

Staying On Track

The 26th Judicial District of North Carolina
TRIAL COURT ADMINISTRATOR'S OFFICE

2009-2010 Annual Community Report

Building Public Trust and Confidence Through Service, Excellence, and Leadership



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A Word from the Trial Court Administrator

Welcome to the 2009-2010 Trial Court Administrator's Office Annual Community Report. I am pleased to present you with this overview, as it reflects the hard work and dedication of our judges, court officials and staff that might otherwise go unrecognized. This fiscal year is highlighted by the development of several noteworthy initiatives and the deployment of new technology to improve the overall administration of justice.



Todd Nuccio

We now have a new bail policy in place, which is grounded on evidenced based research for keeping the community safe and ensuring that defendants appear for future court hearings. The new policy strikes the balance between constitutional rights, including the presumption of innocence and community safety by ensuring defendants are held accountable during the period of their release. Another accomplishment, which improves the administration of justice in Mecklenburg County concerns the management of Superior Court criminal cases. Two new criminal prosecution teams have now been brought under the umbrella of our new case management plan: Persons and Drugs. All reports indicate that cases with these teams are being processed with the same improved efficiency and effectiveness as that experienced by the Property team, which launched the system.

As previously noted, our technology portfolio has expanded to give our customers greater access to programs and services and to increase our internal efficiency and productivity. For example, our new Jury Manager program makes for more efficient summoning and management of jurors in our judicial district. A new system called Q-Flow recently installed in the Post-Judgment Services Center, ensures that the waiting room time for customers is reduced and the coordination between agencies is improved. For those citizens who are seeking assistance with domestic matters, our I-CAN! Web application has been expanded to provide access to new online child custody and visitation forms. In the area of civil case management, court dockets posted online can now be updated by attorneys to reflect settlements, dismissals and other activity to increase attorney readiness and maximize the use of available court time. It's quite convenient because anyone subscribed to a particular calendar receives an email notification whenever an update occurs. There is no need for continuous monitoring.

Administering the largest judicial system in North Carolina is not without its challenges. We are fortunate, though, to have such a talented and capable group of individuals working to ensure the delivery of services offered is second to none.

Todd Nuccio

Todd Nuccio

Trial Court Administrator

26th Judicial District of North Carolina



SUPERIOR COURT JUDGES FY2009-2010

Hon. Robert P. Johnston,
Senior Resident

Hon. W. Robert Bell
Hon. Richard D. Boner
Hon. J. Gentry Caudill
Hon. Yvonne Mims Evans
Hon. Linwood O. Foust
Hon. F. Lane Williamson
Hon. Eric Levinson

**SPECIAL SUPERIOR COURT JUDGE FOR COMPLEX
BUSINESS CASES**

Hon. Albert Diaz

SPECIAL SUPERIOR COURT JUDGES

Hon. Calvin Murphy

DISTRICT COURT JUDGES FY2009-2010

Hon. Lisa C. Bell, Chief
Hon. H. William Constangy
Hon. Rickye McKoy-Mitchell
Hon. Louis A. Trosch, Jr.
Hon. Regan A. Miller
Hon. Hugh B. Lewis
Hon. Becky Thorne Tin
Hon. Thomas F. Moore, Jr.
Hon. Christy T. Mann
Hon. Timothy M. Smith
Hon. Ronald L. Chapman
Hon. Theo X. Nixon
Hon. Paige McThenia
Hon. Donnie Hoover
Hon. Jena P. Culler
Hon. Charlotte Brown
Hon. John W. Totten, II
Hon. Elizabeth Thornton Trosch
Hon. Kimberly Best-Staton
Hon. Tyyawdi M. Hands
Hon. Karen Eady-Williams

District vs Superior Court

The North Carolina state court system is divided into 30 judicial districts comprising two major courts — District and Superior. Mecklenburg County comprises the 26th Judicial District. Both District and Superior Court handle criminal and civil matters.

Superior Court is the highest level state trial court. North Carolina divides Superior Court into eight divisions—Mecklenburg County is in the 7th Division. The 26th Judicial District is assigned seven “resident” Superior Court judges, including the Senior Resident. They rotate with the other resident judges in the 7th Division every six months, generally spending half a year in the 26th District and the other half in another district. Resident judges stand for election every eight years. Currently, there are also three “special” judges with offices in Mecklenburg County. They are appointed by the Governor, serve five-year terms, and may be assigned to hold court in any North Carolina county. One of the Special Judges is assigned to the North Carolina Business Court and generally handles only exceptional cases.

In civil court, Superior Court judges hear matters in cases involving more than \$10,000 and other special categories such as injunctions, constitutional issues, corporate receiverships and eminent domain. On the criminal side, Superior Court judges handle all felonies, as well as those misdemeanors or infractions that have been appealed from District Court.

District Court is the state trial-level court below Superior Court. Mecklenburg County’s 26th Judicial District is assigned 21 judges, including the Chief District Court Judge. District Court judges stand for election every four years.

District Court hears both civil and criminal cases, as well as some specialized cases that are not heard in Superior Court. District Court handles all Family Court matters such as child custody, support, divorce, and juvenile abuse and neglect. It also hears civil cases involving money amounts over \$5,000 and less than \$10,000. (Cases involving \$5,000 or less are *generally* heard in Magistrate Small Claims Court and Probate and Estate matters are handled exclusively by the Clerk of Superior Court.) On the criminal side, District Court handles all misdemeanors, infractions, domestic violence and juvenile delinquency. Although felony cases are tried exclusively in the Superior Court, District Court conducts preliminary hearings to determine whether there is probable cause to bind defendants over to the grand jury for indictment to stand trial in Superior Court.

A high-speed train, likely a Shinkansen, is stopped at a modern train station platform. The train is white with a prominent red stripe running along its side. The platform is clean and well-lit, with a digital display showing the number '6'. The perspective is from the platform, looking down the length of the train.

Trial Court Administrator's Office

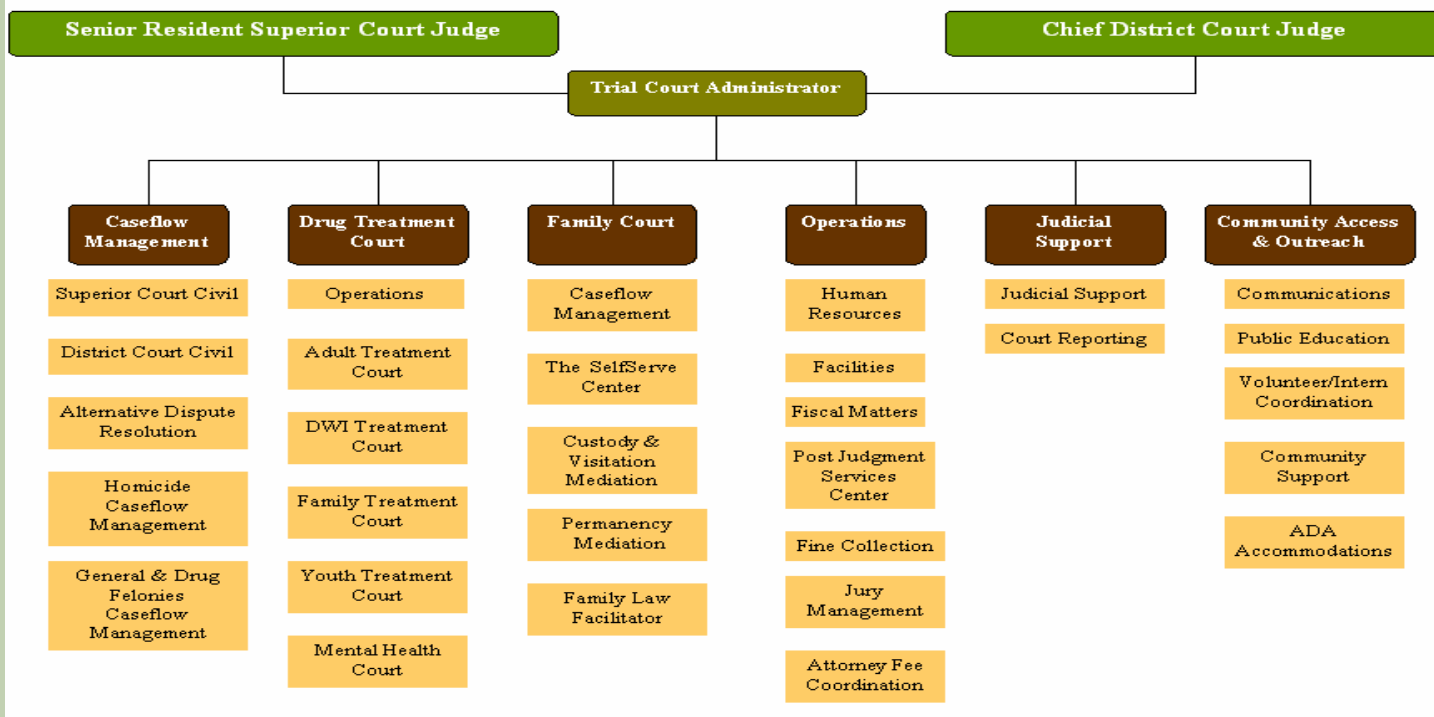
There are no shortcuts
to any place worth
going.

