



FAMILY COURT

Chief Judge Chandlee Johnson Kuhn

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.”

COURT IMPROVEMENT PROGRAM (CIP)

The Court Improvement Program (CIP) continues to mature, using data to strengthen both Family Court practices, and partnership with child welfare stakeholders.

CIP is a multi-year, federally-funded grant project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994 and continues to utilize this federal resource to improve the safety, stability and well-being of children who have experienced abuse and neglect.

Initial CIP efforts resulted in today’s best practice of having all stages of a dependency and neglect case heard by the same judge within a schedule of hearings and reviews that meet federal standards. The Court is building on that foundation through a more active partnership with others in the child welfare system, primarily the Division of Family Services (DFS), but also with legal professionals, advocates and service providers. A number of judges serve as champions in particular subject areas, enabling

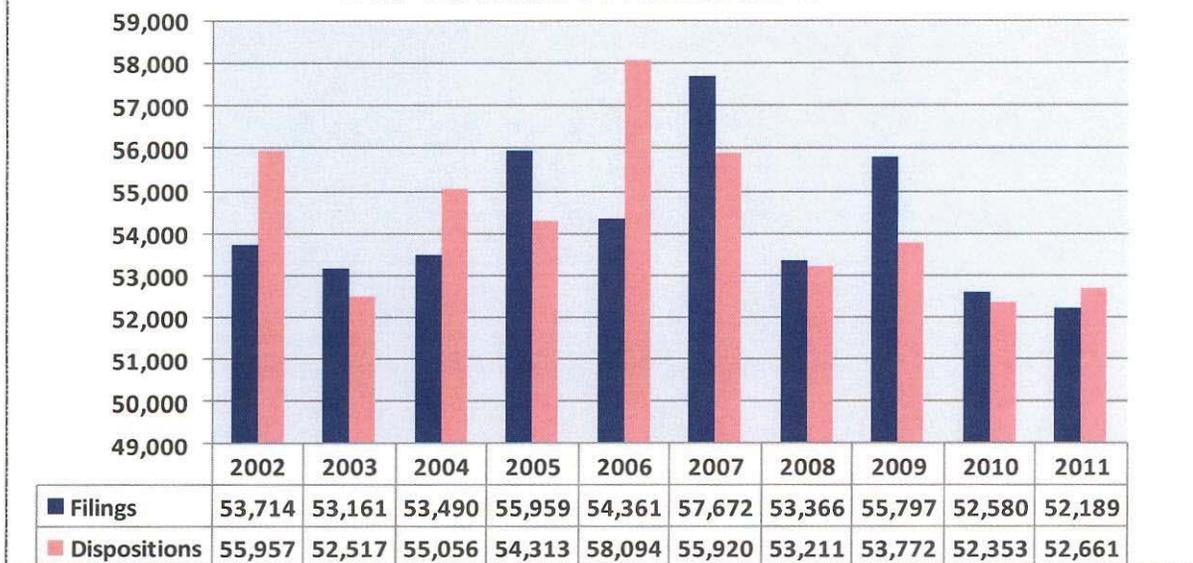
the Court to participate more proactively than reactively with other stakeholders. We are the first to have a database to track statewide the federally recommended Court Performance Measures which fall into four categories: Safety, Permanency, Due Process, and Timeliness.

Highlights for this reporting period include:

- Both the quality and quantity of representation of children, and of parents, has improved greatly. The cadre of attorneys who accompany Court Appointed Special Advocates to Court has been expanded, as has the number of attorneys available to represent parents, resulting in representation rates at or near 100%. Training and continuing education from national experts has been provided to CASA, CASA attorneys, parent attorneys as well as the staff attorneys in the Office of the Child Advocate and their volunteer guardian ad litem, including a review of child safety so that children are not removed from home needlessly.
- A focus on permanency for older teens became paramount. Too many children “age out” of foster care, entering the adult world without a permanent family, which all too often leads to struggles with education, employment, housing and more. CIP brought nationally recognized resources to Delaware for all partners, and continues to support training for the DFS staff in how to find those forever connections for these vulnerable young adults.
- Evaluation of our efforts is in the initial stages. The reports from our database help identify areas in need of strengthening, and evaluation will help us determine if our efforts towards improvement have been successful. Evaluation is assessing our professional development opportunities and proving they are not just interesting, they are increasing knowledge and skills so that children will be better served.

FAMILY COURT

FAMILY COURT CIVIL & CRIMINAL FILINGS AND DISPOSITIONS BY FISCAL YEAR



Collaboration is advanced through quarterly meetings between Court and DFS leadership, as well as county level quarterly stakeholders meetings intended for partners to remedy local challenges and share beneficial information. CIP continues to be a conduit for positive change in the child welfare system.

