



Family Court
Dover



CHIEF JUDGE CHANDLEE JOHNSON KUHN

FAMILY COURT

We are pleased to present the annual report of the Family Court of the State of Delaware. Family Court remains firmly committed to its mission and strategic plan.

In accordance with its statutory mission, set forth in 10 Del.C. § 902(a),

“The court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interest of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another.”

STRATEGIC PLANNING

Family Court’s Strategic Plan reads as follows:

WE, THE JUDGES OF THE FAMILY COURT OF THE STATE OF DELAWARE, this 12th day of August, 2004, in furtherance of the Family Court’s legislative mandate to best serve the interests of the citizens, families, and children of the State of Delaware, and all other individuals who appear before us, do hereby set forth the Court’s guiding ideals, goals, and strategies.

Guiding Ideals

The Family Court of the State of Delaware – its judicial officers and staff – is committed to securing meaningful access to justice for those who come before the Family Court; to striving for safety, permanency, and rehabilitation of our children; to protecting the peace and safety of the public; to resolving disputes impartially and fairly; to demanding respect, intellectual honesty, integrity, and accountability from ourselves as well as from those we serve; to responding to the social changes and innovative ideas of the future; to giving due deference to legal precedents of the past; and, ultimately, to enhancing the quality of life of the citizens, children and families of the State of Delaware.

Goals

*Safety and security
Timely and expeditious hearings and case processing
Institutional competence (fully trained and engaged judicial officers and staff)
Conflict resolution in the least adversarial manner
Comity in governmental relations
Balanced court workload*

Broad Strategies

Effective judicial governance
Continuous learning (training and education)
Innovation
Alternate dispute resolution (ADR)
Good working relationships with other branches of government and justice system partners
Community outreach

COURT IMPROVEMENT PROJECT (CIP)

The Court Improvement Program (CIP) is a multi-year, federally funded grant project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994 and continues to utilize this federal resource to embark on a dynamic new partnership with the child welfare system by focusing on the common goal of improving the safety, stability and well-being of children who have experienced abuse and neglect.

Initial CIP efforts resulted in today's best practice of having all stages of a dependency and neglect case heard by the same judge within a schedule of hearings and reviews that meet federal standards. More children and parents have representation, case plans are more meaningful, orders more consistently include detailed reasoning, and reunification or permanency is achieved in a more timely manner.

The Court is building on that foundation through a more active partnership with others in the child welfare system, primarily the Division of Family Services, but also with legal professionals, advocates and service providers.

Highlights include:

October 2006 – the Court used federal resources to engage a full-time CIP Coordinator. Among other contributions, the Coordinator has enabled the Court to develop a five-year strategic plan for data collection, training and

collaboration and to apply for additional federal funds to support the activities in the plan.

November 2006 - the Family Court partnered with the Department for Children Youth and Their Families to host a two-day Statewide Summit on the Protection of Children entitled: *Joining Forces for Delaware's Children*. Both national and local experts presented to approximately 400 participants. This conference was a result of an action plan developed by a team of Judges, staff and child welfare professionals who attended The National Leadership Summit on the Protection of Children.

The Family Court actively planned and participated with DSCYF in preparation for the federal Child and Family Services Review. The review consisted of a week-long review in March 2007 wherein the CFSR team of reviewers interviewed judges, social workers, advocates and others and reviewed 65 case files. The resulting report is intended to help identify areas of strength as well as areas for improvement to further the goal of providing all children with safe, permanent families in which their physical, emotional, and social needs are met.

Additional collaboration is occurring at the county level through quarterly stakeholders meetings intended for partners to remedy local challenges and share beneficial information.

The path forward includes utilizing additional federal support to collect and analyze data in order to specifically identify areas for improvement, to design and offer a schedule of educational opportunities for judicial officers and others in order to achieve improvements, and to collaborate with partners on replicating best practices statewide.

Because of its sweeping systemic reforms, the Delaware Family Court was selected as a study site for the U. S. Department of Health and Human Services (HHS) to evaluate the impact of the CIP. Pal Tech will conduct the court-focused evaluation in New Castle County under contract with HHS. The study began in the fall of 2006 and will continue over a five-year period. It will include observations and empirical information regarding the impact of

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court reforms, including their influence on the Division of Family Services and its ability to meet federal child welfare requirements.

