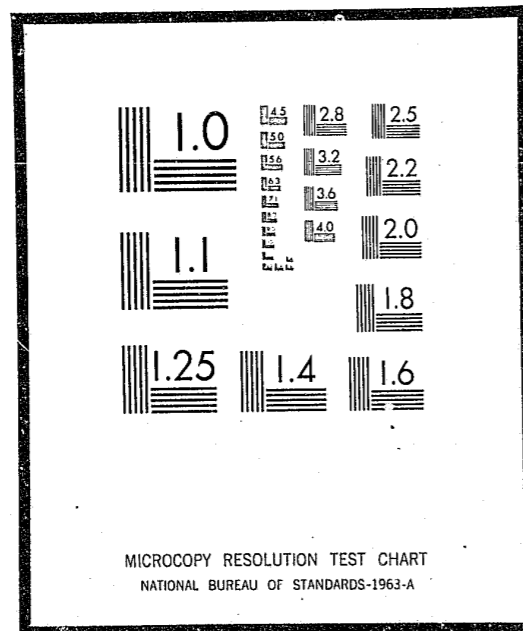


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## THE PRELIMINARY SERVICES - INTAKE SERVICES PROJECT

73-ED-03-0003  
FA-E74-73  
74-046

A Report and Analysis

Submitted to the Executive Committee  
of the  
Delaware Agency to Reduce Crime

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April, 1975

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PREFACE

Scope

The scope of any report on a criminal or juvenile justice project should be specified. This report on the Preliminary Juvenile Services-Intake Services Project, which was administered by the Family Court of the State of Delaware, covered a twenty (20) month period. That period was from July of 1973 through February of 1975.

Because the funds awarded were for seven (7) personnel (including benefits), the analysis was restricted to the contribution of those personnel to the Court's Intake operation. And since those personnel were specifically assigned to the Sussex County Office and the New Castle County Office of the Family Court, the analysis was further restricted to the Intake operation within those offices.

This report was prepared by way of the following sources:

1. Review of project documentation on file at DARC.
2. Discussions with DARC staff responsible for monitoring the project.
3. Information gleaned from interviews with Family Court staff associated with the project.
4. Data submitted by Family Court staff.
5. Review of Family Court Rules.

Limitations

In this writer's opinion, there were two critical limitations which impeded producing a definitive report. Those limitations were as follows:

1. There were six (6) stated goals and eighteen (18) objectives contained in the first year's funded project; there were one (1) stated goal and thirteen (13) objectives contained in the second year's funded project. Most of those goals and objectives were nebulous, obscure and impossible to measure as stated. Consequently, it was necessary at the outset to reduce and refine those goals and objectives in order to arrive at a manageable set.

2. It was not possible to ascertain the contribution of the DARC funded counselors, who worked at the New Castle County Office of the Family Court, to the Intake operation within that Office for two reasons. The first reason was that the data provided was aggregated for the entire Intake Department of that Office. Secondly, the number of state funded counselors per month could only be determined for five months --- October of 1974 through February of 1975. Consequently, the writer was obliged to estimate *a posteriori* the likely contribution from total data provided (see Appendix A). The following is the equation of estimation used:

$$A = \frac{B}{B + C} \times D$$

where A = Estimated contribution of DARC funded counselors per month

B = Number of DARC funded counselors per month

C = Number of state funded counselors per month

D = Number of cases processed by the Intake Department

It should be noted that such an estimation as the above was not necessary for determining the contribution of the DARC funded counselors in the Sussex County Office of the Family Court. Specifically, data were provided for each counselor for thirteen (13) months --- February of 1974 through February of 1975.

#### Acknowledgements

The following list of individuals are acknowledged for their assistance:

Beverly Barnett  
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William McDonough  
Emmètt Partin  
Thomas Pasetko  
Ralph Turner  
Sandra Welden

Project Director - C. Boyd McDivitt, Administrator, Family Court of the State of Delaware

Financial Officer - Ralph Turner, Assistant Administrator, Family Court of the State of Delaware

## I. Introduction

### A. The Project's Purpose

The purpose of this project was to seek settlement of cases brought before the Family Court without formal Court action. In accordance with the Court Rules\*, effective March 1, 1973, that purpose was to be achieved through the counseling efforts of an Intake Staff with the voluntary consent of all persons involved in the cases.

The project also sought, by use of the Intake Staff, to determine which cases warranted formal Court hearings. For these cases, the counselors' responsibilities were to be as follows:

1. Advise those persons involved in the cases of their legal rights in addition to the procedures of the Court.
2. Arrange for counsel (Public Defender) for the clients where needed.
3. Coordinate the cases with the Deputy Attorney General assigned to the Court.
4. Integrate those cases involving multiple offenses in order to expedite hearings.

In essence, this project was to be conducted within the confines of the Family Court Rules (numbers 80, 90 and 100). Moreover, it was expected that "the project [would] become a model for family and juvenile courts."

### B. The Need for Other Funding Sources

Prior to the award of this project with LEAA funds in June of 1973, funding to support the intake operation was available from two sources. The sources were (1) appropriations from the State Legislature and (2) funds

\*The Family Court Rules governing (a) the reception of complaints and civil petitions (b) the voluntary adjustment process and (c) the filing of the petitions and information are summarized in Section II and included as Appendix B.

provided via Title IV of the Social Security Act. However, continued Title IV funding was "unavailable because of changes in Title IV laws and regulations, despite the desire of the state agency administering Title IV to fund the project."

It was recognized by Family Court staff that such a funding limitation would "severely restrict [intake] services by cutting the funding for eleven (11) staff positions effective July 1, 1973." "This [meant] a 50% cutback in the funding of the total intake operation including clerical and overall costs." Hence, the need for other funding sources.

C. LEAA/DARC Funding

The Family Court was first awarded \$72,354 from LEAA funds in June of 1973 to implement the Preliminary Juvenile Services Project. Of this amount, \$52,000 was in discretionary funds (subgrant number 73-ED-03-0003) and \$20,354 was in block action funds (subgrant number FA-E74-73). In addition, \$9,647 in state cash match was made available. In June of 1974, the Family Court was awarded \$69,231 in block action funds and \$7,692 in state cash match funds (subgrant number 74-046) to continue the above project which was renamed the Intake Services Project.

The awarded funds provided the salaries (including benefits) for seven (7) positions.\* Below is a listing of the number of positions, position titles and location of position.

<u>No. of Positions</u>	<u>Position Title</u>	<u>Location of Position</u>
2	Counselor II	Sussex County Office
4	Counselor II	New Castle County Office
1	Counselor Supervisor	New Castle County Office

The total budget including the award period, the operational period and the amount of money expended from July 1, 1973 through February 28, 1975 is depicted in Table 1.

\*Job descriptions of the two position titles are included as Appendix C.

Table 1

Descriptive Information of Awards to the Family Court of Delaware:

Preliminary Juvenile Services and Intake Services Project

Subgrant No	Amount of Award		Award Period	Operational Period	Amount of Award Expended	
	LEAA	State			LEAA	State
73-ED-03-0003	\$ 52,000	\$ 7,056	6-29-73 to 7-31-74	8-1-73 to 7-31-74	* \$ 52,000	\$6,851.03
FA-E74-73	20,354	2,591	7-1-73 to 8-31-74	8-1-73 to 8-31-74	* 20,354	2,398.92
74-046	69,231	7,692	8-1-74 to 6-30-75	8-1-74 to 6-30-75	** 33,148.81	-0-
Totals	\$141,585	\$17,339	24 Months	23 Months	\$105,502.81	\$9,249.95

Sources: \*The final detailed financial reports submitted to DARC by the Family Court

