

**COLORADO BAR ASSOCIATION
FAMILY LAW SECTION
FAMILY COURT TASK FORCE**

***FINAL REPORT TO FAMILY LAW
SECTION***

SEPTEMBER 2009

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I. Introduction: Task Force Formation, Charge and Process

The Family Court Task Force was formed in 2007 upon the recommendation of David Johnson, Esq. who was President of the Family Law Section of the Colorado Bar Association at the time. It was chaired by Lesleigh Monahan and Steve McBride. Members were Katherine Beck, Jeffrey Clayton, Dana Cogan, Alicia Davis, Fran Fontana, Dave Johnson, Beth Henson, E. Mac McShane, Richard Rotole, Melinda Taylor, and Kent Wagner. Judicial members were Judge Harlan Bockman, Magistrate Elizabeth Leith, Judge Lael Montgomery, Judge Michael O'Hara, Judge Robert Russell and Judge Mark Warner. Upon the retirement of Judge Bockman, and the reassignment of Judge Warner, Judge Jill Straus joined the Task Force. Consulting to the group were Senator Ken Gordon and Pam Gagel. (See Appendix I for Task Force Member List).

We were charged with evaluating the concept of a "Unified Family Court" system within the Colorado judicial system, including analyzing what such a system included, evaluating components of such systems within courts of this state and others, and determining which aspects might be implemented within Colorado in the foreseeable future. Initially, several members were able to attend a conference entitled "The Summit On Unified Family Courts: Serving Children and Families Efficiently, Effectively and Responsibly" sponsored by the American Bar Association in May, 2007 in Baltimore, Maryland. This multi-day conference brought together representatives from court systems throughout the nation focusing on domestic relations, juvenile law, dependency and neglect, and criminal law issues within the context of a "family court" (Reports by the Task Force attendees are attached in Appendix II(a),(b) and (c)). A few members had attended a similar conference in 2000 in Philadelphia.

In preliminary meetings of the Task Force, based upon the experiences at these conferences, discussion focused on the realities of the varieties of docket systems and practices within our state court system. The Task Force determined that there is not a single "family court" model within the United States. Several states, including Colorado, are identified by the ABA or other groups analyzing court systems, to have components of a family court system. Additionally, there are no two states whose family court programs are identical. Due to variances in political, social, and economic conditions, each state that has implemented ideals consistent with a family court approach has fashioned those ideals to meet the realities of their legal environments.

We determined that the most efficient manner in which to proceed was to identify "Best Practices" within judicial systems, both statewide and nationally. Upon identification of those practices, we chose to recommend implementation of such practices to the extent feasible within the varied judicial districts throughout Colorado. We understand that what might work for Denver will not necessarily work for Douglas County, and would clearly be impractical for Steamboat Springs. However, aspects of these best practices can cross boundaries of judicial assignments and we believe the ideals should be analyzed by each judicial district, including the practicing bar, the

community at large, and the judicial officers therein, to improve the services being provided within each courtroom hearing issues of the families of that community.

The Task Force was divided into three subcommittees. Beth Henson and Dana Cogan cochaired the Services Subcommittee, charged with analyzing programs providing the best services to parties and attorneys involved in domestic matters. Dave Johnson chaired a Personnel Subcommittee which analyzed means by which to improve the personnel within courts hearing family issues. Melinda Taylor and Alicia Davis led the Consolidation Subcommittee which explored the best means by which to consolidate cases being heard by different judges and to provide better case management and provide appropriate information to the bench, bar, and litigants. (The final reports of each subcommittee are appended to this report at Appendix III.)

The Consolidation Subcommittee also conducted an informal survey of Judicial Districts in our state. Over 53 Family Court Facilitators, Magistrates and Judges from many judicial districts – small, large, rural and metropolitan – responded. The survey results were incorporated in identification of “Best Practices” relating to the primary topic areas of personnel services and coordination of services. (See Appendix IV).

II. Recommendations for Implementation of Best Practices

The Task Force recommends that the Family Law section evaluate the following “Best Practices,” for implementation within the Colorado court system. The section should determine how best to implement programs or practices within each judicial district. Certain recommendations are applicable throughout the state. Others can only be applied to particular districts or metropolitan areas. Many require funding and options to provide such financial assistance will need to be explored with a creative and open mind in today’s economy.

SERVICES COURT SYSTEMS SHOULD PROVIDE

1. Each judicial district should provide family-related mediation services offered by mediators with knowledge of family law. If qualified providers are available within the community, early neutral assessment programs should also be offered.
2. Self-help clinics should exist within each courthouse, or in a community center, wherein pro se parties would receive basic information and assistance with document preparation from qualified volunteers.
3. Victims of domestic violence should receive information of services available to them and their families and assistance with the pursuit of appropriate protective orders.
4. Childcare services should be provided on an appropriate schedule at reasonable cost to parties at the times of mandatory court appearances.

5. Services for parenting time exchanges and supervision should be provided to families in conflict, at reasonable times and reasonable costs.
6. Programs of parent education should be provided and such programs should be expanded beyond the current three or four hour programs currently offered.

SERVICES COURT SYSTEMS SHOULD PROVIDE IF FUNDING SOURCES CAN BE IDENTIFIED

7. Translation services should be provided to parties of all family issues, both within the courtroom and the clerk's offices, and self help centers.
8. Drug and alcohol screening resources are essential in evaluating appropriate terms of and conditions of parenting plans when abuse issues are raised
9. Paternity testing should be available at no cost, or minimal cost, to indigent parties
10. Anger management counseling should be required, and made available at reasonable cost, in appropriate cases.
11. A website should be established for public access throughout the state, each judicial district should be linked to provide information concerning services and practices unique to that district. The site should include information of services available, forms or documents essential to the efficient processing of legal matters, providers of case related services, and general information about the court system. Information about specific types of cases should be available, including divorces, dependency and neglect cases, juvenile matters, and protective orders proceedings.

PROGRAMS AND SERVICES WHICH SHOULD BE IMPLEMENTED TO IMPROVE PERSONNEL PROVIDING SERVICES TO FAMILIES IN THE COURT SYSTEM

12. "Schools" for judges and magistrates should be expanded to insure that appropriate training occurs for judicial officers before they begin to hear domestic relations, juvenile, or parental responsibilities matters.
13. Continuing legal education should be mandated for judges and magistrates handling family issues dockets, and such education should be issue specific for the docket assigned to these officers.
14. Specialized training for clerks and court facilitators should occur for these employees to understand the unique aspects of family law dockets and the needs of parties in these types of cases.

IMPROVEMENTS NECESSARY IN THE SELECTION PROCESSES FOR JUDICIAL OFFICERS

15. A means of commencing and maintaining a dialogue among the governor's office, the judicial branch, and the practicing bar should be developed to discuss the importance of the appointment of judges and magistrates with appropriate background and interest in handling family issues cases.
16. Magistrates assuming dockets in these areas should have a practice background in family law
17. Assignments to domestic or juvenile dockets should be limited to judges and magistrates with training in and interest in these cases. The terms of rotation to these assignments should give appropriate consideration to needs of families to have judges and magistrates with experience to understand, and interest in resolving the unique challenges for these families in crisis.
18. District should be encouraged to implement dedicated family courts. Such courts should be staffed by judges, magistrates, and clerks with an interest in these issues. Rotations to such dockets should be of sufficient duration to assure continuity and consistency. Dockets should be exclusively of a domestic nature. Pilot programs in the 4th, 17th, or 18th judicial districts should be explored. (See Appendix V).

IMPROVEMENTS NECESSARY FOR THE OVERSIGHT OF JUDICIAL OFFICERS

19. The revised rules for judicial performance commissions and the new Office of Judicial Performance are necessary improvements to the court system and should be monitored to determine their efficiency.
20. Meaningful evaluation and mechanisms for removal of ineffective magistrates' need to be implemented.
21. Oversight of judges handling these issues should continue and means of improving the process of oversight should be explored.

A "VIRTUAL FAMILY COURT" IS THE BEST WAY TO UNIFY FAMILY COURTS

22. A "Unified Family Court" is best facilitated through implementation of consolidated technology that provides greater access to shared knowledge and data input between the various categories of cases that involve families as opposed to the systemic change characterized by the "one court/one family approach".

23. The electronic data input and retrieval systems known as “S.A.N.C.A.” and “F.A.M.J.I.S.”¹ utilized in juvenile cases by use of J.P.O.D. I² should be implemented in all Family Cases to expedite “real time” transfers of information to judicial officers so that all parties and court personnel are aware of all other relevant cases. (See Appendix VI).

**DUE PROCESS CONCERNS RELATING TO THE JUDICIAL OFFICER
HAVING AND UTILIZING INFORMATION THAT IS NOT READILY
AVAILABLE TO PARTIES AND COUNSEL MUST BE ADDRESSED TO
ENSURE THE APPROPRIATE AND ETHICAL EXCHANGE OF DATA**

24. Mechanisms for alerting parties to the availability of information should be devised and should either be included in oral advisements, waivers on the petition, incorporated in standard pleadings or, separate forms for the parties to initial so that they understand that the court may access information from other cases. (See Appendix III(c)).
25. In order to achieve statewide consistency, Supreme Court Rule Changes should be studied and implemented for the protection of the parties so they know that any case filed in a court action where a party is named may be reviewed by the court in reaching a decision in the pending action. (See Appendix III(c)).
26. Timing of release of information in “related cases” needs to be addressed in rule/policy changes to give parties an opportunity to limit the court by seeking a Protective Order on that information.
27. Enforcement mechanisms should be explored when considering rule/policy changes.

III. Summary and Conclusion

Attendance by the Task Force at the National ABA Summit on Unified Courts in May 2007 confirmed the previously held beliefs of the Task Force members that adoption of a Unified Family Court policy in the state of Colorado would significantly enhance efficient case management and consistent decision making. The Task Force, which consisted of practitioners, mental health professionals, mediators, administrators and

¹ F.A.M.J.I.S., or the Family Justice Information System (formally known as S.A.N.C.A.) is a centralized data sharing information system that was institutionalized statewide in November of 2007 to provide judicial officers with Dependency and Neglect related management reports, a centralized information screen and judicial hearing calculators. Detailed information concerning the institution of F.A.M.J.I.S. in November 2007 can be obtained from the office of the State Court Administrator and is referenced in the attached Appendix VII.

² J.P.O.D. I is the Electronic Case Management System for judicial officers that has been in development by the office of the State Court Administrator for many months and was predicted to go “active” and online in mid-summer of 2009 for availability to courts throughout the state. J.P.O.D. I epitomizes the “virtual” docket concept where a “case” screen is provided to a judicial officer for case management and information access to replace the existing Electronic Case Management System.

judicial officers, all concurred that reliance on current traditional systems is not the most efficient way to operate a court system concerning families. Alternatively, the concept of “unification” presents an opportunity to fulfill the need for more convenient and more consistent service to litigants. Our research shows that this need has led to the adoption of “one judge – one family” concept in many states. A Unified Family Court system aims to consolidate the many various family court issues regarding support, custody, divorce, termination of parental rights, delinquency, dependency, adoption, guardianship, and estates. In a “one judge – one family system,” it is envisioned that one judge, with a compliment of mediators and psychologists, is assigned to a given family for a length of time to hear all of the family related issues mentioned above. This provides the convenience and efficiency that leads to better management of time, money, and other resources as the case is streamlined. Think, for a moment, of the many issues outlined above and consider that, currently, in Colorado, a child’s family could appear in front of as many as eight judges for different issues. Certainly no one benefits from such an approach. One judge never obtains a clear or full “snapshot” of the child and the family’s problems. Further, consistent decision making never occurs because of the change in judges.

The Task Force believes that significant education and activism by the various stakeholders (the Bar, the Bench and the Legislature) would need to occur in order to achieve the consensus necessary to keep an initiative to implement a “one judge – one family” approach moving forward. This would include research relating to constitutional issues which would be necessary before selection of judges to a dedicated Family Court Bench can be mandated by the Supreme Court. It includes evaluation and consideration of the financial costs as well as the necessary realignment of judicial resources. Most importantly, it requires the willingness, availability and specialized training of potential judicial officers whose broad jurisdiction would be narrowed to the limited area of Family Court. Family Court assignments have not been viewed as desirable court assignments. Many people have commented that family law issues are not considered “worthy” of the best judges and attorneys. Further, facilities and resources are placed at a level below adult criminal or civil actions. These realities are legitimate but not insurmountable obstacles.

In recognition of these obstacles to creation of a “one judge – one family” concept at the current time, the Task Force attempted to adopt a realistic approach to our project. Thus, the Task Force has limited its investigation and, its report as well, to the preliminary and fundamental task of identifying “best practices” within our judicial system, as well as, nationally. We believe that this preliminary effort is essential and can be used as a “stepping stone” to provide immediate and meaningful recommendations that can be implemented in our court system right now. The Task Force believes that the ever expanding use of mediation, early neutral evaluation, parenting education and support services for a family can absolutely better serve the modern family in the state of Colorado. The Task Force further believes that integration of these services in a manner that suits each individual judicial district’s population, budget and staffing is not only possible but is an entirely achievable goal. As set forth in this report, consolidated technology, such as the “J.P.O.D. I”, is one of the emerging innovative tools that will

allow courts to share knowledge and data input between the various categories of cases that involve families. The Task Force recognizes that the use of this consolidated technology represents a significant leap forward in “unifying” Family Courts without the systemic change characterized by the “one judge – one family” approach. Without a doubt, the state of Colorado is on the “cutting edge” in this regard and the Task Force further recognizes that due to variances in population, social and economic conditions, the various judicial districts throughout the state may benefit most from implementation of consolidated technology as discussed in the report as opposed to immediate pursuit of the “one judge – one family” concept.

Another area that was identified by the Task Force as being critical to implementation of “Best Practices” is the promulgation of program and services to improve personnel providing services to families in the court system. It is completely realistic for the Family Law Section to strive for the implementation of mandatory judicial education for judicial officers before and, as they continue to hear domestic relations, juvenile or parental responsibility matters. It is appropriate for the Family Law Section to initiate and monitor a constant dialog among the Governor’s office, the Judicial Branch and the practicing Bar to emphasize the importance of the appointment of judges and magistrates with appropriate background and interest in handling Family Law issues cases. The Family Law Section leaders who are members of local Bar Associations should be encouraged to share the Task Force recommendations for “Best Practices” with their district to assist in implementing dedicated Family Courts with rotating dockets of sufficient duration to assure continuity and consistency. Review, study and potential expanded adoption of the pilot programs in the First, Fourth and Seventeenth Judicial Districts should most certainly be explored.

The Task Force strongly affirms that the provision of due process to families involved in our court system is absolutely essential. But families also need efficiency and therapeutic justice to address their problems. The Task Force recommends integrated implementation of the “Best Practices” identified in this report to the extent feasible within the varied Judicial Districts throughout Colorado. The Task Force believes that the challenge is to create a Unified Family Court in Colorado that recognizes and endorses the progress already in existence in our state while consolidating and strengthening delivery and services for family and children in the 21st Century. A Unified Family Court in Colorado is likely to evolve into a unique institution that combines the best of current Family dedicated Courts and Juvenile Courts coupled with family centered services. As the Task Force recognized in its formative stages, most planning initiatives begin with some assessment of the problem and then, an inventory of existing resources, needs and gaps in services. The Task Force sincerely hopes that this report represents a significant and meaningful effort to present this assessment. Now, the Task Force believes that the Family Law Section should determine how best to implement the “Best Practices” through programs or practices within each Judicial District. Dissemination of the report, through the Bar Association, public speaking engagements to discuss this assessment and continued liaison with the Bench as well as the State Court Administrator’s Office is essential in consideration of the implementation process.

On behalf of the Family Court Task Force, we thank you for this opportunity to present our conclusions and opinions.

Steve McBride, Esq.

Lesleigh W. Monahan, Esq.

APPENDIX I

FAMILY COURT TASK FORCE 2009/2010

Membership Roster

NAME	TERM EXPIRES	CONTACT INFORMATION
Co-Chairs		
Steven E. McBride, Esq.		McBride & Drinkwine, LLC 4601 DTC Blvd., Ste. 1000 Denver, CO 80237-2570 Phone: 303.740.7422 Fax: 303.740.8408 E-mail: mcbride@solucian.com
Lesleigh W. Monahan, Esq.		Polidori Franklin & Monahan, LLC 550 S. Wadsworth Blvd., Ste. 300 Lakewood, CO 80226 Phone: 303.936.3300 Fax: 303.936.0125 E-mail: monahan@pfmlaw.com
Legislative		
Senator Ken Gordon		Colorado State Senate P.O. Box 370706 Denver, CO 80237-0706 Phone: 303.866.3341 Fax: N/A. E-mail: ken@kengordon.com

NAME	TERM EXPIRES	CONTACT INFORMATION
Judges/Court Administrators		
Judge Harlan R. Bockman		Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601 Phone: 303.654.3259 Fax: 303.654.3264 E-mail: harlan.bockman@judicial.state.co.us
Judge Lael E. Montgomery		Boulder County Combined Court 1777 Sixth Street P.O. Box 4249 Boulder, CO 80306 Phone: (303) 441-3771 E-Mail: lael.montgomery@judicial.state.co.us
Judge Michael A. O'Hara III		Routt County Courthouse P.O. Box 773117 Steamboat Springs, CO 80477-3117 Phone: 970.879.5020 Fax: N/A E-mail: michael.ohara@judicial.state.co.us
Judge Robert H. Russell II		Arapahoe County Justice Center 7325 S. Potomac St. Centennial, CO 80112 Phone: 303.649.6232 Fax: 303.649.6371 E-mail: robert.russell@judicial.state.co.us
Judge Jill-Ellyn Straus		Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601 Phone: (303) 654-3280 Fax: (303) 654-3216 E-Mail: Jill-Ellyn.Straus@judicial.state.co.us
Judge Mark D. Warner		Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601 Phone: (303) 654-3250 Fax: (303) 654-3216 E-Mail: mark.warner@judicial.state.co.us

NAME	TERM EXPIRES	CONTACT INFORMATION
Magistrate Elizabeth D. Leith		Denver City & County Building 1437 Bannock Street, Ste., 256 Denver, CO 80202 Phone: 720.865.9067 Fax: N/A E-mail: elizabeth.leith@judicial.state.co.us
Melinda Taylor, District Court Administrator		Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80602 Phone: 303.654.3205 Fax: 303.654.3215 E-mail: melinda.taylor@judicial.state.co.us
Attorneys		
Kathryn M. Beck, Esq.		Beck Jonson & Nolan, PC 1536 Cole Blvd., Ste. 150 Golden, CO 80401 Phone: 303.278.3078 Fax: 303.278.1778 E-mail: barristerbeck@msn.com
Frances C. Fontana, Esq.		Fontana & Associates, PC 5941 S. Middlefield Rd., Ste. 201 Littleton, CO 80123-7937 Phone: 303.468.2668 Fax: 303.468.2676 E-mail: ffontana@fontanafamilylaw.com
Elizabeth Henson, Esq.		9090 S. Ridgeline Blvd., Ste. 105 Highlands Ranch, CO 80129 Phone: 303.346.3700 Fax: 303.987.1147 E-mail: hensonmediation@yahoo.com
David M. Johnson, Esq.		Johnson & Cord, PC 24 S. Weber St., Ste. 300 Colorado Springs, CO 80903-1675 Phone: 719.471.4034 Fax: 719.471.1663 E-mail: dmj@johnsoncord.com
Richard J. Rotole, Esq.		Rotole Rotole Blanchard & Lumbye LLC 2 Steele St., Ste. 202 Denver, CO 80206-5708 Phone: 303.399.1600 Fax: 303.399.1607 E-mail: rjrotole@rrbl.net

NAME	TERM EXPIRES	CONTACT INFORMATION
Mental Health		
E. Mac McShane, Psy.D.		950 S. Cherry St., Ste. 420 Denver, CO 80246 Phone: 303.757.5446 Fax: 303.757.6519 E-mail: macm@prodigy.net
Dana L. Cogan, M.D.		4643 S. Ulster St. Denver, CO 80237 Phone: 303.221.2602 E-mail: cogan@pcisys.net
S.C.A.O.		
Jeffrey Clayton, Management Analyst		Colorado State Court Administrator's Office 1301 Pennsylvania St., Ste. 300 Denver, CO 80203 Phone: 303.837.2333 Fax: 303.837.2340 E-mail: jeffrey.clayton@judicial.state.co.us
Alicia Davis, Family Issues Unit Supervisor, Division of Planning & Analysis		Colorado State Court Administrator's Office 1301 Pennsylvania St., Ste. 300 Denver, CO 80203 Phone: 303.837.3630 Fax: 303.837.2340 E-mail: alicia.davis@judicial.state.co.us
Kent Wagner		Colorado State Court Administrator's Office 1301 Pennsylvania St., Ste 300 Denver, CO 80203 Phone: (303) 837-3323 Fax: (303) 837-2340 E-Mail: kent.wagner@judicial.state.co.us

APPENDIX II(a)

Report on Summit on Unified Family Courts

Serving Children and Families Efficiently, Effectively and Responsibly

Baltimore, Maryland - May 3-4, 2007

Report by Co-Chair Lesleigh Monahan

Summary of Colorado Team Thoughts and Conclusions after Attendance at the Conference:

The Baltimore team members agreed that one contribution that the Task Force can make to the study of implementation of Unified Family Courts in Colorado is to help the Standing Committee achieve their broader vision as explicated in the “Commission on Families in the Colorado Courts” final report. The Baltimore team members, after considerable deliberation and consideration of the material presented at the Baltimore Summit concluded that it would be difficult, if not impossible, for the Task Force to take on the monumental process of “setting up” a Unified Family Court. Rather, the post-conference discussion focused on the opportunity available to make solid suggestions as to the nuts and bolts that exist in a variety of Unified Family Court systems.

In addition, presenting a viable framework for implementation of pilot projects in specified judicial districts may be the best forms for our Task Force. In essence, what each Baltimore team member agreed upon was that there are a variety of “menus” to choose from that may fit into the Colorado State Court system. In addition, all team members concurred that many of the components of Unified Family Courts throughout the nation are already being implemented in our Colorado State Court system in various ways. There is not a “cookie cutter” model for a Unified Family Court. All Family Courts throughout the country look differently due to the constitutional and statutory requirements associated with State Court Administration and appointment of judicial officers.

A. Judicial Comments and Reflections on the Summit follow:

1). **Beth Henson:** Beth’s comments focused on trying to define what a Unified Family Court will mean to the Colorado State Court system. For example, have we got it going on in some ways and what are we missing in other ways such as in the area of adoption, juvenile law and truancy. Beth also was particularly interested in the problems associated with access to information. This would include providing hands-on assistance to *pro se* litigants, the hiring of a Family Services Coordinator that is housed in the Court as well as the provision of other services such as staff psychologist, anger management classes, parenting skill classes, and mediation services. Beth further noted the proliferation of early neutral evaluation in *pro se* matters that existed in Unified Family Court systems throughout the country.

2). **Alicia Davis:** Alicia indicated that it is essential to focus on education in terms of making a “cultural change” to facilitate S.A.N.C.A. access. Judge right now can use a D&N case to trigger information, but if there is no D&N case, there is no information available to Judges through the S.A.N.C.A computer link system. Alicia also felt that involvement of the Standing Committee as a “Sounding Board” and ally in advancing the goals of our Task Force would be important.

3). **Lesleigh Monahan:** Lesleigh thought the most significant aspects of a Unified Family Court system that were missing in the Colorado State Court system were two items. The first is lack of access to justice by litigants to obtain an informed decision through due process because of the scheduling constraints and competition with civil and criminal cases. The second issue is the absence of the “unique” judicial temperament in Judges appointed to family law cases that is a prerequisite to thoughtful and fair decision making in a family law case. Much of the focus of the Summit was associated with judicial training and a “dedicated” family court bench.

B. Who or What Else Do We Need to Do to Make Our Task Force More Effective?

1). The Baltimore Team discussed that the addition of a representative from the Social Services sector, a probation officer and a law school representative would be helpful in providing creative input to our Task Force. Many of the individuals that attended the Baltimore Summit were from the Social Service and Juvenile Justice System sector.

2). **Judge Bockman** and **Melinda Davis** are working on a proposal in the Adams County District Court to implement a “pilot” project.

3). **Judge Russell** is working on potential areas of improvement and/or the feasibility of a “pilot” project in Arapahoe County.

C. Legislative and Constitutional Issues:

1). It was agreed that **Jeffrey Clayton** would lead the task of performing legal research regarding the potential selection and assignment of Judges to a dedicated Family Court bench. **Pam Gagel** suggested that we need to see if it is necessary to make a constitutional change before selection of Judges to a dedicated Family Court bench can be mandated by a CJD. In essence, it is important to consider the issue of Judges being “hamstrung” due to the concept of general jurisdiction. Other topics for research include statutory consolidation of Title 14 and Title 19 as well as further research on problems related to “general jurisdiction” such as the split between the County and District Court relating to consolidation of issues.

D. Brief Overview of Conference:

Attached is a Summary Outline of the final plenary session of the Baltimore Summit wherein the presenters for each track summarized the salient features of their particular presentation.

- 1). Early Stages/Getting Started/Pilot UFC Projects:
 - No one size fits all, grow where you can
 - Don’t try to do everything
 - Never let funding be an obstacle.

- 2). Judicial Assignment: Making a Case for Judicial and Staff Training:
 - UFC makes good economic sense
 - UFC takes cooperation
 - Coordination of cases/examining how cases come into the case system
 - Team leaders following cases to Judge
 - Judicial Training Academy.
- 3). Assessing Unified Family Courts: How to Measure Accomplishments:
 - Evaluations = quantifiable numbers of litigants = funding and grants.
- 4). Boutique Courts: A Friend or Foe of Unified Family Courts:
 - Proper coordination is essential
 - Be careful/funding runs out.
- 5). Services and Accountability in a Unified Family Court:
 - Needs to be tailored and responsive to specific and unique community needs (i.e., rural vs. urban, etc.)
 - Set up frequent forums to discuss with stake holders.
- 6). Implementing a Dispute Resolution Continuum: It's Not Just Mediation Anymore:
 - There is a tremendous variety of successful ADR models.
 - Identify goals. For example, case resolution or enhancing parenting skills
 - Which process works for which kind of problems.
- 7). Youth At Risk:
 - Insertion of a Caring Adult (Judge/Facilitator/Social Worker) is essential
 - Judges are a powerful force in this process
- 8). Law Schools and the Bar:
 - From a Bar perspective, Bar leaders and lawyers love the opportunity to interact with Judges
 - Invite the business community
 - Law school resources such a websites, pamphlets, staffing, *pro se* litigation, advise, law student assistants, hot lines and cataloguing services.
 - Law schools are a safe place for roundtable discussions to change the "cultural" environment.
- 9). Self-represented Litigants:
 - Courts have a vested interest in fair and equitable resolution for *pro se* litigants because it prevents recidivism.
 - Identification of complex cases where intervention is essential and then farming out to resources in the mental health community

- It is important for judicial officers to not just call “balls and strikes” but have an ongoing interest in family crisis intervention. Don’t do things piecemeal with recidivist families. Provide continuous services with a “one Judge/one family” concept.

10). Addiction/Mental Health:

- The key to success of a UFC in these areas is judicial education and judicial leadership

11). Technology Solutions for Delivering Family Court Services:

- The examples in Connecticut were the most striking. A connection needs to be made between the business needs of the Court staff and the people in the project.
- It is essential to think about the technology of our next generation such as kids who “text message” and want online help.

APPENDIX II(b)

*Summit on Unified Family Courts:
Serving Children and Families Efficiently, Effectively and Responsibly
Baltimore, Maryland
May 3-4, 2007*

Plenary: What is a Unified Family Court: a Conversation with Chief Judges

Presenters: Pennsylvania, Hawaii, Georgia, Maryland

Summary: *To introduce the concept of UFCs by providing a definition and suggesting important theoretical underpinnings. Featured judges from 4 states at different stages of UFC.*

- 1) What is it?
 - a) Dedicated judges/rotation
 - b) Training
 - c) Single court system (co-location)
 - d) Comprehensive subject matter jurisdiction
 - e) Therapeutic justice and services

- 2) Consider 4 Aspects of UPC:
 - a) Process (consider: do you need substantive rule or statute changes?)
 - i) statutes
 - ii) cross-over kids
 - iii) services
 - iv) court administration (remember that clerks are the first line that people encounter, so maybe sure to bring them along.)
 - v) unification of jurisdiction
 - b) Record
 - i) unification of record
 - ii) due process issues, recusals
 - iii) representatives' unification: DV advocate, attorneys, having info from multiple services
 - c) Representation
 - i) GAL in D&N and JD
 - d) Perspectives (different areas we need to understand)
 - i) different laws that staff need to understand
 - ii) people need training

- 3) What is not (necessarily):
 - a) Bundling cases
 - b) Lifetime judges
 - c) Physically complex – doesn't have to be in one tidy place.

Alicia's Editorial: What Colorado has going for in Family Case Management:

- ◇ Co-location of juvenile and/or family cases already
- ◇ "Virtual Family Court": centralized information about juvenile/family through statewide case management system.
- ◇ Statewide court system

- ◇ Rotation: most districts are 2+ years
- ◇ Specialized training – Family Issues Conference every year. (New Hampshire has 500 attendees each year and it's non-mandatory).
- ◇ Family Court Facilitators. (note: Florida case managers identify what cases go into the Unified Family Court. When a DV case is filed, they see what else filed, analyze and pre-meet/staff with judge, analyze what's up with family services available, review history of family and/or case. Case manager works for court administrator. Crout staff provides for case managers. They have expertise with all family dynamics, like a MSW).
- ◇ One family – one team already in place in most districts

Judicial Assignment: Making a Case of Judicial and Staff Training: New Jersey and Washington State.

