

Family Court 2007 Annual Report

Superior Court of the District of Columbia



Honorable Rufus G. King, III
Chief Judge
March 31, 2008

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EXECUTIVE SUMMARY

Since the enactment of the District of Columbia Family Court Act, the Family Court has made significant strides towards achieving the goals set forth in its Family Court Transition Plan submitted to the President and Congress on April 5, 2002. Each measure taken is aimed at improving services for children and families in Family Court. The following summarizes some of the measures taken by the Family Court to achieve each goal during 2007.

- **Made child safety and prompt permanency the primary considerations in decisions involving children.**
 - Continued to monitor compliance with the Adoption and Safe Families Act (ASFA)¹.
 - In collaboration with the District of Columbia Child and Family Services Agency (CFSA) and the OAG, expanded the examination of policies related to termination of parental rights (TPR) cases to ensure that policies and/or practices that cause delay in permanency are reviewed and modified, if appropriate.
 - In collaboration with the CFSA and other child welfare stakeholders participated in the Child and Family Services Review and development of the subsequent Program Improvement Plan to address issues related to child safety and permanency.

- **Provided early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.**
 - Developed a seamless adolescent services and supervision model to improve programming for males on probation that was built on the success of the “Leaders of Today in Solidarity” program which was successful in improving programming for adolescent girls on probation.
 - Launched a re-engineered intensive supervision program “Ultimate Transitions Ultimate Responsibilities Now” (UTURN) to address the complex needs of high-risk juveniles.
 - Developed a first ever Balanced and Restorative Justice Drop In Center (Drop In Center) for juvenile offenders. The center is an innovative, non-traditional juvenile rehabilitation program that offers pro-active services, including tutoring, mentoring, peer mediation, and recreation for youth in addition to supervision services.

- **Assigned and retained well-trained and highly motivated judicial officers.**
 - Conducted the sixth annual interdisciplinary cross training conference.

¹ “ASFA” refers to the federal statute, P.L.105-89 unless otherwise specified.

- Planned and hosted bi-monthly cross training programs for all stakeholders.
 - Participated in national training programs on issues relating to children and families.
- **Promoted alternative dispute resolution.**
 - Continued operation of the Child Protection Mediation Program.
 - Continued operation of and increased participation in same day mediation in domestic relations cases.
 - Increased the pool of mediators through creation of an open enrollment process. Through open enrollment, trained and experienced mediators are conditionally accepted into Family Court mediation programs without completing Multi-Door's basic mediation training prerequisites if they can demonstrate knowledge and proficiency in mediation skills.
- **Used technology effectively to track cases of children and families.**
 - Began development of policies and procedures to support the electronic initiation of abuse and neglect cases by the CFSA.
 - Collaborated with the D.C. Department of Motor Vehicles (DMV) to develop traffic and drug extracts to satisfy applicable statutory and municipal regulations related to juveniles.
 - Continued development of performance measures to allow the Court to monitor compliance with established case processing timelines.
- **Encouraged and promoted collaboration with the community and community organizations.**
 - Continued to meet regularly with stakeholders and participated on numerous committees of organizations serving children and families, including the Child Welfare Leadership Team and the Juvenile Detention Alternative to Incarceration Initiative.
 - Continued to collaborate with community partners to refine and fully implement the Family Fathering Court initiative.
 - Developed an outreach initiative to ensure that the services provided by the Self Help Center are available and accessible to the Latino community.
- **Provided a family friendly environment by ensuring materials and services are understandable and accessible.**
 - Continued and enhanced use of the redesigned Family Court entrance to the Courthouse. The redesign increased usable space and created a familiar, friendlier and ADA compliant entrance while maintaining the required level of security.

- Continued review and revision of Family Court forms, to ensure that they are legally compliant and to make them bilingual where appropriate.
- Began design of second Drop In Center to provide pro-social activities, as well as a courtroom providing the opportunity for community-based justice in Northeast quadrant of city.

We continue to implement initiatives and sustain past initiatives to better serve children and families in our court system.

INTRODUCTION

The District of Columbia Family Court Act of 2001, Pub.L. 107-114 (D.C. Official Code, 2001 Ed. § 11-1101 *et seq.*, hereinafter the “Family Court Act”) requires that the Chief Judge of the Superior Court submit to the President and Congress an annual report on the activities of the Family Court. The report, summarizing activities of the Family Court during 2007, must include the following:

- (1) The Chief Judge’s assessment of the productivity and success of the use of alternative dispute resolution (see pages 21-28).
- (2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court’s performance (see pages 38-47).
- (3) Information on the extent to which the Family Court met deadlines and standards applicable under Federal and District of Columbia Law to review and disposition of actions and proceedings under the Family Court’s jurisdiction during the year (see pages 29-35).
- (4) Information on the progress made in establishing locations and appropriate space for the Family Court (see pages 15-19).
- (5) Information on factors not under the Family Court control which interfere with or prevent the Family Court from carrying out its responsibilities in the most efficient manner possible (see pages 86-87).
- (6) Information on: (a) the number of judges serving on the Family Court as of December 31, 2007, (b) how long each such judge has served on the Family Court, (c) the number of cases retained outside the Family Court, (d) the number of reassignments to and from the Family Court and (e) the ability to recruit qualified sitting judges to serve on the Family Court (see pages 3-8).
- (7) An analysis of the Family Court’s efficiency and effectiveness in managing its caseload during the year, including an analysis of the time required to dispose of actions and proceedings among the various categories of Family Court jurisdiction, as prescribed by applicable law and best practices (see pages 64-85).
- (8) A proposed remedial plan of action if the Family Court failed to meet the deadlines, standards, and outcome measures prescribed by such laws or practices (see pages 86-87).

GOALS AND OBJECTIVES

The goals and objectives outlined in our Transition Plan continue to provide the direction for our mission as a Family Court.

Mission Statement

The mission of the Family Court of the Superior Court of the District of Columbia is to protect and support children brought before it, strengthen families in trouble, provide permanency for children and decide disputes involving families fairly and expeditiously while treating all parties with dignity and respect.

Goals and Objectives

The Family Court, in consultation with the Family Court Implementation Committee, established the following goals and objectives to ensure that the Court's mission is achieved. They remained the goals and objectives for continued improvement in 2007.

1. Make child safety and prompt permanency the primary considerations in decisions involving children.
2. Provide early intervention and diversion opportunities for juveniles charged with offenses to enhance rehabilitation and promote public safety.
3. Appoint and retain well trained and highly motivated judicial and non-judicial personnel by providing education on issues relating to children and families and creating work assignments that are diverse and rewarding for Family Court judicial officers and staff.
4. Promote the use of Alternative Dispute Resolution (ADR) in appropriate cases involving children and families to resolve disputes in a non-adversarial manner and with the most effective means.
5. Use technology to ensure the effective tracking of cases of families and children; identification of all cases under the jurisdiction of the Family Court that are related to a family or child and any related cases of household members; communication between the court and the related protective and social service systems; collection, analysis and reporting of information relating to court performance and the timely processing and disposition of cases.

6. Encourage and promote collaboration with the community and the community organizations that provide services to children and families served by the Family Court.
7. Provide a family-friendly environment by ensuring that materials and services are understandable and accessible to those being served and that the waiting areas for families and children are comfortable and safe.

JUDICIAL RESOURCES IN THE FAMILY COURT

On January 1, 2008, the Family Court consisted of 14 associate judges and 16 magistrate judges. In addition, Senior Judge Nan Shuker assisted the Family Court by presiding over a portion of the neglect and adoption caseload. Prior to becoming a senior judge, Judge Shuker had served extensively in the Family Court where she presided over adoption cases.

Length of Term on Family Court

Associate judges currently assigned to Family Court have certified that they will serve a term of either three years or five years depending on when they were appointed to the Superior Court. Judges already on the bench when the Family Court Act was enacted are required to serve a period of three years. Judges newly appointed to the Superior Court are required to serve a term of five years on the Family Court bench. The following are the commencement dates of associate judges currently assigned to the Family Court and the length of service required and the commencement dates of magistrate judges currently assigned to the Family Court. The names in bold mark those judges who continue to serve in the Family beyond the minimum required term.

<u>Associate Judges</u>	<u>Commencement Date</u>	<u>Service Requirement</u>
Judge Josey-Herring	September 2000	3 years
Judge Davis	January 2002	3 years
Judge Macaluso	July 2003	5 years

Judge Saddler	July	2003	5 years
Judge Byrd	November	2003	5 years
Judge Ryan	November	2003	5 years
Judge Bush	January	2005	3 years
Judge Cordero	January	2005	5 years
Judge William Jackson	January	2006	3 years
Judge Long	January	2006	3 years
Judge Campbell	January	2006	3 Years
Judge McKenna	January	2006	5 years
Judge Broderick	January	2007	3 years
Judge Mitchell-Rankin	January	2008	3 years

The following are the commencement dates of magistrate judges currently assigned to the Family Court:

<u>Magistrate Judges</u>	<u>Commencement Date</u>	
Magistrate Judge Nooter	January	2001
Magistrate Judge Dalton	April	2002
Magistrate Judge Gray	April	2002
Magistrate Judge Johnson	April	2002
Magistrate Judge Breslow	October	2002
Magistrate Judge Fentress	October	2002
Magistrate Judge Goldfrank	October	2002
Magistrate Judge McCabe	October	2002
Magistrate Judge Brenneman	January	2004
Magistrate Judge Lee	January	2005
Magistrate Judge Albert	January	2006
Magistrate Judge Parker	January	2006
Magistrate Judge Rook	October	2006
Magistrate Judge Epps	January	2007
Magistrate Judge Melendez	January	2008
Magistrate Judge Wingo	January	2008

Reassignments to and from Family Court:

There were no reassignments of judicial officers to or from the Family Court in 2007. Effective January 1, 2008, two associate judges and two magistrate judges were assigned to other divisions in the Superior Court after completing more than their required term of service in the Family Court and one associate judge and two magistrate judges were assigned to the Family Court. Judge Zinora Mitchell-Rankin joined the

Family Court replacing Judge Odessa Vincent and Magistrate Judges Aida Melendez and Elizabeth Wingo joined the Family Court replacing Magistrate Judges Dennis Doyle and Andrea Harnett. Judge Mitchell-Rankin served as the presiding judge of the Family Division from January 1999 to January 2001 and Magistrate Judge Melendez previously served in the Family Court from January 2002 to January 2005. All newly assigned judicial officers meet or exceed the educational and training requirements required for service in the Family Court.

Detailed below is a brief description of newly assigned judicial officers:

Zinora Mitchell-Rankin

Judge Mitchell-Rankin was appointed an associate judge to the Superior Court of the District of Columbia on January 12, 1990 and began her judicial career in the Family Division. While in the Family Division she handled adoptions, juvenile delinquency and neglect and abuse cases. She currently handles domestic relations cases.

Judge Mitchell-Rankin served as the Presiding Judge of the Family Division from January 1999 to January 2001. Prior to that she served as Deputy Presiding judge from January 1997 to January 1999. During her tenure as Presiding Judge she developed and implemented numerous court training programs on issues involving children and families. Most notably she oversaw the establishment of the Family Division as a Child Victim's Act Model Court under the National Council of Juvenile and Family Court Judges (NCJFCJ) in April 2000. In doing so, she was able to bring to the Family Division a wealth of technical resources available to local courts from the NCJFCJ.

Prior to her appointment as an associate judge, Judge Mitchell-Rankin accepted an appointment with the Department of Justice Honors Program and was assigned to the

Civil Division, Commercial Litigation Branch as a trial attorney. During her tenure with the Civil Division, Judge Mitchell-Rankin's legal practice included affirmative and defensive civil litigation before the United States District Courts, United States Court of Appeals, United States Bankruptcy Court, and the United States Claims Court.

In June 1982, she was appointed as an Assistant United States Attorney of the District of Columbia. In that office, Judge Mitchell-Rankin served in both the United States District Court and in the Superior Court of the District of Columbia. In addition, she served as the Administrative Assistant United States Attorney from March 1987 until May 1988. Judge Mitchell-Rankin was then appointed to serve as the Executive Assistant for Management and remained in that position until her nomination to the Superior Court.

Judge Mitchell-Rankin received her B.A. degree with honors from Spelman College in 1976 and her law degree from George Washington University's National law Center in 1979.

Aida Melendez

Magistrate Judge Melendez was sworn in as a Hearing Commissioner (now magistrate judge) for the Superior Court of the District of Columbia in April 1997. She is currently assigned to the Family Court, where her primary calendar assignment is presiding over paternity and child support cases.

Since 1997, Magistrate Judge Melendez has served many rotations in the Family Court. She has presided over the following calendar assignments: Child Support; Uncontested Divorces; New Referrals, which includes Juvenile and Initial Abuse and Neglect matters; Mental Retardation, and Domestic Violence, which include child support and custody issues.

Preceding her appointment as a Hearing Commissioner, Magistrate Judge Melendez served as the Chief of the Child Support Section, Family Division, of the Office of the Attorney General (OAG) of the District of Columbia (formerly Office of the Corporation Counsel). Magistrate Judge Melendez' experience also includes serving as a trial attorney for both the Family and Criminal Divisions of the Office of the Attorney General of the District of Columbia (OAG) and as an attorney advisor with the OAG's Office of Legal Counsel. As a child support trial attorney, Magistrate Judge Melendez represented petitioners in contested paternity trials. Since then, the tests have become more advanced and are referred to as DNA tests. In addition, Magistrate Judge Melendez represented petitioners in contested child support and contempt hearings. In her capacity as attorney advisor, she reviewed and drafted proposed child support legislation for the District of Columbia and drafted testimony on family matters for District of Columbia government officials to present before the District of Columbia Council. For her service with the OAG, Judge Melendez received a Corporation Counsel's Certificate of Excellence, Special Achievement Award and Certificate of Appreciation.

Prior to her tenure with the OAG, Magistrate Judge Melendez had a private practice, where among other things, she handled divorces.

Since joining the Court, Magistrate Judge Melendez has participated in Family Court training, as a participant, instructor and speaker.

Elizabeth Wingo

Magistrate Judge Wingo was sworn in on August 18, 2006. Since her appointment, she has presided over the preliminary hearing courtroom, making probable

cause findings and detention decisions in felony and misdemeanor cases. She was assigned to the Family Court in January 2008.

Prior to her appointment as a magistrate judge, Judge Wingo served as the Chief of the Criminal Section of the Office of the Attorney General (OAG) for the District of Columbia. As Chief of the Criminal Section, she was responsible for the direct supervision of a staff of approximately 20 trial attorneys and support staff, and for more policy-based work, such as representing OAG on various inter-agency committees in the criminal justice system, drafting legislation and testimony regarding legislation on criminal justice matters, and initiating reforms in the handling of criminal traffic matters that required the cooperation of multiple agencies, such as the Department of Motor Vehicles and the Metropolitan Police Department. In 2006, she was appointed Assistant Deputy Attorney General for the Public Safety Division.

Prior to that she served as an Assistant U.S. Attorney in the U.S. Attorney's Office for the District of Columbia, where she served (1999 to 2004) in the Appellate, General Felony, Sex Offense/Domestic Violence and Homicide/Major Crimes Sections. During her tenure as an Assistant U.S. Attorney, Magistrate Judge Wingo tried over 50 bench and jury trials and argued several cases before the U.S. Court of Appeals for the D.C. Circuit and the D.C. Court of Appeals. She also received multiple special achievement awards.

Judge Wingo graduated Phi Beta Kappa from Dartmouth College in 1992 and earned her J.D. degree from the Yale Law School in 1997. While in law school, she served as Co-Director of the Temporary Restraining Order (TRO) Project. As the Co-Director, she coordinated law student volunteers who assisted victims of domestic

violence in obtaining temporary restraining orders, by explaining the process, assisting in filling out the paperwork, and providing support while waiting for, and during, the TRO hearing. Immediately after law school, Judge Wingo worked for a year as an associate in the Washington office of Sullivan and Cromwell, and then spent a year clerking for the Honorable T.S. Ellis, III, in the U.S. District Court for the Eastern District of Virginia.

The ability to recruit qualified sitting judges to serve on Family Court

Since its inception, the Family Court has not experienced any problems in recruiting qualified judges to serve on the Family Court. All associate judges currently serving on Family Court volunteered to serve on the Court. As the terms of associate judges currently assigned to Family Court expire, the Court anticipates that some may choose to extend their terms, as did some whose terms expired in 2007. Based on the terms of service required, seven associate judges, including the presiding judge are eligible to transfer out of the Family Court in 2008. A two-fold process will be implemented to replace those judges who choose to transfer out. First, there is an ongoing process to identify and recruit associate judges interested in serving on the Family Court who have the requisite educational and training experience required by the Act. Second, associate judges who are interested in serving but do not have the requisite experience or training will be provided appropriate training before assignment to Family Court.

Given the overwhelming response from the bar for the magistrate judge positions previously advertised, no recruitment difficulties are envisioned for future magistrate judge vacancies.

TRAINING AND EDUCATION

The Chief Judge of the Superior Court and the presiding and deputy presiding judges of the Family Court, in consultation with the Superior Court's Judicial Education Committee, develop and provide training for Family Court judicial staff. To assist in this effort, a Training and Education Subcommittee of the Family Court Implementation Committee was established in February 2002. This interdisciplinary committee, which oversees Family Court training, consists of judicial officers, court staff, attorneys, social workers, psychologists, and other experts in the area of child welfare.

Family Court judicial and non-judicial staff took advantage of a number of training opportunities in 2007. In December 2007, Judge Mitchell-Rankin and Magistrate Judges Melendez and Wingo participated in an extensive three-day training program updating them on current substantive family law practice and new procedures in Family Court. All Family Court judicial officers participated in a mandatory training in December 2007. Topics covered included: "Contempt and Other Issues," "2007 District of Columbia Appellate Family Court Decisions," "New Domestic Relations Case Processing Plan," "New Initiatives in Juvenile Delinquency," and "Post Permanency Services in Neglect and Abuse Cases."

Family Court judicial officers also participated in trainings sponsored by organizations outside the Family Court such as: the annual conference on Family Court and the Model Court All Sites Conference sponsored by the National Council of Juvenile and Family Court Judges (NCJFCJ); the Juvenile Detention Alternative Initiative Annual Conference; the American Bar Association, the National Association of Women Judges, and the National Association of Drug Court Professionals Annual

Conferences; the Florida Department of Juvenile Justice, “Charting New Directions for Girls Entering the Justice System,” with a Special Focus on Women of Color; the Maryland Drug Court Winter Symposium; a training on Self-Represented Litigants sponsored by Harvard Law School; the D.C. Bench/Bar Dialogue on Domestic Violence and Neglect and Abuse; and the Substance Abuse, Child Welfare and Dependency Court Conference sponsored by the National Center on Substance Abuse and Child Welfare. In addition, judicial officers served as lecturers, presenters and panelists for a number of seminars including: “Perspectives of Practicing Criminal Attorneys and Judges,” “The Law of Expert Witnesses,” “Expert Witness Voir/Dire,” and “The Craft of Judging.”

The presiding judge continues to conduct weekly lunch meetings for Family Court judicial officers to discuss issues relating to family cases and to hear from guests invited to speak about a variety of topics relating to the Family Court. Over the past year, topics have included issues such as the Court Appointed Special Advocate (CASA) program and its approach to addressing the needs of dual-jacketed cases (cases involving individuals before the court in two or more different kinds of case, e.g. a neglect case and a juvenile case); the balanced and restorative justice drop in centers developed by Court Social Services (CSSD); the newly developed detention curriculum developed by the Department of Youth Rehabilitation Services; introduction to the new Child Support Guidelines; permanent guardianship proposed rules for motions to modify, enforce and terminate permanent guardianship orders; and an overview of programs provided by the SeeForever and Girls and Boys Town organizations; a review of current issues in child support facilitated by the OAG; and an overview of performance based contracting by the CFSA.

In addition, all Family Court judges, magistrate judges, and senior managers participated in the sixth annual Family Court Interdisciplinary Training program in October 2007. This year's training focused on the disproportionate representation of minority youth in the child welfare and juvenile justice systems. More than 400 judges, court staff, social workers, attorneys, foster parents, non-profit organizations and other community stakeholders were in attendance. An overwhelming majority of conference attendees rated the conference as good or excellent and indicated that the conference met or exceeded their expectations. Individual comments were very positive and constructive, with high praise for conference presenters and organizers.

As a follow-up to the training, a working session for agency leaders was held the following day. The session, facilitated by the NCJFCJ, had as its purpose to take information collected from training participants and use it to develop an action plan for addressing overrepresentation. As a result of the training and follow-up session, each stakeholder agency agreed to collect and share on a monthly basis data related to overrepresentation and to meet regularly to discuss possible ways to address issues from a systemic perspective when they occur. The Family Court and its partners are committed to addressing this issue and identifying possible solutions when problems occur.

