UNIFIED FAMILY COURT
Connection

ABA/CFCC Summit Renews Momentum for Family Court Reform Nationwide

BY GEORGENE KALEINA

Judges, court personnel, attorneys and academic experts came from across the country with one goal in mind—promoting reform of the family justice system to ease the difficult burden of families embroiled in court battles nationwide.

After two full days of intensive discussion, forums and lectures, participants from 25 states came away with a renewed drive and enthusiasm to keep alive the momentum to establish Unified Family Courts throughout this country. In the end, the main focus at this national conference was how to help families trudging from one courtroom to the next in their quest to resolve their legal issues, something participants would like to see come to an end.

The conference covered issues critical to the development of Unified Family Courts.

The American Bar Association (ABA) and the University of Baltimore School of Law Center for Families, Children and the Courts (CFCC) sponsored the conference, "Summit on Unified Family Courts: Serving Children and Families Efficiently, Effectively and Responsibly," on May 3–4 in Baltimore.

The participants focused on Unified Family Courts, designed to address the needs of families in a holistic manner. Under the UFC model, the courts attempt to resolve the family's legal needs, including issues such as divorce, custody, child support, and domestic violence, among others, as well as to tackle non-legal needs, such as substance abuse, mental health issues and family violence.

Through plenary sessions and breakout sessions, the conference covered issues critical to the development of Unified Family Courts, including services and accountability; standards and measures to assess Unified Family Courts; the critical need for judicial leadership and training; the ways to establish a Unified Family Court; addiction and other non-legal issues; collaboration in the legal community and self-represented litigants. Participants were able to attend sessions, which covered the gamut of Unified Family Courts—from the early stages of UFC development to those involving well-established UFCs.

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University of Baltimore's Law School Dean Welcomes You to the *UFC Connection*

BY DEAN PHILLIP J. CLOSIUS, UNIVERSITY OF BALTIMORE SCHOOL OF LAW

I am pleased to welcome you to the first issue of the *Unified Family Court Connection*, the only such communication in the country directed exclusively to issues involving Unified Family Courts. The Center for Families, Children and the Courts (CFCC) is producing the newsletter through funding from Maryland's Administrative Office of the Courts. Established at the School of Law in 2000, CFCC is recognized as a national leader in the effort to reform family justice systems.

CFCC, through this publication, enhances its role as a clearinghouse for information on Unified Family Court developments on a national basis and as a facilitator for the ongoing exchange of ideas among all parties interested in continuing to improve the administration of family justice in the United States.

The University of Baltimore School of Law is proud of CFCC and the important contribution it has made in the field of family justice reform. CFCC facilitates family law related conferences. The national summit on Unified Family Courts, co-hosted by the American Bar Association and CFCC in Baltimore last May, was its most recent success in this regard. CFCC also collects data and conducts studies on family court related programs across the country, drafts enabling legislation to create Unified Family Court systems, and conducts its own training programs on family law and court reform issues. CFCC's "hands on" approach to legal problems is reflected in its collaboration with the Baltimore City Public School System in dealing with the issue of truancy among Baltimore's public school students.

I am certain this newsletter is an important contribution to the family law community. I hope you profit from the articles and analysis provided by the newsletter and will actively participate in the dialogue of reform CFCC promotes. ■

Law School Center Launches First Newsletter on Unified Family Courts

BY GEORGENE KALEINA

The *Unified Family Court Connection* kicks off its inaugural edition this month, becoming the first and only newsletter devoted exclusively to nationwide efforts among states to establish, expand and maintain Unified Family Courts in their jurisdictions.

The quarterly newsletter follows the successful "Summit on Unified Family Courts: Serving Children and Families Efficiently, Effectively and Responsibly," held in Baltimore in May. The American Bar Association and University of Baltimore's Center for Families, Children, and the Courts (CFCC) co-sponsored the conference, which brought together leaders in the family justice system to increase the awareness of Unified Family Courts as an effective tool to help families and children in courts.