\*\*The financial records of Family Court as of February 28, 1975

## II. Description of Operation

### A. Summary of Family Court Rules 80, 90 and 100 (Intake Department)

#### 1. Family Court Rule 80

- a. Rule 80 requires that a determination of legal sufficiency be made for all complaints and petitions referred to the Intake Department. The Intake Department makes a determination (subject to review) as to whether the allegations made by the complainant or petitioner appear to be legally sufficient and warrant being filed.
- b. The procedures, set out entirely in the Appendix B, provide that the Intake Department may: (1) refer the case to an appropriate public or private agency; (2) recommend dismissal of the case or refuse to authorize further proceedings if the facts and the interest of justice so warrants; (3) conduct conferences for the purpose of affecting adjustments or agreements which could obviate the necessity for formal court action; (4) authorize the filing of a petition in the interest of a child, a criminal information or a petition for civil relief.
- c. Where the Intake counselor has recommended dismissal or refuses to authorize further proceedings, the review process for a complaint/petition is as follows.
  - (1) In child delinquency and adult criminal matters, a request for review of the Intake counselors' adverse recommendations is made to the Attorney General within ten days. The Attorney General may decide to: (1) dismiss the complaint, (2) refer the case to Intake, or (3) authorize the filing of a petition or criminal information. The Attorney General's decision is final.
  - (2) In civil matters, a request for review of the Intake counselors' adverse recommendations is made to Judge of Family Court within ten days. The Judge may decide to: (1) dismiss the petition, (2) refer the case to Intake, or (3) authorize the filing of a civil petition. The reviewing Judge may not preside at the adjudicatory hearing unless all parties have given their consent.

#### 2. Family Court Rule 90

- a. Rule 90 becomes operative when an Intake interview has been conducted and the case appears to be legally sufficient for formal court action. Any party to the case may indicate a need for conferences. If all parties are present when the complaint/petition is presented to the Intake Department, the Intake interview will take place immediately and all parties are informed of their legal rights as more fully contained in Rule 90.
- b. In the event the intake interviews bring about a recommendation of settlement of the case by adjustment, by voluntary agreement or otherwise, the complaint/petition may be: (1) withdrawn, (2) dismissed, or (3) a written voluntary consent order can be entered into and executed by the parties. The recommended disposition is submitted to a Judge for his approval and he may approve the disposition or refer it back to the Intake Department. Efforts to adjust a case by the Intake Department may not exceed 60 days from date of referral to Intake. A Judge may extend the period an additional 30 days if needed.

#### 3. Family Court Rule 100

The Intake Department may recommend the filing of a petition and information which may be initiated and prepared by the Intake Department, by counsel or by the Attorney General.

### B. Case Flow

The case flow into, through and out of the Intake Department of the Family Court is straightforward and in accordance with the rules discussed in Part A. To illustrate the case flow, three flow charts were developed; they follow this brief narrative.

- o The first two (Figures 1 and 2) account for the case flow within the New Castle County Office. Figure 1 depicts the case flow as it occurred from July of 1973 through May of 1974. This structure was roughly equivalent to the first year's operation of the project. Figure 2, on the other hand, depicts the change instituted in June of 1974, namely the creation of a Preliminary Services Unit. The following was the rationale submitted for the creation of the unit:

"Intake in New Castle County has been separated into; (a) counseling and (b) preliminary services leaving counseling services unencumbered by application taking, screening and clerical tasks".

o Figure 3 depicts the case flow within the Sussex County Office. The case flow within that office remained unchanged during the period reported.

FIGURE 1

CASE FLOW: FAMILY COURT (New Castle County Office)  
 Preliminary Juvenile Services Project  
 (For the period July 1, 1973 through May 30, 1974)

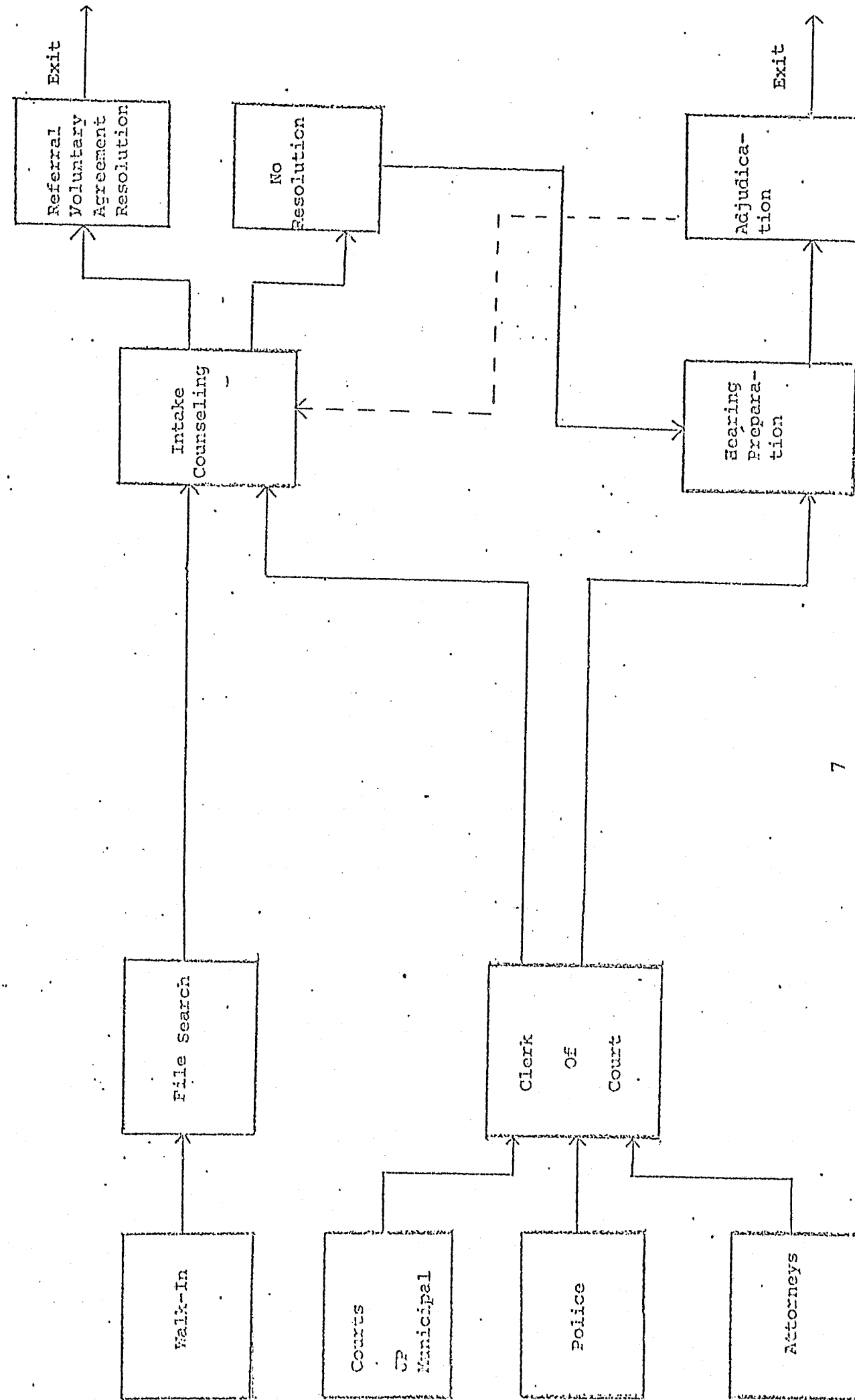


FIGURE 2

CASE FLOW: FAMILY COURT (New Castle County Office)  
Preliminary Services - Intake Services Project  
(For the period June 1, 1974 through February 28, 1975)