Presenters: Harry T. Cassidy, New Jersey
Hon. Paula Casey, Washington State

Summary: *Discuss the important role that judges and support personnel play in UFC. Discuss assignment of judges, training, coordinating cases, how to capture the interest of judges in UFC, and how to select judges for UFC.*

New Jersey

- 1) unified/statewide court system
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 - b) Implementation occurred along with statewide court unification, and constitutional amendment of judicial salaries.
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- 5) Family Division Plan
 - a) GAL standards
 - b) Matrimonial Litigation standards
 - c) Uniform case processing system
 - d) Time goals for all docket types
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- f) Education/training plan
- 6) Family Division Organization/Process
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 - b) Team consists of investigators and support staff, probation officers
 - c) Case managers are probation officers! They do reports. Team Leaders' job is to manage the calendar for the judge. The team has a caseload that comes in, processes and goes out.
- 7) Judiciary Continuous Improvement Loop
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- 8) Education – 2 weeks required pre-assignment!!!
 - a) New Jersey Institute for CLE
 - b) Staff/Judge Education Programs
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- 1) Pilot project in 2 out of 39 counties. Ran pilot legislation in 2000
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- v) Reduces the variety of judges' work
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 - v) State conferences on families and children
 - vi) Staff meetings
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 - ii) Identify all cases involving one family (we could use SANCA/FAMJIS)
 - iii) Develop weekly concurrent case calendars
- i) Keys to Success
 - i) Strong, ongoing judicial leadership
 - ii) Court's commitment to provide better service to children and families
 - iii) Institutionalize by Supreme Court rule

Implementing a Dispute Resolution Continuum: It's Not Just Mediation Anymore

Presenters: Professor Jana Singer, University of MD School of Law
 Sharon Press, Director, Dispute Resolution Center, Tallahassee FL
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Summary: *Provide an overview of the ADR continuum, highlighting the multiple processes available to UFC. It will examine similarities and differences among processes and discuss areas of overlap. Explore strategies for building a dispute resolution infrastructure and working effectively with stakeholders.*

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 - a) Custody evaluation. CA: mediator can submit recommendation as to custody or visitation with the child. May also require further investigation or testimony. CA Family Code Section 3183.
 - b) Parent education
 - c) Case management
 - d) DV assistance
 - e) Protective orders
 - f) Child Support assistance
 - g) Orientation programs
 - h) Supervised visitation/exchange
 - i) Restraining orders
 - j) Self-help center
 - k) Guardianship investigation
 - l) Substance abuse evaluations
 - m) Parenting coordination (states with PCs: ND AZ IL ID TX)

- n) Access facilitation or enforcement
 - o) Family Law Facilitators
 - p) GAL services
 - q) Programs for children
 - r) Mental health evaluations
 - s) Court appointed special advocates
- 2) Child Custody Evaluations
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- 3) How to Grow your ADR Program -- Florida
- a) Does mediation program and PC
 - i) Why make judges perform ministerial functions of contracting?
 - ii) Why make providers apply to each judicial district individually?
 - b) Statewide certification - uniformity
 - c) Statistics collected and published
 - d) Mediator standards of conduct and rules of discipline adopted
 - e) Statewide conference debut to meet continuing education needs
 - f) Collection of statistics to support and document worth to state
 - g) Commitment to mediators: newsletters, subsidized conferences, ethics advisory opinions, advocate at state level, monitoring of statutes.
 - h) www.flcourts.org select ADR/Mediation. Florida's mediation guidebook is on their website.

Law Schools and the Bar: Serving the Community

Presenters: Prof. Barbara Babb, University of Baltimore, MD School of Law,
 Center for Families, Children and the Courts
 Prof. Andrew Schepard, Hofstra Center for Families, Children and
 the Law
 Christopher Griffin, private practitioner, Florida

Summary: *Discuss ways in which courts can reach out and collaborate with the legal community to develop and implement UFC. How to create alliances with legal organizations at the local, state and national levels. Discuss experiences developing joint programs aligning the courts with law schools, bar associations, legal aid organizations and the private bar.*

- 1) Bar representative: involve the bar rep who is going to be the chair or president in 3-4 years. They need time to define their initiatives. ABA is very pro-UFC.
- 2) What Law Students Can Help With:

- a) Websites
 - b) Pamphlets
 - c) Education nights and programs
 - d) Staffing self-help centers
 - e) Hotline
 - f) Catalogue services available in communities
- 3) Policy Projects that Andy Schepard has overseen:
- a) Parent Education and Custody Effectiveness (PEACE)
 - i) With SJI money, they created a program with an evaluation component. They define everything, proven program, helped it become institutionalized.
 - b) Youth at Risk Roundtable.
 - c) Training through simulated cases (NITA). Judges have to judge the trial. They end up getting trained in the process.
 - d) Externs. Loan forgiveness for DR lawyers. Gives them supervision and exposure to the field.
- 4) What's in it for the law school? Publicity and fundraising. Deans want schools to look like they are helping children and families. It also helps to have the Chief Justice visit the law school.
- 5) To involve the Bar: convene stakeholder town hall meetings. Have an address by an academic keynote. Move the dialogue from the private to the public.

APPENDIX II(c)

*Summit on Unified Family Courts:
Serving Children and Families Efficiently, Effectively and Responsibly
Baltimore, Maryland
May 3-4, 2007*

A. Overall Thoughts and Theories - Beth Henson

1. “Unified” family courts don’t really exist. Even the courts that called themselves “unified” or “integrated” don’t have all of the features that are implicated by the term “unified.”
2. According to some of the standards that I saw, Colorado is more advanced than we gave ourselves credit for. Having domestic divisions where all divorces and postdecree matters are heard is along the lines of what other states have who call these divisions “family courts.”
3. One of the common theories of unified family courts is the idea of comprehensive subject matter jurisdiction for all matters involving family members in one courtroom, heard by one judge:
 - Divorce
 - Paternity
 - Child support
 - Foster care
 - Dependency and neglect
 - Truancy
 - Adoption
 - Domestic violence
4. The other common theory of unified family courts is the provision of ancillary services to parties:
 - Mediation
 - Supervised parenting time
 - Parenting after divorce classes
 - Parenting skills classes
 - Daycare services
 - Early neutral evaluations
 - Parenting evaluations
 - Anger management classes
 - Attorney consultation

Summary of Conference: Jeff Clayton, Research and Resources Unit, SCAO

Generally

This conference generally included the views of academia, attorneys, court administrators, judges, and social service providers concerning recent efforts to improve Courts' handling of "family" cases, which reforms have been generally packaged as a movement called the "Unified Family Courts" movement. A "Unified Family Court" is a term loosely used to describe efforts to better coordinate, mediate, and have a more holistic approach to handling what each state or local jurisdiction may define as "family" cases.

Workshop #1: Transitioning from Traditional: How to Establish a Unified Family Court: Jeff Clayton, Research and Resources Unit, SCAO

First, a brief program on the states of Maryland and California provided an interesting view concerning the role of AOCs and other stakeholders in facilitating a change effort. One common theme was that a stand-alone family court, or frankly any changes to the handling of cases, should come about as a result of local stakeholders making the decision to go in that direction, with AOCs and other stakeholders, including academia, acting more in a consulting, facilitating, or "structural support" role, which includes much in the way of program analysis, site-visits, annual reports, standardization, research, training and the like. Both speakers made this point, and as the Maryland AOC director of family courts put it, "There are no successful reforms that aren't locally driven." AOCs and other stakeholders also sought, where necessary, to implement some changes at the state level. The need to further investigate the AOC and state-level operations of stakeholders of the successful administrative programs seemed important as the "structural support" of AOCs appears critical to the longevity of reforms. As Dianne Nunn from California's AOC put it, you need to think about institutionalizing the change so that as people leave the programs continue. Also, partnership with numerous stakeholders (including county and executive branch agencies) seemed essential to any reforms, particularly as reforms further expanded the definition of family cases. Next, there are many issues that spring up when various reforms are tried which need to be resolved by AOCs prior the start of such programs, including issues of due process, information sharing, privacy, authority to implement various reforms, etc. Finally, AOCs seemed well-positioned to standardize reform efforts, partner with and provide grants to academia to review programs, measure success, advertise the success of reform efforts, improve the image of Colorado's Courts generally, and by doing all of this, improve the prospects of grant funding and legislative funding flowing to the various "certified" programs to improve the handling of family cases.

Plenary: What is a Unified Family Court: a Conversation with Chief Judges

Presenters: Pennsylvania, Hawaii, Georgia, Maryland

Summary: *To introduce the concept of UFCs by providing a definition and suggesting important theoretical underpinnings. Featured judges from 4 states at different stages of UFC.*

Reporter: Alicia Davis

- 1) What is it?
 - a) Dedicated judges/rotation
 - b) Training
 - c) Single court system (co-location)
 - d) Comprehensive subject matter jurisdiction
 - e) Therapeutic justice and services

- 2) Consider 4 Aspects of UPC:
 - a) Process (consider: do you need substantive rule or statute changes?)
 - i) statutes
 - ii) cross-over kids
 - iii) services
 - iv) court administration (remember that clerks are the first line that people encounter, so maybe sure to bring them along.)
 - v) unification of jurisdiction
 - b) Record
 - i) unification of record
 - ii) due process issues, recusals
 - iii) representatives' unification: DV advocate, attorneys, having info from multiple services
 - c) Representation
 - i) GAL in D&N and JD
 - d) Perspectives (different areas we need to understand)
 - i) different laws that staff need to understand
 - ii) people need training

- 3) What is not (necessarily):
 - a) Bundling cases
 - b) Lifetime judges
 - c) Physically complex – doesn't have to be in one tidy place.

Alicia's Editorial: What Colorado has going for in Family Case Management:

- ◇ Co-location of juvenile and/or family cases already
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- ◇ One family – one team already in place in most districts

B. Workshop: Transitioning from Traditional - Beth Henson

1. Technology is an integral part of unified courts. The courts must have the ability to cross-reference cases, parties, etc. A key concern is how to determine and implement identifying factors for families that would trigger the realization that such family had varying issues that needed integration.
2. Need for formal calendaring methods and case-tracking methodology.
3. Ideally, a court would hear all pending issues regarding a family at one time and enter a comprehensive order for that family.
4. Local courts must implement in their own way. The actual structure is less important than having a goal and a budget.
5. California committee created a “fictional family” with a child involved in several types of court proceedings. Committee members were broken up into groups, each representing a different court in which the child would be appearing. Each group met separately and then reported what result that “court” would have with that child. The different results were compared; the end result was conflicting orders and chaos.
6. Why some CA counties decided against giving unified courts a try:
 - Limited facilities
 - Wanted to wait until an actual case management system was put in place
 - Confidentiality concerns
 - Uncertain how to implement identifying factors for families
7. The CA project counties were required to include juvenile and domestic cases in their systems. They had the choice of whether to include other types of proceedings.

Workshop #2: Assessing Unified Family Courts: How to Measure Accomplishments: Jeff Clayton, Research and Resources Unit, SCAO

Second, I attended a section on the evaluation of family law programs. Much of it was common sense, although proved to be valuable information. There was a need around the country for yearly site visits to family courts, to catalogue what was achieved in every court every year, to have basic-level case processing data, to conduct focus groups, and to collect feedback from the judges, service-providers, staff, and litigants. Most states that have as elaborate of a family court reform enabling policy as Colorado typically produce an annual report of all UFC programs state-wide. The idea is that the various service providers can then get an idea of how well their programs are working and see what other models are being tried successfully in other parts of the state. Maryland AOC also produces a quarterly newsletter to distribute information to family courts. In Indiana, each jurisdiction drafts an annual "two-pager" self-assessment of the success of family law programs and the issues in the general area for purposes of assisting in the preparation of the annual report. Indiana puts on an annual conference on family issues to bring people together, get an idea of what is going on in other jurisdictions, and to share the best practices around the state.

There is a great need for competent public policy analysts and economists to review the various programs and evaluate their successes in light of limited resources and have *tangible measures of successes or failures*. This was accomplished by leadership from AOCs and included, in numerous cases, key partnerships with academia for purposes of conducting program evaluations. The other central theme was that good program evaluation is a means to provide evidence of accountability to those providing grant or general public funds. Finally, this seminar reinforced a central theme of the conference: the efforts tried must be reviewed and the successes sold to the community so as to create a sort of momentum of increasing funding for the expansion of successful programs.

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- h) www.flcourts.org select ADR/Mediation. Florida's mediation guidebook is on their website.

C. Workshop: Implementing a Dispute Resolution Continuum - Beth Henson

I did not find this breakout to be particularly helpful in providing information about how to integrate ADR into the unified model. Most of the time was spent defining the various models for dispute resolution, including some from specific states (CO was mentioned for its parent coordinator/decision-maker statutes).

Of note, though, was Hennepin County, MN, where they do an “early neutral evaluation.” In their court, this consists of a male/female team who meets with the parties over the course of a month regarding parenting disputes. This team does not do any independent investigation during this first month. Lawyers are allowed to attend the first and last meeting held with each party. At the end of the month, the team tells the parties that, given the information learned so far, what their recommendations would be. The parties then have the option to move forward with a full-scale investigation.

When I asked about how to integrate mediation into the unified model, they really couldn't give me an answer. I asked about possibility of “one family/one mediator” for all proceedings; the presenters stated that they would have concerns about differing parties (including the state, who is a party in some proceedings), the need for the mediator to have expertise in many areas of the law, and the difference in the procedural requirements of each type of case. However, this did make me wonder about the possibility of transferring the “one family/one judge” concept to other professionals involved in a case.

Law Schools and the Bar: Serving the Community

Presenters: Prof. Barbara Babb, University of Baltimore, MD School of Law, Center for Families, Children and the Courts

Prof. Andrew Schepard, Hofstra Center for Families, Children and the Law

Christopher Griffin, private practitioner, Florida

Summary: *Discuss ways in which courts can reach out and collaborate with the legal community to develop and implement UFC. How to create alliances with legal organizations at the local, state and national levels. Discuss experiences developing joint programs aligning the courts with law schools, bar associations, legal aid organizations and the private bar.*

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- 5) To involve the Bar: convene stakeholder town hall meetings. Have an address by an academic keynote. Move the dialogue from the private to the public.

D. Workshop: Establishing Protocol: High Conflict Cases within Unified Family Courts - Beth Henson

Unfortunately, the presenter who was supposed to present on mediation was unable to be there, so the entire session was done by a mental health professional. He identified different high-conflict personality types and talked about why parties like these need additional resources like special masters, P.C.'s, etc. – nothing that we haven't already heard. Also discussed some the developmental needs for children in different age groups as relating to parenting plans, but nothing helpful for implementation into a unified family court system.

E. Georgia's System - Beth Henson

I liked Georgia's setup; it seems somewhat similar to what CO has been moving toward:

1. It's called the Family Division of the Fulton County Superior Court.
2. It began in 1998 as a pilot project designed to 1) provide a comprehensive approach to helping families by using both judicial adjudication and service intervention methods; and 2) improve case processing by assigning cases involving the same family to one judge; cases scheduled at regular intervals through 30, 60 and 120 day conferences.
3. Provides court-annexed mediation at no cost – “registered” domestic mediators are available in each Family Division Courtroom to assist parties appearing at 30-day conferences.
4. Family Division offers the following services: Staff psychologist; Social Services Coordinators; Guardians ad litem; On-site paternity testing; and on-site drug and alcohol testing.
5. Provides the Family Law Information Center (“FLIC”), which gives legal forms and information.
6. The FLIC has attorneys from the Atlanta Volunteer Lawyers Foundation provide 30-minute free consultations (available only to parties who do not currently have counsel, and advice may not be provided if the opposing party has already received advice from these attorneys).
7. Court-ordered parenting education is called Families in Transition Seminar, which is a four-hour program conducted by trained counselors and therapists. Each party pays \$30.00. Seminars are taught at the court and in the North and South Fulton Service Centers.
8. Offers the “One Stop” center, where a party goes for help through the entire process of obtaining a temporary protective order. It's open every day. Petitioners are screened and given the forms needed to complete their petitions. Brochures on safety planning and resource info on housing, child care, medical care, food, etc. are available. Videos on domestic violence issues are shown. Crayons, coloring books and puzzles are provided to children while the adults complete the forms. When the paperwork is done, the petitioner is taken before the judge for an *ex parte* hearing.
9. Website: www.fultonfamilydivision.com

Tour of Baltimore City Family Division: Jeff Clayton, Research and Resources Unit, SCAO

Next, the conference included a tour to Family Division of the Baltimore City Court (which later included a seminar on dealing with *pro se* litigants). The Court facility itself contains many services under one roof. Two things that struck me were: (1) $\frac{1}{4}$ of *pro se* litigants were served by *pro bono* attorneys in a self-help facility *next to the Courtrooms*, mainly to simply help them understand the procedures so that they might get issues properly before the Court (some 7,000 total litigants served); and, (2) the Magistrate Divisions (called "Masters") seemed uniquely focused on providing mediation, as they had on-site mediators available for immediate mediation when a case seemed ripe, mediation training had been provided to the entire staffs of the magistrate divisions who could fill-in on a high-volume day as mediators, and computers were available in the Court to draft settlements and get them immediately approved by the Court. The remainder of the tour included Baltimore's efforts at making the facilities family-friendly and providing services for high-risk families.

APPENDIX III(a)

FAMILY COURT TASK FORCE
Report of Service Issue Sub-Committee
May 16, 2008

I. GOALS OF SUB-COMMITTEE

Our committee identified our goals as the following:

- a. To identify the services that exist within the system that we have already.
- b. To determine the services that don't yet exist, but that should exist for parties.
- c. To prioritize such services to determine what would serve the greatest number of parties.
- d. To research funding options for services.

II. EXISTING SERVICES

We were very pleasantly surprised to see how many services already exist for parties involved in the domestic law arena.

A. 1st Judicial District (Jefferson)

The 1st Judicial District website offers a good selection of on-line brochures. There is a complete referral site to the Colorado Child Support Enforcement Unit, as well as several different parenting time handbooks. There is information about mediation services and brochures relevant to paternity. The 1st Judicial District has a Pro Se Resource Center run by Judy Ulmer who is in the Clerk's Office. The clinic hours are from 8:00 a.m. until 4:00 p.m. They assist with forms (especially domestic), provide procedural assistance, perform cursory review of documents filed with the court, set uncontested domestic cases, and make referrals to agencies for additional assistance. They are staffed by "clerical staff." They provide a "Do your own divorce" clinic once per month (informational rather than case-specific).

B. 2nd Judicial District (City and County of Denver)

Denver offers the Pro Se Resource Center. It helps pro se parties complete forms without giving legal advice. They provide procedural information and try to direct people to services they need such as might be provided by DHS, Project Safeguard, and United Way. They also allow pro se litigants to review the DBA Legal Resource Directory published by the Legal Services Committee of the DBA.

C. 4th Judicial District (El Paso and Teller)

They offer free child care services for parents doing Court business. This is independently run and licensed; they also offer this service to parents responding to a jury summons.

Two times monthly, they offer a Pro Se Clinic. The Clinic is similar to the other programs discussed: they focus on general information and do not work on specific cases a litigant. They also have a Shared Parenting Center.

Domestic Violence Resource Center: Here, pro se litigants do get information as well as assistance with the preparation of, service of, etc. Temporary Protection Orders, and Permanent Protection Orders.

This county also has adoption clinics at least monthly to assist pro se parents who seek to adopt children from the dependency and neglect cases that result in termination of parental rights.

The Fatherhood Foundation is also based out of El Paso County: They offer legal assistance to individuals in the family law system.

The 4th Judicial District website is quite comprehensive and user-friendly, and would be a good model upon which to base a family court website.

CASA of the Pikes Peak Region offers many services that are usually contemplated as part of a family court system, including facilitation of parenting time, directing parties and children to community resources, and monitoring family compliance with court orders.

D. 17th Judicial District (Adams and Broomfield)

The 17th Judicial District has published a comprehensive and informative brochure entitled "Family Services," describing court and community resources for parties involved in family-related court proceedings. Categories covered include:

- Mediation (referral to the Office of Dispute Resolution)
- Domestic Violence Victims' Assistance (safety planning, legal assistance, financial assistance, support/information, and community referrals/programs)
- Child Support (Child Support Enforcement and Family Support Registry)
- Legal Advice (referrals to nine different resources)
- Counseling and Treatment Community Programs (referrals to resources in the following areas: counseling, parenting, substance abuse, developmental screening and services, adult education/job training, financial assistance, child care, supervised parenting time/exchanges, and health/medical)
- Court Resources (self-help center, family court facilitators, victim & witness services, CASA, Project Safeguard, fetal alcohol spectrum screening, etc.)

E. 18th Judicial District (Arapahoe, Douglas and Elbert)

The 18th Judicial District received a grant to refer parents to drop-in daycare centers (Club4Kids and KidsTown) to provide childcare when they are involved in court and probation visits. The Family Friendly Court Surcharge grant will cover all costs associated with daycare needed by jurors, victims, probationers, defendants and parties involved in child support proceedings. Attached hereto as Exhibit A is a copy of the Policies and Procedures, and Exhibit B is the flyer.

Also, in July of 2007, the 18th Judicial District received funding to provide supervised parenting exchanges for parents in high conflict domestic relations cases. The program, funded through the Child Family Friendly Courts fund, will pay for supervised parenting exchanges at two Club4Kids locations. A party will use a parenting exchange voucher (a copy of which is attached as Exhibit C), which is provided by the Court. A copy of the flyer is attached as Exhibit D.

Starting the next fiscal year, Arapahoe County District Court will have a half-time staff person for the Pro Se Resource Center. This person will coordinate clinics that are conducted by volunteer attorneys and perform other functions as assigned.

Douglas County has a Self Help Center that is open and staffed Monday, Wednesday and Friday from 8:00 a.m. to 12:00 p.m., and Tuesday and Thursday from 12:30 p.m. to 4:30 p.m. The center provides access to the self-help website, case information, court forms and instructions, coin copier, notary services, brochures of local resources and volunteer attorneys twice per month. Elbert County has volunteer attorney services available twice per month in Kiowa.

F. Other Districts

Dana Cogan conducted a survey of Family Court Facilitators which was sent to all of the districts in Colorado regarding services provided to pro se litigants. A copy of Dr. Cogan's survey results is attached as Exhibit E. Information received included the following:

1. **6th Judicial District (Durango):** They have a pro se divorce clinic run by Southwest Colorado Legal Aid. The clinic is staffed by a pro bono attorney and a secretary who meet with pro se litigants on a monthly basis. They help pro se litigants with forms and procedural questions.
2. **7th Judicial District (Montrose):** The Court does not provide a pro se clinic, although CLS provides one once a month through the local pro bono program. They

would like to establish clinics to help pro se litigants develop parenting plans and help with filing contempt motions.

3. **19th Judicial District (Evergreen):** They have a pro se clinic run by Myrna Reese-Stevens who works for Weld Legal Services, the agency that funds the clinic. The clinic is conducted on the third Tuesday of each month from 6:30 p.m. until 9:00 p.m. They help with forms and procedures without giving legal advice. They are staffed by a division clerk and sometimes a pro bono family law attorney. They provide interpreters.

4. **15th Judicial District (Lamar):** They do not have a pro se clinic.

III. IDEAL SERVICES

Our committee identified two levels of services for family courts. The first level would be considered basic services (i.e. first priority services) that should be offered under a family court structure, as follows:

- Family-related mediation services offered by mediators with knowledge of family law
- Self-help clinic (assisting with document preparation, providing basic information, etc.)
- Domestic violence victims' assistance
- Childcare
- Parenting time exchange services
- Parenting time supervision services
- Parent education (beyond the required four-hour class)

The second level of services consists of services that would be ideal to offer if the basic services were already being offered and if there were additional funds available:

- Translation services and scribes
- Drug and alcohol screening resources
- Paternity testing (which is currently offered through CSE if there is an open case)
- Anger management assistance

The committee agreed that hiring a "webmaster" for family court resources would be a useful tool, i.e. someone to create a master family court website, gather information about available resources, put such information on the website and keep the information current. Also, Judge Russell believed that it would be ideal to be able to hire a person to work within the courthouse to direct parties as to what type of case to file (juvenile, domestic relations, APR, etc.).

The process of Early Neutral Evaluation (“ENE”) is relatively new to Colorado. Attached hereto as Exhibit F is a description of the ENE process. Trainings are being held throughout Colorado. The committee believes that this could be a valuable service for early intervention in parental responsibility cases.

IV. FUNDING RESOURCES

The biggest challenge faced in providing resources to parties in family-related cases is funding such resources. We investigated several options.

A. Legislative Options

A filing fee would be the most likely method of obtaining funding through legislative channels. The process would be as follows:

- The person or entity proposing the new filing fee (for example, a member of the general public, a group such as ours, etc.) would need to determine the services to be funded by such fee, and how much such services would likely cost. Also, that person would need to be prepared to recommend what type of provider would be used (i.e. would the provider be a state employee, a contract employee, etc.).
- The desired services would need to be prioritized.
- A legislative sponsor would need to be found, usually in the summer or fall preceding the legislative session.
- A bill request would need to be submitted by December. The bill request could be drafted with blanks to be filled in later (for example, the amount of the fee).
- The filing fee would most likely need to have some type of direct or indirect connection to the type of case and services being provided. However, the legislature would be unlikely to approve a major increase in fees that would result in making it harder to get divorced. This could have an unfair effect on the lower income population.
- Before the bill would be heard, the fiscal department would contact the state departments/agencies being affected and perform an analysis of the cost to the state. This feedback would be provided to the legislators.
- The bill would go to committee for vote and move through the usual process.

B. Family-friendly Courts Act (C.R.S. §13-3-113)

This act became effective in 2002. A copy of the act is attached hereto as Exhibit G.

The general assembly determined that the creation of a family-friendly court program was beneficial to the citizens of Colorado. The purpose of the program is to provide quality family-friendly court services to families and children of individuals who are attending court proceedings or related matters. The primary focus is to provide quality child care to children of individuals attending court-related proceedings. It is also to serve as a central location for the dissemination of information to families about

resources and services relating to: at-risk youth, employment counseling, employment training and placement, health education and counseling, financial management, education, legal counseling and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and substance abuse.

This act allows the awarding of grants to establish and maintain family-friendly court programs in judicial districts throughout the state, as well as to enhance existing family-friendly court programs. The family-friendly court program cash fund was created in the state treasury for the implementation of this act. The state court administrator is authorized to accept any grants, gifts or donations from any private or public source. The general assembly can also appropriate monies directly for this cash fund. Effective in 2002, a \$1.00 surcharge was added for certain traffic violations to fund this program.

In order to be eligible to receive funds, a judicial district must apply to the state court administrator for a grant. The state court administrator, in deciding whether to approve the grant request, must consider the extent that a judicial district is responsible for conducting several required activities, including recruitment of child care providers, conducting necessary criminal history checks on child care providers, and providing other court-related family services. The judicial districts that are given such grants must implement methods of evaluating the court programs and report annually to the state court administrators concerning the results of such evaluations, as well as providing a fiscal accounting of the funds received and expenditures.

C. The Denver Foundation

This foundation carries out its mission of improving life in Metro Denver by investing in the vision, passion and expertise of hundreds of nonprofit organizations. There are three grant making programs:

Community Grants: The Denver Foundation awards hundreds of grants annually to nonprofit organizations in the seven-county Metro Denver area: Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson counties. In 2007, the Foundation awarded five million dollars to hundreds of nonprofit organizations. Grants are typically awarded to organizations in four major focus areas: Arts & Culture, Civic & Education, Health, and Human Services. Nonprofit organizations must be a 501(c) (3) organization to apply.

Strengthening Neighborhoods Grants: Strengthening Neighborhoods is the Denver Foundation's grassroots neighborhood development program that provides grants directly to residents of specific neighborhoods for projects developed and led by the residents themselves

Technical Assistance Grants: These grants are provided to help nonprofit organizations become more efficient and effective. Technical assistance can be many things, but mostly it helps the organization learn something new and therefore, increase their capacity to lead, manage, and direct the organization.

D. Urban League

It might be worth further exploring the services provided by the Urban League. Ms. Beck learned that they have 1) Male Parent Support Groups dedicated to making fathers become more effective parents; and 2) Respite Parenting, wherein they do in home visits to teach life skills and help get families access to community resources.

E. Charitable Organizations

It appears that there are only a few that might entertain a grant for our purposes. The funds and foundations that would be the most likely to be willing to help include The Adolph Coors Foundation, The Colorado Trust, The United Way, and The Anschutz Family Foundation.

F. Surveys of Parties

There has been suggestion made of creating a survey for parties within the family law system in Colorado to obtain information and feedback on ways to better improve the system. We could explore use of graduate students to facilitate such surveys.

V. CONCLUSION

Most of the population's exposure to the legal system comes through family-related court proceedings, and many of these parties are without legal counsel. Such parties involved in the legal system can easily become overwhelmed and frustrated because of a lack of understanding of the system and a feeling that they are "on their own," despite the importance of the matters that are before the Court.

This subcommittee has visualized the ideal set of resources to serve the largest number of parties involved in family-related cases. As always, funding is the biggest obstacle to attaining the goals set forth herein. The Family-friendly Courts Act could be a very valuable resource in achieving some goals. A filing fee is also a potential option, especially if we can find a way to link the fee to the population being served.

The positive aspect of our sub-committee's findings is that, although Colorado does not have a designated "Family Court System," the reality is that the metro Denver area judicial districts are quite advanced in providing services to litigants and providing access to information regarding such services. The 17th Judicial District and the 4th Judicial District are especially good at these tasks, and these two districts would serve as excellent models for a state-wide family court system, if that becomes the recommendation of the Task Force. The rural districts could use a helping hand, both in staffing and funds. However, according to Dr. Cogan's survey, the personnel there are eager to take the lead if given some assistance and guidance.

Thank you for giving us the opportunity to provide this report to the Family Court Task Force.

Service Issue Sub-Committee members: Kathryn Beck, Esq.
Dana Cogan, M.D.
Beth Henson, Esq.
The Honorable Robert Russell

18th Judicial District Child Friendly Courts Program
Policies and Procedures
October 5, 2007

INTRODUCTION

The 18th Judicial District received a grant to refer parents to drop-in daycare centers (Club4Kids and KidsTown) to provide childcare when they are involved in court and probation visits. The Family Friendly Court Surcharge grant will cover all costs associated with daycare needed by jurors, victims, witnesses, probationers, defendants and parties involved in child support proceedings.

LOCATIONS:

1. **KIDSTOWN DROP-IN CHILD CARE CENTERS:**

- Castle Rock: KidsTown Care Center, 1043 N. Park Street, Castle Rock
 - Phone #: 303-814-3600
 - Accept children from 18 months to 12 years.
 - Located in the northwest corner of Park St & Wolfensberger
 - Hours: 9am – 9pm
- Parker: KidsTown Care Center, 10841 Crossroads Dr. #16, Parker
 - Phone #: 303-841-0200
 - Accept children 12 months – 12 years.
 - Located near the Parker Library
 - Hours: 8am – 9pm
- Highlands Ranch: KidsTown Care Center, 9265 S Broadway #250, Highlands Ranch
 - Phone #: 720-344-2500
 - Accept children 12months – 12 years
 - Located between Michael's & Safeway on Broadway @ Highlands Ranch Blvd.
 - Hours: 8:30am – 9:00pm
- Aurora: Kids Town Care Center, 22906 E. Smoky Hill Rd. Aurora
 - Phone # 303-699-8410
 - Accept children 12 months - 12
 - Located ½ mile west of E-470 on Smoky Hill
 - Hours: 8:30 am - 9:00pm

2. **CLUB 4 KIDS DROP IN CHILDCARE CENTERS:**

- Centennial: Club 4 Kids Care Center, 15432 Orchard Rd., Centennial
 - Phone #: 303-627-4080
 - Accept children 12 months – 12 years
 - On E. Orchard close to Parker Rd.
 - Hours: 8am – 9pm
- Littleton: Club 4 Kids Care Center, 8259 S. Holly St., Littleton
 - Phone #: 303-779-8564

- Accept children 18 months – 12 years
- On S. Holly close to E. County Line Rd.
- Hours: 8:30am – 9pm

HOW DOES IT WORK

- Various agencies as well as the 18th Judicial District web page will provide information on using this program. (Flyer attached) The drop-in childcare web sites will also be on the 18th web site and will be available to the various agencies.
- A voucher (attached) will be given to the parent(s) when they drop off their child at the centers.
- The parent(s) will present the voucher to court/agency staff upon their arrival at court/agency. Staff will note the time they arrived and will sign and note the departure time when they leave and will send the yellow copy of the form to Administration. The parent will then present the voucher to the drop-in childcare staff member upon checking out their child.