In addition to the annual training, the Training and Education Subcommittee has established a training series on topics related to the Family Court for judicial officers and all stakeholders in the child welfare system. Each seminar, held on Wednesday afternoon, was well attended with more than 50 participants from all sectors relating to family law practice. The 2007 seminars included the following:

- *An Examination of Issues Arising in Juvenile Initial Hearings.* Presented by Magistrate Judge Tony Lee, January 17, 2007.
- *The Use of Alternative Planned Living Arrangement as a Goal in Abuse and Neglect Cases.* Presented by Judge Juliet McKenna, February 21, 2007.
- *Talking to Children with Mental Illness.* Presented by Todd Christiansen, M.D. Department of Mental Health (DMH), Child & Youth Services Division, March 21, 2007.
- *How to Examine a Mental Health Expert on His/Her Mental Health Evaluation.* Presented by Dr. Susan Theut, Child Psychiatrist and Dr. David Missar, Child Psychologist, April 18, 2007.
- *Electronic Filing in Family Court - Phase I.* Presented by the Honorable Brook Hedge, May 16, 2007.
- *Post-Traumatic Stress Disorder: Recent Developments & Strategies For Treatment.* Presented by Todd Christiansen, M.D., DMH, Child & Youth Services Division, June 20, 2007.
- *Immigration Issues in Family Court.* Presented by Christina Wilkes, Esq., July 18, 2007.
- *The Education Checklist: Addressing the Educational Needs of Children in Foster Care.* Keynote Presentation on addressing educational needs from a national perspective by the Honorable Judge Ernestine Gray of New Orleans, Louisiana, and the local perspective by Magistrate Judge Lori Parker, September 19, 2007.
- *The Mayor's Services Liaison Office: A Useful On-site Resource for the Family Court.* Presented by Ora Graham, Director, Mayor's Services Liaison Office, November 14, 2007.
- *Recent Changes in Special Education Law.* Presented by Magistrate Judge Mary Grace Rook, December 12, 2007.

The Family Court continues to promote and encourage participation in cross-training and, in collaboration with others, conducts periodic seminars and workshops. The Counsel for Child Abuse and Neglect Branch (CCAN) of the Family Court, which oversees the assignment of attorneys in child welfare cases, conducts training for new child abuse and neglect attorneys, holds an annual two-day Neglect Practice Institute,

and facilitates a brown bag lunch series on topics of importance in child abuse and neglect practice. During 2007, CCAN sponsored nearly 20 brown-bag seminars. The series employs the skills of a number of stakeholders involved in the child welfare system and is designed to be interdisciplinary in nature. Topics covered include the following:

- *Emergency Temporary Kinship Care Licensing*, Anna Bell, CFSA Supervisory Social Worker, and Tamara Smith, CFSA Admin. Assistant, January 31, 2007.
- *The Attorney Client Relationship in CCAN Cases*, Wilma Brier, Esq., Beverley Gibbs, and a panel of CCAN Attorneys, February 7, 2007.
- *Initial Training for New CCAN Attorneys*, February 22- 23, 2007.
- *Child Support Issues in CCAN Cases*, Cory Chandler, Esq. and Tanya Jones-Bosier, Esq., OAG, February 28, 2007.
- *Annual Neglect and Delinquency Practice Institute (NDPI)*, March 5- 6, 2007.
- *Parent Advocacy Groups*, Ora Graham, Mayor's Services Liaison Office, and parent advocate speakers, March 28, 2007.
- *Protections for Homeless and Foster Children: An Explanation of the McKinney-Vento Act*, Attorney Emily Benfer, Washington Legal Clinic for the Homeless, and Attorney Joy Moses, Children & Youth Staff Attorney at the National Law Center on Homelessness & Poverty, April 11, 2007.
- *Advanced Guardian Ad Litem Training*, Children's Law Center Attorneys, 10:00 to 3:00, April 20, 2007.
- *Using Discovery in Neglect Cases*, Wilma Brier, Esq., Deborah Cason Daniel, Esq., Kathy Heslep, Assistant Attorney General, Steve Watsky, Esq., May 2, 2007.
- *Family Treatment Court Update*, Magistrate Judge Pamela Gray and Family Treatment Court Team members, June 6, 2007.
- *Potential Criminal Implications of Neglect Stipulations*, Jason Tully Esq. and Stephanie Harrison Esq., Public Defender Service, June 13, 2007.
- *Parents with Mental Health Problems and the Effect on Children*, Dr. John Russotto, Clinical Supervisor at Beyond Behaviors, Dr. Tracey Wells-Campfield,

Clinical Director at CFSA, and Dr. Todd Christiansen, DMH, Child and Youth Services Division, July 11, 2007.

- *Court Services and Offender Supervision Agency (CSOSA): How Probation and Parole May Affect Clients in Neglect Cases*, Tom Williams, Valerie Collins, August 8, 2007.
- *School Discipline and Special Education*. Megan Blamble, Esq., and Laura Rinaldi, Esq., September 26, 2007.
- *Case Law Review*, Cynde Nordone, Esq., and Wilma Brier, Esq., October 3, 2007.
- *New Third Party Custody Law and Grandparent Subsidy*, Carla Rappaport, Esq, Joshua Gupta-Kagan, Esq., Lindsay Hoffman, Esq., Grandparent Subsidy Unit, CFSA, October 10, 2007.
- *New Juvenile Court Procedures*, Anita Josey-Herring, Presiding Judge of the Family Court, October 31, 2007.
- *Job Corps*, Joint Juvenile/CCAN Brown Bag, Lisa Henig, Lead Admissions Counselor with Job Corps, November 8, 2007.
- *CFSA Report on Quality Service Reviews (QSRs)*, Valerie Douglas, CFSA Quality Improvement Administrator, Gayle Samuels, Center for the Study of Social Policy, November 28, 2007.
- *The Role of the Neglect Attorney When a Youth is Charged in a Juvenile Delinquency Case*, Stephanie Harrison, Esq., Public Defender Service, December 13, 2007.

Family Court non-judicial staff also participated in a number of new and expanded training programs in 2007. These educational opportunities focused on a variety of topics, all with the goal of moving the Court towards improved outcomes for children and families. Training sessions included several trainings sponsored by the NCJFCJ including the 70th Annual Child Welfare Conference, National Conference on Juvenile Justice, and the Child Victims Act Model Court All Sites Meeting entitled *Model Courts: The Next Generation- Leading Efforts to Improve Outcomes for Children and*

Families, which was held from October 3–5, 2007 in New Orleans, LA. In addition, non-judicial staff participated in the 2007 National Association for Council of Children Conference, the Child Welfare League of America National Conference on Children 2007: *Crossing the Cultural Divide*, the National Center for Adoption Law and Policy Conference, the National Drug Court Institute Regional Evaluation Training, the National Child Support Enforcement Administration Annual Conference, the National Association of Blacks In Criminal Justice Annual Conference, and the National Association for Court Management’s Annual Conference. Non-judicial staff in the juvenile and neglect branch received extensive training on a recently implemented scheduling policy that requires setting trials from the new referrals courtroom, as well as training on capturing continuance data. In addition, non-judicial staff continued to attend a variety of in-house workshops on customer service, performance evaluations, ethics, the Court’s information system (IJIS), and Microsoft Word, PowerPoint and Excel computer programs.

Representatives from the court and other child welfare stakeholders in the District of Columbia also participated in a number of trainings sponsored by the Children’s Bureau of the Department of Health and Human Services (HHS) including the Court Improvement Project (CIP) Annual Meeting in Portland, Oregon; a Conference for Agencies and Courts entitled *Fresh Perspectives on Child Welfare Partnerships* in Crystal City, VA; and the Child and Family Services Review held in June 2007. In addition, the Court will continue to collaborate with CFSA through the development and implementation of its Program Improvement Plan with the goal of improving outcomes for children and families.

FAMILY COURT FACILITIES

The Family Court Act of 2001 required that the District of Columbia immediately begin establishing an operating Family Court as a separate component of the Superior Court. To this end, a series of interim steps have been taken and planned to create a functioning Family Court that captured the spirit of the Family Court Act well in advance of full implementation.

The D.C. Courts continue to make major progress towards full consolidation of the Family Court. The following is a summary of major milestones achieved in 2007. Further details on projects in progress and initiated are included after the summary.

Summary of Milestones

Completed

- Construction of accessible Family Court Entrance and Visionary Sculptures on the JM Level of the Moultrie Courthouse.
- Construction and opening of first Balanced and Restorative Justice Drop-In Center in southeast D.C..
- Acquisition and Design for second CSS Balanced and Restorative Justice Drop-In Center in northeast D.C..
- Design of the Juvenile Holding and At Risk Holding renovation in the Moultrie Courthouse Annex.
- Design and Renovation of space in Building A to accommodate the Probate Division and Multi-Door Dispute Resolution Division relocation from the Moultrie 5th floor and Annex, respectively.

In Progress

- Design for move of Family Court Branches and Court Social Services (CSS) Juvenile Intake unit to the JM Level of the Moultrie Courthouse, after relocation of the Civil Division to the 5th floor.
- Construction of second Balanced and Restorative Justice Drop-In Center in northeast D.C..
- Construction of the Juvenile Holding and At Risk Holding renovation in the Moultrie Courthouse Annex.

Initiated

- Planning for the relocation of the CSS to the C Street Level of the Moultrie Courthouse, including design for the relocation of the Information Technology and Multi-Door Dispute Resolution Divisions to Building C.

Design for the Civil Division Relocation, 5th Floor Moultrie Courthouse

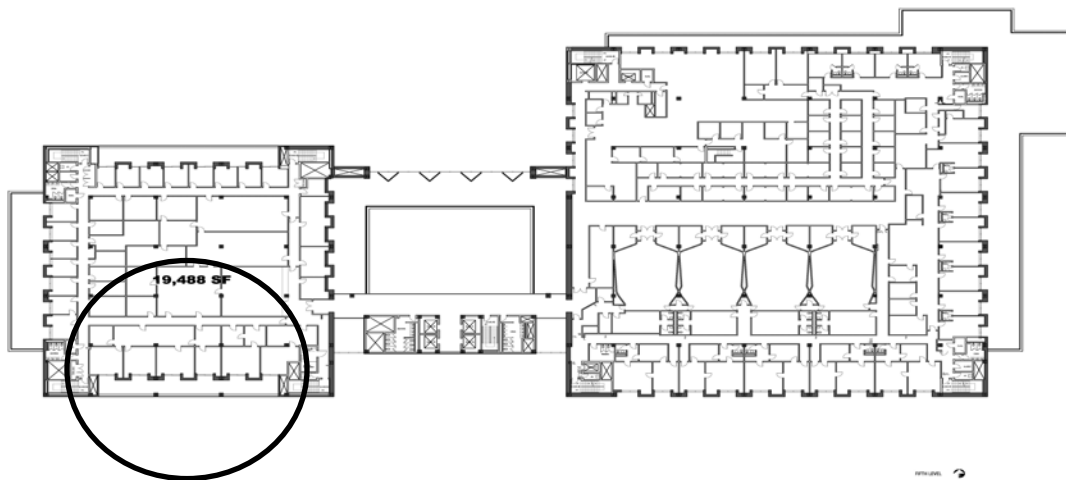
Description

Design work is in progress to relocate the Civil Division to the 5th Floor of the Moultrie Courthouse. The Civil Division is currently located on the JM Level of the Moultrie Courthouse. This relocation will free space on the JM Level for the Family Court Branches and CSS Juvenile Intake unit, further consolidating units of the Family Court. The Civil Division relocation involves renovation of 15,000 square feet of space and relocation of 66 staff.

Schedule

ID	Task Name	Duration	Start	Finish	2008				2009				2010				
					Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	
1	Design Intent Documents [DIDs]	12 wks	7/26/2007	10/17/2007	█												
2	Construction Documents [CDs] & Pemi	28 wks	10/18/2007	4/30/2008		█	█	█	█								
3	Construction	40 wks	5/1/2008	2/4/2009					█	█	█	█	█				
4	Furniture, Fixtures & Equipm [FF & E	8 wks	2/5/2009	4/1/2009										█	█		
5	Relocation	2 wks	4/2/2009	4/15/2009													█

Location

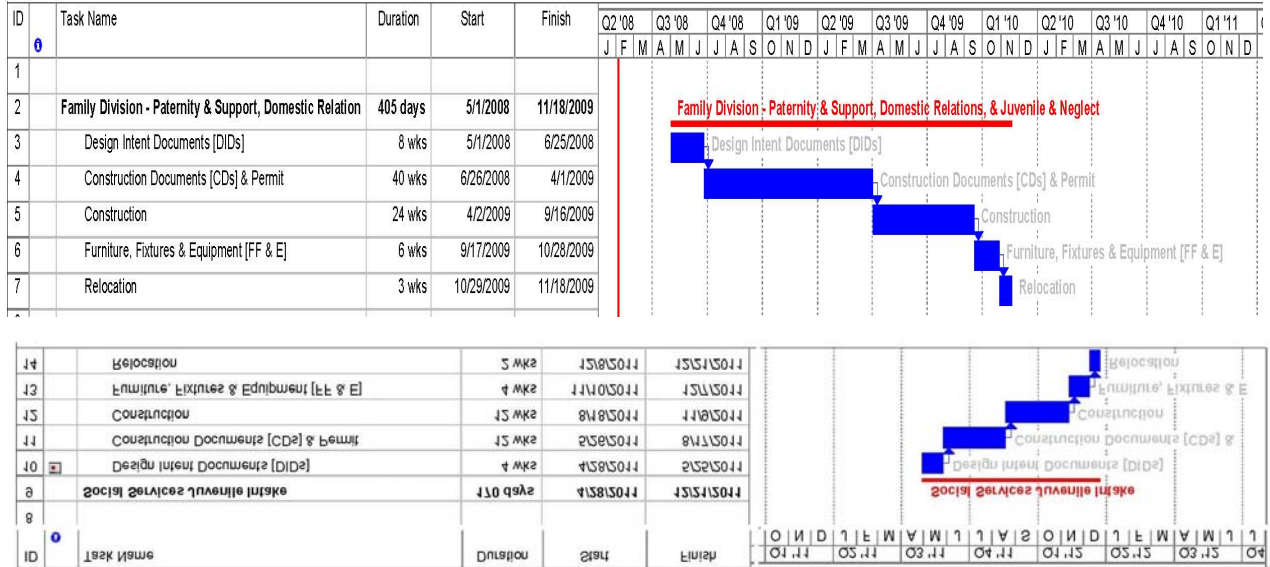


Design of Family Court Branches and Court Social Services Juvenile Intake, JM Level, Moultrie Courthouse

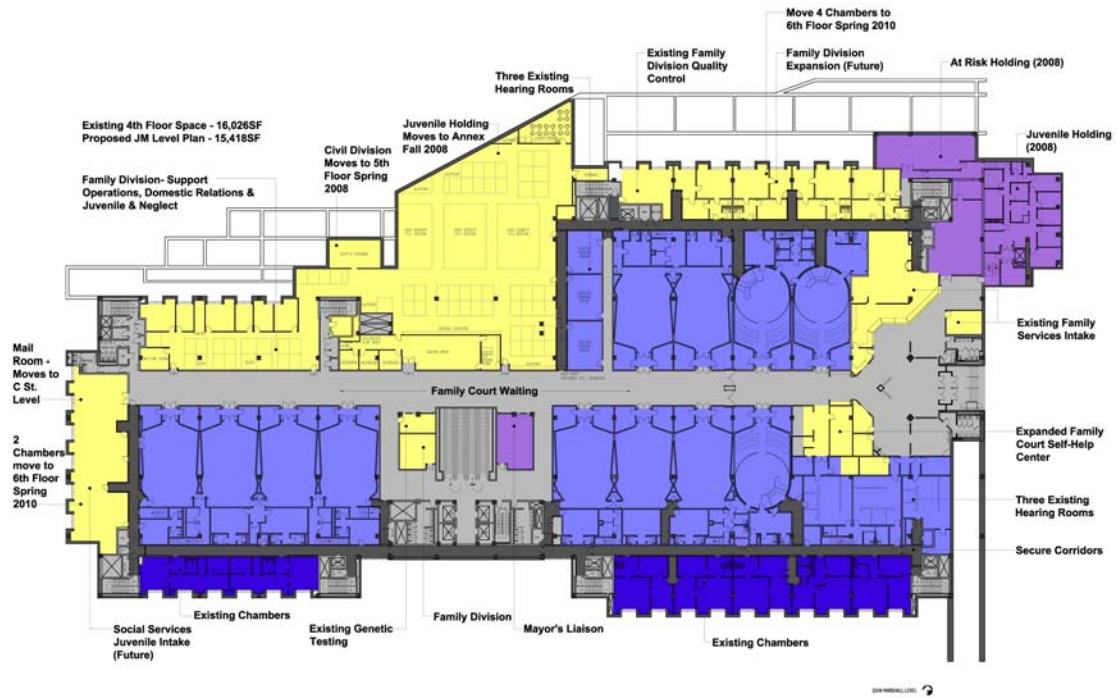
Description

Design work is in progress to relocate the Family Court Clerks Offices and CSS Juvenile Intake unit to the JM Level of the Moultrie Courthouse. This consolidation is predicated on the relocation of the Civil Division. Family Court Branches to be consolidated include: Support Operations (formerly Paternity & Support), Domestic Relations, Juvenile and Neglect, Central Intake, Quality Control and the Self-Help Center (formerly Pro Se). This project involves renovation of 18,700 square feet and relocation of 118 staff in the Family Court Branches and renovation of 2,500 square feet and relocation of 11 people for CSS Juvenile Intake.

Schedule



Location

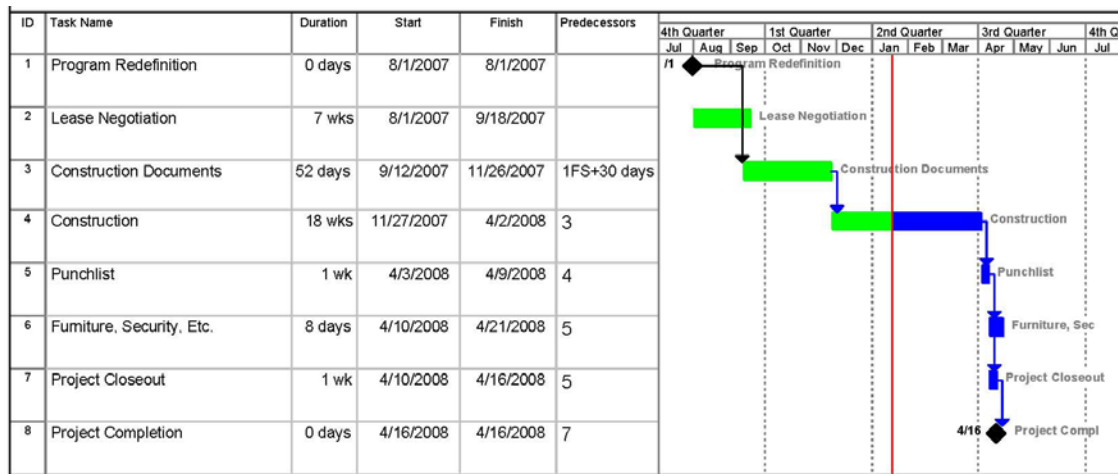


Construction of the Balanced and Restorative Justice Drop-In Center, Northeast D.C.

Description

Construction is in progress for the Balanced and Restorative Justice Drop-In Center at 920 Rhode Island Avenue, N.E. This is the second Drop-In Center to be constructed by the D.C. Courts. It is an innovative, non-traditional juvenile rehabilitation program developed by CSS to shape rather than simply punish inner-city youth. The Drop-In Centers are multi-faceted satellite courtroom facilities that include space for pro-social activities such as tutoring, mentoring, education and prevention groups, peer mediation, and recreation.

Schedule



Location



Design for Information Technology and Multi-Door Dispute Resolution Divisions Relocation, Building C

Description

Design for the renovation of Building C for the D.C. Courts Information Technology Division and Multi-Door Dispute Resolution Division is in progress. Building C is scheduled to be returned to the D.C. Courts by the D.C. Government in Spring 2008. Once renovated, Building C will house these two divisions, which are moving to enable the Court to consolidate Family Court Operations on the JM and C levels of the Moultrie Courthouse.

The renovation will provide practical modern office space to the D.C. Courts, and it will bring the building into compliance with all building, mechanical, electrical, fire and life safety, health, and accessibility codes. The renovation will also preserve significant historic elements of the building. This project involves renovation of 27,300 square feet and relocation of 78 IT staff and 37 Multi-Door staff.

Schedule

ID	Task Name	Start	Finish	Duration	2008				2009				2010					
					Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct	Jan	
1	Building C	8/1/08	2/10/11															
2	Full Building Renovation	8/1/08	2/10/11	660 days														
3	Re-Establish Design Intent Drawings	8/1/08	10/9/08	10 wks														
4	Construction Documents (CDs) & Permit	10/10/08	5/7/09	30 wks														
5	Construction	5/8/09	9/23/10	72 wks														
6	Furniture, Fixtures & Equipment (FF&E)	9/24/10	12/16/10	12 wks														
7	Relocation	12/17/10	2/10/11	8 wks														

Location



CASE AND DATA MANAGEMENT IN THE FAMILY COURT

In a continuing effort to satisfy the Family Court Act, the District of Columbia Courts' Family Court continues to aggressively pursue technological opportunities to promote data sharing.