JUVENILE JUSTICE

Mental Health Diversion Court

The Family Court, in collaboration with the Public Defenders Office and the Division of Child Mental Health received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with delinquency charges pending against them in the New Castle County Family Court. The program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. The program began in January of 2007 and quickly acquired a full caseload.

In conjunction with the Mental Health Court program, the Family Court in New Castle County has created a dedicated juvenile competency calendar for conducting competency hearings and monitoring compliance with treatment recommendations for non-competent juveniles still facing open charges. One dedicated Judge is assigned to hear and track all the competency hearings.

Delaware Girls Initiative

The Delaware Girls Initiative (DGI) began as a statewide volunteer initiative comprised of more than one hundred advocates. Under the guidance of the Honorable Chandlee Johnson Kuhn, Chief Judge of Family Court, DGI was developed as a result of the growing need for gender specific resources for at-risk girls. Its mission is to advocate for a 'continuum of services' that ensures gender specific resources and programs for all girls at-risk in Delaware. In May 2006, the *Blueprint for Systematic Change* was debuted at Legislative Hall in a remarkable unveiling ceremony.

As a result of the dedication of Chief Judge Kuhn and Family Court, as well as many other State and nonprofit agencies, DGI has grown from purely volunteer committee work into a program staffed with two full-time em-

ployees. Coordinator, Allison L. Cassidy, LCSW, was hired in March 2007 and Program Assistant, Carolyn Petrak, MPA, began in April. Together, Ms. Cassidy and Ms. Petrak are coordinating the efforts of the DGI Committee work, including a source book for girls, contact book for professionals, and girls' focus groups.

In June, DGI released its Annual Workshop Calendar that offers thirty-six workshops statewide that provide gender responsive training to professionals and individuals in Delaware. Delaware Girls Initiative will forge into 2008 with a strong foothold in the State's effort to serve Delaware's at-risk girls.

SERVICES FOR SELF-REPRESENTED LITIGANTS

In its continued efforts to serve *pro se* litigants, the Family Court helped nearly 50,000 people by providing assistance through the Resource Centers statewide. Over 25,000 people in New Castle County utilized the services provided in the Self-Help Center and Intake Center. Kent County's Resource Center provided assistance to approximately 14,000 people, and Sussex County's Resource Center provided assistance to approximately 10,000 people. These numbers indicate that Delaware's citizens continue to benefit from the variety of services offered in the Resource Centers.

Over the past year, the Court developed and implemented instruction booklets and informational resources in the areas of termination of parental rights, adoption, registration of foreign custody orders and registration of foreign protection orders. These materials are in addition to instructional booklets already available on divorce and annulment, custody, visitation, custody modification, guardianship and permanent guardianship. These books provide extensive information to *pro se* litigants regarding how to complete court forms (including sample forms), the court process and information to assist them in preparing for their particular court hearing. The booklets and resources are available to *pro se* litigants in all Family Court Resource Centers and are accessible on the Family Court webpage. The Family Court webpage was also redesigned this year in

order to be more user-friendly for *pro se* litigants. The Court is currently developing additional instruction booklets in the areas of child support and motions practice as well as creating videos to compliment each instruction packet. Finally, the Court has been active in developing desk reference books for *pro bono* attorneys volunteering in the area of family law.

In addition to the volunteers who serve in our resource centers, the Family Court sponsored a Public Ally this year, who worked as a member of the *pro se* services department. The Public Ally program of leadership and community services development for young adults works to strengthen our community and the Family Court is proud to expand our *pro se* services team in this way.

The Court's *pro se* litigant program has enhanced the public's access to the Court, has enhanced litigants' participation in the Court process and has contributed to more efficient Court operations.

DOMESTIC VIOLENCE

In staying at the forefront of developments in the area of domestic violence, the Family Court has undertaken a number of initiatives this year to continue our proactive momentum in this area.

In its continued efforts to provide protection and relief to victims of domestic violence, as well as ensure treatment and counseling for offenders, the Family Court will begin a pilot program in each county in September 2007, creating a specialized domestic violence court. The intention of this specialized court will be twofold: to create greater continuity in Family Court cases involving domestic violence and to create a more standardized system of compliance for offenders, which will include review hearings.

