

DOUGLAS COUNTY PILOT UNIFIED FAMILY COURT: FINDINGS AND RECOMMENDATIONS

*A Study Funded by the Nebraska Court Improvement Project
through a Grant to the University of Baltimore School of Law
Sayra and Neil Meyerhoff Center for Families,
Children and the Courts (CFCC)*

Professor Barbara A. Babb, Director, CFCC
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Executive Summary

This report integrates information and observations derived by the authors from their background research; their site visits to Douglas County (Omaha) and Lincoln, Nebraska; their court observations; listening sessions; a survey and survey responses; a stakeholder forum; a site visit by a Nebraska team to Baltimore and Annapolis, Maryland; and numerous conversations by the authors with Douglas County Separate Juvenile Court Judges and court staff. The authors have utilized quantitative and qualitative data and information collection processes. The report and recommendations reflect the authors' understanding of how family matters are processed and managed, along with common legal practices in the handling of family law matters, in Douglas County, Nebraska. The goal of the research project is to identify the feasibility of creating a pilot Unified Family Court in Douglas County and, to the extent possible, to indicate how to implement the pilot project.

The report begins by explaining the Unified Family Court concept. It next surveys the Nebraska legal landscape generally, with a specific focus on the handling of family law matters. The report then details the project activities conducted by the authors, including, among other tasks, analysis of survey data and detailing findings resulting from the project tasks. Finally, the report includes general and short-term recommendations, as well as long-term/aspirational recommendations regarding the creation and implementation of a pilot Unified Family Court in Douglas County.

For purposes of this report and recommendations, family law and family law matters include the following case types: juvenile matters, including delinquency, status offenses, and abuse and neglect; dissolution of marriage, including

divorce, annulment, and property distribution; child custody and visitation, including proceedings governed by the Uniform Child Custody Jurisdiction and Enforcement Act and the Parental Kidnapping Prevention Act; alimony, spousal support, and child support, including proceedings under the Uniform Interstate Family Support Act; establishment and termination of the parent-child relationship, including paternity, adoption, termination of parental rights, and emancipation; non-support; name changes; guardianship of minors; actions involving domestic violence, including the issuance of protective orders.

KEY RECOMMENDATIONS

General and Short-Term Recommendations

1. The majority of the work done by Nebraska's District Courts involves family law cases (54%). Thus, in order to serve effectively Nebraska's families and children, it is imperative to attend to the significance of these cases, both as a statistic and relative to the impact on the citizens of Nebraska, including the need to appoint judges who have the willingness to hear and determine family law matters.
2. Nebraska Supreme Court Chief Justice Michael Heavican is urged to establish a pilot Unified Family Court in the Douglas County Separate Juvenile Court by rule change. The pilot project's overarching goal must capitalize on the strengths of the existing Douglas County Separate Juvenile Court by expanding its subject-matter jurisdiction to include all family law matters as defined in this report: juvenile matters, including delinquency, status offenses, and abuse and neglect; dissolution of marriage, including divorce, annul-

ment, and property distribution; child custody and visitation, including proceedings governed by the Uniform Child Custody Jurisdiction and Enforcement Act and the Parental Kidnapping Prevention Act; alimony, spousal support, and child support, including proceedings under the Uniform Interstate Family Support Act; establishment and termination of the parent-child relationship, including paternity, adoption, termination of parental rights, and emancipation; non-support; name changes; guardianship of minors; actions involving domestic violence, including the issuance of protective orders.

3. The one judge/one family case assignment model, discussed later in the report, enables one judge to adjudicate all family-related matters while a child and the child's family are under the court's jurisdiction. In line with the previous recommendation, once the Douglas County Separate Juvenile Court has jurisdiction over the child and the child's family, the court retains jurisdiction over that family for all family law matters, including modifications of previous orders. Employing the one judge/one family model, all cases involving the same family should be assigned, where possible, to the same judge, who retains jurisdiction over the family for all family law matters for a minimum of twelve months.

4. Within the pilot Unified Family Court, bridge orders and transfer of cases to the District Court once the pilot Unified Family Court has jurisdiction over the child and the parents should be eliminated.

5. If a juvenile matter arises while the District Court is considering a dissolution or other family law matter, including matters heard by child support referees, the entire case should transfer to the pilot Unified Family Court unless good cause is shown to the contrary.

6. The Family Court Subcommittee of the Nebraska Supreme Court Commission on Children in the Courts should spearhead implementation of a Douglas County Unified Family Court pilot project and should consider replication of the pilot to other jurisdictions in Nebraska. These responsibilities include: 1) to explore, on a continuing basis, long term funding strategies

for the Nebraska courts regarding family law matters; 2) to review existing family law and family-related court rules, policies, practices, and procedures to ensure consistency, efficiency, and effectiveness; and 3) to make recommendations to the Nebraska Supreme Court concerning areas in need of attention.

The Family Court Subcommittee should provide guidance to and coordination of local planning efforts and assistance to any other Supreme Court committees that address issues relating to family law, access to the family justice system, and resource development.

7. The Family Court Subcommittee should examine and consider long term funding strategies to permit the development and implementation of Unified Family Courts and/or related court services in Nebraska. This examination might consist of an analysis of:

- All available options, including potential increases in state funding, to support the expansion of Unified Family Courts
- Co-funding between participating agencies
- Potential grants for family court service projects
- Surcharges attached to filing fees
- Fee-based income for services provided, including sliding fee-scale services
- Examination of current resources and the potential for re-distribution or reallocation

8. Douglas County stakeholders and the Family Court Subcommittee should determine a mission statement, system goals and values, and appropriate benchmarks or performance measures for the Unified Family Court pilot project in the short term and for other Unified Family Court pilot projects that replicate the Douglas County model in the future. The general Trial Court Performance Standards promulgated by the Bureau of Justice Assistance (U.S. Department of Justice) can serve as a basis for these benchmarks, with the *Performance Standards and Measures for Maryland's Family Divisions* (2002) providing an excellent national model.¹ The National Council of Juvenile and Family Court Judges (NCJFCJ) has

¹ BARBARA A. BABB & JEFFREY A. KUHN, PERFORMANCE STANDARDS AND MEASURES FOR MARYLAND'S FAMILY DIVISIONS (2002).

recommended “best practices” and resources to implement the one judge/one family Unified Family Court model.

9. Douglas County courts and local stakeholders should explore, develop, and implement potential solutions to challenges, focusing on coordination of multiple cases involving the same family or multiple proceedings involving the same family member. In the short term, i.e., for purposes of the Douglas County Unified Family Court pilot project, the local court and community stakeholders should develop and implement these solutions without enabling legislation.

10. The Family Court Subcommittee should consider establishing a resource development capacity to do the following:

- Identify and prioritize resource needs for the Douglas County family justice system.
- Engage stakeholders, particularly service providers and agencies, to collaborate with the Douglas County family justice system to explore, develop, and implement solutions to the services needs of families and children in Douglas County courts.
- Identify best practices within Nebraska’s family justice system and the means necessary to share information about best practices.
- Identify best practices in other state court systems and share information concerning them with an eye to duplicating those best practices in the Douglas County Unified Family Court pilot project.

11. The Family Court Subcommittee should use judicial leadership as a tool to establish collaborative working relationships with those public agencies, community programs, and public/private organizations that provide services for families and children in court. The purpose of establishing such collaborative relationships is to work together to expand and to improve the responses by the family justice system to the needs of court-involved children and families. County, District, and Separate Juvenile Court Judges can participate in the following undertakings:

- Identification and prioritization of the treatment needs of families

- Evaluation of what has and has not worked in addressing the needs and problems of families, particularly respecting family court efforts
- Heightening public awareness of the Unified Family Court’s efforts, services, and needs through the involvement and skills of community and business leaders
- Establishing realistic goals for meeting family needs and working toward those goals
- Initiating full, open, and working partnerships between the public and private sectors to benefit families

Long-Term/Aspirational Recommendations

The following recommendations are aspirational in nature and are for long-term consideration by court stakeholders.

1. Establish a reconstructed Douglas County District Court with three co-equal divisions: Civil, Criminal, and Family.
2. Phase out the Douglas County Separate Juvenile Court and adjudicate all family-related matters in the Family Division of the Douglas County District Court; divide the Family Division into dockets (i.e., juvenile, including child welfare, juvenile justice and status offenses, and domestic, which can be sub-divided into paternity/child support, divorce and marital property, custody, etc.).
3. Increase services for self-represented litigants, including the development of comprehensive form pleadings, self-help centers where litigants receive information from attorneys, and creative activities to provide free representation for self-represented litigants.
4. Co-locate essential nonlegal services in the court building.
5. Explore the possibility for the court to provide essential nonlegal services relative to the needs of the court’s population and the court’s ability to pay for the services.
6. Create a position within the court of a family services coordinator, whose responsibilities involve identifying existing nonlegal

services within the community, making the court aware of the services, and connecting, where appropriate, families and children with the services.

7. Move all family-related cases from the County Court to the Family Division of the District Court, except in those jurisdictions where there is no District Court. In those jurisdictions with a District Court, County Courts would continue to hear probate matters, including guardianship, conservatorship, and adoption cases. County Courts would no longer exercise concurrent jurisdiction with District Courts in domestic relations cases, including dissolution, legal separation, annulment, custody and support, division of marital property and alimony, conciliation court, actions for child support and medical support, paternity determinations and parental support, and grandparent visitation matters. County Courts would continue to exercise concurrent jurisdiction with the District Courts over temporary Domestic Protection Orders. Hearings on final protection orders should occur in the District Court by transfer from the County Court.
8. For those jurisdictions where there is an available and accessible District Court, eliminate County Court jurisdiction over any family law matter EXCEPT temporary protection orders. Hearings on final protection orders should occur in the District Court by transfer from the County Court.
9. Encourage collaborative case management through the use of designated case managers and case coordinators to gather and to disseminate appropriate information to provide to the court and litigants.
10. Mandate ongoing, interdisciplinary training for Family Division Judges and, where appropriate, court personnel. Such training should encompass subjects such as child and adolescent development, family dynamics, substance use and mental health disorders, intimate partner violence, trauma-informed care, and related issues, as well as comprehensive training in substantive family and juvenile law.
11. Consider the development of a separate Unified Family Court at the same status as the District Court, with jurisdiction over all family law cases.

Introduction

In June 2016, a group of individuals led by the Nebraska Court Improvement Project (CIP) approached University of Baltimore School of Law Professor Barbara Babb, who directs the law school's Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC), about their interest in considering a Unified Family Court pilot project in Douglas County, Nebraska.² Over the course of the next several months, CFCC, in close collaboration with the CIP team, developed a work plan to undertake the project, in the event CIP received funding to hire CFCC. When the Sherwood Foundation funded the initiative in Summer 2017, the CFCC team, consisting of Professor Babb, CFCC Senior Fellow Gloria Danziger, and CFCC consultant Diane Nunn, began their work in Fall 2017.

This report begins by explaining the Unified Family Court concept. It next surveys the Nebraska legal landscape generally, with a specific focus on the handling of family law matters.

The report then details the project activities conducted by the CFCC team, and it concludes with general and short-term recommendations, as well as long-term/aspirational recommendations regarding the creation and implementation of a pilot Unified Family Court in Douglas County.

For purposes of this report and recommendations, family law and family law matters include the following case types: dissolution of marriage, including divorce, annulment, and property distribution; child custody and visitation, including proceedings governed by the Uniform Child Custody Jurisdiction and Enforcement Act and the Parental Kidnapping Prevention Act; alimony, spousal support, and child support, including proceedings under the Uniform Interstate Family Support Act; establishment and termination of the parent-child relationship, including paternity, adoption, termination of parental rights, and emancipation; nonsupport; name changes; guardianship of minors; actions involving domestic violence, including the issuance of protection orders; juvenile matters, including delinquency, status offenses, and abuse and neglect.

² In 1993, Congress passed the State Court Improvement Program (CIP) as part of the Omnibus Budget Reconciliation Act (OBRA), which funded, among other things, states to conduct assessments of their judicial processes in juvenile cases and develop and implement a plan for system improvement.

PART 1

What Is a Unified Family Court?

Families involved with the legal system often present a variety of overlapping problems, including various legal and related nonlegal issues. Further, “[t]he volume and scope of family law cases exacerbate the difficulty of their resolution.”³ For example, the same family circumstances that lead to the filing of a divorce complaint also may result in the family entering the legal system through a petition for a domestic violence protection order, a request for a restraining order against child abduction, a complaint for child support, an abuse and neglect allegation, a juvenile status offender proceeding, and/or a delinquency proceeding.⁴ Traditionally, courts manage and address these concerns separately and within several different courts, often with overlapping jurisdiction.⁵ This fragmentation leads to inconsistent orders, confusion on the part of litigants, inefficiency of both court and litigant time, and ineffective justice, among other problems.⁶

Advocates of a more coordinated approach to family legal matters believe that a Unified Family Court model creates a holistic and effective system to address the needs of families, leading to better outcomes for families and children, as well reduced future contact with the justice system.⁷ A Unified Family Court recognizes that families in court have interconnected legal and related emotional, psychological, economic, and other nonlegal problems that repeatedly present themselves under different legal labels. A Unified Family Court identifies and addresses the family’s legal matters, as well as the underlying nonlegal problems that affect the family’s functioning. A single forum handles what appear at first to be several disparate actions. “The multiple cases need to be carefully coordinated to minimize the overall strain that the judicial system places on already fragile families, to utilize limited judicial and social services resources efficiently, and to maximize the possibility of positive interventions.”⁸

What, then, is a Unified Family Court? Over the last several decades, Professor Babb has written extensively on the subject.⁹ Further, the mission of the Sayra and Neil Meyerhoff Center for Families, Children and the Courts, founded by Professor Babb in 2000, is to promote the concept of a Unified

³ Barbara A. Babb, *Guest Editorial Notes*, 40 FAM. CT. REV. 413, 413 (2005).

⁴ Andrew Shepard, *Editorial Notes, Special Issue on Unified Family Courts: “The White Flame of Progress,”* 46 FAM. CT. REV. 217, 218 (2008).

⁵ Catherine J. Ross, *The Failure of Fragmentation: The Promise of a System of Unified Family Courts*, 32 FAM. L. Q. 3, 6–7 (1998).

⁶ Catherine J. Ross, *The Failure of Fragmentation: The Promise of a System of Unified Family Courts*, 32 FAM. L. Q. 3, 8–9 (1998).

⁷ Barbara A. Babb, *Reevaluating Where We Stand: A Comprehensive Survey of America’s Family Justice Systems*, 46 FAM. CT. REV. 230, 232 (2008).

⁸ Andrew Shepard, *Editorial Notes, Special Issue on Unified Family Courts: “The White Flame of Progress,”* 46 FAM. CT. REV. 217, 218 (2008).

⁹ See, e.g., Barbara A. Babb, *Fashioning an Interdisciplinary Framework for Court Reform in Family Law: A Blueprint to Construct a Unified Family Court*, 71 S. CAL. L. REV. 469 (1998).

Family Court model to resolve family conflicts in a therapeutic, ecological, and service-based manner. The excerpt that follows below is a summary of the Unified Family Court model written by Professor Babb for the Fall 2007 issue of CFCC's *Unified Family Court Connection* newsletter.¹⁰

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

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

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

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

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

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

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

¹⁰ Barbara Babb, *Unified Family Courts: A Comprehensive Solution for Resolving Complex Family Justice System Problems*, UNIFIED FAM. CT. CONNECTION, Fall 2007, at 3.

UNIFIED COURTS FOR FAMILIES IN NEBRASKA

The idea of a Unified Family Court is not new to Nebraska.¹¹ In 1989, Senator Brad Ashford introduced legislation to create a family court system where “family issues [would be] addressed in a comprehensive fashion.”¹² The legislation, which died by indefinite postponement, was intended to create a family court in Douglas County consisting of five judges with jurisdiction over all juvenile cases and adoptions, divorces, annulments, legal separation, and paternity.

The idea of a Unified Family Court in Nebraska was revived in early 2012 when Jackie Madara-Campbell, managing partner of Christensen & Madara-Campbell, wrote in the *Nebraska Lawyer* that the state’s “fragmented courts severely impair the ability of the justice system to provide meaningful, timely relief to families and their children when those families are involved in multiple court cases across the system. This lack of a cohesive structure is a problem for taxpayers as well as it wastes judicial resources and taxpayer dollars.”¹³ Madara-Campbell concluded that the possibility of creating a Unified Family Court in Nebraska deserved further study and action. She recommended passage of a legislative resolution in favor of studying the viability of a Unified Family Court as a solution to the problems she documented.¹⁴

During a legislative hearing on February 26, 2015, Senator Bob Krist asked for a study to examine Unified Family Courts after introducing a bill to establish a family court pilot project in Douglas County.¹⁵ He opted not to move forward with legislation in favor of an interim study on a Unified Family Court pilot project in Douglas County.

In response to the interest in the Unified Family Court concept, Mr. Corey Steel, the Nebraska State Court Administrator, proposed that the Nebraska Supreme Court create a new Family Court Subcommittee within the Nebraska Supreme Court Commission on Children in the Courts to study the issue, with an eye to submitting recommendations to the legislature before the 2016 legislative session.¹⁶ The motion passed by unanimous vote on June 12, 2015, and in December 2015, the Commission created a subcommittee, the Family Court Subcommittee, chaired by Judge Douglas Johnson and Monica Kruger.

The subcommittee studied the Unified Family Court model as implemented in other states and discussed engaging the services of Professor Babb to study and to design a model court and of Dr. Ryan Spohn, with the University of Nebraska at Omaha, for assistance with an evaluation of an eventual Unified Family Court pilot project.

On June 17, 2016, Sarah Helvey reported to the Commission on Children in the Courts that the subcommittee was considering a grant application to support the services of University of Baltimore School of Law Professor Barbara Babb, who directs the Sayra and Neil Meyerhoff Center for Families, Children and the Courts, to develop a report and recommendations for a Unified Family Court pilot project in Douglas County.

Commission members discussed whether a pilot project would call for changes to the criminal code. They expressed their interest in a court that would have the jurisdiction necessary to triage

¹¹ Jackie Madara-Campbell, *A Legal Practitioner’s Call for a Unified Family Court System in Nebraska*, NEB. L., Jan./Feb. 2012, at 13, 13.

¹² Jackie Madara-Campbell, *A Legal Practitioner’s Call for a Unified Family Court System in Nebraska*, NEB. L., Jan./Feb. 2012, at 13, 16.

¹³ Jackie Madara-Campbell, *A Legal Practitioner’s Call for a Unified Family Court System in Nebraska*, NEB. L., Jan./Feb. 2012, at 13, 13.

¹⁴ Jackie Madara-Campbell, *A Legal Practitioner’s Call for a Unified Family Court System in Nebraska*, NEB. L., Jan./Feb. 2012, at 13, 13.

¹⁵ *Hearings on L.B. 13, 15, 347, 502, 566 Before the Judiciary Comm.*, 104th Leg., 89 (Neb. 2015) (statement of Sen. Bob Krist, Member, Judiciary Comm.), <https://nebraskalegislature.gov/FloorDocs/104/PDF/Transcripts/Judiciary/2015-02-26.pdf>.

¹⁶ Statements from Corey Steel, Neb. State Court Adm’r, to Nebraska Supreme Court Commission on Children in the Courts (June 12, 2015) (official meeting minutes at 5–6), https://supremecourt.nebraska.gov/sites/default/files/Programs/CIP/official_minutes.pdf. The following motion was passed unanimously:

To recommend to the Supreme Court that a subcommittee be created immediately within the Nebraska Supreme Court Commission on Children in the Courts to study family court issues, and if accepted, that said subcommittee to be comprised of those individuals who volunteered to serve on such subcommittee at the June 12, 2015, meeting of the Nebraska Supreme Court Commission on Children in the Courts.

Marsha Fangmeyer, Comm’n Member, Nebraska Supreme Court Commission on Children in the Courts (June 12, 2015) (official meeting minutes at 6), https://supremecourt.nebraska.gov/sites/default/files/Programs/CIP/official_minutes.pdf.

family court cases and discussed the need for such a court to have the flexibility to rule on divorce actions and probation matters.

In October, 2016, the Supreme Court's Court Improvement Project (CIP) submitted a grant application to the Sherwood Foundation to fund a study concerning the feasibility of creating a pilot Unified Family Court in Douglas County. The subcommittee's May 2017 grant application was successful; in June 2017, the Sherwood Foundation awarded CIP a grant for the study. CIP thereafter entered into a contract with the University of Baltimore School of Law's Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC) to study the current Douglas County family justice system structure; to conduct an information session about the Unified Family Court model in Douglas County; to convene "listening sessions" in order to obtain input from court stakeholders; to design and implement a survey regarding current court operations; to evaluate the survey results; to conduct a stakeholders' forum for the exchange of ideas about the Unified Family Court model; to host a team from Nebraska during a site visit to Maryland Family Divisions and to meetings with selected judges and court administrators; and to prepare a report and recommendations regarding the feasibility of developing and implementing a Unified Family Court pilot project in Douglas County.

PART 2

The Legal Landscape in Nebraska

BACKGROUND/LEGAL CONTEXT

As in other court systems across the country, cases involving children and families are some of the most complex the Nebraska court system adjudicates. Although many of these matters conclude with minimal court involvement, a substantial number involve multiple issues, including division of marital property, alimony, parentage, child custody, child support, parental abuse and neglect, juvenile criminal conduct or status offense, and domestic violence. These cases often take a great deal of court time to resolve. In addition, changes in family structure and significant increases in self-represented litigants also create challenges for courts.

The current Nebraska court structure handles family law cases in an uncoordinated manner. Specific family law case filings can occur within separate court systems, including the County Court, the District Court, and the Juvenile Court, as identified below. As a result of the increasingly complex array of issues and cases involving children and families, Nebraska courts are exploring the need to coordinate.

Regarding case coordination, it is important to note that there is a well established and ongoing case coordination model already operating in four Nebraska Counties. Douglas County Youth Impact! is a practice model designed to prevent “crossover” youth, or those who appear in both delinquency and child welfare cases, from moving further into the child welfare or juvenile justice systems. The initiative, started in November 2012, brings together county attorneys, child welfare workers, juvenile justice agents, and youth and family advocates in a “team meeting” to discuss crossover cases.

In 2014, researchers from the University of Nebraska-Omaha began an evaluation intended to understand the process and use the “lessons learned” to inform similar and larger initiatives designed to enhance the system response to at-risk youth. Between 2012 and 2016, the Crossover Youth Practice Model was expanded to additional Nebraska counties, including Dodge, Gage, Lancaster, and Sarpy. In 2018, the Department of Health and Human Services and the Office of Probation Administration developed a joint policy and practice guidelines to expand the crossover work statewide.

In order to portray the overlapping nature of family law subject-matter jurisdiction among various Nebraska courts, a brief discussion of the Nebraska justice system’s structure is instructive.

CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK OF THE NEBRASKA COURT SYSTEM

The Nebraska Constitution provides that judicial authority is distributed among the Supreme Court, Court of Appeals, District Courts (general jurisdiction), County Courts (limited jurisdiction) and other

legislatively established courts—the Separate Juvenile Courts¹⁷ located in Douglas, Lancaster, and Sarpy Counties and a statewide Workers’ Compensation Court. All state courts operate under the administrative direction of the Supreme Court.

Supreme Court

The Supreme Court is comprised of the Chief Justice, Michael G. Heavican, and six associate justices.¹⁸

Court of Appeals

In 1990, the Nebraska legislature proposed a constitutional amendment to create an intermediate Court of Appeals. In November 1990, the voters approved the amendment, establishing the Court of Appeals on September 6, 1991, and consisting of six judges appointed by the Governor.¹⁹

District Courts

The District Courts are Nebraska’s general jurisdiction trial courts. The District Courts have both chancery and common law jurisdiction, along with any other jurisdiction the legislature may provide.²⁰ The District Courts have and exercise general, original, and appellate jurisdiction in all matters, both civil and criminal, except where otherwise provided.²¹ The District Courts have concurrent jurisdiction with the County Courts in domestic relations cases, including:²² dissolution of marriage actions, legal separation, annulment, custody and support actions,²³ division of marital property and alimony,²⁴ conciliation court,²⁵ actions for child support and medical support,²⁶ paternity determinations and parental support,²⁷ and grandparent visitation matters.²⁸ The District Courts also have concurrent jurisdiction with the County Courts over domestic protection orders,²⁹ including: Domestic Abuse Protection Orders for people who have been in close relationships (relatives, spouses or former spouses, people who have lived or are living together),³⁰ harassment protection orders,³¹ and sexual assault protection orders.³²

The District Courts have exclusive jurisdiction over actions for child support brought under the Uniform Interstate Family Support Act,³³ petitions for name change,³⁴ and proceedings involving a minor seeking a judgment of emancipation who is at least sixteen years of age, who is married or living apart from his or her parents or legal guardian, and who is a legal resident.³⁵

District Courts also function as an appellate court in deciding appeals from most County Court cases, such as appeals from orders of adoption and guardianship. When acting as an appellate court, a District Court Judge reviews the record of testimony and evidence from the County Court in order to rule on the appeal.³⁶

¹⁷ NEB. CONST. art. V, § 27.

¹⁸ NEB. CONST. art. V, §§ 1–8.

¹⁹ NEB. CONST. art. V, §§ 1–2.

²⁰ NEB. CONST. art. V, § 9.

²¹ NEB. REV. STAT. ANN. § 24-302 (LexisNexis 2018).

²² NEB. REV. STAT. ANN. § 25-2740 (LexisNexis 2018).

²³ NEB. REV. STAT. ANN. §§ 42-347 to -381 (LexisNexis 2018).

²⁴ NEB. REV. STAT. ANN. § 42-365 (LexisNexis 2018).

²⁵ NEB. REV. STAT. ANN. §§ 42-803 to -823 (LexisNexis 2018).

²⁶ NEB. REV. STAT. ANN. § 43-512.04 (LexisNexis 2018).

²⁷ NEB. REV. STAT. ANN. §§ 43-1401 to -1418 (LexisNexis 2018).

²⁸ NEB. REV. STAT. ANN. §§ 43-1801 to -1803 (LexisNexis 2018).

²⁹ NEB. REV. STAT. ANN. § 42-924 (LexisNexis 2018).

³⁰ NEB. REV. STAT. ANN. § 42-924 (LexisNexis 2018).

³¹ NEB. REV. STAT. ANN. §§ 28-311.09 to -311.10 (LexisNexis 2018).

³² NEB. REV. STAT. ANN. §§ 28-311.11 to -311.12 (LexisNexis 2018).

³³ NEB. REV. STAT. ANN. §§ 42-701 to -751.01 (LexisNexis 2018).

³⁴ NEB. REV. STAT. ANN. § 25-21,271 (LexisNexis 2018).

³⁵ NEB. REV. STAT. ANN. § 43-4802 (LexisNexis 2018).

³⁶ NEB. REV. STAT. ANN. § 25-2733 (LexisNexis 2018).

Juvenile Courts

Three Separate Juvenile Courts in Douglas, Lancaster, and Sarpy Counties are established by the legislature and are courts of record.³⁷

A 1958 amendment to the Constitution of Nebraska provides that the legislature may establish Separate Juvenile Courts.³⁸ A 1959 statute provides for the establishment of Separate Juvenile Courts in counties having a population of 50,000 or more inhabitants when authorized by a vote of the majority of the electors of the county.³⁹ Under existing law,⁴⁰ each county having a population of 75,000 or more inhabitants shall constitute a Separate Juvenile Court judicial district. A Separate Juvenile Court shall be established as a court of record within each such judicial district when authorized by a vote of the majority of the electors of any such county.⁴¹ Except in the three separate Juvenile Courts, County Courts in Nebraska hear juvenile matters involving neglected, dependent, and delinquent children⁴²,

A Juvenile Court has jurisdiction over youth who have committed misdemeanors, felonies, are victims of abuse or neglect, or who are status offenders.⁴³ If the Juvenile Court has declared a child a ward of the court because the juvenile has committed a crime, is a victim of abuse or neglect, or is a status offender, the Juvenile Court retains jurisdiction over that juvenile for purposes of termination of parental rights proceedings, adoption or guardianship proceedings, dissolution, modifications, and paternity or custody determinations. The Juvenile Court also has jurisdiction over a juvenile who is mentally ill and dangerous as defined in Nebraska Revised Statutes, Section 71-908.⁴⁴

County Courts

The County Courts are trial courts with specified limited jurisdiction.⁴⁵ In counties that have not established Separate Juvenile Courts, the County Court has juvenile court jurisdiction.⁴⁶

County Courts have exclusive original jurisdiction⁴⁷ in matters of adoption⁴⁸ and guardianship over child in need of a legal guardian.⁴⁹ As stated previously, the County Courts have concurrent jurisdiction with the District Courts in domestic relations cases.

ISSUES INVOLVING CHILDREN AND FAMILIES

Cases involving children and families are some of the most complex to adjudicate. In addition, many families, or individual family members, often have issues that may involve different case types and create the potential for confusion and conflicting orders. Below is a list of some of these issues.

Paternity/Parentage

Identifying the legal parents of children is an issue that may arise in different types of cases. Some cases begin for the purpose of establishing legal parentage and making orders for the custody and support of children. In other cases, such as juvenile and guardianship cases, the identity of the parents is important for notice requirements and reunification efforts. The following are some of the case types in which the issue of parentage may arise:

- Dissolution, legal separation, nullity (children born before marriage)

³⁷ NEB. REV. STAT. ANN. § 43-2111 (LexisNexis 2018).

³⁸ NEB. CONST. art. V § 27.

³⁹ NEB. REV. STAT. ANN. §§ 43-228, R.R.S.1943. *In re Hans*, 119 N.W.2d 72, 73-74 (1963).

⁴⁰ NEB. REV. STAT. ANN. § 43-2111 (LexisNexis 2018).

⁴¹ NEB. REV. STAT. ANN. § 43-2112 (LexisNexis 2018).

⁴² NEB. REV. STAT. ANN. §§ 43-247, -2111 (LexisNexis 2018).

⁴³ NEB. REV. STAT. ANN. § 43-247 (LexisNexis 2018).

⁴⁴ NEB. REV. STAT. ANN. § 43-247 (LexisNexis 2018).

⁴⁵ NEB. REV. STAT. ANN. § 24-517 (LexisNexis 2018).

⁴⁶ NEB. REV. STAT. ANN. § 24-517 ¶ 10 (LexisNexis 2018).

⁴⁷ NEB. REV. STAT. ANN. § 24-517 (LexisNexis 2018).

⁴⁸ NEB. REV. STAT. ANN. § 24-517 ¶ 11 (LexisNexis 2018).

⁴⁹ NEB. REV. STAT. ANN. §§ 24-517 ¶ 2, 30-2608 (LexisNexis 2018).

- Nebraska Uniform Interstate Family Support Act
- Probate guardianship (notice requirements)
- Juvenile dependency, delinquency, and status offenses (notice requirements/findings)
- Adoptions

Child Custody and Visitation

Child custody and visitation issues may arise in many different types of cases. Some custody disputes are between the parents; some are between parents and relatives or other caregivers; some are disputes with the government. The following are some of the case types in which custody and visitation of children may arise:

- Divorce, legal separation, nullity
- Grandparent or stepparent visitation
- Nebraska Uniform Interstate Family Support Act
- Nebraska Protection from Domestic Abuse Act
- Civil harassment cases involving children as protected persons
- Petitions for child custody and support
- Probate guardianship
- Juvenile dependency, delinquency, status offenses
- Adoption
- Emancipation

Child Support

Child support is another issue that cuts across a variety of case types. The following are some of the case types in which child support may arise:

- Divorce, legal separation, nullity
- Nebraska Uniform Interstate Family Support Act
- Nebraska Protection from Domestic Abuse Act
- Petitions for custody and child support
- Juvenile dependency and delinquency

Domestic/Family Violence Issues

Domestic and family violence issues also can arise in a variety of case types. The following are some of the case types in which these issues may arise:

- Nebraska Protection from Domestic Abuse Act
- Divorce, legal separation, nullity
- Nebraska Uniform Interstate Family Support Act
- Petitions for custody and child support
- Juvenile dependency (The effect of domestic violence between the parents or other household members can be a serious factor in juvenile dependency cases.)
- Juvenile delinquency (Violent behavior from juveniles toward siblings and/or parents may become an issue in either dependency or delinquency cases. Dating violence and violence among peers are also issues.)

Within case types and proceedings, there are court administration and access to justice issues to consider, including: the issuance of protection orders that focus on preventing future domestic violence and child abuse; the provision of a fair, accessible, respectful, and balanced court process; and working within the confines of limited resources to improve efficient and effective practices resulting in equitable resolutions.

Further, Nebraska statutes permit the adjudication of certain underlying issues in a variety of case types. For example, in addition to adjudicating child custody matters within the context of a marital dissolution proceeding, a court can determine child custody orders in other types of cases. Depending on the case type (dissolution, juvenile, guardianship, parentage, Protection from Domestic Abuse Act, etc.) and parties (private party or governmental entity), different standards and evidentiary issues may apply.

FAMILY LAW CASE NUMBERS IN NEBRASKA

It appears from caseload statistics that adjudicating family law cases is the most predominant work done by Nebraska's District Courts, or the trial courts of general jurisdiction. The County Courts appear to do very little family law work, other than cases referred from the District Courts, as discussed below.

According to the Nebraska Judicial Branch Annual Caseload Report for Fiscal Year 2018 (July 1, 2017 to June 30, 2018), 54% of the adult cases opened in the District Courts were domestic relations cases.⁵⁰ Other adult case types opened in the District Courts during this time period were criminal (31%), regular civil (15%), and appellate action (less than 1%).⁵¹

Despite the overlapping subject-matter jurisdiction in some family law matters between the District Courts and the County Courts, the County Courts handled insignificant numbers of family law cases. Of the total adult court cases opened in the County Courts in Fiscal Year 2018, less than 1% of the total caseload consisted of guardian/conservator cases, and less than 1% of the cases were adoption cases.⁵² Further, the District Courts referred 3,412 domestic relations cases to County Courts.⁵³ Juvenile Court cases constituted 1% of the opened cases within the County Courts where there was no Separate Juvenile Court.⁵⁴

In Douglas County, during Fiscal Year 2018, 53% of the adult cases opened in the District Court were domestic relations cases.⁵⁵ The court also referred 1,733 domestic relations cases to the County Court.⁵⁶ Other cases handled by the Douglas County District Court were criminal (30%), regular civil (16%), and appellate action (less than 1%).⁵⁷

The Douglas County Court handed very few family law cases, other than the domestic relations cases referred from the District Court. In Fiscal Year 2018, the adult cases opened consisted of guardian/conservator (less than 1%) and adoption (less than 1%).⁵⁸

⁵⁰ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: DISTRICT COURTS 1 (2018), https://supremecourt.nebraska.gov/sites/default/files/DistrictCourt_CaseloadReportFY_20188_16_18.pdf.