Electronic interfaces in abuse and neglect cases

During 2007, the Family Court has been aggressively working to develop the capacity for electronic exchange of information in abuse and neglect cases with CFSA and the OAG, utilizing funds from the Court Improvement Project (CIP). The Court has developed a three stage approach to data exchange: electronic case initiation with CFSA; electronic submission of subsequent filings, including the petition, with the OAG; and electronic transmission of court orders to CFSA. As part of the process the Court solicited information from several jurisdictions that had already implemented some type of electronic interface for the transfer of abuse and neglect case information hoping to collect lessons learned and best practices. Among the jurisdictions contacted were New York State, Colorado state courts, and Louisiana. Reviewing the systems put in place by other jurisdictions validated the Court's direction and provided much needed understanding in key areas such as confidentiality and security.

After securing a personal commitment from the director of the D.C. Child and Family Services Agency, the Court established a working group consisting of key business stakeholders from the Family Court, the Court's Information Technology Division, program management staff from CFSA and CFSA Information Technology staff. In addition, the Court and CFSA engaged their respective case management system

vendors – MAXIMUS Justice Solutions and Deloitte Consulting in the planning and design process.

The group first validated the scope of the initiative and jointly drafted a plan for implementing the desired functionality in a phased approach with electronic initiation of abuse and neglect cases being the first order of business. The next phase of the initiative will deal with the Court providing CFSA with electronic versions of documents such as judicial orders for import into the CFSA case management system – FACES. The final phase will provide for the filing of subsequent data and documents by CFSA as well as the OAG, the local prosecutor, on an existing abuse and neglect case.

Both the Court and CFSA have developed comprehensive project plans to manage this initiative and will be requiring a similar deliverable from their respective vendors. Following standard project management techniques each organization developed a comprehensive set of activities with defined resource requirements, estimated activity durations as well as key milestones and deliverables.

Using the existing CFSA “complaint” form as a baseline, the working group sketched out the case initiation business process and data elements associated with this activity. To inform future development activities, these processes have been preserved in the form of process flow diagrams. At the same time, the Court is performing a gap analysis to determine the extent of customization necessary in CourtView to accommodate this process. CFSA is undertaking the same activity for its FACES system.

Starting in the last quarter of 2007 and continuing in early 2008, the Court will further refine the specific data elements required for the two way interface with CFSA. Following finalization of the elements, the Court’s IT team will work with MAXIMUS,

CFSA, and the FACES contractor to design the technical architecture for the electronic case initiation interface in preparation for a mid-2008 implementation.

Juvenile Delinquency

During 2007, the Family Court further refined its case management system, the Integrated Justice Information System (IJIS), to be able to rapidly respond to a number of initiatives before the Committee on Public Safety and the Judiciary of the Council of the District of Columbia, including time to disposition for juveniles held in secure and non-secure facilities and data needed to examine the issue of the number of juveniles who fail to appear for court hearings. These bi-annual reports are submitted to the Council of the District of Columbia in fulfillment of the statutory mandate D.C. Official Code Sec. 16-2325.02.

The Court has collaborated with the D.C. Department of Motor Vehicles (DMV) to develop traffic and drug data extracts to satisfy applicable statutory and municipal regulations. With the implementation of IJIS, DMV was no longer receiving drug and traffic conviction information from the Criminal Information System. Additionally, new functionality will be created to provide juvenile drug conviction data to DMV.

Voucher System

The CourtView to Web Voucher interface went live in January 2007. The Web Voucher System has replaced legacy mainframe-based voucher issuance, tracking and payment modules and integrates with Oracle Discoverer for report development. The new web-based software application allows attorneys providing legal representation to parties in family cases (CJA and CCAN) and experts to submit payment vouchers and track voucher status; allows judges to review and approve vouchers; allows Court

Reporting staff to oversee expert voucher processes; and allows Budget & Finance staff to process the vouchers via a web browser.

Family Treatment Court

Building on the assessment of the case management needs of the Family Treatment Court (FTC) program developed in 2006, the FTC case type was implemented in CourtView in April 2007. With the creation of the FTC case type, the Family Court is now able to store, process, and track all case-related information for this very important component of abuse and neglect cases. In addition, for the first time, the Court will be able to report data in a systematic manner.

Performance Measurement

Performance measurement reporting continues to be an important strategic objective for the Courts and the Chief Judge, with work underway to design and develop reports for clearance rate, time to disposition, trial certainty, and age of active pending caseload. These reports will assist the Family Court to meet its obligation to measure compliance with established timelines for case processing at both the local and national level.

ALTERNATIVE DISPUTE RESOLUTION IN FAMILY COURT

Alternative Dispute Resolution (ADR) in the Family Court is provided through the Court's Multi-Door Dispute Resolution Division (Multi-Door). The Child Protection Mediation and Family Mediation programs facilitated by the Division have both proven to be highly successful in resolving child abuse and neglect cases and domestic relations cases within Family Court. As detailed below, mediation produces

more expeditious case disposition, more satisfactory resolutions due to settlements, and a higher probability that the family will not reenter the child welfare system.

The evaluation results overwhelmingly demonstrate that Child Protection Mediation has a positive impact on the lives of children and their families. It also has an equally positive effect on court processing timeframes and cost. These results provide compelling support for the continuation of this valuable service to the public.

ADR Performance Measures

The Multi-Door Division relies upon output and outcome measures to assess the quantity and quality of ADR performance. Three performance indicators measure the quality of ADR:

- ADR Outcome – measures clients’ satisfaction with the outcome of the mediation process (including whether a full agreement on the case was reached or if specific contested issues were resolved), fairness of outcome, level of understanding of opposing party’s concerns, impact upon communications with other party, and impact upon time spent pursuing the case;
- ADR Process – measures clients’ satisfaction with the overall mediation process, including their ability to discuss issues openly, fairness of the process, length of session, and whether the participants perceive coercion by party or neutral; and
- Neutral Performance – measures clients’ satisfaction with mediators’ performance in conducting the process, including explaining the process and the mediator’s role, providing parties the opportunity to fully explain issues, the neutral’s understanding of the issues, whether the mediator gained the parties’ trust, and any bias on the part of the mediator.

These quality performance indicators are measured through participant surveys distributed to all participants in ADR processes at Multi-Door. Statistical measures include the satisfaction level of respondents with the overall ADR process, outcome, and performance of neutrals. Multi-Door staff holds periodic meetings to review these statistical measures and determine initiatives to improve overall program performance.

Performance indicators provide a measure of the extent to which ADR is meeting its objectives of settlement, quality and responsiveness.

Child Protection and Mediation Under The Adoption and Safe Families Act (ASFA):

During 2007, nearly 95% of all new abuse and neglect cases petitioned (309 families with 420 children) were referred to mediation, consistent with the mandate in the Family Court Act to resolve cases and proceedings through ADR to the greatest extent practicable consistent with child safety.²

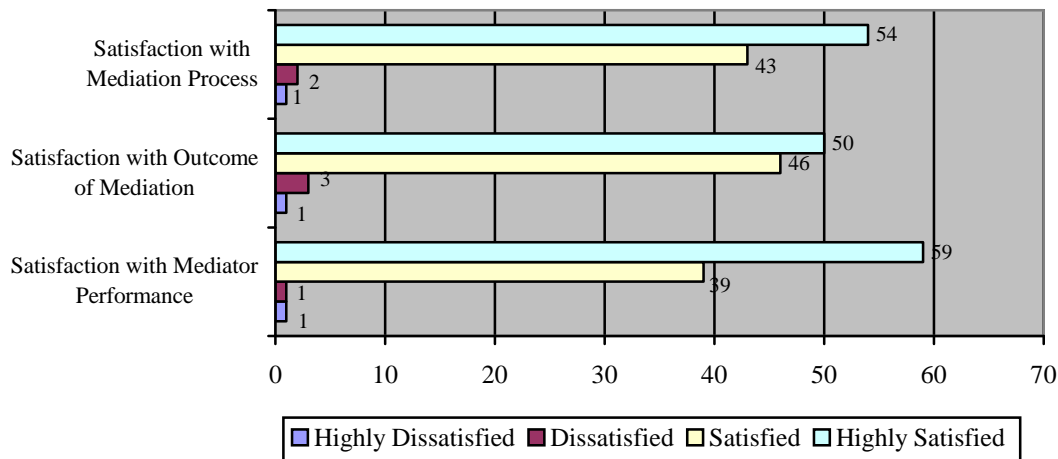
The Court continued to settle a substantial number of child abuse and neglect cases through mediation. During 2007, the cases of 313 families were referred to mediation (309 cases filed in 2007 and 4 cases carried over from 2006). Of these cases, 24% (76 cases) were not mediated,³ 71 % (222 cases) successfully mediated some issues, and 5% (15 cases representing 21 children) were unable to reach agreement. In 121 (51%) of the cases mediated (representing 213 children), the issue of legal jurisdiction was resolved and the mediation resulted in a stipulation (an admission of neglect by a parent or guardian). In all of these cases, a case plan was also developed and presented to the Court as part of the mediation agreement. In another 101 (43%) of the cases mediated (representing 175 children), mediation resulted in the development of a case plan even though the issue of jurisdiction was not resolved.

² These multi-party mediations are structured so as to enhance safety: pre-mediation information is provided to participants; parents are included in the sessions; appropriate training is provided; and a layered domestic violence screening protocol is implemented for cases with a history of domestic violence by Multi-Door staff and mediators.

³ Scheduled cases may not be held for the following reasons: (a) case dismissed by the Court; (b) case settled prior to mediation; (c) case rescheduled by the parties; (d) case cancelled (e.g., sibling violence); and (e) case scheduled in 2005 for mediation in 2006. Family Court and Multi-Door have implemented measures to reduce the number of rescheduled cases in order to expedite case resolution.

Qualitative measures illustrate substantial satisfaction measures of 97% for the ADR process, 96% for ADR outcome, and 98% for the performance of the mediator(s).⁴ Clearly, participation in ADR increases public trust and confidence in Family Court.

Number of Participants Satisfied with Child Protection Mediation Program



Domestic Relations Mediation:

Mediation in domestic relations matters requires several sessions, and typically covers issues of child custody, visitation, child and spousal support, and distribution of property. Domestic relations matters typically are characterized by hostility and limited communication, which exacerbate the level of conflict.

A total of 691 domestic relations cases were referred to mediation in 2007, a significant increase from 379 cases in 2006. Sixty-three percent (436) of the cases referred were mediated and completed in 2007.⁵ Of the 436 cases mediated, 172 (40%) settled in mediation. Full agreements were reached in 24% of the mediated cases, and

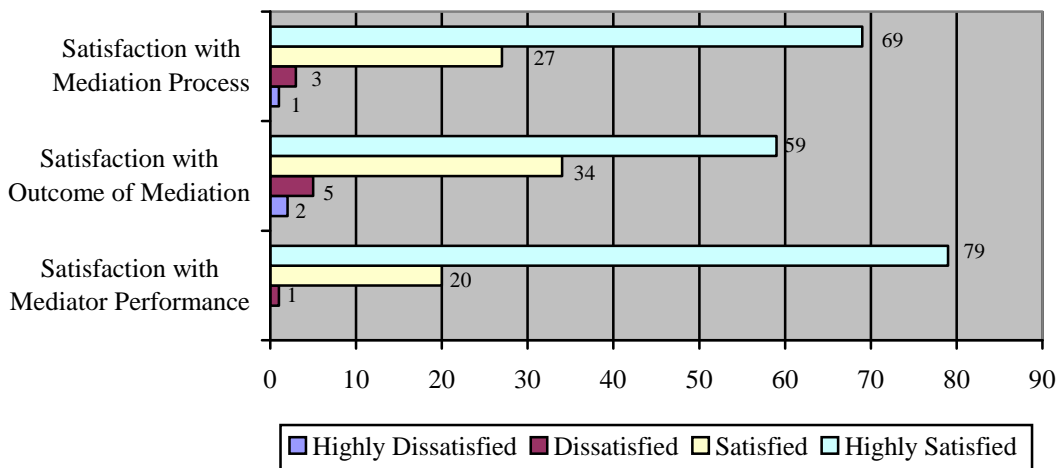
⁴ These qualitative outcome statistics reflect the percentage of mediation participants who report that they are either satisfied or highly satisfied. These statistics are drawn from the Child Protection Mediation program.

⁵ Of those cases referred but not completed, in 41 cases the parties withdrew from mediation before the process was completed. In the remaining cases the mediation process is continuing.

partial agreements were reached in another 16% of cases. During this same period, 2,111 sessions were scheduled,⁶ and 1,361 sessions were held.

Qualitative outcome measures show satisfaction rates of 93% for ADR outcome, 96% for ADR process, and 99% for the performance of the mediator(s). These satisfaction measures indicate that, as is the case in the Child Protection and ASFA Mediation Program, participation in Family ADR increases public trust and confidence in Family Court.

Percent of Participants Satisfied with the Domestic Relations Mediation Program



Family Court ADR Initiatives

Family Court and Multi-Door have coordinated efforts to implement initiatives to support ADR consistent with the Family Court Act. These initiatives are as follows:

- Expanding Mediator Rosters.** Multi-Door now accepts applications from mediators with experience in other jurisdictions through its new open enrollment process. Through open enrollment, trained and experienced mediators are now conditionally accepted into the Family and Child Protection Mediation Programs without completing Multi-Door’s mandatory

⁶ Domestic Relations Mediation cases typically have multiple sessions scheduled, resulting in more sessions scheduled than cases referred.

basic mediation training prerequisite. If the applicant demonstrates knowledge in the subject matter area and proficiency in mediation skills, the applicant will be added to Multi-Door's roster.

- ***Continuing Education for Neutrals.*** Multi-Door provided ongoing training for its existing corps of mediators in both the Child Protection and Family Mediation Programs during 2007, as part of ensuring a continued high level of proficiency and skills maintenance. Family mediators were offered five in-service training courses on the Child Support Guideline Revision Act of 2006 in 2007. Child Protection Mediators were offered three in-service training courses, including training on Best Practices for Child Protection Mediators; Understanding AFSA; and Communication Skills.
- ***Same Day Mediation.*** A same day mediation program was implemented in October of 2003. The program offers litigants the opportunity to be interviewed for mediation and start mediation on the same day they appear in court for their initial hearing before a Family Court Judge. The program has proven popular, there were 191 referrals in 2007, a continued upward trend from the 99 referrals in 2006.

FAMILY COURT CASE ACTIVITY

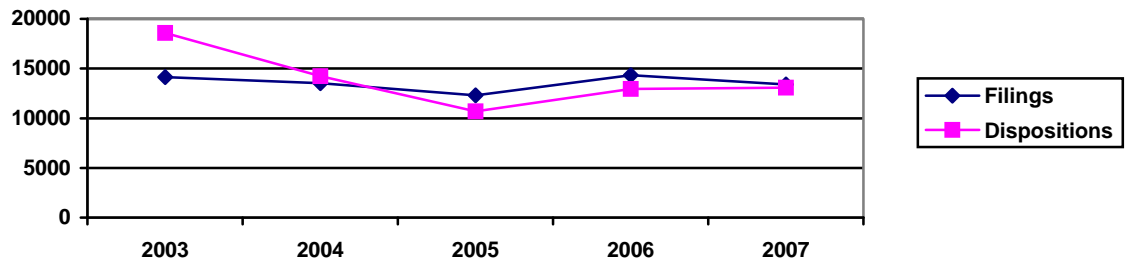
There were 14,452 cases pending in the Family Court on December 31, 2006. During calendar year 2007, there were a total of 12,739 new cases filed and 679 cases reopened in the Family Court. During the same period, 13,076 cases were disposed of. As a result, there were 14,794 cases pending in the Family Court on December 31, 2007.

Family Court Operations Case Activity for 2007								
	Abuse & Neglect ^a	Adoption	Divorce	Juvenile ^a	Mental Health	Mental Retardation	Paternity & Child Support	Total
Pending Jan. 1	2,721	279	2,202	912	486	1,244	6,608	14,452
Filings	532	250	3,641	3,123	1,250	26	3,917	12,739
Reopened	26	-	-	17	68	-	568	679
Total Available for Resolution	3,279	529	5,843	4,052	1,804	1,270	11,093	27,870
Resolutions	760	251	3,310	3,315	1,363	16	4,061	13,076
Pending Dec. 31	2,519	278	2,533	737	441	1,254	7,032	14,794
Percent Change in Pending	-7.4%	-0.4%	15.0%	-19.2%	-9.3%	0.8%	6.4%	2.4%
Clearance Rate ⁷	136.2%	100.4%	90.0%	105.6%	103.4%	61.5%	90.5%	97.5%
a Figure adjusted after an audit of caseload.								

Over the 5-year period from 2003 through 2007, the number of filings (including cases reopened) and the number of dispositions has shown significant variation. Filings ranged from 14,131 in 2003, down to 12,305 in 2005, up to a period high of 14,329 in 2006 and back down to 13,418 in 2007. Similarly, the number of cases disposed of each year has also shown significant variation, ranging from a high of 18,593 cases disposed of in 2003 to a low of 10,696 cases disposed of in 2005 and back up to 13,076 in 2007.

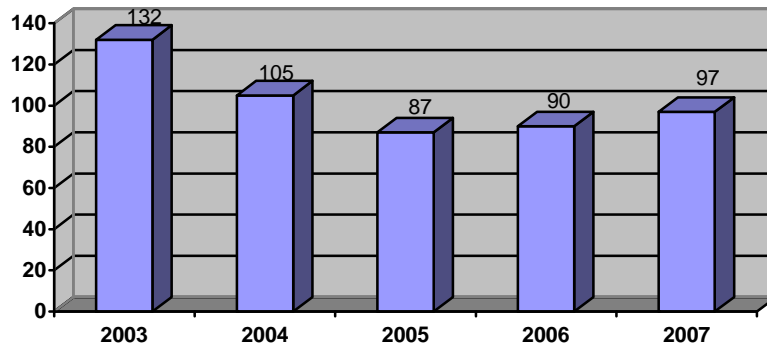
⁷ Clearance rates, calculated by dividing the number of cases disposed by the number filed, measures how well a Court is keeping up with its incoming caseload.

Family Court Case Filings and Dispositions Trend, 2003 - 2007



Because filings and dispositions can vary significantly from year to year, the best assessment of whether a court is managing its caseload efficiently is its clearance rate. A clearance rate of 100% indicates that a court has disposed of as many cases as were filed during the year. Disposing of cases in a timely manner helps ensure that the number of cases awaiting disposition (pending caseload) does not grow. This performance measure is a single number that can be used to compare performance within the Family Court over time and by case type. In 2007, the overall clearance rate for Family Court was 97.5%, up from a rate of 90% in 2006 and 87% in 2005. During 2008, the Family Court along with other divisions of the Superior Court has set benchmarks for case processing standards to improve efficiency with the goal of eventually meeting the 100% clearance rate standard.

Clearance Rates in Family Court, 2003-2007



Family Court Case Activity For 2007

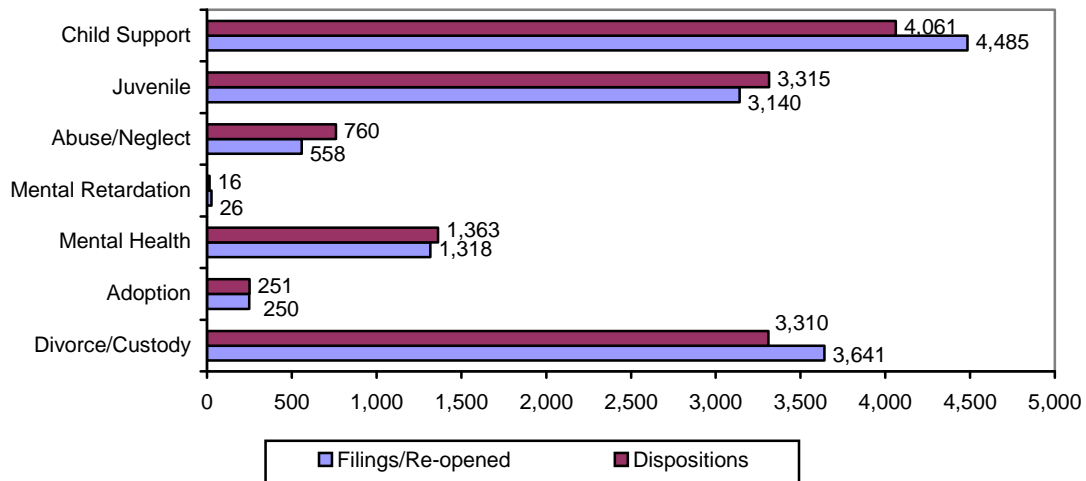
New case filings in the Family Court decreased 7.9% between 2006 and 2007 (13,825 filings in 2006 and 12,739 filings in 2007). There were significant differences in the types of cases filed. For instance, there was a 18% decline in abuse and neglect filings, a 16% decline in adoption filings, a 15% decline in paternity and support filings, and a 12% decline in divorce and custody filings. At the same time new filings for juveniles increased by 5% and new filings for mental health increased by 10%. There was no change in the number of mental retardation filings from 2006 to 2007.

New cases filed in the Family Court during 2007 were distributed in the following manner: paternity and child support, 3,917; divorce and custody, 3,641; juvenile, 3,123; mental health, 1,250; child abuse and neglect, 532; adoption, 250; and mental retardation, 26. In addition, 21 child abuse and neglect cases; 17 juvenile cases; 68 mental health cases; and 568 child support cases were reopened during the year.