EMERGENCY CONTACT INFORMATION

- Parents will provide the location of where they will be while their child is in the center (jury duty, probation visit, child support, district attorney victim/witness or specific division).
- The childcare centers will use the information listed above and will call the following representatives. If the parents cannot be located AFTER the childcare center staff have attempted to locate the parent at the location provided or the emergency contact, they will call the District Administrator at 303-907-4387.

FAILURE TO PICK UP CHILD

- If a parent fails to pick up a child one hour after the designated time, the childcare center will contact the local police and Administration.

PROCEDURE WHEN PARENT IS ARRESTED

- If a parent is arrested, the parent must contact a relative or other person and provide the “code” to that person so that they can pick up the child.
- In addition, the division should contact Administration immediately who will contact the childcare center; if the parent is arrested while at probation or child support, the respective staff should immediately notify the childcare center.
- If the parent cannot locate anyone to pick up the child, the childcare center will follow the Failure to Pick up Child procedure.

FREE!

18th Judicial District Courts Child Friendly Courts Program!

*Providing Drop In Childcare for Children
12 months to 12 years*

COURTS ELIGIBLE: Arapahoe District Court, Arapahoe County (Littleton and Aurora) Courts, Douglas County Combined Courts and Elbert County Combined Courts

CONTACT PERSON: Laurie A. McKager
District Administrator, 18th Judicial District
303-649-6380 (office) 303-907-4387(cell) 303-649-6381(fax)

CHILDCARE PROVIDED

Club 4 Kids Drop In Childcare Centers

(2 locations - Reservations Required)

15432 E Orchard Rd. Centennial, CO 80015

(303)-627-4080

(Children must be 12 months – 12 years)

8259 S. Holly St, Littleton, CO 80122

(303)-779-8564

(Children must be 18 months – 12 years)

www.club4kids.com

KidsTown Drop In Childcare Centers

(4 locations)

1043 N Park St. Castle Rock, CO 80109

(303)-814-3600

(Children must be 18 months - 12 years)

10841 Crossroads Dr. #16, Parker, CO 80134

(303)-841-0200

(Children must be 12 months – 12 years)

9265 S Broadway #250 Highlands Ranch, CO 80129

720-344-2500.

(Children must be 12months – 12 years)

22906 E. Smoky Hill Rd. Aurora, CO 80016

303-699-8410

(Children must be 12months – 12 years)

<http://www.kidstowncenters.com>

There is no need to make your children sit through a day in court. For details visit our website at www.18thjudicialdist.org.



ARAPAHOE COUNTY COMBINED COURTS FAMILY FRIENDLY COURTS
VOUCHER

Parent/Guardian Name _____ Date _____
Address _____ Phone _____

Parent/Guardian Name _____ Date _____
Address _____ Phone _____

Others Authorized for Pick-up and/or Drop-off

Name _____
Address _____ Phone _____

Name _____
Address _____ Phone _____

Name _____
Address _____ Phone _____

Division _____

Case number _____

Drop-off Time _____ am/pm Pick-up Time _____ am/pm

Drop-off parent/guardian: _____

Pick-up parent/guardian: _____

Exchanges will occur _____ on _____ of each _____ for _____
weeks/months.

PLEASE NOTE – CHILDREN MUST BE DROPPED OFF AND PICKED UP WITHIN
30 MINUTES.

Name and Ages of Child/Children

1) _____

2) _____

3) _____

Court Staff Signature _____ Division _____

Court Staff Name (printed) _____

PLEASE PRESENT THIS DOCUMENT TO THE CLUB4KIDS STAFF UPON ENTERING
THE FACILITY.

Club 4 Kids Staff Name/Signature _____

CHILDREN WILL NOT BE RELEASE TO ANYONE
WITHOUT PROPER IDENTIFICATION

***18th Judicial Districts Supervised Parenting
Exchange Program!
For Children
12 months to 12 years***

COURTS ELIGIBLE: Arapahoe District Court, Arapahoe County (Littleton and Aurora) Courts, Douglas County Combined Courts and Elbert County Combined Courts

CONTACT PERSON: Laurie A. McKager
District Administrator, 18th Judicial District
303-649-6380 (office) 303-907-4387(cell) 303-649-6381(fax)

Supervised Parenting Exchange

Club 4 Kids Drop In Childcare Centers

(Reservations Required)

15432 E Orchard Rd. Centennial, CO 80015

(303)-627-4080

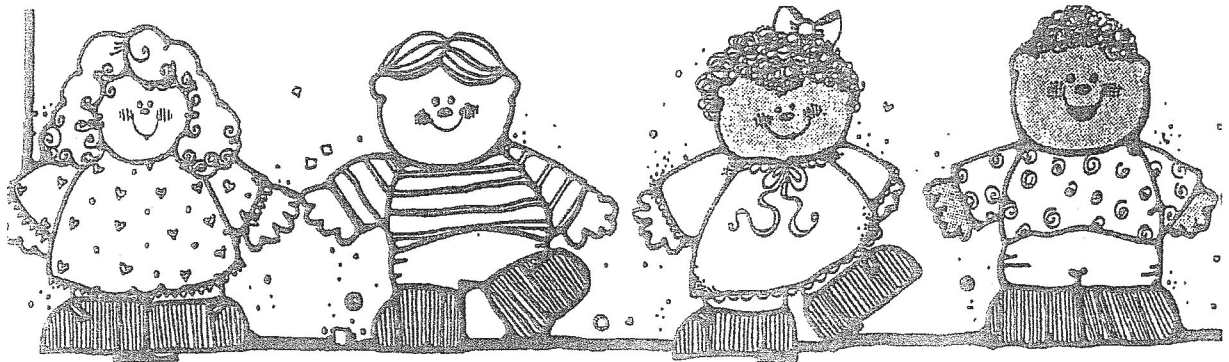
(Children must be 12 months – 12 years)

8259 S. Holly St, Littleton, CO 80122

(303)-779-8564

(Children must be 18 months – 12 years)

www.club4kids.com



**Access to Justice Commission
Services for Low and Middle Income**

Program Title	Pro Bono/Pro Se Projects?	Pro Bono/Pro Se Materials?	Available ADR programs?	Greatest Barrier to program creation?
6th Judicial District	Know Your Rights (DVD) Rent Smart Landlord/Tenant clinic	Subcontractor Agreement (in Spanish)	Small Claims Court Mediation	Resources: money for meeting rooms, childcare, food, translators, etc. Lack of attorney involvement
7th Judicial District ATJ	Thursday Night Bar (monthly) Make-a-will (monthly)	None	None	Lack of attorneys
8th Judicial District	Larimer County Pro Bono Program in Ft. Collins & Loveland (1x/wk) Larimer County Bar Domestic Assistance Class (2x/wk) Call a Lawyer (4x/yr) Larimer County District Court Pro Se Class (2x/mo) Bringing Justice Home (ongoing)	Larimer County Legal Services bookmark	ODR	Funding

**Access to Justice Commission
Services for Low and Middle Income**

Program Title	Pro Bono/Pro Se Projects?	Pro Bono/Pro Se Materials?	Available ADR programs?	Greatest Barrier to program creation?
Boulder County Legal Services	Pro Se Assistance clinic (1x/wk)	None	None	Small staff (only three people)
	Pro Bono Program (ongoing)			
	Denver County District Court Information and Referral Office (self-help)	Advanced Medical Directives brochure	None	
	Legal Night at Mi Casa	Financial Powers of Attorney brochure		
	Legal Night at El Centro de San Diego	Estate Planning brochure		
	Bankruptcy Clinic	Joint Tenancy brochure		
	Small claims clinic	Living Trusts Brochure		
	Collections clinic	So Now You Are A Conservator brochure		
	Family Law Legal clinic (English/Spanish)	Probate in Colorado brochure		
		So Now You Are A Guardian brochure		
Denver County				

**Access to Justice Commission
Services for Low and Middle Income**

Program Title	Pro Bono/Pro Se Projects?	Pro Bono/Pro Se Materials?	Available ADR programs?	Greatest Barrier to program creation?
El Paso County		So Now You Are A Personal Representative brochure		
		So Now You Are A Trustee brochure		
		What to Do When Someone Dies brochure		
		Wills in Colorado brochure		
		Child Support Enforcement		
		Legal Resource Directory		
		Colorado Senior Law Handbook		
	Permanent Protection Order Seminars for Lawyers 2x/year		None	Funding and lack of attorneys
	Call a lawyer 1x/month			
	Attorney non-profit connection (continuous)			

**Access to Justice Commission
Services for Low and Middle Income**

Program Title	Pro Bono/Pro Se Projects?	Pro Bono/Pro Se Materials?	Available ADR programs?	Greatest Barrier to program creation?
	Justice Corp/ resource center (start Sept. 2007)			
Metro Volunteer Lawyers	Family Law Court program - enhanced pro se clinic (1x/mo.) Post-decree Clinic - Denver (monthly); Jeffco (every other mo.)	None	Pro Bono mediators	Recruitment
North American Indian Legal Services	Juvenile Justice and Mentoring Program (JJMP) (ongoing)	N/A	N/A	N/A
SW Bar Volunteer Legal Aid	Pro Se Divorce clinic (monthly) Landlord-Tenant Rights Clinic (twice/yr) Civil Protection Order clinic (2x/yr)	Pro Se Divorce Packets Community Resources	Small Claims Court Mediation	Not enough volunteers for some programs to thrive

**Access to Justice Commission
Services for Low and Middle Income**

Program Title	Pro Bono/Pro Se Projects?	Pro Bono/Pro Se Materials?	Available ADR programs?	Greatest Barrier to program creation?
Uncompahgre Volunteer Legal Aid	Thursday Night Bar (monthly)	Uncompahgre program specific materials	State ODR Branch Office	Education of judges, attorneys, indigent
	Pro Se Divorce clinic (monthly)		Pro bono attorney mediation	Systems are not user friendly
	Pro Se Parental Responsibility Clinic (monthly)		Local non-attorney mediators	lack of access by indigent to judicial system
Weld County Bar Association	Ongoing On-call Community Education Sessions for Seniors, Children, Civil Rights (monthly)			
	Small Claims Mediation (2x/week)	Legal Information bookmarks	Small claims mediation	Money and difficulty Weld County has in obtaining pro bono lawyers to assist poor and low-income people for cases not covered by CLS
	Courthouse Signage (ongoing)		Statewide ADR	

ENE

ENE is a process that empowers parties, with the assistance of their attorneys, to settle custody and parenting time disputes at an early stage of the court proceeding. Doing so provides great benefits to the parties and their children.

Benefits to Parties

1. Reduces cost of litigation, which allows parties to spend their money on caring for their children and establishing a new lifestyle for themselves.
2. Reduces acrimony between the parties, which puts them in a better position to cooperatively co-parent. Emphasis is on the children rather than attempting to prevail in Court.

Benefits to Children

1. Children feel more secure when their parents, rather than the Court, determine the time that they will spend in each household. Reassuring to children when they know that their parents can set aside their personal differences and jointly focus on meeting their (children's) needs.
2. Settlement associated with ENE, provides certainty to the children about custody and parenting time arrangements at an early stage of the divorce proceeding which helps the children to feel more secure.
3. Chronic conflict between parents is a predictor of post-divorce adjustment problems for children. The cooperative nature of ENE coupled with the early resolution of custody and parenting time issues makes it less likely that a pattern of chronic conflict between the parties will emerge.

Program Description

1. Male/female team assigned case to reduce possibility of gender bias.
2. ENE team gives parties and their attorneys a preview of what the likely outcome would be of a full custody evaluation. Their having this knowledge is a key ingredient towards achieving a settlement.
3. After receiving the feedback from the ENE team about the probable outcome of a custody evaluation, each party will have an opportunity to caucus with their attorney before engaging in settlement negotiations.
4. Remainder of session spent attempting to negotiate a settlement.
5. If a settlement is reached, the terms of the agreement will be sent to the Court.
6. If no settlement is reached, the ENE team will request that the court issue an order for an evaluation.
7. The process is highly confidential. The content of ENE sessions will not be shared with the Court or the future custody/parenting time evaluator. The ENE team cannot testify or be deposed about the process. Consequently, the parties can talk freely and without fear that any type of precedent has been set for subsequent evaluations and/or court proceedings.

Nuts and Bolts

1. Voluntary program with limited slots so must fully commit to process.
2. Both parties AND attorneys should proceed to FCS immediately after ICMC for intake and to schedule ENE
3. Imperative to keep the scheduled ENE appointment barring a true emergency. Not doing so will result in case immediately being referred back to the Court.
4. Parties, attorneys should plan on a three hour meeting.
5. Mandatory that attorneys participate in the process. They cannot opt out.
6. Many situations resolve themselves in the initial ENE session. Multiple sessions, however, may occur if collateral or additional information is required for the ENE team to provide a valid and reliable preview of a custody evaluation. The ENE team has up to 30 days to complete the process.
7. ENE's can be held with pro se parties and when only one party is represented.
8. ENE's can occur when domestic abuse has occurred, given that the program is voluntary. Screening by the ENE team does occur. While the ENE team may caucus with each side in domestic abuse situations, the expectation is that the parties are capable of meeting conjointly.

13-3-113**Statutes and Session Law****TITLE 13 COURTS AND COURT PROCEDURE****ARTICLE 3 Judicial Departments****13-3-113 Family-friendly Courts Act.****13-3-113. "Family-friendly Courts Act".**

(1) **Short title.** This section shall be known and may be cited as the "Family-friendly Courts Act".

(2) **Legislative declaration.** (a) The general assembly hereby finds and declares that many families experience challenges and transitions with legal ramifications that often necessitate court involvement. Frequently individuals and family members attend court or visit other governmental offices for juvenile delinquency proceedings, domestic relations proceedings, protective proceedings related to domestic abuse or domestic violence, child protection proceedings, meetings with probation officers, and other matters. Many persons who attend court proceedings are responsible for the care of young children. For many such individuals, child care issues can distract from, if not present obstacles or even barriers to, effective and complete participation in ongoing court proceedings. The general assembly finds that these issues were acknowledged and addressed in the 1999 report entitled "Creating Family Friendly Courts in Colorado: Children's Centers for the Courthouse", which report was submitted by the Colorado supreme court family friendly facilities task force and which report recommended the establishment of children's centers in courthouses.

(b) The general assembly further finds that the same individuals who are in need of child care services when they are participating in court proceedings may also benefit from the availability of information and resource referrals relating to certain types of services within the community, including services addressing at-risk youth, employment counseling, employment training and placement, health education and counseling, financial management, education, legal counseling and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and substance abuse.

(c) The general assembly further finds that individuals who are involved in court proceedings may have additional court-ordered service needs involving their children, including, but not limited to, supervised parenting time and the transfer of the physical custody of a child from one parent to the other.

(d) The general assembly therefore determines and declares that the creation of family-friendly court programs is beneficial to and in the best interests of the citizens of Colorado. The general assembly further finds that the goal of such programs shall primarily be providing quality child care in or near courthouses to the children of individuals and families who attend court-related proceedings, but that such programs may also provide additional court-related family services at the facility and shall serve as a clearinghouse of information and resource referrals for program patrons concerning the wide variety of available services in the community, including services that provide help to at-risk youth, educational services, health services, mental health services, substance abuse services, legal services, and domestic abuse information.

(3) **Definitions.** For purposes of this section:

(a) "At-risk youth" shall have the same meaning as set forth in section 25-20.5-203 (3), C.R.S.

(b) "Domestic abuse" shall have the same meaning as set forth in section 13-14-101 (2).

(c) "Domestic violence" shall have the same meaning as set forth in section 18-6-800.3 (1), C.R.S.

(d) "Family-friendly court services" means child care and court-related family services provided in the courthouse or courthouse complex or in reasonable proximity to the courthouse.

(e) "Program" means the family-friendly court program established pursuant to this section.

(4) **Provision of family-friendly court services.** There is hereby created the family-friendly court program. The purpose of the program shall be to provide quality family-friendly court services to families and the children of individuals who are attending court proceedings or related matters and to serve as a central location for the dissemination of information to families about resources and services relating to at-risk youth, employment counseling, employment training and placement, health education and counseling, financial management, education, legal counseling and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and substance abuse. Grants awarded pursuant to this section shall be used to establish and maintain new family-friendly court programs in judicial districts throughout the state that do not have comparable existing programs, as well as to enhance existing family-friendly court programs.

(5) **Grant applications - duties of judicial districts.** (a) To be eligible for moneys from the family-friendly court program cash fund, created in subsection (6) of this section, for the provision of family-friendly court services, a judicial district shall apply to the state court administrator in accordance with the timelines and guidelines adopted by the state court administrator, using an application form provided by the state court administrator.

(b) The state court administrator, in determining which judicial districts may receive grant moneys pursuant to this section, shall consider the extent that a judicial district is responsible for:

(I) Actively recruiting qualified and skilled child care providers to provide quality child care services to families and children of individuals who are attending court proceedings or related matters;

(II) Conducting the necessary criminal history checks through the Colorado bureau of investigation and hiring qualified and appropriate child care providers;

(III) Selecting and establishing a safe physical location in the courthouse or in the courthouse complex or in reasonable proximity to the courthouse, for the provision of child care services;

(IV) When reasonably practicable in consideration of funding, staffing, and assistance from other public and private organizations, providing additional court-related family services to families and children experiencing the challenges and transitions that necessitate court involvement, including, but not limited to, supervised parenting time and transfer of the physical custody of a child from one parent to the other;

(V) Soliciting information from community-based organizations, faith communities, governmental entities, schools, community mental health centers, local nonprofit or not-for-profit agencies, local law enforcement agencies, businesses, and other community service providers about the following services and resources for the purpose of providing such information to patrons of the family-friendly court services:

purpose of implementing this section; except that no grant or donation shall be accepted if the conditions attached to the grant or donation require the expenditure thereof in a manner contrary to law. Any such moneys received by a judicial district shall be credited to the family-friendly court program cash fund created in subsection (6) of this section for grants awarded by the board pursuant to this section.

(6) Family-friendly court program cash fund. (a) There is hereby created in the state treasury the family-friendly court program cash fund. The moneys in the family-friendly court program cash fund shall be subject to annual appropriation by the general assembly for the implementation of this section. The state court administrator is authorized to accept on behalf of the state any grants, gifts, or donations from any private or public source for the purpose of this section. All private and public funds received through grants, gifts, or donations shall be transmitted to the state treasurer, who shall credit the same to the family-friendly court program cash fund in addition to any moneys that may be appropriated to the cash fund directly by the general assembly. In addition, commencing July 1, 2002, the one-dollar surcharge set forth in section 42-4-1701 (4) (a) (VI), C.R.S., shall be transmitted to the state treasurer who shall credit the same to the family-friendly court program cash fund created in this subsection (6). All investment earnings derived from the deposit and investment of moneys in the fund shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

(b) All moneys in the family-friendly court program cash fund, created in paragraph (a) of this subsection (6), shall be available for grants awarded by the state court administrator to judicial districts seeking to implement or enhance existing family-friendly court programs and administrative costs associated with the implementation and administration of this section. The state court administrator, subject to annual appropriation by the general assembly, is hereby authorized to expend moneys appropriated to the judicial department from the family-friendly court program cash fund to judicial districts seeking to establish or enhance family-friendly court programs pursuant to this section.

(7) The state court administrator shall announce to all judicial districts the availability of grants pursuant to this section for the establishment and maintenance or enhancement of family-friendly court services programs in the judicial districts.

(8) (Deleted by amendment, L. 2005, p.1000, § 1, effective June 2, 2005.)

Source: L. 2002: Entire section added, p. 627, § 1, effective July 1. L. 2004: (3)(b) amended, p. 554, § 6, effective July 1. L. 2005: (5)(b)(V)(C) amended, p. 764, § 19, effective June 1; (2), (3)(d), (4), (5), and (8) amended, p. 1000, § 1, effective June 2. L. 2006: (5)(b)(V)(C) amended, p. 2001, § 45, effective July 1.

Editor's note: Amendments to subsection (5)(b)(V)(C) by House Bill 05-1337 and Senate Bill 05-030 were harmonized.

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ENE

ENE is a process that empowers parties, with the assistance of their attorneys, to settle custody and parenting time disputes at an early stage of the court proceeding. Doing so provides great benefits to the parties and their children.

Benefits to Parties

1. Reduces cost of litigation, which allows parties to spend their money on caring for their children and establishing a new lifestyle for themselves.
2. Reduces acrimony between the parties, which puts them in a better position to cooperatively co-parent. Emphasis is on the children rather than attempting to prevail in Court.

Benefits to Children

1. Children feel more secure when their parents, rather than the Court, determine the time that they will spend in each household. Reassuring to children when they know that their parents can set aside their personal differences and jointly focus on meeting their (children's) needs.
2. Settlement associated with ENE, provides certainty to the children about custody and parenting time arrangements at an early stage of the divorce proceeding which helps the children to feel more secure.
3. Chronic conflict between parents is a predictor of post-divorce adjustment problems for children. The cooperative nature of ENE coupled with the early resolution of custody and parenting time issues makes it less likely that a pattern of chronic conflict between the parties will emerge.

Program Description

1. Male/female team assigned case to reduce possibility of gender bias.
2. ENE team gives parties and their attorneys a preview of what the likely outcome would be of a full custody evaluation. Their having this knowledge is a key ingredient towards achieving a settlement.
3. After receiving the feedback from the ENE team about the probable outcome of a custody evaluation, each party will have an opportunity to caucus with their attorney before engaging in settlement negotiations.
4. Remainder of session spent attempting to negotiate a settlement.
5. If a settlement is reached, the terms of the agreement will be sent to the Court.
6. If no settlement is reached, the ENE team will request that the court issue an order for an evaluation.
7. The process is highly confidential. The content of ENE sessions will not be shared with the Court or the future custody/parenting time evaluator. The ENE team cannot testify or be deposed about the process. Consequently, the parties can talk freely and without fear that any type of precedent has been set for subsequent evaluations and/or court proceedings.

Nuts and Bolts

1. Voluntary program with limited slots so must fully commit to process.
2. Both parties AND attorneys should proceed to FCS immediately after ICMC for intake and to schedule ENE
3. Imperative to keep the scheduled ENE appointment barring a true emergency. Not doing so will result in case immediately being referred back to the Court.
4. Parties, attorneys should plan on a three hour meeting.
5. Mandatory that attorneys participate in the process. They cannot opt out.
6. Many situations resolve themselves in the initial ENE session. Multiple sessions, however, may occur if collateral or additional information is required for the ENE team to provide a valid and reliable preview of a custody evaluation. The ENE team has up to 30 days to complete the process.
7. ENE's can be held with pro se parties and when only one party is represented.
8. ENE's can occur when domestic abuse has occurred, given that the program is voluntary. Screening by the ENE team does occur. While the ENE team may caucus with each side in domestic abuse situations, the expectation is that the parties are capable of meeting conjointly.

13-3-113**Statutes and Session Law****TITLE 13 COURTS AND COURT PROCEDURE****ARTICLE 3 Judicial Departments****13-3-113 Family-friendly Courts Act.**

13-3-113. "Family-friendly Courts Act".

(1) **Short title.** This section shall be known and may be cited as the "Family-friendly Courts Act".

(2) **Legislative declaration.** (a) The general assembly hereby finds and declares that many families experience challenges and transitions with legal ramifications that often necessitate court involvement. Frequently individuals and family members attend court or visit other governmental offices for juvenile delinquency proceedings, domestic relations proceedings, protective proceedings related to domestic abuse or domestic violence, child protection proceedings, meetings with probation officers, and other matters. Many persons who attend court proceedings are responsible for the care of young children. For many such individuals, child care issues can distract from, if not present obstacles or even barriers to, effective and complete participation in ongoing court proceedings. The general assembly finds that these issues were acknowledged and addressed in the 1999 report entitled "Creating Family Friendly Courts in Colorado: Children's Centers for the Courthouse", which report was submitted by the Colorado supreme court family friendly facilities task force and which report recommended the establishment of children's centers in courthouses.

(b) The general assembly further finds that the same individuals who are in need of child care services when they are participating in court proceedings may also benefit from the availability of information and resource referrals relating to certain types of services within the community, including services addressing at-risk youth, employment counseling, employment training and placement, health education and counseling, financial management, education, legal counseling and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and substance abuse.

(c) The general assembly further finds that individuals who are involved in court proceedings may have additional court-ordered service needs involving their children, including, but not limited to, supervised parenting time and the transfer of the physical custody of a child from one parent to the other.

(d) The general assembly therefore determines and declares that the creation of family-friendly court programs is beneficial to and in the best interests of the citizens of Colorado. The general assembly further finds that the goal of such programs shall primarily be providing quality child care in or near courthouses to the children of individuals and families who attend court-related proceedings, but that such programs may also provide additional court-related family services at the facility and shall serve as a clearinghouse of information and resource referrals for program patrons concerning the wide variety of available services in the community, including services that provide help to at-risk youth, educational services, health services, mental health services, substance abuse services, legal services, and domestic abuse information.

(3) **Definitions.** For purposes of this section:

(a) "At-risk youth" shall have the same meaning as set forth in section 25-20.5-203 (3), C.R.S.

(b) "Domestic abuse" shall have the same meaning as set forth in section 13-14-101 (2).

(c) "Domestic violence" shall have the same meaning as set forth in section 18-6-800.3 (1), C.R.S.

(d) "Family-friendly court services" means child care and court-related family services provided in the courthouse or courthouse complex or in reasonable proximity to the courthouse.

(e) "Program" means the family-friendly court program established pursuant to this section.

(4) **Provision of family-friendly court services.** There is hereby created the family-friendly court program. The purpose of the program shall be to provide quality family-friendly court services to families and the children of individuals who are attending court proceedings or related matters and to serve as a central location for the dissemination of information to families about resources and services relating to at-risk youth, employment counseling, employment training and placement, health education and counseling, financial management, education, legal counseling and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and substance abuse. Grants awarded pursuant to this section shall be used to establish and maintain new family-friendly court programs in judicial districts throughout the state that do not have comparable existing programs, as well as to enhance existing family-friendly court programs.

(5) **Grant applications - duties of judicial districts.** (a) To be eligible for moneys from the family-friendly court program cash fund, created in subsection (6) of this section, for the provision of family-friendly court services, a judicial district shall apply to the state court administrator in accordance with the timelines and guidelines adopted by the state court administrator, using an application form provided by the state court administrator.

(b) The state court administrator, in determining which judicial districts may receive grant moneys pursuant to this section, shall consider the extent that a judicial district is responsible for:

(I) Actively recruiting qualified and skilled child care providers to provide quality child care services to families and children of individuals who are attending court proceedings or related matters;

(II) Conducting the necessary criminal history checks through the Colorado bureau of investigation and hiring qualified and appropriate child care providers;

(III) Selecting and establishing a safe physical location in the courthouse or in the courthouse complex or in reasonable proximity to the courthouse, for the provision of child care services;

(IV) When reasonably practicable in consideration of funding, staffing, and assistance from other public and private organizations, providing additional court-related family services to families and children experiencing the challenges and transitions that necessitate court involvement, including, but not limited to, supervised parenting time and transfer of the physical custody of a child from one parent to the other;

(V) Soliciting information from community-based organizations, faith communities, governmental entities, schools, community mental health centers, local nonprofit or not-for-profit agencies, local law enforcement agencies, businesses, and other community service providers about the following services and resources for the purpose of providing such information to patrons of the family-friendly court services:

(A) Youth services, including but not limited to youth mentoring services, services to prevent or reduce youth crime and violence, student dropout prevention and intervention services, and any other services that may be available in the community, the goal and purpose of which are to assist at-risk youth;

(B) Multipurpose service centers for displaced homemakers pursuant to article 15.5 of title 8, C.R.S., and other information to assist displaced homemakers, which information shall relate to employment counseling, employment training, employment placement, health education and counseling services, financial management services, educational services, and legal counseling and services;

(C) Information related to health insurance and health care coverage, including but not limited to the children's basic health plan and dental health plan, established pursuant to article 8 of title 25.5, C.R.S., and the baby and kid care program, established pursuant to section 25.5-5-205, C.R.S.;

(D) Substance abuse programs that are available in the community;

(E) Services and potential financial resources that may be available for victims of domestic abuse or domestic violence, including but not limited to counseling for persons who are victims of domestic abuse and their dependents, advocacy programs that assist victims in obtaining services and information, and educational services for victims of domestic violence;

(F) Fatherhood programs that are available in the community; and

(G) Any other services that would be beneficial to families experiencing challenges and transition necessitating court involvement, including but not limited to family stabilization services as provided in section 19-1-125, C.R.S., and mediation services; and

(VI) Providing to persons staffing the program training and ongoing support with regard to the available resources and additional referrals provided through the program at each court location.

(c) The judicial districts that are selected by the state court administrator to provide family-friendly court services shall be responsible for:

(I) Implementing a method of evaluating the effectiveness of the family-friendly court program and assessing the impact of the child care and informational services provided through the program; and

(II) Reporting annually to the state court administrator concerning the results of the judicial district's evaluation of the family-friendly court program as well as an accounting of fiscal contributions received and expenditures made by the judicial district for the implementation, administration, and maintenance of the program and such other information that the state court administrator may require or that the judicial district determines to be relevant and informative.

(d) The judicial districts that are selected by the state court administrator to provide family-friendly court services that provide child care services shall meet the licensing requirements for child care facilities set forth in part 1 of article 6 of title 26, C.R.S., and all child care licensing rules promulgated by the state board of human services in connection therewith.

(e) In addition to grants received from the state court administrator pursuant to this section, judicial districts implementing or enhancing existing family-friendly court programs pursuant to this section are authorized to accept any funds, grants, gifts, or donations from any private or public source for the

purpose of implementing this section; except that no grant or donation shall be accepted if the conditions attached to the grant or donation require the expenditure thereof in a manner contrary to law. Any such moneys received by a judicial district shall be credited to the family-friendly court program cash fund created in subsection (6) of this section for grants awarded by the board pursuant to this section.