Shortly after the summit, Maryland's Administrative Office of the Courts awarded CFCC an $89,000 grant for two major initiatives—this newsletter, the Unified Family Court Connection, and a major report on the summit. The grant will support the publication of the newsletter, which will track Unified Family Court developments nationwide and will be available in hard copy and online at CFCC's website. In addition, the grant will cover the costs of compiling the report, to be distributed widely to state justice system leaders. The report will include articles assessing the summit, will offer recommendations for future initiatives, and will propose the adoption of national standards/best practices for Unified Family Courts.

Barbara A. Babb, CFCC's director and an associate professor at the University of Baltimore School of Law, said CFCC's ultimate goal is to be a national clearinghouse on Unified Family Courts.

"One of the clear messages that we heard from those attending the summit was that courts around the country desperately need a vehicle that will enable them to network and share ideas among judges, court staff, attorneys, services providers, and policymakers interested in Unified Family Courts," Babb said. ■

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Call for UFC Regional Training Workshops

BY GLORIA DANZIGER

The "Summit on Unified Family Courts: Serving Children Efficiently, Effectively, and Responsibly," held on May 3–4 in Baltimore, catapulted Unified Family Courts to a position of national prominence and visibility. Capitalizing on the summit's success and on the critical need for continuing education expressed by many summit participants, the Center for Families, Children and the Courts (CFCC) is seeking support for a series of regional trainings. The trainings are intended to educate judges and administrative staff about "lessons learned" from the conference and to provide technical assistance and guidance geared to the needs of specific jurisdictions.

By serving as a powerful vehicle to translate the content of the summit into hands-on outreach, the training sessions can have a significant impact on family court reform efforts throughout the country. In addition, the trainings can foster the community support and collaboration that are essential to the successful implementation of a Unified Family Court. As one summit attendee commented: "The program was good, but the opportunity to network and share ideas with judges and staff was tremendous."

Similarly, the regional workshops can bring together diverse family court stakeholders who typically do not have many opportunities to share experiences and to exchange ideas. Participants can include judges, family law practitioners, family court staff, bar association leaders, policymakers and civic leaders.

Regional trainings are conceived to take place in major geographic areas, such as the Northeast, Central Atlantic, South, Midwest, Northwest, and Southwest. CFCC staff and consultants plan to design a curriculum for each training session, incorporating many of the areas covered by the summit. Trainers can provide guidance on the fundamental issues surrounding the development and implementation of a Unified Family Court. In addition, the regional workshops can offer training on issues of particular concern to the jurisdictions in each geographic area. Both national and local judicial leaders and experts can serve as instructors. ■

For further information, contact: Barbara Babb, CFCC Director, *bbabb@ubalt.edu* or 410–837–5661; or Gloria Danziger, CFCC Senior Fellow, *gdanziger@ubalt.edu* or 410–837–5613.

Unified Family Courts: A Comprehensive Solution for Resolving Complex Family Justice System Problems

by Barbara A. Babb

A Unified Family Court is a single-court system with comprehensive subject-matter jurisdiction over all cases involving children and relating to the family. Under the auspices of this court, judicial action, informal court proceedings, and social service agencies coordinate their efforts to produce an all-encompassing resolution tailored to the individual family's legal, personal, emotional and social needs.

A Unified Family Court addresses a myriad of problems that exist in family justice systems, including:

- a court process which often is time-consuming, expensive, cumbersome, and duplicative;
- inadequate attention to child-related issues;
- insufficient use of alternative dispute resolution;
- lack of coordination of litigation involving the same family;
- lack of interest, appropriate temperament, and understanding on the part of some judges presiding over family cases; and
- inadequate attention to the needs of the poor and unrepresented litigants.

The use of the Unified Family Court model often results in increased court efficiency and more coordinated decision making. Employing this court model ultimately translates into cost savings for clients, attorneys and the court system, due largely to the specialization and increased effectiveness of family court judges.