JUVENILE JUSTICE

Mental Health Diversion Court

In 2006, the Family Court, in collaboration with the Office of the Public Defender and the Division of Child Mental Health, received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with delinquency charges pending against them in the New Castle County Family Court. The program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. The program began in January of 2007 and quickly acquired a full caseload. Since the program's inception, 125 juveniles have entered into the program and 71 have graduated. Of the 71 juveniles who have graduated from the program, 81% of them have not picked up new charges within six months of graduation. The Family Court is now actively working to expand the Mental Health Court into the lower two counties.

In conjunction with the Mental Health Court program, the Family Court in New Castle County has created a dedicated juvenile competency calendar for conducting com-

petency hearings and monitoring compliance with treatment recommendations for non-competent juveniles still facing open charges. One dedicated judge is assigned to hear and track all the competency hearings.

Gun Court

In April of 2009, in response to the increasing level of gun violence in the state, Chief Judge Kuhn implemented a Gun Court Calendar in New Castle County. Today, the specialized calendar has expanded to Kent and Sussex Counties. The Chief Judge presides over the calendars, which occur once a week in New Castle County and every other week in Kent and Sussex Counties. She hears all case reviews, preliminary hearings and motions for all cases involving juveniles with firearm charges, as well as reviews after a finding of guilt or as a condition of a sentence. The Gun Court provides most of Delaware's juveniles with an exclusive forum in which to resolve these cases quickly while providing sentencing that includes appropriate treatment, rehabilitation efforts and close court supervision.

As a result of the collaboration between the Family Court, Department of Justice, Department of Services for Children, Youth and Their Families, and law enforcement, Gun Court has been effective in substantially decreasing the population of juveniles charged with gun crimes being detained at the New Castle County Detention Center. These serious cases are being resolved more quickly and efficiently and are subject to judicial oversight.

FAMILY COURT

SERVICES FOR SELF-REPRESENTED LITIGANTS

Since last year's report, the services for self-represented litigants in the Family Court have undergone a major transition. The Director of Pro Se Services and Professional Development has initiated several projects to organize and improve the resources available to the public. These projects include a full revision of the Family Court Website, the development of a Live Chat initiative and the further development of the Court's e-Filing system. These projects were presented to the Family Law Commission in a report titled "2011 Report on Family Court Accessibility and Litigant Resources."

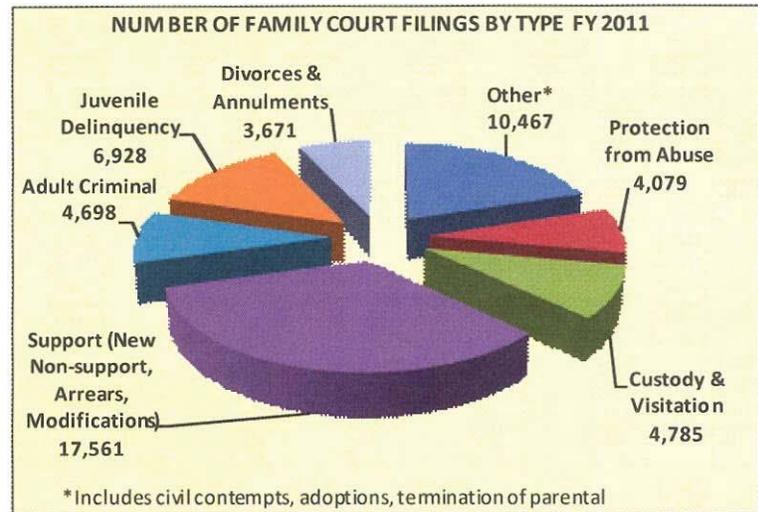
The most significant undertaking and accomplishment of the Pro Se department is the full revision of the Family Court website. Great care was given to the development of a home page that provides fast and clear information on all Family Court filing types. In addition, a "Forms Page" has been developed for each pleading to help our self represented litigants identify the forms that are required and the forms that meet their specific needs. This website can be looked at as an electronic resource center as we now offer a comprehensive collection of the Court's FAQs, instruction packets, and official court forms.

To further develop upon the Family Court website as an electronic resource, we are working towards the implementation of a Live Chat pilot. This customer service based project will help our self represented litigants by providing answers to their non-case specific questions over the internet. This service will first be piloted with staff from New Castle County and could be introduced to the public as early as 2012.

In addition to the enhanced customer service aspects, the Court has been able to take advantage of a powerful analytical tool within the website to identify the public's most sought information. Using this, the court started to improve the flow of information on the website; bringing the most relevant details to the forefront.

PROFESSIONAL DEVELOPMENT

September of 2010 marked the introduction of a new element to Family Court's Administrative Team. The position of Director of Pro Se Services and Professional Development was structured to meet the Court's need for consistent statewide employee training. Since the inception of this position, the Court has conducted its first state-



wide employee training in several years, planned a statewide supervisory training, introduced an employee training section on the Family Court intranet site as well as embarked on a yearlong project to organize and provide staff with better access to the Court's policies, procedures, and directives.