- Beverly Sills

TRIAL COURT ADMINISTRATOR'S OFFICE

The Trial Court Administrator (TCA) is a State-funded position established to improve the administration of justice through professional management. The TCA assists and supports the Senior Resident Superior Court Judge and Chief District Court Judge in the overall supervision of the Judicial District, and provides professional expertise necessary for managing today's increasingly complex court system. The TCA works with other court officials as a facilitator for change by initiating and coordinating discussions and by identifying problems and recommending solutions that lead to a more efficient and effective court system. The TCA is entrusted with responsibility for planning, organizing and directing non-judicial activities within the Judicial District. General management responsibilities of the position include: development of local rules and administrative policies to facilitate calendaring and other administrative activities, budgeting, personnel oversight, facilities management, research and strategic planning, grant procurement and administration, program development and project management. In addition to general management responsibilities, the TCA oversees services provided through the following areas: District and Superior Court civil scheduling; Superior Court criminal scheduling; Alternative Dispute Resolution; Jury Management; Drug Treatment Court; Family Court; Custody Mediation; Permanency Mediation; Family Law Facilitation; Fine Collection; Post-Judgment Services Center; SelfServe Center; Communications/Public Relations; and Judicial Support. To administer the six divisions of the TCA's Office, there are Team Leaders for each. Team Leaders are Meredith Davis, Janeanne Tourtellott, Elisa Chinn-Gary, Erica Adams, Charles Keller and Cathy Fletcher. Todd Nuccio has been the Trial Court Administrator in Mecklenburg County since 1992.

26th Judicial District of North Carolina Trial Court Administrator's Organizational Flowchart



**TWENTY SIXTH JUDICIAL DISTRICT
MISSION STATEMENT**

To provide fair and accessible justice to the community is the fundamental mission of the Court and its justice partners in Mecklenburg County. We are committed to working collaboratively with the community to prevent and solve problems to enhance the quality of life for all.

In the state's largest and most complex judicial system, we administer, deliver and uphold justice with a commitment to the fundamental values and principles of Fairness, Justice, Integrity, Respect, Wisdom, Cooperation, Quality and Community Responsibility.



"One's destination is never a place, but a new way of seeing things."

-Henry Miller



Each year, the Trial Court Administrator's Office issues Certificates of Excellence to team members who receive a overall rating of outstanding on their yearly evaluation. Distinguished team members, including interns and volunteers, who demonstrate a specific act that goes above and beyond their required duties receive an Outstanding Achievement Award.

During FY 09-10, the following persons received either Certificates of Excellence or an Outstanding Achievement Award:

Caseflow Management

Jennifer Acheson

Lynette Richter

Family Court

Darwin Rice

Shawanna Almendarez

Mary Florence

Russell Hendrix

Kenneth Hart

Adrienne White

Community Access and Outreach Division

Maura Chavez

Drug Treatment Court Division

Donna Fair

Jessica Modra

Don Moore

Linda Pierce

Rosalinda James

Jill Valente

Edna Ramos

John White

Judicial Support

Lynn Florczyk

Operations Division

Lucille Graham

Mohammed Kemokai

Rita Hayes

Tashia Jones

Lea Glaze

Reginald Grier

The Helen Stonestreet Employee of the Year Award

In 2005, The Trial Court Administrator's (TCA) Office established The Helen Stonestreet Employee of the Year Award to recognize a TCA team member for their outstanding performance throughout the year. The award is named in honor of Helen Stonestreet, who was one of two founding members of the Mecklenburg County TCA's Office and served for over 25 years before retiring in 2004. The recipient of this award must demonstrate the qualities for which Helen was best known: professionalism, dedication, and hard work. Nominations can be submitted by anyone before July 31 each year. A selection committee comprised of a member of Justice Initiatives, Inc, the West Charlotte Rotary Club, and the Trial Court Administrator select a winner from the nominations. The award includes a certificate and is sponsored by the West Charlotte Rotary Club, who presents the recipient with a \$100 check, as well as Justice Initiatives, Inc, who provides \$150 for the winner, for a grand total of \$250. The recipients name is then engraved on a plaque along with previous recipients, which is displayed in the reception area of The TCA's Office in Suite 4420 of The Mecklenburg County Courthouse.



Meredith Davis

The recipient of the FY2009-2010 Helen Stonestreet TCA Employee of the Year Award is Meredith Davis, Caseflow Management Administrator. Meredith Davis came to the Trial Court Administrator's Office in 1998 and began her service with as the Jury Coordinator. In this role, she served many citizens of Mecklenburg County whose only interaction with the court system was through jury service. She represented the court well, treating citizens with respect and ensuring they had a good experience while performing their civic duty. Meredith served in this role until she was offered the position of Alternative Dispute Resolution (ADR) Coordinator, in the Caseflow Management Division of the TCA's Office, in 2000. As the ADR Coordinator, she honed her case management skills and had the opportunity to work with litigants, court officials, mediators, arbitrators and the Mecklenburg County Bar. In this position, as the one before, she consistently exceeded expectations. Given her case management experience, knowledge and abilities, Meredith was the natural choice to fill Helen Stonestreet's shoes in 2004, when Helen retired from the Caseflow Management Administrator position. Taking on that role, Meredith worked with her staff to provide the best case management possible for litigants with General Civil cases in both District and Superior Court, including ADR. During her tenure with the TCA's Office, Meredith has proven herself to be a dedicated individual who is committed to fulfilling the mission of the organization. Congratulations to Meredith!

A high-speed train is shown traveling through a city street on an elevated track. The train is white with blue accents and is moving towards the viewer. The street is lined with tall buildings, and the sky is clear. The text "Caseflow Management" is written in a yellow, stylized font in the upper right corner of the image.

Caseflow Management

"I must put myself in a train of doing... and thereby keep the machine in motion."

-John James Audubon

Caseflow Management

In Mecklenburg County, the Caseflow Management Division oversees the calendaring of criminal felony cases and all non-Family law related civil cases and Superior Court Felony cases excluding homicide. The most common types of civil filings overseen by this division are motor vehicle negligence, contract disputes, money owed and other types of negligence matters such as medical malpractice. The division is divided into five sections: Superior Criminal Case Management, Superior Civil Case Management, District Court Case Management, and Alternative Dispute Resolution. From filing until disposition, case coordinators monitor the cases and intervene as appropriate to ensure they are disposed within the time standards established under our local rules.

In most North Carolina counties, the Trial Court Administrator is personally involved in the day-to-day management of the docket. Given the breadth and depth of responsibility handled by the TCA in Mecklenburg County, though, docket management has been delegated to the Caseflow Management Administrator, Meredith Davis, who oversees the division and reports directly to the Trial Court Administrator.

While it may seem that an extensive staff would be available to perform the duties of this division, only seven individuals manage what is the largest caseload in the State. These individuals are highly effective at what they do.

Civil

According to American Bar Association (ABA)

standards, 90% of all civil cases should be settled, tried or otherwise concluded within twelve months of the date of filing, 98% within eighteen months of filing, and the remainder within two years of filing. Against this backdrop, our management efforts at the Superior Court Civil level have brought forth a continuous decline in the number of cases pending at the two-year mark. The median age of cases was only 139 days as of end of FY 09-10. At the District Court Civil level, the results are also impressive; especially when you take into account the large number of cases filed. For example, the percentage of pending cases older than 18 months remains at a relatively low of 0.3% as of the end of the last fiscal year.

Criminal

Scheduling and processing large numbers of criminal cases in Superior Court are not simple tasks. Events must be scheduled well in advance, participants must make preparations for each appearance, and multiple parties have to converge at the appointed place and time for a scheduled event to take place as planned. It is also clear that court time and other resources will allow for less than five (5) percent of felony cases to actually be tried before a jury. Therefore, a large number of cases must be resolved in some manner short of trial.