A blueprint to design a Unified Family Court should include the following elements:

- a specialized court structure that is either a separate court or a division or department of an existing court and is established at the same level and receives the same resources/support as a generalist court;
- comprehensive subject-matter jurisdiction over the full range of family law cases, including juvenile delinquency and child welfare;
- a case management and case processing system that includes early and hands-on contact with each family law case and a judicial assignment system that results in the family appearing before one judge for the completion of one case or one-case management team;
- an array of court-supplied or court-connected social services that meet litigants' non-legal needs, particularly those that exacerbate family law problems; and
- a user-friendly court that is accessible to all family law litigants, including the large volume of self-represented litigants.

Ideally, Unified Family Courts should embrace notions of therapeutic jurisprudence and an ecological, holistic approach to families' problems. By incorporating therapeutic jurisprudence, the explicit aim of the court is to enhance the well being of families and children who come into the justice system. The application of an ecological framework ensures that the court address families' problems holistically, rather than utilizing a piecemeal approach. It is this holistic view that allows decision-makers to comprehend fully the true nature and breadth of a family's overall functioning and its legal problems. Thus, this interdisciplinary perspective from both the law and the social sciences, coupled with the blueprint to design a Unified Family Court, provides a framework around which to design or redesign a more effective family justice system. ■

For more information about the interdisciplinary Unified Family Court model, please contact the Center for Families, Children and the Courts at: *cfcc@ubalt.edu*.

A BLUEPRINT TO ESTABLISH A UNIFIED FAMILY COURT

Court Structure
- specialized separate court or
- division/department of existing court with
- specialized judges

Comprehensive Subject-Matter Jurisdiction

Specialized Case Management/Case Processing System
- early and hands-on case processing
- link families with needed services
- ongoing process
- one judge/one case or
- one judge/one family or
- one team/one family
- greater sense of responsibility to families
- fashioning more effective legal outcomes
- requires high degree of court administration and organization

Services
- court supplied and/or
- court connected
- determine essential services for client population
- fosters community involvement with court
- earliest possible delivery of services

User Friendly Court
- accessible to all litigants
- accommodating litigants in the most therapeutic manner possible

—Barbara A. Babb

The 2007 ABA/CFCC Summit

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"In courts, when you go from court to court to court, you have to tell your story 15 times...That's not rational," said panelist Andrew Schepard.

Above: (l.-r.) University of Baltimore President Robert Bogomolny, Ohio attorney Barbara Howard, chair of the summit planning committee, and University of Baltimore School of Law Professor Barbara Babb. Left: Maryland Judge William Missouri told of the positive impact a family court system can have.

Maryland Circuit Court Judge Marcella Holland summed it up best: "With Unified Family Courts, the job now is to keep preaching about it. We have to keep working diligently to get every state to have some form of a family court."

She said Unified Family Courts present an opportunity for the legal system to be proactive. "We have to treat the family as a whole. We need to put money into the children first and work with families early on. The crime rate would not be what it is if we had done that 15 years ago."

Maryland Circuit Court Judge William Missouri agreed, saying that helping families resolve their issues in family court is essential to reducing the overall incidence of crime in communities. "If we can provide a forum whereby families can have their needs addressed, I believe we can change the paradigm we have been experiencing. The positive results from the family court will have an effect in all other aspects of cases in our courts that deal with human problems."

Calling the conference a "valuable experience," Missouri noted that participants left the summit "with their batteries charged" and ready to continue the important work in their own communities.

"This was a working, educational summit and people went back to their communities to use the best practices for the improvement in their home communities," Missouri said. "This summit indeed was an important vehicle for the best practices for dealing with families."

The conference also showcased the courts in Maryland, where the five major jurisdictions currently have Unified Family Courts and the state's Chief Judge, Robert M. Bell, remains a staunch supporter of UFCs.

"Our courts are seen as leading the nation in developing a model for delivering effective family justice," said Barbara Babb, CFCC director and associate professor of law at the University of Baltimore School of Law. "Maryland is doing path breaking work in developing a system that offers families necessary non-legal services and treats each family holistically, rather than dividing up family legal issues among different courts."

CFCC's ultimate goal is to be a national clearinghouse on UFCs, Babb noted.

The conference was a follow-up to the ABA's "Summit on Unified Family Courts: Exploring Solutions for Families, Women and Children in Crisis," held in Philadelphia on May 14–16, 1998.