On November 1, 2005, Family Court implemented the Writ of Injunction/Sequestration Procedure on Protection of Abuse cases to provide authority for the police to search and seize weapons that have the potential for use in a

domestic violence situation. Upon completion of an affidavit and testimony before a Judge and the issuance of an ex parte order, a Family Court Judge may order a Writ of Injunction/Sequestration authorizing the police to seize firearms to prevent further abuse and a possible domestic violence fatality. Since implementation on November 1, 2005 and through July 31, 2007, Family Court has issued 90 writs statewide resulting in 407 firearms being seized, thus further protecting families and the citizens of Delaware.

Additionally, the Family Court prepares for the expansion of our jurisdiction in the area of domestic violence, which commences on September 20, 2007. This expanded jurisdiction is the result of Senate Bill 57, which was signed into law on June 20, 2007, with a 90 day implementation date. This Bill expands the jurisdictional requirements for civil protective hearings to include dating couples, a class which had not previously been granted standing to request civil protection. This new class includes all dating couples, regardless of age, sexual orientation or cohabitation.

Finally, several Family Court Judges attended conferences sponsored by the National Judicial Institute on Domestic Violence throughout the year. These intensive, hands-on workshops provided Family Court Judges the opportunity to learn from experts in the field of domestic violence, as well as work with peers on a national level to ensure best judicial practices in the area of domestic violence.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

The vision of the CASA Program is to provide volunteer advocacy for every child in the court system who has been abused and/or neglected. In 2006, nearly 215 CASA volunteers represented 553 children in our state. The goal for FY07 was to recruit volunteers to represent the population in which we serve. The Court reached more than 2000 individuals with the CASA message through a variety of outreach efforts such as public service announcements; radio interviews; print advertisements in Delaware Today Magazine, Metro Kids

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Magazines, and several local newspapers statewide; the DART Bus campaign; and participation in festivals and community activities. These efforts produced over 250 inquiries from potential volunteers.

A 10 percent increase in the volunteer pool as well as the number of children CASA serves was projected during the above-mentioned time period. CASA met both of these goals by serving a 10 percent increase of children and obtaining over a 70 percent increase in the volunteer pool.

HUMAN RESOURCES DEVELOPMENT

The Family Court continues to focus on the professional development of its administrative support staff with the goal of enhancing overall organizational effectiveness and individual competencies. The emphasis is on providing our employees with the knowledge and skills needed to effectively provide information and assistance to litigants.

The guiding principles that the Court uses as its long range human resources strategy are embedded in its Strategic Plan that has been adopted and approved by all Family Court Judges. Additionally, the framework that exists in the National Association of Court Management's (NACM) Core Competency Guidelines is being explored as the basis for specific long-term professional development strategies for court managers and administrative support staff.

The Court's current development program for its supervisors and managers centers on two one-day conferences that are held annually at a central location with full participation required. In April of 2007, all managers and supervisors attended a one-day conference entitled "Building a Stronger Team" conducted by HMS Corporation specializing in employee assistance programs and work/life issues.

In October of 2007, all Commissioners and all administrative support staff attended the Family Court Staff Development Conference entitled "Building Effective Work Place Skills."

The agenda focused on child abuse reporting procedures, effective customer service techniques, selection interviewing and the new State of Delaware recruiting system (for Commissioners and managers).

In November of 2007, the Relations Unit from the State of Delaware Office of Human Resource Management will be presenting management updates at the second managers' conference of the year.

In addition to the Family Court Staff Development Conference, employees in administrative support positions attend various educational programs offered by the Administrative Office of the Courts, the Office of Human Resource Management and other training resources. The Judges, Commissioners, managers and supervisors are committed to the participation of their unit members in these programs.

The Court continues to encourage employees to apply for its employee educational assistance program which provides tuition reimbursement to employees who are pursuing college degrees.

Under the Court's Excellence in Performance program, annual ceremonies were held in each county in May and awards were presented for a broad range of individual and group achievements, including Employees of the Year, Manager of the Year and Directors' Awards.