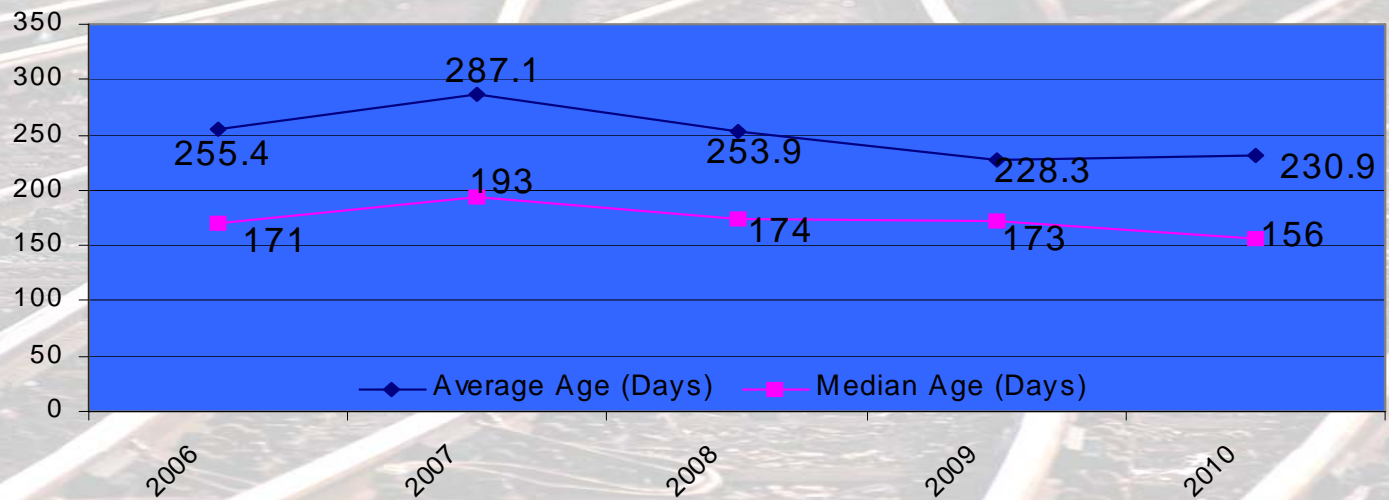


For any system to work effectively, each integral party must constructively fulfill the responsibilities of their position. The District Attorney must make reasonable plea offers, defense counsel must weigh all factors and act in the best interest of his/her client, and the judge must give full consideration to any negotiated pleas and/or participate in plea conferences, where requested, to bring about resolution at the earliest stage in the proceedings.

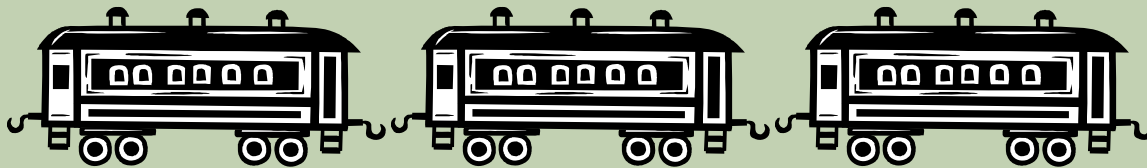
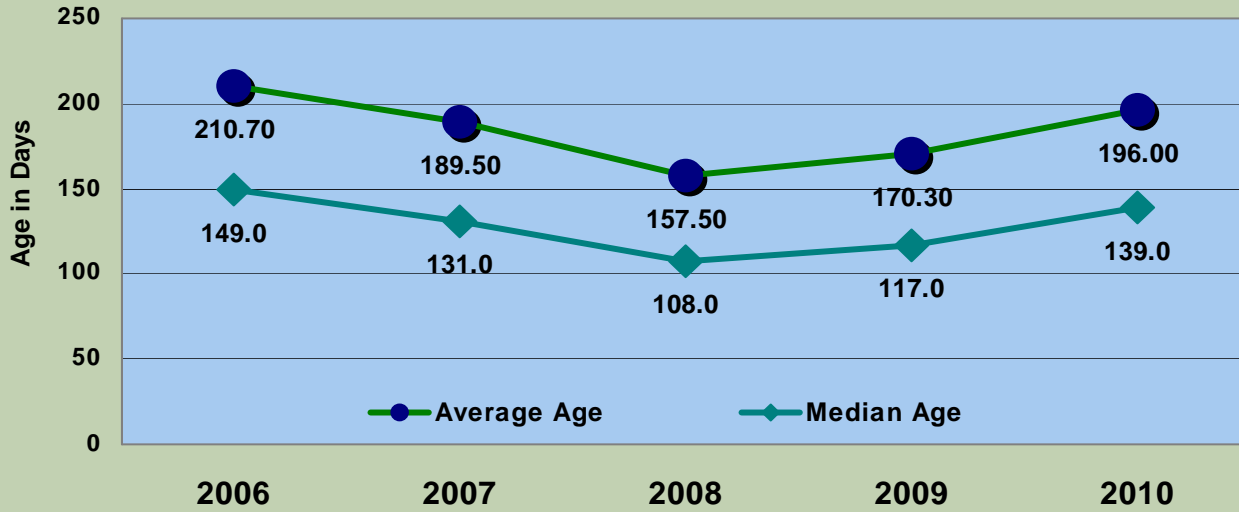
Under our new criminal case management plan, the average age of a property case has decreased by 38% in FY2009-10. This means the average age was reduced from 244 days to 148 days. The average age of a person case has been reduced from 304 days to 140 days.

The Caseflow Management Division is located in Suite 3420 of the Mecklenburg County Courthouse. For more information, call **(704) 686-0185**.

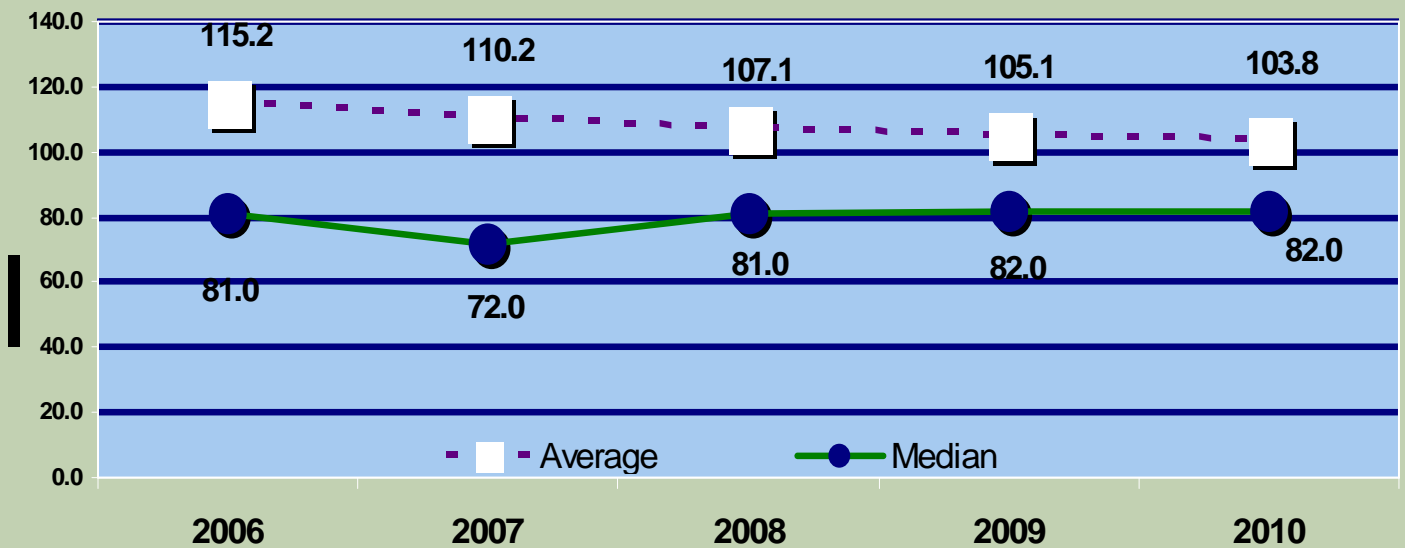
Superior Court Criminal Felonies Trend Analysis/Age of Pending Caseload



Superior Court Civil Trend Analysis/Age of Pending Caseload



Age of District Court General/CVM Appeals Pending Caseload



Alternative Methods of Dispute Resolution

North Carolina operates court-mandated mediation programs. The program requires Superior Court litigants and their attorneys to participate in a settlement conference with a paid mediator before their case can be tried in court. In Mecklenburg County, sixty-three percent of the cases ordered to mediation are recorded as resolved at the conclusion of the mediation session. This program is likely to have an even higher success rate in that many cases are resolved at later stages and the exchange that occurs during the mediation is a factor in the eventual outcome. The cost of going to trial in Superior Court is \$1,704 per day (jury) and \$1,344 per day (non-jury). The average length of trial is 2-3 days. The only cost associated with mediation is taxed upon the parties at no cost to the state, and an average mediation session is two-and-a-half hours. The cost of disposing the same mediation caseload through a two day trial is \$2,368,128 for non-jury matters and \$3,002,448 for trials heard before a jury.