(6) **Family-friendly court program cash fund.** (a) There is hereby created in the state treasury the family-friendly court program cash fund. The moneys in the family-friendly court program cash fund shall be subject to annual appropriation by the general assembly for the implementation of this section. The state court administrator is authorized to accept on behalf of the state any grants, gifts, or donations from any private or public source for the purpose of this section. All private and public funds received through grants, gifts, or donations shall be transmitted to the state treasurer, who shall credit the same to the family-friendly court program cash fund in addition to any moneys that may be appropriated to the cash fund directly by the general assembly. In addition, commencing July 1, 2002, the one-dollar surcharge set forth in section 42-4-1701 (4) (a) (VI), C.R.S., shall be transmitted to the state treasurer who shall credit the same to the family-friendly court program cash fund created in this subsection (6). All investment earnings derived from the deposit and investment of moneys in the fund shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

(b) All moneys in the family-friendly court program cash fund, created in paragraph (a) of this subsection (6), shall be available for grants awarded by the state court administrator to judicial districts seeking to implement or enhance existing family-friendly court programs and administrative costs associated with the implementation and administration of this section. The state court administrator, subject to annual appropriation by the general assembly, is hereby authorized to expend moneys appropriated to the judicial department from the family-friendly court program cash fund to judicial districts seeking to establish or enhance family-friendly court programs pursuant to this section.

(7) The state court administrator shall announce to all judicial districts the availability of grants pursuant to this section for the establishment and maintenance or enhancement of family-friendly court services programs in the judicial districts.

(8) (Deleted by amendment, L. 2005, p.1000, § 1, effective June 2, 2005.)

Source: L. 2002: Entire section added, p. 627, § 1, effective July 1. L. 2004: (3)(b) amended, p. 554, § 6, effective July 1. L. 2005: (5)(b)(V)(C) amended, p. 764, § 19, effective June 1; (2), (3)(d), (4), (5), and (8) amended, p. 1000, § 1, effective June 2. L. 2006: (5)(b)(V)(C) amended, p. 2001, § 45, effective July 1.

Editor's note: Amendments to subsection (5)(b)(V)(C) by House Bill 05-1337 and Senate Bill 05-030 were harmonized.

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Addendum to the Report of the UFC Services Subcommittee

RE: The Web Site

One of the recommendations of our subcommittee is the establishment of a web site to be used for a variety of purposes and to be made available to a number of audiences. Recognizing that others with greater power and authority than we have will need to consider the usefulness of such a project given the fact that it will require time and effort, and cost money, we thought it appropriate to describe our vision of the site and its potential in case the UFC Committee as a whole decides to move our recommendation forward.

One of our goals as members of the UFC Services Subcommittee has been to identify the needs of all people using and/or involved in the court system. We have concluded that the following needs exist: 1) the need to educate the public about the legal process including the court system, the roles that various professionals play, the expectations imposed upon the litigants, and special areas of interest such as parenting, child abuse, substance abuse, and the psychological impact of trauma and divorce on families, 2) the need to educate legal professionals regarding the psychological aspects of the system within which they are working (divorce, dependency and neglect, probate, criminal), 3) the need to educate non-attorneys regarding the legal aspects of divorce, 4) the need for divorcing parties to have access to forms used in each district, 5) the need for a list of divorce-related resources that exist within the system and in the community, and 6) the need for various districts to compare routine and special programs that exist in each district and other information that would promote growth and development within each district.

We believe that the establishment of a web site for legal professionals and the public at large would help meet these needs. We envision access by means of home computers, kiosks located in courthouses, and computers in libraries and other public places.

The establishment of such a web site would require the employment of a webmaster on at least a part-time basis to build and design the site after gathering input from appropriate sources, and to then monitor it every so often to ensure that it is up-to-date and functioning optimally.

As the web site becomes more sophisticated, the manner in which information is provided could expand, such as by including videos made by 1) the Chief Judge in each district to educate the public regarding the judicial process and what is expected of litigants, 2) the President of the Colorado Bar Association and/or other legal dignitaries who could address issues such as the role of the attorney, the role of the client, the attorney-client relationship, and legal ethics, 3) mediators regarding alternative dispute resolution, and 4) mental health professionals regarding psychological issues pertaining to divorce and the roles that mental health professionals play in the divorce process.

The web site could also be used as a vehicle for communication. Parties involved with the court process could use the site to provide information to legal professionals by downloading, completing, and forwarding forms and questionnaires to the appropriate people.

For example, family members could download forms that they would complete and forward to their attorneys, child support enforcement, probation officers, state-funded mediators, and state judicial. They could also complete questionnaires to be used when 1) providing financial information, 2) resolving disputes regarding parenting time and parental responsibility, 3) evaluating the legal process, 4) stating more clearly what they need from the legal system and other sources, and 5) providing information for research projects conducted by local universities.

The web site could also provide education regarding a variety of legal and mental health issues. Professionals in these areas could be called upon to write articles at a level that family members could understand and find useful. Lists of community resources could be provided regarding parenting classes, childcare, AA meetings, support groups, mental health services, pro se clinics, public assistance, and consumer credit.

The establishment of a web site of this sort will not take care of all of the ills from which people and the system suffer, but we believe that it would be likely to make the legal process more understandable and the journey through it less traumatic and confusing.

The development of such a web site is, in our opinion, the biggest bang for the buck.

We welcome your thoughts.

APPENDIX III(b)

Personnel Subcommittee of the Family Court Task Force
Final Report and Recommendations
March 20, 2009

The following is the report of findings and recommendations of the Personnel Subcommittee. This report is substantially the same as the report given to the Task Force at the May meeting in 2008 with some updated recommendations.

Training: SCAO has added a DR 101 session to the annual judicial conference and will do so again this year. Judge Angela Arkin and the Colorado Chapter of the American Academy of Matrimonial Lawyers handle the agenda and the presentations for this session. Also, SCAO is working with the Family Law Section and CLE to have a judges only session at the annual Family Law Institute in Breckenridge in August. There is also the Colorado Summit on Children which looks at JV issues with some crossover for DR issues. One day of this summit is dedicated to specific audiences, i.e. judges. SCAO also has a DR session for new judges when they are appointed. There is also a plan to develop "distance learning" programs (is this on line or teleconferencing?) and a plan to develop a program on DR that can be sent to judges to review when they rotate into DR. There are also the numerous programs put on by the FLS and CLE that judges are encouraged to attend and I believe they pay a reduced tuition for these.

In addition to the training offered by SCAO, numerous opportunities for education are available throughout the state and year from various local bar associations; the Family Law Section, Juvenile Law Section and Probate Section of the CBA; and the American Academy of Matrimonial Lawyers.

Following the meeting of the Task Force additional information concerning mandatory training for judges was obtained. Although Colorado mandates 45 hours of CLE for judges and lawyers, there is no mandate as to what topics are studied. Colorado also has a 60 hour "baby judge" school requirement but this opportunity often occurs months after the new judge has been sworn in.

Since last spring, the economy has suffered a major downturn and the State budget process is looking for cuts across the board, including in the Judicial Department. Training is a likely target for budget cuts. This means that training offered by the private bar is going to be more valuable to judges.

Recommendations:

1. "Baby judge" school for new judges is an issue that applies to all new judges and not just those who will be handling a DR or other family law docket. However, it makes sense that this training occur as early as possible and even before the new judge takes the bench if at all possible. "Baby judge" school should include a track for DR and JV and PR cases and should be of sufficient depth that judges who are going to be handling those dockets immediately will have a solid foundation when they take the bench. Magistrates should be required to attend

this training along with judges. Anecdotal information is that the current DR curriculum for new judge school is minimal. A full day out of a 60 hour course would seem to be appropriate. It is recommended that SCAO take an active role in implementing this recommendation.

2. CLE courses in DR or JV or PR areas should be **mandated** for judges who are beginning a rotation with DR, JV or PR dockets. At least 5 hours per year would seem to be appropriate. The opportunities for such training are quite accessible and judges in rural districts hopefully would be able to take advantage of audio or video recordings or new webinars of these CLEs or participate in the “distance learning” programs noted above. SCAO and CLE of Colorado should coordinate to make these opportunities available. A Chief Justice directive may be required to implement the “mandatory” 5 hours per year training.
3. Mandatory specialized training for clerks going into a DR, JV or PR court and for FCFs should be implemented. The committee does not have enough information at this time to recommend a level of training or curriculum. SCAO and district administrators in the judicial districts would be responsible for implementing this recommendation.

Selection of Judicial Officers: Judges in Colorado are appointed by the governor under a merit selection process. Magistrates are appointed by the chief judge in a district after an application process. Serious efforts to educate nominating commissions about the importance of family law cases have been made in the last 4 years, but the final choice is still the governor's. It appears that qualified candidates from the domestic relations bar and other family law areas are being nominated. The subcommittee is not aware of any formal efforts to “educate” the governor’s office about the importance of having judges with a family law background. The current governor seems more inclined to appoint attorneys and magistrates with a family law background than the previous governor. This is a good thing.

A secondary issue is the selection by a chief judge in the local judicial district of judges to serve in DR, JV and other family court divisions. Often the “new judge” is assigned to a DR docket rather than a CR or CV docket. Many new judges in DR divisions have never handled a DR case. The issue of rotation into and out of DR divisions also is up to the chief judge of the district, sometimes with the advice and consent of the other judges and sometimes not.

Recommendations:

1. The subcommittee is not conversant with the political ground rules for opening a dialogue with the governor’s office on this topic. However, it is recommended that such a dialogue be commenced and continued. The Family Law Section of the CBA, the AAML and the SCAO are all stakeholders and would be a formidable group to approach the governor’s office on this topic.

2. Magistrates who are going to be assuming a DR or JV or PR docket should come from a practice background in those fields whenever possible. The subcommittee believes most chief judges and local selection committees for magistrate positions are well aware of this when hiring a magistrate. SCAO and local bar association family law attorneys would work with the chief judges to recruit candidates and educate the selection committees.
3. “New judges” should not be automatically assigned to DR cases unless the new judge has a background in those cases. A new judge who does not want to take a DR or JV docket should not be forced to do it as a “rite of passage”. Experience, level of interest, and demeanor should play a role in where judges are assigned and no one area of the law should be the “baptism of fire” for new judges. SCAO would work with the chief judges in the local districts to implement this goal.
4. When a judicial vacancy occurs, it is often helpful for the applicants and the Judicial Nominating Commission to know what dockets the new judge will be handling. If a DR docket is included, the Commission may wish to consider that when making its nominations. SCAO and the Judicial Nominating Commissions would work with the chief judges in the districts to implement this goal.
5. Rotations in and out of DR, JV and PR dockets are up to the chief judge of the district, but it is recommended that consideration be given to judges who have a background and/or an interest in handling such cases whenever possible. An effort should be made to place judges in DR and JV divisions who truly *want* to do the work and who are willing to deal with the emotions and the frustrations that come with those dockets. Terms of two to three years are recommended. Longer terms should be considered if the individual judge has a talent for and a desire to do such cases. SCAO would work with the chief judges in the local districts to implement this goal.
6. **The subcommittee recommends that the best way to effectively serve the public in DR and JV cases is to create a dedicated Family Court.** This Court would consist of one or more full time DR, JV, and PR divisions in those districts which have a high caseload in those areas and have the personnel to staff a full time division or divisions. Judges appointed to those divisions would remain in those divisions and handle only those types of cases unless there are statutory requirements that mandate taking on other types of cases such as criminal. Current examples of such courts are the Juvenile Court and the Probate Court in Denver. This Task Force should continue to study this recommendation and pursue a pilot program in a judicial district such as the 4th or 17th or 18th.
7. Suggestions have been made to the Committee that the bulk of DR cases should be handled by qualified and trained magistrates who have specialized in family law and who have the demeanor and understanding of the law and the issues in such cases to do a good job. Oversight and removal of these magistrates is arguably an easier task than removing a district court judge. (See comments below on oversight for magistrates.)

8. A suggestion has also been made to the Committee that post decree modifications should be either much harder to obtain, i.e. statutory change to make the burden of proof higher, or eliminated entirely from the litigation process and handled in a mandatory mediation or arbitration setting. The issue is that providing divorced families a stage on which to play out a never ending drama over children is not a proper role for the state. The idea is that divorced families should receive no greater assistance from the State to resolve disputes over children than do intact families. Mediation and arbitration services should be provided at reasonable costs.

Oversight: The Supreme Court revised its rules for Judicial Performance Commissions in 2008 and there is a new law to establish a central Office of Judicial Performance Evaluation. (Senate Bill 08-054). This Office is staffed by an executive director and is subject to the authority of the State Commission on Judicial Performance. (CRS 13-5.5-101 et seq). The new law also provides much more detail concerning the duties and powers of the State Commission and the local District Commissions. This statutory guidance will be helpful to the commissions and is designed to create a clear understanding of what is expected of the commissions and the criteria to be used when evaluating appellate judges, district judges and county judges. The new law also provides for release of the narrative of the evaluation for a justice or judge 45 days for the retention election. The new law encourages greater public education on the evaluation process. Public hearings are highly recommended in retention year evaluations but are not mandated. There will also be interim evaluations for appellate and district and county court judges at least one time during a term in office for a justice or judge. These narratives will also be released to the public at the same time as the evaluations for the retention evaluations for that year. All commissioners are empowered to vote for or against retention of a judge based on the commissioner's individual assessment of the data and the judge. An effort to mandate a "do not retain" vote based on certain metrics was not incorporated into the new law.

It is noteworthy that judges in family law matters are singled out in the new law. The district commissions are specifically required to obtain information from parties and attorneys regarding district and county judges who hear domestic relations and family law cases with respect to the judge's fairness, patience with *pro se* parties, gender neutrality, and handling of emotional parties. See, CRS 13-5.5-105(1)(e).

It is also noteworthy that magistrates, who handle a great number of DR and family law cases, are not subject to review by the JPCs.

In the current budget crisis, the cash fund of the JPCs was tapped for \$900,000 by the legislature in an effort to balance the budget. The JPC office stated that it would be able to carry out its functions despite this decrease in their cash fund. Only time will tell.

Recommendations:

1. The efforts of the legislature to improve judicial oversight are welcome and the subcommittee supports this new law. Judges in family law cases have received special attention in the new law, which may or may not provide helpful data. The decision to continue to allow the commissioners to "vote their conscience"

without applying a formula is also supported. Improving judicial oversight such as this new law may help deter or defeat future efforts to politicize the judiciary or infringe on its independence.

2. Some mechanism must be put in place that allows for meaningful evaluation, oversight, improvement and removal of magistrates. The current “in house” reviews created by SCAO do not appear to be carried out with any degree of uniformity and often result in simply moving a magistrate to a new division with little or no constructive effort to improve the quality of the work. Something similar to the JPCs should be created for magistrates or they should be included in the JPC reviews.
2. Continued efforts to provide oversight of judges should be explored. A dialogue with the Institute for the Advancement of the American Legal System at DU Law School should continue so that new ideas and innovations in this area can be reviewed and considered. The Institute, SCAO, the CBA, the Family Law Section and the AAML again would be a solid coalition to advance this goal.

Respectfully Submitted,
David M. Johnson
Personnel Subcommittee Chair

APPENDIX III(c)

**CBA FAMILY LAW SECTION
FAMILY COURT TASK FORCE**

CONSOLIDATION SUBCOMMITTEE REPORT

April 4, 2008

Members

Judge Harlan Bockman
Alicia Davis
Fran Fontana, Esq.
Lesleigh Monahan, Esq.
Steve McBride, Esq.
Judge Mick O'Hara
Melinda Taylor
Judge Mark Warner

I. Summary

The Consolidation Subcommittee was asked to study issues related to consolidating court cases, and case management in general. The subcommittee met several times between November 2007 and March 2008.

The Subcommittee discussed that State Judicial was in the process of developing the Family Justice Information System ("FAMJIS"). FAMJIS currently provides judicial officers with case management tools including dependency and neglect case-related management reports, an information screen providing a listing of related cases and calculators that determine when the next hearing needs to occur in a case by statute. Some of this information is provided through real-time transfers of information between Judicial and DHS. The Subcommittee studied other programs' protocols for data sharing and composed a sample case management order.

Currently, FAMJIS is only fully operational in dependency and neglect cases. However, State Judicial is currently working through a grant to expand into child support. When fully implemented, FAMJIS will relate to all juvenile and family cases, not just D&N. Judicial's Information Technology Department is currently performing a needs-assessment, and then will consider the larger policy issues. The Subcommittee hopes to stay apprised of these developments.

II. Discussion

There are a number of rules and statutes that govern access to court information, and this report is not intended to deal exhaustively with that framework. Having agreed that it generally makes sense for the Court to be able to exchange information with the attorneys of record on those specific cases, the subcommittee focused on the more specific issue of

the court and parties being able to access what would appear to be relevant information about *related* juvenile or family cases.

Say, for example, that Joey's Mother and Step-Father are getting a divorce. The judicial officer in the dissolution case accesses FamJIS and sees that Joey was the subject of a D&N petition, listing Father as the Respondent. If that information is to be utilized by the court, how are parties informed of the use of that information? How do parties object to the use of that information?

Greater access to information concerning parties before the court serves several valuable goals with respect to minimizing disruption to families and judicial economy. One judge gave an example of learning of one party's protection order at permanent orders, or of a young man involved in an APR case who was himself a ward of guardians, but neither attorney was aware of it. Under those circumstances, the judge gave parties as much of the information as he had. The parties were able to request more time to review the information if they needed it. Rather than issue conflicting orders, or to require parties to return to court on another day, it makes sense for all parties to be aware of all other relevant cases, prior to walking into court.

However, in order to ensure the appropriate and ethical exchange of data, the following issues arise:

- ◇ What information is being exchanged?
- ◇ When is the information being exchanged?
- ◇ Between what parties is the Court exchanging the information?
- ◇ How does the Court decide if it is relevant?
- ◇ If relevant, what impact does the information have on the current or co-occurring proceedings?
- ◇ How do all parties have the opportunity to review, and when appropriate, challenge the information?

The Subcommittee reviewed a memo that State Judicial sent to judicial officers when SANCA was instituted, recommending the following practices:

- Judicial disclosure of all information obtained to all parties and the opportunity for parties to "respond, rebut, or offer additional information regarding the information obtained."
- To "cure" *ex parte* by disclosure.
- Allowing *ex parte* communications by stipulation of the parties.¹

¹ Mark Hardin, *Planning for Electronic Data Exchanges Between Courts and Child Welfare Agencies*, National Child Welfare Resource Center on Legal and Judicial Issues, ABA Center on Children and the Law (April 2004).

The group discussed that in some ways, attorneys currently share or disclose information and provide information about other cases. The responsibility falls on the attorney's interpretation about what and how much to share based on trial management rules and ethical requirements. C.R.C.P. 16.2(e) currently states:

(1) Parties to domestic relations cases owe each other and the court a duty of full and honest disclosure of all facts that materially affect their rights and interests and those of the children involved in the case. The court requires that, in the discharge of this duty, a party must affirmatively disclose all information that is material to the resolution of the case without awaiting inquiry from the other party. This disclosure shall be conducted in accord with the duty of candor owing among those whose domestic issues are to be resolved under this Rule 16.2.

Further, the judicially-approved Petition for Dissolution, JDF 1101 currently requires parties to provide the following information:

10. I/We have participated in the following proceeding(s) regarding the child(ren) as a party or a witness, or in any other capacity concerning the allocation of parental responsibilities including decision-making and parenting time with the child(ren). Identify name of court, case number, state, date, and type of proceeding if any.
11. I/We know of the following proceeding(s) that could affect the current proceeding including, but not limited to proceedings relating to domestic violence or domestic abuse, enforcement of Court orders, protection/restraining orders, termination of parental rights, and adoptions. Identify name of court, case number, state, date, and type of proceeding if any.
12. The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren). Identify name and address of those persons, if any.

However, the subcommittee registered concern over what information the court has available and how that is disclosed. For example, there may be information that the court has that would be helpful but attorneys don't have access. Of particular concern was the issue of providing notice to other party in the related case but not a party in the current court action. A memo, intended to be sent to the Information Technology department of State Judicial, is attached as Appendix A.

The subcommittee noted that it was the court's obligation to make certain that parties and counsel have access to information any time the court intends to use that information. the court could conduct an in camera review of this information to determine what is and is not relevant and if necessary, make a finding that confidentiality is waived because of relevance. It would also be helpful for judges to advise parties and provide notice that information may be shared. The subcommittee recognized that parties are currently

required to disclose other pending cases. The subcommittee discussed that a waiver may be advisable, and attaches a copy of a proposed amended JDF 1101 (with amendment highlighted) as Appendix B.

The Subcommittee then turned to the timing and procedural issues for disclosure and notice. What is the duty of the court to encourage parties to pursue other information? If one side requests the info, then the court has an obligation to make sure all parties have access. Any time the court intends to use info, then the court has the obligation to notify both sides.

In light of these issues, the subcommittee decided to draft a process to be reviewed by the Committee for discussion about what rules/policies changes might be needed. The Subcommittee looked to examples provided by other states, as well as the 17th Judicial District pilot of Family Court in 2001.

For example, Florida provides a Judicial Administration/Education form which requires that Petitioner file w/ court notice of related cases. The Subcommittee discussed that any disclosure of cases should not be in petition form, but a separate form that has the waiver or description, like: ANY CASE FILED IN A COURT WHERE A PARTY IS NAMED MAY BE REVIEWED IN MAKING THE DECISION. Information of related cases needs to be provided prior to the initial status conference. Once that information is disclosed, a party may seek a protective order on the information. The court can review information in chambers and if relevant, provide notice of it to the parties. In order to encourage statewide consistency, the process should be established by rule, Chief Justice Order or statute. Please see the attached proposed Chief Justice Order, attached as Appendix C. This rule is intended for the protection of the parties so they know what action the court may take, and to give the parties the opportunity to limit the court from that perspective. That said, the Committee may want to consider enforcement mechanisms.

The Subcommittee appreciated the opportunity to consider these issues. Please let us know if we can provide additional information.

Appendix A

Information Subcommittee Family Court Task Force

This memo is intended to identify due process concerns related to judicial access of information and records that have been raised during our subcommittee work. Our committee discussed generally, the issues that need to be addressed if projects such as FAMJIS are implemented in Colorado. This memo does not purport to be an exhaustive list of all issues but instead, is intended to provide the reader with a point of reference based on our subcommittee work.

The overall concerns regarding due process relate to the judicial officer having and utilizing information that is not readily accessible to parties and counsel. The access to information in related cases may also impact due process or privacy rights of persons not a party to the action before the Court and care must be had in dealing with those rights as well.

The issue of access to information by Judicial Officers requires consideration of due process concerns in the following general areas:

1. What information is accessed;
2. When the information is accessed;
3. Notice to the parties and counsel;
4. Rights to cross examination;
5. Confidentiality or privacy rights for individuals not a party to the case at bar;

From a fundamental due process position, any information accessed by the Court should be made available to the parties and counsel. Given that the finder of fact in family law cases is the judicial officer, each party must be aware of any information reviewed or relied upon by the Court. However, like an in camera review of records or documents to determine relevance for instance in a situation of mental health records, one could argue that not all of the information will be deemed relevant by the Court and therefore will not be relied upon.

The counter argument is that of whether a bell rung, can be un-rung. If a judicial officer obtains information which is then in his or her mind, who is to say that will not become persuasive or of consequence when information is then presented at the time of trial? By far, the most prudent course of action is for the Court to notify the parties and counsel what cases or information is available to the Court and give each party the opportunity to then argue whether or not the Court should utilize the information. If the information is utilized by the Court, it is absolutely necessary that the parties and counsel be given access to the information for further discovery.

Unfortunately, providing access can be burdensome and time consuming when the related cases involve third parties who have an expectation of confidentiality about certain documents and information contained in those documents. i.e. Parental Responsibility Evaluations, Mental Health Evaluations, Juvenile records, etc.

The information needs to be accessed by the Court early enough in the proceedings to allow for notice to the parties and/or counsel so that they may have access to that same information to conduct discovery. Notice should include the information available to the Court and how that information may be relevant to the issues before the Court. There must be sufficient time after notice to the parties and counsel to allow for them to access the information and conduct further discovery if necessary. Therefore, notice must occur before discovery deadlines and witness disclosures come into play.

There could be numerous delays in the process occasioned by the need to give notice to third parties and insure the protection of their rights before information they believe to be protected is made available. The existence of the information may be known to one of the parties but not the other. Some of the notice issues may be preliminarily addressed by requiring parties to disclose any previous actions within the categories accessible to the Court. The Court could then in essence check or verify those disclosures with the possibility of sanction or consequences for failure to disclose. This would necessarily enlarge the initial disclosures to include legal proceedings in whatever categories are deemed relevant by the judicial system.

Knowledge of the existence of the information within the legal system is however only the beginning of the process. Determinations then must be

made regarding any third party rights, with notice to those parties before the actual information can be accessed by the parties in the case at bar. The third parties would presumably have the right to argue that information concerning them or their children should not be made available to the parties in the other case. Does it then become necessary to redact information from documents so that the information about the party who is involved in the case at bar is available while third party information is not? Can that realistically be done and if so, who is responsible for doing it?

Another issue for consideration is whether the information can be relied upon if the original preparer of the document is not available for cross examination. Oftentimes cases are resolved after the filing of a CFI or PRE report but that does not necessarily mean that the information contained in the reports is necessarily accurate or reliable. If the evaluator or investigator is no longer available, or did not retain his or her underlying data, is it appropriate for the report to be reviewed or utilized in any way in a subsequent proceeding?

While the interests of children are of paramount concern to the Court the better practice is for the parties and attorneys to have knowledge of any and all information utilized by the finder of fact. That information must also be part of the Court record for purposes of review or appeal and therefore must be somehow noted or included in the case file.

Appendix B

District Court _____ County, Colorado Court Address: _____	▲ COURT USE ONLY ▲
In re the Marriage of: Petitioner: and Co-Petitioner/Respondent:	
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: Division _____ Courtroom _____
PETITION FOR: <input type="checkbox"/> DISSOLUTION OF MARRIAGE <input type="checkbox"/> LEGAL SEPARATION *****IF CHILDREN ARE PART OF THIS ACTION, PLEASE CHECK HERE <input type="checkbox"/>*****	

1. This Petition is for Dissolution of Marriage or Legal Separation.

2. The Marriage is irretrievably broken.

3. Information about the Wife: Petitioner Co-Petitioner/Respondent Check
 if in Military
 Date of Birth: _____ Length of **Current** Residence in Colorado: _____ Dates: _____

 Current Mailing Address:

 City & Zip:

 Home Phone #: _____ Work Phone #: _____ Cell #: _____

4. Information about the Husband: Petitioner Co-Petitioner/Respondent Check
 if in Military
 Date of Birth: _____ Length of **Current** Residence in Colorado: _____ Dates: _____

 Current Mailing Address:

City _____ & _____ Zip: _____

Home Phone #: _____ Work Phone #: _____ Cell #: _____

5. Date of the Marriage: _____ Place _____ of _____ Marriage:
_____ (City/State)

6. Date the parties separated: _____

7. The Wife is pregnant not pregnant.

8. The following child(ren) was/were born or adopted of this marriage (attach a second sheet, if necessary):

Full Name of Child	Present Address	Sex	Date of Birth

9. I/We understand that a request for genetic tests shall not prejudice the requesting party in matters concerning allocation of parental responsibilities pursuant to §14-10-124(1.5), C.R.S. If genetic tests are not obtained prior to a legal establishment of paternity and submitted into evidence prior to the entry of the final decree of dissolution or legal separation, the genetic tests may not be allowed into evidence at a later date.

Each party has a continuing duty to inform the Court of any proceeding in this or any other state that could affect the current proceeding. I/We understand that the Court may review any cases involving the children, Petitioner, Respondent and/or the others named in this petition that have been filed in any court. _____ (initial)

10. I/We have participated in the following proceeding(s) regarding the child(ren) as a party or a witness, or in any other capacity concerning the allocation of parental responsibilities including decision-making and parenting time with the child(ren). Identify name of court, case number, state, date, and type of proceeding if any.

Name of Court	Case Number	State	Date of Proceeding	Type of Proceeding

11. I/We know of the following proceeding(s) that could affect the current proceeding including, but not limited to proceedings relating to domestic violence or domestic abuse, enforcement

of Court orders, protection/restraining orders, termination of parental rights, and adoptions. Identify name of court, case number, state, date, and type of proceeding if any.

Name of Court	Case Number	State	Date of Proceeding	Type of Proceeding

12. The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren). Identify name and address of those persons, if any.

Full Name of Person	Address (Street, City/State, Zip Code)

13. Identify below the name and address of each person that the child(ren) has/have lived with over the past five years. Identify the relationship to the child(ren).

Full Name of Person	Address (City/State/Zip Code)	Time Period (Month & Year)	Type of Relationship to Child(ren)

14. Required Notice of Human Services Involvement.

The parents or dependent child(ren) listed on this Petition has/have received within the last five years, or is/are currently receiving benefits or public assistance from the state Department of Human Services or the County Department of Social Services. No Yes
If your answer was **Yes**, complete the following:

Name of Person Receiving Benefit	Name of County and State	Case Number

15. Required Notice of Prior Protection/Restraining Orders.

Have any Temporary or Permanent Protection/Restraining Orders to prevent domestic abuse or any Criminal Protection/Restraining Orders or Emergency Protection Orders been issued against either party within two years prior to the filing of this petition?

No Yes If your answer was **Yes**, complete the following:

The Protection/Restraining Order was Temporary Permanent and issued against _____ in the County of _____, State of _____, in case number _____.

What was the subject matter of the Protection/Restraining Order or Emergency Protection Order?

16. If you have already come to an agreement about the child(ren), or about support, please list that information here:

17. I/We ask that the Court enter orders regarding the status of the marriage, best interests of the child(ren), maintenance (spousal support) child support, division of property and debts, attorney fees and costs, if appropriate, restoration of the previous name of a party, and any other necessary orders.

18. The Petitioner Co-Petitioner requests that the Court restore his/her prior name to _____.

Notice: Colorado Revised Statutes §14-10-107, provides that upon the filing of a Petition for Dissolution of Marriage or Legal Separation by the Petitioner and Co-Petitioner, or upon personal service of the Petition and Summons on the Respondent, or upon waiver and acceptance of service by the Respondent, an automatic temporary injunction shall be in effect against **both parties** until the Final Decree is entered, or the Petition is dismissed, or until further Order of the Court. Either party may apply to the Court for further temporary orders, an expanded automatic

temporary injunction, or modification or revocation under §14-10-108, C.R.S. or any other appropriate statute.

1. Both parties are restrained from transferring, encumbering, concealing, or in any way disposing of, without the consent of the other party, or an Order of the Court, any marital property, except in the usual course of business or for the necessities of life. Each party is required to notify the other party of any proposed extraordinary expenditures and to account for all extraordinary expenditures made after the injunction is in effect; and
2. Both parties are enjoined from molesting or disturbing the peace of the other party or the minor child(ren); and
3. Both parties are restrained from removing the minor child(ren) of the parties, if any, from the state without the consent of the other party or an Order of the Court; and
4. Both parties are restrained, without at least 14 days advance notification and the written consent of the other party or an Order of the Court, from canceling, modifying, terminating, or allowing to lapse for nonpayment of premiums, any policy of health insurance, homeowner's or renter's insurance, or automobile insurance that provides coverage to either of the parties or the minor child(ren) or any policy of life insurance that names either of the parties or the minor child(ren) as a beneficiary.