A significant number of the administrative support staff are in career ladder positions and a revised career ladder review board process was instituted to streamline the opportunity for staff to advance in their respective career ladders. Workshops entitled "Managing and Strengthening Your Career" were conducted to increase awareness of the career ladders and other opportunities for advancement.

Workshops that focused on "Respect in the Workplace" were held for supervisors and managers and separate sessions were conducted with administrative support staff.

SECURITY, SAFETY AND FUNCTIONALITY OF THE FAMILY COURT FACILITIES STATEWIDE

In May 2006, the Department of Administrative Services purchased a parcel of land adjacent to the present Family Court building in Sussex County, which is earmarked for additional parking. With surplus funds from that project, Family Court Judges and administrative staff are working with the Division of Facilities Management to identify and correct the most critical security deficiencies in need of immediate attention in Sussex County. We hope to receive additional funding in the next fiscal year to combine with monies already earmarked to complete those renovations. The long term space needs assessments have been completed with the Kent County Courthouse receiving an unacceptable rating and Sussex County Courthouse a lower rating of inappropriate. Capital improvement funding is being sought to construct new facilities in both counties.

COTS – COURTS ORGANIZED TO SERVE

Family Court Judges and staff continue with their commitment to the statewide COTS (Courts Organized to Serve) automation initiative. During Fiscal Year 2007, the COTS case management system was implemented successfully in three Justice of the Peace civil courts. The Family Court has continued to offer its assistance to the Justice of the Peace Courts as they work through this transitional period. During Fiscal Year 2008, the COTS initiative will be implemented in the remainder of the JP civil courts as well as piloted in the Court of Common Pleas and Superior Court. Personnel from all levels of the court continue to work on the project to ensure further successful implementations.

CALL CENTER PILOT

The Family Court Customer Call Center is a pilot program in New Castle County with significant statewide potential. The Customer

Call Center offers especially trained, courteous representatives who promptly answer a variety of Family Court related questions.

The pilot program was initiated with the following goals in mind:

Enhancing the image of the Court.

Reducing high call volume in the processing units.

Improving operating efficiencies.

Enhancing the level of service provided to the Court's internal and external customers.

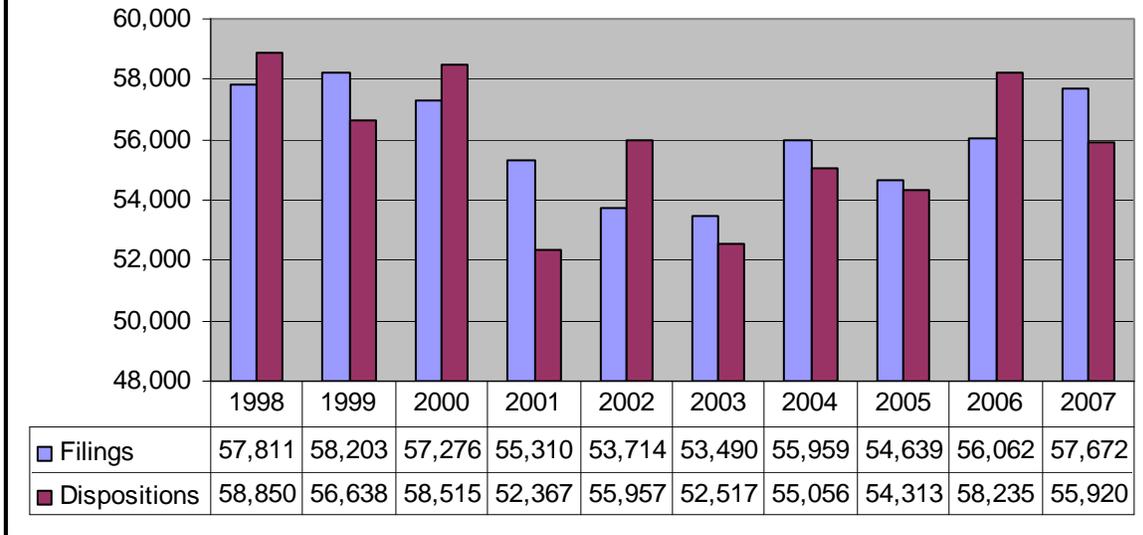
New Castle County was chosen to pilot the Customer Call Center because it is the county with the largest volume of calls. The Customer Call Center currently has one supervisor and 4 employees. These 5 positions were taken from other operational units. The representatives strive to answer each call in a prompt, courteous, and professional manner. The Call Center has received positive feedback from both internal and external customers.