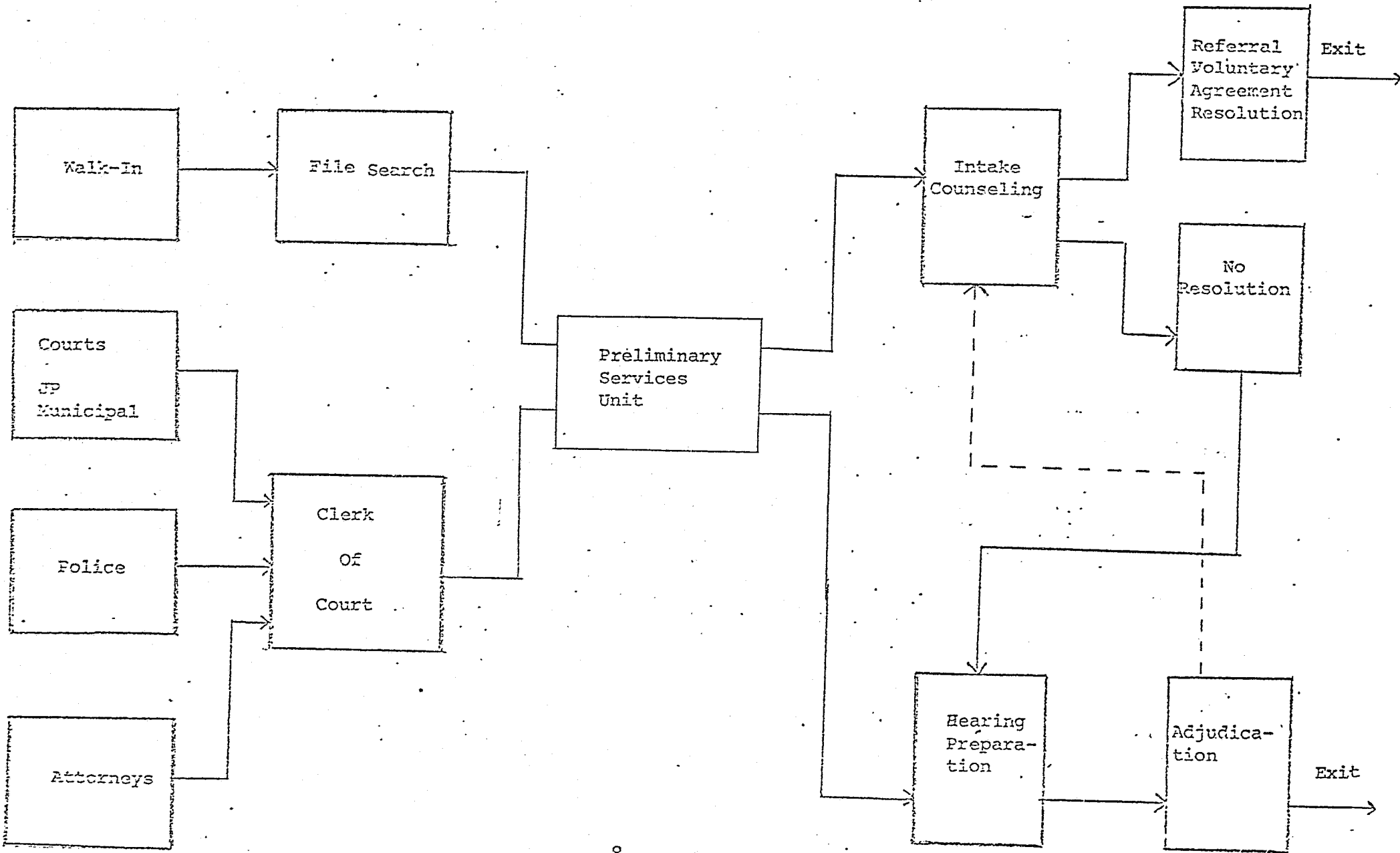
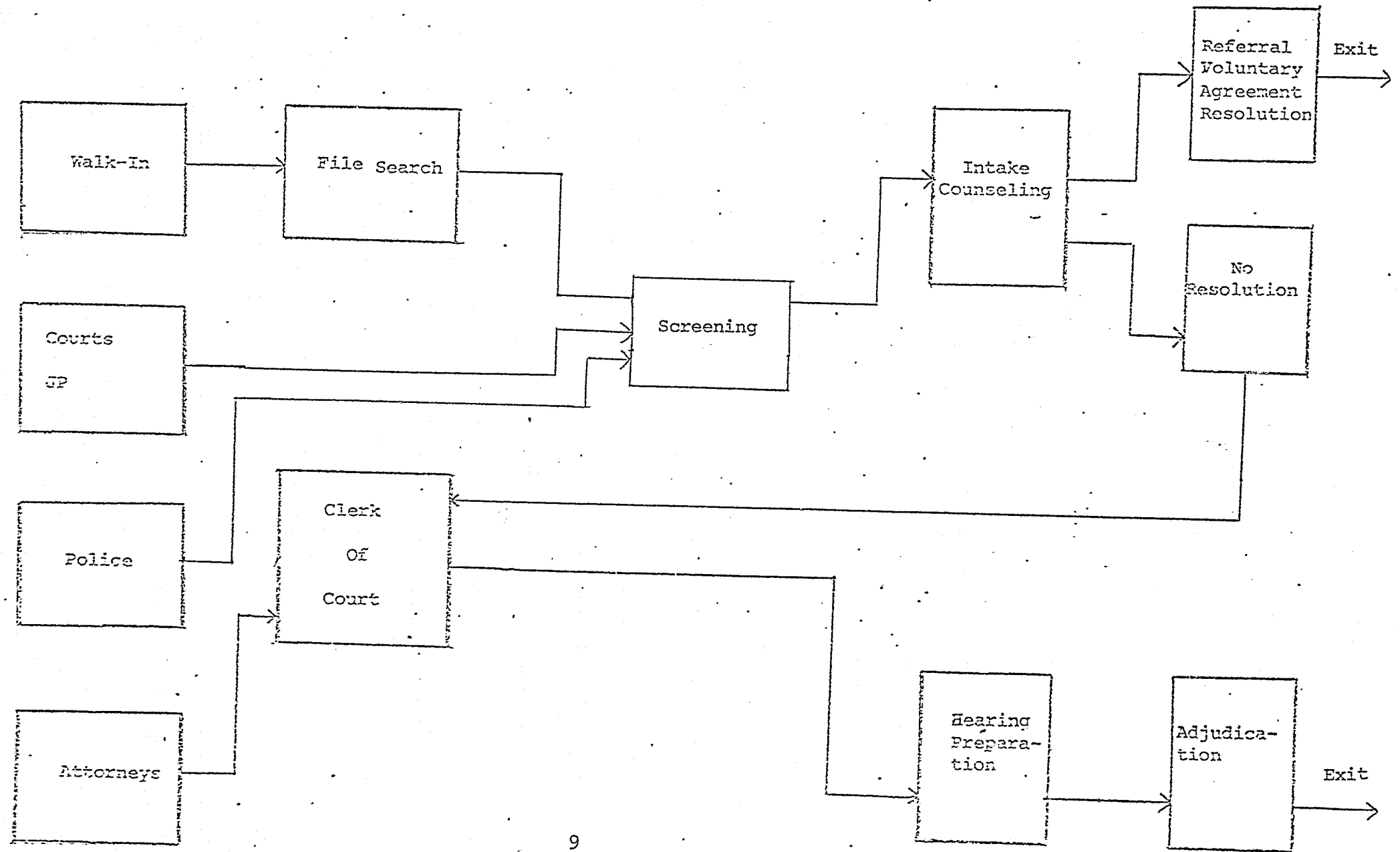


FIGURE 3

CASE FLOW: FAMILY COURT (Sussex County Office)  
Preliminary Juvenile Services - Intake Services Project  
(For the period July 1, 1973 through February 28, 1974)



III. The Findings: Related to the Re-Stated Objectives

1. To conduct interviews with clients in order to:
  - (a) collect information and data relevant to the specific sworn complaints and civil petitions.
  - (b) help clients arrive at settlements without formal court action within sixty days of the sworn complaints and civil petitions.
    - o As depicted in Table 2, the two DARC funded counselors in the Sussex County Office handled a total of 2,244 cases from February, 1974 through February, 1975. Of that total, 1,151 cases (51.3%) were settled as a result of the interviews.
    - o As illustrated in Table 3, an estimated total of 1,253 cases were handled by the DARC funded counselors in New Castle County Office from October, 1974 through February, 1975. Of that total, 625 cases (49.9%) were settled as a result of the interviews.
2. To screen out those cases that can be handled by other public and private agencies.
  - o There were 397 cases which were screened out by the counselors in the Sussex County Office. These cases, listed in Table 4 as Information and Referral, represented 34.5% of the cases settled or 17.7% of the total cases handled.
  - o There was an estimated 22 cases which were screened out by the counselors in the New Castle County Office. These cases, listed in Table 5 as Information and Referral, represented 3.5% of the cases settled or 1.8% of the total cases handled.
3. To refer those clients whose cases have been screened to public and private agencies.
  - o At the Sussex County Office, the 397 cases cited above were referred to public and private agencies. Because of the rural setting of the county, however, many of these cases were referred to area ministers. A listing of the ministers follows:

Rev. Calvin Byrd  
North Cannon Street  
Bridgeville, Delaware

TABLE 2

Number of Cases Per Month, By Disposition or Status, Which Were Interviewed By The Intake Staff of Family Court: Sussex County Office  
(For the Period February, 1974 through February, 1975)

Disposition Or Status	Number of Cases Per Month												Totals		
	1974						1975						Number	(%)	
	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb		
<sup>2</sup> Settlement <sup>2</sup>	86	65	78	87	77	61	109	73	112	88	68	137	110	1,151	(51.3)
No Settlement (referred to Court)	43	39	45	54	48	38	54	56	60	47	49	91	52	676	(30.1)
Pending Settlement (In process)	29	25	27	11	21	15	30	54	39	41	46	32	47	417	(18.6)
Totals	158	129	150	152	146	114	193	183	211	176	163	260	209	2,244	(100.0)

<sup>1</sup> Intake Staff - This refers only to the two DARC funded Counselor positions.

<sup>2</sup> Settlement: "If the intake interviews bring about a recommendation of settlement of the case by adjustment, by voluntary agreement, by referral or otherwise, the complaint or the petition for civil relief may (1) be withdrawn, (2) be dismissed or (3) a written voluntary consent order be entered into and executed by the parties. The recommended disposition shall be submitted to a Judge of the Court for approval. If so approved by a Judge, the disposition shall be filed with the Clerk of the Court as a matter of record. If not approved by a Judge, the matter shall be returned to the Intake Department for such further action as the Court may direct. Efforts to adjust a case by the Intake Department may not extend beyond sixty (60) days from the date the case was first referred to the Intake Department, without leave of a Judge, who may extend for additional thirty (30) day periods."



Table 3

Estimated Number of Cases Per Month, by Disposition or Status, Which Were Interviewed by the DARC-Funded Intake Staff of Family Court: New Castle County Office. (For the period October 1974 through February, 1975)

Disposition or Status	Number of Cases Per Month					Total	
	Oct.	Nov.	Dec.	Jan.	Feb.	Number	(%)
Settlement	100	71	100	188	166	625	49.9
No Settlement (Referred to Court)	68	51	77	83	71	350	27.9
Pending Settlement (In Process)	57	48	56	55	62	278	22.2
Totals	225	170	233	326	299	1,253	100.0

TABLE 4

Number of Cases Settled Per Month, By Type of Case, Which Were Interviewed By The Intake Staff\* of Family Court: Sussex County Office

(For the Period February, 1974 through February, 1975)

Type of Case	Number of Cases Per Month												Totals Number (%)		
	1974						1975								
	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.		
Custody and Visitation	19	11	16	19	16	12	24	19	22	16	12	36	27	249	(21.6)
Non-Support	16	7	24	21	17	21	28	13	26	23	14	39	19	268	(23.3)
Neglect				1										1	(0.1)
Abuse															
Modifications	4	3	1	2	2		1		2		1	2	3	21	(1.8)
Juvenile Offenses	5	17	8	4	4	1	2	5	11	2	5	10	5	79	(6.9)
Adult Offenses	15	5	7	6	10	11	19	3	15	15	3	18	9	136	(11.8)
Information & Referral	27	22	22	34	28	16	35	33	36	32	33	32	47	397	(34.5)
Totals	86	65	78	87	77	61	109	73	112	88	68	137	110	1,151	(100.0)

\*Intake Staff - This refers only to the two DARC funded Counselor positions.

Table 5

Estimated Number of Cases Settled Per Month by Settlement Type, Which Were Interviewed by the DARC-Funded Intake Staff of Family Court: New Castle County Office (For the period October 1974 through February, 1975)

Settlement Type	Number of Cases Per Month					Total	
	Oct.	Nov.	Dec.	Jan.	Feb.	Number	(%)
Adjustment	10	3	3	6	-	22	3.5
Voluntary Agreement	63	33	39	100	84	319	51.5
Withdrawal	22	29	54	75	82	262	41.9
Information & Referral	5	6	4	7	-	22	3.5
Totals	100	71	100	188	166	625	100.0

Rev. Richard F. Gardiner  
St. Ann Church  
Bethany Beach, Delaware

Rev. George C. Godfrey  
St. Johns  
Seaford, Delaware

Rev. James Mays  
Front Street  
Georgetown, Delaware

Rev. Frank Moon  
68 Sussex Drive  
Lewes, Delaware

Rev. Dave Mulford  
Seaford, Delaware

Rev. John H. Rein  
St. Luke Church  
Seaford, Delaware

- o At the New Castle County Office, the estimated 22 cases cited in Table 5 were referred to public and private agencies.
- o The actual number of clients involved with the 419 (397+22) cases could not be ascertained.
- o A listing of the agencies used most often by both offices is as follows:
  - Community Legal Aid Society, Inc.
  - Family Services of Northern Delaware
  - Division of Social Services
  - The CHILD Foundation
  - Catholic Social Services
  - Division of Drug Abuse Control
  - Division of Mental Hygiene
  - The Youth Service Center
  - Private Psychologists

4. To hire six counselors and one counselor supervisor.

- o At the Sussex County Office, the two DARC funded positions were filled for 19 months out of 20. However, at the New Castle County Office, the five DARC funded positions were filled for only 10 months out of 20.

(Table 6 and Figure 4 are provided for the purpose of illustration.)

TABLE 6

Number of DARC Funded Positions Filled Per Month:

Sussex County Office and New Castle County Office\*

(For the Period, July 1, 1973 through February 28, 1975)

Month	Number of Positions Filled	
	Sussex County	New Castle County
July	0	0
August	2	5
September	2	5
October	2	5
November	2	5
December	2	5
January	2	5
February	2	5
March	2	5
April	2	4
May	2	4
June	2	4
July	2	5
August	2	4.5
September	2	4
October	2	2
November	2	2
December	2	3
January	2	5
February	2	4