Above: Maryland Judge Marcella Holland encouraged participants to seek to expand family courts throughout the U.S. Left: Andrew Schepard, professor of law and director of the Center for Children, Families and the Law at Hofstra University School of Law, said the driving force to change how courts treat families are the judges. Below: New York City Judge Joseph Lauria.

Andrew Schepard, professor of law and director of the Center for Children, Families and the Law at Hofstra University School of Law in New York, called the May summit a "mature" conference because more people now understand the concept of Unified Family Courts as opposed to nine years ago when the first summit convened.

Attorney Herbert J. Belgrad, chair of the summit's host committee and a planning committee member, said the purpose of the conference was two-fold—to educate and inform participants on Unified Family Courts and to gauge how the Unified Family Court movement has grown in the past 10 years.

"At this conference, those people who have Unified Family Courts heard a lot

The conference offered time for informal networking. Above (l.-r.), University of Baltimore Provost Wim Wiewel, University of Baltimore President Robert Bogomolny, Maryland Chief Judge Robert M. Bell, and Maryland attorney Herbert Belgrad.

"We have to keep the communications open," said New York City Family Court Judge Joseph Lauria. "That will make the next conference even better."

about best practices and those who don't have full unified courts had to come away feeling very positive about Unified Family Courts," said Belgrad, a former member of the ABA's Board of Governors' Executive Committee and member of the ABA's Family Law Section Council for six years. "It's very gratifying to see how the Unified Family Court movement has grown on a national level."

Above: New Hampshire Judge Susan Carbon spoke during a plenary session. Left: Maryland Judge David Young received the Scripps Howard/ABA Award for Distinguished Service to Literacy. Below Right: Hawaii Judge Michael Broderick served as a panelist. Below Left: Marva Hammons of Casey Family Programs spoke at a summit luncheon.

Schepard said the passage of time has created a stronger national consensus in favor of Unified Family Courts.

"Court change and improvement is a process," Schepard said. "The pride of a community should not just be its buildings and highways. The pride should be measured on the quality of family court and the people who serve on it. The quality of your family court is an investment in the children and families in the community. This is not a society that makes that kind of investment easily. People should stand up and say we need money, resources and honor."

Schepard said judges are the single biggest driving force in changing the way courts treat families. "Being a family court judge is a unique opportunity," he said. "You don't put judges who don't want to be there in family court. We must train and motivate judges who want to be there."

Judge Michael Broderick, of the District Family Court-First Circuit in Hawaii, said that specially trained and interested judges are critical to the success of Unified Family Courts. He said there must be a change in the general perception that family court is the "lowest court" for assignment of judges.

"You want people to be in family court who want to be there," he said. "For judges, we need to make sure we use family court as a reward, not a punishment."

As to the future of Unified Family Courts, participants strongly voiced support for planning additional future conferences on Unified Family Courts.

Schepard suggested the following: train and motivate judges who want to be in family courts; set up regional conferences and training sessions for states; formulate long-term programs of education and development on a state-by-state basis with national support; and revamp law school curricula to offer instruction on Unified Family Courts.

New York City Family Court Judge Joseph Lauria called the May conference "a wonderful opportunity to exchange ideas from different jurisdictions with different size and makeup of legal communities."

"There needs to be sharing of these ideas in between these conferences, which should be every three years," Lauria said. "We have to keep the communications open. That will make the next con-

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The 2007 ABA/CFCC Summit Brings Leaders Together

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Above: Judge William Missouri, Immediate Past Chair of the National Conference of State Trial Judges, and Judge Stephanie Domitrovich, Chair of the ABA's Coordinating Council on Unified Family Courts.

ference even better. There will a continuing foundation to build on for the next one."

Ultimately, the bottom line for all this discussion on Unified Family Courts remains helping the families traverse difficult periods in their lives.