The Customer Call Center representatives took 17,496 calls from January 24, 2007 through June 30, 2007. These calls were taken from the selection of options from the main number to the New Castle County Family Court. This number is not all inclusive of the total number of calls Family Court receives.

Although the Customer Call Center is a pilot, it has proven to be very successful and highly recognized by internal and external customers. The Customer Call Center's motto is "Failure is not an option". Family Court is committed to the highest standard of customer service.

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FAMILY COURT CIVIL & CRIMINAL FILINGS AND DISPOSITIONS BY FISCAL YEAR



LEGAL AUTHORIZATION

The Constitution of Delaware, Article IV, Section 1, authorizes the Family Court.

COURT HISTORY

The Family Court of the State of Delaware has its origin in the Juvenile Court for the City of Wilmington, which was founded in 1911. A little over a decade later, in 1923, the jurisdiction of the Juvenile Court for the City of Wilmington was extended to include New Castle County. In 1933, the Juvenile Court for Kent and Sussex Counties was created. From the early 1930s, there was a campaign to establish a Family Court in the northernmost county, and this idea came to fruition in 1945 when the legislature created the Family Court for New Castle County, Delaware. In 1951, legislation was enacted to give the Juvenile Court for Kent and Sussex Counties jurisdiction over all family matters, and in early 1962, the name of the Juvenile Court for Kent and Sussex Counties was changed to the Family Court for Kent and Sussex Counties.

As early as the 1950s, the concept of a statewide Family Court had been endorsed. The fruition of this concept was realized with the statutory authorization of the Family Court of the State of Delaware in 1971.

In 2005, Family Court was granted Constitutional status by an act of the General Assembly.

GEOGRAPHIC ORGANIZATION

The Family Court is a unified statewide court with branches in New Castle County in Wilmington, Kent County in Dover and Sussex County in Georgetown.

LEGAL JURISDICTION

The Family Court has had conferred upon it by the General Assembly jurisdiction over statutorily enumerated juvenile delinquency matters, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spousal support, paternity of children, custody and visitation

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of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, orders of protection from abuse and intra-family misdemeanor crimes.

Cases are appealed to the Supreme Court with the exception of adult criminal cases which are appealed to the Superior Court.