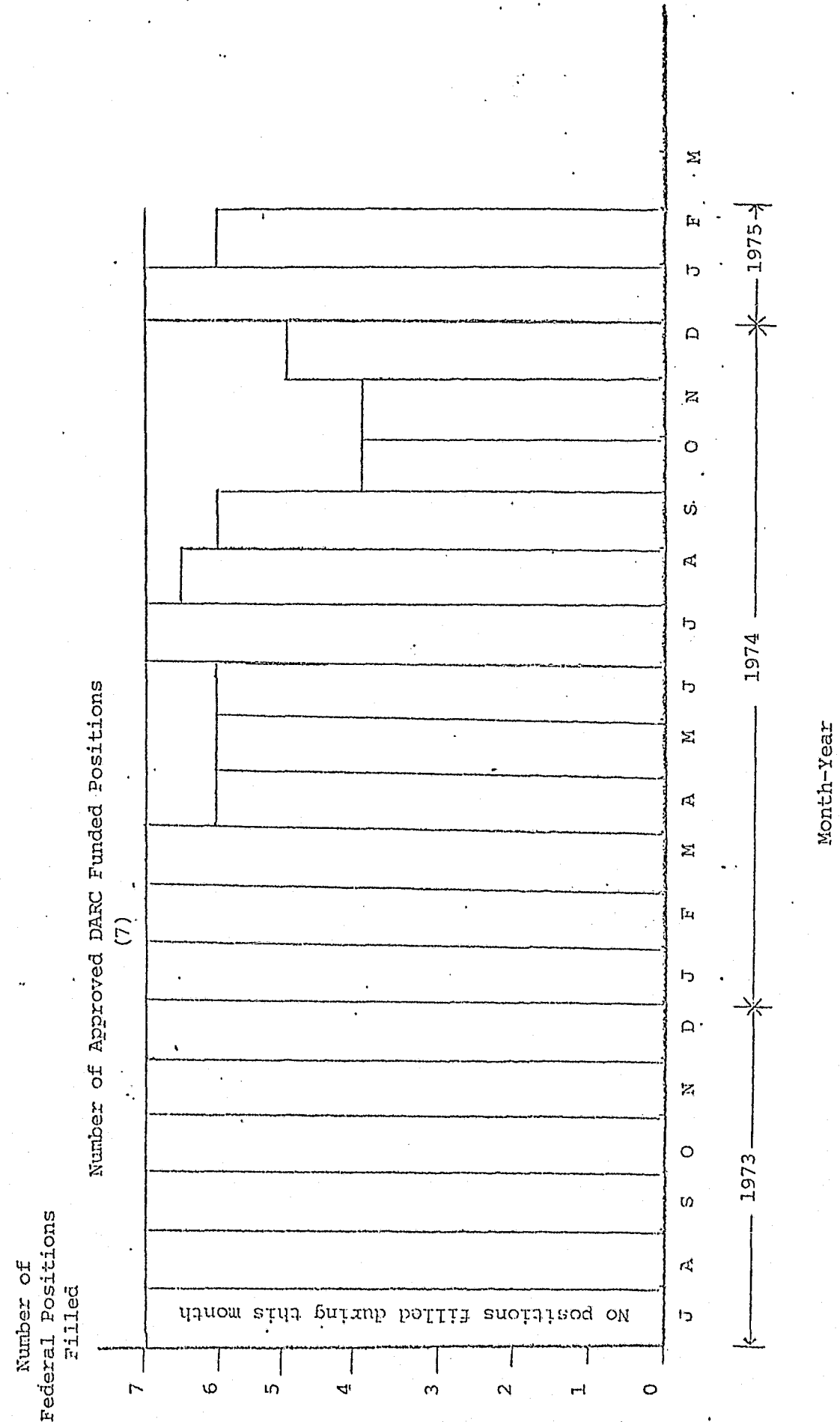
\* Vacancies accounted for 9.5 calendar months and 18.5 person-months at the New Castle County office; the vacancies accounted for 1 calendar month and 2 person-months at the Sussex County office.

\*Source: Developed from document submitted by Family Court staff.

FIGURE 4

Number of Approved DARC Funded Positions Versus \*Number of DARC Funded Positions Filled

(For the Period: July 1, 1973 through February 28, 1975)



\*Source - Developed from documents submitted by Family Court staff.

5. To provide clients with short-term counseling services.

- o At the Sussex County Office, clients of the 2,244 cases were provided with short-term counseling services.
- o At the New Castle County Office clients of the estimated 1,253 cases were provided with short-term counseling services.

Note: Short-term counseling is "counseling which is provided over a period of one to five interviewing sessions with the counselors or anything that takes place during the intake interviews."

6. To arrange psychological evaluations for clients where appropriate.

- o It was rare that psychological evaluations were arranged for clients by the Sussex County staff. No data were maintained on the number of clients for which psychological evaluations were arranged.
- o A total of 145 psychological evaluations were arranged for clients by the New Castle County staff during the twenty month period.

7. To provide intake interviews.

- o Intake interviews were provided for approximately 3,497 (2,244 + 1,253) cases. Note, however, that the actual number of interviews could have been several times the number of cases, depending upon how many clients were involved and upon the number of times the clients met with the counselors.

8. To ascertain the need for court hearings through information gathered during the interviews and to facilitate processing by preparing clients for those hearings.

- o There were 676 (30.1%) cases for which the need for court hearings was ascertained by the counselors at the Sussex County Office. Consequently, these cases were processed and the clients were prepared for the court hearings.

- o There was an estimated 350 (27.9%) cases for which the need for court hearings was ascertained by the counselors at the New Castle County Office. Therefore, these cases were processed and the clients were prepared for the court hearings.

9. To provide training for all project staff.\*

(a) To provide training in the Intake operation of the Family Court.

- o "Supervisors Joyce King and Judy Gold, until their departure respectively on August 31, 1974, and September 15, 1974, held weekly group sessions for the staff on intake procedures. Francine Gritz, Chief of Counseling Services in New Castle County who served as Intake Supervisor until a new individual was appointed to that position in November, 1974, offered training sessions on procedures three times weekly." (New Castle County Office)

(b) To provide weekly staff conferences in areas such as alcoholism, drug abuse, mental health, child welfare, etc.

- o "Helen Johnson, who was Chief of Counseling Staff until her resignation on March 31, 1974, held group meetings for the entire counseling staff once a month on Friday. During these sessions, representatives of public and private agencies in Delaware discussed with the Family Court counseling staff their programs and policies and explored with the staff their programs and policies and Agency relations." (New Castle County Office)

(c) To provide at least five hours of training with respect to the revisions to the Delaware Criminal Code.

- o This objective was not operationalized during the project period. The training that was provided occurred prior to July 1, 1973 as follows:

"Intake staff participated in three sessions on the Delaware Criminal Code offered by Judge Daniel Kelleher and Judge Robert Wakefield on October 20, 1972, 1 p.m. to 2 p.m., and on June 8 and 15, 1973, 2 p.m. to 4:30 p.m." (New Castle County Office)

\*This objective was contained in the first year's application and, for the most part, was specifically directed toward the New Castle County Office.

IV. The Relative Impact of the Project

A. Problems

It was not easy to assess the project's impact. There were three reasons for such difficulty.

- o First of all, the data which was compiled by Family Court staff and submitted to this evaluator were of multiple forms. For instance, Exhibit I displays Intake activity for the total Intake Department at the New Castle County Office during the month of December, 1974. Exhibit II displays statewide Intake activity for the entire Intake Department (including the New Castle County Office) during the months of October, November and December, 1974. Note, however, that the data are in aggregate form. Therefore, in order to report on the project's specific contribution, it would have been necessary to examine the disaggregate data from which the aggregate data were compiled. Unfortunately, the disaggregate data were not available for the New Castle County Office. Consequently, this evaluator was obliged to estimate New Castle County's contribution to the project by the equation described in the Preface.
- o The second reason why it was difficult to measure the project's impact involved the inconsistency of the reporting formats. There were three different reporting formats of intake activity. For instance, Exhibit I (which was provided by the supervisory staff of the New Castle County Office) and Exhibit II (which was provided by staff attached to the State Office of the Family Court) are not compatible with each other. Additionally, the reporting format of the Sussex County Office (Exhibit III) was inconsistent with both of the previously mentioned reporting formats. Clearly, the variances in the exhibits precluded any comprehensive assessment of the project's impact.
- o The third reason for the difficulty encountered in assessing the project's impact was related to the number of counselors who worked in the Intake Department of the New Castle County Office. Specifically, it could not be ascertained which of the state funded counselors worked in that department from August of 1973 through September of 1974. Quite possibly the fact that there was "a high turnover rate of personnel in the Counselor II positions that man the Intake De-

EXHIBIT I

Activity for the Total Intake  
Department, New Castle County  
Office, Family Court: December,  
1974

Number of Intakes.....	0
Sworn Complaints.....	377
Number of Preliminaries.....	71
Number of Applications.....	7
Hearings Attended.....	31
Reports to Judges.....	81
Number of Interviews.....	626
Phone Calls.....	733

Intake Activity Statistics by  
the Entire Intake Department,  
Statewide, Family Court:  
October, November, December, 1974

	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total for Quarter</u>	<u>Monthly Average</u>
Total Number of Cases Seen by Intake .....	1,454	1,029	1,121	3,604	1,201
Adjusted .....	702	468	551	1,721	573
Not Adjusted .....	510	336	362	1,208	403
In Process .....	242	225	208	675	225