⁵¹ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: DISTRICT COURTS 1 (2018), https://supremecourt.nebraska.gov/sites/default/files/DistrictCourt_CaseloadReportFY_20188_16_18.pdf.

⁵² NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: COUNTY COURTS 1 (2018), https://supremecourt.nebraska.gov/sites/default/files/CountyCourt_Caseload_Report_FY_2018.pdf.

⁵³ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: COUNTY COURTS 1 (2018), https://supremecourt.nebraska.gov/sites/default/files/CountyCourt_Caseload_Report_FY_2018.pdf.

⁵⁴ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: COUNTY COURTS 1 (2018), https://supremecourt.nebraska.gov/sites/default/files/CountyCourt_Caseload_Report_FY_2018.pdf.

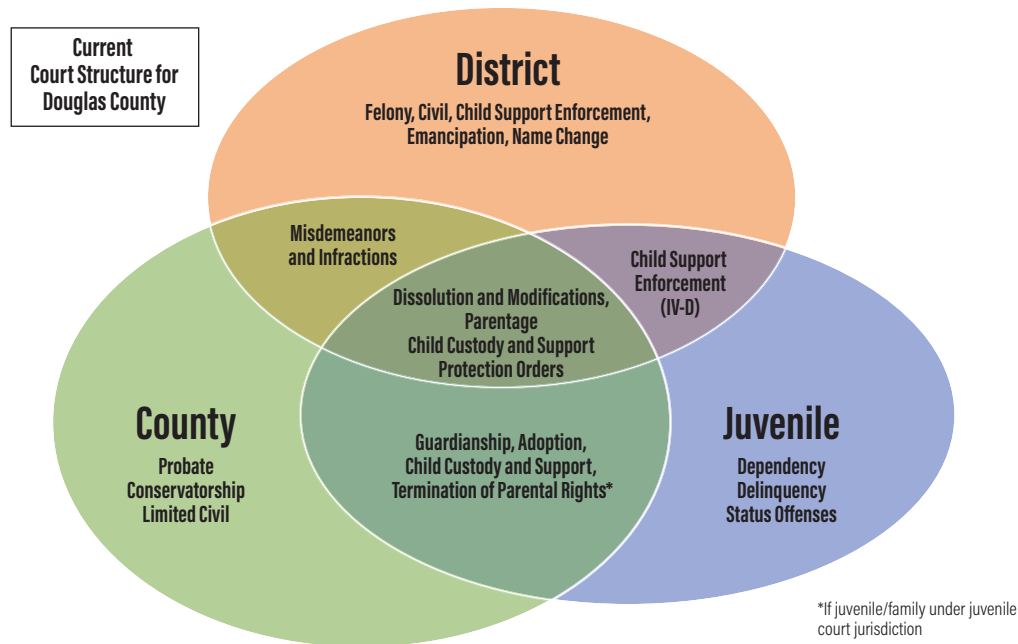
⁵⁵ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: DISTRICT COURTS 5 (2018), https://supremecourt.nebraska.gov/sites/default/files/DistrictCourt_CaseloadReportFY_20188_16_18.pdf.

⁵⁶ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: DISTRICT COURTS 5 (2018), https://supremecourt.nebraska.gov/sites/default/files/DistrictCourt_CaseloadReportFY_20188_16_18.pdf.

⁵⁷ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: DISTRICT COURTS 5 (2018), https://supremecourt.nebraska.gov/sites/default/files/DistrictCourt_CaseloadReportFY_20188_16_18.pdf.

⁵⁸ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: COUNTY COURTS 8 (2018), https://supremecourt.nebraska.gov/sites/default/files/CountyCourt_Caseload_Report_FY_2018.pdf.

Douglas County Court System



In Fiscal Year 2018, 2,386 juvenile cases opened in the Douglas County Separate Juvenile Court.⁵⁹ This number was significantly greater than the juvenile cases opened in Nebraska's other two Separate Juvenile Courts. Only 668 juvenile cases were opened in the Sarpy Separate Juvenile Court, and only 819 juvenile cases were opened in the Lancaster Separate Juvenile Court.⁶⁰

The above diagram depicts family law subject-matter jurisdiction among the courts in Douglas County. Currently in Douglas County, depending on the case type, the District Court, County Court, and Separate Juvenile Court all hear issues involving children and families. Although the District Courts have concurrent jurisdiction with the County Courts in domestic relations cases, with the exception of protection orders, the District Court determines domestic relations cases in Douglas County. Petitions for protection orders filed in District Court in Douglas County are assigned to County Court Judges under a written letter of understanding setting forth an agreement that the County Court and the District Court equally divide the protection order cases. Probate, guardianship, conservatorship, and adoption cases are heard in County Courts. If the Douglas County Separate Juvenile Court has declared a child a ward of the court because the juvenile has committed a crime, is a victim of abuse or neglect, or is a status offender, the Separate Juvenile Court also has jurisdiction over that juvenile for purposes of termination of parental rights proceedings, adoption or guardianship proceedings, dissolution, modifications, paternity or custody determinations, child support, and protection orders.

THE DILEMMA FOR DOUGLAS COUNTY'S CHILDREN AND FAMILIES

Many Douglas County children and families face numerous challenges due to several courts handling the variety of family law case types and issues as described above. The courts also face challenges, as the litigants often may have related cases in other courtrooms or jurisdictions. For example, parties

⁵⁹ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: SEPARATE JUVENILE COURTS 4 (2018), https://supremecourt.nebraska.gov/sites/default/files/Separate_Juvenile_Court_Caseload_Report_FY_2018_-8.6.2018.pdf.

⁶⁰ NEBRASKA JUDICIAL BRANCH, ANNUAL CASELOAD REPORT: SEPARATE JUVENILE COURTS 4 (2018), https://supremecourt.nebraska.gov/sites/default/files/Separate_Juvenile_Court_Caseload_Report_FY_2018_-8.6.2018.pdf.

with a child custody matter in the District Court also may have a domestic violence restraining order and criminal case involving the same or related individuals that the County Court handles.

Families may assume that the different judges are communicating with each other, when, in fact, there may be little or no communication among the courts. In addition to different judges, there often are multiple court-connected services involved with a family, such as Conciliation and/or Family Mediation Services in domestic relation cases, the Court Appointed Special Advocate (CASA) program in juvenile dependency cases, and services for self-represented litigants. There also are court-ordered, court-referred, and/or community-based services, including: mental health services, substance abuse treatment, batterers' intervention, parent education, child custody evaluation, co-parenting counseling, domestic violence shelters, supervised visitation programs, and drug-testing facilities. A lack of court coordination and information sharing can lead to a multitude of problems for both the court and the families.

To further complicate matters, the complexity of family law issues, as they relate to the courts and the participants, may result in confusion, multiple appearances by litigants and attorneys, missed appointments, duplication of information or orders, or conflicting information or orders. The litigants view the courts as a single entity within a centralized location, with an assumption that every decision maker has all the necessary information and relevant facts regarding the nature of the case in order to reach a fair resolution and to make appropriate court orders. This assumption often leads families to believe that there is shared communication between and among the Separate Juvenile Court, District Court, and County Court. Unfortunately, the District, County and Separate Juvenile Courts have their own case management systems, and it appears that they are unable to communicate easily, whether directly or technologically, resulting in the issuance of conflicting or duplicative orders. From the perspective of the families involved in multiple proceedings, the lack of communication may result in a situation where they have to choose which courts' orders they are to follow, as well as which court appearances to keep when they are scheduled to appear in multiple places at the same time.

PART 3

Project Goals and Activities

The following sections detail the tasks accomplished by the CFCC team during its research, activities, and assessments related to the feasibility study concerning developing and implementing a Unified Family Court pilot project in Douglas County.

TASK 1. REVIEW OF CURRENT COURT OPERATIONS

CFCC reviewed the current Douglas County Separate Juvenile, District, and County Courts' structure and operations, including their case management systems, resource allocation, forms and written procedures, and data collection. CFCC requested, reviewed, annotated, summarized, and discussed comprehensive materials provided by the Nebraska CIP regarding relevant statutes and legislative history, court operations, reports, studies, data, and analyses. CFCC used the following materials in developing this report and recommendations:

COURT OPERATIONS AND GENERAL STATUTES

Technology and Facilities

Nebraska Supreme Court Technology Committee Strategic Plan
Nebraska Courts Facility Planning Guidelines and Standards
Nebraska Court Clerks Office Study

Overview/Status Quo

State of the Judiciary 2015, 2016, 2017, 2018
Nebraska Supreme Court Agenda
Judicial Branch by the Numbers
Legislators Guide to the Nebraska Judicial Branch

Unmet Legal Needs

Assessment of unmet civil legal needs of low and moderate income Nebraskans
Judges and Clerk Surveys—self-represented litigation

Caseloads and Case Processing

Judicial Branch Annual Caseload Report, Supreme Court and Court of Appeals FY2017, FY2018
District Courts FY2017, FY2018

Separate Juvenile Court FY2017, FY2018
County Courts, FY2017, FY2018
Probation Semi-Annual Reports, Jan-June 2014, July-Dec 2014
Weighted Caseload Reports—County Courts July 1, 2016-June 30, 2017
Weighted Caseload Report—District Courts FY2017
Weighted Caseload Report—Juvenile Courts FY 2017
Office of Dispute Resolution, Annual Caseload Report, 2016-2017
Nebraska AOC & Probation Annual Report FY2016

PROBLEM-SOLVING COURTS

2013-2017 Strategic Plan for Nebraska Problem-Solving Courts
Evaluation of Nebraska’s Problem-Solving Courts

LEGISLATION

Statutes and annotations relating to jurisdiction of courts over matters affecting families and children
Nebraska Parenting Act Brochure
An Evaluation of Nebraska’s Parenting Act

JUVENILE

Nebraska Juvenile Justice System Statistical Report 2016
Impact from Infancy (case coordination program); CASA; judicial efforts to address needs of 0-3 year olds (Judge Johnson’s materials)
Juvenile law
Select provisions pertaining to child welfare, juvenile justice, and vulnerable adults
Development Evaluation of Juvenile Justice Reform in Nebraska
Reducing recidivism for youth in Nebraska
Probation semi-annual reports, Jan-June, July-Dec 2016
Probation juvenile justice reform efforts reports Jan-May 2017
Juvenile victim-offender conferencing pilot program: a year in review

TASK 2. SITE VISIT #1 [SEE APPENDIX #1]

On February 26-28, 2018, the CFCC team members made their first site visit to the Douglas County Separate Juvenile Court. They observed several courts in session, met with four Separate Juvenile Court Judges, and conducted the “Understanding the Unified Family Court” information session for family and juvenile court stakeholders. On the second day of the site visit, the CFCC team traveled to Lincoln, where they had separate meetings with Nebraska Chief Justice Michael Heavican and Supreme Court Administrator Corey Steel, Senator Tony Vargas, and Senator Justin Wayne. On the third day of the site visit, the CFCC team observed additional court hearings and attended a “Through the Eyes of the Child” committee meeting. In the afternoon of the third day, the CFCC team held three

informal listening sessions, during which stakeholders were able to speak informally with the team about Unified Family Courts generally, their concerns about the current structure of the Douglas County family justice system, their suggestions for improvement, and their apprehension about anticipated changes resulting from the implementation of a Unified Family Court pilot project.

Key Unified Family Court stakeholders, including lawyers, judges, court personnel, and services providers, raised the following issues and questions during the CFCC team's site visit meetings and conversations:

- Whether it is advisable to pursue legislation establishing a Unified Family Court
- The likely fiscal impact of a Unified Family Court pilot project
- The availability of resources and services to support a Unified Family Court pilot project
- The impact of a Unified Family Court pilot project on attorneys, public defenders, and county attorneys
- The absence of a uniform standard of judicial practice in Nebraska
- Whether a Unified Family Court ultimately requires uniform court rules, customs, and practices
- The reluctance of the matrimonial bar to support moving toward what they view as the informality of Juvenile Court
- The lack of timeliness of Child Protective Services evaluations in domestic violence cases
- Blurred lines between domestic and juvenile cases
- A potential dramatic decrease in District Court cases as a consequence of a Unified Family Court pilot project
- Judges who do not want to hear divorce cases being obligated to hear them in a Unified Family Court pilot project
- Bridge orders that force attorneys to practice in areas, such as divorce, for which they do not have the qualifications or interest
- The importance of handling child support in Juvenile Court
- The problems caused by child support orders from the Juvenile Court going to the county attorney or state, depending on where the child is placed
- The frequent disappearance of child support orders
- The fact that some existing rules are not followed, e.g., mediation is supposed to take place within 90 days but rarely does
- The difficulty of finding judges who want to hear only family law cases

TASK 3. SURVEY

Following its site visit, the CFCC team, in collaboration with CIP, developed a survey designed to help identify present and significant practices and opinions related to the court handling of matters related to Douglas County's children and families. The survey also included questions about support for and views regarding a Unified Family Court pilot project in Douglas County. The survey instrument is attached hereto as Appendix #2.

CIP distributed the survey to judges and court staff identified from a list provided by the Douglas County Separate Juvenile Court and to attorneys and services providers with involvement in family or juvenile law matters. [See Appendix #2]

This section details the findings and observations based on the survey results. Appendix #2 includes CFCC's analysis of the survey report and provides CIP's analysis of responses to the survey.

Survey Results

The survey CFCC created in collaboration with the Nebraska CIP was divided into four parts: demographics, case management issues, pilot project, and opinions.

Demographic Information

Hazel Delgado, CIP Research and Evaluation Specialist, provided critical expertise and guidance for the survey's development and facilitated the survey through CIP's Qualtrics system.

CFCC provided a "suggested stakeholder distribution list" for the survey (Appendix #2) that included Douglas County Separate Juvenile Court Judges and court personnel, District Court Judges and court personnel, County Court Judges and court personnel, bar association leaders, the private family law/matrimonial bar, prosecutors, public defenders, legal services providers, CASA representatives, and court-appointed social service providers, among others. CIP distributed the survey electronically to 70 individuals, primarily those who had attended the Unified Family Court information session conducted by CFCC on February 27. (Appendix #2).

Thirty-four (34) individuals responded to all or part of the survey. The rate of return for completed surveys was 64.7 percent, with 22 participants completing the entire survey. Twelve participants responded to some but not all questions. Respondents consisted of one judge, 23 attorneys, three mediators, one Court Appointed Special Advocate (CASA), and two "others." While the rate of return for completed surveys was high, the substantial majority of respondents were attorneys.

The survey requested demographic information from respondents concerning their primary area(s) of practice or service, their employers, and their years of service in their current position. The primary areas of practice included family law, child support, child welfare, custody, divorce, guardianship, and juvenile. Twenty-one out of 34 respondents were in private practice for a firm or self-employed. Interestingly, participants were primarily experienced attorneys with many years of practice, ranging from one to forty-five years. The mean was 19.3 years of service.

Case Management Issues

Case management issues were divided into six areas: coordination, alternative dispute resolution, self-help, interpreter services, other services, and training and education.

Coordination

The purpose for posing questions relative to case coordination was to aid in assessing the frequency of multiple proceedings involving the same family in the Douglas County courts. Respondents were asked first to estimate the percentage of their caseload involving more than one child from the same family. Second, respondents were asked to estimate the percentage of their caseload involving more than one family law matter per client or case. Results of those estimates appear in the charts and graphs below.

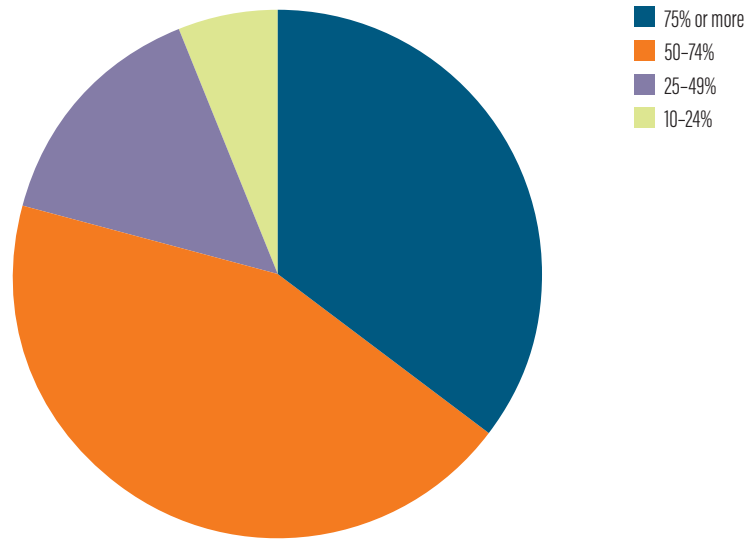
Approximately what percentage of your pending client or court caseload involves more than one child from the same family?

		Frequency	Percent	Valid Percent ⁶¹	Cumulative Percent ⁶²
Valid	75% or more	10	29.4	35.7	35.7
	50-74%	12	35.3	42.9	78.6
	25-49%	4	11.8	14.3	92.9
	10-24%	2	5.9	7.1	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

⁶¹ "Valid percent" in all of the charts regarding survey results refers to the percentage of the total sample when missing data are excluded from the calculation, i.e., the percentage of individuals who selected a response out of the total number of respondents to this particular question. This percentage does not include those individuals who did not respond to the question.

⁶² "Cumulative percent" in all of the charts regarding survey results adds each valid percentage from the top of the chart to the bottom, culminating in 100 percent.

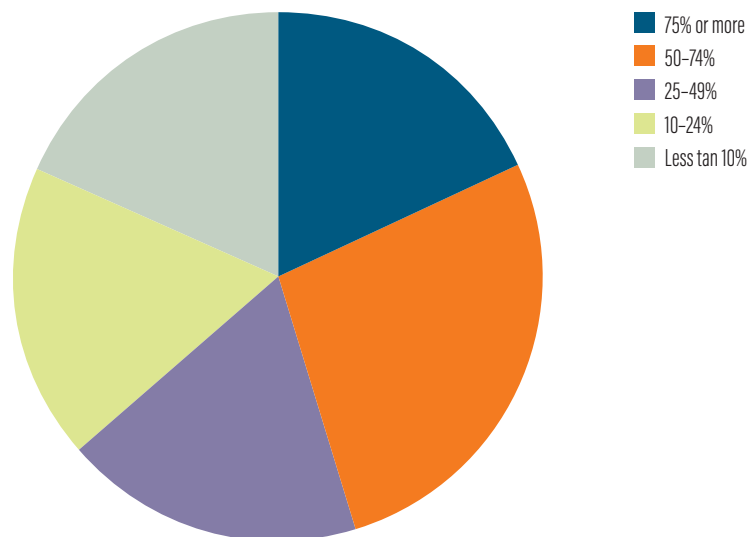
Approximately what percentage of your pending client or court caseload involves more than one child from the same family?



Approximately what percentage of your pending client or court caseload involves more than one family law matter that affects your client or case?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	75% or more	5	14.7	17.9	17.9
	50-74%	8	23.5	28.6	46.4
	25-73%	5	14.7	17.9	64.3
	10-24%	5	14.7	17.9	82.1
	Less than 10%	5	14.7	17.9	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

Approximately what percentage of your pending client or court caseload involves more than one family law matter that affects your client or case?



It is significant that an overwhelming majority of respondents to this question (79%), most of whom were attorneys in private practice or self-employed, indicated that over half of their current caseload involved more than one child from the same family. Further, more than one-third of total respondents reported that 75 percent or more of their cases involved more than one child from the same family. Nearly half of the respondents reported that 50 percent or more of their pending client or court caseload involved more than one family law matter affecting their client or case.

The frequency with which cases in Douglas County involve more than one child from the same family and/or more than one family law matter affecting the same clients is significant enough to warrant examining a means for courts to work most effectively with these families. To this end, the survey requested information from respondents about whether they asked their clients or the litigants if they had other matters pending in the courts. The following chart and graph detail the response to this question.

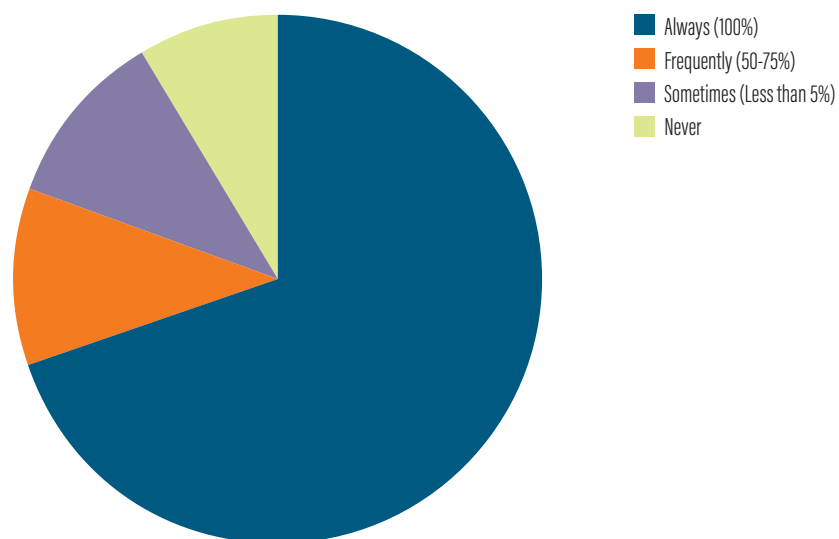
The fact that nearly 60 percent of respondents reported that they always ask a client or litigant if there are other family matters pending in the courts indicates a strong sense of importance about this issue, even absent any accepted standard of practice.

According to the survey responses, there are automated systems in place that permit attorneys and judges to review court records online or by some other means of automated inquiry. Given the widespread availability of automated systems to access court records, it is not surprising that a substantial

How often do you ask your client or the litigant if the client or the litigant has other family matters pending in the courts?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Always (100%)	20	58.8	71.4	71.4
	Frequently (50-75%)	3	8.8	10.7	82.1
	Sometimes (less than 50%)	3	8.8	10.7	92.9
	Never	2	5.9	7.1	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

How often do you ask your client or the litigant if the client or the litigant has other family matters pending in the courts?



majority of survey respondents (71 percent) use these systems in 75 percent or more of their cases. The trigger for employing these systems appears primarily to be information provided by the litigant or client regarding other proceedings that involve the family (49 percent), followed by independent searches by the survey respondents (29 percent).

Respondents also were asked about what steps, if any, they take after learning about multiple cases or family member involvement in the courts. Many respondents indicated that they ask the client or litigant if s/he would like the matters coordinated or consolidated (24 percent), and a number of respondents indicated that they themselves take steps to consolidate or coordinate proceedings (17 percent) or inform the court (17 percent). Of the five respondents who indicated that they did nothing with respect to information about a family's involvement in more than one court case, the primary reasons were confidentiality issues, ethical considerations, and the court's "not being set up" for coordination or consolidation.

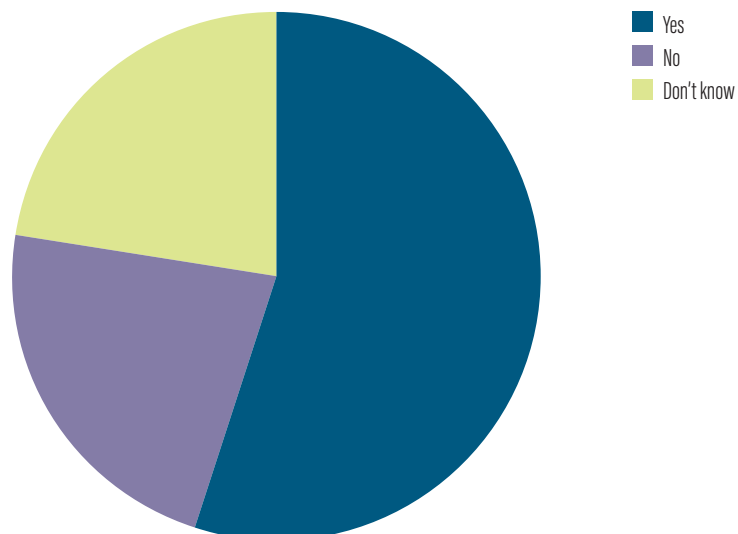
Intake Services

Respondents were asked to indicate whether the courts where they work or practice perform intake services. Just over half of the respondents indicated that the courts in which they practice perform intake services. The following chart and graph illustrate the responses to this question.

Does the court with family law jurisdiction where you work or practice perform "intake services?"

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	15	44.1	53.6	53.6
	No	7	20.6	25.0	78.6
	Don't know	6	17.6	21.4	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

Does the court with family law jurisdiction where you work or practice perform "intake services?"
(Please see next question for a list of intake services.)



Intake services and the number of respondents for each service include the following:

- Establish a physical case file (20)
- Assign the case to a judge (19)
- Establish an automated case record by completing a data screen in an automated information system (17)
- Conduct a search for other cases involving the client
- Complete a case summary sheet or equivalent and attach to file (3)
- Conduct an assessment of the case for caseload management purposes (2)
- Assign the case to a case coordinator or manager (0)
- Conduct an assessment of the case for service referral purposes (0)
- Interview litigants or their representatives for case management and service needs assessments (0)
- Make referrals to appropriate service providers, including legal services (0)

Performing meaningful intake services greatly enhances a court's case management and case processing capabilities. It is important to note that, according to the survey respondents, intake services never include assignment to a case coordinator or case manager, assessment for service referrals, referrals to service providers, or interviews of litigants for case management and service needs assessments.

It is encouraging that 20 survey respondents (59 percent) indicated that an automated case record is established as part of the intake procedure. It is important to note, however, that any further case management actions occur far less frequently as part of the intake process. There are no case coordinators or case managers, cases are not assessed for service referrals, litigants are not interviewed for case management or service needs assessments, and service referrals do not occur. In only a small number of cases do intake services include searching for a case or cases involving other family members, assessing the case for case management purposes, or attaching case summary sheets to files.

Alternative Dispute Resolution

As a matter of general principle, family court judges and family law practitioners almost universally agree that family legal disputes are resolved more effectively through some form of alternative dispute resolution (ADR), rather than through the traditional adversarial process. Thus, survey respondents were requested to indicate if ADR services are available to family law litigants in the courts where they sit or practice, what services are available, whether there is a fee for these services, and whether ADR is mandated by rule, policy, practice, or otherwise. The following graph illustrates their responses regarding the availability of ADR.

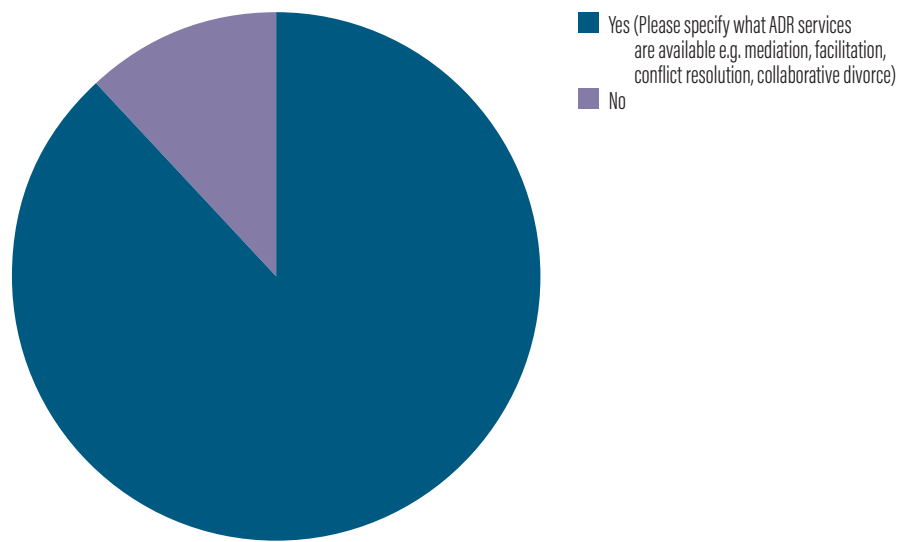
ADR services are widely available. Eighty-nine percent of respondents indicate the availability of ADR services for families. It is noteworthy that parties to a domestic relations matter involving children are required to attend the District Court Conciliation and Mediation Services parent education program. The District Court provides parent education programs, mediation and facilitation of parenting plans, and resource information regarding services in the community. The Douglas County Juvenile Court is piloting Victim-Youth Conferencing, which provides mediators who bring together the juvenile offender, the victim, family members, and support persons to discuss the harm done and how it has affected them. Only slightly more than half of respondents indicate, however, that clients and litigants are assessed or screened to determine suitability or risks for participation in ADR.

There are costs associated with ADR services, with 68 percent of respondents indicating that the client pays in whole or part for ADR and/or can be eligible for fee waivers or sliding fee scales.

Other Services

In addition to ADR, survey responses indicated that the Douglas County court system offers self-help and interpreter services. While 74 percent of respondents indicated that self-help services were

Are ADR services available to litigants or your clients relative to their family matter(s) before the court?



available to litigants or clients in family matters before the court, the vast majority of those surveyed referred primarily to a self-help desk in the courthouse “with limited resources” and the availability of some forms online.

Improving the manner in which the justice system responds to children and their families requires judges, lawyers, court professionals, and family service providers to develop and implement strategies to identify family service needs and to make linkages to those services as quickly as possible. Thus, the survey instrument asked respondents to think about service needs for families in court. Specifically, respondents were asked to identify five of the highest priority services needs for children and families in courts where they work or practice. Their responses included the following, among others:

- Access to legal representation by a licensed attorney
- Alcohol and drug evaluation of parent, long-term quality mental health treatment (nearly every respondent indicated that one or both of these were a priority service)
- Ability to cohesively address non-compliance with court orders
- Expanded mediation services
- Availability of expert custody evaluation
- Assistance in obtaining protection orders
- Judicial education in areas of family law
- Trained and competent guardians ad litem
- Low cost or free legal assistance to those who are unable to afford counsel in District Court
- Supervised exchanges for children and supervised parenting time, when needed
- Ongoing training for family law attorneys

Each identified service need calls for creative thinking about how to deliver the services or how to improve service delivery, if they already exist.

Use of volunteers to increase services for children and families in court can provide a cost-and outcome-effective means to meet demands for increased services. To this end, survey respondents were asked to indicate whether any community or volunteer programs exist to **provide services to**

court-involved children and families and, if so, to identify them. Of those responding, 62 percent indicated that these resources exist, including Court Appointed Special Advocates (CASA), Legal Aid, a Health and Human Services Administration subcontractor, pro bono services, and domestic violence advocates. It appears as though the scope of services for families and children involved in family law matters in the Douglas County District Court is limited to parenting programs and interpreter services.

Local resource centers, community coalitions, and task forces to facilitate partnerships and to help discover additional resources are important to achieve effective family justice. Thus, respondents were asked to identify any such entities in courts where they sit or practice. The following graph details their responses.

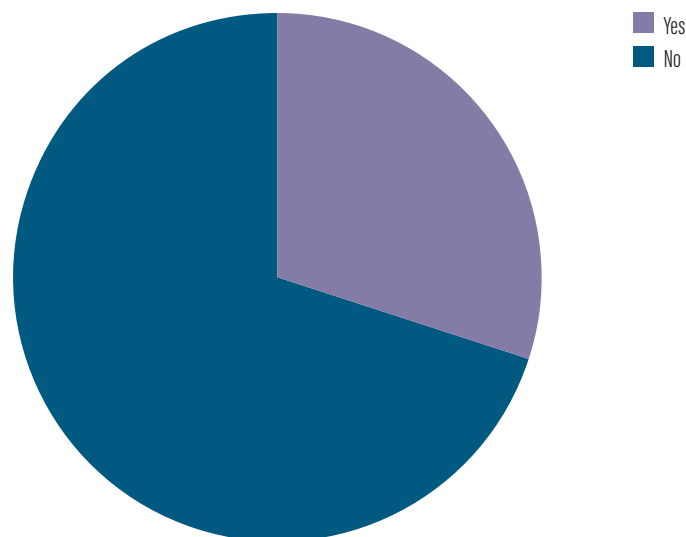
Thirty-two percent of all respondents noted the existence of some community coalition or similar group in the courts where they work or practice, while 68 percent indicated that no such coalition or group exists. Those respondents who indicated the presence of such a group listed Through the Eyes of the Child, Legal Aid, the Creighton University School of Law Legal Clinic, Project Harmony, the Nebraska Supreme Court's Office of Dispute Resolution, and the Nebraska Coalition to End Sexual and Domestic Abuse.

Training and Education

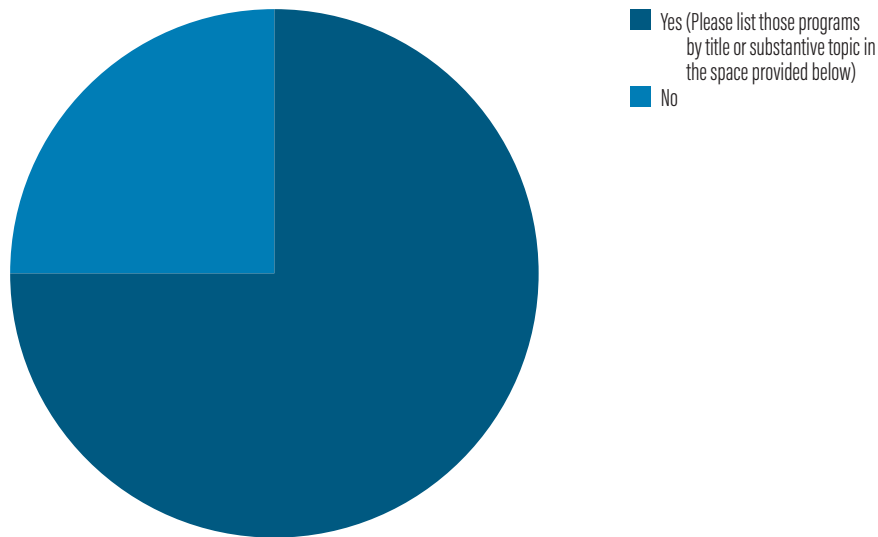
The highly complex and emotional nature of child and family law matters in the courts requires that judges, attorneys, and services providers receive extensive and continuing training and education. Respondents were asked, therefore, to provide information about the training/educational programs they had attended during the preceding twelve months. The following graph illustrates the responses to this survey question.

This graph indicates that 75 percent of respondents had attended relevant training programs relating to court-involved children and families during the prior twelve months. Programs included an annual family law seminar sponsored by the Nebraska State Bar Association, family law continuing legal education programs, Family Law Boot Camp, mediation updates, and programs/trainings sponsored by the American Bar Association, the Association of Family and Conciliation Courts, the National Council of Juvenile and Family Court Judges, and the American Academy of Matrimonial Lawyers.

Is there any multi-disciplinary coalition, task force, regional resource center, or other similar entity within the jurisdiction where you work or practice whose mission is to find and share new services and resources for court-involved children and families?



Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months?



Pilot Project

The survey's final section examined respondents' experiences and views regarding Unified Family Courts and, specifically, a Douglas County Unified Family Court pilot project.