Nothing in this automatic injunction shall prohibit either party from applying to the Court for further orders, an expanded automatic temporary injunction, or orders modifying or revoking this injunction.

Petitioner and Co-Petitioner, if any, acknowledge that he or she has received a copy of, has read, and understands the terms of the automatic temporary injunction set forth in this Petition and the Summons.

VERIFICATION AND ACKNOWLEDGEMENT

I swear/affirm under oath that I have read the foregoing Petition and that the statements set forth therein are true and correct to the best of my knowledge.

(deleted because of formatting issues)

Appendix C

COLORADO SUPREME COURT CHIEF JUSTICE ORDER 08-xx

IN RE: CASE MANAGEMENT – JUVENILE AND FAMILY CASES

The Colorado Supreme Court, in White Paper on Families in Colorado Courts, recommended that local courts develop procedures for timely, cost-effective, and coordinated resolution of families involved in the court system. The Colorado Supreme Court through this Order is establishing a protocol for courts to use in sharing information about family cases and working towards more effective resolution strategies in handling these cases.

NOW, THEREFORE, it is hereby ORDERED as follows:

I. JURISDICTION

1. Each judicial district should use the information available from the Colorado Courts' case management system (hereinafter "Eclipse/JPOD") to track and monitor information concerning a family's court cases to make certain that the court is handling these cases in a coordinated and efficient manner. Proper disclosure should take place for families with multiple cases.
2. In setting court hearings and reviewing information about the family, the Court and Parties should strive to promote consistency and thoroughness and to minimize the inconvenience to the family.
3. Judicial districts are authorized on a voluntary discretionary basis to conduct projects in accordance with the attached Court Operations for Family Cases. (ENE pilot)

II. COURT OPERATIONS FOR FAMILY CASES

1. At the time of filing a "family" case (as defined in the attached sample Case Management Order ("CMO")), parties must file a fully executed Notice of Related Cases form. Parties must also serve the notice on other parties.

2. Court Administration staff shall review the information obtained from the filings along with the Notice of Related Case. Three copies of the printout of related cases obtained from Eclipse/JPOD shall be placed in the court file to be reviewed by the parties at the time of the initial status conference.
3. Courts should work to expedite resolution of litigation, reduce acrimony among the parties, reduce costs to family court litigants by peacefully resolving disputes and reduce the number of appeals and post judgment motions to modify decrees.
4. Courts should work to commit judicial resources to up front and early judicial intervention in family cases to effectively manage and coordinate family cases.
5. Courts should endeavor to implement early and coordinated case management. This could occur in the form of a case management conference that occurs as soon as possible after a case is filed. The conference can identify a process for less adversarial resolution or options for parties to consider in the timely and effective resolution of the case.
6. Judges are encouraged to engage parties and counsel early on in discussions that offer parties an alternative to traditional litigation through less adversarial and settlement-oriented approaches that will promote better outcomes for families.
7. Each judicial district will be responsible for evaluation of any projects that are conducted. Each judicial district will also be responsible for sharing results of these evaluations with other districts.

There is nothing in this Administrative Rule that supersedes any Court Rule pertaining to juvenile and domestic cases.

Dated: _____

By the Court:

Mary J. Mullarkey
Chief Justice

APPENDIX IV

CBA Family Task Force Survey Results

	1 st Judicial District	2 nd Judicial District	3 rd Judicial District	4 th Judicial District	5 th Judicial District
Question 1	Does your judicial district incorporate and encourage input and participation from outside agencies, policy makers, professionals, and other advocates to ensure that the court is responding appropriately to the needs of families? If you have separate committees or work groups, please identify the names and purposes of these groups.				
District Administrator	Yes, bench bar business committee, informal to go over general issues not specific to family issues but included.		Yes. In the JV cases the stake holders get together to discuss the processing of the cases and to help them run better. In DR cases, we are looking at changing the case management practices. Commented that they are open to meeting although it has not historically been done.	Asked that I contact the FCF for the information.	
FCF- Juvenile	No. not really. Once a month they will meet with social services and they try to meet with respondent parent attorneys.	Yes. They have a model court program that works with many different agencies. They also have the creative options to work with truant kids and the Denver collaborative partner program working with JD kids.		Yes, Have a model court with 12 sub-committees. The major steering committee oversees the subcommittees, each committee will approach the subcommittee and request what they want to do and a quick answer. TLC (treatment link Coordinator) works with parents in the case to help making sure they get services. E.g. transportation	
FCF- Domestic		Yes, We talk to the parenting class providers yearly and meet with the CCR regarding the			Not sure. The court works with the bar association but that is really all for outside agencies.

		<p>CFI's regularly. Mediators are in house. The parties to cases are encouraged to give their opinions, and they usually give their opinions to the clerks. The court does not have contact with other outside agencies too much.</p>			
Magistrate/Judge	<p>There are a variety of these types of groups. The Department started doing A LOT of Team Decision Making meetings last year CASA is active here and there are also 2 or 3 parent support groups. I sit on the HB 1451 group with a number of other partners – mental health, health department, probation, DDRG, schools, parent advocates, social services) . There are screening teams/multi-disciplinary teams for permanency, looking at appropriateness for DYC commitments, ISP for juveniles and the We generally allow a rather open and informal court setting and will often hear from other interested parties in a case.</p>		<p>Yes, in DR cases I appoint CFI's when requested by a party or if there is more information on a family that I need from an outside source. I also order parental evaluations and psychological evaluations. On JV cases we always encourage input from attorneys especially the GAL. There are no formal or informal meetings or committees to discuss this.</p>		<p>Yes, we have an interdisciplinary committee regarding CFI's and the local bar itself functions in this way.</p>

Question 2		Do your existing programs addressing family cases (see above list) take into account the feasibility of encompassing a broad-based jurisdiction of family and juvenile case types? In what way? Would this be of interest to your district? Why or why not?				
District Administrator	1 st JD Can't answer this question knowingly.	2 nd JD	3 rd JD We don't have a family court. We have such a small jurisdiction so if there are multiple cases with in a family they will be tied in together like one judge one family. The clerks usually know the families.	4 th JD Asked that I contact the FCF for the information.	5 th JD	
FCF- Juvenile	No, not much. Some times there is crossover since the magistrate has a diversified docket and they can be handled together. The mental health court does look at that some of the time. It would be of interest to have in the district but feels that any new implementation is tough in the district.	No, didn't think it would work since the magistrate gets all JV cases and then they all go the judge. Only JV cases are heard in JV court.		Sure. Cases are followed start to end and through every process.		
FCF- Domestic		Cases are never moved from where they begin. If there is an APR in a DR case, it is certified to a JV case. This would be of interest to the district if it were possible.	No formal court process but she is aware of it all as she is the only district court judge in her county so she sees it all and is aware of it. Would it be of interest?, I don't know, I am a very new judge but right now I see everything so I don't know if there would be a benefit of formalizing it.		There are no family programs, it is a very rural district and things are very informal. There is no budget for this sort of thing.	
Magistrate/Judge	I think the various groups look overall at family wellness and need. We use a lot of MDT programming that, while the children drive the treatment being implemented for the family, all family issues and dynamics are reviewed and addressed. One of the				Yes, because we are a small district you could possibly be assigned the same judge or even the same lawyers. It almost works that way automatically but there is nothing formally and if the family was in front of two different judges, their	

	major items we are looking at to reinvest the 1451 funds may be a family resource center to house a variety of resources with pooled funds in our higher need areas. Several of the team members have been to Denver's Family to Family locations and ours may model that concept.				cases wouldn't necessarily be transferred. It may be hard because the caseloads are weighted. And right now the way cases are assigned, it wouldn't work well for something formal.	
Question 3	What are the District's practices in regards to rotation of judges handling DR and JV cases?					
District Administrator	The 7 magistrates hear all case types. They only rotate the duty week. There is one juvenile judge who does not rotate. 11 other judges that hear all other contested DR cases. Each case starts with the magistrate and at that time the judge is assigned if it would need to be transferred to hear a contested matter.		Two judges. Each judge takes a certain number of case types there is a method. For example, every fourth case filed goes to Walsenburg. The judges rotate counties so each judge gets to know each county. The new judge has many conflicts in DR cases they were a mediator previously so those cases get assigned to the other judge. There is no specialization in cases.			
FCF- Juvenile	No rotation.	There are three judges in the JV court (don't know about DR) and they never rotate.		No set protocol. If someone wants to change, they ask the Chief Judge.		
FCF- Domestic		There is no set rotation. The chief judge just tells them where they will be and what cases they will get.				No Rotation. There are two district court judges in the district serving 4 counties.

Magistrate/Judge	7 district court magistrates have DR, JV, JA, JR and JD cases assigned. We maintain a family court model in that I would be assigned the D&N, the JDs and the divorce and child support cases for a family ~ assuming that the clerk's office catches the identity of parties. There is one designated juvenile judge for all D&N and delinquency cases.		No rotation. There are two counties in the district, she covers one and the chief covers the other. Once a month they are assigned cases from the other county.		There is no rotation policy. The allocation of cases depends on a weighted case load. There are 5 judges in the district covering 4 counties. He takes all of the family cases.
Question 4	Do districts have practices in place, which allow for information to be shared about a family who has multiple case types in the district(s)? If yes, how? Are there other information systems that you use at the local level to help manage families with multiple cases?				
District Administrator	This district was a pilot project for SANCA. There is no other system in place to help manage families with multiple cases unless the FCF is doing something on her own.		The cases are related in the system (eclipse) by case number so we know. Not through SANCA. There is nothing formal in place to manage the cases other than the FCF monitors the DR cases on his own spreadsheet. This has been a problem as no one else can access his spreadsheet.	Asked that I contact the FCF for the information.	
FCF- Juvenile	No, unless the magistrate has a case, they may go and talk to the judge. SANCA. No system is in place to help manage families with multiple cases.	Yes, SANCA. They do not have a system to help manage families with multiple cases.		SANCA is the only thing.	
FCF- Domestic		There is no centralized database. If the party indicates there is another case the court facilitator will conduct a			No. She stated this was a very big gap. Things are very informal and a police officer or attorney may tell the judge that there is a criminal or domestic violence case and if she hears anything,

		statewide search but this is not done on every case that is filed. In Denver there is a restraining order database, she does check this database on every case.				she will tell the judge. There is no formal system to manage either.
Magistrate/Judge	The concept is one family/one judge. I think we're pretty good at it. Again the gatekeepers to implement the concept are the main clerks who need to figure out that there are the same family members involve in various cases.		Nothing formal. We are aware of multi cases since we are so small. Cases would probably be transferred to the judge hearing the other family cases if there were some. If the clerks recognize a family when a new filing comes in, they will assign it to the judge who already sees the family.			No program and don't know how that would work because of the confidentiality. There is no formal system to manage cases either other than eclipse and outlook.
Question 5	Do judges who handle family cases receive additional time for training and handling of these cases? If not, why not? Do employees who process family cases receive any specific training to help them in their handling of these cases? If not, why not?					
District Administrator	1 st JD Not really unless they ask to go to the conferences. Employees do not receive specific training. This is a good idea but I don't know what is out there as far as training. The FCF does attend conferences related to her job.	2 nd JD Judges attend the annual family court conferences on family issues and do attend a lot of other training. The employees do get additional training on coding but not on family	3 rd JD They do not specialize in any case type but they do attend the family issues conference. Employees do not receive specific training. If the training is needed, they will have the regional trainer come down.	4 th JD Asked that I contact the FCF for the information.	5 th JD The district provides training (lots) but there is no policy that they have to attend, they just offer it. Once a month every one gets together to see if more training is needed,	
FCF - Juvenile	They are able to go to the family issues conference but other than that, no additional time is made. She does not know why this is and feels that it is very needed in her district and should be mandatory for judges handling family cases. The employees					

	receive no additional training and this is necessary as well. They may not see a need for this.	dynamics.		caseworkers, attorneys, staff. He goes over to Human Services and trains the Caseworkers on the D&N processes in court.	
FCF- Domestic		Not that I know of. It is up to the judges to go on their initiative and they usually go. All of the clerks are trained by the education specialist they have on staff. Every year they rotate duties and are trained specifically for that job.			The judges receive no extra time for training. The employees receive no special training. There is a lack of funding, lack of time and understaffed.
Magistrate/Judge	Judicial officers are trained at the Judicial Conference and at various CLEs throughout the year on domestic issues. We also attend, from time to time, the Child Welfare Conference, the Family Issues Conference and other trainings offered.		Yes, she really has after becoming a new judge. She will attend additional classes at the judicial conference. She feels that if she wanted more training in a specific area, her district would be very supportive in having her attend. Don't know if the employees processing the cases receive any additional training.		I always try to attend the family issues conference. It is difficult in a small county but we are encouraged to attend trainings....strongly. The FCF is very diligent on her own and attends lots of outside trainings. The clerks do receive specialized training and focusing on SANCA
Question 6	Does the judicial district have appropriate docket management, case management, and case tracking mechanisms in place so that cases are handled in a coordinated and efficient manner? If yes, how?				
District Administrator	1 st JD Yes, the magistrates meet monthly to talk about the age of case reports and	2 nd JD	3 rd JD Would like to see improvement in this area. Right now the FCF keeps a spreadsheet on DR cases but there	4 th JD Asked that I contact the FCF for the information.	5 th JD

FCF- Juvenile	open case reports. No. She states that she does try but struggles with not being able to make needed changes. Some times minute orders do not appear for 7-10 days and are not required to appear any earlier.	Yes, but couldn't explain it. Stated it could be altered to make every one happy but that was not possible.	is nothing in eclipse.	He does the case reports in the juvenile division to make sure EPP guidelines are being met.		
FCF- Domestic		Yes, everyone always watches for the next date. Also, an open case report is printed often to make sure there is a next date if the case is open.				It varies. The 4 counties each have a different way of managing and it is not consistent at all. "It works for a few." It is a work in progress. Two of the four counties use the court facilitators to help with this but it is normally the clerks that manage this.
Magistrate/Judge	We have access to a division clerk for each judicial officer. The magistrates also share a D&N clerk and a delinquency/detention clerk. We also have the services of a family court facilitator and a D&N case facilitator.		Yes, the FCF tracks the DR cases and the JV stats are really good.			Yes but I am not really happy with them. I follow the open and aged case report closely. But with families it isn't all mathematical and some cases just cant be resolved with in a year. I feel like judicial is moving towards all times.
Question 7	Does the judicial district provide opportunities for non-adversarial resolution of disputes, when appropriate? What opportunities are provided? What types of cases and when? If not, why not?					
District Administrator	1 st JD Yes we have Jeffco mediation and ODR for DR cases and not sure about JV cases. The JV cases do have mediation available to them.	2 nd JD	3 rd JD Nothing for JV cases. In DR cases mediation is provided. However, the district is very short on mediators. They are working with ODR to get more out in their area. Right now, the parties are having to pay higher cost for the mediators. There are parenting classes and the	4 th JD	5 th JD	

FCF - Juvenile	In DR cases the judges do send to mediation and they have access to Jeffco Mediation, which is a great service. In D&N cases, the court facilitator is required to do a case management conference, pre adjudicatory, if a trial to a judge is requested.	For JV, no. They are not provided because in JV cases, they are all adversarial.	FCF works with the familisation.	Before a contested hearing they must go through mediation. DR cases. Nothing in place for JV cases that he is aware of.	
FCF - Domestic		In DR there is always an initial status conference with the hope to resolve any issues. The parties understand that if they resolve their issues, they may get out of court hearings. If there are money issues at stake they will be court ordered to attend mediation and if there is no family violence. If there is a child safety concern, a CFI will be appointed to the family.			There is a standing order in DR cases for mediation. All cases must go through mediation before a hearing will be scheduled, unless an emergency hearing is needed.
Magistrate/Judge	The court facilitators help resolve cases without hearing. There are a couple different grant-funded people through the Department that assist with child support enforcement cases, one is starting a		Yes, all DR cases require mediation unless there is a DV issues then they don't have to. JV cases do not have the opportunity provided to them. Don't have the services to do so. We have very very limited mediators.		Yes. Mediation is ordered in all DR cases, sometimes 2-3 times during the case. In DN cases mediation kinda happens in court before a hearing but is always ordered if it is going to

	father's program and the other mediates parenting time issues. ODR has an office here in the building, as does Jefferson County Mediation.					termination of parental rights.
Question 8	Does the judicial district keep a list of low cost providers for ADR services, supervised visitation, treatment programs etc.? Where? If not, why not? How is the information provided to the public?					
District Administrator	1 st JD Not aware of one (I am out of that loop). We do have a parenting class list at the self help center.	2 nd JD	3 rd JD No ADR program and only one parenting class. If it is outside the district they have to find their own services. Probation provides them with information on treatment. Probation has one substance abuse treatment provider available twice a month.	4 th JD Asked that I contact the FCF for the information.	5 th JD	
FCF- Juvenile	There used to be one put out by the bar association. She does refer the families to ODR at Jeffco Mediation. They do not have a list at the district because the administration said it was not their responsibility.	For DR cases only and stated I should speak with the DR facilitator.		The district has a mediation office and if there is any dispute, families are referred and they have the information there. Social services has list of low cost providers. In substance abuse cases, families are required to get evaluated the first week of the case, providers have set aside 5 slots a day for this for the court.		
FCF- Domestic		Yes, a list of approved ODR or private mediation. Supervised parenting time happens in house. However, if the				There are no treatment programs. One source for supervised parenting time and the funding is running out for that as well. ADR is not really available at a reduced

		parties want an outside source the court will provide them a list of persons who may or may not be accredited.			cost. There is on State licensed ODR that receives all of the direct referrals. The reason this is "pure economics" and it is population based.
Magistrate/Judge	I'm not aware of the District keeping such lists. Many of the magistrates (and I presume the Judges, too) keep lists. There is a low-pay/slow-pay list of attorneys maintained in the District Administrator's office. We refer directly to ODR and Jeffco Mediation, both of whom use a sliding scale and/or have grant money available to cover costs. We also have a Self Help Desk that may maintain these types of lists.		We have no providers.		Yes, through ODR, that is the only list we are allowed to have or to recommend. The list is kept in the clerk's office and the public can ask for it. There is also a list of court approved CFT's.
Question 9	Does the judicial district have a centralized location or staff person to provide referrals to services for the family, such as alternative dispute resolution, guardians ad litem, mental health services, substance abuse counselors, interpreters, and emergency financial and housing assistance? If not, why not? If yes, what types of cases?				
District Administrator	1 st JD The self help center is available for the DR families but don't know if they have much more than parenting. They do have a large wall full of brochures.	2 nd JD	3 rd JD No. The referral is made by the judges and usually goes through the probation department.	4 th JD Asked that I contact the FCF for the information.	5 th JD
FCF- Juvenile	1 st JD There is a self help desk and there they can provide a referral list for domestic violence issues. In D&N cases the court facilitator	2 nd JD No. All of the services are provided by Social Services.	3 rd JD	4 th JD No, not really. Primarily through staffings and in court by the court facilitator and	5 th JD

	referrers to social services. There is nothing like this for DR cases.				magistrate. This is done on a case by case basis.	No, same reason as above.
FCF- Domestic		Not for DR cases unless they court refers to a mediator. The pro-se center has information on the available services. The CFI can make the referral if a specific service is ordered.				
Magistrate/Judge	No. It would be tremendously helpful.		Not really, IF it is a DR case, the FCF will do that and if a D&N case the department or GAL will make the referral. If it is a criminal case, probation will do that.			No, that would be wonderful be no money.
Question 10	Describe court resources or programs available to assist families in finding necessary social, legal, or other services.					
District Administrator	1 st JD Metro volunteer lawyers do a pro se clinic every two months. The local bar association sets up free clinics 2-3 times each year. The clerks may know of more resources. We are trying to work on our webpage so it is more user friendly.	2 nd JD DSS programs and referrals are made by the attorneys Pro-se case manager in JV provides information about referrals and	3 rd JD Looking at having rural legal services once a week. Right now they just give them the number to call. They are a pilot project for a computer that they can input their information and it prints out forms for them to use. This is only for TRO cases and cases outside of the DR and JV. There is a DV shelter and they provide the help. Social services. SB94 for juveniles provides life skills and mentoring.	4 th JD Asked that I contact the FCF for the information.	5 th JD	
FCF- Juvenile	There is a self help desk but it is not really maintained and just has a list of legal services for DR cases. Metro legal services does provides volunteer services for DR cases.			Quality for respondent attorney before court and you then rely on your attorney.		

FCF - Domestic		support.			The families are referred to legal aid. Legal aid also provides one free night a month. It is very difficult because only one side of the case will be able to qualify so both parties will not be represented. Another very big gap.
		They have a pro-se resource center. A list of low cost legal services is posted in the court room. Colorado legal services are available in the area. The Denver bar association holds a class one time per month over the lunch hour. If the case has domestic violence issues, the court has project safeguard, which will do a safety plan and will also refer the family to outside resources. The district used to have a legal clinic that was helpful but no funding.			
Magistrate/Judge	None others than those described above. We also have the Juvenile Assessment Center and it is my understanding that they provide referral resources regarding kids who are seen in connection with juvenile justice issues.		Depends on the case. It is a very big frustration here, as we have no services.		We have the north west Colorado legal aid project. We don't direct anyone to the project but they know it's there. CASA is a great resource. Public defenders office, local attorneys for contempt, respondent parent attorneys and GAL's.

Question 11	Describe other resources or programs, i.e., the local bar or non-profit community, which are available to assist families with navigating the court system. Include any programs for pro se litigants.				
District Administrator	1 st JD Same as above, and the self help center has one full time person.	2 nd JD	3 rd JD They can access forms and instructions on the website and they use this a lot. He is not aware of anything the bar association does. The FCF will also walk the families through.	4 th JD Asked that I contact the FCF for the information.	5 th JD
FCF- Juvenile	For D&N cases, social services provides a parent orientation program. The DR cases can utilize the self help desk. A pro-se class is held once a month at the courthouse.	Just the Pro-se case manager and maybe the state web page. Other agencies may have forms.		If they don't qualify, they are given a list of attorney's trained in D&N. Their court has applied for a grant where the parents of successfully completed D&N cases will become mentors of new families in a D&N.	
FCF- Domestic		Pro-se resource center and project safeguard. The resource center is great and information you receive is always correct. It is staffed 40 hours a week by a paid attorney. The Denver bar association also holds a lunch meeting once a week at the court house for information and legal advice.			There is a resource center in one of the counties for victims of domestic violence that can access this and it doesn't happen very often, and again legal aid is available for one of the parties.

Magistrate/Judge	We are involved with Metro Volunteer Lawyers and have "Family Law Day" one or two times each month. Other resources known are those listed above.		WE do have legal services that the family can apply for in DR cases if they are indigent. In D&N cases they can also apply for counsel if they are indigent and an attorney will be appointed.		Really don't have one. We are trying to get something set up to have a lawyer at the library once a month.
Question 12	Have you established a pro se clinic in your county to serve the needs of pro se litigants? Who does this and what are the benefits? Would this be of interest to your district?				
District Administrator	1 st JD Yes, the bar association, and metro volunteer lawyers as well as the self help center. If you put time in upfront it really helps the parties. They are more prepared and get things right the first time. It creates efficient use of court time.	2 nd JD This question was added after interview.	3 rd JD Not currently. They are working on a self help center on their own web page modeling it off of the 21 st district webpage (mesacourt.org). This would certainly be of interest to the district.	4 th JD Asked that I contact the FCF for the information.	5 th JD This question was added after interview.
FCF- Juvenile	This question was added after interview.	This question was added after interview.		This question was added after interview.	
FCF- Domestic		The resource center is awesome! It reduces phone time with clerks and court room staff time. It is an outlet for finding direction before having a hearing. It also reduces the amount of people you talk to before getting the correct information and the information is always correct.			This question was added after interview.
Magistrate/Judge	This question was added		NO we do not have one. Of course		No, I think it would be of

	after interview.		it would be of interest but don't see it happening anytime soon. At one point the local bar was trying to have attorneys donate some time to this but don't know what happened to that.		interest to the district.
Other Comments	It is a very large district but they don't share information and this is a large problem.		These are very difficult questions and would like to have had them ahead of time to prepare. I have expressed numerous times we just don't have any services out here!		Would like information on what the bar will do with this information.
	6th Judicial District	7th Judicial District	8th Judicial District	9th Judicial District	10th Judicial District
Question 1	Does your judicial district incorporate and encourage input and participation from outside agencies, policy makers, professionals, and other advocates to ensure that the court is responding appropriately to the needs of families? If you have separate committees or work groups, please identify the names and purposes of these groups.				
District Administrator		Yes, once a year we have a town meeting and all stakeholders are invited to meet with the judge and magistrates to discuss the right and wrongs.	Yes. We have the bench bar meetings, which include citizens. This is an agency discussion session that is not specific to family cases but includes them. There is also a practice bar where the judges meet with attorneys to discuss things.	Defers to the FCF's answers.	
FCF- Juvenile	Yes, there are ongoing workshops our safe house. Access to Justice is a state wide advocacy program for women's resource center with forms and help with domestic violence. Meet with Barb Brach – ODR regarding mediation. We also meet locally with legal aid.		The access to justice committee meets once monthly, and is represented by clerical, departments and judges and magistrates.	I don't know if there is anything formal in place. We get input from the Bar Association on how we are meeting the needs of families. The CFI (child family investigators) meet monthly. A community response team that discusses placement out of the	I think so. Not to much a part of it but sure the district administrator will speak to other agencies to make things better.

				home for children.	Yes, although there are not separate committees set up for this purpose. Our GAL/CLRs meet monthly and communicate with judicial officers as necessary. We have an active truancy program that involves regular meetings. We have many meetings with community.
FCF - Domestic					
Magistrate/Judge	6 th	7 th	8 th JD Yes but probably not as much as one would like. We have a group that meets on social services support issues for child support. Not sure about D&N or other JV cases.	9 th JD Yes, they have one group of everyone that meets once a month to promote efficiency and improve the processing and services for families of JD and JV cases. There is also a smaller committee of judges, social services and attorneys that meet occasionally to discuss the processing and access for services for families. The truancy task force meets 3-4 times a year to deal with truancy issues.	10 th JD Yes. There are no separate committees but they meet often with social services as it relates to D&N cases. With Truancy cases they meet as needed with parties to reach results for families. Today they are meeting with the school district, collages, probation, senate bill 94 to get together a partnership where the college students will work with the high school students to help them graduate high school.
Magistrate/Judge			Yes, I do all divorce emergencies and the D&N docket. On the D&N cases we meet quarterly with all attorneys involved to discuss issues.		

			A group called ICIOG, which provides additional funding meets monthly to discuss funding. This would include all providers, schools, probation, RTC's etc... We also have a great CASA program and we meet with them regularly.		
Question 2	Do your existing programs addressing family cases (see above list) take into account the feasibility of encompassing a broad-based jurisdiction of family and juvenile case types? In what way? Would this be of interest to your district? Why or why not?				
District Administrator	6 th JD	7 th JD Kinda. The magistrates do family stuff, DR, JV and some JD after the adjudications. But this only happens in Delta and Montrose counties. This is not the case in the other 4 counties. In all 10 locations, if there is a family with multiple cases, they cases will be combined.	8 th JD Yes. We have the bench bar meetings, which include citizens. This is an agency discussion session but includes them. There is also a practice bar where the judges meet with attorneys to discuss things.	9 th JD Defers to the FCF's answers.	10 th JD
FCF - Juvenile	Yes, we cover a very huge area and do understand the wide spread of differentiation. We spread ourselves out. Judge Liman will do the families in all of the districts.		Contact john.jostad@judicial.state.co.us for more information on D&N cases.	There is no formal process. There has been discussion about it. 90% of our cases get funneled through the FCF (family court facilitator). Because of the small communities served, there is a one judge one family model (nothing formal). Bundling of cases is	It's hard to say. Here the magistrate does the D&N and the judge does JD and truancy. Not to sure if it would be of interest to the district, it depends, it would be hard since currently they are very specific on what they hear. Some times they do bundle truancy and D&N cases.

					not done. DR Cases are assigned to three different judges and the JV cases are assigned to the magistrate. It really would be of interest to the district because it is so small and it is already that way some with the way cases are assigned.	
FCF - Domestic	6 th JD	7 th JD	8 th JD	9 th JD	10 th JD	
Magistrate/Judge			No. The district does not like specialized dockets. Although the magistrates will stay specialized, the judges will not. It is too much learning and re-learning especially when they rotate every two years. Do not think it would be of interest to the district since they will probably be going back to all diversified dockets for judges in 2008.	Yes because of the different groups have slightly different angles on discussion and there is lots of crossover with the cases. Because of this, there is another pair of eyes to look at the families.	Yes, one magistrate handles all of the D&N cases and he handles all of the delinquency and truancy cases and they collaborate between the two of them. There is really nothing for the DR cases. They do not have a one family one court mode. He would certainly explore something like this.	