During the year, the Family Court resolved more than 13,000 cases, including: 3,310 divorce and custody cases; 251 adoption cases; 1,363 mental health cases; 16 mental retardation cases; 760 child abuse and neglect cases; 3,315 juvenile cases; and

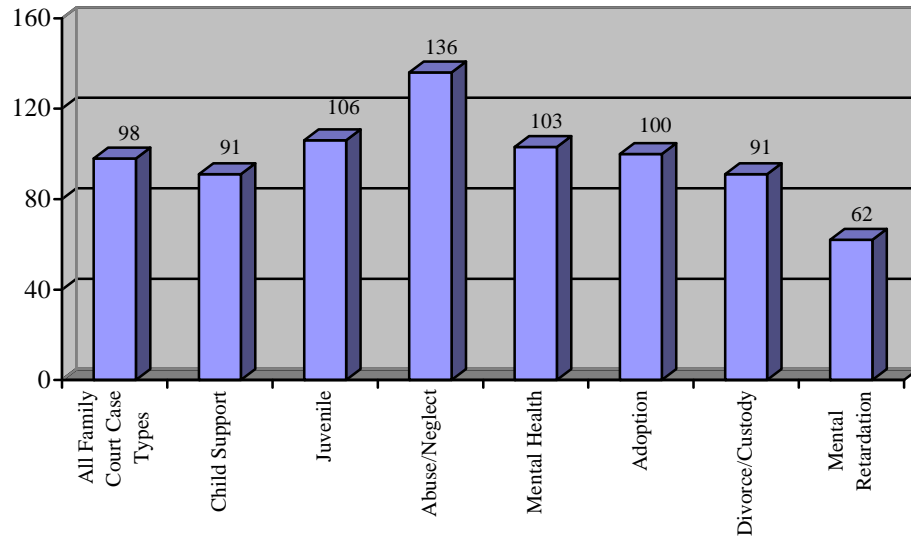
4,061 paternity and child support cases. There was a slight increase (1%) in dispositions from 2006 to 2007. That slight increase however, masked sharp differences in the change in dispositions during the period. For instance, dispositions decreased significantly in adoptions cases (-30%), abuse and neglect cases (-29%) and divorce and custody cases (-19%) however increased significantly in juvenile cases (23%), mental health cases (22%), mental retardation cases (14%) and paternity and support cases (13%).

Family Court Filings and Dispositions, by Case Type, 2007



As was the case with the overall clearance rate in Family Court, several individual branches of the Family Court also showed considerable improvement in keeping pace with their current caseload. With the exception of divorce and custody cases, paternity and support cases, and mental retardation cases all other branches of the Family Court disposed of more cases than they received during the year.

Clearance Rate by Case Type, 2007



While measuring the number of dispositions is important for any court, it is important to remember that in Family Court the disposition of a case does not always end the need for judicial involvement. For example, among the 3,315 juvenile cases resolved during 2007, 1,124 juvenile offenders were placed on probation. Those 1,124 juveniles, as well as the more than 950 other active juvenile probation cases require continuous monitoring by judicial officers to ensure compliance with probation conditions and community safety. On average, each open probation case is scheduled for a review hearing before a judicial officer three times per year. Cases of juveniles under intensive probation supervision and those in juvenile drug court are reviewed more frequently. Juvenile Drug Court cases are not officially closed or disposed of until the child actually completes four months to one year of outpatient drug treatment. Similarly, paternity and support cases that are disposed of in a given year often come before the Court after resolution. Dispositions in paternity and support cases include cases resolved through the issuance of either a temporary or a permanent support order.

Those cases resolved through issuance of a temporary support order often have financial reviews scheduled after disposition until a permanent support order is established. In addition, all support cases are subject to contempt and modification hearings that require judicial oversight.

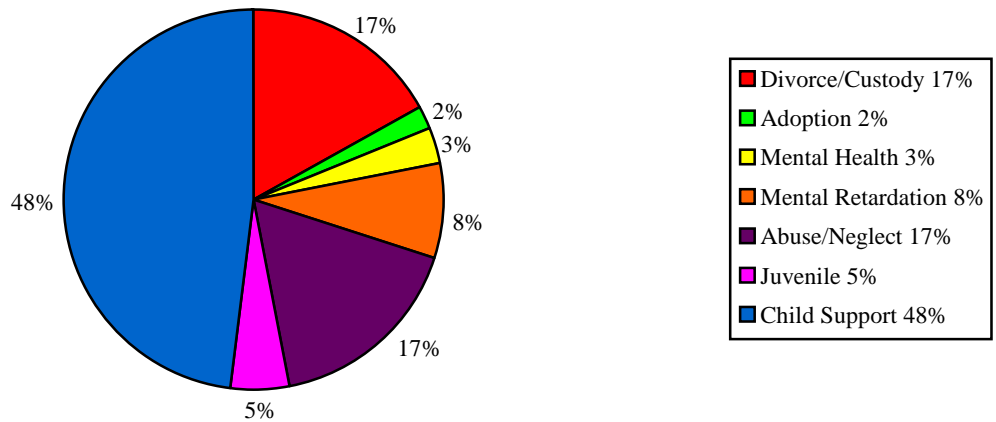
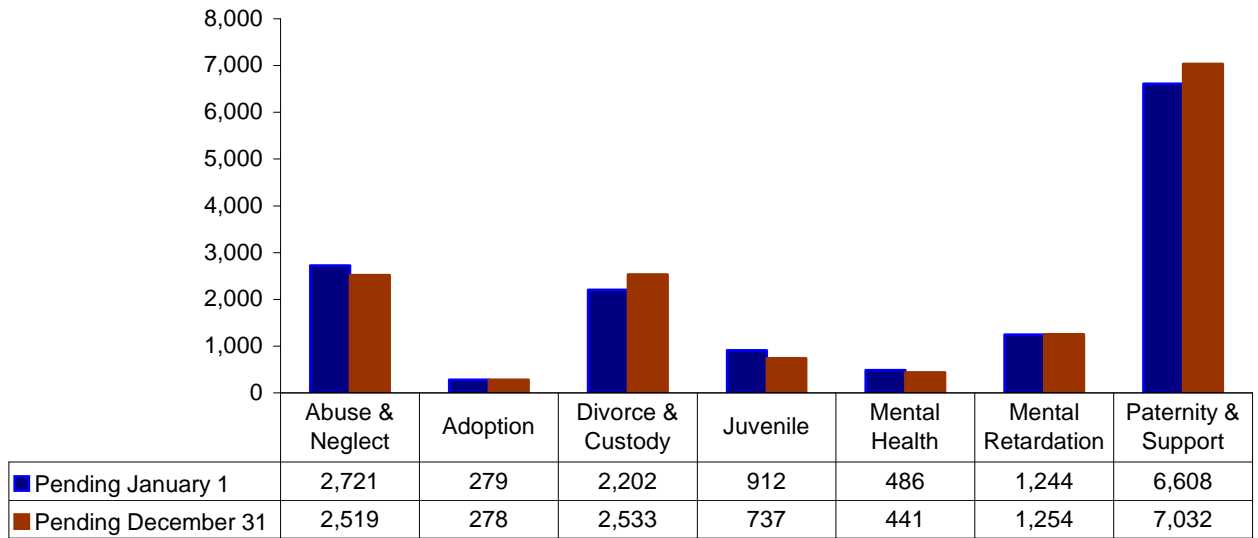
Similarly, while clearance rates are an important measure of how well a court is managing its caseload, all case types in Family Court do not fit neatly into such an analysis. This is primarily because Family Court cases involving children who were abused or neglected and mental retardation cases remain in the Court's pending caseload for extended periods of time. Typically, mental retardation cases are considered disposed of only if the respondent dies or leaves the jurisdiction, and abuse and neglect cases remain in the pending caseload until a final permanency option is achieved which may take several years to accomplish.

On December 31, 2007, 14,794 cases were pending resolution in the Family Court, including: 2,533 divorce and custody cases; 278 adoption cases; 441 mental health cases; 1,254 mental retardation cases; 2,519 child abuse and neglect cases; 737 juvenile cases; and 7,032 child support cases. The pending caseload consists of two separate types of cases. First, it includes pre-disposition cases that are pending adjudication and disposition by the Family Court. Second, it includes a large number of post-disposition cases that require judicial review on a recurring basis. For instance, of the 2,519 pending abuse and neglect cases, only 80 cases were awaiting trial or disposition at the end of the year, while 2,439 are post-disposition cases in which the Family Court and the CFSA are working towards permanency. The mental retardation pending caseload includes post-commitment cases that require long term recurring

judicial review to determine whether there is a need for continued commitment.

Similarly, many post-disposition paternity and support cases require continued judicial involvement to enforce child support orders through civil or criminal contempt, and parties frequently seek to modify existing child support orders.

Family Court Pending Caseload, 2007



Abuse and Neglect Cases

During 2007, there were 532 new child abuse and neglect referrals to the Family Court, an 18% decrease in filings from 2006. Over the 5 year period (2003 to 2007), new child abuse and neglect referrals have decreased by nearly 40%. With the exception of 2005, which showed an increase in referrals over the previous year, there has been a substantial decrease in the number of new referrals in each year (853 in 2003, 802 in 2004, 933 in 2005, and 652 in 2006). The significant reduction in new case filings is likely attributable to policy changes at CFSA, especially the implementation of Family Team meetings which has resulted in a decision on the part of the agency to handle more cases as “in home” cases. In-home supervision of cases by CFSA dispenses with the need to petition or officially charge a parent or caretaker with neglect or abuse, and thus such cases are not subject to supervision by the Family Court. This same policy, of serving more families through the provision of in-home services and bringing fewer and more serious cases to the attention of the Court, is also a likely contributor to the high number of children removed from home among those whose cases are petitioned in court. Of those cases filed in 2007, 86% of the children were removed from home at the time the complaint was filed and 14% remained in the home. The percentage of children removed from home was 74% in 2003, but has exceeded 85% in each of the last four years.

Eighty percent of new referrals in 2007 were for allegations of neglect and 20% were for allegations of abuse. During the five-year period from 2003 to 2007, the percentage of children referred for an allegation of abuse has ranged from a high of 25% in 2003 and 2004 to a low of 15% in 2005. Females were more likely than males to be

the subject of an abuse and neglect referral in each year from 2003 to 2006. In 2007, for the first time during the five-year period, males (52%) were more likely to be the subject of a referral than females (48%). Females did, however, continue to represent a higher percentage of abuse referrals than did males. As has been the case over the last several years, more than a quarter of new referrals to Family Court were for children 13 and older at the time of referral. The figure increases to more than a third of referrals when we include older youth between the ages of 11 and 12. The Family Court and its community partners continue to examine reasons for the large percentage of older youth

**Percent Distribution of Abuse and Neglect Referrals 2003-2007,
by age, gender, removal status and type of abuse**

Characteristic	Year of Referral				
	2003	2004	2005	2006	2007
<i>Type of referral</i>					
Abuse	28	26	15	23	20
Neglect	72	74	85	77	80
<i>Removal Status</i>					
Removed	74	89	90	88	86
Not Removed	26	11	10	12	14
<i>Gender</i>					
Male	47	48	47	48	52
Female	53	52	53	52	48
<i>Age at referral</i>					
Under 1 year	9	16	13	13	18
1-3 years	18	19	17	18	17
4-6 years	15	16	15	14	15
7-10 years	21	17	19	15	14
11-12 years	10	10	11	9	9
13 and older	26	22	25	31	27
Total number of referrals	853	802	933	652	532

referred to the child welfare system although there is some evidence to suggest that the rise may be related to the lack of resources in the District to assist parents and caregivers in addressing the needs of this segment of the population.

Transfer of Abuse and Neglect Cases To Family Court

The Family Court Act required that all child abuse and neglect cases assigned to judges outside the Family Court be transferred to Family Court judges by October 4, 2003. Of the 5,145 cases pending at that time of the Act's initiation, 3,500 were assigned to judges not serving in the Family Court. Since then, all but one of those cases have been transferred into Family Court or closed. Today, non-Family Court judges supervise only 5 cases. All 5 cases currently supervised by non-Family Court judges are being retained under provisions of the Family Court Act with the approval of the Chief Judge, as required by the Act, who determined, pursuant to criteria set forth in the Family Court Act, that: (1) the judge retaining the case had the required experience in family law; (2) the case was in compliance with the ASFA; and (3) it is likely that permanency would not be achieved more quickly by reassigning it within the Family Court.

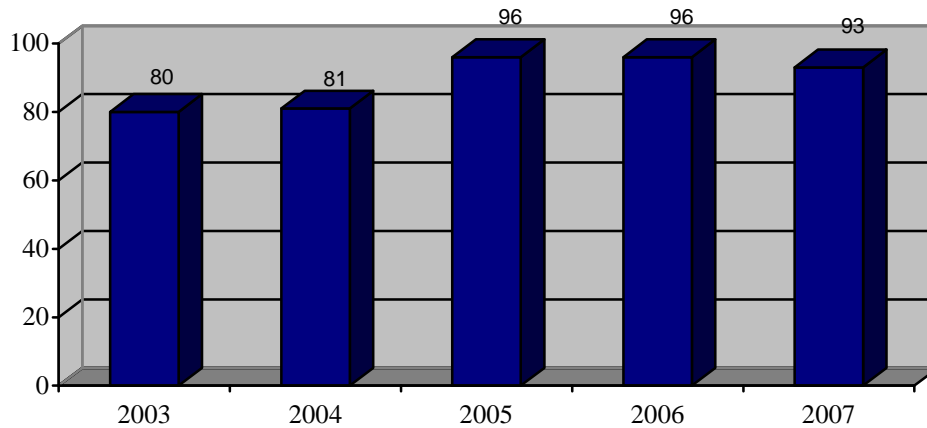
COMPLIANCE WITH D.C. ASFA REQUIREMENTS

The District of Columbia Adoption and Safe Families Act (D.C. ASFA) (D.C. Official Code Sections 16-2301 et seq., (2000 Ed.)) establishes timelines for the completion of the trial and disposition hearing in abuse and neglect cases. The timelines vary depending on whether the child was removed from his or her home. The statute sets the time between filing of the petition and trial or stipulation at 45 days for a child not removed from the home and at 105 days for a child removed from the home. The statute requires that trial and disposition occur on the same day whether the child has been removed or not, but permits the court 15 additional days to hold a disposition hearing for good cause shown.

Trial/Stipulation of Abuse and Neglect Cases

The tables and charts below highlight the level of compliance with the statutory requirement for trial/stipulation for both removed and non-removed children over a five-year time period. As can be seen from the chart, the Court has made significant progress in completing trials/stipulations within the established timelines for children removed from home. In each year since 2005, over 90% of the cases filed were in compliance with the ASFA timeline for trials in removal cases.

Compliance with D.C. ASFA Timeline for Trial/Stipulation for Children Removed from Home

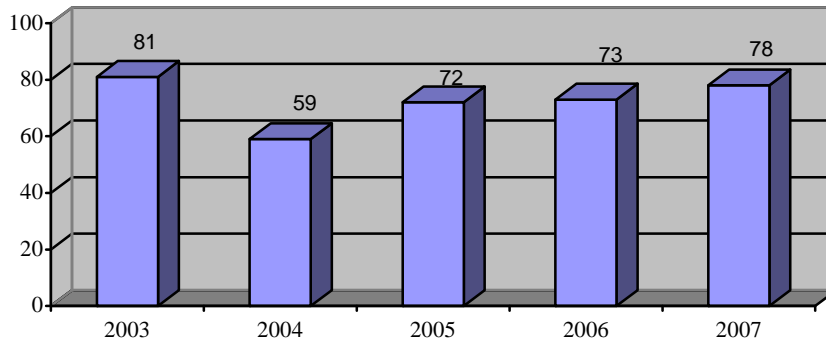


In addition to improving the rate of compliance with the statutory timeline requirements, the Court has also shown significant improvement in reducing the median time it takes for a case to reach trial or stipulation from a high of 84 days in 2003 and 2004 to 43 days in 2007.

For children not removed from home, the percentage of cases in compliance with the timeline to trial or stipulation, 45 days, had been steadily increasing through 2003, but dropped sharply in 2004. After the institution of a number of measures to improve compliance, the rate rose to 78% in 2007(see chart). Although showing improvement,

the time between filing and trial in the cases of children who are not removed from home continues to be an issue for the Court. In response to the drop and to increase compliance with the statutory time limit, since January 2005 the presiding judge has required that all Family Court judicial officers schedule mediation, pre-trial hearing and trial dates within the 45-day period at the initial hearing. The intent is to schedule all hearings within the statutory limits, and if the mediation is successful, the pre-trial and trial hearing dates will be vacated. Family Court attorney advisors are also required to review all cases coming from initial hearing to ensure that all events have been scheduled within the timeline. If events are not scheduled, the assigned judge and the presiding judge of Family Court are notified, and the assigned judge is asked to reset the case within the timelines or to explain in writing why the hearing cannot take place within the timeline. The presiding judge monitors those cases that are set outside the timeline. It is important to note that when the cases of abused and neglected children not removed from their homes are scheduled within the statutory timeframe, family court judicial officers frequently report that there are still delays in adjudicating the cases. Delays are often due to the lack of service of process on the parents, timeliness of mediation, or scheduling conflicts of attorneys in the cases. Through continued monitoring the Court intends to continue to improve in this area.

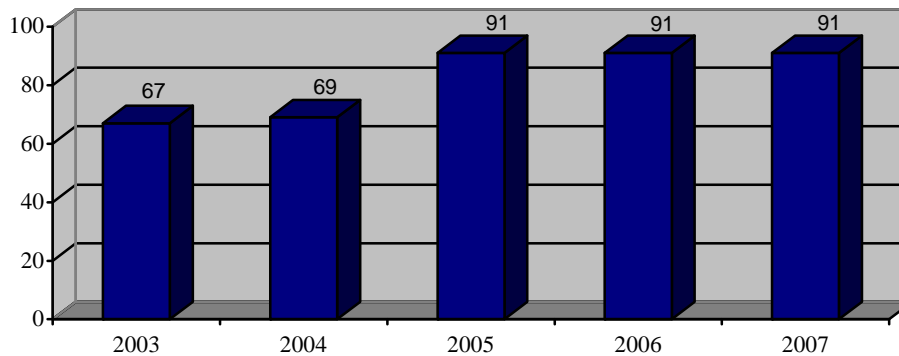
Compliance with D.C. ASFA Timeline to Trial or Stipulation for Children Not Removed from Home



Disposition Hearings in Abuse and Neglect Cases

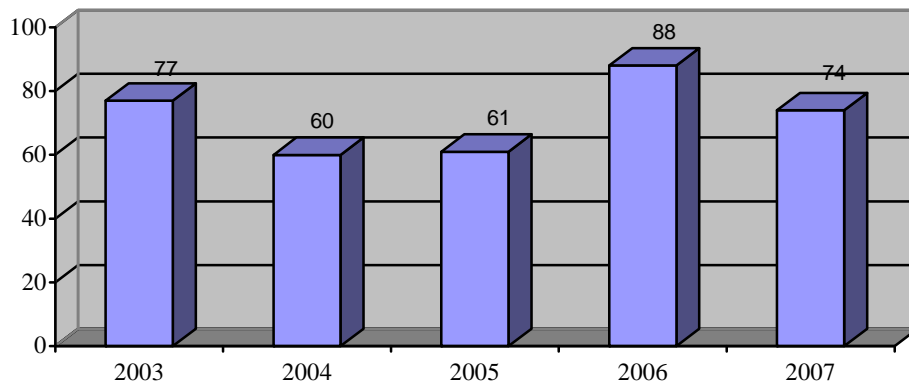
Over the five-year period from 2003 to 2007, judges improved their performance in meeting the timelines for conducting disposition hearings in abuse and neglect cases. Among children removed from home in 2003 and 2004 approximately two-thirds of the cases were in compliance with the timeline for disposition. In contrast, more than 9 out of 10 cases have been compliant in each year since 2005. In 2007, the median time to reach disposition was 59 days and the average 68 days, both well below the 105-day statutory timeline. Only 1% of cases filed during 2007 have not yet reached disposition.

Compliance with D.C. ASFA Timeline for Disposition for Children Removed from Home



As was the case for reaching trial/stipulation for children not removed from home in a timely manner, the compliance rate for conducting disposition hearings had been increasing steadily, but also declined significantly in 2004. The compliance rate rose slightly in 2005 to 61% and continued to rise in 2006 to 88%, but dropped to 74% in 2007. As with time to trial and stipulation, the Family Court will continue to monitor and track compliance in this area throughout 2008 and, where appropriate, will institute measures to improve compliance.