Another method of Alternative Dispute Resolution (ADR) being used in North Carolina is court-ordered arbitration. Arbitration is submission of a dispute to a third party who renders a decision after hearing arguments and reviewing evidence. Arbitration is generally less formal and less time-consuming than litigation. It has been used for many years by agreement of the parties in commercial or labor contracts. The first court-ordered Alternative Dispute Resolution program enacted in North

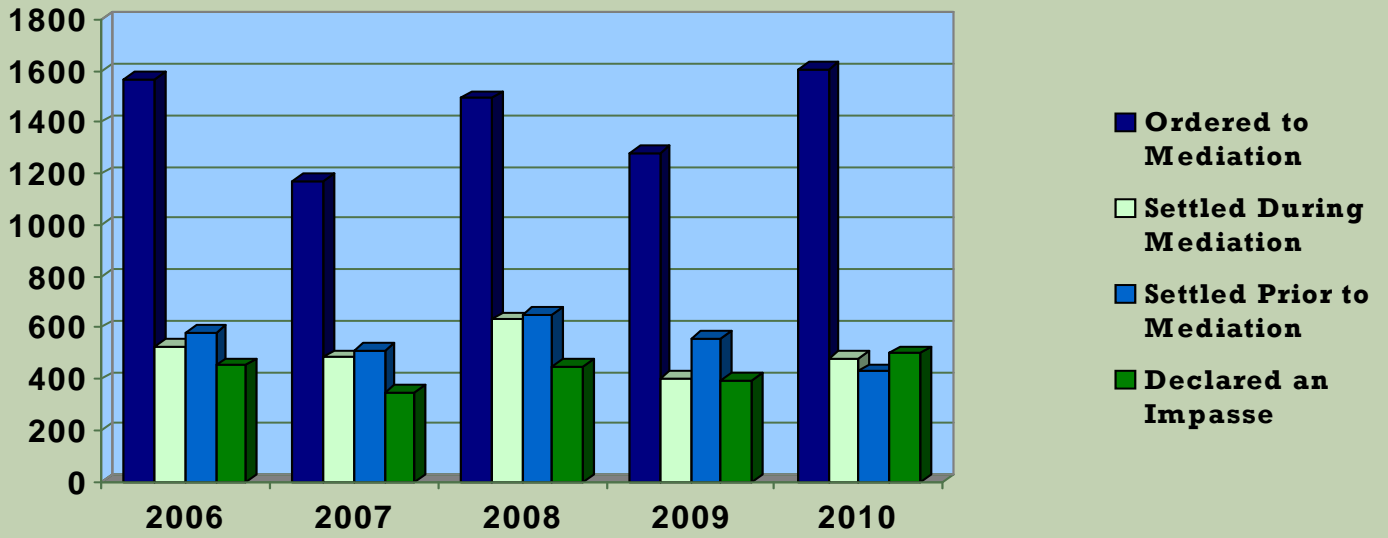
Carolina was mandatory, non-binding arbitration of civil claims for monetary damages of \$15,000 or less. The program now covers all District Court judicial districts and applies to civil cases for monetary damages of \$15,000 or less except those cases where the sole issue is collection on an account or an eviction. The state assesses a fee of \$100, payment of which is shared equally by the parties. A party who is not satisfied with the arbitrator's decision has a right to have the case heard by a judge. In FY2009-10, 80% of the cases ordered to arbitration in Mecklenburg County were successfully resolved at the arbitration stage.

The total cost for holding a one-day civil trial session of District Court is \$1,235 (jury trial) and \$875 (non-jury trial). The average time required to hear a District Court civil trial is 4-8 hours. The cost associated with an arbitration hearing is \$100, which is divided between the parties. The time allotted for an arbitration hearing is one hour. There is no cost for disposing of the civil caseload through arbitration; the cost is borne by the parties. The cost of disposing the same arbitration caseload through a one-half to one-day trial is \$792,870 for non-jury matters and \$561,750 for jury matters. ADR results in greater user satisfaction, timelier disposition of cases and cost effectiveness.

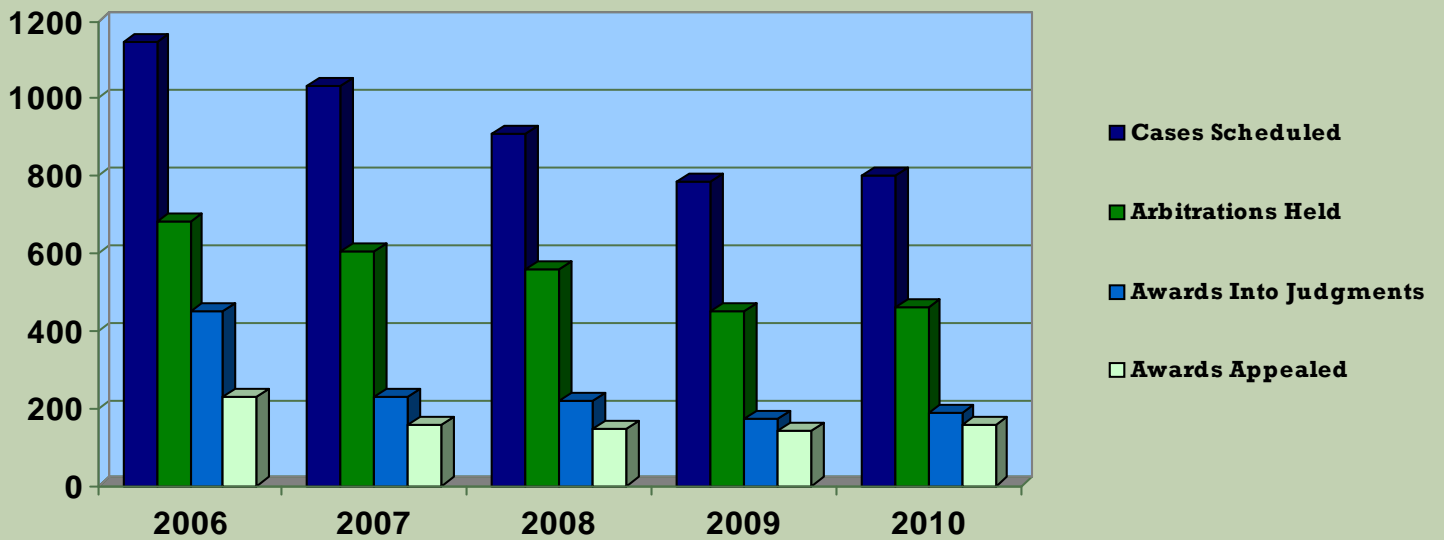
For more information call **(704) 686-0185**.