Magistrate/Judge			For the most part, no we don't. It is certainly of interest to me and we are always discussing it. I am more of the tail than the dog.		
Question 3	What are the District's practices in regards to rotation of judges handling DR and JV cases?				
District Administrator	6 th JD	7 th JD There is no rotation. They handle all case types.	8 th JD To some extent we have a rotations. Right now there are designated judges and they are fixed. There is not any regular rotation.	9 th JD Defers to the FCF's answers.	10 th JD Currently two magistrates share the DR caseload with one judge. The D&N caseload is held by one magistrate. Don't know if they rotate.
FCF- Juvenile	The chief hears water cases, temp orders in Durango and all the juvenile matters. Judge Wilson does JD and JV cases and the other two judges do DR cases.		Judges are rotated for all final orders and terminations.	Rio Blanco rotates every 6 months. In Pitkin and Garfield, the judges do not rotate.	Currently two magistrates share the DR caseload with one judge. The D&N caseload is held by one magistrate. Don't know if they rotate.
FCF- Domestic Magistrate/Judge			Currently, there are 4 magistrates who specialize and do not have a rotation. 1 in DR, 1 in JV and 2 that do a mix of those. Right now they have 2 judges that rotate every two years. In Jan of 2008, all judges will be doing a mix of all case types.	No rotation.	No rotating. Right now they are looking at revisiting this for next year. He is not particular to rotation especially in family cases because the judges get used to the cases and relax and that would be just in time to rotate.
Magistrate/Judge			We don't have one for magistrates. Magistrates rotate only as a reaction to promotions or someone retiring so no formal rotation plan but they do specialize. Judges do not rotate either, they divide all dockets evenly.		
Question 4	Do districts have practices in place, which allow for information to be shared about a family who has multiple case types in the district(s)? If yes, how? Are there other information systems that you use at the local level to help manage families with multiple cases?				
District Administrator	6 th JD	7 th JD There is nothing	8 th JD One full time magistrate does the	9 th JD Defers to the FCF's	10 th JD

			formal set up but the FCF can get this information and is in a position to do this. They will help the judges know about the other cases. If a D&N family has other cases, those cases will be handled by the same judge that hears the D&N. Since the magistrate really sees all of the family cases, they just do it but really nothing formally is set up.	case flow management and uses the FCF to help too. Don't know how they find the cases. They do pull up a docket to check. ?	answers.	
FCF- Juvenile	Yes, there is nothing formal but when things start happening we can talk and then families only have to go to one court room.		Not that I am aware of.	The district uses the family court facilitator and magistrate to share the information and it is usually done verbally or by notes given on the bench. Officers also review MINC's to find out this information. Out look manages the families with multiple cases.	Not real sure if there is information sharing. As far as managing families, all we have is eclipse and I don't manage the families with multiple cases.	
FCF- Domestic					There is no formal practice or system in place.	
Magistrate/Judge			SANCA but not really. It would be nice to have a FCF to do this and to transfer to one officer.	Not really. JD cases are confidential except access to the	There is nothing formal. With truancy, delinquency and D&N,	

Magistrate/Judge			We have the SANCA project. I use it! Also uses Eclipse to research for more cases. There is no system to help manage families with multiple cases.	parties of the case. Because of statute 19.3.207 does not allow the information sharing in criminal cases. The D&N case will be certified to a DR case when completed. There is nothing structured to manage families with multiple cases and they don't see this happen very often. They bundle when possible.	the judge and magistrate communicate regularly and social services is always involved. He also has a member of social services, probation, school district present during his docket so he would know if there was another cases.
Question 5	Do judges who handle family cases receive additional time for training and handling of these cases? If not, why not? Do employees who process family cases receive any specific training to help them in their handling of these cases? If not, why not?	6 th JD	7 th JD All of the judges go to the family law conference every year. The employees do get SANCA and FAMJIS trainings but nothing on the local level. FCF /part time magistrate do get additional training.	8 th JD They attend the family issues conference and others, CLE trainings. Not aware of any other additional. Employees do not receive any additional training. If it was available they certainly would use it.	9 th JD Defers to the FCF's answers.
District Administrator					10 th JD
FCF- Juvenile	Really enjoy the family conference always go to that. The clerks did SANCA training for D&N		Conferences, mentoring and judicial continuing education.	Not sure if Judges receive extra training but knows that training is made	I know I have heard of them going, maybe better for them to answer this question. I don't know if

	with Diana Coffee.			available for Judges and other employees that they may attend when time allows.	the employees have any specific training just general.
FCF- Domestic					The judicial officers seek additional training as it is made available from outside sources. There is nothing done locally and no "additional time" is set aside for that purpose.
Magistrate/Judge			Dockets are fair and yes. We don't make sure that we send everyone to training but officers are allowed to go but it is self driven. The employees receive internal training usually when they start. Not sure if there is good training outside.	NO, they do not receive additional time. However, they are not prevented from attending additional trainings. It is permitted but on their own time and on their own initiative. Most do not because it is a very busy district and rural so it is very hard to find coverage for the docket. The Employees do not receive specialized training and does not know why. Maybe they aren't aware of the training since they are rural. They are trained on SANCA and trails but no one comes out to their area to train and	Yes, if they want to then they are encouraged to attend. Employees not as much. Occasionally they will but feels it is something they could do better with. He would not be opposed. The reason it is not happening now is because of the time constraints and resources.

Magistrate/Judge			NO, we follow state wide protocol and one representative goes to the family law conference and one representative is allowed to attend the judicial conference. If he can clear his docket, he attends trainings for CLE.	there is not time for them to leave. It is a very slow and muddled process.	
Question 6	Does the judicial district have appropriate docket management, case management, and case tracking mechanisms in place so that cases are handled in a coordinated and efficient manner? If yes, how?				
District Administrator	6 th JD	7 th JD Yes. Because we review the open case reports on a monthly basis and the chief judge also reviews a number of open case reports on a monthly basis.	8 th JD Yes. With case management the division staff, magistrates and judges track the cases.	9 th JD Defers to the FCF's answers.	10 th JD Yes, the FCF handles all pro se divorce and custody cases. We do a case review and keep close tabs on all DR cases. On D&N's the clerks set review on every open case.
FCF- Juvenile	Reviews are always set out on cases and she contacts the attorneys or parties and sets status conference. Pro se's are never the problems, it is the attorneys. However, they are doing better.		Domestic cases are handled by 16.2 C.R.C.P. Do not know about other cases.	I believe so, we are always tweaking things in the case management process. There is always a return date or review date for each family so they don't fall through the cracks. A status conference is held 40 days after filing and if the court facilitator is gone the magistrate will do the status conference. The court facilitator	

FCF - Domestic				continually does paper reviews until the case is ready for a decree. Problems arise when attorneys don't do things on time so the court facilitator often requests status reports from them.	Yes. We use the court facilitator with the DR cases to do docket management and case tracking.
Magistrate/Judge			This is my baby on the DR side! Absolutely, we are in the top two in the state on open case monitoring and we monitor frequently. On the JV side we are in the top 10, not as good but good.	Yes, there are so few open D&N cases and only Trunacy so she keeps track of them on her own. The problem is she can not run an open case report because the cases are closed after adjudication. The clerks will always have another date set in the future to help with this problem. She will print the docket out 6 mo in advance and go through them on her own. This is a very big problem she feels.	We think so. The court facilitator helps with this. Also the magistrate that handles the DR cases is 62 and has been working in the district for a while. He has the respect of the attorneys, community and is able to get things processed pretty fast. There is one person dedicated to the pro-se parties in DR cases to keep the case moving. The court facilitator also helps with this. Mediation is also an option the court provides to help out with the cases.
Magistrate/Judge			Well, I don't know how to answer this one. All discuss the dockets that they are doing between the magistrates. There is not a lot of		

			communication between the judges and the magistrate. We communicate but no formation process. I don't know if things are consistent.		
Question 7	Does the judicial district provide opportunities for non-adversarial resolution of disputes, when appropriate? What opportunities are provided? What types of cases and when? If not, why not?				
District Administrator	6 th JD	7 th JD	8 th JD	9 th JD	10 th JD
	Absolutely. Judge Limon does lots of mediation from the bench. We also have a 3 ring notebook full of contacts for mediators and the court encourages it. Sometimes mediation is ordered but only in DR cases. D&N cases must follow social services. Talk to Judge Dickenson.	Yes, in DR cases the FCF is involved in a lot of those things. They also recommended mediation and refer in those cases to other resources so there is no four day hate hearings. We strive for agreements. In JV cases the FCF does this as well.	In DR cases yes. Mediation is available and the FCF provides status conferences. Not sure about the JV cases.	Defers to the FCF's answers.	Yes, in DR cases there is always an initial status conference to help resolve differences. They can also be referred to mediation through the court. In D&N cases there can be a status conference where the parties get together with out a judge. This is not mandatory.
FCF- Juvenile			Mediation is ordered in most domestic cases.	Yes, the district requires mediation. DR - They also have one day a week that staff from the office of dispute resolution is at their court. If the mediation is not working the family court facilitator can determine if more time is needed before setting a contested hearing.	Yes, in DR cases there is always an initial status conference to help resolve differences. They can also be referred to mediation through the court. In D&N cases there can be a status conference where the parties get together with out a judge. This is not mandatory.
FCF- Domestic					We have a very active mediation program in place for DR cases through ODR and its use

						is required by the judicial officers. The court facilitator is trained in mediation and does settlement conferences for D&N cases and, occasionally, truancy matters.	
Magistrate/Judge			Yes, in DR we encourage mediation. We also have mini settlement conferences. In JV cases it is mandated that they see the FCF before any trial or contested hearing.	Yes, On the D&N cases they never need to go to mediation because the attorneys work so well together, they always get things worked out. Because of state guidelines on EPP cases there is really isn't time for a mediation process, they move so quickly. If there are problems in a unique situation it is always addressed.	Yes, mediation is ordered on almost every case for DR. The family court facilitator meets with families on the JV cases.		
Magistrate/Judge			Yes, I am a big advocate for this as well as the district. On DR cases the FCF is seen first for a status conference and in the JV case the FCF is seen for an informal conferencing if mediation is needed before a contested hearing. There is also a grant for D&N and DR that will help pay for ODR sliding scale fee.				
Question 8	Does the judicial district keep a list of low cost providers for ADR services, supervised visitation, treatment programs etc.? Where?	If not, why not? How is the information provided to the public?	6th JD	7th JD	8th JD	9th JD	10th JD
District Administrator		We do. The		A list is kept in the clerk of court	Defers to the FCF's		

		Admin. has the original copy and updates it. Each court location gets updated copy and the list is also posted on the website. The judge, FCF and magistrates hand them out as well. A bunch of mediators and ADR's are highlighted.	office but don't know if prices are listed. These are handed out with the divorce packet.	answers.	
FCF- Juvenile	The family center does 90% of our supervised visits so there isn't a list. There is a small fee for this services but they will not take any if sexual abuse is alleged. Lists for treatment facilities would be at social services. They do have a list of drug testing places in DR cases. The binder is kept at the counter in the clerk's office for general public. There is also a list on the back of the initial status conference order of all services available and this goes out to all DR parties. It is very hard to get CFI's to take state rate pay.		The FCF keeps some information available. There are handouts at the clerk's counter and in each courtroom.	There is no physical list of mediators, the court facilitator or magistrate will offer certain mediators. A list of resources are provided to the person filing the DR petition in the case management order. A list of CFI's are available through the court facilitator and magistrate. Colorado West mental health provides all low cost mental health services.	I think there is a list. There is no supervised parenting program, just done through DSS. This is a big problem and the court is working on this.
FCF- Domestic					We do not have a list of ADR services. We generally schedule DR folks with the ODR mediator, unless the

			<p>parties indicate an intention to use a private mediator. They are not prohibited from using an outside mediator, although they rarely do. There are only a few other options available in the community that I am aware of for mediation. We do not have low cost visitation supervisors available. There is no list of low cost treatment providers, however, I think most judicial officers know what the resources are and will make suggestions, or orders, as necessary.</p>	
Magistrate/Judge		<p>Yes, there is only one supervised p/t place. A list of mediators is available but not sure if it is low cost. ODR is the low cost, and there isn't much else. The court doesn't keep a list on really anything else as they do not endorse any particular providers and cant solicit them. The ODR list is kept in the clerk's office and there may be a list on the bulletin board.</p>	<p>No, for ADR services there is only one in the district that is certified for the DR cases. There has been discussion about providing a list of other state certified professionals. For treatment, social services provides this list to the court regularly. This list is of all community resources. Right now, they are working on adding maps and directions to the services to be</p>	<p>Don't know. They are really pleased with the mediation ODR in the courthouse and it is a very active service. Other attorneys are also willing to provide mediation services but doesn't know if they are low cost. There are lists for visitation, treatment services and they are dispersed to everyone involved in the cases. The judge normally makes specific referrals on a case by case bases and gives them choices but they are not usually handed a sheet with the services listed.</p>

Magistrate/Judge			I rely on access to DSS in the JV cases and they do very well with providing families the lists. In DR cases he has a list of parenting coordinators, CFI, CASA's but there is nothing formal that is handed out. The information is given out on a case by case basis by the magistrate.	more family friendly. This is difficult as it is a small community and there is high turnover with providers.	
Question 9	Does the judicial district have a centralized location or staff person to provide referrals to services for the family, such as alternative dispute resolution, guardians ad litem, mental health services, substance abuse counselors, interpreters, and emergency financial and housing assistance? If not, why not? If yes, what types of cases?				
District Administrator	6 th JD	7 th JD No, the FCF would do this in both JV and DR cases.	8 th JD Thinks the referrals are made by the FCF on DR cases.	9 th JD Defers to the FCF's answers.	10 th JD When a case is opened, they are handed a referral form for all of these things. They will also be referred to the FCF if they are wanting more information.
FCF- Juvenile	Probably the FCF and Judge Limon from the bench.		Not that I know of.	The family court facilitator is that person for DR cases. He can refer to DSS on child support cases.	
FCF- Domestic				No. Lack of appropriate staff.	
Magistrate/Judge			Our FCF does this on DR and JV cases.	She is the person that makes all of the referrals on all JV cases. She appoints the interpreters, she will refer to social services for services and they refer out to their own contracted	No, each case is handled individually and the judge will make the referrals. He really had not thought about a centralized person but wouldn't support that unless that person was highly qualified to do

Magistrate/Judge			We rely on the FCF in Domestic and social services in the D&N's.	agencies for mental health an any other services.	this. He could see lots of problems with this.
Question 10	Describe court resources or programs available to assist families in finding necessary social, legal, or other services.				
District Administrator	6 th JD	7 th JD Can't tell me any.	8 th JD At the court house every Wednesday the bar association provides free legal aid clinics along with the FCF. Every Monday there is a pro bono clinic for DR cases exclusively. The Monday shift is rotated between the FCF and the bar association.	9 th JD Defers to the FCF's answers.	10 th JD
FCF- Juvenile	There is a list on the back of the initial status conference order and interpreters are available. Legal aid also deals with immigration groups.		Pro se classes taught by family court facilitator and alternates with Bar Association classes. Taught 4 times each month.	Nothing formal is in place. Alpine legal services is located in the court house. Approved CFR's, the office of dispute resolution and mediation is also in the court house.	Legal services – they can access this program to help fill out paperwork. They can get on the internet and download the forms, which, are helpful to pro se people. The FCF will help them in some of this process.
FCF- Domestic					Referrals to the court facilitator for assistance. We do provide a pro se dissolution class two times per month that is presented by the court facilitator.
Magistrate/Judge			No real program. The FCF is the person that will do this. The FCF provides a class that informs parties of all of the different services available. The clerk's office also gives out a lot of numbers. The case management order lists agencies for services with regards to domestic violence and mental health.	Youth Zone. Court appoints the attorneys and GAL's and also social services.	There really isn't one. They determine the specific resource needed and then refer case by case. They do not send families out of the court room with out services if they are needed. They will refer them on.

Magistrate/Judge			We have a brochure as to low cost legal services in DR cases. We also have brochures as to ODR and how that works and contact numbers. We have listings of CFI's low fee and this list is handed out. On the D&N cases we rely on social services to access this information.		
Question 11	Describe other resources or programs, i.e., the local bar or non-profit community, which are available to assist families with navigating the court system. Include any programs for pro se litigants.				
District Administrator		7 th JD There is a pro bono program in every court put on by the bar association. The legal aid attorneys have a grant in Montrose	8 th JD See above	9 th JD Defers to the FCF's answers.	10 th JD
FCF - Juvenile	The local bar does some pro bono but more in minority overrepresentation in the court house. Probation helps and the access to justice program mentioned earlier. There is no CASA program. We have created a CD in Spanish and English.		See above.	Alpine legal provides a do it your self class for DR cases. Colorado legal services and the bar association are available. Also, in the case management order, it refers families to their website that will walk you through the process in cases. They also sell packets of forms to help in the filing process.	The CASA program in D&N cases. FCF in DR cases.
FCF - Domestic					We have a legal services office that takes a limited number of cases. The office assists parties in preparing paperwork in a slightly larger number of

						cases. Parties can request assistance through the bar association. (If you can find the right person to talk to, an e-mail will be sent out to bar assoc members describing the situation and asking for volunteers. It is a very informal system).
Magistrate/Judge			We are a little short in this area. We have a new program called Bringing Justice Home, which are federal funds that pay attorneys to do work on DR cases for families. The bar association has a pro bono program. The FCF is a valuable tool for this as well.	Youth Zone provides some case management on truancy and delinquency. The D&N cases can get information from social services.		They have a very strong pro bono program with the bar association.
Magistrate/Judge			Colorado legal services and the bar association. They can advise clients on call in nights and they also provide some pro bono representation on DR cases.			
Question 12	Have you established a pro se clinic in your county to serve the needs of pro se litigants? Who does this and what are the benefits?					
District Administrator	6 th JD	7 th JD	8 th JD	9 th JD	10 th JD	
		We have had this but no more. It was put on by legal aid attorneys and the court provided the space, this happened only about once a year. This would be something to ponder but we cover 10,000 square miles and who knows if	Yes, as mentioned above. It saves time. It provides legal advice since the clerks are unable to give it.	This question was added after survey completed.	This question was added after survey completed.	

		people would attend, it may be impractical.				
FCF- Juvenile	Once a month an attorney puts on one from legal aid and walks them through the forms. This helps in the court rooms because they have the right forms.		Perhaps, if it is different from pro se classes taught.	This question was added after survey completed.	Two times a month there is a class on the divorce process that she does. She also will do one on one meetings or phone calls. The class breaks down the process into 10 steps and it gives them knowledge of the court system.	
FCF- Domestic					Yes, for dissolution and custody cases. Offered two times per month and presented by the court facilitator. It is very helpful to pro se litigants and saves a lot of time. It also helps to insure that paperwork is completed	
Magistrate/Judge			The FCF and the bar association collectively operate the instructions clinic.	This question was added after survey completed.		
Magistrate/Judge			Through the bar, there is a clinic. The benefits are that people start to figure out what is really going on. The numbers are rising for pro se parties and the laws are that they shouldn't be treated any different than attorneys so they need as much information as they can get.			
Other Comments			The judge was very interested in what this was for, curious about the timing of this survey and if something is broken? States that the DR cases are working very well in the district. Judicial worked so hard on the website and all of the forms and serves the public. Information	In Garfield county there is a fatherhood initiative that helps fathers get involved in cases/treatment that have been absent from their children's lives.		

		sharing could be better.	A new visitation program is getting started in weld county.	
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	11 th Judicial District	12 th Judicial District	13 th Judicial District	14 th Judicial District
Question 1	Does your judicial district incorporate and encourage input and participation from outside agencies, policy makers, professionals, and other advocates to ensure that the court is responding appropriately to the needs of families? If you have separate committees or work groups, please identify the names and purposes of these groups.			
District Administrator	Maybe later, there are lots of changes going on right now.			Yes, we have a bench bar committee that discusses issues in family court. We have the exchange program for kids. There are more but thinks the judge will have better answers for me.
FCF- Juvenile				
FCF- Domestic	Yes, some. Nothing in DR really. In the Chaffee court we are focused on the new bill having to work together either bill # 1514 or # 1415? We are also involved in the CASA program.	Yes, we work with two other partner agencies (San Luis Valley Mental Health Center and Tu Casa) to provide our required parenting education classes. We also have a multi-agency committee that works with us on our Family Friendly Court grant each year, to set priorities for services, identify potential providers in the community, etc. Our pilot drug court project team involves multi-disciplinary members from several community agencies.	Yes, this happens but don't know if there are any subcommittees. They have a stakeholder meeting quarterly (used to be yearly) and if there are roadblocks they deal with it there. Judges, agencies, and professionals attend this meeting. They were involved in a pilot project with the state to build a protocol to better screen families for substance abuse issues and make referrals to each other (MH, DSS, Court). She is not aware if this project is still going. It began two years ago.	Defer to the Judges answers – no thanks.
Magistrate/Judge	Yes. The Juvenile Services Planning Committee drives the juvenile justice process in our district. The Community Evaluation Team makes out-of-home placement		Yes, no separate committees. The new chief judge has a group (mostly administrative) that does this.	Yes, juvenile sex offender treatment committee. For the JV and JD cases. Travel is difficult as the nearest detention facility from any court is 3-4-5 hours away. The

Magistrate/Judge	recommendations through the court facilitation process in delinquency cases.			No separate committees but quarterly meeting when DSS, ATTYS get together to discuss family issues. These are on JV cases. Mental health is invited as well as probation but they do not always attend.	district is just now starting a drug court and noticing that some of the JV cases are bleeding into DR cases. The judge also meets regularly with DSS to improve the processing of JV cases, the FCF is involved in this meeting as well.
Question 2	Do your existing programs addressing family cases (see above list) take into account the feasibility of encompassing a broad-based jurisdiction of family and juvenile case types? In what way? Would this be of interest to your district? Why or why not?				
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD	14 th JD Yes, please refer to the judge on this question.	
FCF- Juvenile					
FCF- Domestic	It is really varies judge by judge. I think there may be some discussion on a family drug court. We only have one district judge in our county so he gets all of the district court cases so would know if the families had more than one case. They are small counties so they usually know about other cases. Sometimes they do track a DR case if there is a JV case.	While this has not been discussed extensively here, I think there would be some interest. With the appointment of a 3d district judge. This may affect case-type, as well as geographic distribution options within our large rural area.	Doesn't know, feels her judge could answer this question better.	Defer to the Judges answers – no thanks.	
Magistrate/Judge	The CET considers all treatment services available in the community. Our case assignment procedure does not allow for the bundling of cases in Fremont County. This would not be possible in Fremont County due to local circumstances. A single		Not yet. They do this informally, talk about it between each other. This would be of great interest to him to have.	Yes, it is difficult because of the distance of travel between counties but when there are multiple cases in the family they try to set them on the same day. One judge one family happens by default and is an informal process because	

	judge handles every district court case in Chaffee and Park Counties.			the community is so small. This would be very helpful to the district and would love to institute this if possible.
Magistrate/Judge			In the standing case management order the parties are to disclose any other cases. The district will sometimes combine JD and JV reviews if the party has more than one case. It is really hit and miss and there is nothing formal in place. The district does not bring together JV and DR cases. At times they are certified back and forth. The Judge feels that nothing formal is really needed as they are such a rural community and you don't really miss to much and it is just easier that way.	
Question 3	What are the District's practices in regards to rotation of judges handling DR and JV cases?			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD Currently, we have a DR magistrate who handles almost all of the district's DR filings for all six counties. The JV docket and IV-D docket remain with our district judges, who split these dockets and ride circuit to all our counties. Exceptions are IV-D cases in which there are also active DR matters before the magistrate. Our district has just received a 3D district judge position.	13 th JD JV - There are two judges in Sterling and two judges in Ft. Morgan. They rotate with each other every 6 months. DR – when parties are represented by attorneys the case is just assigned to the judge and that judge sees it throughout the cases. For cases that have pro-se parties, the judges in sterling rotate it ever month and in ft. Morgan, they rotate every 6 months.	14 th JD We have three judges and one district court magistrate. They all hear all case types so no rotation.
FCF- Juvenile				
FCF- Domestic	No rotation.			Defer to the Judges answers – no thanks.

Magistrate/Judge	There is no rotation. Fremont County: Mag Freeman – DR & JD, Mag Allen – JV. Chaffee County: Chief Judge Barton – DR, JV & JD. Park County: Judge Groome – DR, JV & JD. Custer County: Chief Barton – JD, Mag Freeman – DR & JV.		JV - There are two judges in Sterling and two judges in Ft. Morgan. They rotate with each other every 6 months. DR – when parties are represented by attorneys the case is just assigned to the judge and that judge sees it throughout the cases. For cases that have pro-se parties, the judges in sterling rotate it ever month and in ft. Morgan, they rotate every 6 months.	This district has three counties. One Judge handles Grand county and then three other Judges handle the two other counties splitting the cases in Craig and Steamboat equally.
Magistrate/Judge			JV - There are two judges in Sterling and two judges in Ft. Morgan. They rotate with each other every 6 months. DR – when parties are represented by attorneys the case is just assigned to the judge and that judge sees it throughout the cases. For cases that have pro-se parties, the judges in sterling rotate it ever month and in ft. Morgan, they rotate every 6 months.	
Question 4	Do districts have practices in place, which allow for information to be shared about a family who has multiple case types in the district(s)? If yes, how? Are there other information systems that you use at the local level to help manage families with multiple cases?			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD	14 th JD
FCF- Juvenile				
FCF- Domestic	No, actually I think I would rather answer unknown. We are just getting into SANCA and it would fall on her to get more information.	We currently have no formal practices, except for our few Drug Court families. However, our caseloads are relatively small. Our DR division clerk tends to be aware of	Not aware of anything other than SANCA. To manage the multiple case families, the judges rely on other new filings to inform them and testimony they here. Also they rely on	Defer to the Judges answers – no thanks.

		overlapping relationships between cases and often makes our magistrate, judges and facilitator aware.	the reports from the caseworkers to inform them. There is nothing in place to help manage families with multiple cases.	
Magistrate/Judge	Yes. Communication is easy between members of the district bench by e-mail and telephone. There are no other local information systems.		Informally mostly through the family court facilitator. There isn't any systems to manage the cases but if they hear about a case that they need to know about, they will check it out through eclipse and find out more.	Because it is such a small county, employees usually remember families. SANCA is available for information sharing. This is a hot button around here because how much can you really share. However, he feels it is very important to review all other files on other cases. He is very interested in the question and plans on instituting this between the two counties to start.
Magistrate/Judge			Monitoring is informal. As stated earlier, in the case management order, parties are told to disclose all information. Clerks sometimes recognize the party or family and will inform the family court facilitator or the judge. On occasion staff will run a name index on eclipse. He feels that the court facilitator does this on every DR case.	
Question 5	Do judges who handle family cases receive additional time for training and handling of these cases? If not, why not? Do employees who process family cases receive any specific training to help them in their handling of these cases? If not, why not?			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD	14 th JD The district encourages them to participate in the conferences and trainings but they leave it up to them to attend. There is no additional time given. Employees attend conferences

FCF- Juvenile				when there is time but there is not really any time for them to do this. It is a matter of availability of resources. The employees handle all case types and only a small % are family cases so really not enough for them to train specifically.
FCF- Domestic	I know they do attend the family issues conference. I also attend the family issues conference. Not sure what the clerks are trained to do outside of the general training. Don't know if they get any additional training.	We have a specialized DR division consisting of 3 part-time staff: a magistrate, a division cler, and a facilitator. We work closely together for case management for this docket and we each have had opportunities to attend helpful outside training events. Judge Swift, who handles the drug court docket and a sizeable portion of JV's, has also had specialized training for this work, as have the clerks who assist her.	No, because they have no extra time. The judges do have the opportunity to attend conferences. They handle all case types and don't just focus on family court. The employees receive no additional training other than training on JV coding and SANCA.	Defer to the Judges answers – no thanks.
Magistrate/Judge	Caseloads are assigned by use of the judicial branch weighted caseload values. Additional time for training comes by way of the annual Family Issues Conference.		Not really, they attempt to take advantage of trainings but it is very hard to get senior judges in to cover. The family court facilitator attends special training and Logan and Morgan counties encourage the training. They do get extra training on DR and JV cases to make sure they are entering information right.	No, don't know where they would get the training. They are really not specialized but would certainly make the time if trainings were available. It has made it difficult since the state dropped reimbursement for out of state training. The employees do not receive just specific training in family cases.
Magistrate/Judge			No. He does attend the family issues conference but any training is done at the judge's discretion and there is no restriction. The judges have a	

			diversified docket and no one specializes in family court. The judges attend trainings on what they need at the time. Clerks receive the state judicial training offered mostly on case processing and tracking. The court facilitator attends extra trainings with regard to family issues.	
Question 6	Does the judicial district have appropriate docket management, case management, and case tracking mechanisms in place so that cases are handled in a coordinated and efficient manner? If yes, how?			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD As noted above, we have a specialized DR case management group, as well as a drug court team.	13 th JD No thanks. Probably not. They don't have a JV facilitator, which would track and ensure guidelines are being met. It is left up to the judge and attorneys.	14 th JD Yes, the FCF tracks and monitors the cases to make sure things are filed timely. Clerks and judges also look at this stuff. Families are required to attend mediation before any final orders hearing.
FCF- Juvenile				
FCF- Domestic	In Fremont county yes. On DR cases they all have status conferences and she sends a notice to file if she finds that something is not in the file. 90% of the cases are complete w/in 90 days. Chaffee county we are working on it. 16.2 really hasn't taken hold but we are working on it. Because all cases are set on one district court docket, it is hard.			
Magistrate/Judge	DR cases are managed closely to ensure timely resolution. Judicial tracking mechanisms are in place and are more than adequate to handle cases in an efficient manner.		Cases are not tracked very well. DR cases are not always resolved quickly. Clerks do watch for specific motions and bring them to the attention of the judge and emergency motions go up right way.	That depends on who you ask. We have a case management procedure but the judges are expected to monitor the age of case reports once a month. If there are any problems they will talk with the chief judge.

Magistrate/Judge			With DR he thinks so and doesn't have any concerns. He also felt that he was not the best one to answer the questions. It is a clerk's office function and the court facilitator tracks all of the DR cases. She will also confer with the judge on specific case management issues case by case. He feels the communication is always kept open. JV may suffer in this area because there is only one or two days each month depending on the county designated to do the JV docket.	
Question 7	Does the judicial district provide opportunities for non-adversarial resolution of disputes, when appropriate? What opportunities are provided? What types of cases and when? If not, why not?			
District Administrator	1 st JD Maybe later, there are lots of changes going on right now.	12 th JD Yes, Alamosa County DSS, which has our largest JV docket, has a trained facilitator for family group decision-making meetings whenever an out-of-home placement is considered. This can occur prior to or during a JV filing. Our Family Court Facilitator is as trained mediator. All pro se DR litigants have the opportunity to participate in one or more facilitated	13 th JD No thanks. Mediation is standard on all DR cases, adversarial or not (this is done by the court facilitator). In JV cases, mediation only occurs if the court orders it on a case by case basis.	14 th JD Sure, we encourage that for families. In the DR cases, mediation is required and the court also gives families time to meet between themselves to resolve issues. In JV cases, it is done case by case.
FCF- Juvenile				
FCF- Domestic	With DR, yes, there will be an order for mediation if there is no signed agreement in the file at the initial status conference. She is also the court facilitator for JD cases and writes recommendations for treatment and sentencing. On JV cases they do have a joint effort with social services but social services holds the treatment planning. The court does not provide any settlement conferences for JV cases.			Defer to the Judges answers – no thanks.

		settlement/case management conferences with her, prior to setting temporary or permanent orders hearing. A list of local mediators is published by the district for non-pro se parties wishing to utilize private mediation in DR cases.		
Magistrate/Judge	Mandatory mediation in DR cases.		Yes, they encourage this and order mediation on all DR cases and in order to get out of doing mediation, the parties have to file a motion with the court for exemption. The judges will also hold informal settlement conferences if they are requested. On JV cases the judge will order mediation that are difficult as to not take up so much time on a docket day.	Mediation is mandatory on all DR cases unless there is a restraining order or there is already an agreement. JV and JD have no mediation available to them. It would certainly be appropriate to mediate JV cases but there are no resources available to do this and no professional staff in the area. GAL's do some work with their clients.
Magistrate/Judge			Some DR, mostly in Morgan county. They do family conferencing with social services clients. There is also some D&N mediation done only at the very beginning level.	
Question 8	Does the judicial district keep a list of low cost providers for ADR services, supervised visitation, treatment programs etc.? Where?			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD	14 th JD No. they found that if you do that the court has to qualify the people on the list if they are endorsing them.
FCF- Juvenile				
FCF- Domestic	We have the family friendly grant and we are working on getting two providers for the supervised parenting time and exchange program in Freemont county. We really have no list as there is one provider for each service	Yes, our Case Management Order includes a provider list for supervised exchanges, supervised visitation, therapeutic visitation, co-parenting counseling and mediation, and children's	Yes, only one person in the district is low cost she is from the ODR. There is also a list kept of the CFI's which is given to the parties either in court or by the court facilitator. They are referred to the supervised	Defer to the Judges answers – no thanks.

	needed. Services are very centralized out here and are all across from the court house, social services, mental health, substance abuse. The community really knows all of the services so there is no list.	therapists. It also includes information about attending the required parenting Education class for all DR cases involving children, as well as local services available related to domestic violence. Our civil division clerk maintains a list of local ADR services.	parenting program that is very low cost and is also a safe exchange. One in Sterling for low cost and one in Morgan county hopefully will be free (grant). MH services are all referred to Centennial mental health, which has a sliding scale.	Yes of ODR approved people. But other than this list we do not have one because he feels that if there was a list the court would have to endorse the providers and they don't. Unfortunately the clients are referred to the yellow pages.
Magistrate/Judge	Mediation is available to all DR litigants regardless of income. A supervised visitation project is about to begin in the district.		Yes, in the clerks office and in the court room. There is also the resource center that does parenting time.	
Magistrate/Judge			Yes, but very informal. One clerk has a file as well as information in the case management order. The public receives this information when they file a case or if they request the information.	
Question 9	Does the judicial district have a centralized location or staff person to provide referrals to services for the family, such as alternative dispute resolution, guardians ad litem, mental health services, substance abuse counselors, interpreters, and emergency financial and housing assistance? If not, why not? If yes, what types of cases?			
District Administrator	11 th Maybe later, there are lots of changes going on right now.	12 th	13 th JD	14 th JD The judge makes the referrals when appropriate. This would be DR and JV cases.
FCF- Juvenile				
FCF- Domestic	No, just referred by the court at the bench. Very small county as mentioned above.	No, not in any formal way. We maintain information racks in each courthouse with court and community agency referral information. We also post flyers in each courthouse for the monthly DR forms clinics provided by CLS, as well as the monthly Pro Bono bar clinic.	No, not really enough demand for that. The court facilitator or the court will do that and also the department of social services will make the referrals.	Defer to the Judges answers – no thanks.

