----------------------------|
| Child abuse and neglect | 162 | 40 percent |
| Juvenile delinquency | 172 | 34 percent |
| Divorce | 132 | 24 percent |

Respondents reported that child abuse and neglect cases were most likely to occur in conjunction with divorce, delinquency, or another instance of abuse or neglect, perhaps of a sibling. Delinquencies were most likely to be associated with divorce, abuse and neglect, or delinquency (either a prior offense or an offense involving a sibling). Divorce cases were most related to other court contacts for child custody, abuse or neglect, or domestic violence.

Case coordination regardless of court structure

The need for information regarding other cases involving the family and the need to coordinate these cases with concurrent cases that involve this family is manifest, regardless of the type of court structure used in the states.

Even placing jurisdiction over relevant case types in a family court or family division of a general jurisdiction court is just the beginning of a complex process of case coordination. First, interested and committed judges must be assigned to family cases. Second, ongoing, specialized training must be provided to the judges, court staffs, and professionals hearing family cases.

Third, different attorney bars involved with these different types of proceedings must be accommodated (the public bar in the juvenile court and the private bar in the divorce court). Fourth, coordination with social service professionals must be improved so that probation, social service agency, child custody evaluation, and psychologist reports are received promptly, and their representatives are present and prepared for court hearings as scheduled. Fifth, the calendar must be managed to maximize the continuity of judicial hearing officers (if the case is such that the judge would benefit from prior information) or, at the very least, so that information about prior cases involving different family members is available to the judge hearing the present case.

Courts should review their approaches to judicial assignments to the juvenile, domestic relations, or family courts so that assignments are made for at least 12 months and preferably for 24 months. Medium- and large-sized trial courts that have no specialized family division might want to designate some judges as specialists in family matters. On the other hand, terms should not be so long that judges burn out or develop an attitude of ownership over courts. Some family or juvenile court systems deliberately restrict judicial assignment to no more than six months or one year to prevent reduction in judicial objectivity caused by overfamiliarity with a family who regularly appears before them.

One of the most intractable dilemmas facing courts is the need to provide continuity to families requiring court services on a variety of cases and, at the same time, to permit rotation among judicial assignments both to enhance professional opportunities and to avoid judicial fatigue. Judicial officers, sometimes known as court commissioners, magistrates, masters, and referees, and used primarily to assist with domestic relations and juvenile proceedings, may

be one way to resolve the dilemma. (As used here, the term refers to the American Bar Association description of "Judicial Officers Assisting Judges" [Section 1.26], that is, "legally-trained officers of the court performing limited judicial and quasi-judicial functions under the authority of judges."¹⁴) By providing a single point of contact for families coming into court, judicial officers reduce the need for repeated judicial contact with the family, thus preserving the objectivity of the judge for the cases that eventually go to trial. By providing judicial officers to dispose of uncontested cases and to narrow issues in contested cases to those requiring trial or adversary proceedings, courts free the more expensive time of judges to conduct trials and perform other tasks that only judges can do. The recent report *America's Children at Risk* makes it clear that delegating cases to judicial officers does not diminish the importance of these cases. Rather, it reflects the belief that the duties of judges, "the highest paid and scarcest court personnel—should be limited to the resolution of issues that are best served by the adversarial process."¹⁵

Systems can be designed to accent greater continuity of representation among prosecutors, public defenders, guardians *ad litem*, and child protective service workers. For example, one St. Paul, Minnesota, prosecutor is responsible for all child abuse and neglect cases in the juvenile division and oversees the attorneys who prosecute the criminal charges that involve the same children as victims in the criminal division. A guardian *ad litem* can represent the child in the juvenile division; represent the same child who is involved as a victim in the criminal division; and be appointed to represent the same child if there is a custody concern in the domestic relations division. Presiding judges should review the assignment schemes of these agencies and encourage lengthier appointments.

Courts should improve coordination with probation departments and social service agencies. A number of community agencies may be engaged with different family members. The different agency representatives involved should be encouraged to coordinate their actions and provide information to the other professionals regarding their case activities. If agencies could coordinate the service delivery under the auspices of one case manager, that would be even better. While some family members require separate specialists, the concept of one family/one probation officer or one family/one social worker should be more actively demonstrated. A court that is interested in coordinating the hearings that involve different family members will be more interested in bringing these agencies together to encourage their coordination of service delivery or case consolidation.