Approximately two-thirds of respondents (67 percent) were familiar with the components and operation of a Unified Family Court, possibly because they attended CFCC's informational session in Omaha on February 26, 2018. Respondents indicated their views regarding which case types should be included in a Unified Family Court pilot project (respondents were not limited as to which case types they could select). Marital cases (divorce, legal separation, annulment) received the highest number of "checks" to include (19), followed closely by child welfare (18), domestic/family violence (18), child support establishment and enforcement (18), delinquency (18), establishment of parentage (17), and emancipation (16). Fewer respondents checked off adoptions (13) and guardianship/conservatorship (children and adults) (12).

With respect to which components should be included in a Unified Family Court pilot (respondents were not limited as to the number of components they could select), "one judge/one case" received the highest number of checks to include (15), followed by "a coordinated case management/case tracking system" (14), "guidelines for information sharing" (13), "one judge/one family" (12), "regularly scheduled meetings of court personnel and court stakeholders" (10), "case manager or case coordinator" (8), and "one team/one family" (7). Those who indicated "regularly scheduled meetings of court personnel and court stakeholders" wanted to see attorneys (including the private bar, district attorneys, county attorneys, public defenders, legal services agencies, and children's counsel), ADR service providers, child welfare workers, CASA representatives, mental health professionals, Department of Education representatives, probate investigators, law enforcement, victim witness program workers, public benefits representatives, and probation included in the meetings. The scope and breadth of professionals who should be "at the table," according to respondents, underscores the importance of developing a Unified Family Court pilot project as an undertaking that reaches out to, engages, and perhaps is dependent upon community and stakeholder buy-in and participation.

The survey asked respondents to indicate which court and/or court-related services should be included in the Unified Family Court pilot project (respondents were not limited as to the number of services they could check off). Supervised visitation programs (19), mental health services (18), child custody evaluations (16), and ADR (16) received the highest number of checks, closely followed by parenting classes (15), substance abuse counseling and treatment (15), services for self-represented litigants (14), community resources (14), domestic violence counseling (14), and batterers' intervention (13).

Specialized training for judges is one of the hallmarks of Unified Family Courts.⁶³ Judges must appreciate and understand the social settings within which family members function, including problems that deeply affect a family's life, such as substance abuse and family violence.⁶⁴ They can acquire such training through mandatory interdisciplinary education. The result is "family law decision-making...that more effectively promote[s] the well-being of families and children—a therapeutic outcome."⁶⁵ Specifically, interdisciplinary training of judges and attorneys must prepare them "to know what questions to ask professionals from other fields, how to frame those questions to help clarify their understanding of specialized issues, and how to interpret the responses they receive in applying the legal analysis that ultimately governs a court's decision."⁶⁶

To that end, survey respondents were asked about training. The respondents agreed nearly unanimously (95%) that specialized training for judges should be a component of the Unified Family Court pilot project. They also suggested the following as potential topics for the trainings: domestic violence, best interests of children, child development, addiction, mental health, trauma-informed and healing-centered approaches, available resources for families, custody evaluations, parenting, and family dynamics, among others.

Opinions

Finally, the survey asked respondents about their views on the establishment of a Unified Family Court pilot project in Douglas County. While only slightly more than half of the total number of respondents answered this question, there is overwhelming support among them for a Unified Family Court pilot project, with 78 percent of those responding to this question with a "yes." Several respondents added individual comments in response to this question.

The last question on the survey asked whether a Unified Family Court should be staffed by dedicated judges who hear only family law cases. Nearly two-thirds of respondents agreed that only dedicated judges should staff a Unified Family Court, and some respondents offered reasons for their views.

Survey Conclusions

The survey has yielded substantial useful information about practices and attitudes regarding the ways in which family law matters are handled in Douglas County. While the rate of return for complete surveys (64.7 percent) is a sample sufficient to maintain data integrity and from which to draw credible conclusions, it would be helpful to have input from more Separate Juvenile, District, and County Court Judges and court staff. It is noteworthy that participants are primarily experienced attorneys, with a mean of 19.3 years of service, indicating a well-informed respondent group whose answers to survey questions can represent an accurate reflection of the state of practice for the particular response.

The responses to questions concerning the coordination of child and family cases in the Douglas County courts indicate that a high percentage of pending client and court caseloads involves more than one family law matter that affects a client or case or more than one child from the same family. Nevertheless, there seems to be no formal, uniform tracking mechanism or procedure in place that facilitates the linkages of cases between family members. When such linkages occur, they do so because either an attorney has asked his/her client about related issues or because the client has disclosed this information to his/her attorney.

⁶³ Barbara Babb, *Fashioning an Interdisciplinary Framework for Court Reform in Family Law: A Blueprint to Construct a Unified Family Court*, 71 S. CAL. L. REV. 469, 514–15 (1998).

⁶⁴ Barbara Babb, *Fashioning an Interdisciplinary Framework for Court Reform in Family Law: A Blueprint to Construct a Unified Family Court*, 71 S. CAL. L. REV. 469, 515 (1998).

⁶⁵ Barbara Babb, *Fashioning an Interdisciplinary Framework for Court Reform in Family Law: A Blueprint to Construct a Unified Family Court*, 71 S. CAL. L. REV. 469, 515 (1998).

⁶⁶ Catherine J. Ross, *The Failure of Fragmentation: The Promise of a System of Unified Family Courts*, 32 FAM. L. Q. 3, 21 (1998).

Respondents have indicated with some regularity that cases are established via an automated record, which is encouraging and bodes well for expanding functional use of automation to more effectively manage family law matters. It is important to note, however, that any further case management actions beyond creating an automated record occur far less frequently.

Survey responses indicate a high degree of availability and satisfaction with alternative dispute resolution services. Respondents mention self-help services, drug and alcohol evaluations and treatment, and other service needs as high priorities. A substantial majority of respondents state that there are no multi-disciplinary coalitions, task forces, regional resource centers, or other similar entities who serve court-involved families and children.

According to survey respondents, there is a strong degree of interest in and support for the establishment of a Unified Family Court pilot project in Douglas County. The most frequently mentioned components of a Unified Family Court are one judge/one case, coordinated case management/case tracking system, and guidelines for information sharing, among others. Respondents are most interested in seeing supervised visitation programs, mental health services, child custody evaluations, and ADR in a Unified Family Court pilot project. In addition, they are nearly unanimous in their support for specialized training for judges.

TASK 4. SITE VISIT #2—UNIFIED FAMILY COURT FORUM AND JUDGES' RECEPTION

On August 13, 2018, the CFCC team convened “A Forum on the Douglas County Unified Family Court Pilot” in Omaha, attended by over 150 judges, court staff, attorneys, and service providers. Chief Judge Michael Heavican opened the forum with remarks that strongly supported family justice system reform. Professor Babb followed with a presentation that addressed the history of CFCC’s involvement with the Douglas County Separate Juvenile Court, the scope of CFCC’s work in Douglas County, and the purpose of CFCC’s report and recommendations. The CFCC team provided additional information about the survey results, Unified Family Courts, and the development of Unified Family Courts in California. [Appendix #3 includes the invitation to the forum and a list of participants.]

The CFCC team then divided attendees into eight breakout discussion groups. A facilitator within each group guided conversations about how the Douglas County courts currently handle family matters, including access to services. Attendees raised the following points in response to questions provided in handout materials.

- What could a Douglas County Unified Family Court pilot accomplish that presently is not being accomplished?
 - Reducing the chaos that families encounter in the current court system (“five different judges giving five different rulings on the same case”)
 - Better outcomes for children and families
- What would be the greatest challenges to developing and implementing a Unified Family Court pilot project in Douglas County?
 - District Court Judges not being engaged in the discussion about a Unified Family Court pilot project
 - Obtaining services, especially for LGBTQIA youth
 - Funding
 - Scheduling/calendaring
- If a pilot Unified Family Court were to move forward, what do you see as the system goals of a Douglas County Unified Family Court pilot?
 - Efficiency
 - Lowering families’ frustration and uncertainty (families need to understand the process and procedures involved in family law cases)

- Working as a team to help families and youth, first and foremost
- Reducing the adversarial nature of the courts
- What would be the five highest priority service needs for children and families in court in Douglas County? Should the court supply these services, or should the court refer families to the community for these?
 - Mental and behavioral health assessments
 - Substance abuse
 - Therapy availability
 - In-home services
 - Supervised visitation
 - Timely evaluations
 - Services for LGBTQIA youth
 - The community should be capable of and relied upon for these services by the court, but the court should not be afraid to step in when appropriate/needed services cannot be located and should think creatively about ordering services or directing the service provision process.
- Who would absolutely have to be in agreement with the notion of a pilot Unified Family Court in Douglas County in order to promote its development and implementation?
 - Defense attorneys
 - Judges
 - Service providers
 - Case workers
 - County commissioners

Other points made during the forum breakout discussion sessions included the following:

- It would be helpful to have data on the current operation of the Douglas Court Juvenile Court and District and County Courts. How much subject-matter jurisdiction overlap exists?
- We need to “revamp the court culture.” We need to open our minds to different ways of processing cases.
- If there is to be a Unified Family Court pilot project, it should be established by court rule rather than legislation that would force Douglas County to adopt the Unified Family Court model.
- What judges do not understand is that problem-solving shifts your understanding of cases and parties and makes your work more satisfying.
- Criminal cases should not be included in a Unified Family Court pilot project.

CFCC hosted a judicial reception following the forum, during which judges were invited to discuss their views of a Unified Family Court pilot project in Douglas County. Comments included the following:

- While Senator Wayne has proposed legislation to move forward with a Unified Family Court pilot, Douglas County should establish the pilot without legislative change. The idea is to move forward thoughtfully and without the semblance of coercion.
- At the District Court level, judges have not seen significant overlap between family law cases. Occasionally, there is a dissolution and then a protection order, which goes to the Juvenile Court if the judge agrees to hear it. The District Court Judge will not rule until the Juvenile Court Judge hears the case. If the Juvenile Court has jurisdiction, the District Court follows its rulings and then settles other aspects of the case.

- I see a number of cases with crossover issues, including child support and custody orders that are inconsistent. District Court awards custody to one parent and Juvenile Court to another.
- Judges do not want to take on any changes that will increase caseloads.
- District Court does not have any services for families and children, which is the reason why, in a few cases, District Court Judges refer to Juvenile Court.
- Any program that puts some District Court Judges in a particular pool of Unified Family Court pilot project judges will create problems. Anytime you try to tie District Court Judges to a defined caseload number, there is trouble. Historically, District Court Judges have not wanted to sit in divisions. We could finesse it in other ways. The ultimate goal is to do what most efficiently and best serves the needs of children.
- Someone should interview judges and litigants as a possible step toward giving us a picture of whether the pilot project is something we need.
- There is not a great deal of crossover between District and Juvenile Courts in Douglas County. If I (District Court Judge) have two cases a year (i.e., cases that involve Juvenile Court matters), that is the maximum. It is not terribly common to come across a juvenile case in a family law setting.
- It does seem that one of the possible outcomes of a Unified Family Court is less court time because of the problem-solving nature of the Unified Family Court.
- Consensus between courts is one thing, but what we do is not carried out in a vacuum. Public defenders and prosecutors are involved, and their offices are divided along court lines, which could be a challenge to a Unified Family Court's operation.
- There are a lot of practitioners in Juvenile Court who are new. Are they going to be handling complex cases before they have gained necessary experience?
- You need folks at the table who are experienced hands. We should invite Don (Donald W. Kleine, Douglas County Attorney) and Tom (Thomas C. Riley, Douglas County Public Defender) to sit at the table.
- Experienced public defenders refuse to handle bridge orders, so relatively new attorneys get them, but do not know how to handle them. District Court Judges do not like bridge orders because parents can modify them within a year, and therefore they end up relitigating in front of another judge, who is unfamiliar with the original circumstances.

TASK 5. SITE VISIT #3—SITE VISIT TO MARYLAND BY DOUGLAS COUNTY DELEGATION

On August 27-28, 2018, Douglas County representatives visited Maryland. Participants included: The Honorable Douglas Johnson, Judge of the Separate Juvenile Court; The Honorable Vernon Daniels, Judge of the Separate Juvenile Court; Monica Kruger, Esquire; Deb VanDyke-Ries, Director, Nebraska Court Improvement Project; Mary Pat Coe, Esquire; and Elizabeth McLelland, Esquire, Deputy County Attorney. [See Appendix #4 for the site visit agenda, including participants, and a *Maryland Daily Record* article on the visit.]

On August 27, Sue German, Esquire, Associate Court Administrator for the Family Division of Circuit Court for Baltimore City, began the visit with an explanation of the Baltimore City Family Division's structure and operation, followed by a tour of the Division's offices and programs. During a luncheon, the Douglas County delegation met informally with Baltimore City Family Division Judges, magistrates, and administrators. Afterward, the delegation toured the Baltimore City Juvenile Justice Center, which houses the city's Juvenile Court, Juvenile Detention Center, and programs for justice-involved youth. This interested the delegation greatly in light of the plans to possibly build a juvenile justice center across the street from the Douglas County Juvenile Court. The delegation also met with a Juvenile Court Judge and magistrate.

On August 28, the delegation first met with Anne Arundel County Circuit Court Chief Judge Ronald Silkworth, Magistrate Jennifer Cassel, and Director of Court Operations Nancy Faulkner, who provided

insights about the operation of the Family Division of the Circuit Court for Anne Arundel County (the home of Annapolis, Maryland's capital). In the afternoon, the delegation met with Assistant State Court Administrator Lou Gieszl and Department of Juvenile and Family Services Director Richard Abbott, who spoke about the critical importance of services to the efficient and effective operation of the Maryland Family Divisions.

To conclude the site visit, the delegation met with Maryland Chief Judge Mary Ellen Barbera and State Court Administrator Pamela Harris, with whom they had a far-reaching and candid conversation about the creation of Maryland's Family Divisions and family justice system reform generally.

MOVING TOWARD RECOMMENDATIONS

CFCC has engaged in research, technical assistance, and analysis of substantial depth and breadth over the past year. The focus of this work is to understand the current court structure and operations in Douglas County as they relate to families and children. The CFCC team has observed Omaha's and Nebraska's widespread commitment to serve families and children in the courts, as demonstrated in court observations; conversations with the state's and county's judicial leaders; the many attorneys who attended CFCC presentations, listening sessions, and the forum; and the survey. In the end, the picture that emerges is one of a court system capable of assisting families and children even better by implementing certain changes, as recommended in this report. Capitalizing on demonstrated widespread community interest in improving how courts address the needs of children and families, the final section of this report suggests short- and long-term recommendations designed to improve the current structure, operation, and principles of the Douglas County family justice system.

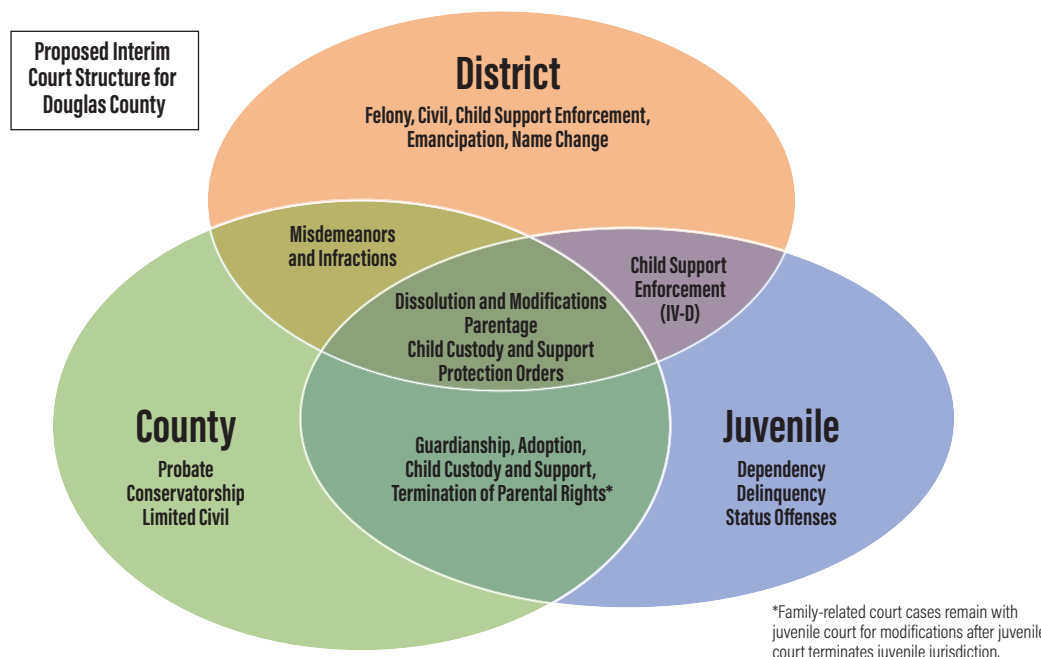
PART 4

Recommendations to Create and Implement a Pilot Unified Family Court in Douglas County

OVERVIEW

The CFCC team offers the following recommendations after conducting a comprehensive review of the existing Douglas County court structure, including court observations; a comprehensive review of the listening sessions reports, survey results, forum breakout session reports, and existing statutes, laws, and policies; meetings with Douglas County judiciary, court staff, attorneys, and policymakers; and meetings with Nebraska's Chief Justice, State Court Administrator, and two legislators. The recommendations are intended to reflect the opinions of the various stakeholders and the considered opinion of the CFCC team after analyzing all of the data gathered during the course of this evaluation effort. It is important to note that certain of these recommendations can take effect quickly, while others are broad-based, incremental, and aspirational.

GENERAL AND SHORT-TERM RECOMMENDATIONS



The Douglas County Separate Juvenile is a court of record and adjudicates cases involving neglected, dependent, and delinquent children. For children and youth over whom the Douglas County Separate Juvenile Court already has jurisdiction, the court has the authority to make paternity, child custody, child support, guardianship, termination of parental rights, adoption, and restraining order determinations.⁶⁷

In addition to the broad jurisdiction that the Douglas County Separate Juvenile Court has while a child and the child's family is under the jurisdiction of the court, the court has adopted local rules relating to companion cases. These rules and the current case management system provide a mechanism to track related cases. Rule 12.5 of the Juvenile Court and Rules of Practice and Procedure in the Separate Juvenile Courts of Douglas County provides:

12.5 Companion Cases. The county attorney shall, at the time of filing each petition, note or stamp upon the front-page of the petition, the case title and docket number of all other open companion cases involving the juvenile, and the name of the judge to whom each companion case has been assigned.

A "companion case" as defined by this Rule includes: (1) all other open dockets involving the juvenile, whether delinquency, status offense, abuse-neglect, or dependency, filed under Neb. Rev. Stat. § 43-247; and (2) those in which multiple juveniles are charged, in separate petitions, with delinquent acts arising out of the same set of facts.

The following are general and short-term recommendations regarding the creation and implementation of a pilot Unified Family Court for Douglas County:

1. It is important for the Nebraska judiciary, legislature, and other stakeholders to recognize that the majority of the work done by Nebraska's District Courts involves family law cases (54%), as detailed earlier in this report. Thus, in order to serve effectively Nebraska's families and children, it is imperative to attend to the significance of these cases, both as a statistic and relative to the impact on the citizens of Nebraska, including the need to appoint judges who have the willingness to hear and determine these cases.
2. Nebraska Supreme Court Chief Justice Michael Heavican is urged to establish a pilot Unified Family Court in the Douglas County Separate Juvenile Court by rule change. The pilot project's overarching goal must capitalize on the strengths of the existing Douglas County Separate Juvenile Court by expanding its subject-matter jurisdiction to include all family law matters as defined in this report: juvenile matters, including delinquency, status offenses, and abuse and neglect; dissolution of marriage, including divorce, annulment, and property distribution; child custody and visitation, including proceedings governed by the Uniform Child Custody Jurisdiction and Enforcement Act and the Parental Kidnapping Prevention Act; alimony, spousal support, and child support, including proceedings under the Uniform Interstate Family Support Act; establishment and termination of the parent-child relationship, including paternity, adoption, termination of parental rights, and emancipation; non-support; name changes; guardianship of minors; actions involving domestic violence, including the issuance of protective orders.
3. The one judge/one family case assignment model, discussed later in the report, enables one judge to adjudicate all family-related matters while a child and the child's family are under the court's jurisdiction. In line with the previous recommendation, once the Douglas County Separate Juvenile Court has jurisdiction over the child and the child's family, the court retains jurisdiction over that family for all family law matters, including modifications of previous orders. Employing the one judge/one family model, all cases involving the same family should be assigned, where possible, to the same judge, who retains jurisdiction over the family for all family law matters for a minimum of twelve months.

⁶⁷ NEB. REV. STAT. ANN. § 43-247 (LexisNexis 2018).

4. Within the pilot Unified Family Court, bridge orders and transfer of cases to the District Court once the pilot Unified Family Court has jurisdiction over the child and the parents should be eliminated.

5. If a juvenile matter arises while the District Court is considering a dissolution or other family law matter, including matters heard by child support referees, the entire case should transfer to the pilot Unified Family Court unless good cause is shown to the contrary.

6. The Family Court Subcommittee of the Nebraska Supreme Court Commission on Children in the Courts should spearhead implementation of a Douglas County Unified Family Court pilot project and should consider replication of the pilot to other jurisdictions in Nebraska. The responsibilities of this Task Force include: 1) to explore, on a continuing basis, long term funding strategies for the Nebraska courts regarding family law matters; 2) to review existing family law and family-related court rules, policies, practices, and procedures to ensure consistency, efficiency, and effectiveness; and 3) to make recommendations to the Nebraska Supreme Court concerning areas in need of attention.

The Family Court Subcommittee should provide guidance to and coordination of local planning efforts and assistance to any other Supreme Court committees that address issues relating to family law, access to the family justice system, and resource development.

Commentary

All of the background research highlighted in this report, including survey results; conversations with judges, court staff, service providers, and attorneys; the listening session comments; and the forum breakout discussion group reports, indicate that a significant number of family-related matters come to court while another family member or another related case already is involved with the courts. In addition, the background materials reveal that there is a need for increased and/or improved case management services and social services.

Differing opinions exist regarding the extent to which there is case overlap between the District and Separate Juvenile Courts in Douglas County. Nonetheless, it is likely, based on considerable national research, that there is significant family member crossover in the courts. Thus, the Douglas County family justice system can benefit from a court structure that allows for coordination and more effective case management of family law matters.

Demographic diversity among court jurisdictions and varied practices within Nebraska's family law system make the development of an effective multi-disciplinary collaboration to examine practice and policy issues an important priority. We urge the Nebraska judiciary, the Nebraska bar, and the clinical and services communities to work collaboratively via the Family Court Subcommittee to help shape the practice within family courts and the juvenile and family law system, in general. This process can encourage competent examination of issues related to court structure and family law practice; can aid in identification and replication of best practices; can promote increased education, training, and resource development; and can assist with exchanging information, sharing opportunities, and encouraging excellence in family law practice within Nebraska's courts.

The CFCC team recommends that the Family Court Subcommittee focus its efforts on several specific functions:

- Develop and implement a Unified Family Court Pilot project in Douglas County.
- Investigate and consider long term funding strategies to help support family court services in Douglas County.
- Develop and implement a permanent, family court resource development, information sharing, and training capacity under the auspices of the Nebraska Supreme Court.
- Provide oversight to a statewide planning effort for the expansion of the Unified Family Court model.
- Provide continuing coordination with Supreme Court Committees created to address family law and justice issues, either directly or indirectly.

7. The Family Court Subcommittee should examine and consider long term funding strategies to permit the development and implementation of Unified Family Courts and/or related court services in Nebraska. This examination should consist of an analysis of:

- All available options, including potential increases in state funding, to support the expansion of Unified Family Courts
- Co-funding between participating agencies
- Potential grants for family court service projects
- Surcharges attached to filing fees
- Fee-based income for services provided, including sliding fee-scale services
- Examination of current resources and the potential for re-distribution or reallocation

8. Douglas County stakeholders and the Family Court Subcommittee should determine a mission statement, system goals and values, and appropriate benchmarks or performance measures for the Unified Family Court pilot project in the short term and for other Unified Family Court pilot projects that replicate the Douglas County model in the future. The general Trial Court Performance Standards promulgated by the Bureau of Justice Assistance (U.S. Department of Justice) can serve as a basis for these benchmarks, with the *Performance Standards and Measures for Maryland's Family Divisions* (2002)⁶⁸ providing an excellent national model. The National Council of Juvenile and Family Court Judges (NCJFCJ) has recommended “best practices” and resources to implement the one judge/one family Unified Family Court model.

Commentary

Nebraska’s family justice system must demonstrate to the people of Nebraska and to the state legislature its potential to save public funds over a long period by providing adequately funded prevention and protection services to families in crisis now. This process requires the development of a mission statement, identification of family justice system goals and values, and creation of a comprehensive set of benchmarks or performance standards and measures that, when applied to measurable outcomes, can justify the need for an appropriate level of resources and can identify “best practices” throughout Nebraska’s family justice system.

The Trial Court Performance Standards set forth five very general performance areas that can form the basis for developing more family justice-specific performance measures or benchmarks. These general standards are:

- Access to Justice
- Expedition and Timeliness
- Equality, Fairness and Integrity
- Independence and Accountability
- Public Trust and Confidence

It is important to address each of these standards independently. Planners can undertake this task in the following manner and are urged to review the *Performance Standards and Measures for Maryland's Family Divisions*:

- Identify and define specific standards for the family justice system as they relate to each area, including trauma-informed practices. For example, one standard under Access to Justice may be to guarantee that court services are equally accessible to all litigants regardless of race, ethnic background, or socio-economic status.

⁶⁸ BARBARA A. BABB & JEFFREY A. KUHN, PERFORMANCE STANDARDS AND MEASURES FOR MARYLAND'S FAMILY DIVISIONS (2002).

- Determine the means to implement the identified standard.
- Identify the process by which to measure successful implementation of the standard. This exercise may require statewide data gathering and identification of certain data sources. Typical among them is review of court and case records, observation of court proceedings, and surveys or focus groups.

When developing benchmarks or performance standards, it is important that the planners discuss the services they wish to provide to Nebraska's families and children. They also must consider the important points they need to make to their respective county commissions, the state legislature, and the general public. These public comments must reveal the effectiveness of their planning and program efforts and, in particular, must demonstrate cost-effectiveness. In this manner, Nebraska's family justice system can create an internal accountability system and can encourage a positive perception of a justice system based on accountability. This is key to justifying the need for additional resources and to enhancing the public's trust and confidence in the justice system.

9. Douglas County courts and local stakeholders should explore, develop, and implement potential solutions to challenges, focusing on coordination of multiple cases involving the same family or multiple proceedings involving the same family member. In the short term, i.e., for purposes of the Douglas County Unified Family Court pilot project, the local court and community stakeholders should develop and implement these solutions without enabling legislation.

Commentary

Based on surveys and conversations during the CFCC team's site visits, there is significant concern in Douglas County regarding the coordination of multiple cases involving the same family. In many other states, judges, court managers and family advocates have expressed this as a concern since the early 1990's.⁶⁹ Many practice measures may be developed and implemented that might improve case coordination and the family justice system's response to families who are facing multiple court proceedings.

It would be a worthwhile undertaking to conduct a needs assessment that might include the following activities:

- Conduct a statistical search that reveals the volume of cases in which more than one family member is involved and/or the number of family members who are involved simultaneously in more than one proceeding. This effort may involve a search of automated and/or physical case files.
- Survey the judges who handle family law cases concerning the need to better coordinate multiple family member cases. Despite the frequent call for an improved system of case coordination, many judges, family law attorneys, and court staff may know of other proceedings involving the family or of other proceedings involving the same family member.
- Document any incidents of duplication of efforts, issuance of conflicting orders, delays in adjudication or disposition, or delay in service delivery. Case file searches normally do not reveal these events. This process may require the court to interview or survey parties or family members to determine the incidence, if any, of these issues.

If a pattern of these events emerges, it is important to pinpoint their cause and to determine case-by-case solutions as a first measure, rather than to embark on a comprehensive system overhaul.

10. The Family Court Subcommittee should consider establishing a resource development capacity to do the following:

- Identify and prioritize resource needs for the Douglas County family justice system.

⁶⁹ H. TED RUBIN & VICTOR EUGENE FLANGO, NAT'L CTR. FOR STATE COURTS, COURT COORDINATION OF FAMILY CASES (1992).

- Engage stakeholders, particularly service providers and agencies, to collaborate with the Douglas County family justice system to explore, develop, and implement solutions to the services needs of families and children in Douglas County courts.
- Identify best practices within Nebraska’s family justice system and the means necessary to share information about best practices.
- Identify best practices in other state court systems and share information concerning them with an eye to duplicating those best practices in the Douglas County Unified Family Court pilot project.

Commentary

The Family Court Subcommittee can assist the Douglas County Unified Family Court pilot project to examine the service needs of families and children in the Douglas County court system. Many problem-solving courts have established some type of process to discuss issues of relevance to all entities serving the family court population. The Family Court Subcommittee can assist with the development of establishing better communications between and among various system components involved in court coordination of family law cases.

11. The Family Court Subcommittee should use judicial leadership as a tool to establish collaborative working relationships with those public agencies, community programs, and public/private organizations that provide services for families and children in court. The purpose of establishing such collaborative relationships is to work together to expand and to improve the responses by the family justice system to the needs of court-involved children and families. County, District, and Separate Juvenile Court Judges can participate in the following undertakings:

- Identification and prioritization of the treatment needs of families
- Evaluation of what has and has not worked in addressing the needs and problems of families, particularly respecting family court efforts
- Heightening public awareness of the Unified Family Court’s efforts, services, and needs through the involvement and skills of community and business leaders
- Establishing realistic goals for meeting family needs and working toward those goals
- Initiating full, open, and working partnerships between the public and private sectors to benefit families

Commentary

Nearly all of the CFCC team’s activities regarding the Douglas County Unified Family Court pilot project have indicated a strong need for additional services and increased networking between and among the courts, programs, and agencies that provide services to families. Judicial leadership is a key element to direct local efforts that result in resource-sharing and additional services for families. It is necessary to explore the potential for including the community as a valuable volunteer services resource, again with the aid of judicial leadership.

Court-community collaboration is a cornerstone of a successful Unified Family Court. Such collaboration very often leads to an informed and engaged constituency, broad public support, and access to needed public resources.⁷⁰ Negotiated cooperative agreements between mental health service providers in the community and the local courts may increase counseling services. Development and implementation of court-sponsored elder volunteer programs may provide supervised visitation program services. Mediation services for all parties often expand through cooperative efforts among

⁷⁰ Marcus W. Reinkensmeyer & Jennifer S. Murray, *Court-Community Connections: Strategies for Effective Collaboration*, TRENDS IN ST. CTS., NAT’L CTR. FOR ST. CTS., <https://www.ncsc.org/sitecore/content/microsites/future-trends-2012/home/Courts-and-the-Community/3-8-Strategies-for-Effective-Collaboration.aspx> (last visited Nov. 5, 2018).

the court, the practicing bar, and the community from both a professional and volunteer mediation services perspective.

Community outreach includes traditional partnerships, such as with CASA programs and other service providers. It also includes the use of social media, court websites, newsletters, virtual tours of the courts, blogs, and “kids’ pages,” to name a few. Whatever the scope, courts must decide whether to establish stakeholder participation in formal standing bodies or via informal community involvement, or both. Effective community collaboration requires planning, goal setting, judicial leadership, and committed stakeholders who are invested in the process. Stakeholder groups must include advocates, state and local social service providers, prosecutors, defense counsel, the school system, legislators, court personnel, the judiciary, and the bar, among others. Presiding judges and court managers play a critical leadership role in managing community outreach efforts and coordination of supporting activities.

In addition to engaging, convening, and collaborating with stakeholders, the Douglas County Unified Family Court pilot project can capitalize on local resources, such as the collaboration between the Court Improvement Project and the University of Nebraska-Omaha.

LONG-TERM/ASPIRATIONAL RECOMMENDATIONS

General Principles

After reviewing the current operations of the Douglas County courts specifically and the statewide Nebraska justice system generally regarding the handling of family law matters, the following issues must receive attention:

Case Management/ Case Coordination Strategies

One Judge/One Family

In order to improve case management and coordination of family law cases in Douglas County, consider implementing the one judge/one family model. The goal is to enable the families to have knowledge about their interaction with the court system from the start of their case to the end. This system also helps to eliminate the need for the family to explain its story multiple times when the family appears before the court. This approach helps the families, but it also assists the courts to manage busy dockets effectively and efficiently. Court staff must assist by managing all of a family’s related cases in order to maximize judicial resources, avoid conflicting court orders, and prevent multiple court appearances by the parties for the same or related issues.

Under the one judge/one family model, the same judge hears all court cases involving a family every time the family comes to court. The judge then makes all orders related to that family, regardless of the case type. This case processing model requires judicial officers to become familiar with a broad spectrum of applicable laws and procedures. The model may mirror existing operational practices of the courts in rural communities in Nebraska and is the model recommended for the pilot Douglas County Unified Family Court.

Other Case Management Issues

All family law cases benefit from the services of a case manager or case management team. Case management in actions involving children and families often requires addressing short- and long-term issues as the case moves forward from the initial filing through the conclusion of the court process.

Immediate issues that may need resolution include detention and placement issues, child custody, visitation, child support, spousal support, and requests for restraining orders. The management of these cases is critical, because these are the issues that drive a great deal of the litigation in family law cases.

Case Managers

The role of a case manager is crucial to the operation of a successful Unified Family Court. Some of a case manager’s duties include:

- Identifying children and family members with involvement in multiple proceedings
- Providing information and assistance to the family throughout the court process
- Coordinating calendars and crossover proceedings, such as juvenile and domestic relations cases involving some but not all of the same family members (juvenile may only involve biological parents and dissolution may involve mother and step-father)
- Making or assisting with referrals to court-connected and court-referred services
- Obtaining, compiling, and sharing appropriate information from the various agencies and courts involved with the family, including reports on compliance with court-ordered services;

Strategies to Enhance Due Process Protections and Fairness

An important goal of any Unified Family Court is to assure that it operates consistent with due process and basic fairness. This is particularly important in a court where judges may receive more information about the family members than they do in a traditional court setting. Typically, in an uncoordinated system, judges do not know about other cases involving the same family or individual family members. For example, under the current court system in Douglas County, a family law judge in a dissolution matter may not know about an allegation of abuse in a juvenile dependency proceeding. There may exist information that is extremely relevant to each proceeding that likely can improve the decision making process in both proceedings. On the other hand, there may exist information that may influence inappropriately the decision making process.

To address the issues of increased access to information, Unified Family Courts often establish procedures to provide prior notice of any documents or other information the court may review when making its decision. Additionally, the parties have the opportunity to cross-examine witnesses, explain or refute documents, and present evidence to rebut information the judge may have and may consider in the decision making process.

