



On The Record

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Charles Keller, Jr., *Editor*

From the Trial Court Administrator

The Future of Family Court



Todd Nuccio

As we prepare for the upcoming legislative session, we find ourselves looking to defend the loss of another critical court program. You may recall that statewide funding for Family Court was essentially eliminated in the last legislative session for FY2010-2011 when the line item was changed from “recurring” to “non-recurring.” In addition, the legislature directed that a continuation review be conducted and a report on the review be prepared and submitted to the Legislature’s Fiscal Research Division.

What exactly is a continuation review? This concept was created by the General Assembly in 2007 as a way to improve governmental accountability. When a program or service undergoes a continuation review, recurring funding is dependent on whether agencies can make a compelling case to continue its operations. The Administrative Office of Courts (AOC) has been tasked with addressing the following elements as part of its report: the current environment, including mission, goals and activities, program performance data, the link between funding and societal impact, justification for the program, any recommendations to improve efficiency and effectiveness, and any external factors. Other agencies that the legislature is asking to submit to this same review process include the Center for Public Television, Commerce Office of Science and Technology, Wildlife Resources Conservation Education, Department of Health and Human Services Division of Information Resource Management, General Assembly Facility Services, and the DMV Driver’s License Program.

Although the final report regarding Family Court is not due to the General Assembly until March 1, 2012, it has already been completed and submitted. Once the General Assembly reviews and discusses the report, they have several options: increase funding, continue funding at the current level, reduce funding, or eliminate all funding. Unfortunately, Family Court faces several challenges and hurdles on the path to restoring full funding. The greatest challenges are economic and budget constraints. Tax revenues remain challenging and funding for the judicial system has not been a priority. Funding for the North Carolina Judicial Branch has been steadily declining from 2.47% in 2009-2010 to 2.30% in FY2010-2011 and is slated to be 2.23% in FY2011-12 barring any changes. Another hurdle is that Family Court is often viewed as a “program” rather than a “core court function.” Because not all judicial districts utilize Family Court, it is often viewed as a “non-essential” function of the court. There are currently thirteen Family Court districts that serve twenty-one counties in North Carolina. They process 43% of domestic filings in the state. This means they manage 44,053 versus 54,933 cases in districts without Family Courts. Unfortunately, the majority of legislators who comprise the membership of the House and Senate Appropriations Subcommittees on Justice and Public Safety are from rural districts without Family Courts. Additional challenges include lobbying by disgruntled litigants who offer negative commentary on Family Courts over dissatisfaction with the outcome of their oftentimes emotionally charged cases. Some go so far as to launch websites attacking Family Court judges and organizing other disgruntled litigants to campaign against judges whose terms are up for reelection. All of these factors combine to undermine the support for Family Court.

Continued on next page

Despite the challenges and hurdles, the facts substantiate the efficacy of Family Court. As the report reveals, Family Courts are far more efficient in the delivery of services to the public. Statistics indicate that the median pending age of domestic cases in Family Court Districts are 182 days less than in Non-Family Court Districts. There are also 23% fewer cases older than one year in Family Court Districts versus Non-Family Court Districts. These results are made possible by the vital case coordinators who actively manage the cases. This means better services to litigants, including pro se litigants who often find the system difficult to navigate and makes the process vastly more user friendly. Family Court judges also receive special training. In addition, because one judge is assigned to one family, consistency and continuity are maintained. All these factors combine to bring about more rapid disposition of cases and better outcomes for families and children.

So what does the future hold if Family Court is not restored? First and foremost, the administrators and case coordinators that manage the caseload will be eliminated. In Mecklenburg, that would also mean our Self Serve Center for pro se litigants would also be shut down, along with several programs operated through the Center. Juvenile Court administration would also be eliminated. With the removal of staff and other resources, the age of the caseload will naturally gravitate towards that of current Non-Family Court Districts.

The human consequence of this change is best described by the age old adage: Justice Delayed is Justice Denied. The longer matters remain unresolved, the more likely the potential for conflict to arise; which means more legal activity and increased costs to litigants. Delay also creates unintended winners and losers by giving the party with control of the assets or custody of the children de facto control. Delays in establishing child support, spousal support, and distribution of assets leads to increased demands on public assistance, loss of homes, loss of businesses and loss of vehicles and harms children by taking an enormous psychological toll during the extended periods of dysfunction in their lives. Family Court also serves individuals who are in crisis and at their most vulnerable. These citizens need and deserve the personalized attention of specially trained judges and staff and the stability, consistency and efficiency that the one judge/one family approach offers.