An automated information system is a precondition to linking family case information to related cases involving family members. Software programs can be designed to inform court officials about previous and concurrent court involvement. For example, stronger coordination of domestic relations matters, divorce, separate-from-divorce, and domestic violence protection proceedings may be profitable. Information on intrafamily criminal assaults could be shared as needed. If these different case types now are heard in different courts, the feasibility of accessing family record information across courts should be explored.

More statutes and supreme court rules should be enacted similar to the Utah provision that mandates transfer of child custody, support, and visitation issues from the divorce court to the juvenile court when the child is known to the latter. Courts should consider emulating the Utah provision that man-

dates public and private attorneys to file notice with a court when the family or the children are known to be engaged in other family-related actions. Similar local court rules can be created, as well. The Uniform Child Custody Jurisdiction Act adopted by the states requires that parties and attorneys inform the court on initiating a new action that involves custody or support of the status of any prior actions that concern the same children in another domestic relations or juvenile court. Attorneys acknowledge that compliance would improve if they were monitored more regularly and effectively by judges.

Court systems should also review their particular authority to consolidate cases.¹⁶ State and local rules of court can provide for the coordination if not the consolidation of certain proceedings, e.g., custody proceedings, that are filed in different divisions of a court or different courts.

States should consider a statute similar to the California Welfare and Institutions Code §355.7 that provides that the testimony of a parent, guardian, or another person who has custody of a child who is subject to child abuse and neglect proceeding shall not be admissible as evidence in any other action or proceeding.¹⁷ This provision removes the opportunity for a party to obtain a continuance in the abuse and neglect proceeding in juvenile court while a criminal proceeding is pending since the juvenile court testimony will not compromise the right against self-incrimination.

In sum, the availability of information on related cases involving the family, court coordination of cases, and intraagency coordination to improve service delivery should become hallmarks of tomorrow's courts that serve families, regardless of how those courts are organized. scj

Notes

1. National Advisory Commission on Criminal Justice Standards and Goals, *Courts* (Washington, D.C.: Government Printing Office, 1973), Standard 14.1; American Bar Association Commission on Standards of Judicial Administration, *Standards Relating to Court Organization* (Chicago: American Bar Association, 1974), Standard 1.12; Institute of Judicial Administration-American Bar Association Juvenile Justice Standards Project, *Standards Relating to Court Organization and Administration* (Cambridge, Mass.: Ballinger Publishing Company, 1980), Standard 1.1; National Advisory Committee on Criminal Justice Standards and Goals, *Juvenile Justice and Delinquency Prevention*, Report of the Task Force on Juvenile Justice and Delinquency Prevention (Washington, D.C.: Government Printing Office, 1977), Standard 8.1. The most recent call for a unified family court system is from the ABA Presidential Working Group on the Unmet Legal Needs of Children and Their Families, *American's Children at Risk: A National Agenda for Legal Action*, (July 1993), p. 53). See also the National Council of Juvenile and Family Court Judges, "Children and Families First: A Mandate for America's Courts," adopted unanimously at the 56th Annual Conference, July 1993, and reported in *2 Juvenile and Family Justice Today* (fall 1993) 13.

2. National Advisory Commission on Criminal Justice Standards and Goals, *Courts*, Standard 8.1; American Bar Association Commission on Standards of Judicial Administration, *Standards Relating to Court Organization*, Standard 1.10.

3. H. Ted Rubin and Geoff Gallas, 1989, "Child and Family Legal Proceedings: Court Structure, Statutes, and Rules," in *Families in Court*, ed. Meredith Hofford (Reno: National Council of Judicial and Family Court Judges, 1989), p. 37.

4. Meredith Hofford and Richard J. Gable, "Significant Interventions: Coordinated Strategies to Deter Family Violence," in *Families in Court*, *ibid.*, pp. 89-110.

5. Rubin and Gallas, *supra* note 3, pp. 38-40

6. Martin Guggenheim. "Constitutional and Due Process Concerns: Juvenile and Family Courts of the Future," in *Families in Court*, *ibid.*, pp. 179-188.

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7. Leonard P. Edwards, "The Relationship of Family and Juvenile Courts in Child Abuse Cases," *Santa Clara Law Review*, p. 201-278 (1987).