**Compliance with D.C. ASFA Timeline for Disposition
for Children Not Removed from Home**

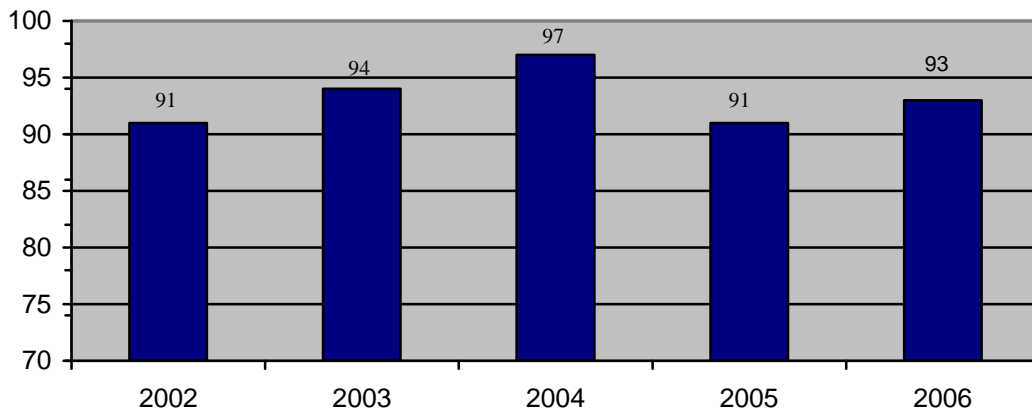


COMPLIANCE WITH ASFA PERMANENCY HEARING REQUIREMENTS

Both D.C. ASFA and Federal ASFA require the Court to hold a permanency hearing for each child who has been removed from home within 12 months of the child's entry into foster care. Entry into foster care is defined as 60 days after removal from the home, resulting in a net requirement for a permanency hearing 14 months after a child is removed from his or her home. The purpose of the permanency hearing, ASFA's most important requirement, is to decide the child's permanency goal and to set a timetable for

achieving it. The chart below shows the Court’s compliance with holding permanency hearings within the ASFA timeline. The level of compliance with this requirement has increased substantially over the five-year period for which data is available. In 2001, 79% of cases had a permanency hearing or the case was dismissed within the 425-day (14 month) deadline; by 2006, 93% of the cases had a permanency hearing or were dismissed within the deadline. No case filed in 2007 had reached the statutory deadline for having a permanency hearing by December 31, 2007.

Compliance with ASFA Timeline for Permanency Hearing



Goal Setting and Achievement Date

In addition to holding permanency hearings in a timely manner, ASFA also requires that the Family Court set a specific goal (reunification, adoption, guardianship, custody, or an alternative planned living arrangement) and a date for achievement of that goal at each permanency hearing. The Family Court has made significant progress in meeting the requirement of setting a specific goal at the hearing, and has improved in its requirement of ensuring that a specific date for achievement of that goal is set at each hearing.

In addition, judges are required to raise the issue of identified barriers to the permanency goal. The early identification of such issues have led to more focused attention and earlier resolution of issues that would have caused significant delays in the past. Although barriers still exist, the periods of delay that result from those barriers has decreased.

During 2007, the Court continued to improve on meeting the requirements that at a permanency hearing it establish both a permanency goal and an achievement date for the goal. Data from 2007 indicates that 95% of cases had a permanency goal set at the permanency hearing and 90% had a goal achievement date set. To better monitor compliance with these requirements the Family Court has required that its attorney advisors review every case after a permanency hearing to determine if these two requirements have been met. If not, the assigned judicial officer and the presiding judge of Family Court are notified that the hearing was deficient, and recommendations for bringing the case into compliance are made. The Court will continue to work closely with judicial officers during 2008 an ongoing effort to achieve 100% compliance with these important measures.

The National Council of Juvenile and Family Court Judges (NCJFCJ) and the American Bar Association's (ABA's) Center on Children and the Law have established best practices for the content and structure of permanency hearings mandated by ASFA, including the decisions that should be made and the time that should be set aside for each hearing. In its publication *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*, the NCJFCJ recommends that permanency hearings be

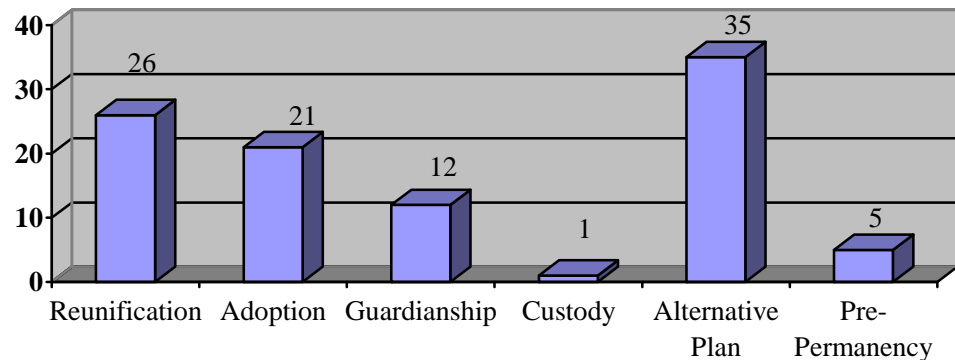
set for 60 minutes. Family Court judges report that the length of their permanency hearings are within this standard.

To ensure continued compliance with ASFA and to assist Family Court judges in ensuring that the content and structure of the permanency hearing are consistent with best practices, all judicial officers are required to use a standardized court order for all permanency hearings. As required by ASFA, the form requires the judge to set a specific goal and achievement date at each hearing. The use of this standard form continues to contribute to an increase in compliance with best practices and legal requirements.

Barriers to Permanency

Under ASFA there are four preferred permanency goals for children removed from their home: reunification, adoption, guardianship or custody. The chart below identifies the current permanency goal for children under court supervision. Cases of children identified as pre-permanency have not yet had a disposition hearing, the earliest point at which a goal would be set. Although the Court has improved significantly in establishing goals for children, the achievement of those goals still remains a challenge. For children with the goal of reunification, the primary barrier is disability of the parent, including the need for substance abuse treatment, followed by procedural impediments, such as housing, legal impediments, including parent/caretaker involvement in other legal matters, and finally disability of the child, such as significant emotional impairment.

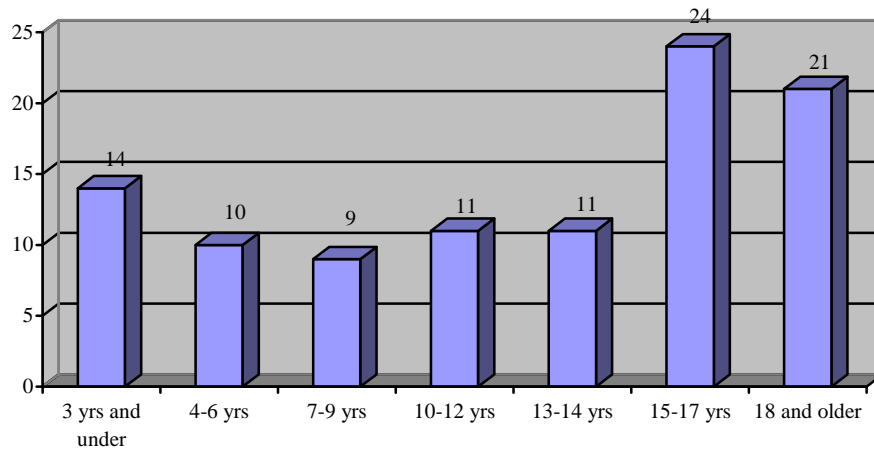
Percent Distribution of Current Permanency Goal for Children Under Court Supervision



In cases where the goal is adoption or guardianship, procedural impediments, including the timeliness of the adoption or guardianship proceedings, and financial impediments, especially adoption and guardianship subsidies are the major identified barriers to permanency. Improvements in removing these barriers have resulted in a significant increase in judicial action in this area.

In addition, a significant percentage of the cases involve older children for whom the Court has found compelling reasons to set a goal of another planned permanent living arrangement (APPLA). As can be seen from the chart below almost half (45%) of the children under court supervision are 15 years of age or older. Many of them cannot be returned to their parents but do not wish to be adopted or considered for any other permanency option. Additionally, in many of these cases, the child's disabilities and the need for the child to receive additional services while in independent living situations are identified as major barriers to permanency. The Family Court is continuing to work with CFSA and other stakeholders to eliminate or reduce the impact of such barriers on permanency in the future.

Percent Distribution of Current Ages of Children Under Court Supervision



Family Treatment Court Program

The Family Treatment Court (FTC) is a eighteen-month comprehensive substance abuse treatment program for mothers/female guardians whose children are the subject of a child abuse or neglect case. The program, begun as a pilot in 2003, gives mothers a chance to rebuild their lives and their families. Mothers involved in neglect and/or abuse cases where there is a nexus between substance abuse and child neglect are submitted for consideration to the FTC program through the OAG after a review of their case and an initial screening. Cases found after this initial screening are then forwarded to the Mayor's Services Liaison Office (MSLO) for a more in-depth intake process which includes a local criminal background check, mental health history, medical history, and an interview. Mothers who qualify for the program enter into a contract with the FTC, agreeing to the mandates of the program, including stipulating to the allegations of neglect.

Once the FTC contract is signed, clients enter the nine-month residential treatment component of the program. After an initial adjustment period, mothers may be reunited with their children in the treatment facility. A mother may have up to four children under age 10 with her in the treatment facility. The ability to keep mothers and children together is the most significant aspect of the program in that it enables children to stay out of foster care, and families to reach permanency sooner.

While in the facility, mothers participate in a rigorous supervised drug treatment program that includes drug treatment and education, life skills and parenting training. In addition, both mothers and children receive a variety of services including psychological and/or psychiatric counseling, educational assessments, developmental, speech and bonding studies, GED preparation, job skills training, tutoring, family counseling, play therapy, and summer camp opportunities for children. Funding for many of these services is provided through Medicaid, the Crime Victims Compensation Fund, and through CFSA.

Beginning in June 2007, the Second Genesis-Melwood Facility began providing residential treatment services replacing the Community Action Group (CAG) that had provided such services from the inception of the program. The FTC contract was awarded to Second Genesis after a determination that their services and programming were better suited to meet the needs of the mothers and children in the FTC program. During the transition period from CAG to Second Genesis, no clients were referred or admitted to the residential component of the program.

Upon completion of the inpatient phase of the program, the FTC clients participate in a ceremony to memorialize their transition to community-based aftercare.

Clients returning to the community either return to their pre-existing housing or move into transitional housing units provided through the FTC program. The majority of program participants choose to live in transitional housing. Presently, Catholic Charities and New Day Transitional House provide transitional housing services. Funding for transitional housing is provided by CFSA through independent contracts with each provider for a specified number of units for the sole use of the FTC program. While in aftercare, ongoing drug testing continues. In addition, clients continue to participate in job-readiness training or GED preparation.

During the eight months of 2007 during which intake was open, 51 women were referred to the in-patient phase of the FTC program. Eighteen women (35% of referrals) were admitted. In addition to the women, 7 children resided in the facility in 2007. Most women found not eligible for participation in FTC had severe mental illness, a violent criminal history, or the requisite nexus between their substance abuse and neglect was not present. Other factors such as current or prior allegations of serious physical or sexual abuse, as well as the need for methadone treatment also reduced the number of women eligible for the program. Because the FTC is a voluntary program, some women who were eligible chose not to participate.

During the year, 22 women left the in-patient phase of the program as follows: 15 (or 68%) after successful completion of the program, three because they quit, and four who were terminated from the program. The success rate in 2007 was considerably lower than it was in 2006 (88%). The reduction while likely attributable to the disruptions and distractions related to the change in treatment partners, will be reviewed by stakeholders to determine if there are other changes needed to better support women

and to ensure their successful completion of the program. During the course of the year one graduation celebration was held, and 8 of the women participated in the celebration.

The fifteen women who successfully completed the in-patient phase of the program entered the community-based aftercare phase. They, along with 14 other women already in aftercare at the beginning of the year, participated in a very rigorous schedule of activities and treatment programs. Thirteen women left the aftercare phase of the program during the year. Ten (or 77%) successfully completed the program and three were terminated. More importantly, 8 of the 10 women who completed the program had their neglect cases closed and were successfully reunited with their children. Among women remaining in the aftercare program at the end of 2007, seven were at home in the community and seven were in transitional housing units provided by the FTC program.

During 2008, the FTC stakeholders will continue to review the eligibility criteria and program components with a goal of increasing the yield from women referred to the program as well as maximizing the number of women who successfully complete it. The yield in 2007 (35% of referrals) was a 21% increase of the yield in 2006 (29%) of referrals.

The year 2007 was a transitional year for the FTC program. However, after a four- month period during which there were no referrals or admission to the program, the program was on the rebound at the end of the year, although it remains underutilized. As 2008 begins, there is a renewed energy among stakeholders to ensure that all women who could benefit from the program are given an opportunity to participate. Plans are underway to conduct orientations sessions for new judicial officers, CFSA staff, as well as our other external partners to reintroduce them to the program. In addition, new

program materials for stakeholders and clients are in the final stages of development, including a revised FTC Manual, a FTC participant handbook, a FTC parent calendar and guide book, and a workbook “Passport to a New Beginning” that will allow clients to document and track key milestones in their case, as well as serve as a repository for important information they will need when they leave the FTC program. During 2007, the program finalized the requirements for an FTC within the Court’s case management system.

PERMANENCY OUTCOMES FOR CHILDREN

During 2007, Family Court judicial officers closed 606 post-disposition abuse and neglect cases. As can be seen from the chart, 70% were closed because permanency was achieved. Twenty-nine percent of the cases were closed without reaching permanency, either because the children aged out of the system or they were emancipated because they no longer desired to have services provided by CFSA; and in one percent of the cases the court case was closed but CFSA is continuing to provide services.

In 2007, 28% of the cases closed to reunification and 22% to adoption. The percentages are consistent with 2006 but are sharply different from 2004 and 2005. In each of those years, adoption was the primary method of case disposition (30%) followed by reunification and guardianship. In 2006, 31% of the cases closed to reunification, and only 21% closed to adoption. The change in the distribution of case closures reflects the collaborative efforts of the OAG, CFSA and the Court to reduce the number of children in foster care awaiting adoption over the past three years. The number of children awaiting adoption dropped from more than 1,100 in 2003 to 583 at

the beginning of 2006. This change reflects the continued focus on achieving permanency sooner for children coming into care.

In 2007, almost 30% of all post-disposition cases closed without the child achieving permanency, either because the child reached the age of majority or no longer wanted services from CFSA. The percentage of cases closing because the child aged out has increased in each of the last three years, from 18% in 2004, 19% in 2005, 22% in 2006, to the current 29%. The finding that nearly 30% of children aged out of the

**Abuse and Neglect Cases Closed Post-Disposition
By Reason for Closure, 2005-2007**

Reason for Case Closure	Number and percent distribution of cases closed					
	2005		2006		2007	
	Number	Percent	Number	Percent	Number	Percent
Permanency Goal Achieved	752	79	707	77	429	70
Reunification	215	23	284	31	173	28
Adoption	279	29	197	21	135	22
Guardianship	210	22	192	21	110	18
Custody	48	5	34	4	11	2
Child Reached Age of Majority	90	9	108	12	131	22
Child Emancipated	98	10	93	10	40	7
Child Deceased	2	1	3	1	2	-
Court Case Closed-Continued for CFSA services	8	1	5	1	4	1
Total Cases Closed	950	100	916	101	606	100

system is not surprising given that at the end of 2007, 45% of the children under Court supervision were 15 years of age or older. Many of these children, who have an another planned permanent living arrangement (APPLA) as their permanency goal (35%), have been in care for a significant period of time, or unlikely to be reunited with their parents and do not wish to be adopted. As part of its ongoing efforts to ensure that the maximum number of children reach permanency, the Court and the Child Welfare Leadership Team developed a joint policy on the use of APPLA as a goal for children in

foster care. The Court and CFSA approved the new guidelines and procedures for the use of this goal in December 2006. To ensure that other stakeholders were aware of the new policies, the Court conducted a training program for other child welfare stakeholders in February 2007. The Child Welfare Leadership Team continues to review the policies and plans are under development to conduct a full analysis of the new policies in late summer following a full year of implementation.

As required by the Family Court Act, the Court has been actively involved in developing a case management and tracking system that would allow it to measure its performance and monitor the outcomes of children under court supervision. Using the performance measures developed by the American Bar Association, the National Center for State Courts and the NCJFCJ promulgated in the document “Building A Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases” as a guide, the court has developed baseline data in a number of areas critical to outcomes for children. “Building A Better Court” identifies four performance measures (safety, permanency, timeliness, and due process) against which courts can assess their performance. Each measure has a goal, outcomes, and a list of performance elements that courts should consider when developing performance plans that will allow them to assess their performance in meeting the identified goals.

During 2007, the Family Court continued to measure its performance in two areas: permanency and timeliness. Data for each area of performance was measured against baseline data established in 2004. Data presented is restricted to cases filed and/or disposed of within a specific timeframe. As such, it may differ from data presented elsewhere in the report. Such an analysis, using a cohort approach based on

when a case was filed, allows the court to examine its performance over time in achieving permanency for children, as well as allowing an assessment of the impact of legislative and/or administrative changes over time.

Performance Measure 1: Permanency

Goal: Children should have permanency and stability in their living situations.

Measure 1a: Percentage of children who reach legal permanency (by reunification, adoption, guardianship, custody or other planned permanent living arrangement) within 6, 12, 18, and 24 months from removal.

The Family Court first measured time to achievement of permanency goal for children exiting foster care in 2004. At that time, the median time to achievement of permanency was 2.4 years for children whose cases closed to reunification; 5.3 years to reach a goal of adoption; 3.4 years for cases to close to guardianship; and 2.8 years to reach permanency through a goal of custody. In 2005, the comparable figures were 1.6 years to reunification, 5 years to adoption, 4.4 years to guardianship, and 3.8 years to custody. The table below reflects comparative data on median time to closure for cases closed in 2006 and 2007.

As would be expected, children who were reunified with their parents spent less time in foster care than those whose cases closed through other permanency options. In over half the cases closed in 2006, children were reunified with their parent within 18 months of removal and more than two-thirds were reunified within 24 months or less. In 2007, nearly 60% of children were reunified with their parent within 24 months of removal. The median time to closure for cases closed to adoption while still high also steadily declined over the period (5.3 years in 2004, 5.0 years in 2005, 3.9 years in 2006 to 3.7 years in 2007). However, in spite of the decline in median time to closure, fewer

than 10% of children adopted had their cases closed within 24 months. The median time to achievement of permanency continued to decrease for children whose cases closed to guardianship.

Percent Distribution of Time Between Case Filing and Achievement of Permanency Goal, for Cases Closed in 2006 and 2007

Number of months to achieve goal	Permanency Goal							
	Reunification		Adoption		Guardianship		Custody	
	2006	2007	2006	2007	2006	2007	2006	2007
6 months	4	1	0	0	0	0	5	0
12 months	16	15	0	1	1	0	16	9
18 months	31	18	1	1	2	6	24	0
24 months	17	25	6	1	5	8	3	9
More than 24 months	32	41	93	96	92	86	51	82
Total Cases Closed	284	173	197	135	189	110	37	11
Median Time to Achieve Goal	1.5 years	2.0 years	3.9 years	3.7 years	3.5 years	2.8 years	2.0 years	3.6 years
Average Time to Achieve Goal	2.1 years	2.6 years	5.1 years	4.9 years	4.1 years	3.3 years	2.8 years	5.7 years

It is important to remember that many of the cases closed in 2006 and 2007 were older cases where the children had already been in care for extended periods of time. As these older cases close or the youth age out of the system, the court expects to see the median time to case closure to remain high. The first table below shows the year of case filings for the pending caseload and demonstrates why the median will remain high over the next several years. More than 25% of the cases under court jurisdiction at year end had been open seven or more years; another one-tenth had been open at least five years. As these cases close, they will continue to drive the median time to closure and keep it high over the next several years. The second table, on the other hand, shows that the court is making significant progress in achieving permanency for newly filed cases.

Age of Pending Caseload, 2007

Year Case Filed	Percent of Pending Caseload
1987-1995	9
1996-2000	17
2001-2002	10
2003	6
2004	9
2005	17
2006	16
2007	16
Number Pending	2,519

Status of Cases Filed, 2003-2007

Year Filed	Number Filed	Case Status	
		Percent Open	Percent Closed
2003	853	18	82
2004	802	29	71
2005	933	44	56
2006	652	59	41
2007	532	74	26

Measure 1b. Percentage of children who do not achieve permanency in foster care system.

In 29% of the cases (171 cases) closed in 2007, the children did not achieve permanency either because they aged out of the system or were emancipated. The percentage of cases closed in this category was higher than it was in 2006 (22%), 2005 (19%) or 2004 (18%). Again, this is probably attributable to the number of older children in the system.

Measure 1c. Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being returned to their families.

Of the 215 children whose cases closed to reunification in 2005, 11 (5%) have returned to foster care; 3 were returned to care within 12 months, 1 returned to care

within 24 months, and 7 returned to care after 24 months of reunification with new allegations of abuse.

Of the 281 cases closed to reunification in 2006, 16 were returned to foster care, 8 within 12 months of reunification and 8 within 24 months of reunification. To date, 5 of the 173 cases closed to reunification in 2007 have returned to care, all within 12 months of reunification.

Measure 1d(i). Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being adopted.

Of the 425 children whose cases closed to adoption in 2004, four adoptions disrupted and the children returned to care, 2 within 24 months of adoption and two more than 24 months after adoption. To date, none of the 285 cases closed to adoption in 2005 or the 196 cases closed in 2006 have returned to care in this jurisdiction. Of the 135 cases closed to adoption in 2007, one child has returned to care.

Measure 1d(ii). Percentage of children who reenter foster care pursuant to a court order within 12 and 24 months of being placed with a permanent guardian.