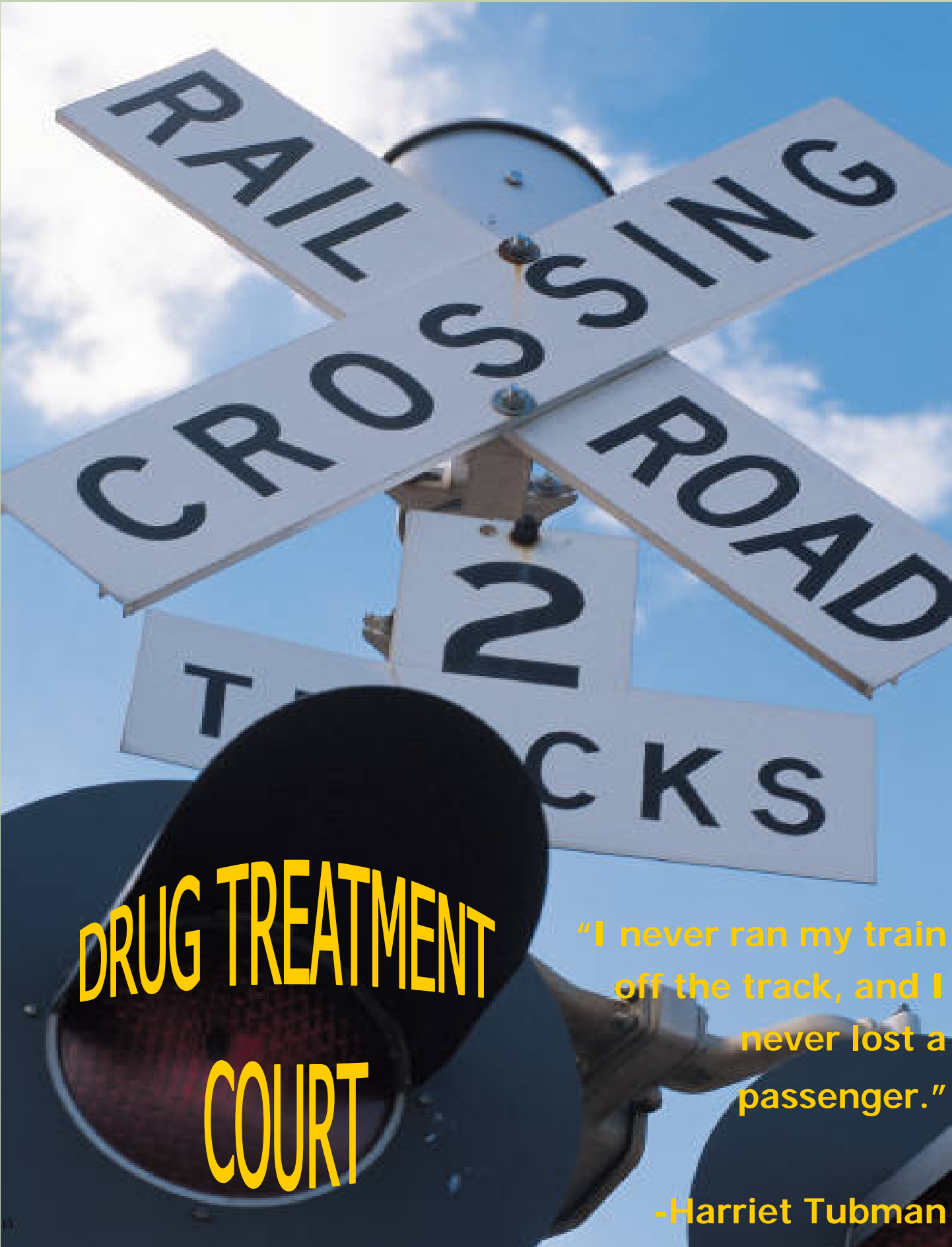


26th Judicial District Mediated Settlement Conferences Trend Analysis



26th Judicial District Arbitration Trend Analysis





**DRUG TREATMENT
COURT**

**"I never ran my train
off the track, and I
never lost a
passenger."**

-Harriet Tubman

Drug Treatment Court

Established in 1995, Drug Treatment Courts (DTC) began as an alternative sentencing option to address the revolving door created by simply sentencing offenders, defendants, and respondents in juvenile petitions for abuse, neglect, or both to serve jail time, when the crimes, delinquent acts, and child abuse and neglect committed are related to the use of alcohol and other drugs.

Drug Courts are a team effort, bringing together the resources of many community agencies to address the root of one of the core problems associated with the increase in crime and the resulting costs to our communities. The Mecklenburg County S.T.E.P. Treatment Court Programs are court-supervised, holistic and intensive programs for individuals identified as having a substance abuse problem. A multi-agency program consisting of a presiding judge, district attorney, public defender, case coordinator, probation officer, treatment provider, social worker and/or community support worker.

S.T.E.P. is the daily operating name of the program and is an acronym for Supervision, Treatment, Education and Prevention. The purpose of this name is to communicate the basic functions of the DTC and the reality that just as recovery and behavioral change on the part of the alcohol and drug-dependent offender is an incremental growth process, behavioral and institutional change on the part of government and the community is also a process of learning and continuous improvement.

In Mecklenburg County, the S.T.E.P. Programs have established eight different treatment courts: Superior, District (2), DWI (2), Mental Health, FIRST (Family DTC) and a Youth Treatment Court. Program participants are held accountable for their behavior in an intensive, rehabilitative environment that provides a holistic approach to treating substance abuse while ensuring the safety of the citizens of our community.

The North Carolina Legislature has identified the following goals for Drug Treatment Court Programs across the state:

- To reduce alcoholism and other drug dependencies among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both;
- To reduce criminal and delinquent recidivism and the incidence of child abuse and neglect;
- To reduce the alcohol-related and other drug-related court workload;
- To increase the personal, familial, and societal accountability of adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect, or both; and
- To promote effective interaction and use of resources among criminal and juvenile justice personnel, child protective services personnel and community agencies.

Drug Court Works

In February 2005, the U.S. Government Accountability Office issued its third report on the effects of adult criminal drug courts. Results from 23 program evaluations confirmed that drug courts significantly reduced crime. Moreover, although up-front costs for drug courts were generally higher than for probation, drug courts were found to be more cost-effective in the long run because they avoided law enforcement efforts, judicial case-processing, and victimization resulting from future criminal activity.

In the ensuing years, researchers have continued to uncover definitive evidence for both the efficacy and cost-effectiveness of drug courts. The most rigorous and conservative estimate of the effect of any program is derived from "meta-analysis," in which scientists statistically average the effects

of the program over numerous research studies. Four independent meta-analyses have now concluded that drug courts significantly reduce crime rates an average of approximately 7 to 14 percentage points. (National Drug Court Institute. (2008). *Painting the Current Picture: A National Report Card on Drug Courts and Other Problem-Solving Court Programs in the United States* (Vol.II, No.1). Alexandria, VA: Huddleston, C.W., Marlowe, D.B. & Casebolt, R.)

A series of national studies have also shown that for every dollar invested in these programs, savings between \$3.00 and \$7.00 have been realized. The continued success of the Mecklenburg County S.T.E.P. program is dependent upon the institutionalization of recurring funding. The Drug Treatment Court is located in Suite 4351 in the Mecklenburg County Courthouse. For more information, call **(704) 686-0150**.

What Drug Court Means to Me

"Today,
I have
hope
because
of
Drug
Court."



Adult Criminal Drug Treatment Courts

During FY 09-10, The five Adult Criminal Drug Treatment Courts served approximately 359 participants and achieved a retention rate of 80%. There were 426 referrals, with 57% of those admitted into one of the five Adult Criminal Drug Treatment Courts.

Taking STEPs

Supervision • Treatment • Education • Prevention

CHARLOTTE-MECKLENBURG DRUG TREATMENT COURTS



Mecklenburg County S.T.E.P. Program Accomplishments 2009-2010

- 169 Adult DTC clients were employed at time of exit
- 19 Adult DTC Clients completed educational programming (GED, CPCC, UNCC, Etc.)
- 19 drug-free babies were born
- 113,224 Urinalysis/Breathalyzer specimens were submitted for testing
- An additional \$125,000 was secured for treatment
- Four Mental Health & Jail Diversion Trainings were held
- YTC held a Summer School Program for clients
- The FIRST Program held a Women's Wellness Workshop
- YTC held several quarterly events, including a Ropes Course, Family Fun Day at Independence Park, Holiday Court Session and Luncheon at Maggiano's Italian Restaurant



Over 250 clients, family members, and team members attended the 1st Annual DTC Cookout



Family Drug Treatment Court

The F.I.R.S.T. (Families In Recovery to Stay Together) Program is a collaborative effort of the Court, the Mecklenburg County Department of Social Services Youth and Family Services Division, and the Mecklenburg County Area Mental Health Authority. The F.I.R.S.T. Program coordinates and monitors the delivery of substance abuse treatment services to all parents involved in the child dependency process.

In FY2009-2010, 329 parents were referred for substance abuse screening. Of those, 194 parents were screened for substance abuse, 104 parents were referred to substance abuse treatment; 42 Parents were terminated from FIRST Level I; 13 Parents completed FIRST Level I; 7 Parents were ordered into FIRST Level II (more intensive); 17 parents volunteered to enter FIRST Level II. Of those assessed, 125 were referred to substance abuse treatment, 117 to mental health treatment, and 115 to domestic violence treatment.

In addition to the 24 parents who entered Level II from Level I, eight parents were admitted into Level II of the FIRST Program. Of those, 70 Parents were served (Caseload capacity = 20). There was a 47% successful completion rate and a 64% Retention Rate.



YOUTH TREATMENT COURT

The Mecklenburg County Youth Treatment Court (YTC) is a program designed to provide judicial supervision, address substance abuse, mental-health and behavioral issues by identifying child/family specific needs. The YTC program strives to build upon and support the intrinsic strengths that exist within each youth and their family. The program has been operational for six years and continues to strive to increase the number of treatment options and services that are available for program participants to meet their individualized treatment needs and aid them in successful program completion.

During FY2009-2010, sixty-five youths were screened. Of those, 38 youths were admitted to the program (Caseload Capacity = 30). The program realized a 62% Retention Rate and a 35% successful completion rate.

S.T.E.P. Mental Health Court

The Mecklenburg County S.T.E.P. Program has been in operation for close to fifteen years. During this time, we have witnessed a high correlation between substance abuse and mental illness. However, it is often difficult to determine which issue is at the root of the individual's criminal involvement – their mental illness or the use of alcohol and other substances legal and illegal. Since 1995, the treatment providers who collaborate with the S.T.E.P. Program have specialized in providing an array of evidence-based, best practice substance abuse treatment. In an effort to address both the substance abuse and mental health needs of program participants, when resources are available, they have incorporated an Integrated Dual-Diagnosis Treatment model. This model seeks to work with an individual's alcoholism/addiction and their mental illness in an integrated and congruent manner.

The Mental Health Court (MHC) was born out of the recognition that the primary need for many of those referred to one of the S.T.E.P. DTC programs was a mental illness masked by their use of alcohol and other substances. The MHC held its first court session on February 25, 2005. It is a collaborative effort between the Mecklenburg County Area Mental Health Authority and the 26th Judicial District of North Carolina. Its mission is to reduce recidivism among participants and to promote stability, service engagement and increased levels of independent functioning within the community. The MHC is a voluntary, court-based alternative to incarceration.