MAJOR COMPLAINTS

<u>Juvenile</u>	<u>Number</u>	<u>%</u>	<u>Adult</u>	<u>Number</u>	<u>%</u>
Theft .....	187	11	Support .....	1,034	53
Uncontrolled....	155	9	Custody .....	364	19
Trespass .....	149	9	Off. Touching	131	7
Burglary .....	114	7	Visitation ...	111	6
Mischief .....	97	6	Assault.....	104	5
Shoplift .....	96	6	Imperiling....	89	5
Alcohol.....	91	5	Other.....	109	6
Assault .....	83	5	TOTAL	1,942	101%
Motor Vehicle...	75	5			
Off. Touching ..	70	4			
Other .....	545	33			
TOTAL	1,662	100%			

BY LOCATION

	<u>Adult</u>					<u>Juvenile</u>					<u>Quarter</u>	
	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>	<u>%</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
New Castle	329	124	166	619	32	346	301	454	1,101	67	1,720	48
Kent	244	225	165	634	32	183	169	103	455	28	1,089	30
Sussex	306	191	204	701	36	46	19	29	94	5	795	22
Statewide	879	540	535	1,954	100	575	489	586	1,650	100	3,604	100

EXHIBIT III

Activity by the Entire Intake  
Department, Sussex County  
Office; Family Court: December, 1974

	<u>Voluntary Decree</u>	<u>Withdrawn</u>	<u>Referred to Court</u>	<u>Total</u>
Custody and Visitation	10	5	20	35
Non-Support	7	10	28	45
Neglect				
Abuse				
Modification	1	2	23	26
Juvenile Delinquency		6	7	13
Adult Offenses		14	5	19
Totals	18	37	83	138
Total Cases Seen	233			
Information Only	40			
Total Cases Disposed Of	138			
Total Pending	51			

partment of Family Court" contributed to this difficulty.\* Nevertheless, a full audit would be necessary in order to resolve this particular difficulty.

B. Accomplishments

In spite of the difficulties encountered with measuring the effectiveness of the project, it was possible to at least measure the "relative" impact of the project. The following is a summary analysis of the two re-stated goals.

1. To reduce the number of cases requiring a court hearing.

- o The total number of cases settled without court hearings at the Sussex County Office for the period reported was 1,151. Overall this represented 51.3% of the total cases handled by that office. The range in the percentage of cases settled by that office was a high of 57.2% in May of 1974 to a low of 39.9% in September of 1974. There were only two months of the thirteen (including the one cited above) in which the percentage of cases settled without a court hearing was below 50%.
- o The estimated total number of cases settled without a court hearing at the New Castle County Office for the period reported was 625. Overall this represented 49.9% of the cases handled by that office. The percentage of cases settled each month were 44.4%, 41.0%, 42.9%, 57.7% and 55.5% for the reported period.

2. To help the clients formulate their specific problems and develop solutions to those problems within sixty days of the sworn complaints.

- o In addition to those cases which were settled without a court hearing at the Sussex County Office, 676 cases (30.1%) were referred to court for hearing. The clients involved with these cases were provided assistance by the counselors in the following manner:

(a) Short-term counseling via interviews

(b) Advisement of their legal rights in addition to the procedures of the court

(c) Providing counsel (Public Defender) where needed

- o Similarly, there were an estimated 350 cases (27.9%) which were referred to court for hearings, in addition to those cases which were settled without a court hearing, at the New Castle County Office. The assistance provided to the clients of these cases was generally of the same form as cited above.

\*Report to the Supervisory Board of DARC by the Court Projects Evaluation Committee, dated May 9, 1974.

C. Comments

Many of the problems associated with the project's operation directly influenced the project's effectiveness. In the opinion of this evaluator, the problems were largely incident to the structural organization of the Family Court. (Refer to Figure 5 on the following page)

Specifically, the project's operational personnel were at least four layers removed from the Project Director. Because of this, the flow of communication from the Project Director to the operational personnel, and vice-versa, apparently was often non-existent or minimal at best. The most striking instance of this situation was the fact that the operational staff had no involvement in preparing the applications and were not cognizant of the approved applications. It follows that the objectives of the project were not communicated.

Another instance of non-communication that existed is best illustrated by the following statements which was contained in the final report of the first year's project (New Castle County section):

"The project consisted of one Counselor Supervisor and four Counselor II's. We have always been at full complement".

According to a detailed memorandum submitted to this evaluator by Family Court staff the project maintained a full complement of staff for only nine of the fourteen months alluded to in the above statement.

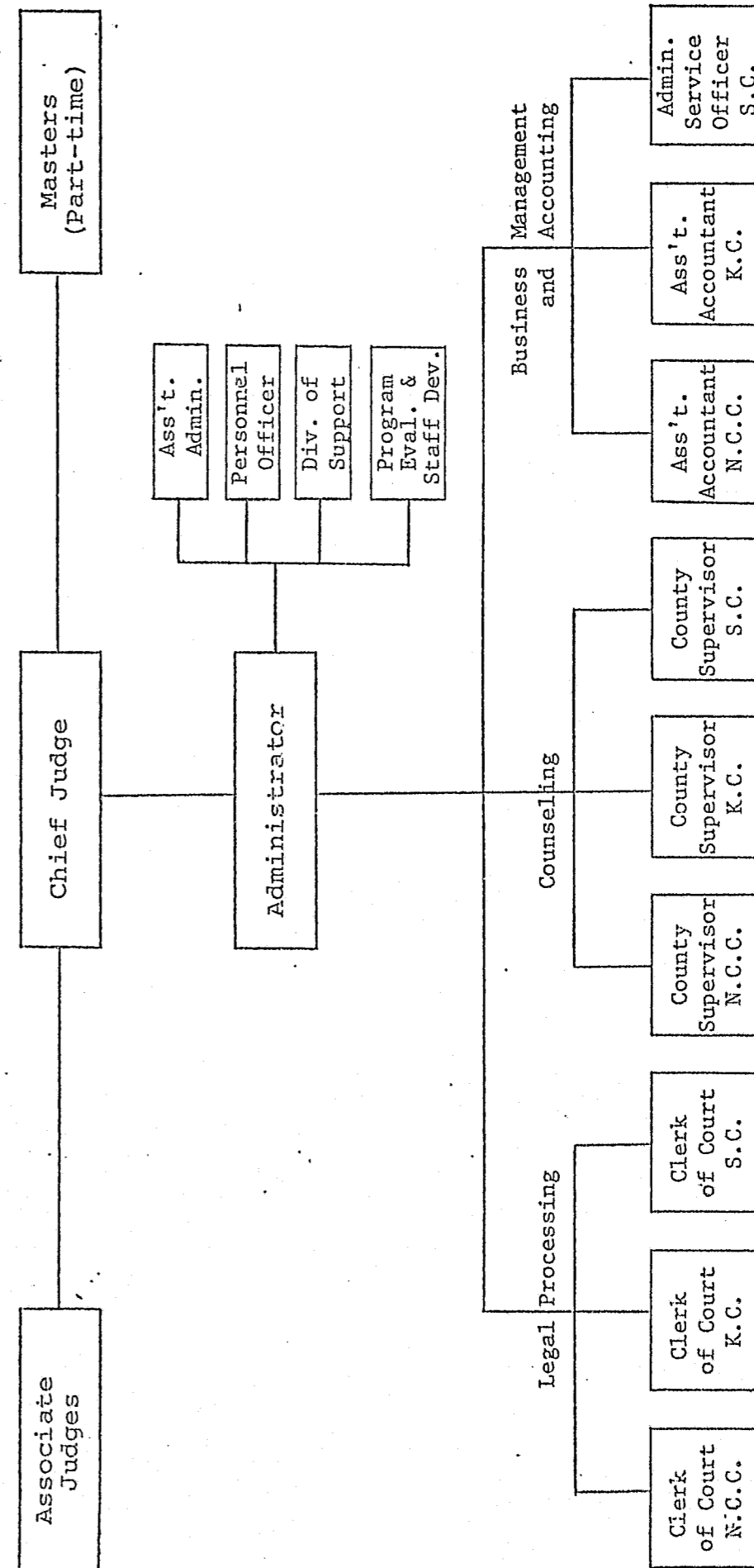
There was another administrative failure which resulted in non-adherence to the stated Evaluation Design. Part of that design specified that:

"The Counselor Supervisor and the Court Administration will be responsible for the collection, maintenance, analysis, and evaluation of data. Financial records will be kept by the Accounting Office."