The following are suggestions to safeguard the legal integrity of any Unified Family Court:

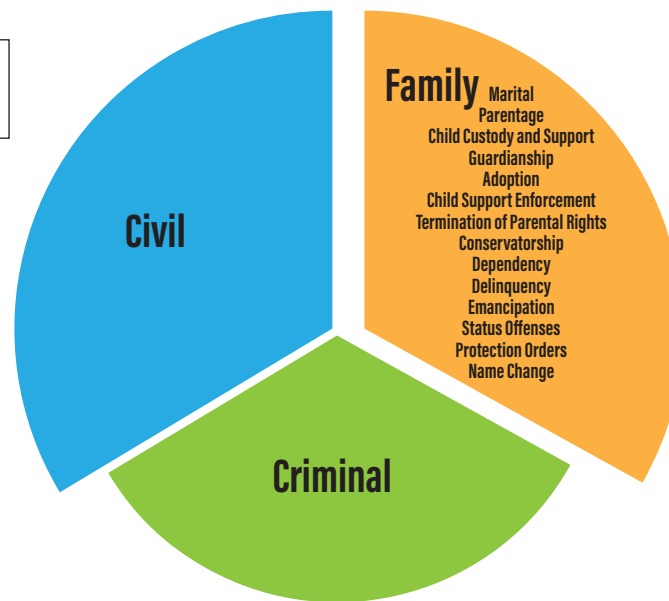
- The court must establish clarity about the differing legal and evidentiary standards in the various case types, particularly in the proposed long-term reform suggestion.
- The court must develop clear standards about what information may be shared, and who is entitled to access to the information.
- Written policies must exist about how to maintain information and how to protect the privacy of the families.
- The court must develop procedures to ensure that the parties and their attorneys, if they have them, are aware of all information that a judicial officer possesses when making a decision, and that the parties receive an opportunity to respond to it.
- The court must establish procedures to protect the safety of all family members when there are issues of family violence.
- The court must develop procedures regarding confidentiality for court professionals, along with materials for litigants to educate them about what is and what is not confidential information, given that confidentiality issues often arise relative to the information-sharing goals of Unified Family Courts.

On a long-term basis, strategies must increase the effectiveness and efficiency of the Douglas County court system. Improved access and better outcomes for Douglas County's families and children require actions to decrease miscommunication and to improve coordination and delivery of timely justice.

The following are long-term and aspirational recommendations regarding the creation and implementation of a pilot Unified Family Court for Douglas County:

1. Establish a reconstructed Douglas County District Court with three co-equal divisions: Civil, Criminal, and Family.

**Proposed Long-term
Court Structure for
Douglas County**



2. Phase out the Douglas County Separate Juvenile Court and adjudicate all family-related matters in the Family Division of the Douglas County District Court; divide the Family Division into dockets (i.e., juvenile, including child welfare, juvenile justice and status offenses, and domestic, which can be sub-divided into paternity/child support, divorce and marital property, custody, etc.).
3. Increase services for self-represented litigants, including the development of comprehensive form pleadings, self-help centers where litigants receive information from attorneys, and creative activities to provide free representation for self-represented litigants.
4. Co-locate essential nonlegal services in the court building.
5. Explore the possibility for the court to provide essential nonlegal services relative to the needs of the court's population and the court's ability to pay for the services.
6. Create a position within the court of a family services coordinator, whose responsibilities involve identifying existing nonlegal services within the community, making the court aware of the services, and connecting, where appropriate, families and children with the services.
7. Move all family-related cases from the County Court to the Family Division of the District Court, except in those jurisdictions where there is no District Court. In those jurisdictions with a District Court, County Courts would continue to hear probate matters, including guardianship, conservatorship, and adoption cases. County Courts would no longer exercise concurrent jurisdiction with District Courts in domestic relations cases, including dissolution, legal separation, annulment, custody and support, division of marital property and alimony, conciliation court, actions for child support and medical support, paternity determinations and parental support, and grandparent visitation matters. County Courts would continue to exercise concurrent jurisdiction with the District Courts over temporary Domestic Protection Orders. Hearings on final protection orders should occur in the District Court by transfer from the County Court.
8. Encourage collaborative case management through the use of designated case managers and case coordinators to gather and to disseminate appropriate information to provide to the court and the litigants.

9. Mandate ongoing, interdisciplinary training for Family Division Judges and, where appropriate, court personnel. Such training should encompass subjects such as child and adolescent development, family dynamics, substance use and mental health disorders, intimate partner violence, trauma-informed care, and related issues, as well as comprehensive training in substantive family and juvenile law.
10. Consider the development of a separate Unified Family Court at the same status as the District Court, with jurisdiction over all family law cases.

CONCLUSION

Nebraska's families and children are using its courts in great numbers and to resolve complex legal issues, often compounded by serious nonlegal problems. The current Nebraska court structure for resolving these issues is complicated and confusing to Nebraska citizens, with overlapping subject-matter jurisdiction among as many as three courts. Thus, courts presently expend a great deal of fiscal and other resources in their attempts to resolve family law matters. This report and recommendations, based upon extensive background research, input from stakeholders, and application of best practices for the determination of family law cases, provide a path for moving toward effective family justice system reform. The Nebraska Supreme Court Strategic Agenda acknowledges that "Nebraska's children and families are precious resources."⁷¹ As such, they deserve the most effective, efficient family justice that Nebraska's courts can dispense.

⁷¹ NEBRASKA JUDICIAL BRANCH, NEBRASKA SUPREME COURT STRATEGIC AGENDA 2019-2021, at 3 (2018), https://supremecourt.nebraska.gov/sites/default/files/Separate_Juvenile_Court_Caseload_Report_FY_2018_-8.6.2018.pdf.

APPENDIX 1

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

**SAYRA AND NEIL MEYERHOFF CENTER FOR
FAMILIES, CHILDREN AND THE COURTS**

SITE VISIT

DOUGLAS COUNTY

UNIFIED FAMILY COURT PROJECT

FEBRUARY 25—MARCH 1, 2018

SCHEDULE

Sunday, February 25

7pm—Dinner with Judge Douglas Johnson, Monica Kruger, and Deb VanDyke-Ries

Monday, February 26

AM, Judge Gary Randall, District Court—fourth day of a divorce, property division

8:45am, Judge Shelly Stratman, District Court—defaults and prove-ups

9:00am, Judge J. Michael Coffey, District Court—modification trial (custody, parenting time, and child support; one side is self-represented)

9:30am, Judge Shelly Stratman, District Court—defaults and prove-ups

12:30-2:30, Legislative Chamber, Douglas County Civic Center—“Understanding the Unified Family Court” Training

[12 noon-1pm, Domestic Violence subcommittee with Judge Johnson, county attorney, probation officer, private attorney, city prosecutor, victim advocate and caseworker]

Tuesday, February 27 (with Monica Kruger and Deb VanDyke-Ries)

12-12:30, Lincoln, Meeting with Senator Tony Vargas

1-2pm, Lincoln, Meeting with Chief Justice Michael Heavican and Supreme Court Administrator Corey Steel

2pm, Lincoln, Meeting with Senator Justin Wayne

Wednesday, February 28

Am—observe protective custody hearings (Douglas County Juvenile Court)

8:30am, Judge Shelly Stratman, District Court—protection order hearing

1-2pm, Discussion 1 with stakeholders (Douglas County Civic Center, Room 702)

2-3pm, Discussion 2 with stakeholders (Douglas County Civic Center, Room 702)

3-4pm, Discussion 3 with stakeholders (Douglas County Civic Center, Room 702)

[12 noon—1pm, Through the Eyes of the Child meeting]

Thursday, March 1

Am, Judge Thomas Harmon, County Court protection orders

8:45am, Judge Shelly Stratman, District Court—temporary hearing

9am, Judge Shelly Stratman, District Court—default on application to modify

9:30am, Judge Shelly Stratman, District Court—motion for a psychiatric evaluation

Supreme Court Commission on Children in the Courts
– Unified Family Court Subcommittee presents

Understanding the Unified Family Court

Wednesday, February 28, 2018
Douglas County Civic Center, Room 702



STATE OF
NEBRASKA
JUDICIAL BRANCH
Court Improvement
Project

Discussion Opportunity

Understanding the Unified Family Court

Wednesday, February 28, 2018
Douglas County Civic Center, Room 702

The Unified Family Court Subcommittee of the Nebraska Supreme Court Commission on Children in the Courts will be hosting a discussion about the Unified Family Court. There are three available times listed below. Please email Monica Kruger at Monica@MKrugerLaw.com to register for one of the discussion times.

Discussion 1: Wednesday, February 28, 1:00pm - 2:00pm CST

Discussion 2: Wednesday, February 28, 2:00pm - 3:00pm CST

Discussion 3: Wednesday, February 28, 3:00pm - 4:00pm CST

Email Monica Kruger at Monica@MKrugerLaw.com to register and reserve your space for one of the discussion times above.

A basic concept of Unified Family Courts is that a family justice system must aim to improve the lives of the families and children involved by addressing legal issues in family law cases, such as divorce, custody, child support, domestic violence; as well as juvenile law cases, such as child abuse, neglect and delinquency. And also addressing the non-legal issues, such as substance abuse, mental health problems, and poverty. The Unified Family Court is a single court system with comprehensive subject-matter jurisdiction over all cases involving children and families.

The Center for Families, Children and the Courts at the University of Baltimore School of Law is seen as a national leader in the effort to mitigate the harms of the traditional family justice system, while promoting and refining the Unified Family Court model. The presenters are examining the Nebraska Judicial System which may lead to a Unified Family Court Project in Douglas County.

Presented by:

Barbara A. Babb

Associate Professor of Law
Director, Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC)
Director, Post-J.D. Certificate in Family Law
Editor-in-Chief, Family Court Review
University of Baltimore School of Law

Gloria Danziger, Esq.

Senior Fellow, Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC)

Diane Nunn, Esq.

Consultant
Founding Director, Judicial Council of California Center for Families, Children and the Courts



STATE OF
NEBRASKA
JUDICIAL BRANCH

Court Improvement
Project

Understanding the Unified Family Court

Douglas County Civic Center, Legislative Chamber

2/26/2018

In order to receive 120 minutes of CLE credit, please write your name and Bar number legibly.

First Name, Last Name	Bar Number
Monika Anderson	21399
Nancy Shannon	23969
Margaret Zarbano	17209
Kathleen Schmidt	18647
Shirley Granger	20392
Monica Kruger	18104
Pam Gowler	15953
Hannah Sommer	25382
Viggoe Aebbers	20336
Dennis Whelan	25056
Shannon Kelly	23652
Judith White	20514
Theresa Breen	21572
James E Reisinger	19990
Wesley Dodge	18709
Elizabeth McClelland	24879
Thomas Hickey	11834
Shannon Prosski	22073
Kristine Roberts	24442
Kendall Krajicek	24867
Sarah Helvey	23410
Diane Berger	19006
Claudia McKnight	22081
Matthew McKEEVER	21680
Joy SUDER	#23977

25

First Name, Last Name	Bar Number
Joan Stacy	21090
Maureen Monahan	20913
Christine P. Costantakos	15795
Reginald Young	20760
MIKE MATTHEWS	19341
Vill Shalun	22582
Natalie Bude	N/A
ELIZABETH PERCARS	15817
Kristina Murphree	#18373
Julie Fowler <i>Julie</i>	#23649



STATE OF
NEBRASKA
JUDICIAL BRANCH
Court Improvement
Project

Understanding the Unified Family Court

Douglas County Civic Center, Legislative Chamber

2/26/2018

In order to receive 120 minutes of CLE credit, please write your name and Bar number legibly.

First Name, Last Name	Bar Number
Mary Pat Cue	20284
Michelle L. Bremer	20712
John Slowiczek	13880
Kate Placzek	23446
DIANE NUNN	77606 CA
Dee Shewers	15871
David Riley	18493
Cherie W. Smith	20974
Franklin (Frank) [unclear]	18080
Dawn Sullivan	16858
Angela Lennon	#24964
Jessica Basmussen	#23596
Brady Hoksira	25362
Joan Garvey	20997
Susanne Dempsey Cook	21104
Lauren Mick	25952
Christine [unclear]	23107
Linda Meinders	
Amanda vonVand	
Anne Breittkreutz	19214
Diana Klein	26430
Mary Kay Boschee	
Jane McNell	22213
Shannon Benish	24615
Lyndette J. Boyle	18037

21



Please Take a Moment To Sign In

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Matt Kahler - Juvenile Court		matthew.kahler@daycount-ne.gov	
Sara Bhavwani	CASA	sbhavwani@casanorfolk.org	
Stephanie Gardella	CASA	sgardella@casanorfolk.org	
Carlee Petersen / Behave Kids	8922 Cumming St.	carlee.petersen@behavekids.com	402-926-4373
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CFCC

Center for
Families, Children
& the Courts

University of Baltimore
SCHOOL OF LAW

Please Take a Moment To Sign In

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Tina Norita		tnorita@casamata.org	402-681-6987
Mary Viscek			

APPENDIX 2

“UNDERSTANDING THE UNIFIED FAMILY COURT” DISCUSSION FLYER

**University of Baltimore
School of Law**

**Sayra and Neil Meyerhoff Center for
Families, Children and the Courts**

Douglas County (Nebraska) Family Justice Needs Assessment Survey

This survey, developed by the University of Baltimore School of Law Sayra and Neil Meyerhoff Center for Families, Children and the Courts at the request of the Nebraska Supreme Court Commission on Children in the Courts, aims to identify present and significant practices regarding state court handling of matters related to children and families. The purpose of the survey is to collect and analyze data regarding court operation and services in Douglas County. This survey also asks questions about the establishment of a Unified Family Court pilot project in Douglas County. The questions are not intended either to establish or to abide by the practices or services described. For purposes of this survey, “family law cases” include marital issues (divorce, legal separation, annulment), child welfare, juvenile delinquency, establishment of parentage, domestic/family violence, child support establishment and enforcement, guardianship and conservatorships of the person, adoption, and emancipation. This survey takes approximately minutes to complete and is available until Friday, July 13.

I. DEMOGRAPHIC INFORMATION

Please complete the following information.

A. County in which you work: _____

B. Position (circle one):

Judge

Magistrate

Judicial Officer

Attorney

Private
Public Defender
Prosecutor
Legal Aid or Legal Services
Pro Bono
Guardian Ad Litem
Court Clerk
Court Administrator
Mediator
Court-affiliated service provider
Department of Health and Human Services
Probation
Court Appointed Special Advocate (CASA)
Other: _____

C. Primary Area of Practice or Service: _____

D. Employing Agency: _____

E. Years of Service in Present Position: _____

II. CASE MANAGEMENT ISSUES

A. Coordination

1. Approximately what percentage of your pending client or court caseload involves more than one child from the same family? (Circle one)

- a. 75% or more
- b. 50-74%
- c. 25-49%
- d. 10-24%
- e. Less than 10%

2. Approximately what percentage of your pending client or court caseload involves more than one family law matter that affects your client or case? (Circle one)

- a. 75% or more
- b. 50-74%
- c. 25-74%
- d. 10-24%
- e. Less than 10%

3. How often do you ask your client or the litigant if the client or the litigant has other family matters pending in the courts? (Circle one)

- a. Always (100%)
- b. Frequently (50-75%)
- c. Sometimes (less than 50%)
- d. Never

4. Does an automated system exist in your jurisdiction that permits you or another to review court records “on-line” or by some other means of automated inquiry? (Circle one)

- a. No
- b. Yes

5. (If yes), which court records are available to you through the automated system?

6. (If yes), how often do you use the automated system to review court records?

- 75% or more
- 50-74%
- 25-74%
- 10-24%
- Less than 10%

7. How do you learn if a family has more than one case in court? (Circle all that apply)

- a. Client or litigant provides information about other proceedings that involve the family.
- b. Judge or Court Clerk provides information about other proceedings that involve the family.
- c. Information about other proceedings that involve the family appears in court file.
- d. I conduct a search for other proceedings that involve the family. If so, how? (Circle all that apply)
 - (1) Automated information system
 - (2) Manual file search
- e. Other: _____

8. When you discover a family has more than one court case, do you do anything with respect to this information?

- a. Yes
- b. No

8a. (if yes) When you discover a family has more than one court case, what do you do? (Circle all that apply)

- a. Take steps to consolidate or coordinate the proceedings
- b. Transfer the proceedings
- c. Inform the court
- d. Ask the client or litigant if s/he would like the matters coordinated or consolidated
- e. Nothing (Go to question 6a)
- f. Other: _____

8b. (if no) Please check all of the following reasons that best describe why you do nothing when you discover a family has more than one court case:

- a. Confidentiality issues
- b. Ethical issues (e.g., conflict of interest, personal bias)
- c. Constitutional issues

- d. Court not set-up for coordination or consolidation
- e. Agency policy
- f. Not my responsibility
- g. Don't know
- h. Other: _____

9. Does the court with family law jurisdiction where you work or practice perform "intake services" (Please see 7a below for a list of intake services.)

- a. Yes
- b. No
- c. Don't know

9a. Please check all of the following intake services performed in your court:

- ☐ Establish a physical case file
- ☐ Establish an automated case record by completing a data screen(s) in an automated information system
- ☐ Assign the case to a Judge
- ☐ Assign the case to a Case Coordinator or Manager
- ☐ Conduct a search for other cases or cases with family members
- ☐ Complete a case summary sheet or equivalent and attach to case file
- ☐ Conduct an assessment of the case for service referral purposes
- ☐ Conduct an assessment of the case for caseload management purposes
- ☐ Interview litigants or their representatives for case management and service needs assessments
- ☐ Make referrals to appropriate services providers, including legal services
- ☐ Schedule hearings or significant case events on a court calendar
- ☐ Other: _____
- _____
- _____

B. Alternative Dispute Resolution (ADR)

1. Are ADR services available to litigants or your clients relative to their family law matter(s) before the court?

- a. Yes (Go to question 1a)
- b. No

1a. If yes, what ADR services are available (e.g., mediation, facilitation, conflict resolution, collaborative divorce)? _____

2. Are there costs or fees associated with provision of ADR services? (Circle one)

- a. Yes (Go to question 2a)
- b. No

2a. What fees does the client pay for the ADR services you previously identified?

2b. Is there a provision for waiver of these fees or a sliding fee scale?

- a. Yes
- b. No

3. Is any form of ADR mandated by court rule, statute, policy, or practice in your jurisdiction or within the jurisdictions in which you work or practice?

- a. Yes (Go to question 3a)
- b. No

3a. What forms of ADR are mandated? _____

4. Is any assessment or screening conducted to determine client or litigant suitability or risks for participation in ADR?

- a. Yes (Go to question 4a)
- b. No

4a. Please briefly describe the assessment or screening procedure for ADR in your jurisdiction:

C. Self-Help Services (e.g., free limited legal services for parties who are not represented by a lawyer; self-service centers that provide information, forms, instructions, and contacts for additional assistance; self-help packets; law libraries open to the public; websites offering interactive legal forms and online information)

1. Are self-help services available to litigants or your clients relative to their family matter(s) before the court?

- a. Yes (Go to question 1a)
- b. No

1a. If yes, what self-help services are available? _____

2. Are there costs or fees associated with provision of these services? (Circle one)

- a. Yes (Go to Question 2a)
- b. No

2a. If yes, what fees, if any, does an individual pay for self-help services you identified in question 1a? _____

2b. Is there a provision for waiver of these fees or sliding fee scale?

- a. Yes
- b. No

D. Interpreter Services

1. Are interpreter services available to litigants or your clients relative to their family matter(s) before the court? (Circle one)

- a. Yes (Go to question 1a)
- b. No

1a. If yes, what interpreter services are available?

2. Are there costs or fees associated with provision of these services? (Circle one)

- a. Yes (Go to Question 2a)
- b. No

2a. If yes, what fees, if any, does an individual pay for self-help services you identified in question 1a? _____

2b. Is there a provision for waiver of these fees or sliding fee scale?

E. Other Services

1. Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

2. To your knowledge, does your court use community or volunteer resources to provide services to court-involved children and families (e.g., volunteer pro bono services, mentors, supervised visitation monitoring, child placement review board, juvenile conference committee, guardianship monitoring, courthouse services assistance, domestic violence project) ? (Circle one)

- a. Yes (Go to question 2a)
- b. No

2a. Please identify these resources and services: _____

3. Is there any multi-disciplinary coalition, task force, regional resource center, or other similar entity within the jurisdiction where you work or practice whose mission is to find and share new services and resources for court-involved children and families? (Circle one)

- a. Yes (Go to question 3a)
- b. No
- c.

3a. Please provide the name and briefly describe the nature of the coalition, task force, regional resource center or similar entity, the services it provides, and to whom these services are provided: _____

F. Training and Education

1. Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months?

- a. Yes (Please list those programs by title or substantive topic in the space provided below)
- b. No

III. PILOT PROJECT

As noted above, this survey is designed to gather information relative to the establishment of a Unified Family Court pilot project in Douglas County. The following questions are designed to provide information about your views regarding Unified Family Courts generally and, specifically, a Unified Family Court pilot project.

- A. Are you familiar with the components and operation of a Unified Family Court?
 - a. Yes
 - b. No

- B. Please check all of the following case types that you think the Unified Family Court pilot project should include in their jurisdiction:
 1. Marital cases (divorce, legal separation, annulment)
 2. Child welfare
 3. Juvenile delinquency
 4. Establishment of parentage
 5. Domestic/family violence
 6. Child support establishment and enforcement
 7. Guardianships and conservatorships of the person (children and adults)
 8. Adoption
 9. Emancipation
 10. Other? (please specify)

- C. Which of the following components should a Unified Family Court pilot project include? (please check all that you think should be included)
 1. One judge-one family (a single judicial officer handles all cases involving a particular family)
 2. One team-one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases)
 3. One judge-one case (the same judge hears a case from start to finish)
 4. Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services)
 5. Coordinated case management/case tracking system
 6. Guidelines for information sharing
 7. Regularly scheduled meetings of court personnel and court stakeholders

If you checked item 7, who should be included in those meetings?

 - i. Child welfare
 - ii. Probation
 - iii. Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.)

- iv. Alternative dispute resolution service providers
- v. Court Appointed Special Advocates (CASA)
- vi. Probate investigators
- vii. Victim witness programs
- viii. Law enforcement
- ix. Public benefits
- x. Mental health
- xi. Department of Education and schools
- xii. Other? (please specify)

D. Please check all court-related and/or court-ordered services that you think should be included in the Unified Family Court pilot project:

- 1. Services for self-represented litigants
- 2. Alternative dispute resolution services
- 3. Child custody evaluation
- 4. Substance-abuse counseling and treatment
- 5. Mental health services, including individual and group counseling and crisis intervention
- 6. Batterers' intervention
- 7. Parenting classes
- 8. Supervised visitation programs
- 9. Community resources
- 10. Domestic violence counseling
- 11. Other? (please specify)

E. Should the Unified Family Court pilot project include specialized training for judges?

- a. Yes (Please list suggested training by title or substantive topic in the space provided below)
- b. No

IV. OPINION

A. What do you think is working well in the Douglas County court structure and/or operation regarding the handling of family law matters?

B. What do you think is not working well in the current Douglas County court structure and/or operation regarding the handling of family law matters?

C. What do you think could be improved in the Douglas County court structure and/or operation regarding the handling of family law matters?

D. Do you support the notion of a Unified Family Court pilot project in Douglas County?

- a. Yes
- b. No

Please list the reasons for your response. _____

E. What are your greatest concerns regarding a Unified Family Court pilot project?

F. What would help address your concerns regarding a Unified Family Court pilot?

- a. Training/information about the operation of Unified Family Courts
- b. Studies evaluating the costs and/or impact of Unified Family Courts on caseloads, case processing, and/or services to family court litigants
- c. Information about judicial satisfaction in Unified Family Courts
- d. Information about judicial training associated with Unified Family Courts
- e. Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation

G. Should a Unified Family Court be staffed by dedicated judges who hear only family law cases?

a. Yes

b. No

c. Please explain the reason for your answer above. _____

H. What are the most important components or elements of a Unified Family Court pilot project for Douglas County?

Thank you for your participation in the survey! Please feel free to add other comments/concerns/suggestions in the space below.

COURT IMPROVEMENT PROJECT REPORT ON UNIFIED FAMILY COURT PILOT PROJECT SURVEY

I. DEMOGRAPHICS

1. A total of 70 emails were sent out and 34 (49%) attempts were made to complete the survey. A total of 22 (64.7%) participants completed the survey from the start to the end with 12 participants partially completing the survey. All participants reported being from Douglas County.

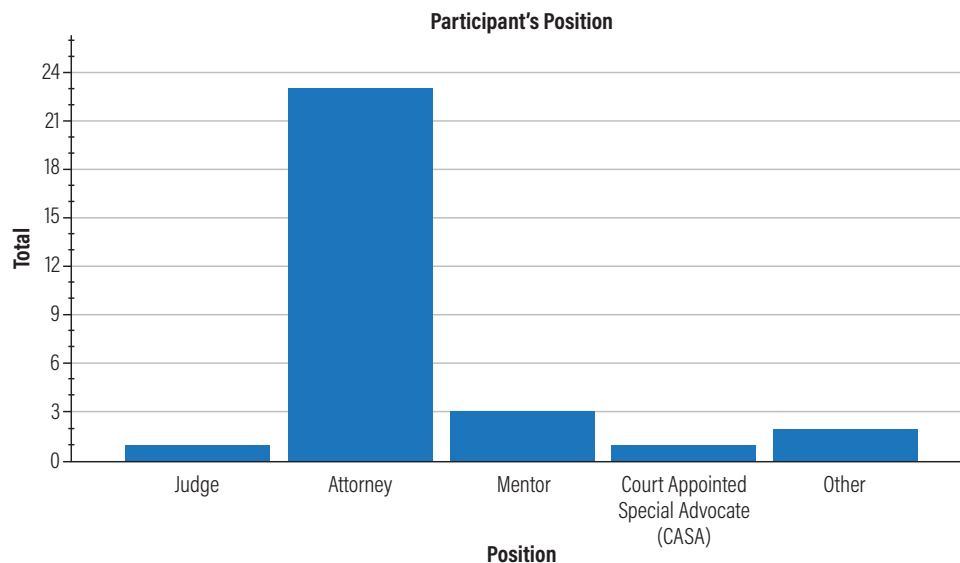
Finished

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	False	12	35.3	35.3	35.3
	True	22	64.7	64.7	100.0
	Total	34	100.0	100.0	

2. Position details

Position: - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Judge	1	2.9	3.3	3.3
	Attorney	23	67.6	76.7	80.0
	Mediator	3	8.8	10.0	90.0
	Court Appointed Special Advocate (CASA)	1	2.9	3.3	93.3
	Other	2	5.9	6.7	100.0
	Total	30	88.2	100.0	
Missing	System	4	11.8		
Total		34	100.0		



3. Primary area of practice or service

Primary Area of Practice or Service:

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	4	11.8	11.8	11.8
Attorney and Mediator—family law, probate,	1	2.9	2.9	14.7
Child Support	1	2.9	2.9	17.6
Child Welfare	1	2.9	2.9	20.6
custody	1	2.9	2.9	23.5
Custody/Divorce	1	2.9	2.9	26.5
Divorce	2	5.9	5.9	32.4
Family	1	2.9	2.9	35.3
Family and Criminal Defense	1	2.9	2.9	38.2
family law	2	5.9	5.9	44.1
Family law	4	11.8	11.8	55.9
Family Law	3	8.8	8.8	64.7
Family law and mediation	1	2.9	2.9	67.6
Family, Guardianship	1	2.9	2.9	70.6
General Jurisdiction	1	2.9	2.9	73.5
Juvenile	3	8.8	8.8	82.4
juvenile and family court	1	2.9	2.9	85.3
Juvenile and Family Law	1	2.9	2.9	88.2
Juvenile Court	1	2.9	2.9	91.2
Juvenile Law	1	2.9	2.9	94.1
Mediation	1	2.9	2.9	97.1
Training	1	2.9	2.9	100.0
Total	34	100.0	100.0	

4. Employing agency

Employing Agency:

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	6	17.6	17.6	17.6
Carlson & Burnett LLP	1	2.9	2.9	20.6
CASA for Douglas County	1	2.9	2.9	23.5
Douglas County	2	5.9	5.9	29.4
Foster Care Review Office	1	2.9	2.9	32.4
law firm	1	2.9	2.9	35.3
Legal Aid	1	2.9	2.9	38.2
Managing Member of Marks Clare & Richards, LLC	1	2.9	2.9	41.2
N/A	1	2.9	2.9	44.1
private attorney	1	2.9	2.9	47.1
private firm	2	5.9	5.9	52.9
private practice	1	2.9	2.9	55.9
Private practice	1	2.9	2.9	58.8
Private Practice	1	2.9	2.9	61.8
Self	6	17.6	17.6	79.4
Self employed	1	2.9	2.9	82.4
Self Employed	1	2.9	2.9	85.3
self-employed	2	5.9	5.9	91.2
Slowiaczek Albers PC LLO	1	2.9	2.9	94.1
solo practitioner	1	2.9	2.9	97.1
State of Nebraska	1	2.9	2.9	100.0
Total	34	100.0	100.0	

5. Years of service in present position

Statistics

Years of Service in Present Position:		
N	Valid	30
	Missing	4
	Mean (average years)	19.13
	Minimum years	1
	Maximum years	45

II. CASE MANAGEMENT ISSUES

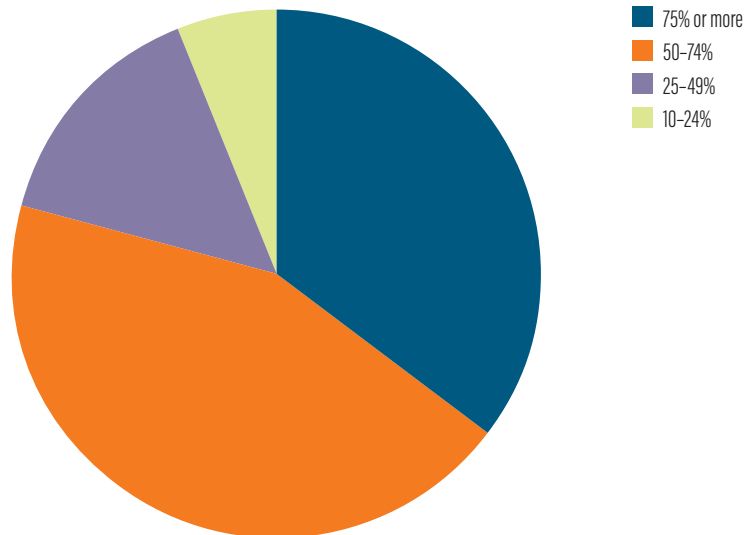
A. Coordination

1.

Approximately what percentage of your pending client
or court caseload involves more than one child from the same family?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	75% or more	10	29.4	35.7	35.7
	50-74%	12	35.3	42.9	78.6
	25-49%	4	11.8	14.3	92.9
	10-24%	2	5.9	7.1	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

Approximately what percentage of your pending client or court caseload
involves more than one child from the same family?

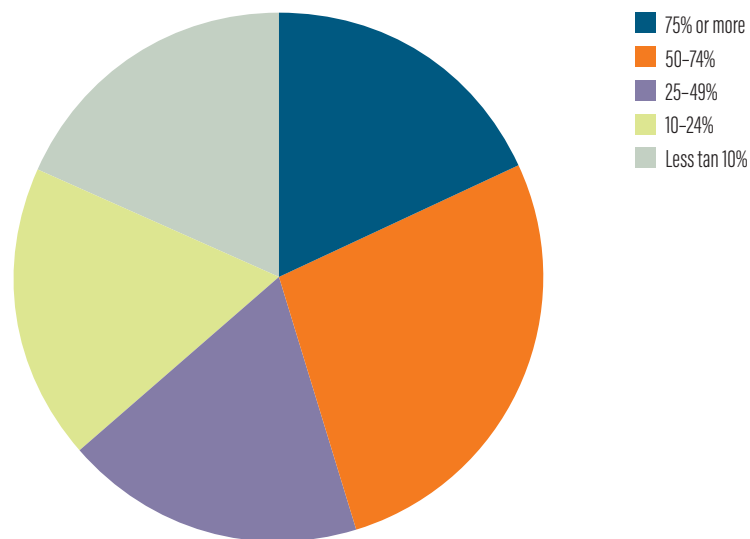


Coordination 2.

Approximately what percentage of your pending client or court caseload involves more than one family law matter that affects your client or case?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	75% or more	5	14.7	17.9	17.9
	50-74%	8	23.5	28.6	46.4
	25-73%	5	14.7	17.9	64.3
	10-24%	5	14.7	17.9	82.1
	Less than 10%	5	14.7	17.9	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

Approximately what percentage of your pending client or court caseload involves more than one family law matter that affects your client or case?

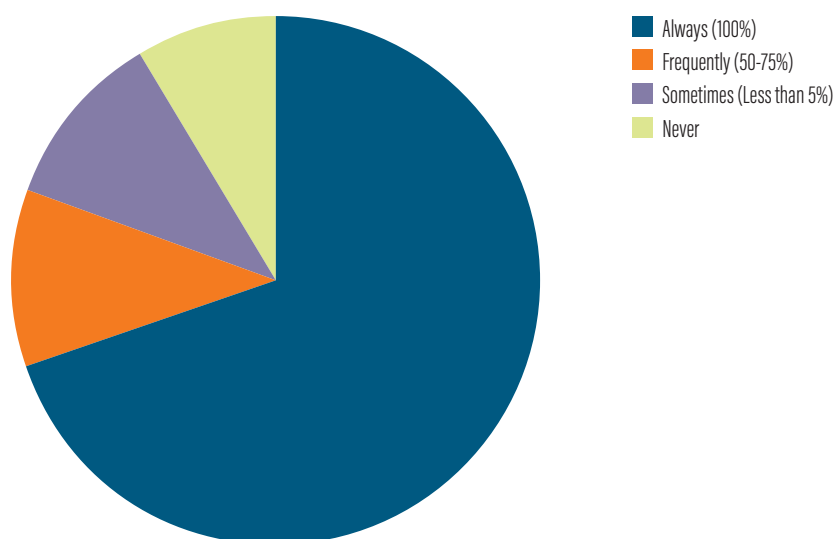


Coordination 3.

How often do you ask your client or the litigant if the client or the litigant has other family matters pending in the courts?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Always (100%)	20	58.8	71.4	71.4
	Frequently (50-75%)	3	8.8	10.7	82.1
	Sometimes (less than 50%)	3	8.8	10.7	92.9
	Never	2	5.9	7.1	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

How often do you ask your client or the litigant if the client or the litigant has other family matters pending in the courts?



Coordination 4.

Does an automated system exist in your jurisdiction that permits you or another to review court records “on-line” or by some other means of automated inquiry? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please specify)	27	79.4	96.4	96.4
	No	1	2.9	3.6	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

All 27 who said yes indicated that the system is JUSTICE.

Coordination 4a.