8. Domestic relations caseloads include dissolution, paternity, custody/support/visitation separate-from-marriage, Uniform Reciprocal Enforcement of Support Actions (URESA), unclassified domestic relations matters, and adoption.

9. Court Statistics Project, *State Court Caseload Statistics: Annual Report 1990* (Williamsburg, Va.: National Center for State Courts, 1992), pp. 18-21.

10. *Ibid.*, p.43.

11. Victor Eugene Flango, "Divorce in Virginia," *State Court Journal*, vol. 16, no. 4 (1992), pp. 20-23.

12. H. Ted Rubin, and Victor Eugene Flango, *Court Coordination of Family Cases* (Williamsburg, Va.: National Center for State Courts, 1992). This work contains the research study that is only highlighted here.

13. In obtaining completed divorce surveys in Fairfax County, it was discovered that only contested matters are heard by the judges, partly because divorce proceedings are heard in the main by private attorneys impaneled as commissioners-in-chancery.

14. The term does not include use of volunteer lawyers serving in a judicial capacity. The National Center for State Courts has done the seminal work on use of lawyers as judicial adjuncts, see Aikman, Elsner, and Miller, *Friends of the Court: Lawyers as Supplemental Judicial Resources* (Williamsburg, Va.: National Center for State Courts, 1987).

15. ABA Presidential Working Group on the Unmet Legal Needs of Children and Their Families *supra* note 5, p. 54.

16. Rubin and Gallas, *supra* note 3, pp. 48-49, 53-54.

17. Also see *In re Katrina L.* 247 Cal. Rptr. 754 (1988).

All courses cost \$425 unless otherwise indicated.

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| May 11-13 | Using Video Technology in the Courts, Clearwater, Fla. |
| May 17-20 | CEDP Phase IV: Concluding Seminar and Graduation, Washington, D.C., \$500 |
| May 23-25 | Judicial Documents: Using PCs to Create and Manage Them, Chicago, Ill., \$525 |
| May 24-27 | Open Computer Systems and Networks, Dallas, Tex., \$550 |
| June 1-3 | Employee Relations in the Courts, Portland, Ore. |
| June 1-3 | Strategic Planning in the Courts, San Diego, Calif. |
| June 9-11 | Procedural Innovations for Appellate Courts: Criminal Appeals, Portland, Maine (by invitation only), no tuition |
| June 13-16 | Court Records Management, Los Angeles, Calif., \$550 |
| June 26-July-15 | CEDP Phase II: Management in the Courts and Justice Environment, Williamsburg, Va., \$2,000 |
| August 10-12 | Diversity in the Courts and Communities, Seattle, Wash. |
| August 15-17 | Fundamental Issues of Caseflow Management, Denver, Colo. |
| August 24-26 | Managing Innovation and Change in the Courts, Minneapolis, Minn. |
| August 29-31 | Court Budgeting, Cincinnati, Ohio |
| September 12-15 | Managing Human Resources, St. Louis, Mo., \$550 |
| September 19-20 | Evaluating the Data: Court Needs for New Judges and Court Staff, Williamsburg, Va., \$400 |
| September 28-30 | Collecting Fines and Fees in Traffic Cases, Orlando, Fla. |
| October 12-15 | Fourth National Court Technology Conference, Nashville, Tenn., TBD |
| October 26-28 | Management in the Courts, Atlanta, Ga. |
| November 2-4 | Caseflow Management in Limited Jurisdiction Courts, Phoenix, Ariz. |
| November 9-11 | Team Building for Judges and Administrators, San Antonio, Tex. |
| November 14-16 | Effective Speaking for Court Managers, New Orleans, La. |
| November 16-18 | Effective Writing for Court Managers, New Orleans, La. |
| December 7-9 | Optical Imaging: Applications for the Courts, Los Angeles, Calif. |
| December 12-14 | Case Management for Trial Judges, Tucson, Ariz. |
| December 14-16 | Trial Court Performance Standards: How to Apply Them to Your Court, Tucson, Ariz. |

For more information, contact the Registrar, Institute for Court Management, National Center for State Courts, P.O. Box 8798, Williamsburg, Va., 23187-8798, (804) 259-1832, fax (804) 220-0449.