

FAMILY COURT

We are pleased to present the annual report of the Family Court of the State of Delaware. Family Court remains firmly committed to its statutory mission set forth in 10 Del.C. § 902(a),

"The court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interest of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another."

Since the Court's creation and, in part, due to the evolution of the family, the Family Court's jurisdiction has grown to meet the needs of more complex family units and issues. The Family Court has implemented various problem-solving calendars and "courts" to respond to the social, cultural, and behavioral health issues confronting Delaware's families including:



**Chief Judge
Chandlee Johnson Kuhn**

GUN COURT

Gun Court was established in 2009 as a response to increasing levels of gun violence in Delaware. The goal of the Gun Court calendar is to break the repeating cycle of juvenile gun crime and rehabilitate Delaware's youth as quickly and effectively as possible. Working in collaboration with the Department of Justice, the Office of the Public Defender, the Department of Services for Children, Youth and Their Families, and law enforcement, the Family Court Gun Court has been successful in reducing the number of juveniles rearrested with firearm charges within one year to 6%. Gun Court strives to provide a single, streamlined judicial forum to address gun violence, to provide close court monitoring, dispense uniform justice, and reduce judicial backlog. Gun Court has been successful in increasing percentage of gun crime cases that remain in Family Court and receive rehabilitative services in the juvenile justice system by 7%. Prior to the establishment of Gun Court, 61% of the space at Delaware's juvenile detention centers was occupied by gun crime respondents. Since its inception, 355 youth have been through Gun Court, and Gun Court has been effective in reducing the average number of days from arrest to disposition by 45 days, resulting in reduced expenses to the state, as well as more effective and efficient access to rehabilitative and education services to juveniles.

MENTAL HEALTH DIVERSION COURT

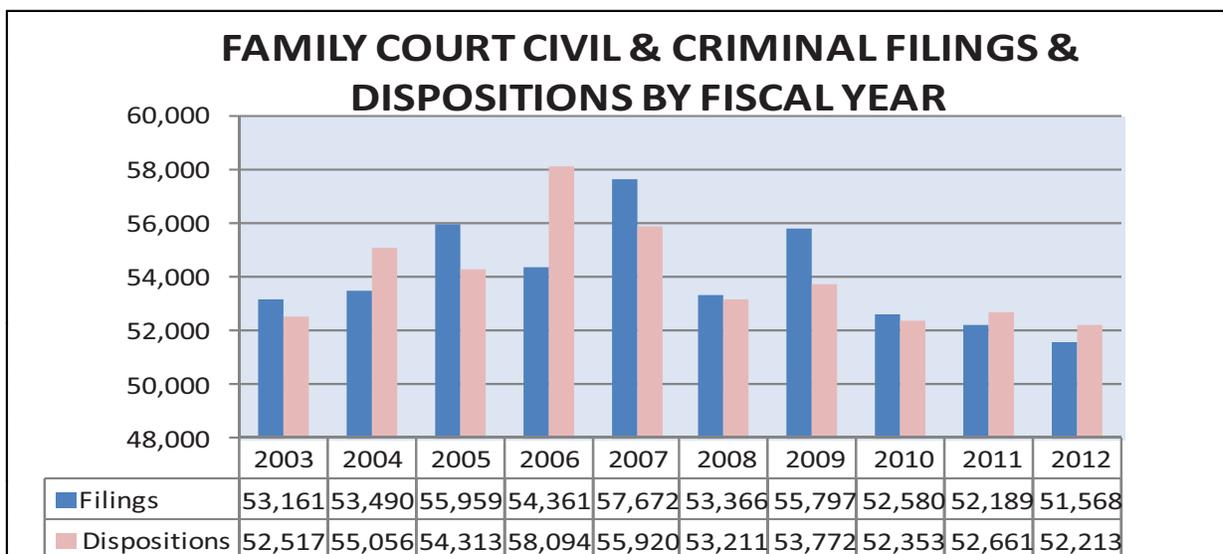
Since 2007, the Family Court, in collaboration with the Office of the Public Defender and the Division of Prevention and Behavioral Health Services, has offered Mental Health Diversion Court as a diversion program for juveniles with delinquency charges pending against them in the New Castle County Family Court. Since the program's inception, 141 juveniles have entered the program, and 77 juveniles have successfully graduated. In 2012, the program was expanded to include Kent County and Sussex County. This program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. Within six months, 77% of graduates have not incurred any new charges and are eligible to have their charges dismissed.