Does an automated system exist in your jurisdiction that permits you or another to review court records “on-line” or by some other means of automated inquiry? - Yes (Please specify) - Text

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	JUSTICE	27	79.4	100.0	100.0
Missing	System	7	20.6		
Total		34	100.0		

Coordination 5.

Which court records are available to you through the automated system?

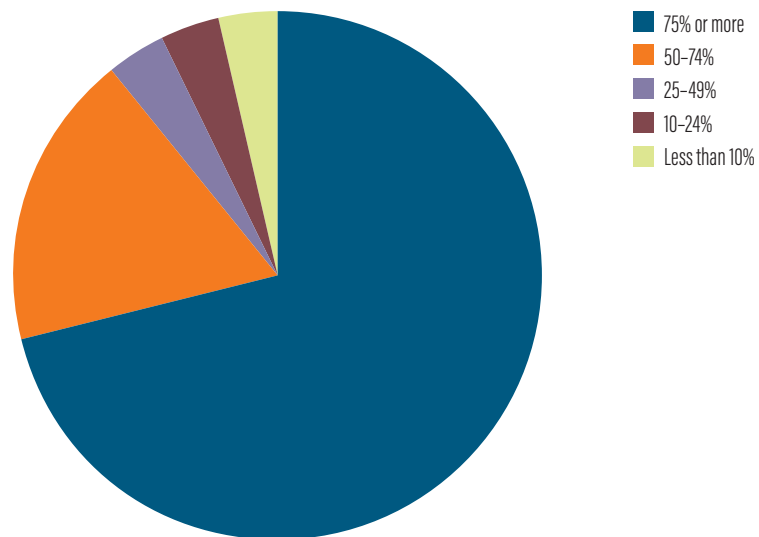
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	7	20.6	20.6	20.6
All	3	8.8	8.8	29.4
All civil, criminal, traffic and probate records except juvenile court and adoptions	1	2.9	2.9	32.4
All court records for a particular person, however, often it is a difficult search because one has to search by each county. Also misspelling of names or hyphenated names get confused in the system.	1	2.9	2.9	35.3
All documents actually filed with the court clerk	1	2.9	2.9	38.2
All pleadings in Divorce cases, criminal cases and juvenile court cases	1	2.9	2.9	41.2
All public court records	1	2.9	2.9	44.1
All, except sealed cases, including adoptions,	1	2.9	2.9	47.1
All, I think	1	2.9	2.9	50.0
can search records by name of party involved	1	2.9	2.9	52.9
Contents of all District and County court files. Plus regular court records such as Registrar of Deeds, etc.	1	2.9	2.9	55.9
District county and juvenile	1	2.9	2.9	58.8
Filings	1	2.9	2.9	61.8
It varies per case	1	2.9	2.9	64.7
Justice allows access to pleadings and judges notes but not for all years.	1	2.9	2.9	67.6
Juvenile court cases, guardianship cases, divorce cases, paternity and custody cases, including their pleadings and orders.	1	2.9	2.9	70.6
Legal file records	1	2.9	2.9	73.5
Orders entered and pleadings, except in juvenile matters	1	2.9	2.9	76.5
Pleadings	1	2.9	2.9	79.4
pleadings and orders	1	2.9	2.9	82.4
Pleadings and other non-confidential case filings, journal entries.	1	2.9	2.9	85.3
Pleadings filed, hearings scheduled.	1	2.9	2.9	88.2
Pleadings, docket entries, status	1	2.9	2.9	91.2
Protection Orders	1	2.9	2.9	94.1
The Court records in District Court and County Court.	1	2.9	2.9	97.1
Trial records of the Courts.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Coordination 6.

How often do you use the automated system to review court records?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	75% or more	20	58.8	71.4	71.4
	50-74%	5	14.7	17.9	89.3
	25-73%	1	2.9	3.6	92.9
	10-24%	1	2.9	3.6	96.4
	Less than 10%	1	2.9	3.6	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

How often do you use the automated system to review court records?



Coordination 7.

How do you learn if a family has more than one case in court? (Circle all that apply)

Response	Client or litigant provides information about other proceedings that involve the family.	Judge or Court Clerk provides information about other proceedings that involve the family	Information about other proceedings that involve the family appears in court file.	I conduct a search for other proceedings that involve the family.	Other
Total	22	3	7	13	0

Coordination 7.1

If you answered you conduct a search in the previous question, please specify how you conduct a search for other proceedings that involve the family.

Response	Automated information system	Manual file search	Other
Total	14	1	4

Coordination 7.1b

If you answered you conduct a search in the previous question, please specify how you conduct a search for other proceedings that involve the family: - OTHER - RESPONSES

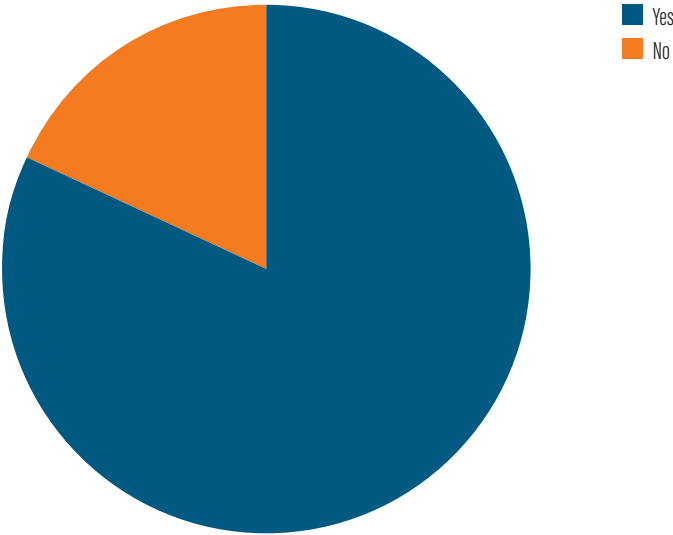
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		30	88.2	88.2	88.2
	Enter the name on Justice	1	2.9	2.9	91.2
	I do not do such a search.	1	2.9	2.9	94.1
	Justice	1	2.9	2.9	97.1
	Justice Search	1	2.9	2.9	100.0
	Total	34	100.0	100.0	

Coordination 8

When you discover a family has more than one court case, do you do anything with respect to this information?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	23	67.6	82.1	82.1
	No	5	14.7	17.9	100.0
	Total	28	82.4	100.0	
Missing	System	6	17.6		
Total		34	100.0		

When you discover a family has more than one court case, do you do anything with respect to this information?



Coordination 8a. (if yes to 8)

If you answered yes to the previous question, please describe what do you do when you discover a family has more than one court case. (this was check all that apply)

Responses	Take steps to consolidate or coordinate the proceedings	Transfer the proceedings	Inform the court	Ask the client or litigant if s/he would like the matters coordinated or consolidated	Nothing	Other
Total	7	4	7	10	4	10

Coordination 8a.1 (if other to 8a)

If you answered yes to the previous question, please describe what do you do when you discover a family has more than one court case. - Other - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	24	70.6	70.6	70.6
Assess next steps, informed by my client's best legal interests	1	2.9	2.9	73.5
Consider entering an appearance in the other case if the client so desires	1	2.9	2.9	76.5
Depends on the circumstances	1	2.9	2.9	79.4
Evaluate the situation and advise as appropriate.	1	2.9	2.9	82.4
Gather Information and Be Aware	1	2.9	2.9	85.3
I ask the client about it, like child support matters.	1	2.9	2.9	88.2
It depends on what is pending	1	2.9	2.9	91.2
Ask if they need a referral to another attorney in the other matter	1	2.9	2.9	94.1
Some, all or none of these depending on the case.	1	2.9	2.9	97.1
There is not much to be done as the courts don't want to mingle the issue of child support with the matters they are hearing.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Coordination 8b. (if no to 8)

If you do nothing when you discover a family has more than one court case, please check all of the following reasons that best describe why you do nothing:

Response	Confidentiality issues	Ethical issues (e.g., conflict of interest, personal bias)	Constitutional issues	Court not set-up for coordination or consolidation	Agency policy	Not my responsibility	Don't know	Other
Total	6	3	1	7	0	1	0	7

Coordination 8b.1 (if other to 8b)

If you do nothing when you discover a family has more than one court case, please check all of the following reasons that best describe why you do nothing: - OTHER- RESPONSES

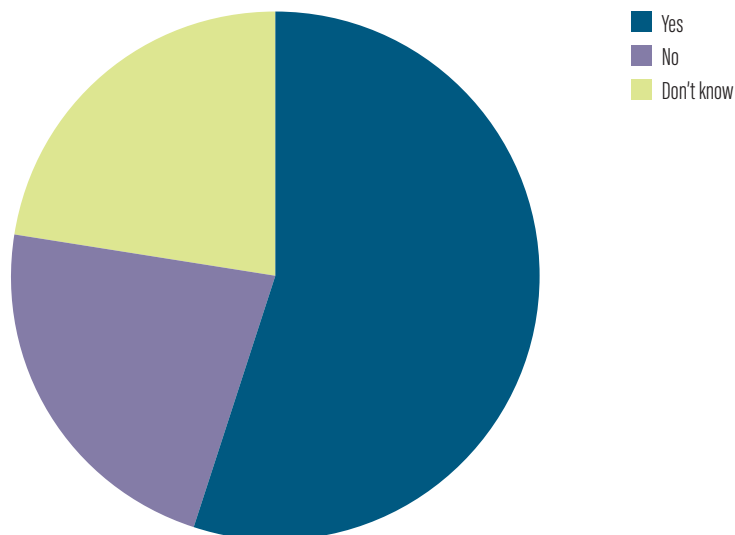
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	28	82.4	82.4	82.4
Depends on the circumstances	1	2.9	2.9	85.3
Every case is different. It is impossible to give a canned answer.	1	2.9	2.9	88.2
I don't do nothing.	1	2.9	2.9	91.2
it depends on the case	1	2.9	2.9	94.1
None	1	2.9	2.9	97.1
Not Applicable	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Coordination 9.

Does the court with family law jurisdiction where you work or practice perform "intake services?"(Please see next question for a list of intake services.)

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid				
Yes	15	44.1	53.6	53.6
No	7	20.6	25.0	78.6
Don't know	6	17.6	21.4	100.0
Total	28	82.4	100.0	
Missing				
System	6	17.6		
Total	34	100.0		

**Does the court with family law jurisdiction where you work or practice perform "intake services?"
(Please see next question for a list of intake services.)**



Coordination 9a.

Please check all the following intake services performed in your court:

Response	Establish a physical case file	Establish an automated case record by completing a data screen(s) in an automated information system	Assign the case to a Judge	Assign the case to a Case Coordinator or Manager	Conduct a search for other cases or cases with family members	Complete a case summary sheet or equivalent and attach to case file	Conduct an assessment of the case for service referral purposes	Conduct an assessment of the case for caseflow management purposes	Interview litigants or their representatives for case management and service needs assessments	Make referrals to appropriate services providers, including legal services	Schedule hearings or significant case events on a court calendar	Other
Total	20	17	19	0	4	3	0	2	0	0	10	2

Please check all the following intake services performed in your court: - Other - Text

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		32	94.1	94.1	94.1
	Don't Know	1	2.9	2.9	97.1
	They may do more than that indicated. I do not work for the Court.	1	2.9	2.9	100.0
	Total	34	100.0	100.0	

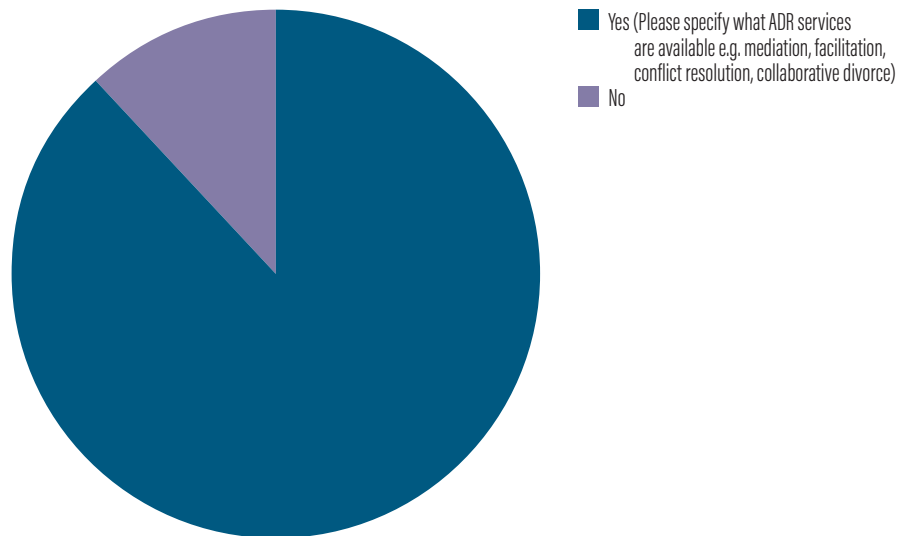
B. Alternative Dispute Resolution (ADR)

ADR 1.

Are ADR services available to litigants or your clients relative to their family matter(s) before the court? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (please specify what ADR services are available (e.g., mediation, facilitation, conflict resolution, collaborative divorce))	24	70.6	88.9	88.9
	No	3	8.8	11.1	100.0
	Total	27	79.4	100.0	
Missing	System	7	20.6		
Total		34	100.0		

**Are ADR services available to litigants or your clients relative to their family matter(s) before the court?
Selected Choice**



**Are ADR services available to litigants or your clients relative to their family matter(s)
before the court? - Yes (please specify what ADR services are available (e.g., mediation, facilitation,
conflict resolution, collaborative divorce) - Text**

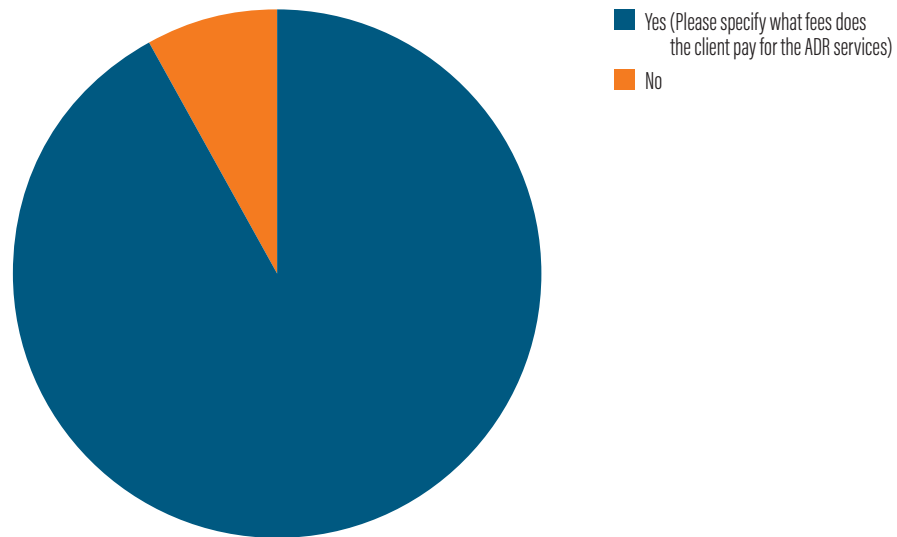
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	10	29.4	29.4	29.4
collaborative divorce and mediation	1	2.9	2.9	32.4
Douglas County District Court's Conciliation Court provides Parent Education and Mediation and Facilitation of Parenting Plans and Modifications	1	2.9	2.9	35.3
Facilitated conferences, mediation.	1	2.9	2.9	38.2
Family Group Conferences	1	2.9	2.9	41.2
In family law matters mediation is required unless waived by both parties.	1	2.9	2.9	44.1
mediation	3	8.8	8.8	52.9
Mediation	3	8.8	8.8	61.8
mediation and collaborative divorce are available at a cost to the litigant	1	2.9	2.9	64.7
Mediation and collaborative divorce for those who elect this option	1	2.9	2.9	67.6
mediation and collaborative divorce	1	2.9	2.9	70.6
Mediation in divorce and custody cases; family team conferences in juvenile matters	1	2.9	2.9	73.5
Mediation is required by all parties regarding custody and parenting time issues.	1	2.9	2.9	76.5
mediation services	1	2.9	2.9	79.4
mediation, collaborative divorce	1	2.9	2.9	82.4
mediation, collaborative divorce, specialized alternative dispute resolution	1	2.9	2.9	85.3
Mediation, conflict resolution and collaborative divorce.	1	2.9	2.9	88.2
Mediation, Facilitation, Collaborative Divorce	1	2.9	2.9	91.2
mediation facilitation	1	2.9	2.9	94.1
yes; mediation	1	2.9	2.9	97.1
Yes. Mediation, facilitation, collaborative divorce	1	2.9	2.9	100.0
Total	34	100.0	100.0	

ADR 2.

Are there costs or fees associated with provision of ADR services? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (please specify what fees does the client pay for the ADR services)	23	67.6	92.0	92.0
	No	2	5.9	8.0	100.0
	Total	25	73.5	100.0	
Missing	System	9	26.5		
Total		34	100.0		

**Are there costs or fees associated with provision of ADR services?
Selected Choice**



ADR 2a.

Are there costs or fees associated with provision of ADR services? - Yes (please specify what fees does the client pay for the ADR services) - Text

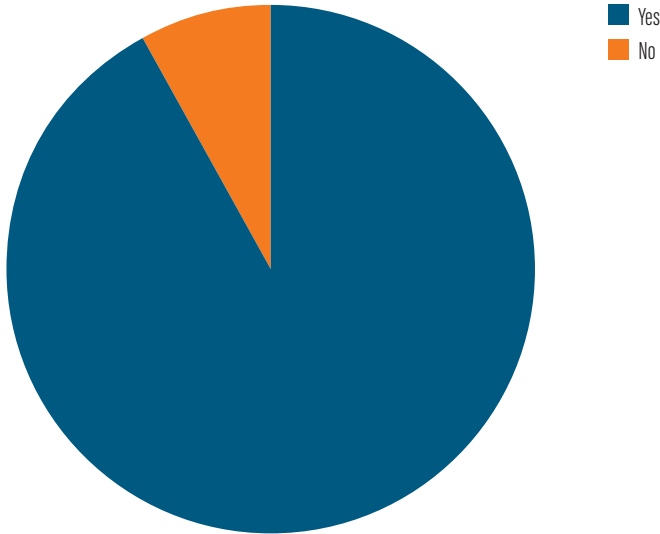
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	11	32.4	32.4	32.4
all costs unless the client is approved for in forma pauperis	1	2.9	2.9	35.3
client pays \$75 to \$150 for medication services	1	2.9	2.9	38.2
Depends on case type	1	2.9	2.9	41.2
depends on the circumstances	1	2.9	2.9	44.1
Fees vary widely	1	2.9	2.9	47.1
hourly for mediation, none for facilitation	1	2.9	2.9	50.0
IPF or \$50 for Parent Education and Mediation Services are offered on a sliding fee scale from No Cost to \$150 per hour	1	2.9	2.9	52.9
Mediation	1	2.9	2.9	55.9
mediation and required classes WATC etc.	1	2.9	2.9	58.8
Mediation center fees	1	2.9	2.9	61.8
Mediators charge fees. Some mediators offer a sliding scale.	1	2.9	2.9	64.7
no cost in juvenile cases: mediation in divorce and custody cases is done on a sliding scale basis	1	2.9	2.9	67.6
not if performed at the courthouse	1	2.9	2.9	70.6
Promiseship pays	1	2.9	2.9	73.5
Sliding fee schedule.	1	2.9	2.9	76.5
Sliding scale	1	2.9	2.9	79.4
unsure	1	2.9	2.9	82.4
varies	1	2.9	2.9	85.3
varying scale of rates	1	2.9	2.9	88.2
Yes unless mediation is court ordered	1	2.9	2.9	91.2
yes, hourly charges, sliding fee scale.	1	2.9	2.9	94.1
Yes, Rule 4.3 cases have a sliding scale	1	2.9	2.9	97.1
yes. the parties pay for the services.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

ADR 3.

Is there a provision for waiver of these fees or a sliding fee scale?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	23	67.6	92.0	92.0
	No	2	5.9	8.0	100.0
	Total	25	73.5	100.0	
Missing	System	9	26.5		
Total		34	100.0		

Is there a provision for a waiver of these fees or a sliding fee scale?

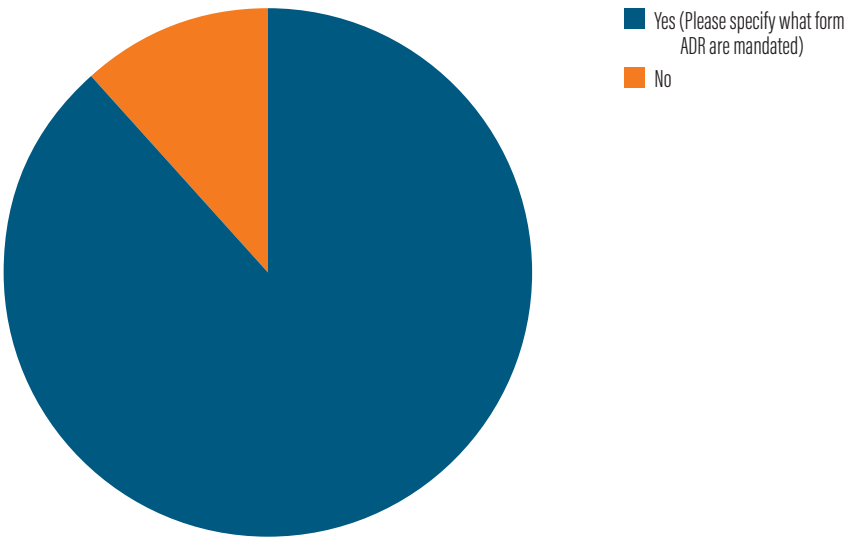


ADR 4

Is any form of ADR mandated by court rule, statute, policy, or practice in your jurisdiction or within the jurisdictions in which you work or practice? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please specify what forms of ADR are mandated)	23	67.6	88.5	88.5
	No	3	8.8	11.5	100.0
	Total	26	76.5	100.0	
Missing	System	8	23.5		
Total		34	100.0		

Is any form of ADR mandated by court rule, statute, policy, or practice in your jurisdiction or within the jurisdiction in which you work or practice? - Selected Choice



ADR 4A

Is any form of ADR mandated by court rule, statute, policy, or practice in your jurisdiction or within the jurisdictions in which you work or practice? - Yes (Please specify what forms of ADR are mandated) - Text

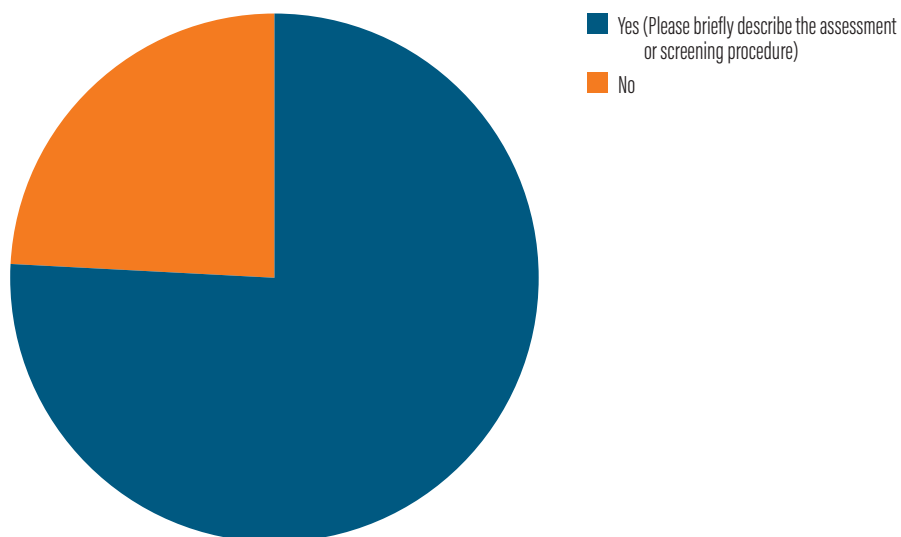
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	12	35.3	35.3	35.3
Need to try to mediate a parenting plan if can't develop own.	1	2.9	2.9	38.2
classes and mediation	1	2.9	2.9	41.2
District Court Rule 4.3	1	2.9	2.9	44.1
Family and custody cases require the parties to attempt mediation	1	2.9	2.9	47.1
Local Court Rule 4.3D require Parent Education and a Parenting Plan and if No Parenting Plan provided by the Parents themselves or their Attorneys then mediation is required	1	2.9	2.9	50.0
Mediated Parenting Plan in Divorce & Paternity Cases	1	2.9	2.9	52.9
mediation	1	2.9	2.9	55.9
mediation for child custody and parenting time	1	2.9	2.9	58.8
mediation in cases involving minor children & custody issues	1	2.9	2.9	61.8
Mediation in family law matters unless both parties waive or if one party is absent.	1	2.9	2.9	64.7
mediation is mandated only in custody cases	1	2.9	2.9	67.6
mediation of a parenting plan if one is not completed prior to filing	1	2.9	2.9	70.6
Mediation of a Parenting Plan.	1	2.9	2.9	73.5
mediation of parenting plans	1	2.9	2.9	76.5
mediation prior to dissolution of marriage or modification of decree of dissolution	1	2.9	2.9	79.4
must attend a parenting class and attempt mediation	1	2.9	2.9	82.4
Must take a required parenting class (about \$25 but can be waived) and attend mediation regarding parenting time issues.	1	2.9	2.9	85.3
Parenting education course, mediation (for applicable cases).	1	2.9	2.9	88.2
Parenting Plan mediation is required if parties are unable to agree	1	2.9	2.9	91.2
RULE 4.3D	1	2.9	2.9	94.1
yes Parenting Act mandates mediation of custody	1	2.9	2.9	97.1
yes. Parenting Plan mediation, parenting class.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

ADR 5.

Is any assessment or screening conducted to determine client or litigant suitability or risks for participation in ADR? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please briefly describe the assessment or screening procedure)	19	55.9	76.0	76.0
	No	6	17.6	24.0	100.0
	Total	25	73.5	100.0	
Missing	System	9	26.5		
Total		34	100.0		

Is any assessment or screening conducted to determine client or litigant suitability or risks for participation in ADR? - Selected Choice



ADR 5a.

Is any assessment or screening conducted to determine client or litigant suitability or risks for participation in ADR? - Yes (Please briefly describe the assessment or screening procedure) - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	16	47.1	47.1	47.1
assessed for domestic violence issues	1	2.9	2.9	50.0
Clients reveal what they think about the possible success of ADR with their spouse.	1	2.9	2.9	52.9
Domestic Violence Intimate Partner Abuse and/or Power Differential	1	2.9	2.9	55.9
Douglas County Conciliation Court does the initial screening	1	2.9	2.9	58.8
DV	1	2.9	2.9	61.8
In Nebraska the first mediation session is always a private session with just one of the Parents meeting privately and separately with the mediator and mediators are trained in various tools to do an assessment as to the appropriateness of mediation and the type of process that is used. For example if a case is assessed as having Domestic Intimate Partner Abuse using one of the assessment tools then the case will be facilitated using the Nebraska Specialized ADR process.	1	2.9	2.9	64.7
Mediator's go through training on screening	1	2.9	2.9	67.6
Mediators required to screen for domestic violence.	1	2.9	2.9	70.6
Parenting ACT screening tool	1	2.9	2.9	73.5
risk assessment	1	2.9	2.9	76.5
There is a screening process that a mediator is required to use prior scheduling the actual mediation.	1	2.9	2.9	79.4
They screen for domestic violence and conduct mediation differently if their is a history of abuse.	1	2.9	2.9	82.4
Yes - by the mediator	1	2.9	2.9	85.3
yes screens for DV and SADR	1	2.9	2.9	88.2
yes, by the mediator	1	2.9	2.9	91.2
yes, we screen for DV	1	2.9	2.9	94.1
yes. Cases can be normal, or high conflict, which require mediators with specialized training.	1	2.9	2.9	97.1
Yes. Screening for DV	1	2.9	2.9	100.0
Total	34	100.0	100.0	

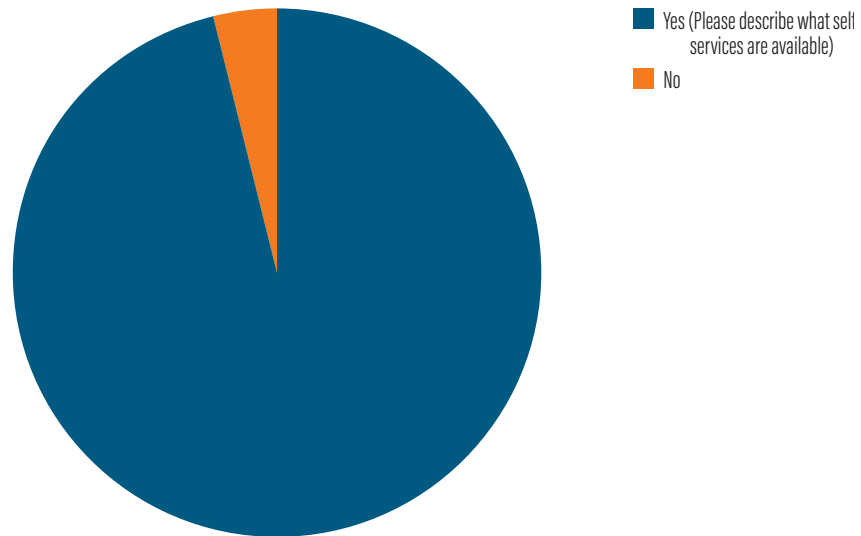
C. Self-Help

Self-Help 1.

Are self-help services available to litigants or your clients relative to their family matter(s) before the court? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please describe what self-help services are available)	25	73.5	96.2	96.2
	No	1	2.9	3.8	100.0
	Total	26	76.5	100.0	
Missing	System	8	23.5		
Total		34	100.0		

Are self-help services available to litigants or your clients relative to their family matter(s) before the court?
Selected Choice



Self-Help 1a.

Are self-help services available to litigants or your clients relative to their family matter(s) before the court? - Yes (Please describe what self-help services are available) - Text

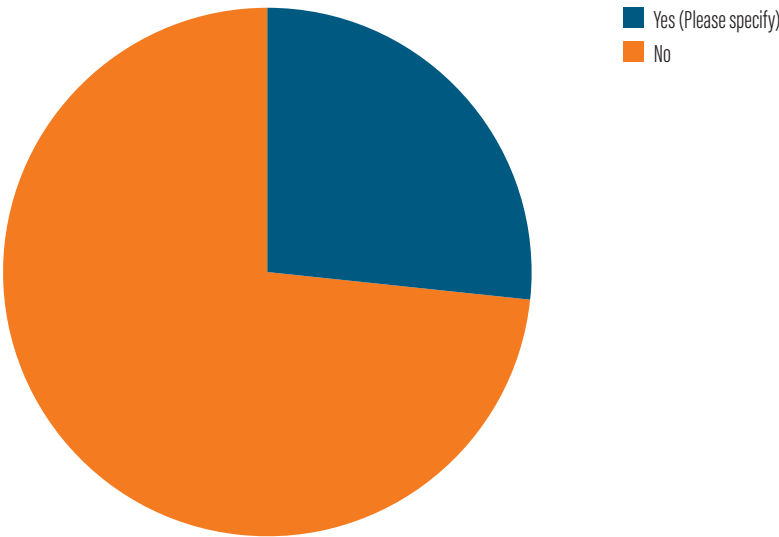
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	11	32.4	32.4	32.4
A self help desk in the courthouse & forms available Supreme Court's website	1	2.9	2.9	35.3
All that you list above the question. Also help creating legal documents.	1	2.9	2.9	38.2
at the courthouse there is a self help desk	1	2.9	2.9	41.2
Douglas County self help desk and law library.	1	2.9	2.9	44.1
Law Library, Self-Help Desk, Forms, Web site info, and staff at the Conciliation Court	1	2.9	2.9	47.1
lawyer assistance, self-service assistance, online forms	1	2.9	2.9	50.0
Lawyer referral desk	1	2.9	2.9	52.9
LEGAL AID A2J CLINIC ON LINE SUP CT WEBCITE	1	2.9	2.9	55.9
Legal Aid, Creighton's Law Clinic, Nebraska Volunteer Lawyer's Project, Self-Help office staffed by attorneys	1	2.9	2.9	58.8
Ne. Bar Assn has a self help desk.	1	2.9	2.9	61.8
pro se in divorce actions	1	2.9	2.9	64.7
Self Help desk	1	2.9	2.9	67.6
Self help desk and law library can address limited matters	1	2.9	2.9	70.6
Self help desk at Courthouse, forms available on-line and in hard-copy	1	2.9	2.9	73.5
self-help desk at courthouse and some forms available on-line	1	2.9	2.9	76.5
self-help desk at Douglas County courthouse	1	2.9	2.9	79.4
Self-help desk in Douglas County courthouse	1	2.9	2.9	82.4
Self-help services staffed by volunteer lawyers	1	2.9	2.9	85.3
Self- help representation	1	2.9	2.9	88.2
There is a help desk with limited resources at the court house; some forms are available on line	1	2.9	2.9	91.2
yes forms	1	2.9	2.9	94.1
Yes. Forms on NE Bar website. Help desk staffed by attorneys at courthouse.	1	2.9	2.9	97.1
yes. The supreme Court has a website with some forms, and Douglas County has a self-help desk staffed by volunteer lawyers.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Self-Help 2.

Are there costs or fees associated with provisions of these services? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please specify)	7	20.6	26.9	26.9
	No	19	55.9	73.1	100.0
	Total	26	76.5	100.0	
Missing	System	8	23.5		
Total		34	100.0		

Are there costs or fees associated with provisions of these services? -Selected Choice



Self-Help 2a

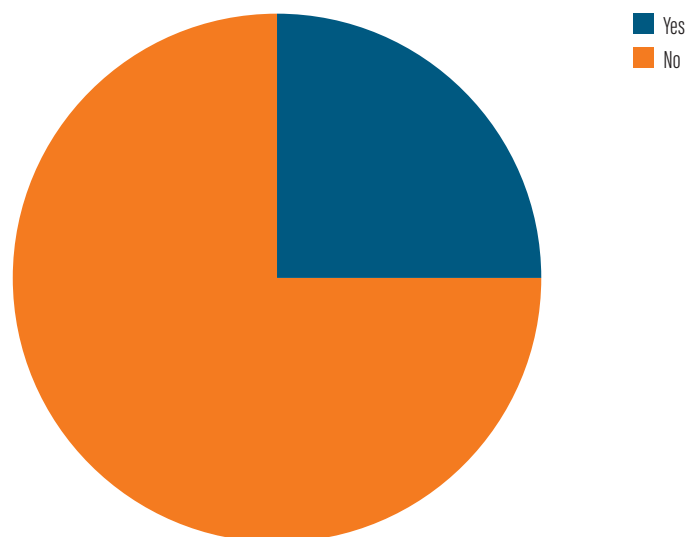
Are there costs or fees associated with provisions of these services? - Yes (Please specify) - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	27	79.4	79.4	79.4
Copy costs at library.	1	2.9	2.9	82.4
filing fees	1	2.9	2.9	85.3
FILING FEES PUBLICATION SERVICE	1	2.9	2.9	88.2
I don't know	1	2.9	2.9	91.2
Only court costs	1	2.9	2.9	94.1
The Douglas County Law Library does charge for the packet of forms	1	2.9	2.9	97.1
Yes- in order to receive a family law packet the fee is \$20	1	2.9	2.9	100.0
Total	34	100.0	100.0	

If you answered yes to the previous question, is there a provision for waiver of these fees or sliding fee scale?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	3	8.8	25.0	25.0
	No	9	26.5	75.0	100.0
	Total	12	35.3	100.0	
Missing	System	22	64.7		
Total		34	100.0		

If you answered yes to the previous question, is there a provision for waiver of these fees or sliding fee scale?