During FY09-10, this program received 100 requests for offenders convicted of misdemeanors to participate in the MHC. We served fifty-four individual in a program with a current caseload capacity of 30. As the program continues to grow, we are able to refine the selection and participation criteria. The result is that our success as an alternative to incarceration grows. We achieved a 38% completion rate (up 8% from FY08-09) and a 63% retention rate for those who participated last fiscal year, with the average length of participation at 6-1/2 months (far longer than the traditional jail term associated with their criminal activity). Seventy-four percent of graduates were not re-arrested within two years of graduation from the program.



“Life is now full of hope and possibilities. I couldn't have done it without Drug Court.”

“This program is powerful. It has changed my life for the better.”

Mecklenburg County S.T.E.P. Drug Treatment Court Partners

Partners with Adult DTC Programs

Mecklenburg County District Attorney's Office
 Mecklenburg County Public Defender's Office
 Mecklenburg County Division of Community Corrections
 Mecklenburg County Sheriff's Office
 Mecklenburg County Area Mental Health
 Southeast Addiction Institute and Learning Center, Inc.
 Anuvia Prevention & Recovery Center
 McLeod Addictive Disease Center
 Mecklenburg County Jail Inpatient Treatment Program
 Freedom House
 Urban Ministries
 Salvation Army Residential Program
 Joblink Transformation Center
 CPCC Pathways Program
 Uptown Men's Shelter
 Emergency Winter Shelter

Partners with FIRST Program

Mecklenburg County Area Mental Health
 Anuvia Prevention & Recovery Center
 Community Choices CASCADE
 McLeod Addictive Disease Center
 Southeast Addiction Institute & Learning Center, Inc.
 Women's Commission

NOVA

CMC Behavioral Health Center
 Department of Social Services, Youth & Family Services Division
 The Law Offices of Pili Fleming

Partners with YTC Program

Mecklenburg County Area Mental Health
 Department of Juvenile Justice and Delinquency Prevention
 Children's Law Center
 Mecklenburg County District Attorney's Office
 Charlotte-Mecklenburg Schools
 Family Preservation Services
 CMC-Behavioral Health Center
 Charlotte-Mecklenburg Police Department

Partners with MHC Program

Mecklenburg County District Attorney's Office
 Mecklenburg County Public Defender's Office
 Mecklenburg County Division of Community Corrections
 Mecklenburg County Sheriff's Office
 Mecklenburg County Area Mental Health/ Provided Services Organization
 Mecklenburg County Jail Inpatient Treatment Program
 Mecklenburg Open Door
 CMC Randolph Behavioral Health Center
 Person Centered Partnerships

DRUG COURT WORKS!

While in S.T.E.P. Court, Patricia worked hard to get her life back on track. She went back to school and earned an associate degree in human services with a concentration in substance abuse. In 2009, Patricia got a job working for the Mecklenburg County Substance Abuse Services Center. "I am still amazed that three years ago I was in jail and now I am employed by the same county—getting paid to be of service to other recovering addicts."





FAMILY COURT

**"If you board the wrong train, it is no use running
along the corridor in the other direction."**

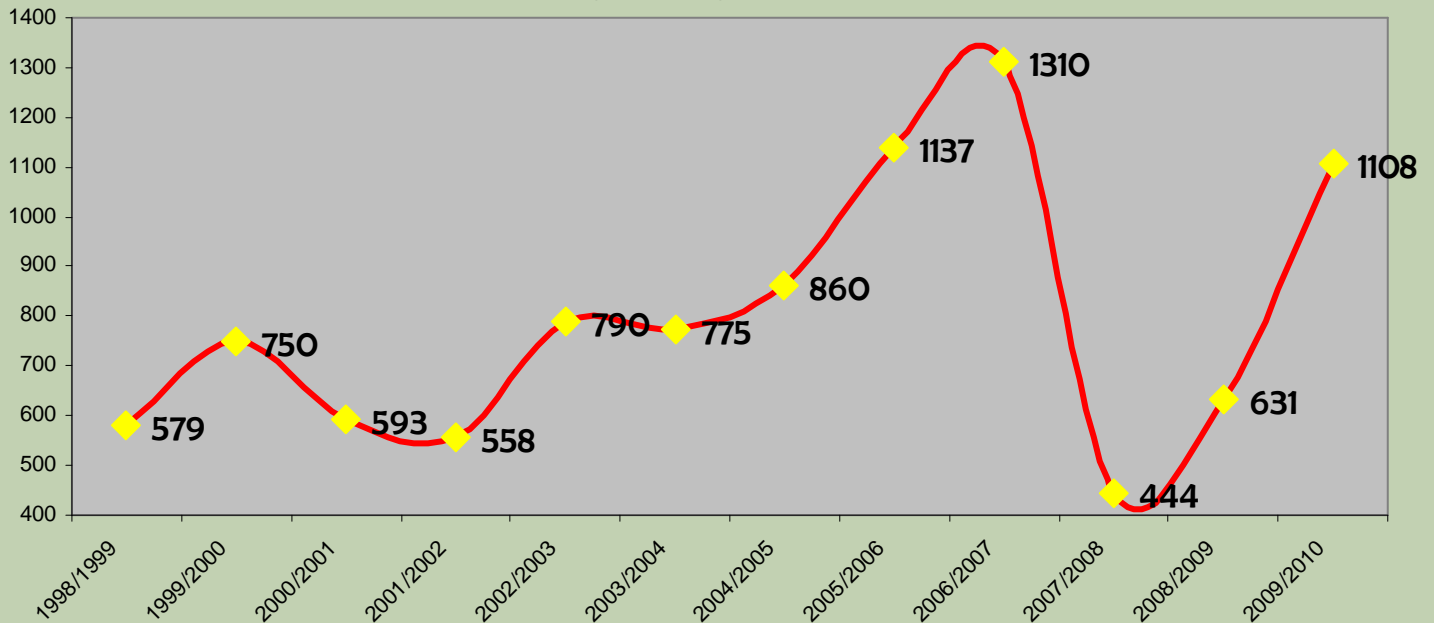
-Dietrich Bonhoeffer

Family Court Program

The 26th Judicial District’s Family Court Program has been in operation since June of 1999. Family Court is designed to respond to cases involving families and children more efficiently and effectively by reducing the amount of time it takes to move from filing to disposition and by using a variety of intervention services to improve outcomes for families and children. Judges are specially trained to deal with issues affecting children and families, including child development, cultural competence, substance abuse, domestic violence, family dynamics, and alternative dispute resolution. The program subscribes to the “One Family – One Judge” model, thus consolidating multiple court cases involving one family before one judge. The goals are to promote earlier resolution of issues, reduce the number of court hearings a family must attend, and foster consistency in judicial decision-making.

Since its inception, the Family Court program has made notable strides in this District’s caseflow management. (1) Fewer continuances are granted. (2) The number of referrals to intervention services such as mediation, parent education classes, counseling and treatment programs and parenting-support groups has increased. (3) The Parent Coordinator program has been developed and utilized to improve outcomes in family disputes. (4) Family Court hearings are scheduled and tracked by Family Court Case Managers to ensure that they are resolved within established time standards. (5) Conferences are conducted with pro se litigants to explain court processes, assess family needs, and make proper referrals. For more information, call the Family Court Division at **(704) 686-0200**.

Domestic Cases Pending Pending Case Rate (Cases Over 1-Year)



Family Court Success!



Annual Abuse, Neglect and Dependency Conference

On November 20, 2009, Family Court hosted its Annual Mecklenburg County Abuse, Neglect, and Dependency Conference. The conference was entitled *Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care*.

The theme of the conference tackled the critical issue of the overrepresentation and disparate outcomes of minority children in the child welfare system. Aside from being this year's conference theme, *Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care*, is also the national goal for all 29 Model Courts. In furtherance of the CCC Initiative, the Model Court Conference highlighted: 1.) how racial biases play a role in institutional racism; 2.) the disproportionate representation and disparate outcomes for children of color in the Dependency Court Systems; and 3.) negative behavioral and developmental effects that Domestic Violence has on children and adolescents. North Carolina has taken a lead in implementing the CCC Initiative. The conference was a success at opening up frank and candid discussions among people of different backgrounds, races, and professions.

Permanency Mediation In Juvenile Abuse, Neglect, and Dependency cases, a Juvenile Petition is filed to explain why the Department of Social Services - Youth & Family Services Division (YFS) removed the child from his/her parent's care. The first court hearing after a child has been taken into state custody is called the Non-Secure Custody Hearing (Secure Custody is for juvenile offenders). Often at this hearing, the judge will refer the case to Permanency Mediation. The goal of Permanency Mediation is for the parents and YFS to come to some agreement regarding the issues that precipitated removal of the children, and to develop a plan for the parents to follow in order to be reunited with their children. Permanency Mediation improves the chances of reunification and reduces the time children spend in foster care while awaiting resolution of permanent placement.

In FY 09-10, the Permanency Mediation Program conducted 85 medication sessions which resulted a 74% signed agreements. Due to budget cuts, the program coordinator position was reduced from 40 to 20 hours but continued to operate with the financial assistance from Justice Initiatives, allowing the program to serve 152 children.