We have already seen the detrimental effects of judicial system cuts in other jurisdictions across the country. An excerpt from the article *Budget cuts to worsen California court delays, officials say* printed in the July 20, 2011 edition of *The Los Angeles Times* reads “San Francisco court officials have predicted a five-year wait for lawsuits to get to trial. A divorce, which used to be finalized in five months, may now take 18 months.”

So, what is being done to try to save our Family Courts? Spreading the word is the most important method to call attention to what could happen. We are currently identifying constituencies to help raise awareness and advocate against the possible elimination of Family Court.



We need to focus on doing what is right and in the best interests of children and society.

The debate should be about how quickly we can expand Family Court to every judicial district instead of whether it should be eliminated in those communities fortunate to have it.

Juvenile Court Holds Youth Empowerment Fair

In keeping with its mission, the Mecklenburg County Juvenile Court sponsored its first annual Youth Empowerment Fair on Friday, October 28, 2011 from 11 a.m. to 2 p.m. in Room 4510 of the Mecklenburg County Courthouse. The Fair, entitled I CAN... Empowering Youth to Explore the Possibilities, gave youth an opportunity to network with business professionals from various sectors including Arts and Media, Business, Health and Wellness, Law and Government, and Technology. The Mecklenburg County Juvenile Court promotes the best interest of children and families and is committed to improving the lives of the families it serves.

The fair was hosted by District Court Judge Elizabeth T. Trosch and included special guests At-Large Commissioner, Harold Cogdell, Jr., motivational speaker, Janine Davis, and a host of diverse community and business leaders. The Fair also included Juvenile Justice stakeholders from Mecklenburg's Youth Treatment Court, Youth and Family Services, the Mayor's Youth Employment program, the Department of Juvenile Justice and Delinquency Prevention and the Council for Children's Rights. This exciting event was designed to motivate disadvantaged youth to dream big and explore new and creative career paths.



From left to right, Judge Elizabeth Trosch welcomes participants and special guests and addresses the group; students visit with area business and government organizations to learn about various career opportunities available to them.



It's Not Always Happy at My House

Mecklenburg County Family Court recently hosted a training on domestic violence entitled "It's Not Always Happy at My House." This training was free for invited guests and attorneys serving in the 26th District Juvenile Abuse, Neglect & Delinquency Courts. Close to 60 people attended the Training planned through the combined efforts of the Family Court Office, the Mecklenburg County Bar, and the Model Court Advisory Committee.

Presenters included Sandy Hammond, Program Supervisor for Children's Domestic Violence Services at the Women's Commission, a division of Mecklenburg County Community Support Services, and William Johnson. Mr. Johnson has been volunteering his time at NOVA (New options for violent actions) where he takes the time to educate perpetrators of domestic violence on the long term effects that their actions have on children. He is a man who lives by the motto, "To whom much is given, much is required" and this is why he is eager to give of his God given talents and experiences in hopes of healing, educating and creating a better tomorrow.

District Court Judge Elizabeth Trosch made an introduction. "Domestic violence does not affect just the victim, but also those around the victim and the perpetrator.," Judge Trosch stated in her introduction. "We will look at not only the immediate impact Domestic Violence has on children, but also as a child grows up, and how it has affected them in the long term."



District Court Judge Elizabeth Trosch addresses the participants.



Close to 60 people attended the training



TCA Employee of the Year Announced

The Trial Court Administrator's Office is pleased to announce Carol Swann as the winner of the 2011 Helen Stonestreet TCA Employee of the Year Award.

Ms. Swann is a Judicial Assistant who supports five District Court judges, including the Chief District Court Judge. She has worked in the Judicial Support Division for over ten years. During this time, she has demonstrated that she is a dedicated employee through her excellent attendance record. She is well organized, professional, hard-working, and very pleasant to work with. She is always cordial, polite, and represents the organization well. Carol maintains a calm demeanor in her dealings with both the general public, as well as judges and staff. Many of the judges speak highly of Ms. Swann's integrity and the quality and efficiency of her work. Her additional responsibilities include preparing the District Court Judges schedule each week.