In the months to come, the Director of Pro Se Services and Professional Development will start to formulate an extended orientation program for new Family Court Employees. This project will create a well structured orientation that will guide staff through the Court's electronic systems, help them get logged on to the network, and increase their awareness of the resources available to them. The orientation will ease employees into their new role with Family Court and ensure that the information being relayed is consistent and accurate.

The Professional Development department will continue to provide annual training to staff in both statewide forums as well as smaller more individualized settings. As the Court continues towards the development of its new Case Management System and e-Filing solution, this department will play an integral role in preparing Family Court staff for the transition.

DOMESTIC VIOLENCE

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 com-

pliance 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 treatment 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. The Court is currently reviewing this process to possibly expand review hearings to other conditions in the Protection from Abuse order.

In addition to conducting PFA review hearings, Family Court was able to secure federal grant money to continue with the position of the Domestic Violence Court Project Coordinator to promote the efforts of the specialized domestic violence court statewide. The Coordinator will continue to monitor compliance, provide training to court staff as needed and attend various meetings of the Domestic Violence Coordinating Council on behalf of Family Court.

Delaware Capitol Police began providing a police officer dedicated to Family Court on PFA hearing duty since July 2010 in each of the three Family Courts located in New Castle, Kent, and Sussex counties. This officer will be assigned to provide a police presence at the hearings and waiting rooms to reduce the potential of violence and to maintain a safe and secured environment for anyone directly involved with PFA issues and concerns. This officer will also be assigned to liaison with the PFA advocates to ensure that the victims who need additional attention are provided that service. The officer will (upon request) escort victims to/from the courthouse and coordinate with local law enforcement to provide escorts outside of the immediate area. Funding for this program has been extended for another year.

Lastly, effective July 12, 2010, Governor Markell signed House Bill 336. This bill gives Family Court the authorization to enter the no contact provisions of Protection from Abuse Orders for up to two (2) years in every case and where aggravating circumstances exist no contact for as long as the Court deems necessary to prevent further abuse, including the entry of a permanent order. Since House Bill 336 has been passed there have been more than 200 orders entered with the no contact provisions lasting for two years or more.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

The Family Court CASA Program continues to recruit and train community volunteers to provide advocacy for abused and neglected children involved in court proceedings. CASA volunteers are appointed by Family Court Judges and represent the child's best interest in court. The CASA volunteers establish the child's best interest by gathering information, making recommendations to the Court and monitoring the circumstances surrounding the child(ren) in question. The statewide program continues to operate within each Family Court location. Diligent efforts are in place to train and recruit interested individuals to be a powerful voice for children. The CASA Program used several recruiting techniques such as: outdoor billboards along well traveled routes throughout the state; advertisements in Woman's Journal, Delaware Today, Dover Post, Delaware State News, and Cape Gazette; Radio Station Advertisements; and website advertisements on Volunteer Match, Mentors, National CASA Volunteer Referrals and the Family Court CASA website. The CASA Program participated in many community events throughout the state as another means to recruit volunteers. These outreach efforts included the annual Hispanic Job Fair, Sickie Cell Tennis Match, Delmar Community Fair, Newark Community Day, Milford Riverfront Event, Cape May/Lewes Ferry outreach event, Dover Days, AFRAM festivals and a host of other civic/church outreach activities. As a result, the program has increased the exposure and knowledge about the volunteer opportunities, resulting in the doubling of the new volunteer pool from the previous year. The CASA program has been a model used by National CASA to share with other CASA programs across the country in reference to our volunteer recruitment, new volunteer and diversity training. As a result of these extensive recruitment efforts, the program added another CASA attorney position to its downstate program due to the increase in the number of children served. The CASA program now has a total of five CASA attorneys to represent the CASA volunteers in Court.

Currently the program has 270 volunteers serving over 700 children. On several occasions this year, CASA together with the Office of the Child Advocate, was able to provide 100% representation for Delaware's Children. The program trained 69 new volunteers statewide. Our diverse group of volunteers represents many professionals from distinct backgrounds and locations within the

FAMILY COURT

state. New volunteer training (offered quarterly) and in-service training (offered monthly) are extended to all volunteers within the program. Each volunteer receives over 30 hours of continuing education a year (12 hours are required annually). Over 3,500 hours of service is given by the volunteers on a monthly basis, as they speak for the children we serve. Over 50% of our volunteers have remained assigned to a case beyond the 18 month commitment. All CASA volunteers have the ability to become a powerful voice in the life of a child, and it is all done one child at a time. The Family Court CASA program continues to grow and make a difference for Delaware's children.