Of the 214 children whose cases closed to guardianship in 2005, 2 cases disrupted within 24 months of being placed with a permanent guardian. Three of the 194 cases closed to guardianship in 2006 disrupted, 1 within 12 months of placement with a permanent guardian and 2 within 24 months of placement. In addition, 2 cases closed to guardianship in 2007 have also disrupted. In the majority of these cases, the child returned to care while the Court appointed a successor guardian.

Performance Measure 2: Timeliness

Goal. To enhance expedition to permanency by minimizing the time from the filing of the petition/removal to permanency.

Measures 2a-2e. Time to adjudication, disposition hearing and permanency hearing for children removed from home and children that are not removed.

See discussion under ASFA compliance, pages 42 to 51.

TERMINATION OF PARENTAL RIGHTS

Federal and local law requires that when a child has been placed outside of the home for 15 of the most recent 22 months, a petition for termination of parental rights (TPR) be filed or that an exception be documented. In light of decisions from the D.C. Court of Appeals, the general practice in the District had been to file the TPR motion, then hold it in abeyance while the adoption petition moves forward, or to not file the TPR motion at all and sever the parent-child relationship within the adoption process. Stakeholder interviews during the CIP reassessment indicated that there is still considerable concern about the processing of TPR motions. Concerns center on the appeals process, difficulties created by the current process in recruiting adoptive parents, the conflict for social workers legally obligated to continue to provide services and contact for birth parents once the court has identified adoption as the permanency goal and TPR as the means for achieving that goal, and delay in permanency for children who are left in what are perceived to be stable placements but not leading to permanency.

Considerable work has been done to address this lingering issue over the past several years. First, the Child Welfare Leadership Team developed voluntary guidelines on compelling reasons not to file a TPR. The document was reviewed and a consensus was reached concerning these reasons. Second, the OAG, working with CFSA and the

court, using the compelling reasons document as a guide, completed a detailed review of all cases in which the child had been in an out of home placement for more than 15 of the most recent 22 months. In each case reviewed, the OAG made a decision as to whether to file a petition for a TPR or document acceptable compelling reasons for not filing. If it was determined that a TPR was necessary, the OAG had 30 days from the date of review to file the motion. Once the TPR was filed, the OAG turned over all relevant documents to the attorneys for the parents to advance the discovery process and reduce delay in proceeding on TPR matters.

To prepare for an anticipated increase in TPR filings, Family Court judicial officers participated in specialized training on the management of TPR proceedings and the importance of moving these cases forward fairly and expeditiously. As part of the training, CFSA adoption recruitment workers spoke to judicial officers about CFSA's efforts to recruit pre-adoptive families and the positive impact that legally "freeing" children have on their recruitment efforts.

To prevent future backlogs in the filing of TPR cases, the OAG tracks the permanency of children more closely once they are removed from the home. The CFSA 12-month administrative review will assess the proposed permanency goal, and an assistant attorney general will attend to ensure he or she is fully aware of the case considerations and prepared to take appropriate legal actions if warranted. In addition, the Child Welfare Leadership Team monitors the number and status of TPR cases identified by both the court and the OAG at each of its quarterly meetings.

The tables below detail the court's performance as it relates to the handling of TPR motions. It is important to bear in mind the above discussion when reviewing the findings.

Measure 2f(i). Time between filing of the original neglect petition in an abuse and neglect case and filing of the TPR motion.

**Time Between Filing of Original Neglect Petition and Filing of TPR Motion,
by Year TPR Motion Filed**

Year Filed	Total TPR Motions Filed	Median Days To Filing	Average Days To Filing	Number of Motions Filed Within :				
				15 months	22 months	36 months	60 months	More than 60 months
2005	248	1,059	1,510	31	37	59	37	84
2006	145	569	937	49	38	21	14	23
2007	129	688	940	37	26	31	23	12

Measure 2f(ii). Time between the filing and disposition of TPR motions in abuse and neglect cases.

**Termination of Parental Rights Motions Filed,
by Year Motion Filed and Method of Disposition**

Year Filed	Total Filed	Total Undisposed of	Total Disposed of	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2003	177	4	173	26	133	11	3
2004	141	17	124	43	75	5	1
2005	248	62	186	45	115	23	3
2006	145	85	60	32	26	2	0
2007	129	123	6	3	2	1	0

**Time Between Filing and Disposition of TPR Motion,
by Year Motion Filed**

Year Filed	Total Motions Disposed of	Median Days to Disposition	Average Days to Disposition	Number of Motions Disposed of Within:				
				30 days	90 days	120 days	180 days	180 + days
2003	173	749	592	4	7	4	6	152
2004	124	482	484	0	2	2	5	115
2005	186	489	398	3	7	7	22	147
2006	60	329	345	0	0	0	3	57
2007	6	227	153	0	1	2	1	2

**Time Between Filing and Disposition of TPR Motion,
by Year Motion Filed and Type of Disposition**

Year Filed	Total Motions Disposed of	Time to Disposition, by Type of Disposition					
		Motion Granted			Other Disposition of Motion*		
		Number of Motions Granted	Median Days to Disposition	Average Days to Disposition	Number of Other Dispositions	Median Days to Disposition	Average Days to Disposition
2003	173	26	645	638	147	559	586
2004	124	43	365	407	81	470	532
2005	186	45	288	366	141	374	398
2006	60	32	315	317	28	363	359
2007	6	3	227	184	3	106	127

*Includes motions dismissed, withdrawn or denied.

As a result of the renewed focus on TPR there was a significant increase in the number of TPR motions filed from 2003 through 2005. In 2003, 177 TPR motions were filed. One hundred forty-one TPR motions were filed in 2004 and 248 motions were filed in 2005. Due to the extensive work done by the OAG in 2005 to reduce the backlog of TPR cases, TPR filings have declined in each of the last two years (145 in 2006 and 129 in 2007).

A review of the time between the filing of the original neglect petition in a case and the subsequent filing of a TPR motion in that case indicates that the median number of days between these two events declined from 2005 through 2007. Moreover, more than half of the TPR motions filed in 2006 and 2007 were filed within the 22 months timeframe. A review of Measure 2f(i) also indicates that in many cases the TPR motion was filed after the case had been open for more than 3 years. It is important to note that many of these cases were thoroughly reviewed as part of the overall assessment of TPR cases by the OAG mentioned above. At the time of the assessment in each of these cases there were documented compelling reasons for not filing the TPR. Unfortunately, since

the review process was complete changes in the status of the case led to the decision to file the TPR.

The length of time between filing the TPR motion and the order granting the TPR has declined significantly over the last 5 years. TPR motions filed in 2003 that were granted took a median of 645 days to be granted. By contrast, motions granted took a median of 365 days, 288 days and 315 days, respectively in 2004, 2005, and 2006. The majority of TPR motions filed in 2007 have yet to be decided. However, the median time from filing to granting of the motion for those motions that have been granted was 227 days.

Similar reductions in time to disposition have occurred for motions disposed of by means other than granting of the motion (i.e., dismissal, denied, withdrawn). The median time to dispose of motions through those methods declined from a median of 559 days for motions filed in 2003 to 363 days for motions filed in 2006. Again, the majority of motions filed in 2007 are still pending. Those disposed of required a median of 106 days for disposition.

Currently, there are 293 TPR motions pending disposition. As those motions are disposed of, it will be important to see if the improvements noted above remain. At present, the District has not developed case processing standards for TPR cases. The Court continues to examine this data with the goal of establishing case processing standards in the near future.

It is important to note that TPR motions that have been pending for a number of years, as well as the large number of TPR motions disposed of through dismissal are largely a reflection of previous practice in the District of terminating parental rights

within the adoption case. As a result, a significant percentage of these motions are being held in abeyance or are trailing an adoption case and are dismissed once the adoption is granted.

Measure 2g. Time between granting of the TPR motion and filing of the adoption petition in abuse and neglect cases.

Over the period from 2004 through 2007, the median number of days to file an adoption petition after a TPR motion had been granted was 240 days, or 8 months. That figure does not include those cases in which an adoption petition was filed before the TPR motion was granted, a situation that occurred in each year during the report period. In 18 of the 20 cases in which a TPR motion was granted in 2004, adoption petitions were filed. Adoption petitions were filed in 14 cases after the TPR had been granted. It took a median of 240 days for the adoption petition to be filed. It is important to note that in two additional cases in which the motion for TPR was granted an adoption petition had been filed prior to the granting of the TPR. In another case the adoption was granted on the same day the TPR motion was granted and in another case the adoption was granted two months after the TPR motion was granted.

In 2005, 50 TPR motions were granted. Adoption petitions were filed in 22 cases after the TPR had been granted. The median number of days between granting of the TPR motion and filing of the adoption petition was 250 days. As was the case in 2004, there were several other cases in which a TPR was granted after an adoption petition had been filed. In 2006, 40 TPR motions were granted and adoption petitions were filed in 14. The median number of days between granting the motion and filing

adoption petition was 246 days. Finally, in 2007, 47 TPR motions were granted and adoption petitions were filed in 12 cases.

Measure 2h. Time between the filing of adoption petition and finalization of adoption in abuse and neglect cases.

Adoption Petitions Filed by CFSA, by Year Petition Filed and Method of Disposition

Year Filed	Total Filed	Total Undisposed of	Total Disposed of	Method of Disposition			
				Granted	Dismissed	Withdrawn	Denied
2003	369	2	367	272	63	29	3
2004	316	6	310	234	48	27	1
2005	247	15	232	154	48	29	1
2006	208	45	163	120	25	18	0
2007	162	122	40	22	8	10	0

Time Between Filing and Finalization of Adoption Petition of Children in Foster Care, by Year Petition Filed

Year Filed	Total Adoptions Finalized	Median Days to Finalization	Average Days to Finalization	Number of Adoptions Finalized Within:				
				3 months	6 months	12 months	18 months	>18 months
2003	272	436	507	4	7	56	140	62
2004	234	267	392	4	22	106	67	31
2005	154	480	402	2	16	58	52	14
2006	120	261	350	1	22	40	50	7
2007	22	248	247	0	5	17	0	0

With the exception of 2005, when the median time between filing and finalization of an adoption petition was 16 months, the amount of time require to finalize adoptions has decreased in each year. For adoption petitions filed in 2003, the median time from filing of the adoption petition to finalization of the adoption was 15 months. For petitions filed in 2004, the median was 8.9 months from the time of filing until the petition was granted, about half the time it took for petitions filed in 2003. In 2006, the median time between filing and finalization of an adoption was again about 9 months. At present, only a small portion of the adoption petitions filed in 2007 have been

finalized. However, among those there is a continued reduction in the time between filing and finalization of the adoption.

Performance Measure 3: Due Process

Goal: To deal with cases impartially and thoroughly based on the evidence brought before the court.

Appointment of Counsel

The Family Court has established a history of success on this due process measure. In all cases that meet the eligibility criteria, counsel is appointed for parents who cannot afford counsel and guardians *ad litem* are appointed in all cases in advance of the initial hearing, which prior to 2005 was scheduled within 24 hours for children removed from home. The enactment of the “Child in Need of Protection Amendment Act of 2004” which became effective in 2005 changed the time limit for commencing a shelter care hearing from the next day (excluding Sundays) to 72 hours (excluding Sundays) after the removal of the child from the home. The time limit for appointment of the guardian *ad litem* for the child remained within 24 hours. However, the requirement for appointment of parents’ attorneys was changed to the day of the initial hearing, 72 hours after removal.

Tools to monitor compliance on other due process issues such as changes in counsel for parents and children and the timeliness of service of process on parents are being developed. The Court expects to be able to report baseline data on these measures in 2008. The implementation of the One Judge/One Family case management approach is complete and there has been a significant reduction in the number of different judicial officers involved in cases concerning the same person or member(s) of his or her family.

New Initiatives in Abuse and Neglect

In partnership with the Family Court, CASA of D.C. has begun recruiting, screening, and training volunteers from the community who will be working in collaboration with CFSA social workers to improve outcomes for older youth in care. The CASAs who will be appointed under this initiative have been specially trained to work with older youth. Too often, older youth are not fully prepared for the challenges they will face upon emancipation, and have no identified permanent resource once they age out. The Family Court, CFSA and CASA of D.C. have undertaken this initiative to insure that all services for adolescents appointed a CASA (such as medical, financial, housing, employment and education) are in place and coordinated, to better prepare youth for independent living.

CASAs will work closely with social workers and foster care providers to continually monitor and assess the youth's needs and submit reports to the court to ensure that all necessary services are accessible and provided in a timely manner in accordance with the youth's plan. CASAs will also work with all stakeholders to assist in identifying and exploring community resources that will connect the youth to family-like resource(s) that will be immediately accessible upon the youth's exit from foster care.

The *Preparing Youth for Adulthood* (PYA) program was launched on the calendar of a Family Court Magistrate Judge in September 2007. It is envisioned that approximately 30 youth, between the ages of 17.5 and 19, will participate in the program during the first year. To date, 14 youth are participating in this initiative, and an additional 18 youth participated in an orientation held on January 29, 2008, and 6 eligible youth have expressed interest in the initiative. Social workers and guardians *ad litem* will

continue to be encouraged to accompany the youth to orientation sessions. Judges are encouraged to identify youth who would be good candidates for the initiative throughout the year. Additional orientation sessions will be convened on an as needed basis, until such time as the PYA Initiative has reached the 30-person capacity.

After an eligible youth has been identified to participate in the PYA Initiative, he or she is assigned a CASA and his case is certified to the PYA calendar. Hearings, “preparation hearings,” the primary focus of which is to ensure that the young person is receiving assistance in setting goals for the future, including educational, career and personal goals. As such, immediately prior to the preparation hearing, the youth, CASA, and social worker will meet to discuss and refine the youth’s independent living plan, and propose ways to address any outstanding barriers or issues through the development and review of the youth's Individual Transition Independent Living Plan (ITILP).

The ASFA requires that all stakeholders involved in the permanency planning for a child address the educational needs of children in foster care as a critical indicator of child well-being. Thus, in April 2005, the Permanency Planning for Children Department of the NCJFCJ developed a model checklist tool entitled *Asking the Right Questions: A Judicial Checklist to Ensure That the Educational Needs of Children and Youth in Foster Care Are Being Addressed* (Model Checklist). In June 2007, the Family Court Special Projects Committee on Improving Educational Outcomes for Children in Care developed the *Education Checklist for Judicial Officers* (Education Checklist). This collaborative effort included Family Court Judges and Magistrate Judges, representatives from the District including the CFSA, District of Columbia Public Schools, and other key child welfare and education professionals. The Education Checklist serves as a tool for

Family Court judicial officers to obtain essential information on a child's educational needs, progress, and the efforts made to provide appropriate educational services. Moreover, the Education Checklist poses detailed questions in eight sections which captures demographic information; general education information; changes in placements and schools; developmental needs of infants and toddlers; developmental needs of children ages three to five; health factors affecting education; transition plans for life after foster care; and special education and related services.

Judicial officers, attorneys, and social workers were trained on the use of the Education Checklist in September 2007. In November 2007, four Family Court Judges implemented the Education Checklist on a pilot basis in their courtrooms. The Family Court Special Projects Committee on Improving Educational Outcomes for Children in Care followed up the demonstration project by soliciting participants' feedback on the efficacy of the Checklist via surveys and a focus group session. Full implementation of the Education Checklist is expected in Spring 2008 once all recommended changes/revisions are considered and incorporated into the final document. In anticipation of full implementation, CFSA has begun gathering some essential data identified in the Education Checklist and is storing this information in its SACWIS case management system.

The Family Court Special Projects Committee on Development of an Abuse and Neglect Benchbook completed the revision of the "District of Columbia Superior Court's Family Court Benchbook on Abuse and Neglect" (Benchbook) in October 2007. The Committee, comprised of Family Court Associate and Magistrate Judges, reviewed a number of Benchbooks from other courts before deciding on the content and structure of

this document. The goal of the Committee was to develop a comprehensive guide for judicial officers in handling dependency cases in a manner consistent with Federal and District of Columbia law, and in accordance with national best practice standards. The Benchbook is organized in four sections: initial hearing through disposition; achieving permanency; other legal issues; and well-being. Each section includes sub-topics related to the section content based upon stages of neglect proceedings or specific legal issues that arise over the life of the case. Additionally, for each type of hearing, the Benchbook identifies specific findings, conclusions and orders required. It will be regularly updated to reflect revisions to federal and state statutes, rules, and case law.

JUVENILE CASES

During 2007, there were 3,123 new juvenile complaints filed in the Family Court. Ninety-six percent (2,984) of all complaints filed were based on an allegation of delinquency, 4% (122 cases) on an interstate compact agreement and less than 1% (17 cases) on a person in need of supervision (PINS) allegation. Two-thirds of the complaints (2,011) resulted in a formal petition being filed by the OAG. The remaining cases were either dropped without a petition, or “no papered”, or the petition has not yet been filed. The remainder of this section focuses on the 1,930 cases alleging delinquency in which a petition was filed during 2007.

Males comprised nearly 9 out of every 10 cases petitioned in 2007 (87%). Six percent of cases petitioned in 2007 involved youth aged 12 or younger. Another quarter involved juveniles who are 13 and 14 years old, half were 15-16 years old at the time of petitioning, and a fifth were 17 or over. Thirty-six percent of juveniles (694 cases) were detained at the time their case was petitioned (16% in non-secure facilities or shelter houses and 20% in secure detention facilities). Males comprised 92% of those detained and females 8%.

Most Serious Offense⁷

Forty-three percent of new delinquency cases petitioned in 2007 were for a violent crime, 34% for a property offense, 13% for a drug law violation and 10% for a public order offense. The single most common reason for a juvenile case to be petitioned in 2007 was a charge of larceny/theft (20%), followed by simple assault

⁷Juveniles charged with multiple offenses are categorized according to their most serious offense. For example, in a single case where a juvenile is charged with robbery, simple assault and a weapons offense,

(10%), assault with a dangerous weapon, unarmed robbery, and drug sale/distribution (all 8% of referrals), aggravated assault (7%) and weapons offenses (6%). Although few in numbers it is important to point out that 6 juveniles were charged with murder and 14 with assault with the intent to kill.

Juveniles charged with assault comprised nearly two-thirds of the new petitions for a violent offense (aggravated assault (38%) and simple assault (24%)). Robbery (27%) was the second leading reason for a petition for a violent offense (8% armed robbery and 19% unarmed), followed by juveniles charged with first degree sexual abuse or rape (4%).

More than half of all juvenile cases petitioned for a property crime involved larceny/theft (57%), followed by unauthorized use of a vehicle (13%), property damage (12%) and unlawful entry (9%).

Weapons offenses (57%) and disorderly conduct (13%) were the leading charges in petitions alleging public order offenses. Among juveniles charged with a drug offense, two-thirds were charged with drug sale or distribution and 33% with drug possession.

Most serious offense by age

In 2007, 56% of all delinquency cases petitioned by the Family Court involved youth 15 years of age or younger at the time of referral. The proportion of cases involving juveniles aged 15 or younger varied by offense, younger juveniles accounted for a smaller percentage of drug and public order violations than of acts against persons or acts against property. The single most likely reason for petitioning a youth in this age

the case is counted as a robbery. Thus data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

group was a charge of larceny/theft (20%) followed by simple assault (10%) assault with a dangerous weapon (9%) and aggravated assault (8%).

In contrast, 40% of youth 16 and older were charged with violent crimes and 32% with property crimes, both proportions less than comparable rates for youth 15 and under. Similarly, almost twice as many older youth were charged with drug law violations when compared to those 15 and younger. Larceny/theft was also the most common charge for youth 16 and older, followed by drug sale/distribution (12%), simple assault (11%), and assault with a dangerous weapon and unarmed robbery (8%).

A review of most serious offense by age at time of petitioning within specific offense categories also reveals some significant differences. The percentage of juveniles charged for a violent crime decreased significantly in cases involving older youth. Specifically, 54% of juveniles aged 12 or younger were charged for a crime against a person compared to 50% of juveniles age 13-14, 41% of those age 15-16, and 35% of those age 17 or older at referral. This reduction in the proportion of cases involving acts against persons for older youth is largely attributable to the fact that older juveniles who commit violent crimes are more likely to be charged as an adult or have their case transferred to adult court.

In contrast, the percentage of juveniles charged with a drug offense increased with the age of the offender. There was only 1 juvenile 12 or younger charged with a drug offense; 7% of those ages 13-14, 15% of those ages 15-16, and 21% of those aged 17 were charged with drug offenses. However, irrespective of age at the time the charges were petitioned, two-thirds of youth were charged with drug sale or distribution and one third with drug possession.