As Schepard put it: "When you go to a hospital to be treated, you believe someone is in charge with a rational plan for your care. In courts, when you go from court to court to court, you have to tell your story 15 times and you have to remember what the last judge did. You get a lawyer in one court, and not one in another. That's not rational. It's not how people should be treated. That's the least efficient way to treat them. No business would operate that way or treat would customers that way." ■

Panelists included Top Left: Florida Judge Judith Kreeger. Bottom Left: Rhode Island Judge Howard Lipsey. Bottom Right: Georgia Judge Gail Tusan.

Family Court Review To Focus On UFCs in April 2008 Issue

BY GLORIA DANZIGER

Family Court Review (FCR), the journal of the Association of Family and Conciliation Courts (AFCC) published in conjunction with Hofstra University School of Law, will feature a special issue on Unified Family Courts in April 2008. Professor Barbara Babb, Director of the University of Baltimore School of Law Center for Families, Children and the Courts' (CFCC), and Gloria Danziger, CFCC's Senior Fellow, will co-edit the issue. The publication will include several articles based on presentations from the "Summit on Unified Family Courts: Serving Children and Families Efficiently, Effectively and Responsibly," held in Baltimore May 3 and 4, 2007.

The central theme of the articles in the FCR special issue is that the design and administration of family courts should focus on helping families during difficult periods in their lives.

Authors and articles include:

- **American Bar Association Immediate Past-President Karen Mathis**, who opened the summit and designated it a presidential initiative during her tenure and who focuses on the children in the families who fill court systems;
- **University of Baltimore School of Law Professor Barbara Babb**, who presents a comprehensive overview and state-by-state analysis of family justice systems around the country;
- **Columbia University School of Law Professor Jane Spinak**, who examines the role and responsibilities of family court judges;
- **The Honorable David Young**, who writes about the critical importance of the entire community to help children and families at a time of crisis in family court;
- **ABA Standing Committee on Substance Abuse Chair Randall Kessler**, an attorney in Atlanta, Georgia, who offers a first-hand account of his experiences practicing in the Unified Family Court pilot project in Atlanta;
- **Arizona State University colleagues Dr. Irwin Sandler, Dr. Jeffrey Cookston, Jonathan Miles, and Dr. Sanford Braver**, who examine ways that courts deliver programs designed to improve the quality of parenting by mothers and fathers and to strengthen child well-being in divorce cases;
- **Judith Moran, Esq.**, who discusses why the case of Terri Schiavo, characterized by fractious family infighting and a protracted court battle, is most appropriate for adjudication within a Unified Family Court;
- **The Honorable Judith Kreeger**, who provides invaluable guidance and advice on the art of "grantsmanship" as this relates to family court services and operation; and
- **The Honorable Stephanie Domitrovich**, who focuses on the implications of the Unified Family Court model on confidentiality, due process, and judicial disqualification.

For information about ordering a copy of the special April 2008 issue of the *Family Court Review*, please contact *customerservices@blackwellpublishing.com*. The issue is Volume 46, Issue 2 and costs $24.

UFCs: The Best Avenue to Help Children and Families in Today's Courts

BY GEORGENE KALEINA

Becky, a young Tennessee woman, spent many painful years in state custody, eventually reaching a point where drugs and alcohol controlled her life.

"My first Thanksgiving and Christmas out of state custody, I slept in a crack house," Becky recalled. "At 18 years old, I was completely lost."

Today, Becky is in college, thanks to an innovative program with Youth Villages' Transitional Living Program, a non-profit program that provides help for 11,000 troubled young people in six states. Karen Mathis, the immediate past President of the American Bar Association, told Becky's story at the "Summit on Unified Family Courts: Serving Children Efficiently, Effectively, and Responsibly," held in Baltimore last May.

Court systems today are filled with children like Becky who do not choose to "be abused and neglected," or have their parents divorce or "witness violence in their homes" or live in "households where alcohol and drugs are abused" or "be assigned to foster care" or decide "the amount of child support they need," Mathis said. She asked summit participants not to lose sight of why they were at the conference. "It's about our children."

She said the underlying problems of destructive behavior among youths become "lost in the shuffle of too many lawyers, too many case workers, and too many judges."

"We owe it to our children who have been failed—whether by their families, their schools, their peers, or their communities—to provide them the best justice we can," she said. "We cannot turn our backs on them. When our courts handle family problems with a fragmented approach, this is what happens."