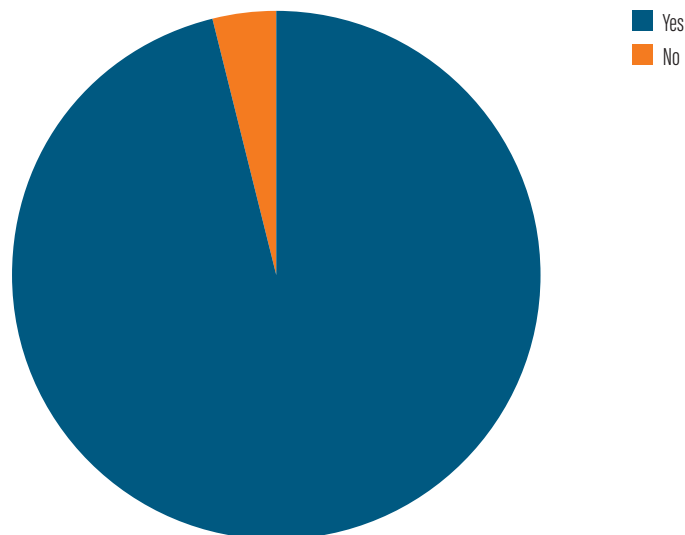
D. Interpreter Services

Interpreter Services 1.

**Are interpreter services available to litigants
or your clients relative to their family matter(s) before the court? - Selected Choice**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please specify)	25	73.5	96.2	96.2
	No	1	2.9	3.8	100.0
	Total	26	76.5	100.0	
Missing	System	8	23.5		
Total		34	100.0		

**Are interpreter services available to litigants or your clients relative to
their family matter(s) before the court? -Selected Choice**



Interpreter Services 1a.

Are interpreter services available to litigants or your clients relative to their family matter(s) before the court? - Yes (Please specify) - Text

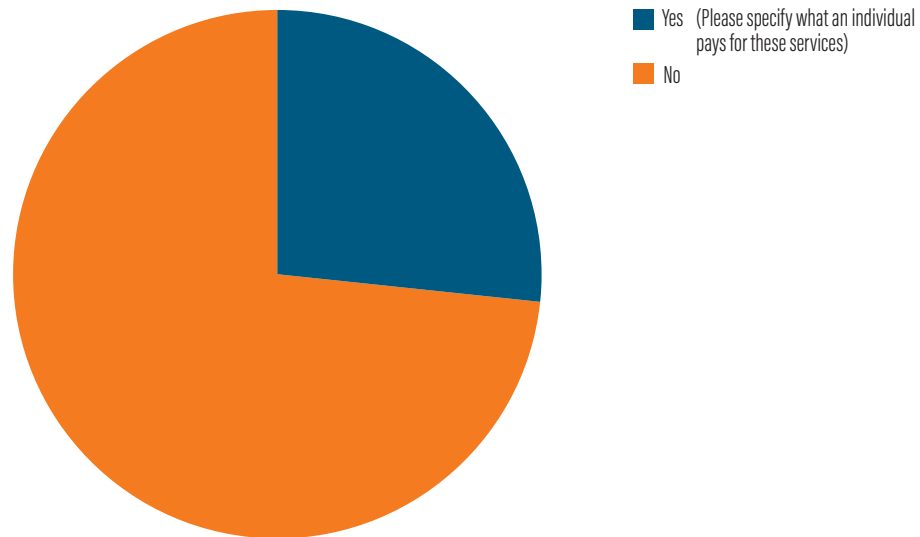
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	22	64.7	64.7	64.7
Any language.	1	2.9	2.9	67.6
Court certified interpreters are available with notice	1	2.9	2.9	70.6
Court interpreters	1	2.9	2.9	73.5
If a court action, there are court interpreters.	1	2.9	2.9	76.5
interpreters are available	1	2.9	2.9	79.4
Interpreters can be requested	1	2.9	2.9	82.4
The Conciliation Court offers Parent Education and Mediation in Spanish	1	2.9	2.9	85.3
The Nebraska Bar Association offers assistance with interpreters. The Court can get an interpreter in just about any language without enough notice for hearings.	1	2.9	2.9	88.2
Yes	1	2.9	2.9	91.2
Yes - only in court hearings	1	2.9	2.9	94.1
Yes but it must be requested and the number of languages is limited	1	2.9	2.9	97.1
You can request an interpreter through the Bailiff for hearings and other services are available outside of Court	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Interpreter Services 2.

Are there costs or fees associated with provision of these services? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please specify what an individual pays for these services)	6	17.6	24.0	24.0
	No	19	55.9	76.0	100.0
	Total	25	73.5	100.0	
Missing	System	9	26.5		
Total		34	100.0		

Are there costs or fees associated with provisions of these services? -Selected Choice



Interpreter Services 2a.

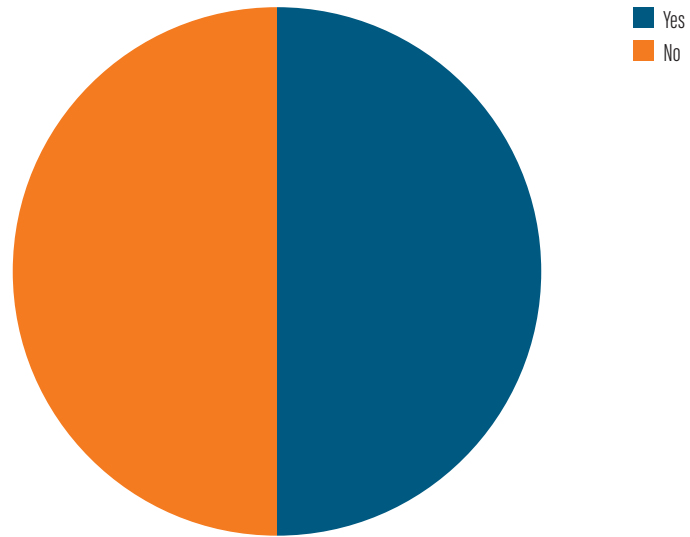
**Are there costs or fees associated with provision of these services? - Yes
(Please specify what an individual pays for these services) - Text**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		31	91.2	91.2	91.2
	Fees are the same with IFP being a possibility and offered on a sliding fee scale basis	1	2.9	2.9	94.1
	not sure	1	2.9	2.9	97.1
	Sometimes	1	2.9	2.9	100.0
	Total	34	100.0	100.0	

Is there provisions for waiver of these fees or sliding fee scale?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	7	20.6	50.0	50.0
	No	7	20.6	50.0	100.0
	Total	14	41.2	100.0	
Missing	System	20	58.8		
Total		34	100.0		

Is there provisions for waiver of these fees or sliding fee scale?



E. Other Services

Other Services 1.

Five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families

1	2	3	4	5
access to legal representation by a licensed attorney	alcohol and drug evaluation of parent	Access to Services	Ability to cohesively address non compliance with court orders	Expanded mediation services, beyond the parenting plan, in District Court family law cases involving minor children
Availability of expert custody evaluations	Alcohol use treatment	Assistance to modify court orders	assistance in obtaining protection orders for families in need of one	judicial education in the area of family law & judicial willingness to devote time to learning family law and fairly deciding family law cases
Availability to schedule a hearing	business valuation services	Automatic notification and review of District Court family law cases for other, existing cases in Juvenile or other court	elimination of status hearings and scheduling conferences that serve no real purpose but cause additional time and expense	long term mental health treatment for kids with extreme aggression
Case management	Cases handled fairly	collaborative divorce	guardian ad litem that are trained and competent	More cases sent to Diversion
Cases handled promptly	Choices	court intervention in parenting time disputes or a case manager	housing needs	Quality mental health services
consolidation of protection orders and family law cases	Competent Legal Counsel	Drug treatment	Low cost or free legal assistance to clients who are unable to afford counsel in District Court	Supervised Exchanges for Children and Supervision of Parenting Time when needed
counseling	Facilitation/Mediation of SADR cases	getting judiciary to actually waive mediation in cases where everyone concerned knows it's just going to waste time and money or cause unreasonable delay per one party's intent	More self help options when there are no issues to litigate	supervised visitation support
Financial Assistance	reducing total cost associated with legal proceedings	Judges don't just assume joint physical custody is appropriate.	Quality, affordable child care/early childhood education	Unconcerned parent
I think we are covered and do not need additional services for our clients.	mental health services	Judges that hold legal parties accountable	Self-Help Legal	
Interpreters for District Court family law cases	one family with one judge for subsequent cases	Legal	unavailable parent	

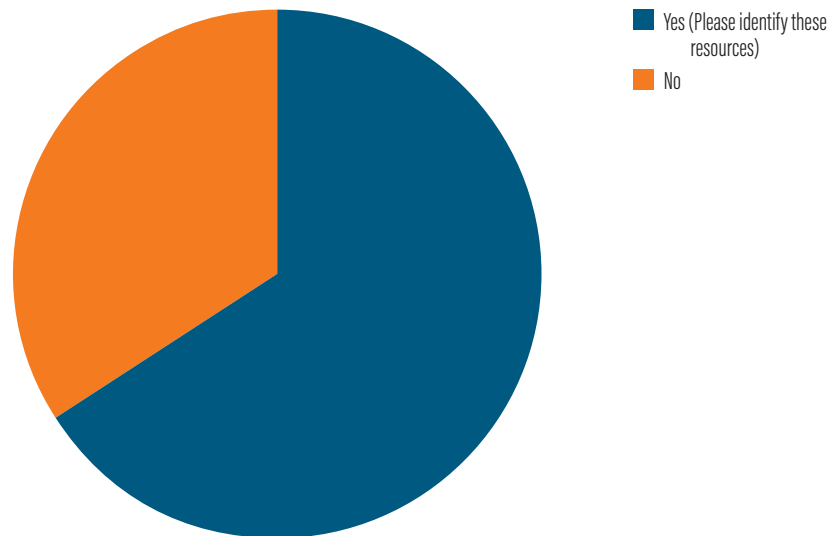
1	2	3	4	5
Mediation	Parties to address custody	on-going training for family law lawyers		
Mental health	Quality case management	psychiatry		
Quality foster care	Supervised visitation services	Quality legal representation		
Services for fathers to address visitation	Support services for District Court cases, similar to Juvenile Court	Quicker scheduling		
Services prior to removal of children so as to limit removal;	Treatment services where parents and children remain together	same judge to hear protection orders and family law matters		
supervised parenting time resources	Unified Services			
this entire survey thus far has dealt with children issues. I am a Divorce lawyer. I do not work in Juvenile Court. It appears as though you are trying to create a Family Court to solve all family issues. This survey does not address any money/financial/tax issues that must be addressed by the Court in contested divorce actions. In divorce, child issues are only a small piece of many family conflicts. You appear to ignore the reality or existence of divorce. I will continue with the survey, but I am unable to respond to questions that do not address divorce.				
Timely court hearings				
transportation				

Other Services 2.

To your knowledge, does your court use community or volunteer resources to provide services to court-involved children and families (e.g., volunteer pro bono services, mentors, supervised visitation monitoring, child placement review board, juvenile conference committee, guardianship monitoring, courthouse services assistance, domestic violence project) ? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please identify these resources)	13	38.2	61.9	61.9
	No	8	23.5	38.1	100.0
	Total	21	61.8	100.0	
Missing	System	13	38.2		
Total		34	100.0		

To your knowledge, does your court use community or volunteer resources to provide services to court-involved children and families (e.g., volunteer pro bono services, mentors, supervised visitation monitoring, child placement review board, juvenile conference committee, guardianship monitoring, courthouse services assistance, domestic violence project)? - Selected Choice



Other Services 2a.

To your knowledge, does your court use community or volunteer resources to provide services to court-involved children and families (e.g., volunteer pro bono services, mentors, supervised visitation monitoring, child placement review board, juvenile conference committee, guardianship monitoring, courthouse services assistance, domestic violence project) ? - Yes (Please identify these resources) - Text

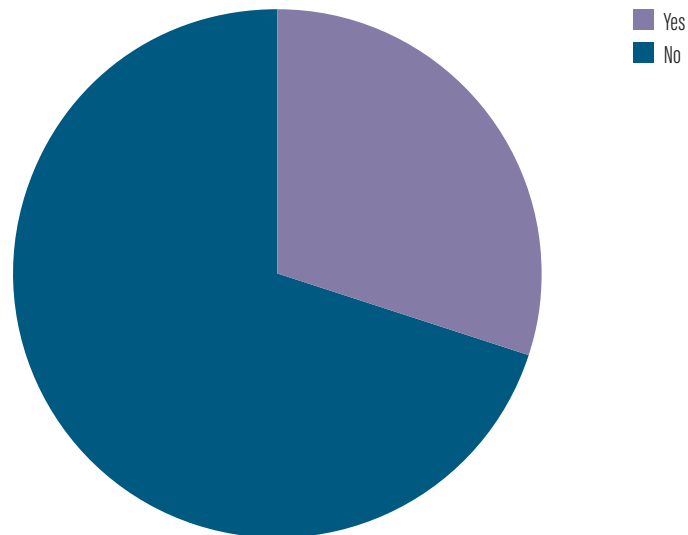
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	21	61.8	61.8	61.8
All of the above	1	2.9	2.9	64.7
All of the above to various extents. I am not sure what you mean by juvenile conference committee.	1	2.9	2.9	67.6
CASA	1	2.9	2.9	70.6
CASA, Legal Aid, Volunteer Lawyer's Project, Creighton Legal Clinic, Self-help clinic staffed with attorneys, WCA	1	2.9	2.9	73.5
Concord Center	1	2.9	2.9	76.5
Court ordered services are provided by a subcontractor of HHS	1	2.9	2.9	79.4
I am only familiar with limited pro bono cases	1	2.9	2.9	82.4
most of the above	1	2.9	2.9	85.3
they offer some pro bono services through the Volunteer Lawyer Project	1	2.9	2.9	88.2
Various	1	2.9	2.9	91.2
WCA, Domestic Violence Advocates, volunteer pro bono services, juvenile conferences	1	2.9	2.9	94.1
Yes in juvenile court but not in district court	1	2.9	2.9	97.1
yes, CASA volunteers assist in juvenile court	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Other Services 3.

Is there any multi-disciplinary coalition, task force, regional resource center, or other similar entity within the jurisdiction where you work or practice whose mission is to find and share new services and resources for court-involved children and families?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	7	20.6	31.8	31.8
	No	15	44.1	68.2	100.0
	Total	22	64.7	100.0	
Missing	System	12	35.3		
Total		34	100.0		

Is there any multi-disciplinary coalition, task force, regional resource center, or other similar entity within the jurisdiction where you work or practice whose mission is to find and share new services and resources for court-involved children and families?



Other Services 3a.

If you answered yes to the previous question, please provide the name and briefly describe the nature of the coalition, task force, regional resource center or similar entity, the services it provides, and to whom these services are provided:

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	27	79.4	79.4	79.4
Eyes of the Children	1	2.9	2.9	82.4
I have not worked in Juvenile Court for several years, but I do know that these services are available.	1	2.9	2.9	85.3
Legal Aid, Creighton Legal Clinic, WCA, depending on your definition of the services.	1	2.9	2.9	88.2
Project Harmony	1	2.9	2.9	91.2
Project Harmony is an often used coalition however, this group is often very biased against parents. The County Attorney does not exercise independent judgment and most often just goes along with the recommendations of Project Harmony.	1	2.9	2.9	94.1
The Nebraska Supreme Court's Office of Dispute Resolution and the Nebraska Coalition to End Sexual and Domestic Abuse	1	2.9	2.9	97.1
There is a family meeting with social services where the needs of the child(ren) are sorted out and a plan is made. The plan includes any services the child needs within the court system or without.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

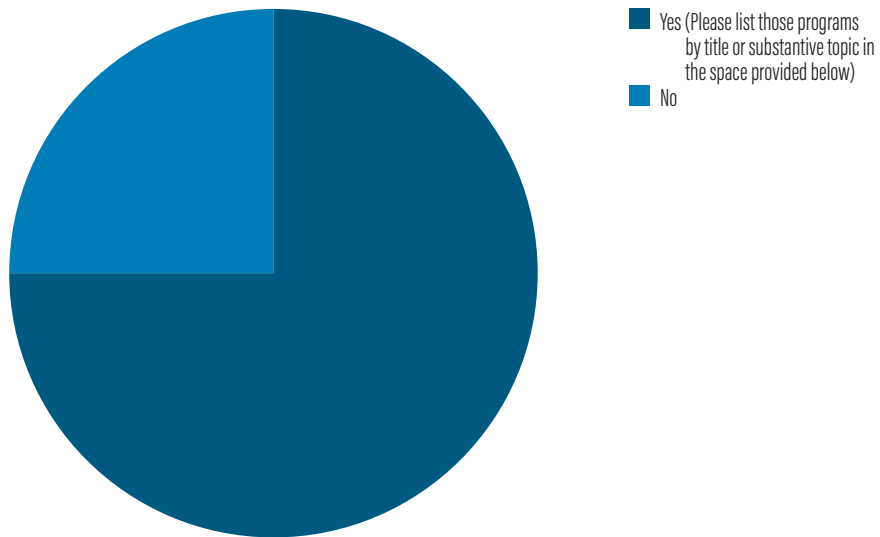
F. Training and Education

Training and Education 1.

Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please list those programs by title or substantive topic in the space provided below)	18	52.9	75.0	75.0
	No	6	17.6	25.0	100.0
	Total	24	70.6	100.0	
Missing	System	10	29.4		
Total		34	100.0		

Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months? - Selected Choice



Training and Education1a.

Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months? - Yes (Please list those programs by title or substantive topic in the space provided below) - Text

	total	Percent	Valid Percent	Cumulative Percent
Valid	18	52.9	52.9	52.9
Annual Family law seminar conducted by NSBA; seminars conducted by AAML	1	2.9	2.9	55.9
At least 15-20 hours of family law CLE's which include info related to court-involved families.	1	2.9	2.9	58.8
CLE regarding child custody	1	2.9	2.9	61.8
Continuing legal education in the family law area	1	2.9	2.9	64.7
Domestic Abuse and Child Abuse Ethics of Intake Procedures Trauma Informed Care	1	2.9	2.9	67.6
Family Law Boot Camp; Pet Trusts in a Nutshell; Annual Family Law Seminar; and Parental Alienation and Abuse Allegations.	1	2.9	2.9	70.6
Family law seminars	1	2.9	2.9	73.5
I've attended mandatory CLE classes	1	2.9	2.9	76.5
Mainly programs involving juvenile court sponsored by the CIP or NJJA	1	2.9	2.9	79.4
Mediation updates and domestic violence interventions. Family law and mediation CLE	1	2.9	2.9	82.4
Too Many to Mention but offerings through: ODR NSBA Nebraska Mediation Association ABA AFCC	1	2.9	2.9	85.3
Various	1	2.9	2.9	88.2
various family law and mediation seminars	1	2.9	2.9	91.2
YEs	1	2.9	2.9	94.1
Yes - GAL training for TPRs.	1	2.9	2.9	97.1
Yes. Seminars/webinars (MCLE) regarding Family law (dissolution, modification, related areas) and MCE seminars relating to mediation (parenting plan).	1	2.9	2.9	100.0
Total	34	100.0	100.0	

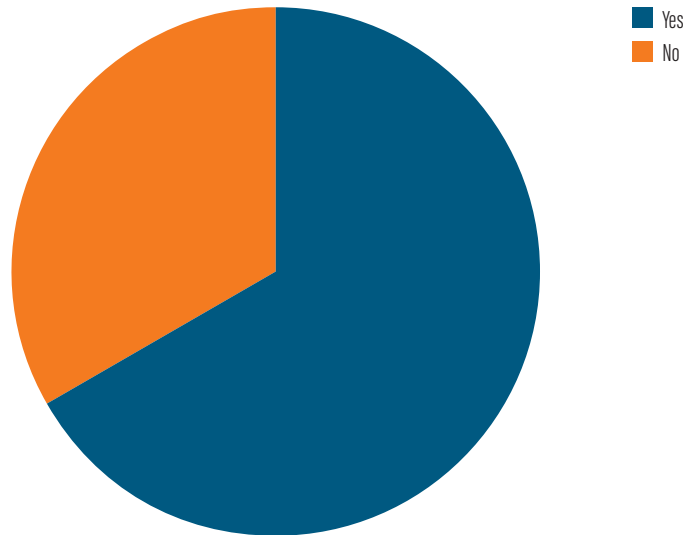
III. PILOT PROJECT

Pilot Project A.

Are you familiar with the components and operation of a Unified Family Court?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	16	47.1	66.7	66.7
	No	8	23.5	33.3	100.0
	Total	24	70.6	100.0	
Missing	System	10	29.4		
Total		34	100.0		

Are you familiar with the components and operation of a Unified Family Court?



Pilot Project B.

Please check all the following case types that you think the Unified Family Court pilot project should include in their jurisdiction:

Martial cases (divorce, legal separation, annulment)	Child welfare	Juvenile delinquency	Establishment of parentage	Domestic/family violence	Child support establishment and enforcement	Guardianship and conservatorship of the person (children and adults)	Adoptions	Emancipation	Other (please specify):
19	18	16	17	18	18	12	13	16	5

Please check all the following case types that you think the Unified Family Court pilot project should include in their jurisdiction: - Other (please specify): - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	29	85.3	85.3	85.3
Anything that involves Children i.e. Protection Orders	1	2.9	2.9	88.2
I do not think we need a Unified Family Court. I think it would add more red tape than we already have.	1	2.9	2.9	91.2
Juvenile Abuse & Neglect	1	2.9	2.9	94.1
Modifications	1	2.9	2.9	97.1
The system needs the ability for divorces that do not involve contested custody to not be part of this system.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Pilot Project C.

Which of the following components should a Unified Family Court pilot project include? (please check all that you think should be included)

One judge-one family (a single judicial officer handles all cases involving a particular family)	One team- one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases)	One judge-one case (the same judge hears a case from start to finish)	Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court- connected services)	Coordinated case management/case tracking system	Guidelines for information sharing	Regularly scheduled meeting of court personnel and court stakeholders
12	7	15	8	14	13	10

Pilot Project C2.

If you answered “regularly scheduled meeting of court personnel and court stakeholders” to the previous question, who should be included in those meetings?

Child welfare	Probation	Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.)	Alternative dispute resolution service providers	Court Appointed Special Advocates (CASA)	Probate investigators	Victim witness programs	Law enforcement	Public benefits	Mental health	Department of Education and schools	Other
9	7	11	9	8	4	5	3	6	8	7	4

If you answered “regularly scheduled meeting of court personnel and court stakeholders” to the previous question, who should be included in those meetings? - Other? (please specify) - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	30	88.2	88.2	88.2
FCRO	1	2.9	2.9	91.2
I think we should have meetings with the attorney's and judges. The Omaha Bar Association is sponsoring such a meeting on August 28, 2018. It is called a Bench/Bar briefing.	1	2.9	2.9	94.1
Licensed Mental Health Providers, including Chemical Addiction Professionals	1	2.9	2.9	97.1
Lots of meetings just increase cost and cost lower income people who can't afford to miss work to miss work. This is one of the problems with our very broken juvenile court system. There are a lot of unnecessary hearings where 5 or more professionals (attorneys, caseworkers, etc.) have to appear and the cost for these are astronomical and very little work actually gets down at these hearings. There are so many ways to communicate electronically and manage cases much more efficiently than what is being done.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Pilot Project D.

Please check all court-related and/or court-ordered services that you think should be included in the Unified Family Court pilot project:

Services for self-represented litigants	Alternative dispute resolution services	Child custody evaluation	Substance-abuse counseling and treatment	Mental health services, including individual and group counseling and crisis intervention	Batterers' intervention	Parenting classes	Supervised visitation programs	Community resources	Domestic violence counseling	Other?
14	16	16	15	18	13	15	19	14	14	1

Pilot Project D2.

Please check all court-related and/or court-ordered services that you think should be included in the Unified Family Court pilot project: (please specify) - Text

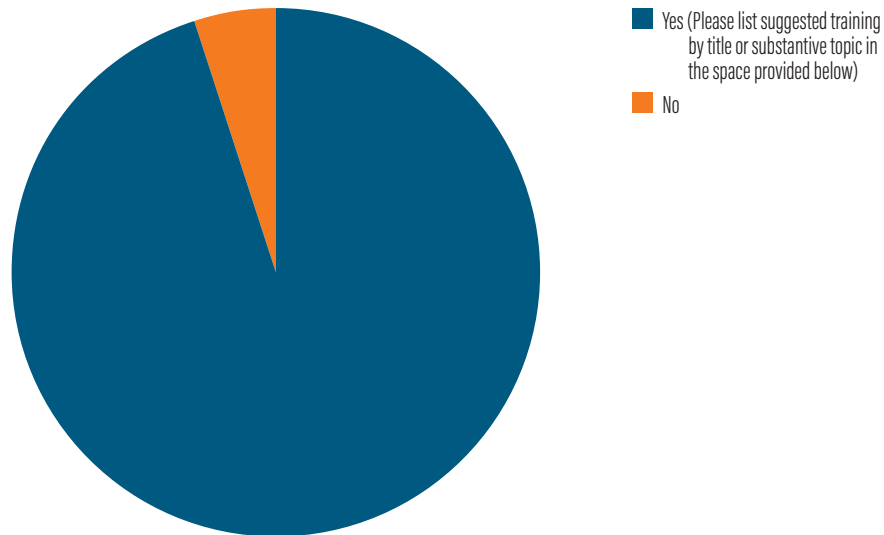
	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	33	97.1	97.1	97.1
None of these. Create a small claims court type court for people that need a divorce or custody decided but don't have assets to divide and can't afford an attorney. Have forms available that need to be used. Don't allow any attorneys. Have it be something that either party can opt out of, just like can move a small claims action to county court. File the action, serve the party, have one temp hearing, then require mediation, then set a trial with no formal rules of evidence in front of a hearing officer with all hearings recorded telephonically. Have the hearing officer have a bailiff that automatically sets the temp hearing once both parties have been served and sets the trial after mediation has been entered or has failed (as already reported by Conciliation Court if through Douglas County). This would be affordable and would give people access to the Court system	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Pilot Project E.

Should the Unified Family Court pilot project include specialized training for judges? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (Please list suggested training by title or substantive topic in the space provided below)	19	55.9	95.0	95.0
	No	1	2.9	5.0	100.0
	Total	20	58.8	100.0	
Missing	System	14	41.2		
Total		34	100.0		

Should the Unified Family Court pilot project include specialized training for judges? -Selected Choice



Pilot Project E2.

**Should the Unified Family Court pilot project include specialized training for judges? - Yes
(Please list suggested training by title or substantive topic in the space provided below) - Text**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	19	55.9	55.9	55.9
All judges should have some specialized training in the areas that they cover. At least the judge's school 101.	1	2.9	2.9	58.8
Better understanding of domestic violence and focus on best interests of children.	1	2.9	2.9	61.8
Child Development Chemical Addiction Mental Health All areas identified above	1	2.9	2.9	64.7
Domestic Violence dynamics Trauma Informed and Healing Centered Approaches to addressing Families Needs Self-Care	1	2.9	2.9	67.6
I'm unsure of any specific available trainings. Trainings should include sexual orientation and gender identity issues.	1	2.9	2.9	70.6
If judges are not familiar with the	1	2.9	2.9	73.5
Just about everything having to do with all areas of family law; we have judges now that don't even understand basic jurisdictional concepts, constitutional issues, etc.	1	2.9	2.9	76.5
Not sure but something that address the overall "health" of the family	1	2.9	2.9	79.4
Resources that are available, cost associated with utilizing them, criteria for utilizing them.	1	2.9	2.9	82.4
Training should be available in issues relating to custody, parenting and visitation; custody evaluations; business valuation issues	1	2.9	2.9	85.3
Unsure	1	2.9	2.9	88.2
yes for domestic violence and child development	1	2.9	2.9	91.2
Yes since many judges are not familiar with juvenile court types of cases.	1	2.9	2.9	94.1
Yes, in that this is a very diverse group of issues and a judge would not normally be an expert or even have experience in all these areas.	1	2.9	2.9	97.1
Yes. Expanded training in the broader literature/research regarding family dynamics.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

IV. OPINIONS

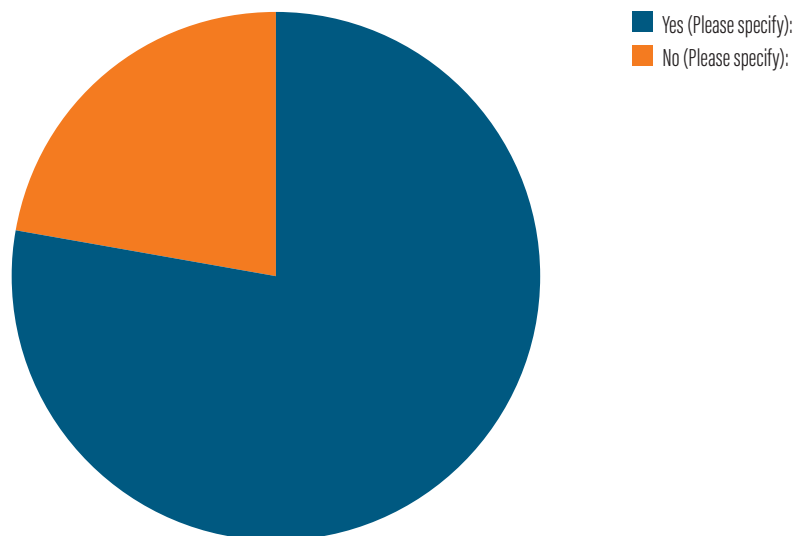
This is mostly qualitative answers that your team already has and were not included.

OPINIONS D.

Do you support the notion of a Unified Family Court pilot project in Douglas County? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (please specify):	14	41.2	77.8	77.8
	No (please specify):	4	11.8	22.2	100.0
	Total	18	52.9	100.0	
Missing	System	16	47.1		
Total		34	100.0		

Do you support the notion of a Unified family Court pilot project in Douglas County? -Selected Choice



Do you support the notion of a Unified Family Court pilot project in Douglas County? - Yes (please specify): - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	26	76.5	76.5	76.5
I need more education and I am concerned about judicial ethics and separation of powers	1	2.9	2.9	79.4
I practiced in a jurisdiction with a unified family court prior to coming to douglas county. not having a unified family court does a disservice to the litigants and families in douglas county	1	2.9	2.9	82.4
I think it offers opportunities to improve the services being offered to families	1	2.9	2.9	85.3
Not really. I think it sounds too much like Douglas County's juvenile court system, which is an extremely broken system but a lot of attorneys are making money off of it by appointments, being GALs, and by the many, and many unnecessary, hearings that are held in each case. The third-party groups are also profiting. Thus, these same parties would likely profit even more from this Unified Family Court pilot project. We aren't going to solve the world's problems and there are already a lot of services available to people who seek them out. We just need a simple, efficient method for people with not a lot of money to get in front of the judge or hearing officer to have the judge or hearing officer decide custody and grant their divorce. See my small claims court type idea herein.	1	2.9	2.9	88.2
Probably.	1	2.9	2.9	91.2
uncertain	1	2.9	2.9	94.1
Yes	1	2.9	2.9	97.1
Yes, I think it is confusing for families to see different judges for the same thing. It would be great if families could understand the process that they are going through.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Do you support the notion of a Unified Family Court pilot project in Douglas County? - No (please specify): - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	30	88.2	88.2	88.2
From the information provided, the project is primarily set to benefit the low income population and create additional social work positions in cases. Too much money going to support the low-income families while costing the regular taxpayer who did not need this type of service.	1	2.9	2.9	91.2
Just makes things more cumbersome. More unnecessary people involved.	1	2.9	2.9	94.1
More than willing to consider it once the framework for such a pilot has been developed. It is too early in the process to support totally.	1	2.9	2.9	97.1
Not if it includes divorce cases	1	2.9	2.9	100.0
Total	34	100.0	100.0	

OPINIONS F

What would help address your concerns regarding a Unified Family Court pilot?