Juvenile Delinquent Cases Petitioned in 2007, by Age and Most Serious Offense

Most Serious Offense ⁸	Age at Time of Petition								
	Total cases	Under 10 years	10-12	13-14	15-16	17	18 and over	15 and younger	16 and older
Acts against persons	833	4	54	251	392	127	5	499	334
Murder	6	0	0	2	3	1	0	5	1
Assault with Intent to Kill	14	0	0	2	6	6	0	4	10
Assault with Dangerous Weapon	160	2	10	43	78	27	0	96	64
Aggravated Assault	145	0	7	39	73	26	0	82	63
Armed Robbery	63	0	1	26	28	8	0	43	20
Robbery	156	0	5	59	68	23	1	92	64
First Degree Sexual Abuse (Rape)	31	0	2	9	16	2	2	20	11
Other Violent Sex Offenses	15	0	5	3	6	0	1	11	4
Car Jacking	20	0	0	5	14	1	0	15	5
Burglary 1	8	0	1	4	3	0	0	7	1
Simple Assault	202	1	19	54	95	32	1	112	90
Other Acts Against Persons	13	1	4	5	2	1	0	12	1
Acts against property	665	2	41	181	319	119	3	391	274
Burglary 2	34	0	3	11	12	7	1	23	11
Larceny/Theft	379	0	20	106	174	78	1	215	164
Unauthorized Use of Auto	87	2	6	25	44	9	1	59	28
Arson	7	0	2	3	1	1	0	6	1
Property Damage	82	0	9	21	38	14	0	50	32
Unlawful Entry	62	0	0	12	42	8	0	32	30
Stolen Property	13	0	1	3	8	1	0	6	7
Other Acts Against Property	1	0	0	0	0	1	0	0	1
Acts against public order	185	0	5	37	98	44	1	95	90
Weapons Offenses	106	0	2	16	56	31	1	43	63
Disorderly Conduct	24	0	2	9	9	4	0	18	6
Obstruction of Justice	14	0	0	3	9	2	0	7	7
Other Acts Against Public Order	41	0	1	9	24	7	0	27	14
Drug Law Violations	246	0	1	33	137	75	0	100	146
Drug Sale/Distribution	162	0	0	22	88	52	0	62	100
Drug Possession	82	0	1	11	49	21	0	38	44
Other Drug	2	0	0	0	0	2	0	0	2
Other Offenses	1	0	0	0	1	0	0	0	1
Total Delinquency petitions⁹	1,930	6	101	502	942	365	9	1080	845

Most serious offense by gender

⁸ Juveniles charged with multiple offenses are categorized according to their most serious offense. For example, in a single case where a juvenile is charged with robbery, simple assault and a weapons offense, the case is counted as a robbery. Thus data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

As was the case in 2006, there were significant differences in the types of petitioned offenses by gender. More girls were charged for offenses against persons

Juvenile Delinquent Cases Petitioned in 2007, by Most Serious Offense and Gender

Most Serious Offense ¹⁰	Total cases	Male	Female
Acts against persons	834	654	180
Murder	6	5	1
Assault W/I Kill	14	13	1
Assault Dangerous Weapon	160	98	62
Aggravated Assault	145	127	18
Armed Robbery	63	63	0
Robbery	156	140	16
First Degree Sex Abuse	31	31	0
Other Violent Sex Offenses	15	14	1
Carjacking	20	18	2
Burglary 1	8	8	0
Simple Assault	203	126	77
Other Acts Against Persons	13	11	2
Acts against property	665	624	41
Burglary 2	34	29	5
Larceny/Theft	379	363	16
Unauthorized Use Auto	87	84	3
Arson	7	5	2
Property Damage	82	71	11
Unlawful entry	62	58	4
Stolen Property	13	13	0
Other Acts Against Property	1	1	0
Acts against public order	184	160	24
Weapons Offenses	106	103	3
Disorderly Conduct	24	14	10
Obstruction of Justice	13	12	1
Other Acts Against Public Order	41	31	10
Drug Law Violations	246	238	8
Drug Sale/Distribution	162	157	5
Drug Possession	82	79	3
Other Drug	2	2	0
Other Offenses	1	1	0
Total number of petitions	1,930	1,677	253

⁹ This table excludes new referrals whose cases were not petitioned by the OAG after a complaint was filed. It also excludes juveniles 16 and over who were charged as adults.

¹⁰ Juvenile charged with multiple offenses are categorized according to their most serious offense. For example, in a single case where a juvenile is charged with robbery, simple assault and a weapons offense, the case is counted as a robbery. Thus data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

than were boys – 71% of girls were charged with acts against persons, compared to 39% of boys. Conversely, more boys were charged with acts against property (37% and 16%, respectively) and drug law violations (14% and 3%, respectively).

Within major crime categories, there were also significant differences in the crimes for which males and females were charged. Among male offenders charged with crimes against persons, 55% were charged with some form of assault and 31% were charged with robbery. In comparison, among females charged with violent offenses, 88% were charged with some form of assault and only 9% for robbery. Among both males and females charged with property offenses, larceny/theft was the leading charge (58% and 39% respectively), however, among males the second most likely charge was unauthorized use of an automobile and for females it was property damage. Among juveniles charged with public order offenses, the leading charge for females was disorderly conduct (42%), whereas for males 64% of the charges for public order offenses were for a weapons offense. Similarly, while 14% of males were charged with a drug offense, only 3% of females were charged with a similar offense.

Most serious offense by detention status

In 36% (694 cases) of all new juvenile delinquency cases petitioned, the juvenile was detained prior to trial. The decision to detain a juvenile takes into account a number of factors including seriousness of offense and prior criminal history. This report examines only one of those factors, seriousness of offense. The court is reviewing the impact of prior history on detention decisions in a separate analysis.

Fifty-five percent of those detained before trial were held in secure detention facilities and 45% in non-secure facilities referred to as shelter houses. Males were

overwhelming represented among those that were detained, comprising 94% of those detained in both secure facilities and in shelter houses.

Detained Juveniles Listed by Offense

Most Serious Offense ¹¹	All Detained Delinquency Cases						
	Total detained	Securely Detained			Non-Securely Detained		
		Total	Males	Females	Total	Males	Females
Acts against persons	305	168	151	17	137	113	24
Murder	5	5	4	1	0	0	0
Assault W/I Kill	13	13	12	1	0	0	0
Assault Dangerous Weapon	52	33	30	3	19	13	6
Aggravated Assault	60	21	20	1	39	34	5
Armed Robbery	31	23	23	0	8	8	0
Robbery	62	33	31	2	29	24	5
First Degree Sex Abuse	8	5	5	0	3	3	0
Other Violent Sex Offenses	3	0	0	0	3	3	0
Carjacking	16	15	13	2	1	1	0
Burglary 1	4	3	3	0	1	1	0
Simple Assault	48	16	9	7	32	24	8
Other Acts Against Persons	3	0	0	0	3	3	0
Acts against property	232	125	123	2	107	103	4
Burglary 2	16	7	7	0	9	8	1
Larceny/Theft	138	76	75	1	62	61	1
Unauthorized Use Auto	35	18	18	0	17	17	0
Arson	2	2	2	0	0	0	0
Property Damage	21	12	12	0	9	7	2
Unlawful entry	16	7	6	1	9	9	0
Stolen Property	3	2	2	0	1	1	0
Other Acts Against Property	1	1	1	0	0	0	0
Acts against public order	77	42	39	3	35	31	4
Weapons Offenses	62	35	35	0	27	26	1
Disorderly Conduct	2	0	0	0	2	2	0
Obstruction of Justice	4	4	4	0	0	0	0
Other Acts Against Public Order	9	3	0	3	6	3	3
Drug Law Violations	80	50	49	1	30	30	0
Drug Sale/Distribution	61	39	38	1	22	22	0
Drug Possession	19	11	11	0	8	8	0
Other Drug	0	0	0	0	0	0	0
Other Offenses	0	0	0	0	0	0	0
Total number of detained cases	694	385	362	23	309	277	32

¹¹ Juveniles charged with multiple offenses are categorized according to their most serious offense. For example, in a single case where a juvenile is charged with robbery, simple assault and a weapons offense, the case is counted as a robbery. Thus data presented in this table does not provide a count of the number of crimes for which a juvenile was charged.

In 2007, 42% of those charged with acts against public order were detained prior to trial, compared to 33% of those charged with drug offenses, 35% of those charged with property crimes and 37% of those charged with acts against persons. With regard to specific offenses, 5 out of 6 juveniles charged with murder were detained prior to trial as was 13 out of 14 charged with assault with intent to kill. Eighty percent of those charged with carjacking, 58% of those charged with weapons offenses, 50% of those charged with burglary I and 49% of those charged with armed robbery were also detained prior to trial. As expected, those charged with drug possession, simple assault, stolen property, property damage, unlawful entry and disorderly conduct were less likely to be detained prior to trial.

Among those detained, there were also significant differences in the use of secure detention by offense. Of juveniles detained, 100% of those charged with murder, assault with intent to kill, arson, and obstruction of justice were detained in secure facilities, as were 94% of those charged with carjacking, 75% of those charged with burglary one, and 74% of those charged with armed robbery. On the other hand, all detained juveniles charged with other violent sex offenses, as well as two-thirds of those charged with aggravated assault and simple assault were held in shelter houses.

Timeliness of Juvenile Case Processing

Regardless of the offense, many states have established case-processing timelines for juveniles detained prior to trial. In addition to individual state timelines, several national organizations, including the American Bar Association, the Office of Juvenile Justice and Delinquency Prevention and the National District Attorneys

Association have issued guidelines for case processing in juvenile cases¹². The guidelines both at the state and national levels address the time between key events in a juvenile case. In general, these guidelines suggest that the maximum time between court filing and court adjudication for juveniles detained prior to trial be 30 days or less, and from filing to disposition for detained juveniles be 60 days or less.

In August 2005, the NCJFCJ published the *“Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases.”* The Guidelines establish national best practices in the handling of juvenile delinquency cases, in addition to establishing time parameters from initial hearing to disposition for both detained and non-detained juveniles. Suggested timeframes range from two weeks to six weeks depending on the child’s detention status.

As is the case in many states, the District of Columbia Official Code establishes that juveniles detained prior to trial in secure or non-secure detention facilities have an adjudicatory hearing within either 30 days or 45 days depending on the seriousness of the charge. Superior Court Juvenile Rule 32 requires that the disposition hearing in cases of secure and non-securely detained juveniles may be held immediately following adjudication but must be held within not more than 15 days after adjudication.

However, the Code sets forth a number of reasons for extending the trial or adjudication, for good cause shown for additional periods not to exceed 30 days each, beyond the statutory period. Under D.C. Official Code §16-2310 the following constitute good cause to extend the time limit for trial or adjudication:

¹² See “Delays in Juvenile Court Processing of Delinquency Cases” by Jeffrey A. Butts conducted under the sponsorship of the Office of Juvenile Justice and Delinquency Prevention and “Waiting for Justice: Moving Young Offenders Through the Juvenile Court Process” by Jeffrey Butts and Gregory Halemba conducted under the sponsorship of the National Center for Juvenile Justice.

- The delay results from other proceedings concerning the child, including, but not limited to, examinations to determine mental competency or physical capacity;
- The delay results from a hearing with respect to other charges against the child;
- The delay results from any proceeding related to the transfer of the child pursuant to D.C. Official Code §16-2307;
- The delay results from the absence of an essential witness;
- The delay results when necessary autopsies, medical examinations, fingerprint examinations, ballistic tests, drug analysis, or other scientific tests are not completed, despite due diligence;
- The delay results from a continuance granted at the request of the OAG if it is granted because of unavailability of evidence in the case; and

The disposition of a secure or non-securely detained juvenile's case may also be extended beyond the 15-day period. The D.C. Court of Appeals has held that the 15-day time requirement of Juvenile Rule 32 is directory rather than mandatory and that the trial court does not err in extending the 15-day time period for a reasonable length of time to obtain the predisposition report. *See, In re J.B.*, 906 A.2d 866 (D.C.2006).

In addition, under D.C. Official Code §16-2330 the following time periods are excluded in the time computation for reaching disposition:

- The delay resulting from a continuance at the request of the child or his counsel;
- The delay resulting from other proceedings concerning the child;
- The delay resulting from a continuance granted at the request of the OAG if it is granted because of unavailability of evidence in the case;
- The delay resulting from the imposition of a consent decree;
- The delay resulting from the absence or unavailability of the child; and

- The delay when the child is joined for a hearing with another child as to whom the time for a hearing has not run and there is good cause for not hearing the case separately.

During 2007 the Court expanded its monitoring of compliance with statutory case processing standards in juvenile cases. The Family Court for the first time is displaying data on time between events for juveniles held in non-secure detention facilities or shelter houses, in addition to data on juveniles held in secure detention facilities. As in the past, the Annual Report examines case processing standards for those held in secure detention facilities based on the seriousness of petitioned charges. For a select group of offenses -- murder, assault with intent to kill, armed robbery, first degree sex abuse, and burglary 1 -- the standards allow 45 days to reach adjudication and 15 days from adjudication to disposition, for a total of 60 days from initial hearing to disposition. For all other securely detained juveniles and those non-securely detained, the statute allows 30 days from initial hearing to adjudication and 15 days from adjudication to disposition, for a total of 45 days from initial hearing to disposition.

As indicated in previous reports, the timeline information contained in the table below is calculated as straight time. It does not exclude time periods attributable to those factors outlined in D.C. Official Code §16-2310 and §16-2330. The Court is currently capturing the time attributable to these factors and in future reports will show the timeline data both as straight time and with the time that is statutorily excluded.

Securely Detained Juveniles

Most serious offenders

Fifty-eight percent of securely detained juveniles charged with the most serious offenses had their cases adjudicated within the 45 day statutory timeframe. As can be seen from the table below, the Court had more difficulty in holding disposition hearings within the statutorily allowed 15 days after adjudication. As a result the Court was compliant with the statutory timeline of 60 days from initial hearing to disposition in 16% of cases. However, the median time from initial hearing to disposition (101 days) is considerably less than the 185 day median for cases in this category in 2006; median time to trial was 42 days and the median time between trial and disposition was 42 days. Again, it is important to note that these figures do not exclude the time attributable to those factors outlined in the code that allow the Court to exceed the 15 day timeline.

Other securely detained offenders

For other securely detained juveniles the Court was in compliance with the 30-day statutory requirement for adjudication in 61% of the cases. An additional 24% were adjudicated within 45 days. As was the case for the more serious offenders, the court also experienced difficulty in holding dispositions within the rule-directed 15 days after adjudication. As a result the court was compliant with the timeline of 45 days from initial hearing to disposition, in slightly less than a third of cases. The median time between initial hearing and disposition was 66 days. Specifically, the median time from initial hearing to the fact-finding hearing, or adjudication, was 27 days and the median time between adjudication and disposition was 39 days.

Non-Securely Detained Offenders

For those juveniles held in shelter houses, adjudication hearings were held in compliance with the statute in 31% of cases. Disposition hearings were held in compliance with the statute in 16% of cases. The median time to adjudication was 43 days, the median number of days between adjudication and disposition were 41 days, and the median time from initial hearing to disposition was 91 days.

**Median Time Between Events
For Juveniles Detained Prior to Trial in 2007**

Level of Detention and Offense Severity	Cases In Which A Hearing Was Held								Cases Closed Before Hearing was Held	Cases Pending
	Total cases	Days Between Events								
		1-30	31-45	46-60	61-90	91 or more	Median	Average		
Securely Detained	383									
<i>Most Serious</i>	49									
Initial Hearing to Adjudication (Statutory Timeline 45 days)	38	10	12	3	8	5	42	57	9	2
Adjudication to Disposition (Statutory Timeline 15 days)	37	16	5	6	1	9	42	58	0	1
Initial Hearing to Disposition (Statutory Timeline 60 days)	37	3	2	1	7	24	101	114	9	3
<i>Serious</i>	334									
Initial Hearing to Adjudication (Statutory Timeline 30 days)	286	176	68	13	10	19	27	36	39	9
Adjudication to Disposition (Statutory Timeline 15 days)	263	115	35	36	40	37	39	53	4	19
Initial Hearing to Disposition (Statutory Timeline 45 days)	263	43	40	35	56	89	66	86	43	28
Non-Securely Detained	309									
Initial Hearing to Adjudication (Statutory Timeline 30 days)	260	80	59	33	42	46	43	59	39	10
Adjudication to Disposition (Statutory Timeline 15 days)	211	88	36	16	25	46	41	57	18	31
Initial Hearing to Disposition (Statutory Timeline 45 days)	211	10	25	29	41	106	91	111	57	41

FAMILY COURT SOCIAL SERVICES DIVISION

Pursuant to the D.C. Court Reorganization Act of 1970, Public Law 91-358, the Family Court's Social Services Division (CSS) serves as the juvenile probation department for the District of Columbia. CSS is responsible for, screening, assessing, presenting in the New Referrals courtroom (JM-15), case managing, serving and supervising all pre- and post- adjudicated juveniles who are not committed to the District of Columbia, encompassing an average daily population of 1,500 youth, or roughly 65%-to-70% of youth involved in the city's juvenile justice system. Juveniles under CSS supervision include: all newly arrested youth entering the Family Court system in juvenile delinquency cases, youth eligible for diversion, status offenders (e.g., Truants and Persons In Need of Supervision), youth under consent decree or diversion, and youth on probation post disposition. In addition, CSS is also responsible for conducting psychological evaluations on all youth when they first come under the Court's jurisdiction and conducting home studies on all families involved in contested custody disputes.

Intake Screening and Case Presentment in the New Referrals Courtroom

The federal Juvenile Justice Delinquency Prevention Act requires screening youth within four hour window of time to determine detention/release decisions—prior to case presentment and recommendations for petitioning, diversion or not petitioning. CSS successfully completed more than 90% of its screenings (completed on more than 3,100 youth) within the required four hour time period. In addition, through the use of both a Risk Assessment Instrument (RAI), and culturally sound comprehensive social assessments as well as subject-matter expertise among well trained seasoned probation

officers, CSS was recognized for relying on its authority to override the RAI on average in only 10% of its cases, in comparison to the nationally accepted standard of 20%. This 10% reduced use of override authority, underscored and was validated in the Center for Children's Law and Policy in 2007. However it is important to note, that in every instance where there is a request to detain a juvenile, the Court hears testimony from the police and other witnesses about the incident. Therefore, in addition to the information and recommendations offered based on the risk assessment, the judge takes into account other factors, including prior criminal history and testimony in reaching its detention decision.

Juvenile Drug Court: Treatment, Case Management and Supervision

Also in 2007, CSS successfully served and supervised an average of 45 youth under its Juvenile Drug Court Unit. Services included community-based individual and group drug counseling, case management and probation supervision. Among the many youth completing the conditions of the program model, 10 participated in a commencement program presided over by the Honorable Judge Laura Cordero. Additionally in 2007, youth involved in the drug court participated in a variety of pro-social extra curriculum activities.

Leaders of Today in Solidarity – LOTS: Seamless Female Adolescent Services and Supervision

In 2007, the CSS continued successful operation of its female adolescent pre-and-post adjudicated probation service/supervision unit, Leaders of Today in Solidarity (LOTS). This is the District's first female probation program model. Female adolescents supervised by LOTS participated in a variety of court supervised measures including field

trips, social justice activities, attendance and testimonies at D.C. City Council Hearings, conflict resolution, gang mediation and community service community referred as service learning within CSS. Augmented by a uniquely designed third-party monitoring initiative, managed by Peaceoholics and a comprehensive life-skills measure managed by the local community-based organization Young Ladies of Tomorrow, LOTS was recognized in 2007 by the Annie E. Casey Foundation for its success in reducing the use of pre-trial detention for girls by 74% and reducing use of shelter placement for girls by 75%.

Building on success achieved in 2007, CSS in partnership with Peaceoholics, will coordinate a civil rights sojourn in April 2008. The journey will permit twenty-five (25) adolescent girls under CSS supervision to travel from the District of Columbia to several historic southern states renowned for civil rights marches, demonstrations, protests ,and accomplishments. LOTS girls participating in the event will be required to complete a five hundred (500) word essay, detailing the impact of the experience. In addition to a CSS contest selecting the top five (5) essays, all girls will be required to complete twenty-five (25) hours of community service/service learning by way of providing verbal presentations to children and youth attending elementary schools, junior high and middle schools. CSS envisions this measure will provide LOTS girls an opportunity to not only participate in an all-encompassing historic event, but also provide hundreds of children and youth unable to attend the event to participate as well.

Child Guidance Clinic and Juvenile Sex Offender Services

The Child Guidance Clinic continued to operate its nationally recognized post doctoral psychology internship training program accredited by the American

Psychological Association. Working with an array of students from universities and colleges across the country, the continued to serve youth adjudicated for sex offenses in its Juvenile Interpersonal Behavior Management program. Because this program represents the only community-based intervention targeting youth adjudicated for sex offenses, participating youth who would otherwise be placed in an out-of-state residential program benefit from a local service consistent with best practices with respect to community-based alternatives.

Delinquency Prevention

CSS's Delinquency Prevention Unit is designed to increase public awareness, assist in diverting youth awaiting pick-up by their parent, guardian or custodian from referral to the District's Child Welfare Agency or court ordered shelter home placement, and coordinate electronic monitoring. The unit facilitated numerous presentations throughout the city on the Division's efforts and increased the number of Global Position System (GPS) electronic monitoring units used to supervised youth in the community. As a result, an array of youth, who would have otherwise been detained during adjudication were supervised in community settings without compromising public safety. In 2007, CSS used an average of forty (40) units daily. In 2008, the unit will endeavor to deploy an average of seventy-five (75) units daily. This effort will permit the court to broaden the scope of medium and high risk non-violent youth (who would otherwise be detained) to be supervised in the community during the trial phase of adjudication.

Seamless Male Adolescent Services and Supervision

Building on the successful experience with LOTS, in 2007 CSS reengineered its entire case management model for adolescent males designating one probation officer per

youth/family through juvenile probation. As a result, adolescent males are supervised using the same case management model as the model used for adolescent girls.