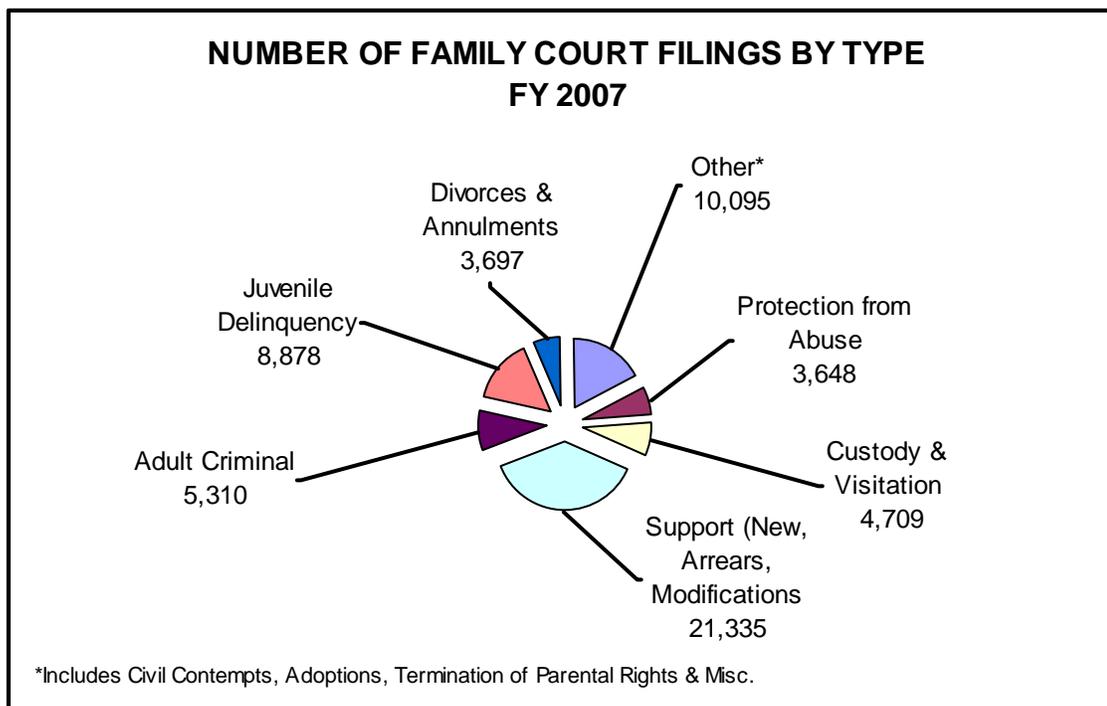
JUDGES

Family Court has 17 Judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the Judges must be of one major political party with the remainder of the other major political party.

The Governor nominates the Judges, who must be confirmed by the Senate. The Judges are appointed for 12-year terms. Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and children's issues. They shall not practice law during their tenure and may be re-appointed.

COMMISSIONERS

Family Court has 16 Commissioners of equal judicial authority. Commissioners are attorneys at law who are nominated by the Governor, confirmed by the Senate and serve an initial four-year term. Upon second and subsequent appointments and confirmation, Commissioners serve six-year terms.



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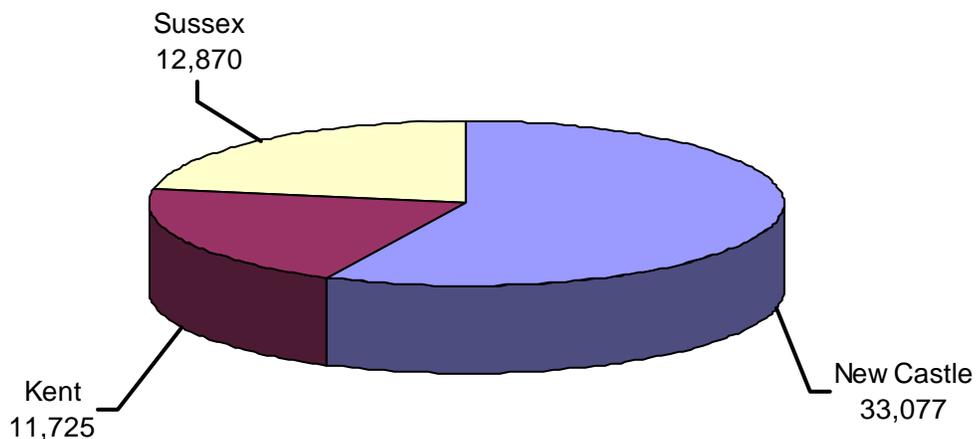
Commissioners hear a broad range of cases including divorce, child support, misdemeanor crimes and delinquency, civil protection orders, bail hearings and other cases as assigned by the Chief Judge. Orders from Commissioners are subject to review by Family Court Judges.

During this fiscal year, Commissioner Andrew Horsey retired after 20 years on the bench. On June 6, 2007, Commissioner Louann Vari was confirmed by the Senate for a four year term as his replacement, and was sworn in on July 16, 2007.

ADMINISTRATIVE SUPPORT PERSONNEL

The Family Court has an administrative support staff of 300 full-time positions in addition to the above-referenced Judges and Commissioners. The Court's administrative support staff includes positions such as the Court Administrator, directors of operations, supervisors, administrative specialists, accountants, judicial assistants, mediation/arbitration officers, intake officers, program coordinators and volunteers working in all areas of the Court.

NUMBER OF FAMILY COURT FILINGS BY COUNTY FY 2007



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Front Row (sitting left to right)

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

Back Row (standing left to right)

Judge Arlene Minus Coppadge
Judge Peter B. Jones
Judge Barbara D. Crowell
Judge Michael K. Newell
Judge Robert B. Coonin
Judge William L. Chapman, Jr.
Judge Joelle P. Hitch
Judge Alan N. Cooper
Judge Aida Waserstein
Judge Mardi F. Pyott

Not pictured: Judge John E. Henriksen and Judge William M. Nicholas