DRUG COURT

Family Court's Drug Court is a diversion program established to address the specific needs of juvenile offenders who have accepted responsibility for drug related offenses and/or charges that indicate drug related activities. In 2012, 62 juveniles entered into Drug Court. In order to successfully complete the Drug Court program, these juveniles are required to receive rehabilitative services, attend monthly court hearings with a parent or guardian, and submit to drug testing. Since 2007, 110 juveniles have graduated Drug Court and 70% have received no new charges within six months of graduating. Juveniles who meet the requirements of the program have their charges dismissed six months after graduation.

DOMESTIC VIOLENCE – COMPLIANCE COURT

Family Court continues its efforts to provide protection and relief to victims of domestic violence, as well as ensure treatment and counseling for offenders, by continuing with a specialized domestic violence court. The intention of this specialized court is twofold: to create greater continuity in Family Court cases involving domestic violence and to create a more standardized system of compliance for offenders. Since January 2008, Family Court has been conducting Protection from Abuse review hearings. These hearings are being scheduled before the Court when a Respondent has not complied with the evaluation and treat-



ment conditions of an active Protection from Abuse order. These reviews do not require the Petitioner to file a contempt petition in order for a hearing to be scheduled.

ARBITRATION

Family Court offers arbitration as an option for certain first-time juvenile offenders with misdemeanors or violations. Arbitration allows juveniles who accept responsibility for their charges and comply with specific conditions, such as community service, conflict resolution classes, and alcohol/drug evaluations, to have their charges dismissed. In FY 2012, 946 juveniles were referred to or active in arbitration and 80% of those in arbitration successfully completed the program and had their charges dismissed.

MEDIATION

Family Court continues its efforts to provide individuals who appear before it the opportunity to participate effectively to resolve issues regarding custody, visitation, guardianship and child support themselves with the assistance of a court employed mediator. Mediation is required by court rule in most of these proceedings (unless one party is a victim of domestic violence), recognizing the importance of empowering individuals and giving them the opportunity and support needed to make decisions regarding their own lives and the lives of their children in a non-adversarial setting. In 2012, 12,426 cases were scheduled for mediation statewide; of those cases 67% were resolved by agreement of the parties and with the assistance of the court mediator and without the need for the parties to appear before a Judge or Commissioner.

Last year, Family Court expanded its services, including reinstating the New Castle County Call Center and continued to strengthen its outcomes in the area of child welfare.

SERVICES AND RESOURCE CENTERS FOR SELF-REPRESENTED LITIGANTS

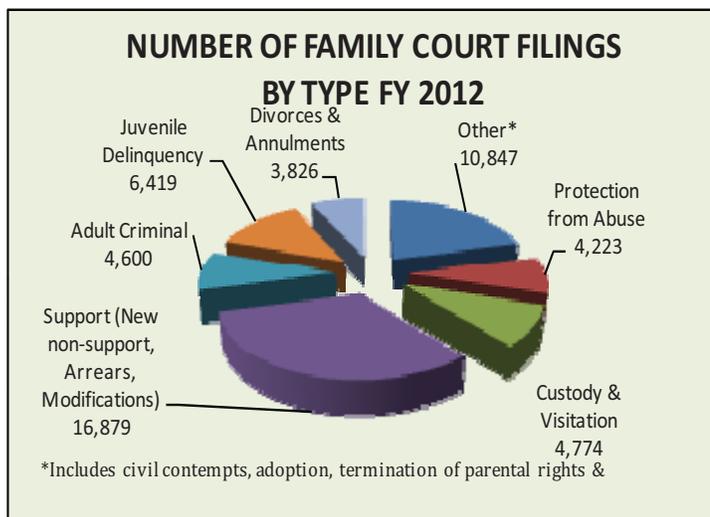
We are working hard to provide better customer service, streamline processes, and efficiently process litigants in our Resource Centers. In the last year, several design changes were implemented in New Castle County Resource Center. These changes are intended to increase customer service satisfaction, reduce wait times, and better inform the public. The Resource Centers in all three counties continue to be an important resource for self-represented litigants, and play a key role serving the needs of the public:

- Average of 5,401 self-represented litigants served each month in New Castle County
- Average of 1,296 self-represented litigants served each month in Kent County
- Average of 970 self-represented litigants served each month in Sussex County

CALL CENTER

On June 1, 2012, the Family Court reinstated the New Castle County Call Center. Family Court recognized a need to better serve the public in an efficient manner, and to provide a dedicated resource for litigants seeking court information via telephone. Since it began, the Call Center has benefitted all areas of the Court, largely by providing a dedicated staff whose sole purpose is to provide pertinent information to better prepare litigants for filing and court hearings, and has fielded an average of 4,726 calls a month. The staff of the Call Center is trained in all areas of court procedures and customer service skills, and on average answer calls within 31 seconds. The focus of the Call Center has not only been customer service, but also the continued improvement of Family Court resources in an effort to alleviate problems arising from misinformation and a lack of awareness of court procedures.

FAMILY COURT



- 96.78% of children whose cases closed following a permanent placement were not further abused or neglected within 12 months.
- 88% of the cases follow the best practice of one judge hearing the cases from start to finish. In the remaining 12% of cases, two judges were involved.
- 309 days is the average time to the permanency hearing, well within the recommended 365 day timeline. However, 19% of the cases do not reach the permanency hearing within the timeframe. While there are no benchmarks in CPM, this is an area the Court can further examine for cause and possible correction.

COURT IMPROVEMENT PROJECT

The Court Improvement Program (CIP) continues to mature, using data to strengthen both Family Court practices and partnership with child welfare stakeholders to improve the safety, stability, and well-being of children who have experienced abuse and neglect.

In the formative years, the Court focused on

- embracing and offering training in support of best practices,
- forming collaborative partnership with others in the child welfare system, and
- more recently becoming the first state to have a data base to track, statewide, the federally recommended Court Performance Measures (CPM) which fall into four categories: Safety, Permanency, Due Process, and Timeliness.

The Court is taking significant steps to ensure that CIP initiatives are meaningful and successful. In the past year, CIP has engaged the University of Delaware (UD) to provide in-depth evaluation of training and education. UD has also been engaged to provide data collection/analysis relative to the Delaware Youth Opportunities Initiative, which focuses on improving supports for youth leaving foster care after turning 18 without being adopted, returning home, or otherwise having permanent connections.

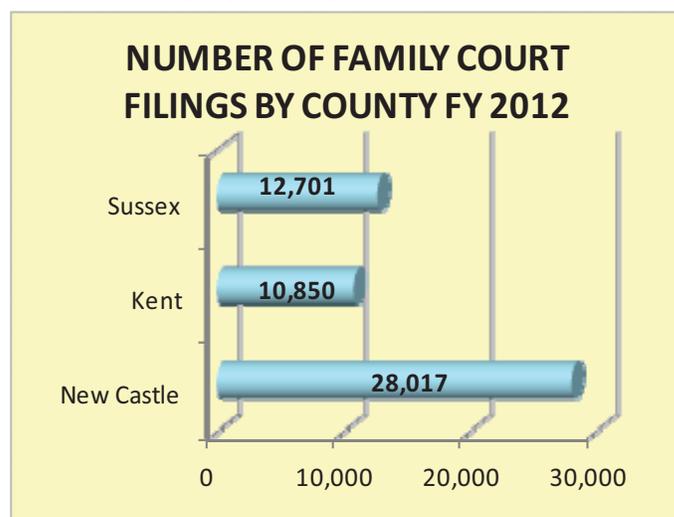
More locally, the Chief Judge along with the CIP liaison Judges from each county have been meeting monthly to leverage the Court Performance Measures data collected to see if system improvements are necessary. The data shows that:

- 100% of children are represented by a Court Appointed Special Advocate or Guardian Ad Litem by the adjudicatory hearing.

An area where the data collection, collaboration, and training efforts have combined for success for children is an area of great focus in Delaware. Approximately 78% of cases close with a child being reunified with their family, adopted, or finding guardianship with a caring adult. The remaining 22% either aged out of the system or remain in an Alternative Planned Permanent Living Arrangement. The Court has used CIP funding to provide nationally recognized training on achieving permanency for children to all partners and especially DFS workers. Evaluations and observations in Court show statistically significant change in knowledge and practice. It will take time to see those improvements reflected in the CPM. It is an exciting time in CIP, with the Court and partners making significant progress for children in care.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

The Court Appointed Special Advocate (CASA) Program of the Family Court of the State of Delaware received the 2011 Governor's Award for Outstanding Volunteer Organization. The CASA program has been advocating for abused and neglected children within the state more than 30 years. The program is located within each county in the state. It is the mission of this program to provide screened, trained, and



FAMILY COURT

qualified individuals from the community to represent the children during court proceedings. Many children have benefited from the untiring and priceless time provided by the CASA volunteers, all in efforts to assure that the well-being of children is paramount.

Delaware's CASA volunteers receive 30 hours of initial training and over 25 hours of continuing education trainings annually. The CASA program has over 285 volunteers statewide, almost half of whom have been serving for more than 10 years. This consistency and dedication has contributed to the quality legal representation abused and neglected chil-

dren deserve. The CASA program, together with the Office of Child Advocate, is responsible for representing the best interest of the children within the child welfare system. Both programs have assured that every child has representation. Over 3,000 hours is provided by CASA volunteers on a monthly basis, for all the children assigned. More than 50% of the volunteers remain with the program after completing their case assignments. The efforts of the CASA volunteers have a true impact on the lives of the children and families that they so passionately serve.



Front row (sitting left to right)

Judge Aida Waserstein
 Judge Mark D. Buckworth
 Judge William M. Nicholas
 Judge Jay H. Conner
 Judge Kenneth M. Millman
 Judge William J. Walls, Jr.
 Judge William L. Chapman, Jr.
 Judge Barbara D. Crowell

Back row (standing left to right)

Judge Robert B. Coonin
 Judge Alan N. Cooper
 Judge Peter B. Jones
 Judge Arlene Minus Coppadge
 Chief Judge Chandlee Johnson Kuhn
 Judge Mardi F. Pyott
 Judge Joelle P. Hitch
 Judge Michel K. Newell

Front row (seated left to right)

Commissioner Loretta Young
 Commissioner John Carrow
 Commissioner Jennifer Mayo
 Commissioner David Jones
 Commissioner Janell Ostroski
 Commissioner Andrew Southmayd
 Commissioner Mary Ann Herlihy

Second row (standing left to right)

Commissioner DeSales Haley
 Commissioner Louann Vari
 Commissioner Bernard Pepukayi (retired 8/3/12)
 Commissioner Susan Tussey
 Chief Judge Chandlee Johnson Kuhn
 Commissioner Mary Much
 Commissioner Lester Blades
 Commissioner Pamela Holloway
 Commissioner Sonya Wilson
 Commissioner Frederic Kenney (retired 6/30/12)