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.



From left to right, Judicial Support Administrator Cathy Fletcher, Judicial Assistant Carol Swann, Trial Court Administrator Todd Nuccio



Youths Learn About Courts in Civics 101

The Trial Court Administrator's Office recently hosted a group of local teens participating in Youth Civics 101: A Venture into Local Government, which is sponsored by GenerationNation (formerly Kids Voting), a local non-profit. Students learn how local government works by attending real government meetings, finding out where local government receives funding, who makes decisions – and weighing in on policies and issues.

Students attend government meetings, observe civics in action and experience it first-hand. Areas of focus include the City of Charlotte, Mecklenburg County, Board of Education, Mecklenburg County Courts, The Charlotte Observer, Board of Elections and more. The courts session is one of the most popular and includes an overview of the Sheriff's Office and its role in the court system, presented by a deputy sheriff, as well as an overview of the North Carolina court system. A judge meets with the students and conducts a mock trial with them as part of the session.

Youth Civics 101 is ideal for 10th grade students in Civics & Economics class as well as all teens with an interest in government, law, civics and/or public service. Community service hours are available for completion of the course and providing feedback.



A) Students learn about the role of the Sheriff's Office in the court system and court security from Deputy Henderson; B) Students are allowed to pet Deputy Dax, a K-9 Officer who works with Deputy Henderson; C) Superior Court Judge Yvonne Mims-Evans talks to students about the North Carolina court system

Justice Initiatives, Inc. Awards Grants for 2012

Justice Initiatives, Inc. (JI) recently granted \$15,449 in funds during its fall 2011 grant cycle to support programs and services within the 26th Judicial District. JI accepts grant submissions from court agencies in the 26th Judicial District each fall. A finance committee reviews and makes recommendations to the full board which can approve, reject, or amend the requests. Recipients are then notified of their decision. JI will also consider grant proposals outside this process on a case-by-case basis if a demonstrated need is urgent. Any award amounts will be determined based on the merit of the project and available funds.

The purpose of Justice Initiatives is to:

- Educate and advocate regarding the needs of court system offices and programs within the 26th Judicial District.
- Receive, hold and disburse funds donated by individuals, foundations, corporations, and governmental entities that are earmarked for particular offices, programs and/or services within the 26th Judicial District.
- Support fundraising activities for court system offices and programs within the 26th Judicial District consistent with abilities and resources.
- Advance reforms related to the judicial branch's organization, structure and/or administration.

Customer Satisfaction Survey Incentives	\$104.00
Juror Appreciation Month and Annual Amenities for Jurors	\$3,635.00
Professional Development, Travel and Training	\$5,980.00
TCA Employee Incentives	\$1,200.00
The Courts and The Media Seminar	\$600.00
Drug Court Month	\$800.00
DTC Participant Recognition	\$1,640.00
DTC 2011 Pro-Social Court Session	\$600.00
Court Appointed CLE Training	\$1,000
Fall 2011 TOTAL:	\$15,559.00



TCA Office Collects Toys for Children

The Trial Court Administrator's Office staff and the judges of the 26th Judicial District recently collected and donated twenty-three new toys, gift cards, and movie tickets that will be distributed to children in the care of Thompson Child and Family Focus who are in need during this holiday season.

Each year during the holiday season, the TCA's Office and judges of the 26th Judicial District adopt a family and/or children who are in need and collect items they need to make their holiday season more enjoyable.

In a letter from Virginia R Amendum, President of Thomson Child and Family Focus, she writes, "We are grateful for your donation of toys, movie tickets, and gift cards for the Thompson children at Christmas. Your consistent generosity has allowed Thompson to continue impacting the lives of some of North Carolina's most fragile children and families."



Drug Treatment Court Holds Holiday Court Session

In December, 141 clients attended the 2011 Holiday Court session held in Courtroom 4130. Judges, Assistant District Attorneys, Assistant Public Defenders, and representatives from various service providers also attended the session. Judah Jones, a counselor at SAIL, and her husband, Rev. Bill Englebreth, provided traditional seasonal musical entertainment prior to the session.