The fact that the above was not fulfilled is reflected by the problems described in Section IV - A of this report.

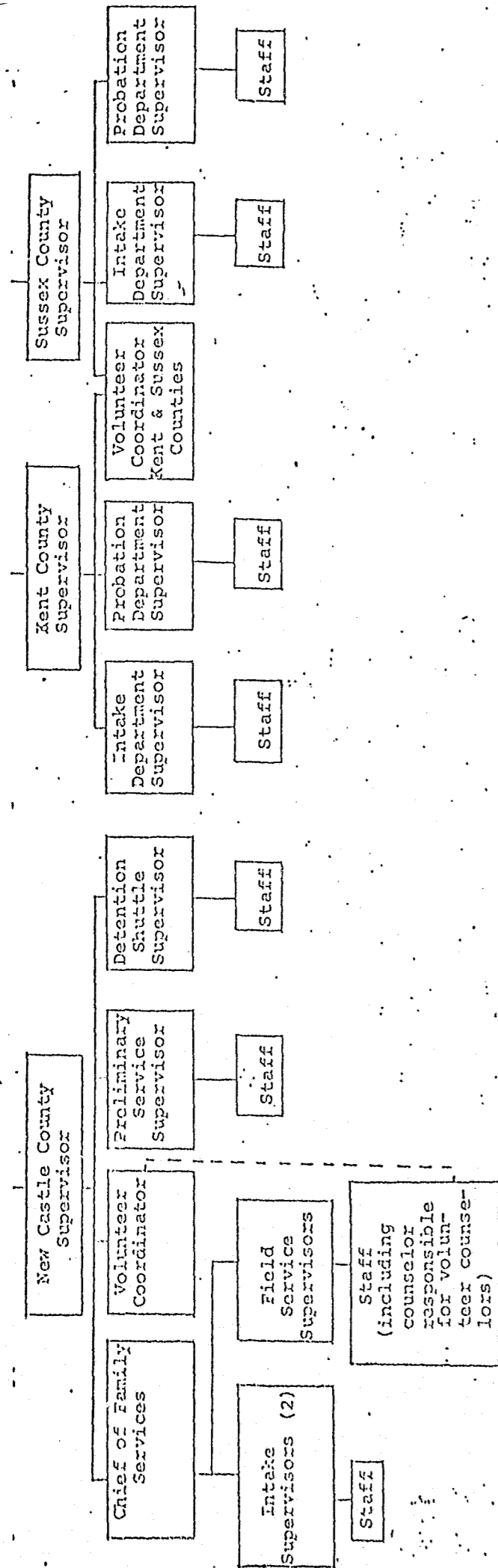
FIGURE 5

Organization Chart  
The Family Court For the State of Delaware  
(Effective January, 1975)





Organization Chart Counseling Staff:  
The Family Court For the State of Delaware



\*The organizational structure depicted in this chart was developed from narrative description presented in "The Family Court Newsletter", February, 1975 and through discussions with Family Court staff.

V. Recommendations

1. It is recommended that case activity statistics be maintained each month for each DARC funded position and that such statistics be submitted in each quarterly report to DARC..
2. It is recommended that all project staff be made aware of the project's stated objectives.
3. It is recommended that any continuation application contain measurable objectives as set forth in the 1975 DARC Administrative Manual.
4. It is recommended that a full audit be conducted at the New Castle County Office to ascertain the name, number and length of time employed for each State funded Counselor (and Counselor Supervisor) during the period from August, 1973 through February, 1975.

APPENDIX A

TABLE 7

Number of Cases per Month, by Disposition or Status,  
Which were Interviewed by the Entire Intake Staff  
of Family Court: New Castle County Office  
(For the Period October, 1974 through February, 1975)\*

Disposition or Status	Number of Cases Per Month					Totals	
	Oct	Nov	Dec	Jan	Feb	Number	(%)
Settlement	301	177	266	339	331	1,414	48.7
No Settlement (Referred to Court)	204	127	204	149	142	826	28.4
Pending Settlement (In Process)	170	121	150	99	125	665	22.9
TOTALS	675	425	620	587	598	2,905	100.0

TABLE 8

Number of Cases Settled per Month, by Settlement Type,  
Which were Interviewed by the Entire Intake Staff  
of Family Court: New Castle County Office  
(For the Period October, 1974 through February, 1975)\*

Settlement Type	Number of Cases Per Month					Totals	
	Oct	Nov	Dec	Jan	Feb	Number	(%)
Adjustment	30	7	7	10	-	54	3.8
Voluntary Agreement	191	82	105	180	169	727	51.4
Withdrawal	65	73	143	136	162	579	41.0
Information & Referral	15	15	11	13	-	54	3.8
TOTALS	301	177	266	339	331	1,414	100.0

\*The number of State funded counselors employed at the New Castle County Intake Department during the months of October, 1974; November, 1974; December, 1974; January, 1975 and February, 1975 respectively were four, three, five, four and four.

## APPENDIX B

## II. INTAKE DIVISION

## A. Referral of Proceedings to Intake Department

## Rule 80. Reception of Complaint and Civil Petition.

(a) **Determination of Legal Sufficiency.** All complaints alleging neglect, dependency, delinquency, or a crime or a petition for civil relief shall be recorded and be referred to the Intake Department of this Court. The Intake Department shall make a preliminary determination, subject to review as provided in subsection (c) of this Rule, as to whether the allegations made by the complainant or petitioner appear to be legally sufficient to warrant the filing of a petition in the interest of a child, a criminal information or a petition for civil relief. In the case of a petition for civil relief prepared and filed by an attorney for the petitioner, no such preliminary determination shall be made. In such case, it will be presumed that counsel has reviewed the facts with the petitioner and determined that there is a legal basis for the action.

(b) **Procedures.** The Intake Department may (1) refer the case to an appropriate public or private agency, or (2) subject to subsection (c) of this Rule, recommend dismissal of the case or to refuse to authorize further proceedings if the facts and the interest of justice so warrant, or (3) conduct conferences for the purpose of affecting adjustments or agreements which could obviate the necessity for formal court action, or (4) authorize the filing of a petition in the interest of a child, a criminal information or a petition for civil relief.

(c) **Review of Dismissal or Refusal to Authorize Further Proceedings.** In the event the Intake Department recommends or takes any action other than to authorize the filing of a petition in the interest of a child, a criminal information or a petition for civil relief, the complainant or petitioner shall forthwith be informed of the reasons for such recommendation or action and of his right to a review of his complaint or petition.

(1) **Child Delinquency and Adult Criminal Matter.** The request for a review in a child delinquency or adult criminal matter shall be made to the

Attorney General within 10 days after notification from the Intake Department that the filing of the criminal information or delinquency petition was not authorized. The Attorney General shall review the matter and thereafter (a) authorize the filing of a petition in the interest of a child or a criminal information, or (b) dismiss the complaint, or (c) refer the case back to the Intake Department for further adjustment. In all events the decision of the Attorney General shall be final.

(2) Civil Matter. The request for a review in a civil matter shall be made to a Judge of this Court within 10 days after notification from the Intake Department that the filing of the petition was not authorized. The Judge shall review the matter and thereafter (a) authorize the filing of a civil petition, or (b) dismiss the petition, or (c) refer the case back to the Intake Department for further adjustment. The reviewing Judge shall not preside at the adjudicatory hearing unless with the consent of the parties.