Family Law Facilitator Program

The family Law Facilitator Program is a collaborative effort of 26th Judicial District and the Department of Social Services. This program helps reduce the number of children entering the foster care system by assisting family members to gain custody of children whose permanent placement is at risk. Discrete legal services provided to litigants include: drafting and filing legal pleadings, executing service of process, preparing for court appearances, and negotiating consent agreements. The program served 177 children in 2009 of which 104 achieved permanency in stable relative homes.

The SelfServe Center

FY 09-10 marked the Self Serve's 10 year anniversary. From the first day it opened its door, the Mecklenburg County SelfServe Center has established itself as the community portal for citizens who cannot afford traditional legal services. The Center, located in Suite 3350 of the Mecklenburg County Courthouse, offers a variety of services including legal clinics, educational videos, community and legal referrals, internet access to legal research tools, instructional packets containing forms to initiate or answer legal claims and a list of attorneys who are willing to provide limited-scope services. Specialized programs have been developed to meet the needs of the target population served. In 2009, the center served 18,190 citizens: 8,225 in office and 7,365 via the new on-line service the center has. This represents a 7% increase in the use of the web site over 2008. On average the Center has a weekly flow of 216 customers who do not receive legal packets, totaling 2,600 for the year.



Access to Justice!



The Attorney-for-the-Day Program

In collaboration with the Mecklenburg County Bar's Lawyer Referral Program, the SelfServe Center links pre-screened, self-represented litigants who have requested advice in the area of divorce and/or child custody with attorneys who provide thirty-minute consultations at no cost. In 2009, 130 attorney volunteer hours were donated and there was a 60% attendance rate. Customer surveys indicate that participants are grateful for assistance in negotiating a complex and intimidating legal system and feel better prepared to move their case forward.

The Jane V. Harper Pro-Bono Award

Each year the Jane V. Harper Pro Bono Award is presented to Attorneys to recognize their efforts in providing pro bono services to clients in the 26th Judicial District SelfServe Center who could not otherwise afford legal service.

The 2009 recipient was Attorney Kimberly Zirkle of Moore & Van Allen, PLLC.

The Interactive Court Forms Project

Introduced in 2008, the I-CAN™ Project is a low cost online application that assists customers in completing Mecklenburg County legal forms. The web-based program offers the user a series of questions and places the answers in the correct fields on the form. The user-friendly on-screen instructions allow the customer to create properly formatted pleadings while learning the required steps needed to bring their case before the court. This service provides the customer a user password to allow them to access their account 24 hours a day, 7 days a week. At the end of each session, the user is allowed to print complete documents and step-by-step filing instructions. At this time, the site contains the modules for Divorce, Name Change, Child Custody or visitation, Non Parent Child Custody, Modification of Child Custody or Visitation, and Contempt.

To view or use the modules offered, please visit <http://www.icandocs.org/nc/>

To learn more about services, contact The SelfServe Center at (704) 686-0211.



OPERATIONS



**"There is a light at the end of the tunnel...
hopefully it's not a freight train!"**

-Mariah Carey

Jury Service

In Mecklenburg County, jury management has expanded and modernized to ensure excellent communication with jurors, provide comfortable and accommodating jury assembly areas, and increase the yield of jurors attending on their assigned dates of service. Jurors are randomly selected from a combined list comprised of licensed drivers and registered voters. All county residents are eligible for jury service with the exception of those who have served within the past two years, are under the age of 18, are not physically or mentally competent, have been convicted of a felony and have not had their rights restored, or are not United States Citizens.

To make service more convenient and efficient, Mecklenburg County employs the use of the "One Day or One Trial" approach, meaning that a person will be asked only to serve the length of one day or, if selected to sit on a trial, the length of that trial. This enables almost all jurors summoned to complete their service within one to three days. Mecklenburg County also utilizes an interactive voice response system, which allows summoned jurors to check their status by telephone to see if they need to report to the courthouse the following day; reschedule their service once within six months of the original service date without question; and obtain general information with regard to parking, location and jury pay. This service is available 24 hours a day, 7 days a week. Additionally, jurors are shown recently released movies during the course of the day and served complimentary popcorn, in an effort to make the experience more enjoyable.

In the near future, Mecklenburg County will implement an interactive jury website that will allow summoned jurors to check their reporting status; view any special reporting instructions; request their juror number, in the event of a misplaced summons; verify personal data and report any changes; request special assistance, such as an Americans with Disabilities Act accommodation; reschedule their service to a more convenient time; request an excusal from service; view their service history; print a certificate verifying completion of jury service; complete an exit questionnaire and to obtain helpful information about their jury service online. The Jury Management office is located in Suite 5450 of the Mecklenburg County Courthouse For more information, call (704) 686-0199.



"I was bothered at first, then I heard the term jury service and took pride in my right, privilege, and responsibility to my country, city, and state. Thanks for the opportunity. The place is awesome! Our tax dollars were and are well spent!"

- Mecklenburg County Juror

The Fine Collection Program was established in 1993 to coordinate and enforce the payment of court-ordered fines (minimum \$200 due), thus ensuring accountability on the part of the defendant and maintaining the credibility of the Court.

The programs specific objectives include:

Holding accountable convicted defendants who have been assessed monetary sanctions and placed on unsupervised probation; Improving the credibility of the judiciary through the collection of monetary sanctions in un-supervised probation cases; Removing from the courtroom the unseemly and time-consuming bartering over payment terms; Ameliorating overcrowding of the jails due to non-compliance; and Improving the monetary collection rate for the target population.

For the 2009-2010 fiscal year, 1,906 cases were referred to the program by the Court. From July 2009 until June 30, 2010, \$840,282 in payments were collected. This is 88% of what was due, which continues to demonstrate a yearly improvement from the 38% pre-program rate.

In maintaining the organization's encouragement of implementing cost-saving procedures, service of violation notices on defendants who have defaulted on their payments was changed from Sheriff service to US Postal service. This change resulted in a savings of \$44.46 per defendant.

The Fine Collection Office is located in Suite 4000 of the Mecklenburg county Courthouse. For more information, **call (704) 686-0240.**

Attorney Fee Coordination Program

Since its implantation, in March, 2006, the Attorney Fee Coordination Program, under the direct supervision of the TCA Operations Division, holds the responsibility of reviewing all fee applications submitted for payment to the State of North Carolina by appointed counsel.

The Attorney Fee Coordinator reviews each fee applications for completeness and returns any applications submitted with incomplete or incorrect information back to the submitting attorney. Judicial review and approval is sought for any applications submitted with dollar amounts that fall outside a certain range as determined by Indigent Defense Services in Raleigh. In Mecklenburg County, the average hours claimed on fee applications range from 1 to 21 hours below the statewide average. Also, the Attorney Fee Coordinator focuses on efforts to recoup payment from defendants who were appointed counsel by the State. Since implementation, a total of \$808,893.42 is now earmarked for collection through 5,644 fee applications being submitted for civil judgments. The Attorney Fee Coordinator's Office is located in Suite 4420 of the Mecklenburg County Courthouse. For more information, call **(704)-686-0266.**



The Post-Judgment Services Center (PJSC) assists clients in complying with court orders or judgments through an efficient, effective and timely process that holds the court, clients and providers accountable. In practice, it was designed to provide a single point of contact where a defendant's sentence is coordinated and monitored by various court-related agencies. It functions as an alternative to incarceration or to assignment to supervised probation.

Among its purposes are to enforce court-ordered sanctions, such as financial sanctions and community service; to reduce the number of cases sentenced to supervised probation; and to make efficient use of court resources, i.e. eliminate the time judges spend reviewing cases for compliance.

The PJSC addresses the enforcement of sentences and fines of at least \$200.00 imposed upon defendants in misdemeanors from District Court and low-level felonies from Superior Court. Some of the offenses covered by this are: Possession of Drug Paraphernalia, Traffic Offenses, Driving While Impaired, Driving While License Revoked, Worthless Checks, Simple Assault, Tax Fraud, Breaking and Entering, Larceny, Simple Possession of Stolen Goods, Property Damage, Concealment, Sex Offenses, Aiding and Abetting, Resisting and/or Obstructing a Public Officer, and Food Stamp Fraud.

The Post-Judgment Services Center agencies received in excess of 17,824 referrals in 2009. In the coming months, PJSC personnel will pursue the development of a web-based application to replace the current database that tracks these referrals, which is expected to improve workflow, in addition to improving the efficiency and effectiveness of monitoring numerous cases for compliance. The PJSC is located in Suite 4000 of the Mecklenburg County Courthouse. For more information, call **(704) 686-0230**.