Case Coordinator Jill Valente welcomed the attendees to the session. District Court Judges Theo X. Nixon and Thomas F. Moore, Jr. and Superior Court Judge Yvonne Mims-Evans welcomed the clients and reminded them of the challenges the holidays often present when it comes to sobriety. Afterwards, DTC staff and judges came together to sing the “Twelve Days of Drug Court.” Case Coordinators associated with the various teams said a few words to the clients and facilitated two door prize drawings for each court, which allowed some clients to leave with a nice gift. All clients were given a small bag of holiday M&M’s as they left the courtroom and light refreshments were available to those who chose to stay and eat.

This annual event is held for current clients each year to afford them an opportunity to meet and enjoy some fellowship in a more relaxed setting.



A) Musical entertainment was provided by Judah Jones and her husband, Rev. Bill Englebreth; B) 141 clients attended the holiday court session; C) Case Coordinator Mike Hamilton dressed in the holiday spirit for the session; D) Judges and DTC staff sang *The Twelve Days of Drug Court*; E) Clients received door prizes

Send **CHOCOLATE ROSES** and/or **CARNATIONS** to your friends, coworkers, or secret crush!. Orders will be accepted through **FEBRUARY 13TH**



Choose from a single carnation for \$2.50, a Chocolate rose for \$1.00 OR the combo pack (a carnation and a chocolate rose) for \$3.00.

All three options include a personalized message card and delivery to the recipient within the Mecklenburg County Courthouse the morning of Tuesday, February 14th.

Payment in cash is required at time of order. TO PLACE YOUR ORDER, CONTACT:

♥ Ste. 3420 ~ Lynette Richter

Ste. 4420 ~ Maura Chavez

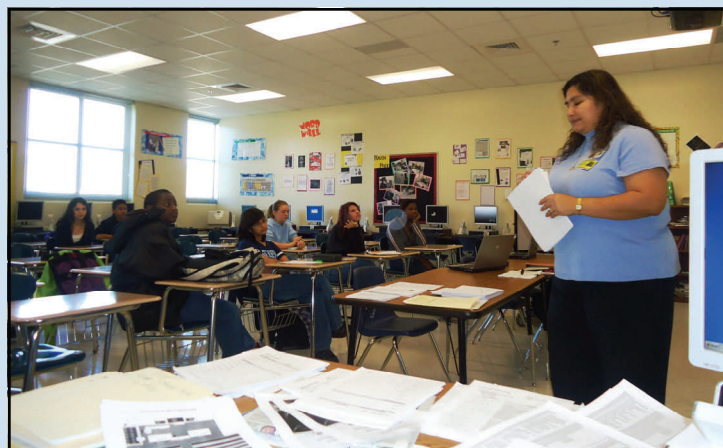
♥ Ste. 3520 ~ Mary Florence

♥ Ste. 9600 ~ Janet Norwood

♥ Ste. 4351 ~ Rosalind James

Middle School Students Learn About Legal Careers

On January 5th, 2012, Community Support Coordinator Maura Chavez visited Ridge Road Middle School to discuss legal careers with a group of 7th and 8th graders. The children were students enrolled in a Computer Technology Enrichment Program designed to teach them keyboarding, among other subjects. Sherri Moore, who teaches the class, also uses the course to expose students to various careers. Her goal with having Maura speak to the class was two-fold: she wanted students to learn about legal careers other than being an attorney, as well as invite folks from various ethnic backgrounds in the community to talk about their occupation. Maura talked to the students about her particular role in the court system, as well as the other roles in the court, both in and outside the courtroom. Maura gave the students a diagram of a courtroom and discussed the various roles in the courtroom. She also discussed the various administrative and support roles within the court system. The students enjoyed the presentation and Ms. Moore invited Maura to come back in the future. "Thank you very much for taking time out of your busy schedule to come out to the school. Your presentation was engaging and enlightening to the students."



Maura Chavez teaches students about her role in the court system



Students learn about various careers in the court system

26TH JUDICIAL DISTRICT COURT CLOSING POLICY FOR INCLEMENT WEATHER OR OTHER GOOD CAUSE

During the course of the *regular school year*, the following schedule will apply:

On the first day of snow/sleet/other inclement weather, the Courts (all Superior and District Courts, including 1130, 1150, and the Civil Magistrates) will follow the same routine as the school children of the Charlotte-Mecklenburg school system, including a delayed start. When the first instance of inclement weather arises during the 8:00 am-5:00 pm workday, the Courts will make an independent decision as to an early suspension of operations. If an early suspension of operations is announced, that day will be considered the first day of inclement weather and any following day of inclement weather will be treated as the second day. On the second day and on all subsequent consecutive days of snow/sleet/inclement weather, the Trial Court Administrator will place an independent announcement on the local radio and television stations only if court has been canceled or delayed. If no independent announcement is made, all court sessions will operate as normally scheduled.