		The family Court Facilitator, who works with all pro se DR cases, keeps community agency referral information in her meeting area as well.		
Magistrate/Judge	Yes, our Family Court Facilitator. A specific judicial assistant is in charge of mediation in Fremont County.		Yes and no in outlying areas if a person knows of the services they will relay the information. In Sterling and Ft. Morgan Tasha can give them that information and the court clerks as well. It is an informal process. DR and JV cases	The clerks do this, the parties get all of the information at the window or at probation or DSS if the court makes the referrals to them.
Magistrate/Judge			The family court facilitator does this and mostly just refers the parties to social services. Not to sure about housing.	
Question 10	Describe court resources or programs available to assist families in finding necessary social, legal, or other services.			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD No thanks.	14 th JD We have a program where attorneys will come and provide free legal services. The attorneys keep changing so there is nothing really set in place ongoing in Grand county. In Moffat county, they do this weekly and the clerks keep an appointment sheet.
PCF- Juvenile PCF- Domestic	We have brochures in the clerk's office for child support help, child care providers... etc. but I haven't been down there in a while so I don't know everything that they have.	See above, for posting of referral information. Through our Family Friendly Court grant, we also provide referrals for free services for low-income families needing supervised exchanges, supervised visits or therapeutic visitation. We are also starting a free voucher program for families needing childcare services during any court	Just the court facilitator. There are brochures in the clerk's office and with the division clerks. Also legal aid, Colorado legal services.	Defer to the Judges answers – no thanks.

Magistrate/Judge	The court appoints counsel where permitted, refers litigants to a legal services program and orders county department preliminary investigations or out-of-home placement evaluations.	appearance or court-ordered service or treatment referral.	Informal literature to give to people for legal aid, mental health services as needed.	We have a lot of brochures at the window for people. The SCAO or non profits will help families on a case by case basis. However, the court must research them thoroughly in order to refer them to any service. The state court website.
Magistrate/Judge			Nothing. They do have stock brochures from state judicial. There is also a SHARE program in Ft. Morgan. It is for domestic violence situations and can help as a safe house and counseling.	
Question 11	Describe other resources or programs, i.e., the local bar or non-profit community, which are available to assist families with navigating the court system. Include any programs for pro se litigants.			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD	14 th JD See programs mentioned above.
FCF- Juvenile				
FCF- Domestic	That would be me. The FCF. Also legal aid comes down from Colorado springs two times a month and the family crisis center does some of this.	See above. In addition to CLS and the monthly Pro Bono Clinic, Tu Casa- our domestic violence and sexual assault assistance agency – has legal advocates who walk through the tpo and DR process with victims of domestic violence.	There is a DR clinic for some jurisdictions on what to expect but there is not really anything. Legal aid helps in DR cases. The facilitator will help them thought the process during the status conferences. Pamphlets are handed out. DSS had pamphlets that they hand out for the D&N process. JV parents really rely on their counsel and DSS for this information.	Defer to the Judges answers – no thanks.
Magistrate/Judge	CASA.		The Bar is helpful some depending on the leadership at	They are creating a new position for the FCF that will

			the time. There used to be a call in program where people could call in the evenings to ask legal programs. There may still be one in Ft. Morgan.	do just this in JV cases. Currently the FCF assists families with this in DR cases.
Magistrate/Judge			There is a pro bono agency in Logan county and sometimes they will do domestic cases but rarely. Also the SHARE program in Ft. Morgan.	
Question 12	Have you established a pro se clinic in your county to serve the needs of pro se litigants? Who does this and what are the benefits? Would this be of interest to your district?			
District Administrator	11 th JD Maybe later, there are lots of changes going on right now.	12 th JD	13 th JD	14 th JD Over the years we have had manifestations of one. The district would be very interested in having a clinic for all case types. It is difficult because the clerks cant answer very many questions. It would also help parties prepare for court.
FCF- Juvenile				
FCF- Domestic	Nope, just me. She only works ¾ time and would love to do it but just doesn't have the time.	Yes, our local bar association has run a monthly pro bono clinic for almost 25 years. Free consultations and referrals are available on any civil or DR matter.	This question added after survey completed.	Defer to the Judges answers – no thanks.
Magistrate/Judge	No. The Family Court Facilitator serves that function.		This question added after survey completed.	In Grand county this is available and is staffed by three attorneys. This is wonderful but it is very hard to keep attorneys doing this. In Steamboat the bar association provides staff once a month and the public can make an appointment through the clerk's office.
Magistrate/Judge			This question added after	

Other Comments	It is just different out here as a FCF. I have more than on county in the district and have never even been to two of the counties in the district. There is really a lack of resources out here.		survey completed.	
			Working on the idea of a Teen Court where they can be held accountable by their peers but still subject to the court if the DA wants to file charges. What is in place for their juveniles is really not working to well. Most just get probation. They are currently working on getting a supervised visitation program going in Ft. Morgan. They received a grant. Sterling has had one for about 6 months now.	

	15th and 16th Judicial Districts	17th Judicial District	18th Judicial District	19th Judicial District	20th Judicial District
Question 1	Does your judicial district incorporate and encourage input and participation from outside agencies, policy makers, professionals, and other advocates to ensure that the court is responding appropriately to the needs of families? If you have separate committees or work groups, please identify the names and purposes of these groups.				
District Administrator	No committees, they do have parenting classes with DR cases and a supervised visit program they meet with.	Yes according to various efforts in juvenile, dr, and dv.		Judge Lowenbach is involved in several groups. He would need to provide that information.	No thanks and referred me to others.
FCF - Juvenile		Yes. Quarterly CFI meetings to make sure everyone is on the same page and to give input. Supervised parenting committee meets yearly, working on a parenting center. There is a need for supervised parenting time in the district. The bar meets ¼ to keep the exchange process going in family cases and also to address new policies and	Yes. They have a juvenile steering committee to over see the juvenile division, they work on special projects, facilitate a smoother court operation, policy changes and pilot programs. They also have a truancy group that may incorporate under the steering committee that helps improve the truancy court and communication with the school districts.	Yes, we have a ton. These are the ones that I sit on. Weld county Mass Summit – creates a blueprint model on mass issues and how they involve the community. IOG (Interagency oversight group) – stakeholders attend to make sure they are not overlapping services. CWC (child welfare collaborative) – derived	

		procedures.		the Family treatment and Drug court and they continue to meet and discuss progress. They also meet quarterly on D&N cases with attorneys.	
FCF- Domestic	Communication is kept open with attorneys, GAL, Department of Social Services Senate Bill 94 committee	Yes, there are meetings with other agencies to determine if families' needs are being met as well as the other agencies. Not sure if there are separate committees, she is a new employee. She really only just does status conference for families and doesn't sit on any committees like the other facilitator does.	He works in DR so is not aware of names for any of these programs. He knows that they exist and that there are many but cant speak fully to them.	Because I only work with prose parties, I don't really have that. I have a yearly meeting with our CFI's to see what we can do to make things better.	
Magistrate/Judge	No	Yes, there are so many, some of them are family violence, juvenile committee, court improvement, graduated sanctions, bench bar for juveniles, minority overrepresentation. He did not go into the purposes.		Yes, for D&N the child welfare collaborative which is to improve practice and insure permanency for children and families. All stakeholders participate. Part of this project is to provide on-line scheduling for substance abuse assessments that are timely. Also have agency meetings to discuss processing cases. For DR cases they have "divorce with dignity". This project gives settlement opportunities for parties and encourages them to settle as they make the best decisions for	No "is this anonymous?" The Boulder Barr Association – family law section. Enhances the development of family. Boulder Barr Association – ADR section. Internal Domestic Pod – talk about case management issues and brainstorm. IOC – Furthering the knowledge of mental health and DR law.

Magistrate/Judge	I believe we do. We do not have separate committees but meet informally when needed.			themselves. It also helps with getting quicker temporary orders. There is also a drug court program for D&N moms.	We have a small group that meets informally. When a meeting is needed we just call one. For example, with the new law requiring kids input, we will be meeting to see how this will work best.
Question 2	Do your existing programs addressing family cases (see above list) take into account the feasibility of encompassing a broad-based jurisdiction of family and juvenile case types? In what way? Would this be of interest to your district? Why or why not?				
District Administrator	15/16 JD The programs listed above do look at the entire family but there is nothing formal.	17 th JD Some of our programs do. We are piloting a complex litigation track for families involved in multiple cases in the 17 th .	18 th JD They are currently looking at addressing this and it is "on the table". They are looking at bundling cases but not using the one family one court. They are hoping to be addressing the entire family not just the case.	19 th JD I know Magistrate Koppes-Conway our juvenile magistrate often works with Magistrate Tuttle and Judge Lowenbach. Magistrate Koppes-Conway is also on several community boards that deal with juvenile issues to bring things full circle with families and schools.	20 th JD No thanks and referred me to others.
FCF- Juvenile		No. It is focused for DR cases. This would be of interest to the district and we are looking for ways to provide services to families' w/more than one case.		Yes, as facilitators we do this. If a family has lots of case types we invite everyone to the table (Youth in Conflict worker, GAL) We try to have the same GAL on both the JD and JV case.	

				<p>Tx providers for family and the juvenile are invited. The JV case is the primary case and the rest trail.</p>	
<p>FCF- Domestic</p>	<p>If there is a program that would help parties in the court system, it would be of interest.</p>	<p>I think the other facilitation is working on a new program like that. Right now there isn't anything in place. Some times they cross but are mostly separate.</p>	<p>Yes, if a D&N case exists the DR case will not have any orders entered until the JV case has completed the parenting plan. This is all done in the children's best interest. They also appoint the CFI to help in this area.</p>	<p>Yes, we look for other cases that the family has. The clerks do a name search when new cases are filed and assign them to the judge who has an existing case with the family if there is one. We will also prepare a sheet with the information about the other cases for the judges. The information also goes in a MINC.</p>	
<p>Magistrate/Judge</p>	<p>We do have a one family, one judge policy. When cases are filed a district name search is done in eclipse and if other cases exist with another judge, the new cases will be transferred to the judge seeing the family. The judge will also follow the family if they move with in the district between counties.</p>	<p>It is considered but there is nothing formal. Drug court does this. It would be of interest to the district as it would have better results for families, reduce the number of court dates, better use of resources and reduce conflicting orders.</p>		<p>Yes, if there are multiple cases with in the family, the cases will be transferred to one judge that will hear them all. If a domestic violence case is filed in county court, it will transferred to district court to be heard by the judge if DR or DN going on. In JD cases, after adjudication, it would be transferred to the judge hearing the DR or DN case.</p>	<p>We have considered it but it is not feasible. It would be of interest to the district because of the customer service and goal is not just the administering of justice to help the families.</p>
<p>Magistrate/Judge</p>	<p>The family court facilitator attempts to integrate the cases. She is our primary resource and is very good at what</p>				<p>We are moving toward a family court. The magistrate only hears D&N cases so we are trying to be more</p>

	she does.				specialized with in case types. We also communicate well with each other but we don't have anything formal in place.
Question 3					
District Administrator	15/16 JD Each district has two judges and cases are assigned randomly so they do not rotate.	17 th JD History of rotation every two years. This might change with addition of so many new judges.	18 th JD The current DR judges haven't changed in 5 years. When one of them is interested in rotating out, they can ask. The JV judges and magistrates rotate every 2 years. The two magistrates in JV and JD rotate with each other every two years.	19 th JD We don't rotate per se due to the specialization required and the judicial officers in those areas have a passion for what they do.	20 th JD No thanks and referred me to others.
FCF- Juvenile		Every two years.		I don't know	
FCF- Domestic	The cases are assigned every other case to each of the two judges. If there are other related case, efforts are made to assign the same judge to the cases.	2 year rotation for both judges and magistrates. Sometimes they do stay longer if they want in the division.	He can only speak to the DR Judges and they haven't rotated for 7 years. He does not know if they rotate.	They don't rotate often. October 1 st will be the first one in two years. I have been here two years and have had the same judge.	
Magistrate/Judge	There are two district court judges that rotate between three counties. All cases are divided equally and there is no rotation.	Every two years.		There is no strict police around this. Neither magistrate rotates either unless something comes up.	Judges rotate every two year.
Magistrate/Judge	We have two judges that serve the 15 th and 16 th . Each judge handles both cases type plus all of the				Magistrates do not rotate. Judges used to rotate but that just changed this in the last

		rest. No rotation.			6 months.
Question 4	Do districts have practices in place, which allow for information to be shared about a family who has multiple case types in the district(s)? If yes, how? Are there other information systems that you use at the local level to help manage families with multiple cases?				
District Administrator	15/16 JD Nothing formal. A name search is done in the district, not statewide when a case is assigned. When the case is assigned, if the judge is familiar with a person in the case, he will hear the case.	17 th JD We are currently working on info system.	18 th JD Not like I would like. Some reports can be run for the judges but really not what they are looking for. There are no other information systems at the local level to help manage families with multiple cases.	19 th JD The three folks I have already mentioned would have to tell you how this works here.	20 th JD No thanks and referred me to others.
FCF- Juvenile		No, but we are looking at developing these practices. SANCA is available and when time permits, court facilitators and judges communicate.	Not like I would like. Some reports can be run for the judges but really not what they are looking for. There are no other information systems at the local level to help manage families with multiple cases.	Yes, SANCA and Trails and basic communication through e-mails. We also use Eclipse. SANCA helps to bring the systems together. Erin would be better to answer this question..	
FCF- Domestic	Staff communication on a regular basis – State wide index Family Court Facilitator	No, not at this time. If they know about a multiple case the judges will talk but nothing formal.	Not formally but he will look up the parties on the state wide index for other relevant cases and will report them to the judge for example bankruptcy and D&N cases. There are no other information systems at the local level to help manage the families with multiple cases.	SANCA. I always do a state index and name index and also rely on the party's petition, which isn't always reliable. We have the one judge per family.	
Magistrate/Judge	SANCA is helping us do that but don't know how well it is really working. Cases are transferred so one judge hears all cases w/in the family. If the family moves between	SANCA and Eclipse and on an informal level, memory. The magistrate knows about SANCA but has not been using it. Eclipse can give you information on the		SANCA – is used in both JV and DR cases. The clerk's office will also do a name search on all new DR cases to see if there are any other active cases and the	We have SANCA used solely by the JV magistrate. To manage we use Eclipse.

	<p>the counties but stays in the district, the judge will continue to hear their cases.</p>	<p>person(s) in the state. With the JV and JD cases, they can be bundled and heard by the same officer.</p>		<p>information will be placed in the file on a summary sheet. The FCF keeps a community calendar and if a conference is needed it can be set at the hearing.</p>	
<p>Magistrate/Judge</p>	<p>To the extent that if cases are in front of two different judges the information is shared. There is no formal process for information sharing. If a family is recognized sometimes cases are transferred but not always.</p>				<p>We were a SANCA pilot project. D&N cases are the only entry type cases. We don't have a one family, one judge but we do have cases that trail others. If there is a JD case, it will trail the JV case. We do pay attention to this.</p>
<p>Question 5</p>	<p>Do judges who handle family cases receive additional time for training and handling of these cases? If not, why not? Do employees who process family cases receive any specific training to help them in their handling of these cases? If not, why not?</p>				
<p>District Administrator</p>	<p>15/16 JD The judges in the districts to take advantage of the conferences provided. Dianna coffee provided SANCA training for the clerks.</p>	<p>17th JD Judges/Mag/FCF encouraged to attend training. Perception of who takes too much training is an issue. Employees do not have anything specific and it would be very helpful.</p>	<p>18th JD</p>	<p>19th JD The officers in these areas have been there for quite some time and Judge Lowenbach is often on the faculty of judicial trainings and committees. All three go to the family conferences held instate. Judge Lowenbach also has been to out-of-state training. The judges appear, from what I have seen in my first six months here, seem to like to train their staff to include the local resources available to their specific clients.</p>	<p>20th JD No thanks and referred me to others.</p>

				Division staff receives data integrity training and case-type data specific training. I probably am only skimming the top of this as I know training and staying on top of the literature is very important to all of them.	
FCF- Juvenile		If they go to the family issues conference. More specialized training should be offered. Staff does not get extra training. Clerks don't but the family court facilitator usually has a lot of their own experience.	No, the judges do not have additional time because their dockets are full. The employees get additional training for SANCA and Eclipse.	I think so. They are at trainings occasionally. The employees also attend the family issues conference.	
FCF- Domestic	Judges attend the judicial conference — they attend other trainings when available and able to schedule - Employees attend trainings and receive in-house trainings and support	They go to judicial conferences and still have to meet their CLE credits but don't think there is anything additional. Doesn't know about the clerks. She and the other court facilitator attend conferences all of the time for family issues.	The Judges can attend the family issues conference and other conferences/training for CLE credits. They also confer with other judges for information (some informal training). Employees have ongoing training around quality control. They attend court academy and other workshops both voluntarily and mandatory. The district has a full time trainer on staff.	Not sure about the judges. There really isn't any extra training provided for the FCF unless she finds it and signs up for it. It is not discouraged.	
Magistrate/Judge	No, there is nothing built into the weighted case load. They all do attend the family issues conference and the child welfare conference. Employees do not	Yes, he thinks so but there is always room for more.		They can take advantage of training and it is encouraged. Some attend the family issues conference and other conference. As far as the employees, the FCF	Yes, all judges have this available and do attend conferences when they can. Employees, no, not sure. Some do and some don't. The

					will attend trainings and conference pertaining to her job. Other court employees do not attend offsite trainings but they do have trainings in the court house that can be specific to family cases.	clerks entering data no but the family court facilitator's do.
Magistrate/Judge	Other than the family issues conference, no. Because of the function of dockets. It's not that we are overly busy but we are so spread out and there is lots of travel time.. The family court facilitator does attend specified training the clerks do not. However, there is a protocol in place that the clerks participate in with family cases in notifying the judge and FCF of these cases.					The judges and magistrates do get time but it may not be additional time. If there is money and they want to go they can just ask. We attend the family issues and judicial conference. Every year we have a judge's retreat at the beginning of the year to see what everyone wants to learn more about and training will focus on that. With employees, the clerks are trained on ICON and SANCA. The magistrate's clerk attends trainings to do with the treatment court and participates in the development training. She gets a lot more training then the other clerks.
Question 6	Does the judicial district have appropriate docket management, case management, and case tracking mechanisms in place so that cases are handled in a coordinated and efficient manner? If yes, how?					
District Administrator	15/16 JD Yes, regular review of open and aged case	17 th JD SANCA, Eclipse, and c/m reports are run regularly	18 th JD	19 th JD The judicial officers would need to answer	20 th JD No thanks and referred me to others.	

	reports. The DR and JV court facilitator does this.	and monitored by DA, Chief, Supervisors, and FCF.		this question.	
FCF- Juvenile		Not specifically for a family division but each division has an appropriate way.	Yes, they follow the district plan for JV cases. Clerks input data, Family court facilitators input data to manage the information. The family court facilitator also meets with people face to face.	In JV yes. It's just the character of people. They know how to cut people off and to not let things drag. They have a good flow.	
FCF- Domestic	Yes. The clerks manage a calendar for each judge The Family Court Facilitator tracks domestic cases and assists parties through the process The clerks follow up with open case reports	Yes, after a new case is filed, a status conference is held with in 40 days and it is the facilitator's job to make sure the case stays on track. There is always an event on the S-Line. There is a goal for Decree of 90days. With motions to modify, there is always a review on the S-Line as well.	Yes, the DR cases are tracked very closely (monthly) by running an open case report or history and all statistics are reviewed. In the DR cases, a status conference is always held with in 40 days of filing.	Yes, most of it is done in eclipse. We pull open case reports and future case reports in every division and clean up the list.	
Magistrate/Judge	Yes, that is funneled through the court facilitator who maintains a calendar and tickle system mostly in DR cases.	We do have this but it may not always be as coordinated and run efficiently. We use bundling and use of a coordinated information screen.		Yes, open case reports and age of case reports are pulled monthly. We also use SANCA. In all family cases there is always a future date so there is no losing cases.	Yes, we use the tickling system on Eclipse and have a strict adherence to rule 16.2. We have an active review of cases.
Magistrate/Judge	Case manage reports are pulled at least quarterly and usually more often than that. They rely on the clerks to do this.				I think so. The case management we all do that with open case reports. We like to be #1 in the stats across the state especially in D&N. For all closed events we have a tickle system so they don't get lost. The docket is staggered so people are

					not waiting around all day. We don't have a FCF so we have our own database to follow-up on case reports.
Question 7	Does the judicial district provide opportunities for non-adversarial resolution of disputes, when appropriate? What opportunities are provided? What types of cases and when? If not, why not?				
District Administrator	15/16 JD Yes, mediation can be provided in DR and JV cases. The family court facilitator does status conferences before any hearing in the DR cases.	17 th JD Mediation, FCF conferences in DR, DN, truancy, and Juvenile. Drug court in Juvenile and DN.	18 th JD Yes, the family court facilitator provides 8 conferences a week and if the cases are messy and every thing else has been tried, mediation can be recommended for a sliding scale fee. (this is rare) if it gets too messy, they will have a contested hearing. This is for DR cases.	19 th JD We have a family court facilitator who serves in this role. She and the judicial officers could better respond to this question.	20 th JD No thanks and referred me to others.
FCF- Juvenile		Yes, status conferences are provided prior to the judge hearing the case, with in 30 days of the case being open. This happens only on DR cases.			
FCF- Domestic	Domestic and sometimes juvenile cases are handled by the Family Court Facilitator. The GAL and Department of Social Services usually handles the Dependency and Neglect cases	Yes, status conferences are set on all DR cases. It is much better for them to agree themselves then go to a contested hearing. Sometimes the facilitator will recommend mediation but it is not mandatory.	Yes, they participate in the cooperative law approach. He will also talk with all pro se parties, both non contested and contested to encourage a mediation, this is on a case by case basis and is only for DR. He can not speak to the JV cases.	In DR cases, mediation is mandatory if they are requesting a longer hearing than an hour. If any requests are made to modify existing orders, mediation is required. A mediator list is available but the families must find their own mediator and pay for it. In JV cases (custody issues) if they don't agree, the same rules above pertain to the JV case.	

Magistrate/Judge	Yes, we have mediation in our courts and through ODR and also informal mediation through the family court facilitator. This is only available in DR cases. There is nothing for JV cases.	Yes, ADR is available from the state on any case type but he is not sure how much it is utilized. There are no mediators. 10 or more years ago mediation was mandated in D&N cases and that was good.		Yes, mediation is provided in both JV and DR cases. The parties usually are required to pay for this unless they qualify for ODR services.	Yes, primarily in DR cases we have mandatory ADR and that is enforced before any contested hearing. Mediation is available as well. We have an ADR directory district wide. In D&N cases ADR is encouraged. The magistrate will hold a case management conference if she feels it is necessary.
Magistrate/Judge	DR – we do through the FCF, she acts as a mediator. If children are involved in the case they are ordered to a parenting seminar on divorce to help them co-parent. Then after that has been completed they are to meet with the FCF for a status conference for temp orders regarding child support and parenting time. On many cases, all things are resolved and hearing is not needed. There really is nothing in place for resolution in JV cases as they have so many more services (social services, attorneys)				Yes, mediation is required in DR cases. In the JV cases, she used to be the court facilitator so she still does these on cases to get them out of the court room in a more informal setting to discuss issues. We also have a grant with social services that pays for some mediation when an agreement cant be made with regard to the parenting plan.
<p>Question 8</p> <p>District</p>	<p>Does the judicial district keep a list of low cost providers for ADR services, supervised visitation, treatment programs etc.? Where?</p> <p>If not, why not? How is the information provided to the public?</p> <p>15/16 JD</p>	17 th JD	18 th JD	19 th JD	20 th JD

Administrator	It is a very small district so no. They are lucky if they have one provider for the services. On the internet there is a state wide list out there somewhere. The court does have a family issues booklet with resources and they are handed to parties as needed.	No not generally. We do keep info by case type—we should have something more general.	Yes	Yes, the Judges have a copy and he also maintains a file with all of the information. They will often make referrals to Metro Volunteer Lawyers or the attorney referral services, which is a reduced fee. The information is provided to the public on a case by case basis through himself or the Judge.	Yes, although we struggle to maintain a list of providers of the quality and quantity the judges want – that appears to be a perpetual challenge. My judicial officers are adamant about maintaining a high quality of ADR services in their courtrooms.	No thanks and referred me to others.
FCF- Juvenile		Yes	Yes	Yes	Our ODR is the group with the lowest fee and the FCF keeps the list to hand out as needed. There is also a list of CFI's approved by the court and are at a state rate fee. There is no list for supervised visiting or any other treatment programs. They do have a list of parenting classes that the FCF still hand out.	
FCF- Domestic	No. they do not exist	Yes, of mediators, the ODR. Other facilitator has a program for supervised visits and exchanges that is low cost. List of these services are handed out at the status conferences. Normally the facilitators have the party's financial affidavits so they can tell what they will qualify for.	Yes, the Judges have a copy and he also maintains a file with all of the information. They will often make referrals to Metro Volunteer Lawyers or the attorney referral services, which is a reduced fee. The information is provided to the public on a case by case basis through himself or the Judge.	Yes	Yes	
Magistrate/Judge	NO, I don't know if we even have any in the area. (low cost providers)	I don't know, I just have a collective memory and keep a notebook for my own use. The 17 th judicial website has links on it for services. On a case by case basis the parties are verbally given recommendations. He also thinks there maybe pamphlets in the clerks office.			We have a list of low cost ADR, supervised parenting time, and CFI. Other than that, we really don't, maybe we should think about that. MH services are referred to the local MH center and they have a sliding scale fee. The judge has these lists and they are also posted on the website. Social Services also makes referrals and	No, we know who they are and refer in appropriate cases.

Magistrate/Judge	No, don't know who they would be. Once we got the FCF and the parenting classes, the conflict in families reduced substantially.			has a list.	Yes, we keep a folder with all of the information. The FCF in DR keeps this. I think you can also get the information on line. All public can have access to the folder (binder).
Question 9	Does the judicial district have a centralized location or staff person to provide referrals to services for the family, such as alternative dispute resolution, guardians ad litem, mental health services, substance abuse counselors, interpreters, and emergency financial and housing assistance? If not, why not? If yes, what types of cases?				
District Administrator	15/16 JD The court does not refer for substance abuse. The Family court facilitator will make referral for ADR, supervised visitation and parenting classes.	17 th JD Not in DR – In JV there is DSS	18 th JD No they do not. The families have to rely on the GAL and respondent parent attorneys. The court facilitator created the handbook for the families and the attorneys hand it out as well as other documentation for them to use. The attorneys really guide the families.	19 th JD We only have one location.	20 th JD No thanks and referred me to others.
FCF- Juvenile		NO, not in DR cases. There isn't funding for this. Referrals for JV cases are made in court and by social services. The only referrals in DR cases can be made for parenting time, mediation and to the CFL.		Yes, the two FCF.	
FCF- Domestic	The Family Court Facilitator assists with referrals, however there are limited services to refer parties to. Court staff know what the services are and will inform parties about	There is only a list at the clerk's office, she does not know what is on it.	No central person specifically for this purpose but he is the person that would refer on a case by case basis. They have a fully staffed interpreter program. (Again, this only pertains to DR and he cannot	NO, don't know why. The drug court is working on that in JV cases but nothing in the DR world.	

Magistrate/Judge	them No, there are really no services available because of the limited size district. The family court facilitator will do this informally. There is a new Family court Facilitator coming on next month who knows the community well and is able to match the needs and resources very well.	No, not in JV cases. Good questions why there is not. In DR cases the family court facilitator probably does some of that.	Speak to JV)	We have two family court facilitators, one DR and one JV. In the D&N cases the caseworker usually makes the referral for services. In the DR cases the FCF will make the referral. United way also can make referrals to services.	Yes, the Family Court Facilitator in DR cases and the Magistrate in JV cases.
Magistrate/Judge	The FCF.			The DR FCF does this for ADR. With mental health and substance, not really sure who does this. If it is a D&N case, the Caseworker will make the referrals to appropriate providers.	
Question 10	Describe court resources or programs available to assist families in finding necessary social, legal, or other services.				
District Administrator	15/16 JD The internet and the family issues booklet.	17 th JD FCF, Local Bar, and Website	18 th JD Pamphlets, the handbook and some other literature. Caseworkers provide lots of information. If the parties are pro-se, the court facilitator will make the referrals.	19 th JD The judicial officers will need to provide this information. For D&N cases the FCF has an orientation on the 2 nd and 4 th wed of each month over the lunch hour regarding services and information on the process. For the DR cases the FCF meets with the families individually to counsel them. Also the United Way 211 services where anyone can call to ask	20 th JD No thanks and referred me to others.
FCF- Juvenile		No programs, the resources are given out on a case by case basis by staff. We have no resource center.			