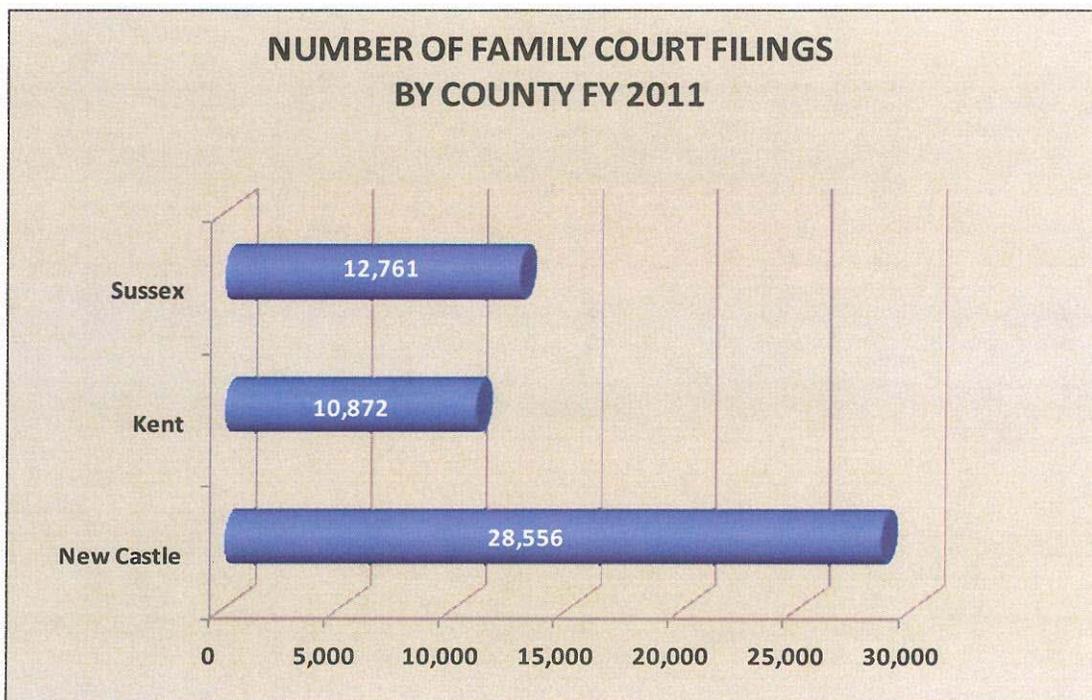
HUMAN RESOURCES

For the past two years, the Human Resources Department, in collaboration with the Administrative Leadership team spent an exorbitant amount of time developing best practices, improving employee engagement, and focusing on effective leadership. This fiscal year, Family Court will continue to focus on these strategies, but will also implement a workforce planning initiative.

Workforce planning (WFP) is an effective tool that is used to identify appropriate staffing levels and justify budget allocations so that organizations can meet their objectives, as well as provide a systemic approach for identifying the human capital required to meet organizational goals.

By focusing on Workforce Planning, Family Court will be able to: 1) allow for more effective and efficient use of employees' talents; 2) ensure that staff replacements are available to fill critical vacancies; 3) provide a more realistic approach to staffing projections for budgetary purposes; 4) be better prepared for restructuring, reducing, and/or expand its workforce; and 5) ensure the right person is in the right job, at the right time.

The Human Resources Department and Administrative Leadership team is excited about this initiative and is looking forward to building and shaping a strong workforce by identifying, acquiring, developing, and retaining employees to meet the overall needs of the organization.



FAMILY COURT



Front row (sitting left to right)

Judge William M. Nicholas
 Judge Jay H. Conner
 Chief Judge Chandlee Johnson Kuhn
 Judge Kenneth M. Millman
 Judge William J. Walls, Jr.

Second row (standing left to right)

Judge Arlene Minus Coppadge
 Judge Aida Wasserstein
 Judge Barbara D. Crowell
 Judge Joelle P. Hitch
 Judge Mardi F. Pyott

Back row (standing left to right)

Judge Mark D. Buckworth
 Judge Peter B. Jones
 Judge Michael K. Newell
 Judge William L. Chapman, Jr.
 Judge Robert B. Coonin
 Judge John E. Henriksen
 Judge Alan N. Cooper



Front row (sitting left to right)

Commissioner Pamela Holloway,
 Commissioner Susan Tussey
 Commissioner Mary Ann Herlihy
 Commissioner Frederic Kenney
 Commissioner John Carrow
 Commissioner Janell Ostroski
 Commissioner Loretta Young
 Commissioner Andrew Southmayd

Back row (standing left to right)

Commissioner Sonya Wilson
 Commissioner Lester Blades
 Commissioner Jennifer Mayo
 Commissioner DeSales Haley-Reis
 Commissioner Mary Much
 Commissioner Louann Vari
 Commissioner Bernard Pepukayi
 Commissioner David Jones