## B. Pretrial Adjustment Procedure

### Rule 90. Voluntary Adjustment Process.

(a) Intake Interview. If the facts in the case appear to be legally sufficient for formal court action, any party thereto, his attorney or the Intake Department itself may indicate the need of a conference, and the parties, if not then present, shall be requested by letter or telephone to attend one or more intake interviews. If the parties are present when the complaint or petition is presented to the Intake Department, the intake interview may take place immediately. The parties, and their attorneys, shall be informed (1) that they are not compelled to appear, (2) that the interview is voluntary, (3) that they are not obligated to produce any papers or to visit any place, (4) that they have the right to be represented by their own counsel or to request the assignment of counsel, (5) that they have the right to remain silent or to produce evidence in their own behalf, (6) that no statement made to an intake counsellor by a party during an intake interview may be admitted into evidence at a subsequent adjudicatory hearing and (7) that they may withdraw from the adjustment process at any time and, conversely, that the Intake Department may terminate the adjustment process at any time.

(b) Settlement. If the intake interviews bring about a recommendation of settlement of the case by adjustment, by voluntary agreement, by referral or otherwise, the complaint or the petition for civil relief may (1) be withdrawn, (2) be dismissed or (3) a written voluntary consent order be entered into and executed by the parties. The recommended disposition shall be submitted to a Judge of the Court for approval. If so approved by a Judge, the disposition shall be filed with the Clerk of the Court as a matter of record. If not approved by a Judge, the matter shall be returned to the Intake Department for such further action as the Court may direct. Efforts to adjust a case by the Intake Department may not extend beyond 60 days from the date the case was first referred

to the Intake Department, without leave of a Judge, who may extend for additional 30 day periods.

(c) Termination. If the adjustment process is terminated at any time, for any reason, the Intake Department may authorize the filing of a petition in the interest of a child, a criminal information or a petition for civil relief or take action in accordance with Rule 80(c).

### Rule 100. Filing of the Petitions and Information.

(a) Contents. The Intake Department may recommend the filing of a petition in the interest of a child, a criminal information or a petition for civil relief with the Clerk of the Court, which may be initiated and prepared by the Intake Department, by counsel or by the Attorney General. The child delinquency petition shall be signed by (1) the Attorney General, or (2) the complainant, or (3) any other person having knowledge of the facts. The criminal information shall be signed by the Attorney General before it is filed with the Clerk of the Court and the decision of the Attorney General whether or not to proceed shall be final. The petition for civil relief shall be signed by the petitioner or his attorney, or any other person having knowledge of the facts. Sufficient copies of the information or petition shall be filed with the Clerk of the Court so that a copy will be available for service upon each defendant. Such pleading shall set forth (1) the facts which establish jurisdiction of the Court, (2) the name, age and residence of the parties, including any children involved and their parents or custodian, (3) in plain and concise language with reasonable particularity, the time, place and manner of the acts alleged, the law or standard of conduct allegedly violated, if any, and (4) such other information sufficient enough to properly inform the defendant of the charges or allegations being made against him.

(b) Amendments. The Court may permit a petition or an information to be amended at any time prior to final adjudication on the merits if the substantial rights of any party affected thereby are not prejudiced.

(c) Error or Omission. Error in the citation of any statute or omission thereof shall not be grounds for dismissal of a petition or an information, if such error or omission did not mislead any party to his prejudice.

Welfare and Human Relations Group  
Probation and Parole Series

CLASS TITLE: Counselor II

CHARACTERISTICS OF THE CLASS:

1,

Under general supervision, is responsible for the investigation of offenders and providing guidance, case work and counselling services for probationers, parolees, juveniles in aftercare programs, inmates of adult correctional institutions, residents of juvenile correctional facilities, residents of other Departmental facilities; and performs related work as required.

EXAMPLES OF DUTIES:

Provides counselling on an individual and group basis for probationers, parolees, juveniles on aftercare programs, inmates of adult correctional facilities or residents of juvenile correctional facilities or; to help them to achieve an adequate personal and community adjustment; conducts pre-sentence, pre-parole and other investigations to obtain information about clients and their problems; formulates and implements programs designed to influence offenders to observe the conditions of probation, parole and the laws of the community; arranges placements for those on aftercare, including own home, foster home, group home, etc.; makes visits to homes, places of employment and others to verify and obtain information about a supervisee's adjustment, problems and needs; plans and cooperates with community agencies for the treatment of client problems; cooperates with supervisory and administrative staff in the development, implementation and evaluation of division programs, policies and procedures; performs public relations work; provides liaison with courts and the Board of Parole; attends staff meetings; assists in training programs as required; keeps detailed records on all matters relevant to clients; writes reports; assists in the implementation of institution related programs and in the administration of Field Services facilities or aftercare facilities; does related work as required.

MINIMUM QUALIFICATIONS:

Training and Experience: Possession of a master's degree in Social Work from an accredited School of Social Work; or possession of a master's degree in Sociology, Psychology, Guidance, Criminology or Corrections and one year experience as a counsellor, case worker, probation or parole officer in an agency or institution adhering to acceptable case work standards; or graduation from an accredited college or university with a bachelor's degree, preferably in one of the behavioral sciences and two years of experience of the type specified above.

Welfare and Human Relations Group  
Probation and Parole Series

CLASS TITLE: Counselor Supervisor 1,

CHARACTERISTICS OF THE CLASS:

Under direction, is responsible for supervising a group of Counsellors I and II involved in case work, and staff involved in other functional areas of Field Services or aftercare responsibility; assists in the development, implementation and coordination of the Field Services or Aftercare program; and performs related work as required.

EXAMPLES OF DUTIES:

Plans, assigns and supervises the work of a group of Counsellors or staff performing other functions, e. g., in the operation of a "halfway house" or release or recognizance program; assigns, reviews and evaluates work of subordinate staff to determine quality, quantity, effectiveness and efficiency; reviews pre-sentence reports, case records, reports and correspondence to assess adherence to policies and procedures to insure effective application of counselling techniques and to determine training needs; confers with subordinate staff individually and in a group for training purposes, and to assist in achieving program effectiveness and improved functioning; assists in making case decisions including recommendations for discharge, revocation or other treatment programming; in the absence of subordinate staff, handles emergencies arising in their case loads and other assignments; assists director and other superiors and consultative staff in formulation, implementation and evaluation of division program; assists in the development of the Field Services or Aftercare budget; carries out programs designed to achieve goals and responsibilities of the division; makes formal evaluations of staff; keeps records and reports, conducts orientation and training programs, maintains liaison with courts, Board of Parole and other institutions; performs public relations functions as assigned; assists in the implementation of institution related programs and pre-parole planning. May supervise field work students.

MINIMUM QUALIFICATIONS:

Training and Experience: Possession of a master's degree in social work from an accredited school of social work and two years of experience as a Counsellor or case worker in an agency or institution, adhering to acceptable standards; or possession of a related master's degree such as in Sociology, Psychology, Guidance, Criminology or Corrections and 3 years experience of the type specified above; or graduation from an accredited college or university with a bachelor's degree and four years of experience of the type specified above.

Knowledge, Abilities and Skills: Thorough knowledge of the principles, practices and techniques of counselling as applied in probation and parole; considerable knowledge of relevant laws, rules, regulations, and techniques of interviewing, counselling, investigation and surveillance; good knowledge of record keeping and report writing.

Ability to work effectively with people and aid supervisees in the constructive utilization of their capabilities in adjusting to probation, parole and the community; ability to analyze and interpret information; to apply the techniques of counselling in a correctional setting; to keep detailed records; to communicate clearly, concisely and with facility both verbally and in writing.

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Knowledge, Abilities and Skills: Thorough knowledge of the principles, practices and techniques of corrections, particularly probation, parole, or aftercare for juveniles, and their application; a sound philosophy of corrections considerable knowledge and understanding of human behavior and the factors that influence such behavior, techniques of counselling and guidance; and understanding of and ability to perform a supervisory role; ability to organize, analyze information and effectively communicate verbally and in writing. Candidates must demonstrate definite capabilities for supervisory work.

Pay Grade 21

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**END**