FCF - Domestic	Colorado Rural Legal Services has limited assistance Family Court Facilitator provides information Brochures are available in district court area	Family court facilitators, metro volunteer lawyers, legal aid (clerks have a list of this stuff), CSE unit has mediation services. CFI (working on a list now) with qualifications and rates.	Friday mornings they have a pro-se resource center available to the public and it is staffed by volunteer attorneys. They also have a babysitting grant that parents can utilize when in court or when meeting with counsel. This babysitting service is off site and not at the courthouse.	for possible help with any services. The Weld county legal services hands out little bookmarks with this information on them (for DV cases only) They also provide a free one time a month divorce clinic that the attorneys staff.	
Magistrate/Judge	The only thing is the family court facilitator.	All we have is legal aid and metro lawyer referral services.		Colorado Legal Services and Weld Legal services. Weld Legal Services provides pro bono services. 211 is a hotline manned by united way that will assist families in the area with services and needs. CFI's are also a good source of referrals.	Outside of the FCF we have brochures and the state court website and the 20 th judicial district website. We can provide one on one assistance based on case need.
Magistrate/Judge	FCF knows the community well and is invested. She will make those referrals as well, she does such a great job.				None. In D&N we have a handbook on...here is what to expect. There are brochures from the state and we also have a D&N advisement video. In D&N cases there are lots of people on the case that can help provide information on other services (the parent attorney, GAL's and caseworker)
Question 11	Describe other resources or programs, i.e., the local bar or non-profit community, which are available to assist families with				

	navigating the court system. Include any programs for pro se litigants.					
District Administrator	There is no pro bono program. Once in a while an attorney will volunteer their time. Colorado rural legal services is available on a very limited basis.				The judicial officers will need to provide this information.	No thanks and referred me to others.
FCF- Juvenile		There is a pro-se divorce clinic through Adams county legal services. There is also information thorough metro volunteer lawyers and victim advocates.	They have a pro-se resource center, primarily used for the DR cases. The bar association comes to the court two days a month for free services. Metro volunteer lawyers are available. In the D&N cases they usually qualify for counsel and they lead them through.	We were trying to get together a resource area a the library for family court but we unable to. They are working on an icon on their website with suggested reads on anything,. Also the orientation mentioned above.		
FCF- Domestic	Judicial website The GAL helps with Dependency and Neglect cases Department of Social Services helps with some services Handbook for families for Dependency and Neglect cases	Not aware of any. On the website you can print the forms to fill out and read about what will happen at the hearing.	The state court website provides this information as well as forms the parties can print off. The pro se resource center on Fridays can help with this. He also makes up cards (business card size) to give out to parties with helpful websites and people to contact. There is also a "notice" form handed out detailing what they will need to be responding too.	Just the prose clinic mentioned above.		
Magistrate/Judge	The state website, brochures, a hand book for D&N cases and the FCF has intro materials for DR cases.	Don't think there is any. Our web-site is very very helpful and user friendly.		We have the divorce clinics put on my weld legal services for DR cases.		The court accepts responsibility for this, making sure they understand how to navigate. We do have a pro bono clinic in boulder and a law-clinic through CU in

Magistrate/Judge	The clerks give people the packets of forms to help them to file. The FCF will talk to the parties if they need some help. In Lincoln and Elbert county, Rick Morgan (attorney) does volunteer clinics for divorce and pro bono work with families .				boulder. YMCA used to provide this but no longer does
Question 12					
Have you established a pro se clinic in your county to serve the needs of pro se litigants? Who does this and what are the benefits?					
District Administrator	15/16 JD The bar will sometimes do this but it is not regular or formal. The district would love to have this available but does not think the bar association would.	17 th JD	18 th JD	19 th JD The judicial officers will need to provide this information.	20 th JD No thanks and referred me to others.
FCF- Juvenile		This question added after survey completed.	This question added after survey completed.	Don't know Don't know, it may be better to ask the other DR FCF this question.	
FCF- Domestic	There is not a pro se clinic, it may be of interest	This question added after survey completed.	Yes, the pro se resource center is available Friday mornings in their court run by volunteer attorneys.	Yes, the Weld County Legal Services puts on one once a month for divorce. Provides legal advice.	
Magistrate/Judge	It has been a long time since we had one and it was through lend a	This question added after survey completed.		Yes, weld legal services does this. They are volunteer attorneys.	The FCF office does this. They provide a weekly divorce

	lawyer. This would be of interest to the district.			Benefits are: people are armed with knowledge. It makes the judge's job easier and it gives the parties the relief they need rather than floundering in the system	orientation and handle all of the calls with legal questions. This provides efficiency as it is done in a group and not individual. It helps them to make sense of all of the forms.
Magistrate/Judge	Do not have one. It might be helpful and I would certainly encourage it if it was available but we are so far out here. The attorney's do lots of pro bono work already.				Yes, don't know much about it since it is DR cases. The FCF can help me out with this one.
Other Comments	The addition of the FCF has been an extreme benefit to all counties and to us!!	Feels we should do a brown bag on all of the services and programs available to families in Adams as most of us do not know all of the services and programs in our own district.		I promise I will learn more – it is just that being here for six months the squeaky wheels get my attention and frankly our family court runs with a hum rather than squeaks.	We have a child friendly waiting room that is wonderful and helpful! Also we keep crayons and coloring books for parents that bring their kids (even though they are not supposed to). They can take the crayons with them. This helps the kids to settle as well as the parents.

		21 st Judicial District	22 nd Judicial District			
Question 1	Does your judicial district incorporate and encourage input and participation from outside agencies, policy makers, professionals, and other advocates to ensure that the court is responding appropriately to the needs of families? If you have separate committees or work groups, please identify the names and purposes of these groups.					
District Administrator	Yes, we have a community stakeholders meeting for JV on D&N cases where DHS and all the players meet to discuss what is happening. We have bar meetings between JV and civil cases. The judges meet occasionally to discuss JD and criminal cases. We meet with the CFI annually to discuss issues. Ever 6 months	Yes. We currently use the Pinon Project.				

FCF - Juvenile	we meet with pro bono legal services to discuss issues. Yes, I believe our court has done this in the past by conducting community/town meetings with judicial panels for questions/concerns. We have now scheduled a "stakeholder" meeting for community agencies involved in children's issues with the hope of more meetings and committees to address any unresolved issues.		
FCF - Domestic Magistrate/Judge		Yes. Family Friendly group with the Pinon Project. Our District does solicit input at times from outside agencies. An example of this is an agency called the Pinon Project. The Pinon Project runs a supervised parenting time program, a safe child-exchange program, and a fatherhood program, which is designed to support fathers in a number of ways, such as learning child care skills, and improving job hunting skills, among other programs. We also have the Violence Prevention Coalition, which is a task force designed to look at strategies for reducing violence in our community and which is also a good opportunity for information sharing. The focus for the VPC is usually domestic violence. The VPC includes representation from a number of agencies, the D.A.'s Office, law enforcement, and judicial officers. We also have quarterly meetings with an organization known as Partners, which handles SB-94 juvenile detention bed management, and pre-adjudication supervision for juveniles who are criminally charged in an attempt to look at detention issues that come up. Our jurisdiction is very limited in terms of community resources that are available to juveniles. With the exception of outpatient alcohol and substance abuse treatment, and limited mental health treatment, most juveniles requiring services end up in an out of home placement elsewhere in the state.	
Magistrate/Judge Question 2 District Administrator	Do your existing programs addressing family cases (see above list) take into account the feasibility of encompassing a broad-based jurisdiction of family and juvenile case types? In what way? Would this be of interest to your district? Why or why not? NO, not specifically, where do you stop, it would just go on and on and not way to tie them.? We are a very small community and all DR cases go through a magistrate and there is communication there and the bench is very good about knowing the families. It would not be of interest to the district because of the judicial training and really CR cases are our biggest case load, not family. It is not a need at this time.	The Pinon Project operates under a family friendly grant. We are currently focused on divorce cases that involve children for supervised exchange and safe exchange.	

FCF- Juvenile	Not sure about this.	I don't really understand what you mean by this.		
FCF- Domestic Magistrate/Judge		Our existing programs do not take into account the feasibility of encompassing a broad based jurisdiction of family and juvenile cases. I do not know that I can speak for the district in this regard, as I have never discussed this with our Chief Judge, but I personally feel that this is a concept that makes a lot of sense. There appears to be a lot of overlap in the areas of truancy, juvenile delinquency and dependency and neglect cases in terms of the services that are needed. I usually see kids in juvenile court first, and then many of them move to delinquency court. Many of the children with truancy and delinquency cases have suffered abuse and neglect at the hands of their parents or other relatives. By way of example, I have seen children who did not attend school because they didn't have any clothes to wear to school. I think we should be looking for broad based solutions to some of these problems.		
Magistrate/Judge				
Question 3	What are the District's practices in regards to rotation of judges handling DR and JV cases?			
District Administrator	We have one magistrate on JD cases (no rotate). We have one magistrate on D&N cases (no rotate). We have two magistrates that split the DR caseload and do not rotate. There are 4 judges that will take DR cases if they families request a judge and those are just split. The judges do not rotate. However, if they wanted to the could.	We do not rotate judges. Assignments are even and odd numbered cases.		
FCF- Juvenile	We don't have a rotation for these cases that I am aware of.			
FCF- Domestic Magistrate/Judge		The 22 nd is a small JD and the judges do not rotate. We have two judges. One judge handles odd-numbered cases, and the other judge handles even-numbered cases. Magistrates handle temporary orders, and permanent orders in which the litigants have consented to Magistrate. Permanent orders with Magistrates are alternated between two Magistrates.		
Magistrate/Judge				
Question 4	Do districts have practices in place which allow for information to be shared about a family who has multiple case types in the district(s)? If yes, how? Are there other information systems that you use at the local level to help manage families with multiple cases?			
District Administrator	Eclipse is utilized and if they are aware of SANCA, they use that. They do not do a state wide search on families to see if there are multiple cases and nothing at the local level to manage the families.	Yes, The Family Court Facilitator monitors this. No.		
FCF- Juvenile	SANCA is now in place in this district.			

FCF- Domestic		Yes. Facilitator does case management and alerts judges/magistrates if necessary. No.		
Magistrate/Judge		Our court clerks usually try to check for multiple case types, and leave notes to the judges and magistrates about the existence of these case types. We are usually aware of protection orders which have been previously issued. We are usually also aware of the existence of a child support enforcement case in post decree matters.		
Magistrate/Judge				
Question 5	Do judges who handle family cases receive additional time for training and handling of these cases? If not, why not? Do employees who process family cases receive any specific training to help them in their handling of these cases? If not, why not?			
District Administrator	They can attend any trainings that they want to. Employees are trained in general but not specifically. The FCF attends the family conferences. We have a pro se manager and that person is specifically trained by the magistrate.	Yes, The Family Court Facilitator attends training.		
FCF- Juvenile	I don't know about this.			
FCF- Domestic		I don't know. The Family Court Facilitator attends trainings and conferences; there is an email list for facilitators where we share information, etc.		
Magistrate/Judge		I can speak for the training that I have received, which is excellent. I have received additional time for training and handling of family cases. Our jurisdiction is generous with CLE trainings, and I also try to take advantage of every scholarship opportunity available for training. I also seek out CLE by mail opportunities, and have asked for and received some excellent materials free of charge.		
Magistrate/Judge				
Question 6	Does the judicial district have appropriate docket management, case management, and case tracking mechanisms in place so that cases are handled in a coordinated and efficient manner? If yes, how?			
District Administrator	Yes, we monitor the open case and age of case reports. The FCF will have a stats conference with in 30 days of filing. If they are pro se and have children they are really good at following up with compliance. We have a tickle system and every cases is set for a 3 month tickle from the time of filing through eclipse to make sure they don't just sit there. A notice is sent if nothing is happening on the case. In one division a 3 month review is set. In another division, a review is set at 30, 60, and 90 days to track. Different divisions do different things.	Yes. Eclipse is utilized and the Family Court Facilitator holds reviews and status conferences.		
FCF- Juvenile	Yes, I believe we work hard at this. For the JV cases we used to use the excel data base as a tracking system in addition,			

	Magistrate Westbrook has had her own tracking system for event dates required. In the domestic cases each judge tracks/trickles their cases for deadlines. The pro se cases are handled separately and also have a tracking/case-management system.			
FCF - Domestic		The Facilitator provides case management and tracking, holds regular reviews, holds status conferences, and meets with pro se clients		
Magistrate/Judge		I believe so. The court clerks and our Family Court Facilitator set all DR cases for a series of reviews at the time of filing. Delinquency cases are re-set until a plea is entered or until the case is set for trial.		
Magistrate/Judge				
Question 7	Does the judicial district provide opportunities for non-adversarial resolution of disputes, when appropriate? What opportunities are provided? What types of cases and when? If not, why not?			
District Administrator	Mediation is required in any contested cases. The FCF pulls cases two weeks before a non contested hearing to see if everything is in the file to make sure it will move forward. In a D&N case a conference is available through the courts but usually everything is worked out with social services.	Local mediators are made available.		
FCF - Juvenile	Mediation is available for both domestic and juvenile cases.			
FCF - Domestic		The Facilitator informs parties of ADR/mediation. The court keeps a list of local mediators.		
Magistrate/Judge		Our district does not provide opportunities for non-adversarial resolution of disputes. We have settlement conferences, and have recently been setting some criminal cases for mediation, but these are adversarial. There is a group that may offer non-adversarial dispute resolution in the Cortez area. I believe that this group is grant funded, and last I heard this group was going to hire a person to administer the program which at some point in the near future should be open for business.		
Question 8	Does the judicial district keep a list of low cost providers for ADR services, supervised visitation, treatment programs etc.? Where? If not, why not? How is the information provided to the public?			
District Administrator	WE have an ADR notebook that lists providers and their costs. We also have a list of ODR mediators and if the filing fee was waived in the DR case, ODR will be free. We have a family friendly grant that us used for supervised parenting time on a sliding scale fee and we also have a list of other contract agencies. The clerk's office keeps these lists and the public can either call, visit office or visit the website to get the information on DR cases. The D&N cases can get the information from social services.	We have one provider. All court staff disseminate the information.		

FCF- Juvenile	Yes, we have a list of mediators and visitation program providers etc. which are usually given to parties when they are in a hearing with a judge or magistrate. They are also available in the clerks office, pro se coordinators office and family court facilitators office.		
FCF- Domestic		The JD keeps a list of providers and resources, but there are not many in this area: only one agency at present providing supervised visitation, for instance. The information is provided by the Facilitator, the Judicial Assistants, and judges/magistrates	
Magistrate/Judge		In our jurisdiction, the list of providers is very short, low cost or otherwise. I believe that there is one person in town that does domestic relations mediation, for example, and two non-profit agencies that provide supervised parenting time. The information is provided to the public in the context of a court case when the judicial officer orders the parents to contact the agency in question to set up supervised visits. We do not refer to a specific agency where there are a number of alternatives available to the public, however, as we do not wish to create the impression that the court is "endorsing" a particular provider.	
Question 9	Does the judicial district have a centralized location or staff person to provide referrals to services for the family, such as alternative dispute resolution, guardians ad litem, mental health services, substance abuse counselors, interpreters, and emergency financial and housing assistance? If not, why not? If yes, what types of cases?		
District Administrator	NO, we are not social workers.	The Family Court Facilitator provides referrals. I believe mostly to indigent parties in DR cases.	
FCF- Juvenile	Yes, we have a list of mediators and visitation program providers etc. which are usually given to parties when they are in a hearing with a judge or magistrate. They are also available in the clerks office, pro se coordinators office and family court facilitators office.		
FCF- Domestic		The Facilitator provides referrals and information to pro se DR clients.	
Magistrate/Judge		Our court does not have a centralized location or staff person to provide referrals to services, other than our Family Court Facilitator, who has a lot of other responsibilities. People with emergency financial and housing problems are usually referred to Social Services.	
Question 10	Describe court resources or programs available to assist families in finding necessary social, legal, or other services.		
District Administrator	The pro se office assists them with this. There is also legal services and pro bono but this is not our job.	The Family Court Facilitator and the Pinon Project.	
FCF- Juvenile	Our community has programs set up through Colorado Legal Services and Pro Bono to provide instruction classes for divorce,		

	allocation of parental responsibilities (APR) and protection orders. We were also able to get grant funding from the family friendly courts project to provide a supervised visitation and exchange program. We also have a video tape to assist pro se litigants to fill out their divorce and APR paperwork.			
FCF- Domestic		There are no court resources other than the Family Court Facilitator.		
Magistrate/Judge		We do not have any programs available to assist families in seeking assistance, other than the utilization of our Family Court Facilitator. The Four Corners Bar Association is working on a project to compile a list of area providers for public information, as part of a larger statewide project. As the 2006-2007 Bar Association president, I did contact agencies in our area to provide a list of programs that they offer, but this has not yet been completed.		
Question 11	Describe other resources or programs, i.e., the local bar or navigating the court system. Include any programs for pro se litigants.	Describe other resources or programs, i.e., the local bar or non-profit community, which are available to assist families with litigants.		
District Administrator	I think the Bar association has a call in night. We did put together a video on what to expect in the case, there is also a flow chart. A TV is available right there in the court house. There are packets of forms with instruction on how to complete them. The website also has a self help section.	Colorado Legal Services, Renew, Child Advocacy Center, Victim response Group, and the DA's victim witness program		
FCF- Juvenile	We have a free Call-A-Lawyer night available to the community every other month. We also have several attorneys that provide "unbundled services" also known as "limited representation" for folks that cannot afford a retaining fee but need legal advice.			
FCF- Domestic		Colorado Legal Services is rarely available to our clients – they are understaffed and cannot take on many new cases. For victims, the DA's office has victim advocates, the law enforcement Victim Response group can sometimes help, Renew provides services for adult victims of domestic violence and sexual assault, and the Child Advocacy Center provides services for children.		
Magistrate/Judge		We do not have any programs for pro se litigants or other programs designed to assist families in navigating the court system. Some of our local attorneys will occasionally take on a pro bono case, but there is not much help available. Colorado Legal Services used to provide some assistance on domestic violence related cases, but the attorney who was with Colorado Legal Services quit her job, and I am unaware of anyone replacing her. Our local domestic violence organization, Renew		

		does have a contract with a local attorney to handle protection order hearings, and some domestic relation matters. At one time there was an attorney in town who did divorce clinics, but apparently they were not well attended, and he stopped doing them.			
Question 12	Have you established a pro se clinic in your county to serve the needs of pro se litigants? Who does this and what are the benefits? Would this be of interest to your district?				
District Administrator	No. Legal services office has monthly clinics and are meeting the publics needs. A clinic is not for the court to run.	There is not. Some court staff carefully navigate that path. Yes.			
FCF- Juvenile	The services are all listed in the previous question and they are invaluable. I only wish there were more services available to pro se litigants who really and truly cannot afford an attorney and really and truly need an attorney because they are unable to navigate through the court system by themselves.				
FCF- Domestic		There was until a few years ago a pro se clinic for DR cases, but that function is served now by the Family Court Facilitator			
Magistrate/Judge		We do not have a pro se clinic. Our Family Court Facilitator provides information about court procedures. I think what is really needed is some low cost legal services, perhaps based on a sliding scale basis, so that lower income people can get legal advice on more than procedural matters.			
Other Comments					

Answers in blue indicate surveys done over the phone with my paraphrasing.
 Answers in red indicate survey typed by the interviewee and e-mailed to me.

All district administrators and family court facilitators were contact on at least two occasions to participate in the survey. There were also many Judges and Magistrates that were recommended from each district that I contacted on at least two occasions that I did not hear back from.

APPENDIX V

MEMORANDUM OF FAMILY DIVISION POLICIES AND PROCEDURES

17th Judicial District – Draft May 2007

FAMILY COURT DIVISION

The current court system places families with multiple cases in a confusing and difficult position because of the fragmentation of the court divisions and gaps in services and communication between professionals involved in their cases. The court is challenged by the absence of adequate information about the family, the potential for conflicting orders, and possibility of duplication in services for families that may not be appropriate or needed.

The 17th Judicial District will designate a Family Court Division comprised of three family court judges (Juvenile and Domestic), five family court magistrates, and family court case facilitators. The goal of the “complex litigation track” in the Family Division is to create an environment that will minimize the above challenges for families and provide for more coordination between judges, attorneys, and professionals when a family has multiple cases in the system. The current programs (Family Treatment Court, Model Court, D&N Drug Court) will continue to operate under the management of the Lead Judge in the Family Division.

FAMILY COURT CASE FACILITATOR

A key component of the Family Court Division will be the use of a Family Court Case Facilitator. The facilitator will be responsible for assessing each domestic/juvenile case to identify any other family related cases involving a family. The facilitator will prepare a family status sheet that provides a comprehensive breakdown of the family’s court history including information about treatment and services and evaluation. The FCF may choose to schedule a status conference with professionals working with the family to coordinate efforts in working with the family and to help avoid conflicting recommendations to the court. There may or may not be subsequent status conferences with professionals and/or family.

COORDINATION

The Family Court Division will be able to order case management conferences, alternate dispute resolution, or family facilitator conferences when needed to ensure that communication and coordination by all professionals involved with the family is taking place. Judges,

magistrates, and court staff will be expected to work together to coordinate scheduling and orders (when appropriate) for the family. The Family Court project will require professionals and agencies that are responsible for providing legal and treatment services to families to coordinate their efforts to ensure that services being provided to the family are consistent and expedite the most effective outcomes possible.

Next Steps

The Juvenile Programs Coordinator, FCF and District Administrator will meet to formulate a draft outline of the assessment and court scheduling process. This information will be presented to judges and magistrates for review and comments. Upon finalization of the process a community meeting will be scheduled with attorneys, treatment providers, and others to present the concept and proposed process. The goal to begin this process will be September 1, 2007.

District / County Court, Adams County, State of Colorado
1100 Judicial Center Drive, Brighton, CO 80601
303-659-1161

In re the matter of:

Petitioner:

Respondent:

COURT USE ONLY

Case Number:

Division:

ORDER FOR PARENTING TIME SERVICES

This matter comes before the court on a

- Petition for Dissolution of Marriage / Legal Separation
- Petition for Allocation of Parental Rights and Responsibilities
- Criminal case involving domestic violence
- Civil TPO / PPO
- Post decree motion to restrict parenting time

Basis for referral

Protection order information (if applicable)

There is a protection order against the father mother guardian.

The court orders the parties to cooperate with the following parenting time services:

Central Visitation Program of Denver
1600 Sherman Street
Denver, CO 80203
(303) 839-8701

The Parenting Center
8989 Huron Street
Thornton, CO 80260
(303) 853-3812

Karlis Family Center
1777 Kipling Street
Lakewood, CO 80215
(303) 462-1060

Type of service requested:

Supervised Parenting Time

Supervised Exchanges
 Therapeutic Visitation

Frequency of parenting time, subject to the facility's availability: _____

Approximate duration of parenting time or next review date: _____

CONDITIONS WHICH MUST BE MET BEFORE PARENTING TIME MAY COMMENCE:

1. All parties must contact by phone the facility checked above within 72 hours of this order.
2. All parties must complete the facility's intake process.

THE PARTIES MUST COOPERATE AT ALL TIMES WITH THE GUIDELINES AND POLICIES OF THE PARENTING TIME FACILITY. FAILURE TO DO SO MAY RESULT IN IMMEDIATE LOSS OF THE PRIVILEGE TO USE THE FACILITY, AT THE DISCRETION OF THE FACILITY. BOTH PARTIES SHALL BE SOBER AND NOT UNDER THE INFLUENCE OF ALCOHOL OR DRUGS DURING ANY VISIT OR PARENTING TIME WILL NOT OCCUR.

_____ Voucher amount _____. **This voucher must be used within 10 weeks of this order.**

In addition to the voucher, there will be a \$5.00 fee for each parent for every supervised visit, there is no extra fee for the exchanges.

_____ Each parent will pay \$5.00.

_____ The non-residential parent will pay \$10.00.

_____ Only the parties may participate in parenting time, unless otherwise indicated here to include: _____.

_____ Additional information or requirements: _____

THIS ORDER SHALL REMAIN IN EFFECT UNTIL FURTHER ORDER OF THIS COURT.

Concerns to be reported by facility to: Michelle Gaschler (303) 655-3926.

Signed: _____
District Judge/County Judge/Magistrate

Date: _____

cc: _____ Central Visitation Program of Denver
_____ mail
_____ email
_____ fax (303) 813-0920

_____ The Parenting Center
_____ mail
_____ email
_____ fax (303) 853-3754

_____ Karlis Family Center
_____ mail
_____ email
_____ fax (303) 462-1315

APPENDIX VI



Office of the State Court Administrator

Colorado Judicial Department

Gerald A. Marroney
State Court Administrator

1301 Pennsylvania Street, Suite 300
Denver, Colorado 80203-5012
(303) 861-1111

Memorandum

To: Juvenile Judges, Magistrates and Family Court Facilitators
From: Gerald Marroney, State Court Administrator
Date: January 7, 2008
Re: FAMJIS: Ensuring Ethical Transfer of Information

Introduction

FAMJIS, or the Family Justice Information System (formerly known as SANCA) is now fully installed, and statewide re-training is now in progress. As you may recall, when the FAMJIS capabilities were installed in your district, your district received a copy of proposed business rules designed to ensure the appropriate exchange of data in courts using FAMJIS, specifically with regards to the transfer of placement and treatment information from social services to the courts that is summarized on the Centralized Information Screen.

Now that FAMJIS has been institutionalized statewide, we set forth considerations that courts should take into account to ensure the appropriate and ethical exchange of data. We suggest that these considerations be incorporated into the district plan for addressing dependency and neglect proceedings. The considerations set forth in this memo comply with C.R.S. § 19-1-303 (allowing for exchange of information) and under no circumstances is the information presented here intended to modify or abridge any state or federal law that would otherwise control data transmission or in any way alter the ethical requirements of the court.

Data-Sharing Under FAMJIS

FAMJIS provides judicial officers with D&N related management reports, a centralized information screen and hearing calculators. Some of this information is provided through real-time transfers of information between Judicial and DHS. Some stakeholders have expressed concerns that the real-time transfer, of information from the Department of Human Services to the courts, impacts the accuracy of information; ethics; and due process.

With regards to the accuracy of information, data entry is subject to human error. With respect to due process, parties who are not given the opportunity to view the data being provided to the

courts through FAMJIS may raise objections and appeals that could undermine or delay the finality of decisions in dependency proceedings. It also remains true that direct information-sharing by one party to a court concerning a case, when not also provided to other parties and/or attorneys in a proceeding, constitutes an *ex parte* communication. Colorado Judicial Canon 3 states that a judge should “neither initiate nor consider *ex parte* or other communications concerning a pending or impending proceeding.”

Recommendation

The following practices are recommended to avoid the concerns raised above:

- Judicial disclosure of all information obtained to all parties and the opportunity for parties to “respond, rebut, or offer additional information regarding the information obtained.”
- To “cure” *ex parte* by disclosure.
- Allowing *ex parte* communications by stipulation of the parties.¹

In particular, it is recommended that **social studies, court reports and any other information to be considered shall be provided to the Court and all parties no later than five days prior to hearing according to Chief Justice Directive 96-08. At that time, screenshots of the most recent treatment and placement available in Trails should be attached to the reports.**

Treatment and placement information transmitted through FAMJIS is also contained in court reports prepared by social services and submitted to the court and all parties, but does not replace court reports. All placement and treatment information should be made available in full report form and provided to the court and all parties in advance of the hearing. Local courts may want to collaborate with agencies in standardizing court report formats, including the provision of screenshots of placement and treatment data contained in Trails. By ensuring that court reports are received by parties in advance of the hearing, parties may ensure that the judge is reviewing the correct information. Any party submitting a report to the court or sharing information through FAMJIS should also be available for cross-examination in order to preserve checks and balances on the accuracy of information presented. Further, the Court should consider whether it is appropriate to take judicial notice of the information relied on in making a decision.

¹ Mark Hardin, *Planning for Electronic Data Exchanges Between Courts and Child Welfare Agencies*, National Child Welfare Resource Center on Legal and Judicial Issues, ABA Center on Children and the Law (April 2004).

Addendum to the Report of the UFC Services Subcommittee

RE: The Web Site

One of the recommendations of our subcommittee is the establishment of a web site to be used for a variety of purposes and to be made available to a number of audiences. Recognizing that others with greater power and authority than we have will need to consider the usefulness of such a project given the fact that it will require time and effort, and cost money, we thought it appropriate to describe our vision of the site and its potential in case the UFC Committee as a whole decides to move our recommendation forward.

One of our goals as members of the UFC Services Subcommittee has been to identify the needs of all people using and/or involved in the court system. We have concluded that the following needs exist: 1) the need to educate the public about the legal process including the court system, the roles that various professionals play, the expectations imposed upon the litigants, and special areas of interest such as parenting, child abuse, substance abuse, and the psychological impact of trauma and divorce on families, 2) the need to educate legal professionals regarding the psychological aspects of the system within which they are working (divorce, dependency and neglect, probate, criminal), 3) the need to educate non-attorneys regarding the legal aspects of divorce, 4) the need for divorcing parties to have access to forms used in each district, 5) the need for a list of divorce-related resources that exist within the system and in the community, and 6) the need for various districts to compare routine and special programs that exist in each district and other information that would promote growth and development within each district.

We believe that the establishment of a web site for legal professionals and the public at large would help meet these needs. We envision access by means of home computers, kiosks located in courthouses, and computers in libraries and other public places.

The establishment of such a web site would require the employment of a webmaster on at least a part-time basis to build and design the site after gathering input from appropriate sources, and to then monitor it every so often to ensure that it is up-to-date and functioning optimally.

As the web site becomes more sophisticated, the manner in which information is provided could expand, such as by including videos made by 1) the Chief Judge in each district to educate the public regarding the judicial process and what is expected of litigants, 2) the President of the Colorado Bar Association and/or other legal dignitaries who could address issues such as the role of the attorney, the role of the client, the attorney-client relationship, and legal ethics, 3) mediators regarding alternative dispute resolution, and 4) mental health professionals regarding psychological issues pertaining to divorce and the roles that mental health professionals play in the divorce process.

The web site could also be used as a vehicle for communication. Parties involved with the court process could use the site to provide information to legal professionals by downloading, completing, and forwarding forms and questionnaires to the appropriate people.

For example, family members could download forms that they would complete and forward to their attorneys, child support enforcement, probation officers, state-funded mediators, and state judicial. They could also complete questionnaires to be used when 1) providing financial information, 2) resolving disputes regarding parenting time and parental responsibility, 3) evaluating the legal process, 4) stating more clearly what they need from the legal system and other sources, and 5) providing information for research projects conducted by local universities.

The web site could also provide education regarding a variety of legal and mental health issues. Professionals in these areas could be called upon to write articles at a level that family members could understand and find useful. Lists of community resources could be provided regarding parenting classes, childcare, AA meetings, support groups, mental health services, pro se clinics, public assistance, and consumer credit.

The establishment of a web site of this sort will not take care of all of the ills from which people and the system suffer, but we believe that it would be likely to make the legal process more understandable and the journey through it less traumatic and confusing.

The development of such a web site is, in our opinion, the biggest bang for the buck.

We welcome your thoughts.