A Unified Family Court is the "best way" to ensure that such problems are not overlooked, Mathis said.

For decades, the ABA has recognized the importance of Unified Family Courts in meeting the legal and protection challenges of children and families. In 1980, the ABA House of Delegates approved policy advocating that every state court system should establish Unified Family Courts. With the help of judges, lawyers and family advocates, the ABA developed six Unified Family Court pilot programs. That same year, the ABA sponsored the first Summit on Unified Family Courts to encourage states to adopt this model.

Karen Mathis, immediate past President of the American Bar Association, addresses the UFC summit.

Mathis said the ABA currently is focusing on an initiative called "Youth at Risk," to identify the reasons "some children find their way in life, while others wander aimlessly and still others become completely lost." She said the ABA's preliminary work has identified the concept of "one family–one judge" through Unified Family Courts as the best way to help at-risk youth.

She pointed out that the ABA has seen positive outcomes with early intervention for youths who have run away from home, are truant from school or are beyond their parents' control.

"Juvenile status offenders and their families, if they must come before the court, should be served by a judicial process that addresses their needs as a family and includes a diversionary program to prevent unnecessary and prolonged court involvement."

Mathis indicated that another area of concern within the ABA is foster children who age out of the system when they turn 18. She referred to the proposal that courts be legislatively empowered to maintain jurisdiction in a youth's case beyond 18 years of age.

"When the court's jurisdiction ends, or the court chooses to simply dismiss all cases upon a youth turning 18, we lose an important opportunity for us to ensure that youth receive appropriate transitional services from child welfare agencies," Mathis said. "Our courts can play an important role in monitoring the educational, vocational, housing, health, and other services that young people need to make a positive transition to adult independence."

Mathis asked participants to remember youths like Becky whose families appear in courts.

"It has been said that a society that turns it back on children will not be able to turn its back when those children become adults," Mathis warned. "Today, we are taking steps to turn toward our children and do our utmost to provide them with the justice they need and deserve." ■

Maryland's AOC Funds Major Report on Unified Family Court Summit

BY GLORIA DANZIGER

The "Summit on Unified Family Courts: Serving Children and Families Efficiently, Effectively, and Responsibly" answered a pervasive need among courts nationwide for information about Unified Family Courts. The Maryland Administrative Office of the Courts has provided funding for a major report, scheduled for publication in June 2008, that will answer the call for materials covering issues central to family court reform.

The summit report will provide high quality, peer-reviewed materials that offer instruction, technical assistance and guidance to jurisdictions interested in establishing and/or replicating the Unified Family Court model. It will include conference abstracts, highlights, and original papers or chapters based on conference presentations. Papers will mirror many of those presented at the summit, specifically addressing the role of specialty courts in a Unified Family Court; judicial assignments; self-represented litigants; and ways in which Unified Family Courts can help families cope with addiction, mental health and other non-legal issues. In addition, the report will offer several new companion pieces that assess the summit's effectiveness as a springboard to develop and implement Unified Family Courts; offer recommendations for best practices and future initiatives based on conference presentations; and suggest national standards and practices for the Unified Family Court model.

If you are interested to contribute an article to the summit report, please contact Gloria Danziger, CFCC Senior Fellow, gdanziger@ubalt.edu or 410–837–5613.

Ask the Editor a Question

Do you have questions about Unified Family Courts that you would like answered? Please send us your questio to *cfcc@ubalt.edu* and we will try to answer them in upcoming editions of the *Unified Family Court Connection*.

We Value Your Feedback

We value your comments! Please take a moment to tell us what you think by sending an e-mail to: *cfcc@ubalt.edu*.

Spread the Word & Share Your Accomplishments

Now is the time to spread the word about the valuable work you are doing! We invite all jurisdictions to notify us about accomplishments, successes and/or upcoming events related to Unified Family Courts. We will publish selected submissions in upcoming newsletters. Send your information to the *Unified Family Court Connection* Editor at: *cfcc@ubalt.edu*.

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