A new system has been installed in the Post-Judgment Services Center that makes waiting time more efficient for defendants making appearances in the Center. Q-Flow is a real-time, web-enabled customer flow tool for directing, organizing and optimizing the servicing of customers. Customers are assigned a number, entered into virtual queues and segmented by services. Q-Flow minimizes wait times and prevents defendants from standing in

lines waiting to be served. When agency representatives are ready to serve the defendant, an audible announcement with the customer's ticket number is announced and displayed on a monitor in the Center. This process is duplicated for each agency the defendant needs to see.

Community Access and Outreach



"Neither a wise nor a brave man lies down on the tracks of history to wait for the train of the future to run over him."

- Dwight D. Eisenhower

The Community Access and Outreach Division focuses on three major areas: accessibility to the courts, community education and outreach, and coordination of community volunteers and educational internships within the courthouse. Other areas of responsibility include the publication of the Annual TCA Community Report, Annual Statistical Report, Trial Court Administrator's Office Newsletter; the Speakers Bureau, courthouse tours, web site development and content maintenance both at the state and local levels, public relations plans for the Trial Court Administrator's Office and 26th Judicial District, media inquiries and requests, camera authorization requests, inclement weather operations, and other special projects. It is through these areas that the division meets its mission of creating an accessible atmosphere for the consumer. The division is operated by the Community Access and Outreach Administrator and Community Support Coordinator.

There were several notable achievements facilitated by the division in FY09-10. A Native American and Deaf/Hard of Hearing cultural learning luncheon was held to educate court officials on how to best serve these diverse groups in our community. A spring and fall seminar was held to educate the local media on the operations of the court in an attempt to foster stronger working relationships, as well as educate judges on how the media operates. A group of newly sworn attorneys participated in a Courthouse 101 training session to educate them about the various offices in the courthouse. Eighty-nine interns from local universities and colleges were placed within various TCA divisions. A series of Town Hall Meetings were held in the spring and fall to provide citizens with a forum to ask questions of key court officials, as well as educate them on the Mecklenburg County court system.

The Community Access & Outreach Division is located in Suite 4420 of the Mecklenburg County Courthouse. For more information, call (704) 686-0269.

Court Camp is a unique, week-long summer day camp for teens who are interested in the law and learning more about the North Carolina court system. During the week, eleven students ranging in age from 14-18 meet at the Mecklenburg County Courthouse to participate Court Camp from 9 a.m. to 4 p.m. each day. Students participate in classroom lectures, guest speakers (including judges, clerks, court reporters, lawyers, bailiffs, and court administrators), live observations of various criminal and civil trials, a mock trial, and a mock mediation. New activities this year included working with Public Defenders and Assistant District Attorneys, a trip to Parker Poe law firm uptown for a tour and lunch, a trip to The Charlotte School of Law for a tour and lunch, and a tour of the Mecklenburg County Jail. New partners this year included the Mecklenburg County Bar Diversity Committee, the Moore & Van Allen law firm (who provided a boxed lunch on the terrace of the courthouse), and The Crowne Plaza Hotel who provided transportation to and from The Charlotte School of Law. Court Camp is designed to foster an interest in the law for students, as well as to teach them through hands-on activities about the North Carolina court system.

Community Support

The TCA's Office has continued to participate in several annual community involvement initiatives. Each year TCA staff volunteer at the Charlotte Mecklenburg Senior Center's annual Volunteer Appreciation Luncheon for Senior volunteers. During the holidays, a needy family identified by Thompson Child & Family Focus is adopted and both staff and judges come together to help the family have a good holiday by donating gifts and money for groceries. The TCA's Office has also adopted a one mile stretch around the courthouse through the Adopt-a-City-Street program and it cleans the street once each quarter.

Efforts are also made to educate the Non-English speaking communities in Charlotte about the court system. The court continues to participate in various cultural community events and ethnic festivals, as well as develop presentations for community groups. Court officials also make numerous appearances on Hispanic radio programs to educate and answer non-legal related questions.

This office also provides assistance with accessibility requests for accommodations for those citizens with special needs and ensures the courthouse is accessible and compliant with the Americans With Disabilities Act.

For more information about Community Support efforts, call **(704) 686-0268**.

Speak Now! The 26th Judicial District Speakers Bureau

The 26th Judicial District has a great deal of information to share and many professionals who are available to speak on a wide range of court-related topics. Whether you live in Charlotte, Cornelius Davidson, Huntersville, Matthews, Mint Hill, Pineville or the unincorporated area of the county, the 26th Judicial District's Speakers Bureau is available for a professional presentation for your school, civic, professional, church, community, or neighborhood group. For more information call **(704) 686-0269**.

Language Accessibility in the Courthouse

The Mecklenburg County Courthouse has two full-time Spanish speaking staff interpreters on hand every day to assist non-English speaking defendants charged with crimes. The interpreters' primary duties involve interpreting in cases involving indigent defendants, juvenile cases, and custody mediation sessions. They are bound by the Interpreter's Ethical Code and cannot provide legal advice. They solely provide communication assistance.

The Staff Interpreters can also arrange for any foreign language interpreter, as long as the case fits the criteria outlined by the Administrative Office of Courts.

For interpreting assistance and/or questions, contact:

Interpreter Office: 704-686-0350

David W. Miller: 704-301-1733

Michael Cortes: 704-301-1730



Larry King's Clubhouse Children's Play and Care Center, Inc. is a free drop-in childcare center located in the courthouse. It provides a safe, secure and enriching place for children who must be at the courthouse because their parents are serving on jury duty, the child is a witness, the child is the subject of child neglect, abuse, or custody proceedings, their parents or guardians are required to be in the courts as litigants

or witnesses, or their parents have other business at the courthouse. The center offers quality drop-in care and developmentally appropriate activities for children, ages 6 weeks to 12 years. The mission of the Court Clubhouse is:

To improve access to justice for litigants, witnesses and jurors who cannot find or afford childcare while conducting business with the court; to remove children from an environment where they might hear inappropriate and psychologically damaging testimony; to increase the efficiency of court operations by removing children whose presence is disruptive and distracting; and, to link children and families to needed community services. For more information, call (704) 686-0285.



Total Number of Children Served in FY09-10 = 7,882

Most Number of Children Served in a Single Day = 64

Most Number of Children Served in One Week = 230



What did you like best about Larry King's Clubhouse?

"Everything was great. They exceeded my expectations by changing my son's diapers and putting on new pants for him."

"The place is clean, organized. Staff is superb. It helped me immensely. I do not have a sitter because I sit them myself. I just want to thank the officials and everybody involved."

"I had somewhere for my child to be safe and play. It was colorful, clean and it had so many neat things to play with. It looked better than his regular day-care!"

"It enabled me to serve jury duty."

Citizens Involved in Volunteering In the Court System (CIVICS)

Since its implementation in 2005, the **Citizens Involved in Volunteering In the Court System (CIVICS)** program has established a way to allow citizens a chance to take an active role in the justice system. There are many misconceptions about the court system that are often perpetuated through movies, television, and books. By volunteering, citizens are able to see first-hand exactly how the justice system operates and develop a more realistic perspective. By assisting the citizens who visit the courthouse, the volunteers provide a more user-friendly environment, and creates a better sense of community. For more information about volunteering, call **704-686-0269**.

Tours of the Courthouse

“Thank you so much for the tour of the courthouse. I really enjoyed it. I also learned things I never knew. We got to see one case in Courtroom 5150. It was cool!”

“Thank you for allowing us to come take a tour with the Mecklenburg County Courthouse. I really enjoyed everything about the tour.”

LEAP Into the Courts!

Lessons, Educational and Activities Programs (LEAP) About the North Carolina Judicial System has been created by the Community Access and Outreach division to assist teachers in educating students about the North Carolina and Mecklenburg County court system. The multiple layers, rules, and procedures of the North Carolina court system can be confusing. For many people, the only contact they will have with the court system is through jury duty. While jury duty is a vital part of the court system, there is much more information about the courts that is important for students to know and understand. From the role of juries and the process of jury selection to the difference between civil and criminal court cases and possible careers in the court system, the resources contained in LEAP will provide a basic understanding of the operation of the North Carolina General Court of Justice in the 26th Judicial District.

Each lesson plan specifies a corresponding competency goal or objective as determined by the North Carolina State Board of Education. These resources have primarily been focused to those students taking tenth grade Civics and Economics and Contemporary Law and Justice. More information on this program and a printable copy of LEAP can be found on our website at:

<http://www.nccourts.org/County/Mecklenburg/Interest.asp>

For more information, call **(704)-686-0269**

Contact Us!



Trial Court Administrator's Office

704-686-0260

Caseflow Management Division

704-686-0185

Community Access and Outreach Division

704-686-0269

Drug Treatment Court Division

704-686-0150

Family Court Division

704-686-0200

The SelfServe Center

704-686-0210

Operations Division

704-686-0267

Fine Collection Department

704-686-0240

Jury Management Office

704-686-0195

District Court Judges Office

704-686-0101

Superior Court Judges Office

704-686-0100



Visit us on the Web!



<http://www.nccourts.org/County/Mecklenburg/Default.asp>

This report was prepared by:

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