During *the summer recess or at other times when the schools are not in session*, the Courts (all Superior and District Courts including 1150, 1130, and the small claims courts) will follow the same policy as that of the second day of snow/sleet/inclement weather. The Trial Court Administrator will place an independent announcement on the local radio and television stations only if court sessions have been canceled or delayed. If no independent announcement is made, all court sessions will operate as normally scheduled.

To facilitate the prompt notification of all affected parties, the Trial Court Administrator will contact agency heads within the judicial system as soon as a decision has been made to cancel court sessions. Agency heads and their employees may also call **686-0100** or **686-0101** to directly obtain a report on the status of any possible court session cancellation. Once a decision is made to cancel or delay court sessions, the regular voice mail greeting for these two numbers will be changed so that all callers can be informed.

No court sessions of any kind will operate on the first day of any cancellation unless statutory requirements governing the time frame in which a defendant must be brought before a judge are in jeopardy of being violated. In those instances, a special request shall be made to the Chief District Court Judge to run Courtroom 1150B – First Appearance and/or hold Juvenile Detention and Non-Secure Custody hearings. If approved, the requesting party will notify the designated representatives for the appropriate offices: Clerk's Office, DA's Office, Sheriff's Office, etc. This same situation arises in Superior Court when a snow day occurs on the seventh day after the last held probation preliminary hearings. Since GS 15A-1345(c) requires a hearing within seven days of a probationer's arrest, the Senior Resident Superior Court Judge shall be contacted in these instances to arrange for a special session that day. If approved, the requesting party shall again notify the designated representatives for the appropriate offices: Department of Community Corrections, Clerk's Office, DA's Office, PD's Office, Sheriff's Office, etc

When all other courts are cancelled on the second day and thereafter, a decision will be made whether to run the critical court sessions (Courtroom 1150B - First Appearance, Courtroom 4130 - First Appearance, Courtroom 4110 - Domestic Violence Civil, Juvenile Detention and Non-Secure Custody Hearings, and Mental Commitment Hearings) Judges, attorneys, and court personnel associated with these courts should call **686-0100** or **686-0101** to learn if and when these courts will be operating. The Warrant Issuing Magistrate's Court will remain open during the entire period of any closing. Requests for ex parte 50B orders and for mental health commitments will be considered by the Warrant Issuing Magistrates.

When a court session is canceled on a Monday, the first cases to be heard on the day normal operations resume will vary by the type of court. For all Superior Court trial calendars, the return day to work will be treated as if it were the Monday of the session and will begin at 10:00 AM. For all Superior Court administrative calendars, only the cases scheduled for the specific day that court resumes will be heard and the start time will be 9:30 AM. Those cases which were scheduled for hearing during the days court was canceled will be reset for a new date and time. For District Court civil calendars, excluding domestic relations, the return day to work will be treated as if it were the Monday of that week. Cases originally scheduled for Monday of that week will be heard before any others in the above categories. For domestic relations calendars, cases which were scheduled for hearing during the days court was canceled will be reset for a new date and time. Only the cases scheduled for the specific day that court resumes will be heard. For District Court criminal (including 1130), domestic violence, juvenile calendars, and civil magistrate's courts, only the cases scheduled for the specific day that court resumes will be heard. Those cases which were scheduled for hearing during the days court was canceled will be reset for a new date and time. The Clerk should reschedule 50B 10-Day hearings not heard during the period of any closure and extend the ex parte orders until the new court date. Finally, when the Grand Jury cannot meet due to a Monday inclement weather cancellation (or Tuesday if Monday was a holiday), the session will be cancelled for the week.

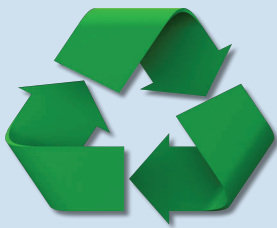
Please note that any court cancellation or delay announcement pertains to COURT SESSIONS ONLY. Employees should report for work in accordance with the policies of their agency. Unless a state of emergency is declared by the Chief Justice of North Carolina, the courthouse will remain open during normal business hours or there will be an announced delayed opening or a notice with a phone number will be posted on the doors to handle legal deadline situations. The Sheriff's Department should take appropriate steps to ensure employees can gain access to their workstations.