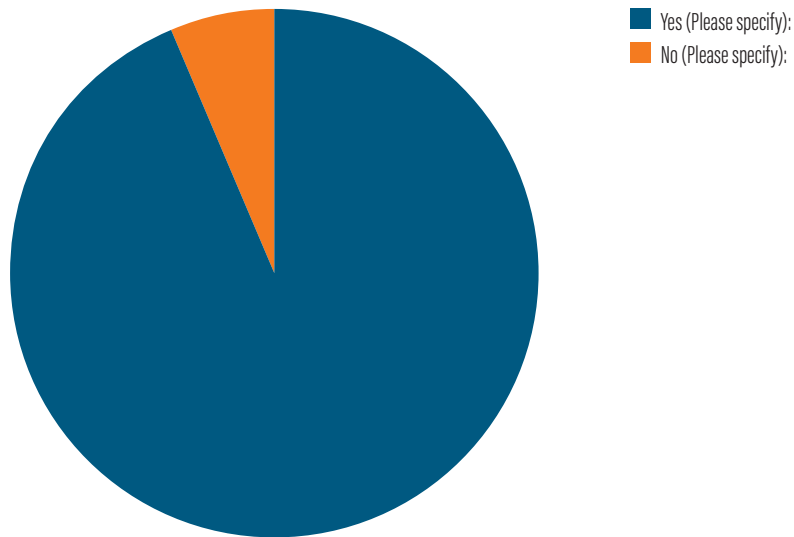
Training/ information about the operation of Unified Family Courts	Studies evaluating the costs and/ or impact of Unified Family Courts on caseloads, case processing, and/or services to family court litigants	Information about judicial satisfaction in Unified Family Courts	about judicial training associated with Unified Family Courts	Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/ operation and the implications of such consolidation
8	5	6	9	13

OPINIONS G

Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? - Selected Choice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (please specify):	15	44.1	93.8	93.8
	No (please specify):	1	2.9	6.3	100.0
	Total	16	47.1	100.0	
Missing	System	18	52.9		
Total		34	100.0		

Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? -Selected Choice



Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? - Yes (please specify): - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	22	64.7	64.7	64.7
I think only Judges that want to do this work should hear these cases.	1	2.9	2.9	67.6
If you can find some; good luck! They're not generally the people who submit their names for judicial vacancies and are not usually politically well-connected enough to be selected for judicial vacancies by the Governor	1	2.9	2.9	70.6
Perhaps, if after the judges self select, the lawyers were allowed to choose which judges participate.	1	2.9	2.9	73.5
Possibly.	1	2.9	2.9	76.5
The necessary time commitment to a family court could limit the amount of time s Judge would have to hear other matters thoroughly.	1	2.9	2.9	79.4
Those who self select to handle Family matters and get training into the complexity of Family Systems, substance abuse, domestic abuse, etc...	1	2.9	2.9	82.4
Unsure	1	2.9	2.9	85.3
yes	1	2.9	2.9	88.2
Yes there is a need for this specialty even if this is done on a rotating basis by a number of years as some states do.	1	2.9	2.9	91.2
Yes, because as I understand the concept of a unified family court this is a very large body of law, encompassing family law, criminal law, administrative law.	1	2.9	2.9	94.1
Yes! Many of our district court judges don't want to hear family law cases and are not afraid to let the parties know it.	1	2.9	2.9	97.1
yes. Family law cases already make up about 2/3rds of the case loads of District Court judges. Dedicated Family law judges would provide clarity of purpose.	1	2.9	2.9	100.0
Total	34	100.0	100.0	

Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? - No (please specify): - Text

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	33	97.1	97.1	97.1
You may end up with judges with a political or social agenda and burnout	1	2.9	2.9	100.0
Total	34	100.0	100.0	

CFCC REPORT ON UNIFIED FAMILY COURT PILOT PROJECT SURVEY

1		Attorney	23
		Court Appointed Special Advocate (CASA)	1
		Judge	1
		Mediator	3
		Other	2
		(blank)	4
2	Position: - Other - Text	None	
3	Primary Area of Practice or Service:	Attorney and Mediator — family law, probate,	1
		Child Support	1
		Child Welfare	1
		Custody	1
		Custody/Divorce	1
		Divorce	2
		Family	1
		Family and Criminal Defense	1
		Family law	9
		Family law and mediation	1
		Family, Guardianship	1
		General Jurisdiction	1
		Juvenile	3
		juvenile and family court	1
		Juvenile and Family Law	1
		Juvenile Court	1
		Juvenile Law	1
		Mediation	1
		Training	1
		(blank)	4

4	Employing Agency:	Carlson & Burnett LLP	1
		CASA for Douglas County	1
		Douglas County	2
		Foster Care Review Office	1
		law firm	1
		Legal Aid	1
		Managing Member of Marks Clare & Richards, LLC	1
		N/A	1
		private attorney	1
		private firm	2
		Private Practice	3
		Self	10
		Slowiaczek Albers PC LLO	1
		solo practitioner	1
		State of Nebraska	1
		(blank)	6
5	Years of Service in Present Position:	1	1
		3	2
		4	1
		6	2
		9	1
		10	1
		13	1
		15	2
		17	1
		18	1
		22	1
		25	2
		29	1
		30	1
		31	2
		34	1
		35	1
		45	1
		10 years	1
		10 years self employed; 33 years as attorney	1
		10+	1
		42 years	1
		7 years	1
		I have been an attorney for 27 years. I have managed my firm for 2 years.	1
		Over 5 years	1
		(blank)	4

6	Approximately what percentage of your pending client or court caseload involves more than one child from the same family?	10-24%	2
		25-49%	4
		50-74%	12
		75% or more	10
		(blank)	6
7	Approximately what percentage of your pending client or court caseload involves more than one family law matter that affects your client or case?	10-24%	5
		25-73%	5
		50-74%	8
		75% or more	5
		Less than 10%	5
		(blank)	6
8	How often do you ask your client or the litigant if the client or the litigant has other family matters pending in the courts?	Always (100%)	20
		Frequently (50-75%)	3
		Never	2
		Sometimes (less than 50%)	3
		(blank)	6
9	Does an automated system exist in your jurisdiction that permits you or another to review court records "on-line" or by some other means of automated inquiry? - Selected Choice	No	1
		Yes (Please specify)	27
		(blank)	6
10	Does an automated system exist in your jurisdiction that permits you or another to review court records "on-line" or by some other means of automated inquiry? - Yes (Please specify) - Text	Justice	15
		JUSTICE court database	1
		JUSTICE database	1
		Justice or Scales	1
		Justice provides access to pending cases and to pleadings	1
		Justice search	1
		JUSTICE system	2
		JUSTICE website	1
		Justice-on-line public access	1
		Yes Justice	2
		Yes, Justice has online filing	1
		yes. Justice	1
		(blank)	7

11	Which court records are available to you through the automated system?	all	3
		All civil, criminal, traffic and probate records except juvenile court and adoptions	1
		All court records for a particular person, however, often it is a difficult search because one has to search by each county. Also misspelling of names or hyphenated names get confused in the system.	1
		All documents actually filed with the court clerk	1
		All pleadings in Divorce cases, criminal cases and juvenile court cases	1
		All public court records	1
		All, except sealed cases, including adoptions,	1
		All, I think	1
		can search records by name of party involved	1
		Contents of all District and County court files. Plus regular court records such as Registrar of Deeds, etc.	1
		District county and juvenile	1
		filings	1
		It varies per case	1
		Justice allows access to pleadings and judges notes but not for all years.	1
		Juvenile court cases, guardianship cases, divorce cases, paternity and custody cases, including their pleadings and orders.	1
		Legal file records	1
		Orders entered and pleadings, except in juvenile matters	1
		Pleadings	1
		pleadings and orders	1
		Pleadings and other non-confidential case filings, journal entries.	1
		Pleadings filed, hearings scheduled.	1
		Pleadings, docket entries, status	1
		Protection Orders	1
		The Court records in District Court and County Court.	1
		Trial records of the Courts.	1
		(blank)	7
12	How often do you use the automated system to review court records?	10-24%	1
		25-73%	1
		50-74%	5
		75% or more	20
		Less than 10%	1
		(blank)	6

13	How do you learn if a family has more than one case in court? - Selected Choice	Client or litigant provides information about other proceedings that involve the family.	13
		Client or litigant provides information about other proceedings that involve the family. I conduct a search for other proceedings that involve the family.	3
		Client or litigant provides information about other proceedings that involve the family. Information about other proceedings that involve the family appears in court file.	1
		Client or litigant provides information about other proceedings that involve the family. Information about other proceedings that involve the family appears in court file. I conduct a search for other proceedings that involve the family.	2
		Client or litigant provides information about other proceedings that involve the family. Judge or Court Clerk provides information about other proceedings that involve the family. Information about other proceedings that involve the family appears in court file. I conduct a search for other proceedings that involve the family.	3
		I conduct a search for other proceedings that involve the family.	5
		Information about other proceedings that involve the family appears in court file.	1
		(blank)	6
14	How do you learn if a family has more than one case in court? - Other - Text	NONE	
15	If you answered conduct a search in the previous question, please specify how you conduct a search for other proceedings that involve the family: - Selected Choice	Automated information system	12
		Automated information system, other	2
		Manual file search	1
		other	2
		(blank)	17
16	If you answered conduct a search in the previous question, please specify how you conduct a search for other proceedings that involve the family: - other - Text	Enter the name on Justice	1
		I do not do such a search.	1
		Justice	1
		Justice Search	1
		(blank)	30
17	When you discover a family has more than one court case, do you do anything with respect to this information?	No	5
		Yes	23
		(blank)	6

18	<i>If you answered Yes to the previous question, please describe what you do when you discover a family has more than one court case. - Selected Choice</i>	Ask the client or litigant if s/he would like the matters coordinated or consolidated	4
		Ask the client or litigant if s/he would like the matters coordinated or consolidated. Nothing	1
		Inform the court	3
		Nothing	2
		Other	8
		Take steps to consolidate or coordinate the proceedings	3
		Take steps to consolidate or coordinate the proceedings. Ask the client or litigant if s/he would like the matters coordinated or consolidated.	1
		Take steps to consolidate or coordinate the proceedings. Transfer the proceedings. Inform the court. Ask the client or litigant if s/he would like the matters coordinated or consolidated.	1
		Take steps to consolidate or coordinate the proceedings. Transfer the proceedings. Inform the court. Ask the client or litigant if s/he would like the matters coordinated or consolidated. Nothing. Other	1
		Take steps to consolidate or coordinate the proceedings. Transfer the proceedings. Inform the court. Ask the client or litigant if s/he would like the matters coordinated or consolidated. Other	1
		Transfer the proceedings. Inform the court. Ask the client or litigant if s/he would like the matters coordinated or consolidated.	1
19	<i>If you answered Yes to the previous question, please describe what you do when you discover a family has more than one court case. - Other - Text</i>	(blank)	8
		Assess next steps, informed by my client's best legal interests	1
		Consider entering an appearance in the other case if the client so desires	1
		Depends on the circumstances	1
		Evaluate the situation and advise as appropriate	1
		Gather Information and Be Aware	1
		I ask the client about it, like child support matters	1
		It depends on what is pending	1
		Ask if they need a referral to another attorney in the other matter	1
		Some, all or none of these depending on the case	1
		There is not much to be done as the courts don't want to mingle the issue of child support with the matters they are hearing	1
		(blank)	24

20	<i>If you do nothing when you discover a family has more than one court case, please check all of the following reasons that best describe why you do nothing: - Selected Choice</i>	Confidentiality issues	1
		Confidentiality issues. Court not set-up for coordination or consolidation. Other	1
		Confidentiality issues, Ethical issues (e.g., conflict of interest, personal bias), Constitutional issues	1
		Confidentiality issues, Ethical issues (e.g., conflict of interest, personal bias), Court not set-up for coordination or consolidation	2
		Confidentiality issues, Not my responsibility	1
		Court not set-up for coordination or consolidation	3
		Court not set-up for coordination or consolidation, Other	1
		Other	5
		(blank)	19
21	<i>If you do nothing when you discover a family has more than one court case, please check all of the following reasons that best describe why you do nothing: - Other - Text</i>	Depends on the circumstances	1
		Every case is different. It is impossible to give a canned answer.	1
		I don't do nothing.	1
		it depends on the case	1
		None	1
		Not Applicable	1
		(blank)	28
22	<i>Does the court with family law jurisdiction where you work or practice perform intake services" (Please see next question for a list of intake services.)</i>	Don't know	6
		No	7
		Yes	15
		(blank)	6

23	Please check all the following intake services performed in your court: - Selected Choice	Assign the case to a Judge, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file	2
		Establish a physical case file, Assign the case to a Judge, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge	7
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Complete a case summary sheet or equivalent and attach to case file, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Conduct a search for other cases or cases with family members, Complete a case summary sheet or equivalent and attach to case file	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Conduct a search for other cases or cases with family members, Complete a case summary sheet or equivalent and attach to case file, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Conduct a search for other cases or cases with family members, Conduct an assessment of the case for caseload management purposes, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Conduct a search for other cases or cases with family members, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Conduct an assessment of the case for caseload management purposes, Schedule hearings or significant case events on a court calendar	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Other	1
		Establish a physical case file, Establish an automated case record by completing a data screen(s) in an automated information system, Assign the case to a Judge, Schedule hearings or significant case events on a court calendar	3
		Other	1
		(blank)	12

24	Please check all the following intake services performed in your court: - Other - Text	Don't Know	1
		They may do more than that indicated. I do not work for the Court.	1
		(blank)	32
25	Are ADR services available to litigants or your clients relative to their family matter(s) before the court? - Selected Choice	No	3
		Yes (please specify what ADR services are available (e.g., mediation, facilitation, conflict resolution, collaborative divorce)	24
		(blank)	7
26	Are ADR services available to litigants or your clients relative to their family matter(s) before the court? - Yes (please specify what ADR services are available (e.g., mediation, facilitation, conflict resolution, collaborative divorce) - Text	collaborative divorce and mediation	1
		Douglas County District Court's Conciliation Court provides Parent Education and Mediation and Facilitation of Parenting Plans and Modifications	1
		Facilitated conferences, mediation.	1
		Family Group Conferences	1
		In family law matters mediation is required unless waived by both parties.	1
		Mediation	6
		mediation and collaborative divorce are available at a cost to the litigant	1
		Mediation and collaborative divorce for those who elect this option	1
		mediation and collaborative divorce	1
		Mediation in divorce and custody cases; family team conferences in juvenile matters	1
		Mediation is required by all parties regarding custody and parenting time issues.	1
		mediation services	1
		mediation, collaborative divorce	1
		mediation, collaborative divorce, specialized alternative dispute resolution	1
		Mediation, conflict resolution and collaborative divorce.	1
		Mediation, Facilitation, Collaborative Divorce	1
		mediation facilitation	1
		Yes. Mediation, facilitation, collaborative divorce	1
		yes; mediation	1
		(blank)	10
27	Are there costs or fees associated with provision of ADR services? - Selected Choice	No	2
		Yes (please specify what fees does the client pay for the ADR services)	23
		(blank)	9

28	Are there costs or fees associated with provision of ADR services? - Yes (please specify what fees does the client pay for the ADR services) - Text	all costs unless the client is approved for in forma pauperis	1
		client pays \$75 to \$150 for medication services	1
		Depends on case type	1
		depends on the circumstances	1
		Fees vary widely	1
		hourly for mediation, none for facilitation	1
		IPF or \$50 for Parent Education and Mediation Services are offered on a sliding fee scale from No Cost to \$150 per hour	1
		Mediation	1
		mediation and required classes WATC etc.	1
		Mediation center fees	1
		Mediators charge fees. Some mediators offer a sliding scale.	1
		no cost in juvenile cases: mediation in divorce and custody cases is done on a sliding scale basis	1
		not if performed at the courthouse	1
		Promiseship pays	1
		Sliding fee schedule.	1
		Sliding scale	1
		unsure	1
		varies	1
		varying scale of rates	1
		Yes unless mediation is court ordered	1
		yes, hourly charges, sliding fee scale.	1
		Yes, Rule 4.3 cases have a sliding scale	1
		yes. the parties pay for the services.	1
		(blank)	11
29	Is there a provision for waiver of these fees or a sliding fee scale?	No	2
		Yes	23
		(blank)	9
30	Is any form of ADR mandated by court rule, statute, policy, or practice in your jurisdiction or within the jurisdictions in which you work or practice? - Selected Choice	No	3
		Yes (Please specify what forms of ADR are mandated)	23
		(blank)	8

31	<i>Is any form of ADR mandated by court rule, statute, policy, or practice in your jurisdiction or within the jurisdictions in which you work or practice? - Yes (Please specify what forms of ADR are mandated) - Text</i>	Need to try to mediate a parenting plan if can't develop own.	1
		classes and mediation	1
		District Court Rule 4.3	1
		Family and custody cases require the parties to attempt mediation	1
		Local Court Rule 4.3D require Parent Education and a Parenting Plan and if No Parenting Plan provided by the Parents themselves or their Attorneys then mediation is required	1
		Mediated Parenting Plan in Divorce & Paternity Cases	1
		mediation	1
		mediation for child custody and parenting time	1
		mediation in cases involving minor children & custody issues	1
		Mediation in family law matters unless both parties waive or if one party is absent.	1
		mediation is mandated only in custody cases	1
		mediation of a parenting plan if one is not completed prior to filing	1
		Mediation of a Parenting Plan.	1
		mediation of parenting plans	1
		mediation prior to dissolution of marriage or modification of decree of dissolution	1
		must attend a parenting class and attempt mediation	1
		Must take a required parenting class (about \$25 but can be waived) and attend mediation regarding parenting time issues.	1
		Parenting education course, mediation (for applicable cases).	1
		Parenting Plan mediation is required if parties are unable to agree	1
		RULE 4.3D	1
		yes Parenting Act mandates mediation of custody	1
		yes. Parenting Plan mediation, parenting class.	1
		(blank)	12
32	<i>Is any assessment or screening conducted to determine client or litigant suitability or risks for participation in ADR? - Selected Choice</i>	No	6
		Yes (Please briefly describe the assessment or screening procedure)	19
		(blank)	9

33	<i>Is any assessment or screening conducted to determine client or litigant suitability or risks for participation in ADR? - Yes (Please briefly describe the assessment or screening procedure) - Text</i>	assessed for domestic violence issues	1
		Clients reveal what they think about the possible success of ADR with their spouse.	1
		Domestic Violence Intimate Partner Abuse and/or Power Differential	1
		Douglas County Conciliation Court does the initial screening	1
		DV	1
		In Nebraska the first mediation session is always a private session with just one of the Parents meeting privately and separately with the mediator and mediators are trained in various tools to do an assessment as to the appropriateness of mediation and the type of process that is used. For example if a case is assessed as having Domestic Intimate Partner Abuse using one of the assessment tools then the case will be facilitated using the Nebraska Specialized ADR process.	1
		Mediator's go through training on screening	1
		Mediators required to screen for domestic violence.	1
		Parenting ACT screening tool	1
		risk assessment	1
		There is a screening process that a mediator is required to use prior scheduling the actual mediation.	1
		They screen for domestic violence and conduct mediation differently if there is a history of abuse.	1
		Yes - by the mediator	1
		yes screens for DV and SADR	1
		yes, by the mediator	1
		yes, we screen for DV	1
		yes. Cases can be normal, or high conflict, which require mediators with specialized training.	1
		Yes. Screening for DV	1
		(blank)	16
34	<i>Are self-help services available to litigants or your clients relative to their family matter(s) before the court? - Selected Choice</i>	No	1
		Yes (Please describe what self-help services are available)	25
		(blank)	8

35	Are self-help services available to litigants or your clients relative to their family matter(s) before the court? - Yes (Please describe what self-help services are available) - Text	A self help desk in the courthouse & forms available Supreme Court's website	1
		All that you list above the question. Also help creating legal documents.	1
		at the courthouse there is a self help desk	1
		Douglas County self help desk and law library.	1
		Law Library, Self-Help Desk, Forms, Web site info, and staff at the Conciliation Court	1
		lawyer assistance, self-service assistance, online forms	1
		Lawyer referral desk	1
		LEGAL AID A2J CLINIC ON LINE SUP CT WEBCITE	1
		Legal Aid, Creighton's Law Clinic, Nebraska Volunteer Lawyer's Project, Self-Help office staffed by attorneys	1
		Ne. Bar Assn has a self help desk.	1
		pro se in divorce actions	1
		Self Help desk	1
		Self help desk and law library can address limited matters	1
		Self help desk at Courthouse, forms available on-line and in hard-copy	1
		self-help desk at courthouse and some forms available on-line	1
		self-help desk at Douglas County courthouse	1
		Self-help desk in Douglas County courthouse	1
		Self-help services staffed by volunteer lawyers	1
		self help representation	1
		There is a help desk with limited resources at the court house; some forms are available on line	1
		yes forms	1
		Yes. Forms on NE Bar website. Help desk staffed by attorneys at courthouse.	1
		yes. The supreme Court has a website with some forms, and Douglas County has a self-help desk staffed by volunteer lawyers.	1
		(blank)	11
36	Are there costs or fees associated with provisions of these services? - Selected Choice	No	19
		Yes (Please specify)	7
		(blank)	8
37	Are there costs or fees associated with provisions of these services? - Yes (Please specify) - Text	Copy costs at library.	1
		filing fees	1
		FILING FEES PUBLICATION SERVICE	1
		I don't know	1
		Only court costs	1
		The Douglas County Law Library does charge for the packet of forms	1
		Yes- in order to receive a family law packet the fee is \$20	1
		(blank)	27
38	If you answered Yes to the previous question, is there a provision for waiver of these fees or sliding fee scale?	No	9
		Yes	3
		(blank)	22

39	Are interpreter services available to litigants or your clients relative to their family matter(s) before the court? - Selected Choice	No	1
		Yes (Please specify)	25
		(blank)	8
40	Are interpreter services available to litigants or your clients relative to their family matter(s) before the court? - Yes (Please specify) - Text	Any language.	1
		Court certified interpreters are available with notice	1
		Court interpreters	1
		If a court action, there are court interpreters.	1
		interpreters are available	1
		Interpreters can be requested	1
		The Conciliation Court offers Parent Education and Mediation in Spanish	1
		The Nebraska Bar Association offers assistance with interpreters. The Court can get an interpreter in just about any language without enough notice for hearings.	1
		yes	1
		Yes - only in court hearings	1
		Yes but it must be requested and the number of languages is limited	1
		You can request an interpreter through the Bailiff for hearings and other services are available outside of Court	1
		(blank)	22
41	Are there costs or fees associated with provision of these services? - Selected Choice	No	19
		Yes (Please specify what an individual pays for these services)	6
		(blank)	9
42	Are there costs or fees associated with provision of these services? - Yes (Please specify what an individual pays for these services) - Text	Fees are the same with IFP being a possibility and offered on a sliding fee scale basis	1
		not sure	1
		Sometimes	1
		(blank)	31
43	Is there provisions for waiver of these fees or sliding fee scale?	No	7
		Yes	7
		(blank)	20
44	Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice: - Selected Choice	Click to write Choice 1	4
		Click to write Choice 1, Click to write Choice 2	1
		Click to write Choice 1, Click to write Choice 2, Click to write Choice 3	5
		Click to write Choice 1, Click to write Choice 2, Click to write Choice 3, Click to write Choice 4	2
		Click to write Choice 1, Click to write Choice 2, Click to write Choice 3, Click to write Choice 4, Click to write Choice 5	8
		(blank)	14

45	Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice: - Click to write Choice 1 - Text	access to legal representation by a licensed attorney	1
		Availability of expert custody evaluations	1
		Availability to schedule a hearing	1
		Case management	1
		Cases handled promptly	1
		consolidation of protection orders and family law cases	1
		counseling	1
		Financial Assistance	1
		I think we are covered and do not need additional services for our clients.	1
		Interpreters for District Court family law cases	1
		Mediation	1
		Mental health	1
		Quality foster care	1
		Services for fathers to address visitation	1
		Services prior to removal of children so as to limit removal;	1
		supervised parenting time resources	1
		this entire survey thus far has dealt with children issues. I am a Divorce lawyer. I do not work in Juvenile Court. It appears as though you are trying to create a Family Court to solve all family issues. This survey does not address any money/financial/tax issues that must be addressed by the Court in contested divorce actions. In divorce, child issues are only a small piece of many family conflicts. You appear to ignore the reality or existence of divorce. I will continue with the survey, but I am unable to respond to questions that do not address divorce.	1
		Timely court hearings	1
		transportation	1
		(blank)	15
46	Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice: - Click to write Choice 2 - Text	alcohol and drug evaluation of parent	1
		Alcohol use treatment	1
		business valuation services	1
		Cases handled fairly	1
		Choices	1
		Competent Legal Counsel	1
		Facilitation/Mediation of SADR cases	1
		reducing total cost associated with legal proceedings	1
		mental health services	1
		one family with one judge for subsequent cases	1
		Parties to address custody	1
		Quality case management	1
		Supervised visitation services	1
		Support services for District Court cases, similar to Juvenile Court	1
		Treatment services where parents and children remain together	1
		Unified Services	1
		(blank)	18

47	<i>Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice: - Click to write Choice 3 - Text</i>	Access to Services	1
		Assistance to modify court orders	1
		Automatic notification and review of District Court family law cases for other, existing cases in Juvenile or other court	1
		collaborative divorce	1
		court intervention in parenting time disputes or a case manager	1
		Drug treatment	1
		getting judiciary to actually waive mediation in cases where everyone concerned knows it's just going to waste time and money or cause unreasonable delay per one party's intent	1
		Judges don't just assume joint physical custody is appropriate.	1
		Judges that hold legal parties accountable	1
		Legal	1
		on-going training for family law lawyers	1
		psychiatry	1
		Quality legal representation	1
		Quicker scheduling	1
		same judge to hear protection orders and family law matters	1
		(blank)	19
48	<i>Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice: - Click to write Choice 4 - Text</i>	Ability to cohesively address non compliance with court orders	1
		assistance in obtaining protection orders for families in need of one	1
		elimination of status hearings and scheduling conferences that serve no real purpose but cause additional time and expense	1
		guardians ad litem that are trained and competent	1
		housing needs	1
		Low cost or free legal assistance to clients who are unable to afford counsel in District Court	1
		More self help options when there are no issues to litigate	1
		Quality, affordable child care/early childhood education	1
		Self-Help Legal	1
		unavailable parent	1
		(blank)	24
49	<i>Please identify five (5) of the highest priority service needs, whether or not those services currently exist, for court-involved children and families within the jurisdictions in which you work or practice: - Click to write Choice 5 - Text</i>	Expanded mediation services, beyond the parenting plan, in District Court family law cases involving minor children	1
		judicial education in the area of family law & judicial willingness to devote time to learning family law and fairly deciding family law cases	1
		long term mental health treatment for kids with extreme aggression	1
		More cases sent to Diversion	1
		Quality mental health services	1
		Supervised Exchanges for Children and Supervision of Parenting Time when needed	1
		supervised visitation support	1
		Unconcerned parent	1
		(blank)	26

50	<i>To your knowledge, does your court use community or volunteer resources to provide services to court-involved children and families (e.g., volunteer pro bono services, mentors, supervised visitation monitoring, child placement review board, juvenile conference committee, guardianship monitoring, courthouse services assistance, domestic violence project) ? - Selected Choice</i>	No	8
		Yes (Please identify these resources)	13
		(blank)	13
51	<i>To your knowledge, does your court use community or volunteer resources to provide services to court-involved children and families (e.g., volunteer pro bono services, mentors, supervised visitation monitoring, child placement review board, juvenile conference committee, guardianship monitoring, courthouse services assistance, domestic violence project) ? - Yes (Please identify these resources) - Text</i>	All of the above	1
		All of the above to various extents. I am not sure what you mean by juvenile conference committee.	1
		CASA	1
		CASA, Legal Aid, Volunteer Lawyer's Project, Creighton Legal Clinic, Self-help clinic staffed with attorneys, WCA	1
		Concord Center	1
		Court ordered services are provided by a subcontractor of HHS	1
		I am only familiar with limited pro bono cases	1
		most of the above	1
		they offer some pro bono services through the Volunteer Lawyer Project	1
		Various	1
		WCA, Domestic Violence Advocates, volunteer pro bono services, juvenile conferences	1
		Yes in juvenile court but not in district court	1
		yes, CASA volunteers assist in juvenile court	1
		(blank)	21
52	<i>Is there any multi-disciplinary coalition, task force, regional resource center, or other similar entity within the jurisdiction where you work or practice whose mission is to find and share new services and resources for court-involved children and families?</i>	No	15
		Yes	7
		(blank)	12

53	<i>If you answered Yes to the previous question, please provide the name and briefly describe the nature of the coalition, task force, regional resource center or similar entity, the services it provides, and to whom these services are provided:</i>	Eyes of the Children	1
		I have not worked in Juvenile Court for several years, but I do know that these services are available.	1
		Legal Aid, Creighton Legal Clinic, WCA, depending on your definition of the services.	1
		Project Harmony	1
		Project Harmony is an often used coalition however, this group is often very biased against parents. The County Attorney does not exercise independent judgment and most often just goes along with the recommendations of Project Harmony.	1
		The Nebraska Supreme Court's Office of Dispute Resolution and the Nebraska Coalition to End Sexual and Domestic Abuse	1
		There is a family meeting with social services where the needs of the child(ren) are sorted out and a plan is made. The plan includes any services the child needs within the court system or without.	1
		(blank)	27
54	<i>Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months? - Selected Choice</i>	No	6
		Yes (Please list those programs by title or substantive topic in the space provided below)	18
		(blank)	10
55	<i>Have you attended any training or educational programs that relate to court-involved children and/or families during the preceding 12 months? - Yes (Please list those programs by title or substantive topic in the space provided below) - Text</i>	Annual Family law seminar conducted by NSBA; seminars conducted by AAML	1
		At least 15-20 hours of family law CLE's which include info related to court-involved families.	1
		CLE regarding child custody	1
		Continuing legal education in the family law area	1
		Domestic Abuse and Child Abuse Ethics of Intake Procedures Trauma Informed Care	1
		Family Law Boot Camp; Pet Trusts in a Nutshell; Annual Family Law Seminar; and Parental Alienation and Abuse Allegations.	1
		Family law seminars	1
		I've attended mandatory CLE classes	1
		Mainly programs involving juvenile court sponsored by the CIP or NJJA	1
		Mediation updates and domestic violence interventions. Family law and mediation CLE	1
		Too Many to Mention but offerings through: ODR NSBA Nebraska Mediation Association ABA AFCC	1
		Various	1
		various family law and mediation seminars	1
		YEs	1
		Yes - GAL training for TPRs.	1
		Yes. Seminars/webinars (MCLE) regarding Family law (dissolution, modification, related areas) and MCE seminars relating to mediation (parenting plan).	1
		(blank)	18

56	Are you familiar with the components and operation of a Unified Family Court?	No	8
		Yes	16
		(blank)	10
57	Please check all the following case types that you think the Unified Family Court pilot project should include in their jurisdiction: - Selected Choice	Child welfare, Juvenile delinquency, Domestic/family violence	1
		Child welfare, Juvenile delinquency, Emancipation	1
		Child welfare, Juvenile delinquency, Establishment of parentage, Domestic/family violence, Child support establishment and enforcement	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Domestic/family violence, Guardianship and conservatorship of the person (children and adults)	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Establishment of parentage, Child support establishment and enforcement, Adoptions, Emancipation	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Juvenile delinquency, Child support establishment and enforcement, Adoptions, Emancipation	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Juvenile delinquency, Establishment of parentage, Child support establishment and enforcement, Guardianship and conservatorship of the person (children and adults), Adoptions, Emancipation	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Juvenile delinquency, Establishment of parentage, Domestic/family violence, Child support establishment and enforcement, Adoptions	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Juvenile delinquency, Establishment of parentage, Domestic/family violence, Child support establishment and enforcement, Emancipation	1
		Marital cases (divorce, legal separation, annulment), Child welfare, Juvenile delinquency, Establishment of parentage, Domestic/family violence, Child support establishment and enforcement, Guardianship and conservatorship of the person (children and adults), Adoptions, Emancipation	6
		Marital cases (divorce, legal separation, annulment), Child welfare, Juvenile delinquency, Establishment of parentage, Domestic/family violence, Child support establishment and enforcement, Guardianship and conservatorship of the person (children and adults), Adoptions, Emancipation, Other (please specify):	3
		Marital cases (divorce, legal separation, annulment), Domestic/family violence, Guardianship and conservatorship of the person (children and adults)	1
		Marital cases (divorce, legal separation, annulment), Establishment of parentage, Domestic/family violence, Child support establishment and enforcement, Emancipation	2
		Marital cases (divorce, legal separation, annulment), Establishment of parentage, Domestic/family violence, Child support establishment and enforcement, Other (please specify):	1
		Other (please specify):	1
		(blank)	11
58	Please check all the following case types that you think the Unified Family Court pilot project should include in their jurisdiction: - Other (please specify): - Text	Anything that involves Children i.e. Protection Orders	1
		I do not think we need a Unified Family Court. I think it would add more red tape than we already have.	1
		Juvenile Abuse & Neglect	1
		Modifications	1
		The system needs the ability for divorces that do not involve contested custody to not be part of this system.	1
		(blank)	29

59	Which of the following components should a Unified Family Court pilot project include?	One judge-one case (the same judge hears a case from start to finish)	4
		One judge-one case (the same judge hears a case from start to finish), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services)	1
		One judge-one case (the same judge hears a case from start to finish), Coordinated case management/case tracking system, Guidelines for information sharing	1
		One judge-one case (the same judge hears a case from start to finish), Coordinated case management/case tracking system, Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	2
		One judge-one family (a single judicial officer handles all cases involving a particular family)	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services), Coordinated case management/case tracking system	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services), Regularly scheduled meeting of court personnel and court stakeholders	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), Coordinated case management/case tracking system, Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), One judge-one case (the same judge hears a case from start to finish)	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), One judge-one case (the same judge hears a case from start to finish), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services), Coordinated case management/case tracking system, Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), One judge-one case (the same judge hears a case from start to finish), Coordinated case management/case tracking system	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), One judge-one case (the same judge hears a case from start to finish), Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	1
		One judge-one family (a single judicial officer handles all cases involving a particular family), One team- one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services), Coordinated case management/case tracking system, Guidelines for information sharing	1

59	Which of the following components should a Unified Family Court pilot project include?	One judge-one family (a single judicial officer handles all cases involving a particular family), One team-one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases), One judge-one case (the same judge hears a case from start to finish), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services), Coordinated case management/case tracking system, Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	2
		One judge-one family (a single judicial officer handles all cases involving a particular family), One team-one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases), One judge-one case (the same judge hears a case from start to finish), Coordinated case management/case tracking system, Guidelines for information sharing	1
		One team-one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases), Case manager or case coordinator (duties may include identifying family members with involvement in multiple proceedings, coordinating calendars, facilitating information sharing, and making or assisting with referrals to court and court-connected services), Coordinated case management/case tracking system, Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	1
		One team-one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases), Coordinated case management/case tracking system, Guidelines for information sharing	1
		One team-one family (every time the family comes to court, each family has one case manager or case management team, although different judges may hear a family's cases), Coordinated case management/case tracking system, Guidelines for information sharing, Regularly scheduled meeting of court personnel and court stakeholders	1
		(blank)	11

60	<i>If you answered “regularly scheduled meeting of court personnel and court stakeholders” to the previous question, who should be included in those meetings? - Selected Choice</i>	Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers, Court Appointed Special Advocates (CASA), Victim witness programs, Other? (please specify)	1
		Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Mental health	1
		Child welfare, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers	1
		Child welfare, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers, Court Appointed Special Advocates (CASA), Victim witness programs, Department of Education and schools	1
		Child welfare, Probation, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers, Court Appointed Special Advocates (CASA), Probate investigators, Public benefits, Mental health, Department of Education and schools, Other? (please specify)	1
		Child welfare, Probation, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers, Court Appointed Special Advocates (CASA), Probate investigators, Victim witness programs, Law enforcement, Public benefits, Mental health, Department of Education and schools	3
		Child welfare, Probation, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers, Court Appointed Special Advocates (CASA), Public benefits, Mental health, Department of Education and schools	1
		Child welfare, Probation, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Alternative dispute resolution service providers, Public benefits, Mental health	1
		Child welfare, Probation, Attorneys (including private bar, district attorneys, county attorneys, public defenders, legal services agencies, children's counsel, etc.), Court Appointed Special Advocates (CASA), Mental health, Department of Education and schools, Other? (please specify)	1
		Other? (please specify)	1
		(blank)	22
61	<i>If you answered “regularly scheduled meeting of court personnel and court stakeholders” to the previous question, who should be included in those meetings? - Other? (please specify) - Text</i>	FCRO	1
		I think we should have meetings with the attorneys and judges. The Omaha Bar Association is sponsoring such a meeting on August 28, 2018. It is called a Bench/Bar briefing.	1
		Licensed Mental Health Providers, including Chemical Addiction Professionals	1
		Lots of meetings just increase cost and cost lower income people who can't afford to miss work to miss work. This is one of the problems with our very broken juvenile court system. There are a lot of unnecessary hearings where 5 or more professionals (attorneys, caseworkers, etc.) have to appear and the cost for these are astronomical and very little work actually gets down at these hearings. There are so many ways to communicate electronically and manage cases much more efficiently than what is being done.	1
		(blank)	30