Recognizing the unique challenges to males, CSS probation officers designated to supervising adolescent male caseloads undergo more than 40 hours of culturally sound training in the development of adolescent males of color annually. This training focuses on the nuances among urban adolescent males, best practices and emerging practices in the development and services of adolescent males of color.

In addition, in 2007, CSS launched its Southeast Satellite Office, which included the nation's first Balanced and Restorative Justice Drop-In Center, with ample office space for probation officers, designated space for community-based providers, a large recreation room supplied with table-top games, a movie screen projector, a satellite courtroom and a kitchen. At the Drop-In Center, the CSS operates (Monday thru Friday) a day suspension program for pre-and post- adjudicated youth suspended from school for more than 3 days, an after-school enrichment program permitting youth the benefit of tutoring, counseling and group interventions, and a nutritious meal. On Saturdays, youth are required to attend the Drop-In Center for 5 hours. Structured programming on Saturdays permits youth the benefit of group interventions and enables youth to complete court-ordered community service under the supervision of CSS probation officers. Preliminary data indicate: 95% attendance rates, 100% attendance at court hearings, and no rearrests.

Finally in 2007, CSS launched its re-engineered intensive supervision services and supervision Unit, "Ultimate Transitions Ultimate Responsibilities Now" (UTURN). UTURN was created to address the complex needs of high-risk juveniles and serve as an

alternative to post-disposition commitment. UTURN staff members are charged with serving and supervising the most serious offenders involved in the court. UTURN staff also provides an increased amount of community supervision consisting of 2 evening home visits, 2 weekly school visits, and 4 weekly telephone contacts. In addition, through the use of Third-Party Monitoring, UTURN youth receive an additional 10 community contacts weekly. Preliminary data shows that the highly prescriptive, culturally sound and comprehensive UTURN model is an effective model for high-risk and serious offense juveniles.

New Initiatives in Juvenile Operations and Court Social Services:

With the support of the Annie E. Casey Foundation, the Family Court launched the Juvenile Detention Alternatives to Incarceration (JDAI) effort in collaboration with the Executive Branch of Government. JDAI, an interagency collaboration among critical juvenile justice stakeholders, is working to ensure that appropriate youth are detained in secure facilities and youth who are not appropriate for secure detention are monitored by way of alternatives to detention. Three key areas under the rubric of JDAI include: data gathering (involving information sharing across the court, law enforcement, prosecutors and defense counsel); case processing (examining the time-frame cases move through trial, adjudication and disposition) and an analysis of existing services and supports necessary to divert low-to-medium risk non-violent youth from secure detention.

The Court continues to comply with the requirements of D.C. Official Code § 16-2325.02 established in the Omnibus Public Safety Act of 2006, D.C. Law 16-306 § 206 (d) (April 24, 2007). The Court submitted its first Juvenile Delinquency “Failure to Appear” reports to the District of Columbia City Council in January and August 2007.

The reports included data on the number and percentage of respondents in delinquency cases who failed to appear in court for scheduled hearings.

To implement changes in the law based on the Family Court Act of 2001, Public Law 107-114 (January 8, 2002), and the Omnibus Juvenile Justice Act of 2004 (D.C. Law 05-261 (March 17, 2005)), committees of the Family Court drafted proposed rules amending current Juvenile Rules, creating new Juvenile Rules, and amending the General Rules of the Family Court. On August 10, 2007, seventeen approved Juvenile Rules were published in the Daily Washington Law Reporter for public comment. In January 2008, the approved Juvenile Rules were presented to the D.C. Superior Court Board of Judges. The Board of Judges approved fifteen of the seventeen originally submitted rules. Promulgation of the revised rules is pending final edits in response to publisher questions. The approved General Rules (dealt with separately) were published for public comment in the Daily Washington Law Reporter on January 30, 2008.

The Juvenile Speedy Trial Equity Amendment Act of 2007 (Act 17-235) and the Juvenile Speedy Trial Equity Temporary Act of 2008 (Act 17-290) amended D.C. Official Code § 16-2310 to require, in part, that fact-finding hearings for children ordered to shelter care be conducted within 45 days of the initial hearing. The legislation also placed limits, with exceptions, on the length of time a child may be held in secure detention or shelter care. In addition, the legislation required the City Council to contract with a nonprofit organization with expertise in juvenile justice to conduct a six-month study of the time frames in D.C. Official Code §16-2310 (e) in order to evaluate the impact of the required time frames on the administration of justice in the Family Court. The Act specified that the study shall review, among other things, the lengths of time

that: (1) children spend in secure detention and shelter care awaiting a plea or fact-finding hearing; (2) children spend in secure detention and shelter care awaiting disposition after a fact-finding hearing; and (3) children ordered to shelter care spend in secure detention while on the shelter home waiting list. The judges and staff of the Family Court have been apprised of the requirements of the legislation; and, in order to facilitate the independent study and assess the Courts' compliance with the law, staff has been trained regarding tracking timeline data developed to satisfy the legislation requirements. Specifically, court staff has begun capturing the data relating to the time children spend in secure detention or shelter care awaiting the fact-finding hearing as well as the time children spend awaiting disposition after adjudication.

CHILD SUPPORT AND PATERNITY CASES

During 2007, there were 3,917 child support and paternity actions filed in the Family Court, in addition to 568 cases that were reopened. D.C. Official Code § 46-206 requires the court to schedule hearings in cases seeking to establish or modify child support within 45 days from the date of filing of the petitions. Additionally, federal regulations mandate that orders to establish support be completed in 75% of the cases within 6 months and 90% of the cases within 12 months of the date of service of process (see 45 CFR §303.101). In 2007, as part of a courtwide initiative to capture time to disposition data in all Family Court case types, the court is finalizing tracking reports that will allow it to begin to monitor compliance with these important milestones. The court will continue to collaborate and share data with the Child Support Services

Division of the Office of the OAG, the State's IV-D agency around performance measures related to this case type.

New Initiatives in Paternity and Support

To better serve fathers who are unable to maintain healthy relationships with their children or to provide adequate financial support for their children's well being, often due to incarceration, the District of Columbia developed a Family Fathering Court Pilot Program. The Fathering Court program, established at the direction of the Family Court Presiding Judge in October 2006, is designed to equip fathers with skills that will enable them to contribute positively to the emotional and economic well-being of their children. Specifically, its charge is to create a specialized court designed to give non-custodial fathers the tools to become financially and emotionally responsible for their children.

In October 2006, the Family Court led a team of court personnel and stakeholder representatives to a site visit to the Fathering Court in Kansas City, Missouri. There, the participants observed the court proceedings, talked extensively with the legal and social support partners and observed the outcomes at a program graduation ceremony. On December 5, 2006, the Family Court hosted a town hall meeting to introduce the District's Initiative to the community and to invite the community's input. On December 14, 2006, the many governmental and community agents met to form working groups that began formulating the infrastructure to make the District of Columbia Fathering Court a reality.

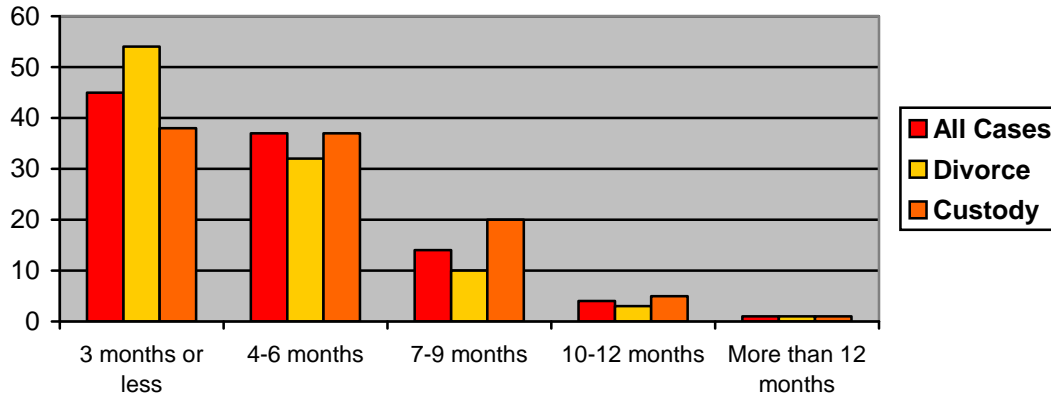
On November 2, 2007, that reality was implemented when the FFC became fully operational. Funding to continue implementation of the program was provided through

the receipt of a Department of Justice Prisoner Reentry Initiative Competitive Grant. As part of that grant, the program is required to involve a community or faith based organization to assist with case management services. The Court is in the process of identifying such an organization. In addition to those funds, the program also received an Edward J. Byrne Memorial Justice Assistance Grant. These funds were sought to meet an anticipated need to assist clients with securing permanent employment services after the period of subsidized employment covered by the initial grant expires. The court is also in the process of developing a request for proposals to identify an organization that can provide professional employment coordination. Through December 31, 2007, three participants had entered the program. The goal of the program is to enroll 45 participants by October 2008.

DOMESTIC RELATIONS AND CUSTODY

The Domestic Relations Branch has responsibility for all cases involving divorce, legal separation, annulments, child custody and adoptions. During 2007, 3,641 domestic relations cases were filed in Family Court. By December 31, 2007, 68% of those cases were closed and 32% were still pending. The chart below shows the time from filing to disposition for cases filed in 2007 that were closed (2,457 cases) by December 31, 2007. Of the cases closed, 47% closed because an absolute divorce was granted, 13% because custody was granted, 13% were dismissed and 27% closed for other reasons. Cases in which custody was granted took a slightly longer time to reach disposition than divorce cases in which an absolute divorce was granted.

**Time from filing to disposition for closed
divorce and custody cases filed in 2007**



The figure below provides information on the time from filing to disposition for divorce and custody cases filed from 2003 thru 2007. On December 31, 2007 more than 99% of the cases filed in 2003, 97% of the cases filed in 2004, 94% of cases filed in 2005, and 90% of the cases filed in 2006 were closed. Sixty-eight percent of the cases filed in 2007 were also closed. Beginning in 2003 and continuing through 2005, nearly 70% of cases closed within six months and 90% within a year. Cases filed in 2006 took slightly less time to reach disposition. Nearly three-quarters of the closed cases filed in 2006 closed within 6 months and 95% closed within 12 months. Of the cases filed in 2007 that were closed, more than 80% closed within 6 months and the remainder within 12 months. However, more than 30% of the cases filed in 2007 have not reached a disposition. Only when those cases close will the court be able to determine if it has improved in this area.

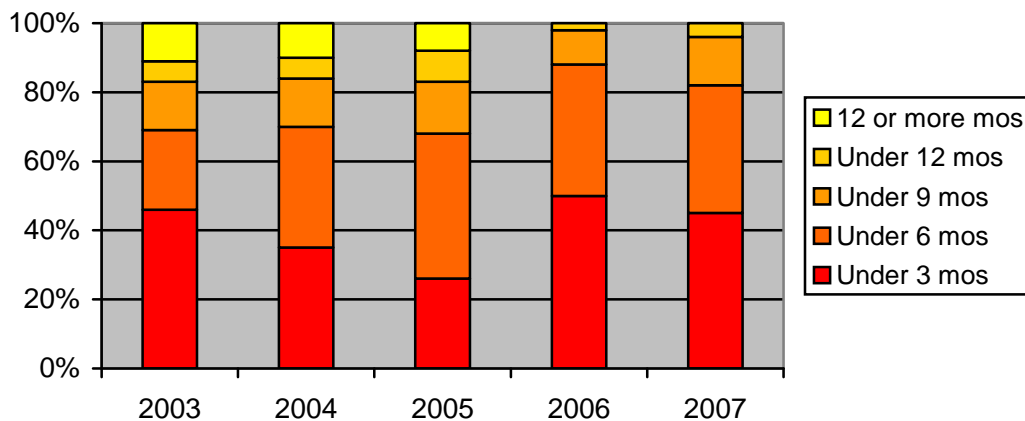
As required by the Family Court Act, court staff reviewed the literature for the existence of national standards for case processing in divorce and custody cases. Although there are no universally accepted national standards on case processing in domestic relations cases, the American Bar Association has established some

recommended guidelines for case processing, which have been accepted by several states. According to the ABA, 90% of domestic relations cases should reach trial, settlement, or conclusion within 3 months, 98% within 6 months, and 100% within one year on filing. Family Court data for domestic relations cases filed in 2006 indicate that 39% were concluded within 3 months, 73% within 6 months, 95% within 9 months and 99% within 1 year.

The Domestic Relations Subcommittee of the Family Court Implementation Committee completed a study of national standards in this practice area. Based on that review, the court has adopted the following performance measures in domestic relations cases:

- Uncontested divorce cases and uncontested custody cases, 50% within 30 days and 98% within 45 days;
- Contested divorce and custody I- cases scheduled to take more than a week to try due to the complexity of legal issues involved – 75% within 9 months and 98% with a year; and
- Contested divorce and custody II – disputed cases expected to require less than a week for trial – 75% within 6 months and 98% with 9 months.

Time from filing to disposition for divorce and custody cases filed in 2003 -2007



The Family Court Self Help Center

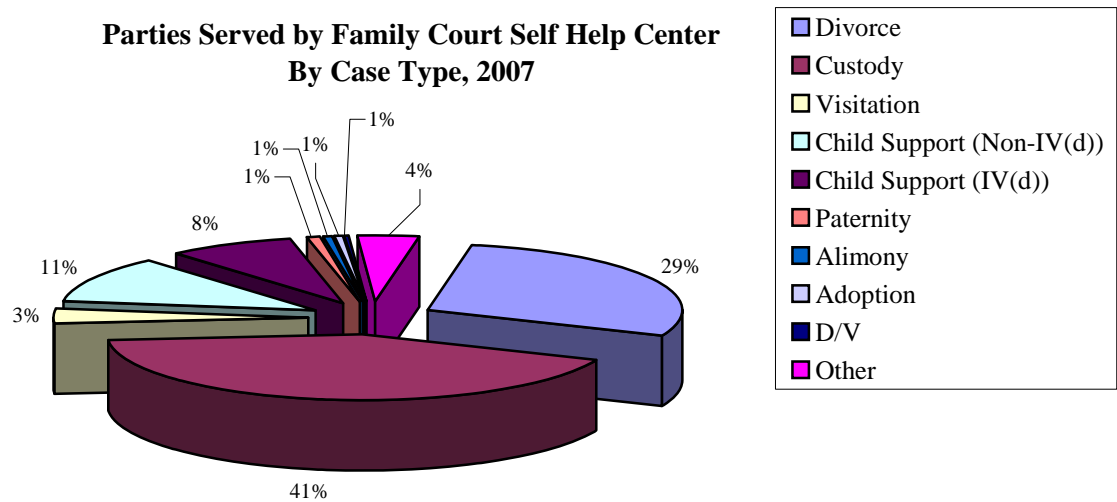
Background

The Family Court Self-Help Center (SHC) is a free walk-in service that provides people without lawyers (pro se parties) with general legal information in a variety of family law matters, such as divorce, custody, visitation and child support. Although the SHC does not provide legal advice, it does provide legal information and assistance to litigants that allow them to determine which of the standard form pleadings are most appropriate and how to complete them, and explains how to navigate the court process. When appropriate, the SHC Staff will refer litigants for legal assistance to other helpful clinics and programs in the community.

The SHC started as a Pilot Project, in consultation with the D.C. Bar Pro Bono Program, the D.C. Bar Family Law Section, and the Women's Bar Association of D.C., in November 2002. Although the SHC was located in the D.C. Superior Court, volunteer facilitators who were trained and supervised by the D.C. Bar provided services to the litigants. In early 2005, the SHC became a fully-funded program of the D.C. Family Court. With funded positions the court was able to expand services provided to the growing number of self-represented parties. A family law facilitator and two paralegals were hired, resulting in the Court's ability to increase the hours of operation from 4 hours 3 days per week to 8 hours 5 days per week. The SHC, however has not only continued to rely on the volunteer facilitators but has continued to recruit and train new volunteers as well. The volunteers supplement the work of the permanent staff and help the SHC to run smoothly, especially on the busier days.

In 2007, the SHC began outreach to the Latino community. As part of the outreach effort, SHC staff met with representatives of CARECEN (the Central American Resource Center) and The Mary’s Center two community service organizations in the Adams-Morgan/Mount Pleasant area of the city and attended the HispaExpo, a community fair which hosted a legal clinic, to share information about the Center and to answer questions accessing its services. The SHC expects that these initiatives will help it to achieve its goal of better serving the needs of the Latino community.

Detailed below are a few of the findings from data collected for 2007:



- The SHC served 4,532 people in 2007 – an 11% drop from 2006, when 5,093 people were served. On average the Center served 378 individuals per month in 2007 in comparison to 424 per month in 2006.
- As was the case in 2006, a large majority of the parties seeking help from the SHC in 2007 had issues related to custody (42%) or divorce (29%). Again, nearly a fifth (19%) sought assistance for a child support case.
- Eighty-six percent of the parties visiting the Center sought general information; 57% needed assistance with the completion of forms; and 2% needed a referral.
- As was the case in 2006, females were again slightly more likely to use the services of the Center than males, 52% to 48%.

- Eighty-six percent of the parties served indicated that their primary language was English, a slight decrease from 2006 (88%). Eleven percent (11%) identified themselves as primarily Spanish speakers up from 8% in 2006; and 3% had another primary language;
- Among parties providing data on income, 45% of those seen had monthly incomes of \$1,000.00 or less; 28% had a monthly income between \$1,001.00 and \$2,000.00; and 22% had monthly incomes between \$2,001.00 and \$4,000.00. Five percent had monthly incomes above \$4,000.00.

New Initiatives in Domestic Relations

The Program for Agreement and Cooperation in Custody Cases (PAC) is a program of the Domestic Relations/ Paternity & Support Subcommittee of the Family Court Implementation Committee. This program was created in 2007 to assist parents with developing skills to improve their interactions with each other and to help children develop skills to better manage the negative effects of parents in conflict. The program is based on separate family education seminars for parents and children. The goal of the seminar is to give parents the skills to mediate their disagreements in the future, thereby reducing the impact of their conflicts on their children and children are encouraged to give voice to their feelings, and helped to understand that they are not at fault. Children also learn coping skills for dealing with conflict, as well as skills for dealing with the negative emotions they may be experiencing.

Two weeks after they attend the seminar, parents or caretakers attend mediation to attempt to resolve custody issues and settle the case. After the seminar and mediation if all issues related to custody are resolved, the mediator helps the parties draw up an agreement that is forwarded to a judge who incorporates it into the court order without a hearing. If parties are not able to resolve all the issues related to custody, a court date is

set once all the requirements for attendance at the education seminar and mediation have been met.

During 2007, 1,425 parents and 256 children aged 7-14 participated in 26 education seminars. In addition, 570 cases were scheduled for mediation. In May 2007, the program was expanded to include cases filed in which parties had children aged birth to 14 years of age. Children younger than seven still are not eligible to participate in education seminars. Although there has been no formal evaluation of the program, members of the Domestic Relations Bar and other stakeholders, as well as program participants, have been very pleased with the program and indicated that it has been helpful. A formal evaluation of the program is scheduled to begin in early 2008.

CONCLUSION

Whether training to enhance the knowledge of judges and others, implementing diversion programs for juveniles, developing educational materials for parents and children or creating a central location for the filing of all Family Court cases, the Family Court has as its core values protecting children and strengthening families and public safety. During 2007 the Court continued its focus on TPR and adoptions. The impact of the increased focus in these areas has been to expedite permanency for children removed from their families by removing barriers to permanent placement. This will ultimately result in a greater number of children being free for adoption.

In 2007, the Family Court continued to resolve the legal issues of jurisdiction in cases of abused and neglected children removed from home in a timely manner and made considerable improvement in adjudicating cases of children not removed from home. In the area of domestic relations, family disputes were resolved more quickly in

2007 than in 2006, which allowed families to begin the healing process sooner. The newly developed Program for Agreement and Cooperation in Custody Cases has helped families learn to mediate their disagreements thereby reducing the impact of divorce and custody issues on children and families.

The same factors that have historically affected the Family Court's ability to carry out its responsibilities in the most effective manner possible continued to be factors in 2007. CFSA has shown considerable improvement in many areas over the years but some of the same challenges remain: lack of adoption resources for older children; the lack of sufficient drug treatment resources for children and parents; and the inability of the District of Columbia Public Schools to provide educational assessment services, such as Individual Education Plans in a more timely manner. The District's need to further build service capacity to meet the changing and complex needs of juveniles and their families also continue to impact the effectiveness of the court in improving outcomes in delinquency matters.

The Family Court has steadily increased its compliance with ASFA. Continued monitoring, especially as it relates to neglected children who remain in the home, is required for the Family Court to identify and improve in those areas where full compliance is not being achieved.

Finally, during 2007 the Family Court began monitoring case processing times in juvenile cases. The Family Court has developed a number of monitoring procedures to ensure that juveniles detained in both secure and non-secure detention facilities prior to adjudication reach trial and disposition in a timely manner.

In 2007, the Family Court continued to improve its ability to serve the community and to collaborate with other members of the justice system to protect, support and strengthen families. Where goals have not yet been reached, the Court maintains a strong commitment to improve. The new year brings new challenges and changes, but as 2008 has begun, the Family Court remains committed to its mission to provide positive outcomes for children and families in the District of Columbia.