New Faces

Deborah L. Maren joined the Judicial Support Staff Division as an Official Court Reporter on December 5, 2011. Deb transferred from Rowan County where she had been an Official Court Reporter since 2009. Before moving to North Carolina, Deb was a freelance reporter for six years and worked at the U.S. District Court for four years in Boston, Massachusetts. Deb received a Court Reporting degree from Johnson & Wales University in Providence, Rhode Island in 1993 and a Bachelor of Science Degree from the University of Massachusetts in 1989. Deb is certified by the National Court Reporters Association as a Registered Professional Reporter. We are fortunate to have Deb as a member of our organization.



Deborah L. Maren



Going Green with Red

Featuring Jennifer Acheson (CM)



What do you do with your single-use batteries? I have rechargeable batteries in my digital camera and phone, but not in our television remotes or the many toys that my son has throughout the house. The batteries in his toys wear out fairly quickly because they are frequently used. I've often thought that I shouldn't throw the batteries directly in the trash, but I've never been quite sure as to how I should recycle them either. So, I decided to do some research and learned some interesting things along the way.

According to Duracell, single use alkaline batteries can be disposed of with regular waste without harmful effects to the environment because they contain very few chemicals. Although, Duracell advises that you should not dispose of a large amount of batteries all at once because some of the batteries might still have some charge left. When these batteries come in contact it can create a safety risk. Buying rechargeable batteries is really your best option. Rechargeable batteries have a much longer shelf-life than regular alkaline batteries. The down side to rechargeable batteries is that they have chemicals that are much worse for a landfill than that of an alkaline battery. The good news though is that the rechargeable battery has much more recyclable material than an alkaline battery. Alkaline batteries carry few valuable materials for recycling. Because of this, the cost to recycle the single-use battery outweighs the benefits.

Research is ongoing as to the pros and cons of single-use batteries. Earth911.com reports that slow drain devices like your TV remote and smoke detectors make better companions for single-use alkaline batteries. Items like digital cameras and video game remotes that drain battery life rapidly are more suitable for rechargeable batteries.

Companies like The Home Depot and Batteries Plus offer recycling programs for many rechargeable batteries.

TCA BIRTHDAYS

January

4 Mary Florence (FC)
5 JoAnn Harris (JS)
5 Jessica Modra (DTC)
20 Agnes Mays (DTC)
28 Reggie Grier (OP)

February

3 Linda Brooks (JS)
6 Eva House (CM)
16 Mike Hamilton (DTC)
17 Erica Adams (OP)
17 Jennifer Kuehn (FC)

March

4 Amy Kolodziej (CM)
13 Deb Savage (CM)
14 Mary Baker (OP)
16 Byron Petit (FC)
19 Tashia Jones (OP)
20 Kenneth Hart (FC)



Farewell Fall Interns and Volunteers!

Deana Adamson (FC)
Connie Callaway (PJSC)
Hugo Calderon (SSC)
Katherin Hahn (Jury)
Melissa Hodgson (FC)
Michael Munson (SSC)
Caleb Newman (TCA)
Jeff Poulsen (TCA)
David Smith (TCA)
Jessica Yost (PJSC)

Have an Idea?

A suggestion box is located in the TCA breakroom on Level 4. Please feel free to submit suggestions or ideas that would enhance the operation of the TCA's Office, anonymous or otherwise, in this box.



TCA Division Codes

OP = Operations

FC = Family Court

CM = Caseflow Management

JS = Judicial Support

DTC = Drug Treatment Court

CAO = Community Access & Outreach



The photographs in this publication were made possible through a grant from Justice Initiatives, Inc.

Welcome Spring Interns!

Rachel Adner (Jury)
Shannon Barbee (FC)
Tommie Conklin (PJSC)
Stephanie Courson (FC)
Chelsea Ferrell (DTC)
Vaughn Higgins (DTC)
Ebony Moody (FC)
Kenny Pitman (CAO)
Erica Starkey (Jury)
Sheryl Steele (SSC)
Norman Shepherd (SSC)
Sam White (SSC)