62	<i>Please check all court-related and/or court-ordered services that you think should be included in the Unified Family Court pilot project - Selected Choice</i>	Alternative dispute resolution services, Child custody evaluation, Batterers' intervention, Parenting classes, Supervised visitation programs	1
		Alternative dispute resolution services, Child custody evaluation, Mental health services, including individual and group counseling and crisis intervention, Batterers' intervention, Parenting classes, Supervised visitation programs, Community resources, Domestic violence counseling	1
		Alternative dispute resolution services, Child custody evaluation, Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Parenting classes, Supervised visitation programs, Domestic violence counseling	1
		Child custody evaluation, Supervised visitation programs	1
		Mental health services, including individual and group counseling and crisis intervention, Supervised visitation programs, Community resources	1
		Other? (please specify)	1
		Services for self-represented litigants, Alternative dispute resolution services, Child custody evaluation, Mental health services, including individual and group counseling and crisis intervention, Supervised visitation programs	1
		Services for self-represented litigants, Alternative dispute resolution services, Child custody evaluation, Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Batterers' intervention, Parenting classes, Supervised visitation programs, Community resources, Domestic violence counseling	9
		Services for self-represented litigants, Alternative dispute resolution services, Child custody evaluation, Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Parenting classes, Supervised visitation programs, Community resources, Domestic violence counseling	1
		Services for self-represented litigants, Alternative dispute resolution services, Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Community resources	1
		Services for self-represented litigants, Alternative dispute resolution services, Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Parenting classes, Supervised visitation programs, Domestic violence counseling	1
		Services for self-represented litigants, Child custody evaluation, Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Batterers' intervention, Parenting classes, Supervised visitation programs, Domestic violence counseling	1
		Substance-abuse counseling and treatment, Mental health services, including individual and group counseling and crisis intervention, Batterers' intervention, Supervised visitation programs, Community resources	1
		(blank)	13

63	Please check all court-related and/or court-ordered services that you think should be included in the Unified Family Court pilot project - Other? (please specify) - Text	None of these. Create a small claims court type court for people that need a divorce or custody decided but don't have assets to divide and can't afford an attorney. Have forms available that need to be used. Don't allow any attorneys. Have it be something that either party can opt out of, just like can move a small claims action to county court. File the action, serve the party, have one temp hearing, then require mediation, then set a trial with no formal rules of evidence in front of a hearing officer with all hearings recorded telephonically. Have the hearing officer have a bailiff that automatically sets the temp hearing once both parties have been served and sets the trial after mediation has been entered or has failed (as already reported by Conciliation Court if through Douglas County). This would be affordable and would give people access to the Court system	1
		(blank)	33
64	Should the Unified Family Court pilot project include specialized training for judges? - Selected Choice	No	1
		Yes (Please list suggested training by title or substantive topic in the space provided below)	19
		(blank)	14
65	Should the Unified Family Court pilot project include specialized training for judges? - Yes (Please list suggested training by title or substantive topic in the space provided below) - Text	All judges should have some specialized training in the areas that they cover. At least the judge's school 101.	1
		Better understanding of domestic violence and focus on best interests of children.	1
		Child Development Chemical Addiction Mental Health All areas identified above	1
		Domestic Violence dynamics Trauma Informed and Healing Centered Approaches to addressing Families Needs Self-Care	1
		If judges are not familiar with the	1
		I'm unsure of any specific available trainings. Trainings should include sexual orientation and gender identity issues.	1
		Just about everything having to do with all areas of family law; we have judges now that don't even understand basic jurisdictional concepts, constitutional issues, etc.	1
		Not sure but something that address the overall health of the family	1
		Resources that are available, cost associated with utilizing them, criteria for utilizing them.	1
		Training should be available in issues relating to custody, parenting and visitation; custody evaluations; business valuation issues	1
		Unsure	1
		yes for domestic violence and child development	1
		Yes since many judges are not familiar with juvenile court types of cases.	1
		Yes, in that this is a very diverse group of issues and a Judge would not normally be an expert or even have experience in all these areas.	1
		Yes. Expanded training in the broader literature/research regarding family dynamics.	1
		(blank)	19

66	<i>What do you think is working well in Douglas County court structure and/or operation regarding the handling of family law matters?</i>	Absolutely nothing.	1
		At least in juvenile court, there is one judge per family.	1
		Bridge orders	1
		Conciliation court and referees	1
		I think the Douglas County Conciliation Court offers a lot of services to parents and the juvenile court.	1
		If at least one person has an attorney, the matter goes forward fairly smoothly. Conciliation Court is not necessary when at least one party has an attorney.	1
		Juvenile Court	1
		Parenting Plan mediation. Divorce cases should not be included in a unified court. They are being handled well in District Court.	1
		Progression standards help in most cases	1
		The actual trial process.	1
		The Conciliation Court	1
		The Douglas County District Court, by and large, moves their cases in a timely manner. There are some notable exceptions but overall the process moves on a good time frame.	1
		The separation of juvenile court and other family related matters handled at the District Court Level. The current system at the District Court level does not include unnecessary third-parties and other court involvement except as needed.	1
		(blank)	21

67	<i>What do you think is NOT working well in the current Douglas County court structure and/or operation regarding the handling of family law matters?</i>	Ability to investigate and evaluate in low-income cases, the Temporary Hearing on affidavits procedure, and the provision of services to families involved in dissolution proceedings in the District Court.	1
		Case management through subcontractors.	1
		Contracting case management and social services to a private agency	1
		Difficulty/timeliness in scheduling hearings.	1
		Inability/refusal of the district, county and juvenile courts to interact and be cohesive with the way they address the same family	1
		Inconsistency between judges Having "unwritten" policies (e.g. absent emergency can schedule only one temporary hearing) Not following their own local rules Substantial delays in scheduling hearings Number of judges who do not "like" family law cases Judge penalizing clients for exercising their right to bring issues before the court Uneducated judiciary Unwritten policy to order joint custody on a temporary basis then wait to see if all hell breaks loose for the family involved General attitude of "it's just a family law case so how complex and complicated could it be" Judicial laziness Judicial untimeliness (e.g. showing up 1/2 - 1 hour late for hearings/trial because the judge was at lunch) scheduling order system progression orders setting "back up" trial dates Judicial rudeness to self-represented litigants manner in which cases are assigned to judges (supposedly "random") judges who should retire but no one is willing to tell them that	1
		It takes forever to get a trial date. Some judges won't allow more than one temporary hearing date even if there has been a major event that occurred since the first temporary order and the trial isn't for months down the road. Conciliation Court sometimes appoints mediators that are not very good but are very expensive so it is very important to request a specific mediator whenever you can get the other side to agree.	1
		Judges lack of training and concern for the long term effects of divorce and litigation on families	1
		Juvenile Delinquency and Abuse and Neglect and Criminal: Lack of Vertical Prosecution Family Law: Hearings are not scheduled in a timely manner, case progression standards rush things in the beginning, but when hearings are needed, they are delayed due to the dockets	1
		NA	1
		Scheduling	1
		The Judges that do not want to handle family law matters consistently delay the process and avoid making decisions (often referring cases to mediation, even when that is not appropriate). The Judges who do not want to handle family law matters do not give cases the appropriate amount of attention and are often not respectful to the parties and attorneys involved.	1
		There is no timeliness on cases within juvenile court. There is jurisdictional disputes between district and juvenile court which could resolve cases faster for the betterment of the children. District court still sees juvenile court as "kiddie court" and does not want to get involved.	1
		Well, there is not a lot of synchronization of services.	1
		(blank)	20

68	<i>What do you think could be improved in the Douglas County court structure and/or operation regarding the handling of family law matters?</i>	Assigning specific cases to a judge who actually is qualified in the specific legal practice area (e.g., juvenile, paternity, divorce) and who actually wants to work in such practice areas	1
		Get rid of the court of general jurisdiction idea	1
		Calendaring of hearings at the District Court Level	1
		Cohesively addressing the family. For example determining parentage for one father instead of different courts pursuing different fathers.	1
		Consolidation of all family law matters	1
		Creating a small claims type court for family law matters that are uncontested and for matters that have no or very little property to divide and neither party can afford an attorney. See my earlier suggestion. It would help relieve the back log so other civil cases wouldn't have to wait so long for a trial date.	1
		Juvenile court needs core teams of attorneys (county attorney, Public defenders and GALs) so that cases can be set more expediently and not based on the availability of the attorneys. Also the use of court referees would move cases along faster which is always better for children and families.	1
		NA	1
		one family one judge screening cases when filed and consolidating if there are other active cases for one of the litigants	1
		Only Judges that want to do this work should take family law cases.	1
		Probably more judges who are interested in family issues and are motivated to help people in this system.	1
		Providing funding and/or personnel to address the above described areas that are not working well, and expand the Temporary Hearing process to produce a broader base from which a district judge may make her or his preliminary/temporary decisions.	1
		See answer above	1
69	<i>Do you support the notion of a Unified Family Court pilot project in Douglas County? - Selected Choice</i>	(blank)	22
		No (please specify):	4
		Yes (please specify):	14
		(blank)	16

70	<i>Do you support the notion of a Unified Family Court pilot project in Douglas County? - Yes (please specify): - Text</i>	I need more education and I am concerned about judicial ethics and separation of powers	1
		I practiced in a jurisdiction with a unified family court prior to coming to Douglas County. Not having a unified family court does a disservice to the litigants and families in Douglas County	1
		I think it offers opportunities to improve the services being offered to families	1
		Not really. I think it sounds too much like Douglas County's juvenile court system, which is an extremely broken system but a lot of attorneys are making money off of it by appointments, being GALs, and by the many, and many unnecessary, hearings that are held in each case. The third-party groups are also profiting. Thus, these same parties would likely profit even more from this Unified Family Court pilot project. We aren't going to solve the world's problems and there are already a lot of services available to people who seek them out. We just need a simple, efficient method for people with not a lot of money to get in front of the judge or hearing officer to have the judge or hearing officer decide custody and grant their divorce. See my small claims court type idea herein.	1
		Probably.	1
		uncertain	1
		Yes	1
		Yes, I think it is confusing for families to see different judges for the same thing. It would be great if families could understand the process that they are going through.	1
		(blank)	26
71	<i>Do you support the notion of a Unified Family Court pilot project in Douglas County? - No (please specify): - Text</i>	From the information provided, the project is primarily set to benefit the low income population and create additional social work positions in cases. Too much money going to support the low-income families while costing the regular taxpayer who did not need this type of service.	1
		Just makes things more cumbersome. More unnecessary people involved.	1
		More than willing to consider it once the framework for such a pilot has been developed. It is too early in the process to support totally.	1
		Not if it includes divorce cases	1
		(blank)	30

72	<i>What are your greatest concerns regarding a Unified Family Court pilot project?</i>	Concerns about the power all being concentrated in a small group of people	1
		Funding	1
		Having all of the cases assigned to one judge who is burned out and no other options. Today we have 15 judges hearing dissolution and paternity matters, juvenile court and probate judges for conservatorship and guardianship, adoption matters.	1
		Having all of the judiciary on board for this change.	1
		I am concerned that the Judge may dabble in a lot of areas but not be a master of any, jack of all trades, master of none. Also, for families that have had a bad experience with a particular judge there should be a means to request that a different judge handle the matter.	1
		More money being spent on administrative personnel and more paperwork with less actually being done for the family	1
		none	1
		Reconciling different evidentiary standards/burdens of proof.	1
		Resistance from lawyers and court personnel to significant change in the status quo, and the disruption that arises from such change.	1
		See above: Separation of Powers and Judicial Ethics	1
		That it gets too bogged down and become inefficient	1
		That it will end up being like juvenile court where a lot of good stuff gets done for families but is done in a way that is not time-efficient, not cost-effective, and doesn't make sense for people that have limited transportation and difficulties with getting time off work to attend a bunch of hearings and meetings. The biggest winner would be the attorneys that accept appointed cases and the third-parties that profit off of employing caseworkers.	1
		That you just add an additional layer of bureaucracy and cost to an already badly functioning system (as they did when they forced mediation down our throats so many years ago while telling us that they anticipated it would not result in cost for our clients then all the system got was even more self-represented litigants)	1
		The problems are arising in the separate juvenile court. To include divorce cases would pull in a large volume of cases to the unified family court that do not involve contested custody issues. The divorce cases without custody cases would create a backlog and serve no purpose.	1
		Too many people involved in a case, only benefit is to low income while costing the average tax payer, difficulties in case progression, remove law from the Courts and increase the social work ideals.	1
		(blank)	19
73	<i>What would help address your concerns regarding a Unified Family Court pilot?</i>		

74	Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? - Selected Choice	Information about judicial satisfaction in Unified Family Courts, Information about judicial training associated with Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	2
		Studies evaluating the costs and/or impact of Unified Family Courts on caseloads, case processing, and/or services to family court litigants, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	2
		Studies evaluating the costs and/or impact of Unified Family Courts on caseloads, case processing, and/or services to family court litigants, Information about judicial satisfaction in Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	1
		Studies evaluating the costs and/or impact of Unified Family Courts on caseloads, case processing, and/or services to family court litigants, Information about judicial satisfaction in Unified Family Courts, Information about judicial training associated with Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	1
		Training/information about the operation of Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	1
		Training/information about the operation of Unified Family Courts, Information about judicial satisfaction in Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	1
		Training/information about the operation of Unified Family Courts, Information about judicial training associated with Unified Family Courts	1
		Training/information about the operation of Unified Family Courts, Information about judicial training associated with Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	4
		Training/information about the operation of Unified Family Courts, Studies evaluating the costs and/or impact of Unified Family Courts on caseloads, case processing, and/or services to family court litigants, Information about judicial satisfaction in Unified Family Courts, Information about judicial training associated with Unified Family Courts, Guidance on how to consolidate different court rules, customs, and practices into a uniform court structure/operation and the implications of such consolidation	1
		(blank)	20
75	Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? - Yes (please specify): - Text	No (please specify):	1
		Yes (please specify):	15
		(blank)	18

76	Should a Unified Family Court be staffed by dedicated judges who hear only family law cases? - No (please specify): - Text	I think only Judges that want to do this work should hear these cases.	1
		If you can find some; good luck! They're not generally the people who submit their names for judicial vacancies and are not usually politically well-connected enough to be selected for judicial vacancies by the Governor	1
		Perhaps, if after the judges self select, the lawyers were allowed to choose which judges participate.	1
		Possibly.	1
		The necessary time commitment to a family court could limit the amount of times Judge would have to hear other matters thoroughly.	1
		Those who self select to handle Family matters and get training into the complexity of Family Systems, substance abuse, domestic abuse, etc...	1
		Unsure	1
		yes	1
		Yes there is a need for this specialty even if this is done on a rotating basis by a number of years as some states do.	1
		Yes! Many of our district court judges don't want to hear family law cases and are not afraid to let the parties know it.	1
		Yes, because as I understand the concept of a unified family court this is a very large body of law, encompassing family law, criminal law, administrative law.	1
		yes. Family law cases already make up about 2/3rds of the case loads of District Court judges. Dedicated Family law judges would provide clarity of purpose.	1
		(blank)	22
77	What are the most important components or elements of a Unified Family Court pilot project for Douglas County?	You may end up with judges with a political or social agenda and burnout	1
		(blank)	33
78	Thank you for your participation in the survey? Please feel free to add other comments/concerns/suggestions in the space below	Communication	1
		Educated judges who actually want to be there	
		Funding	1
		Effectiveness and efficiency. Also realistic expectations. We aren't trying to preserve an intact family here. We are trying to find a way to equitably divide the property and debts and create a parenting plan that is in the children's best interest.	1
		Establishing standards for the best interest of the children	1
		Involvement, Training and Information for Attorneys, Service Providers, Resources, Court Personnel, and Judges and the Conciliation Court and their panel of mediators	1
		Making sure the judges who served were committed and properly trained.	1
		Sufficient training of judges and court personnel; on-going training of the lawyers involved	1
		tracking when a case is filed	1
		Training for judges, real case management that is not focused on cost-benefit analysis, not focused on the quickest way to close the case.	1
		Unknown until more of the framework has been completed.	1
		(blank)	24

CFCC SUGGESTED THE FOLLOWING STAKEHOLDERS RECEIVE THE EMAILED SURVEY:

Family Court task force/team

Douglas County juvenile court judges/court administrators

Douglas County clerk magistrates

Douglas County district court judges/court administrators

Douglas County Bar Association Executive Director and/or President

Douglas County Bar Association Family/Juvenile Law sections

Omaha Bar Association Executive Director and/or President

Omaha Bar Association Family/Juvenile Law sections

Douglas County Juvenile Assessment director/staff

Court administrative assistants

Private family law/matrimonial bar

Public Defender's Office

Prosecutors

Legal Aid/Services

Pro Bono Attorneys

Douglas County District Court Conciliation and Mediation Services (provides parent ed, mediation, facilitate parenting plans)

Guardians Ad Litem

Parent attorneys (court-appointed)

CASA representatives

Court-appointed social service providers (parenting coordinators, drug screening, child-parent therapy, family support, Family Permanency Specialist)

Court-based case managers, including caseload specialists (records services), supervisor of court services, administrator of family/juvenile services, domestic intake specialist, intake supervisor

Court-based or referred service providers, including interpreters, social workers, agency reps with offices in courthouse, services provided for speech, hearing, and sight impaired parties, parenting coordinators, drug screening, child-parent therapy, family support, Family Permanency Specialist

Domestic violence advocates

Non-legal community (Chamber of Commerce, City/County Council, schools, county executive, law enforcement, media)

LIST OF STAKEHOLDERS WHO SHOULD RECEIVE SURVEY EMAIL

Chief Justice Heavican

Corey Steel

UFC Committee

Juvenile Court Judges

Hon. Elizabeth Crnkovich

Hon. Matthew Kahler

Hon. Christopher Kelly

Hon. Vernon Daniels

Hon. Chad Brown

Douglas County Court Administrator

Ray Curtis

Douglas County District Court

Hon. Shelly R Stratman

Douglas County County Court

Hon. Thomas Harmon

Hon. Sheryl Lohaus

Douglas County Attorney

Elizabeth McClelland

Jennifer Meckna

Douglas Public Defender

Lauren Walag

Douglas County Referee

Kelley Lanphier

Leanne Srb

Promiseship

Dave Newell

Melissa Naance

CASA

Kimberly Thomas

Youth Impact Steering Committee

Camas Steuter

Megan Miller

Margaret Vacek

Shawne Coonfare

Margaret Vacek

Nick Juliano

Juvenile Probation

Mary Visek

Impact from Infancy

Tara Bos

Melanie Anderson

Omaha Bar

Jill Abrahamson

Mariette Achigby

Ashley Albertson

Kyle Allen

Peder Bartling

Molly Blazek

Joe Bradley

Sarah Cavanaugh

Leslie Christensen

Mary Pat Coe

Chris Costantakos

Jessica Douglas

Justin Eichmann

Mary Gryva

Karen Hicks

Brady Hoekstra

Ryan Hoffman

Mallory Hughes

Deana Klein

Kendall Krajicek

Monica Kruger

Megan Lutz-Priefert

Renee Mathias

Michael Matthews

Andrea McChesney

Joe Naatz

Katie Navratil

Candice Novak

Terri Nutzman

Melissa Oestmann

Dami Oluyole

Kate Placzek

Shannon Prososki

Michael Rowberry

Karine Sokpoh

Sandra Stern

Ashley Strader

Jennifer Walkingstick

Justin Wayne

LaShawn Young

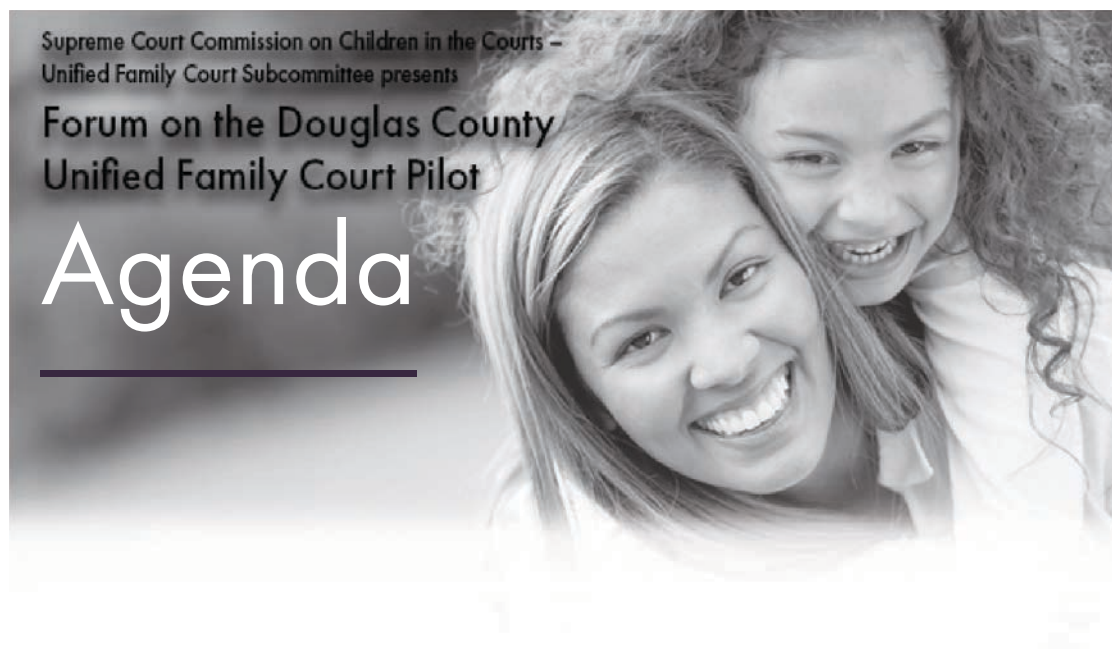
Reginald Young

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APPENDIX 3



Supreme Court Commission on Children in the Courts –
Unified Family Court Subcommittee presents

Forum on the Douglas County
Unified Family Court Pilot

Agenda

Monday, August 13, 2018
12:00noon-4:00pm (Lunch will be served)
Douglas County CASA
2412 St. Marys Avenue, Omaha

12:30-12:45	Introduction of Chief Justice Michael Heavican – <i>Judge Douglas Johnson</i> Welcome – <i>Chief Justice Michael Heavican</i>
12:45-1:00	Who is CFCC and why are we involved with Douglas County? – <i>Professor Barbara Babb, Director, Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC), University of Baltimore School of Law</i>
1:00-1:15	Reporting survey results – <i>Gloria Danziger, CFCC Senior Fellow</i>
1:15-1:45	Overview of Unified Family Courts (UFC) – <i>Professor Barbara Babb and Diane Nunn, CFCC Consultant</i>

1:45-2:00 *Break*

2:00-3:00

Breakouts – (need reporter, note taker for each group)

- What could a Douglas County UFC pilot accomplish that presently is not being accomplished?
- What would be the greatest challenges to developing and implementing a UFC pilot project in Douglas County?
- If a pilot UFC were to move forward, what do you see as the mission of a Douglas County UFC pilot? (try to develop a mission statement)
- If a pilot UFC were to move forward, what do you see as the system goals of a Douglas County UFC pilot?
- If a pilot UFC were to move forward, what are the system values of a Douglas County UFC pilot?
- What would be the five highest priority service needs for children and families in court in Douglas County? Should the court supply these services, or should the court refer families to the community for these?
- Who would absolutely have to be in agreement with the notion of a pilot UFC in Douglas County in order to promote its development and implementation?

3:00-3:45

Reports from breakout groups

3:45-4:00

Next steps

4:00

Adjourn



STATE OF
NEBRASKA
JUDICIAL BRANCH
Court Improvement
Project



**UNIVERSITY
OF BALTIMORE**

Sayra and Neil Meyerhoff Center for
Families, Children and the Courts

FORUM ATTENDEES

Kristina Murphree	Marks Clare & Richards, LLC
Monica Kruger	Monica Green Kruger, PC, LLO
Hon. Vernon Daniels	Douglas County Juvenile Court
Diane Berger	Diane L. Berger
Mary Pat Coe	
Kelley Lanphier	Douglas County Referee
Kimberly Booth	Reisinger Booth & Assoc., P.C., L.L.O.
Kim Hawekotte	Foster Care Review Office
Matthew Kahler	Douglas County Juvenile Court
Reginald Young	Young & Young Attorneys at Law
LaShawn Young	Young & Young Attorneys at Law
Reginald Young	Young & Young Attorneys at Law
Elizabeth Crnkovich	Douglas County Juvenile Court
Tom Hickey	
Dave Newell	PromiseShip(formerly NE Families Collaborative)
Chris Jones	Nebraska Children's Commission
Angela Dunne	Koenig Dunne PC LLO
David Pontier	Koenig Dunne PC LLO
Lindsay Belmont	Koenig Dunne PC LLO
Kaitlin Reece	Catalyst Public Affairs
Chad Brown	State of Nebraska
Sheryl Lohaus	Douglas County Court
Ray Curtis	Douglas County Juvenile Court
Shannon Benash	
Shurie Graeve	Graeve Law & Mediation, LLC
Jennifer Richey	PromiseShip
April Barajas	PromiseShip
Stacey Sothman	
Rosa Soto	
Katie Navratil	Katie Navratil Law, P.C., L.L.O.
Margaret Zarbano	Zarbano Law Office
Thomas Harmon	Douglas County Court
Joy Suder	Suder Law, PC LLO
Deana Klein	Dornan, Troia, Howard, Breitreutz & Conway
Amber Parker	Douglas County, Operation Youth Success
Monika Anderson	PromiseShip
Chris Jones	Nebraska Children's Commission
Chris Costantakos	
Kyle Allen	Allen Law
Anne Breitreutz	Dornan, Troia, Howard, Breitreutz & Conway PC LLO

APPENDIX 4

**University of Baltimore School of Law
Sayra and Neil Meyerhoff Center for Families, Children and the Courts**

**Douglas County (Nebraska) Unified Family Court Pilot Initiative
Maryland Site Visit
August 27-28, 2018**

Participants (arriving 6:10pm, August 26; departing 12:15pm, August 29)

The Hon. Douglas Johnson
Judge of the Separate Juvenile Court, 4th Judicial District
Omaha, Douglas County

The Hon. Vernon Daniels
Judge of the Separate Juvenile Court, 4th Judicial Circuit
Omaha, Douglas County

Monica Kruger, Esq.
Omaha, Douglas County

Deb VanDyke-Ries
Director
Nebraska Court improvement Project

Mary Pat Coe, Esq.
Omaha, Douglas County

Elizabeth McClelland, Esq.
Deputy County Attorney
Douglas County

Monday, August 27

Baltimore City Circuit Court

Family Division

Main Entrance (Courthouse East)

111 North Calvert Street

[Meet in lobby]

9:30-10:15am

Overview of Structure and Operation (Sue German, Esq., Associate Court Administrator)

10:15-11:00am

Tour of Family Division (Sue German, Esq.)

11:00am-12:00pm

Court Observation

12:00-12:30pm

Meet and Greet Baltimore City Circuit Court Family Division Judges, Magistrates, and Court Staff

12:30-2:00pm

Lunch with Family Division Judges, Magistrates, and Staff

Baltimore City Juvenile Justice Center

300 North Gay Street, Baltimore

Judge's Chambers

Suite A3401

2:30pm

The Hon. Emanuel Brown

Tuesday, August 28

Anne Arundel County Circuit Court

8 Church Circle

Annapolis, Maryland

Law Library Conference Room, Suite 303

10:00-11:30am

The Hon. Ronald Silkworth

President, Maryland Circuit Judges Association

Chief Judge

Magistrate Jennifer Cassel

Former Circuit Court Family Law Administrator

Nancy Faulkner, Director of Court Operations

**Maryland Judicial Center
2001 E/F Commerce Park Drive
Conference Room #1**

12 noon-1pm

Lou Gieszl, Esq.
Assistant State Court Administrator for Programs
Administrator Office of the Courts

Richard Abbott, Esq.
Director
Department of Juvenile and Family Services
Administrative Office of the Courts

**Administrative Office of the Courts
State Court Administrator's Conference Room
Second Floor
580 Taylor Avenue
Annapolis**

1:30pm-3pm

Chief Judge Mary Ellen Barbera
Maryland Court of Appeals

Pamela Harris
State Court Administrator

University of Baltimore School of Law
Sayra and Neil Meyerhoff Center for Families, Children and the Courts
And
Nebraska Administrative Office of the Courts
Supreme Court Commission on Children in the Courts

Site Visit—Maryland Family Divisions
August 27-28, 2018

Participants (Nebraska)

The Hon. Douglas Johnson
Judge of the Separate Juvenile Court, 4th Judicial District
Omaha, Douglas County

The Hon. Vernon Daniels
Judge of the Separate Juvenile Court, 4th Judicial Circuit
Omaha, Douglas County

Monica Kruger, Esq.
Omaha, Douglas County

Deb VanDyke-Ries
Director
Nebraska Court improvement Project

Mary Pat Coe, Esq.
Omaha, Douglas County

Elizabeth McClelland, Esq.
Deputy County Attorney
Douglas County

Participants (University of Baltimore School of Law Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC))

Professor Barbara A. Babb, Director
Gloria H. Danziger, Senior Fellow

Background:

Participants work in or with the Douglas County, Nebraska, Juvenile Court, which has jurisdiction over matters involving neglected, dependent, and delinquent children; child welfare; terminations; guardianship; paternity determinations; child support; dissolution of marriage and modification; and domestic violence issues. District courts and county courts also hear family-related cases, with the exception of juvenile issues.

The Nebraska Supreme Court Commission on Children in the Courts formed a subcommittee to study the Unified Family Court model, with an eye to creating a pilot Unified Family Court in Douglas County, where Omaha is located. The subcommittee received funding from the Sherwood Foundation to enter into a contract with CFCC to study the current Douglas County family justice system structure; conduct a site visit to Omaha, an information session about the Unified Family Court model, and listening sessions to hear concerns from court constituents; design a survey regarding current court operations; conduct a stakeholders' forum for the exchange of ideas about the Unified Family Court model; host a team from Nebraska for a site visit to various Family Divisions and with selected judges and court administrators; and prepare a report and recommendations regarding the development and implementation of a pilot Unified Family Court in Douglas County (Omaha).

Issue Areas of Interest to the Nebraska delegation:

- The mission of Maryland's Family Division
- The administration and operation of Maryland's Family Divisions—what works well, challenges, how they serve and address the needs of families and children
- Budget issues—cost of operating a Family Division; efficiency issues
- Case coordination and assignment
- Providing services/court programs
- Roles and responsibilities of the Family Division judges and court staff
- Working with public defenders and prosecutors
- How the Family Divisions eliminate conflicting orders
- How information regarding cases/litigants is exchanged/shared among judges and court staff
- Evaluation of Family Division operations (benchmarks, reports, Performance Standards and Measures)

JUDICIARY OFFICIALS FROM CORNHUSKER STATE VISIT MARYLAND FOR UP-CLOSE LOOK AT A UNIFIED FAMILY COURT MODEL

BY ANAMIKA ROY

ARoy@TheDailyRecord.com

As part of an effort to improve their family and juvenile court systems, a team from the Nebraska judiciary is looking at Maryland's unified family court model to see if such a system can work in the Cornhusker State.

The University of Baltimore School of Law Sayra and Neil Meyerhoff Center for Families, Children and the Courts is providing training and expertise on a court improvement project in Douglas County, which includes Omaha, to look into a pilot program.

Last month, a delegation from Nebraska came to Maryland and met with judges and administrators in the Baltimore City Family Division, Baltimore City Juvenile Justice Center and Anne Arundel County Family Division.

The group also met with Court of Appeals Chief Judge Mary Ellen Barbera, State Court Administrator Pamela Harris and other court administrators.

"It really is the best of all the systems and it really made sense for them to come visit here," said Barbara A. Babb, the CFCC's director, who in turn visited Nebraska with a Maryland delegation earlier this year.

The main question for the Nebraska officials is "how do we better serve children and families?" said Judge Douglas Johnson of the Separate Juvenile Court in Douglas County.

"To me, court structure is a means to that end," said Johnson, co-chair of unified family court subcommittee. The current system in Nebraska uses three different courts to hear different family and juvenile matters, meaning one family could have pending matters in all three courts at the same time, a situation Johnson described as a "three-ring circus."

Moving toward a more centralized system would help families with pending cases, said Monica Kruger, an attorney in Omaha who handles family and juvenile law matters.

"Sometimes we're waiting for a different court to resolve something before another matter can move forward," said Kruger, co-chair of the unified family court subcommittee. Unified family courts also offer non-legal support services to families, including drug treatment and mental health services. Judges are also specially trained so they have the right temperament to hear family law cases, said Babb, who frequently gives speeches across the country and abroad on unified family courts and family law decision-making.

For Kruger, the biggest takeaway from her visit was the Baltimore court has a case manager who can identify what the issues are and direct families to certain services. Some judges in Nebraska are concerned about the lack of funds to provide those resources in Nebraska, Johnson said, but a unified family court would make more money available.

"For us, if I have all the jurisdiction, I am able to do more with the existing money," Johnson said. "These are the sort of discussions we need to have."

Omaha also is looking into building a new juvenile justice center and determining whether it would be appropriate to include a detention center. During their Maryland visit, the group toured a facility in Baltimore to look at the pros and cons of doing something similar back home, Kruger said.

Barbara A. Babb, director of the University of Baltimore School of Law Sayra and Neil Meyerhoff Center for Families, Children and the Court is working on a report with a recommendation on how Nebraska should implement a unified family court pilot program after judges and lawyers from the Cornhusker state visited Maryland. 'It really is the best of all the systems and it really made sense for them to come visit here,' she says.



While it may seem Maryland and Nebraska have little in common on paper, both states have large urban centers and rural areas. Families with children also face similar issues including substance abuse, domestic violence, mental health concerns, housing problems and poverty.

"In many ways we're all dealing with the same issues, similar family circumstances and figuring out what's the best way to deal with that," Babb said. "It's about having a stake in the process."

Babb and her team are now working on a report with a recommendation on how Nebraska should implement a pilot program. The subcommittee in Nebraska hopes to implement a pilot program in Douglas County with plans to eventually take it statewide.

Babb and the CFCC have worked with other states, including Michigan, Indiana and Florida on family court reform efforts. It's the primary reason the center exists, Babb said.

"It's really exciting but it's hard work," she said. "People tend to be resistant to change."

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