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Ohio Family Courts

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Family court advocates argue that bringing child- and family-related cases into one court—and ideally under one administrative umbrella—gives judges the perspective they need to recognize the complexity of family issues and to take these issues appropriately into account during times of change, conflict or crisis. The unified approach also is said to facilitate families' access to interventions that address the underlying problems or deficits that require court intervention. But implementing the family court idea isn't just a matter of redrawing jurisdictional lines. Among other formidable challenges, family courts must find ways to:

- Define what constitutes a family unit in the eyes of the court
- Accurately identify each family member and correctly associate relationships
- Screen all filings at intake for related cases
- Assemble the appropriate level of information for decision-makers without violating procedural protections
- Provide rules for consolidating case types before a single judge
- Manage specialization within the framework
- Access effective social intervention services
- Monitor progress on treatment and other solutions ordered by the court.

Ohio may be the state with the longest record of experience in meeting the challenges associated with the family court approach. It was the scene of America's first family court experiment, and has provided the

nation's family court practitioners with leadership and influential models for nearly a century. This issue of the Ohio Children, Families and the Court Bulletin briefly examines Ohio's role in the birth and growth of the family court idea, places Ohio family courts in the current national context, characterizes the various types of family court approaches being taken across the state, and provides an in-depth look at innovative family courts in selected Ohio counties.

Historical Origins

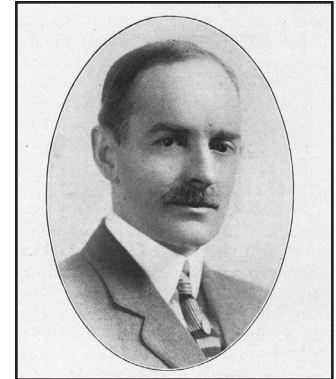
The idea of coordinating child- and family-related cases first was given practical expression prior to World War I in Hamilton County, Ohio.¹ Under the leadership of the Hon. Charles W. Hoffman, who can be considered the nation's first family court judge, the Hamilton County Domestic Relations Division took responsibility for juvenile as well as domestic relations cases, enabling the court to see individual problems in a broader family context (Fig. 1). Similarly, the unified approach taken by Lucas County under Judge Paul Alexander helped to spread and win wider acceptance for the family court concept during the 1950s and 1960s (Fig. 4).

More recently, in the late 1980s, a group of respected Ohio judges who had participated in national family court forums and had become convinced of the merits of the ideal proposed a statewide family court for Ohio.² In 1992, the Governor's Task Force on the Investigation and Prosecution of Child Abuse examined the value of

Figure 1: The Family Court's Ohio Roots

The first family court judge, Charles W. Hoffman, presided over an enhanced Domestic Relations Division in Hamilton County, Ohio. Hoffman's court was one of the first "problem-solving courts." Hoffman personally set a goal of the court assisting in developing knowledge for more effective social interventions. He championed a central record-keeping system to provide comprehensive legal and social histories and to increase the likelihood of intelligent decision making by the court. From Hoffman's perspective, this was the final purpose of his family court: to understand the underlying social problems that brought people to his court.

As Chairman of the Domestic Relations Committee of the National Probation Association, Hoffman led the charge for family courts nationally as well. In 1919, his committee issued the first national policy recommendation in favor of the family court structure and approach, noting that the welfare of children is a general subject matter shared by juvenile courts, domestic relations courts and probate courts, and suggesting that problems addressed by these courts could be more effectively solved at the family level. His group also proposed that the new creature be called family court, indicating the term domestic relations is too narrow to denote the functions of the new court and that family court more clearly signifies the work to be accomplished.



Judge Charles W. Hoffman

Sources: Hoffman, Charles W. (1918). Courts of Domestic Relation (Report of the Committee of the National Probation Association). *Journal of the American Institute of Criminal Law and Criminology*, 8 (5) p. 748.

Hoffmann, Charles W. (Nov., 1919) Social Aspects of the Family Court. *Journal of the American Institute of Criminal Law and Criminology*, 10 (3), p. 42

family court and issued a recommendation in favor of coordinating judicial handling of protective, custodial and criminal issues that impact the same children in a family. A study committee of the Supreme Court of Ohio endorsed the recommendation in 1993.

Following these calls to action, the Supreme Court of Ohio and the (then) Ohio Department of Human Services commissioned research to explore the feasibility of the family court approach and assess support for the idea across the state. The Ohio Family Court Feasibility Study was released in 1997 and offered a set of recommendations for state-level support of family courts. About half of Ohio judges and magistrates surveyed during the study believed a family court administrative structure could improve the efficiency and effectiveness of dealing with juvenile and family cases in the Ohio court system.³ However, the study documented formidable obstacles and some resistance to the notion of a state mandate that would force reorganization along family court lines. The fundamental outcome of the 1997 study was an acknowledgment that trial courts organized, funded in part, and therefore shaped to a great degree at the county

level should not be reorganized by political fiat from above, particularly without strong empirical evidence to support family court reforms.

In the wake of this study the Supreme Court and the Department of Job and Family Services (the renamed Ohio Department of Human Services) funded three-year family court pilots with an evaluation component. Research on the pilots yielded ample evidence of the need for a unified approach to overcome case fragmentation, but also of the impracticality of some key family court activities and the difficulty of sustaining local support for family court solutions once a modest infusion of state funding support ended.⁴

Current National and State Background

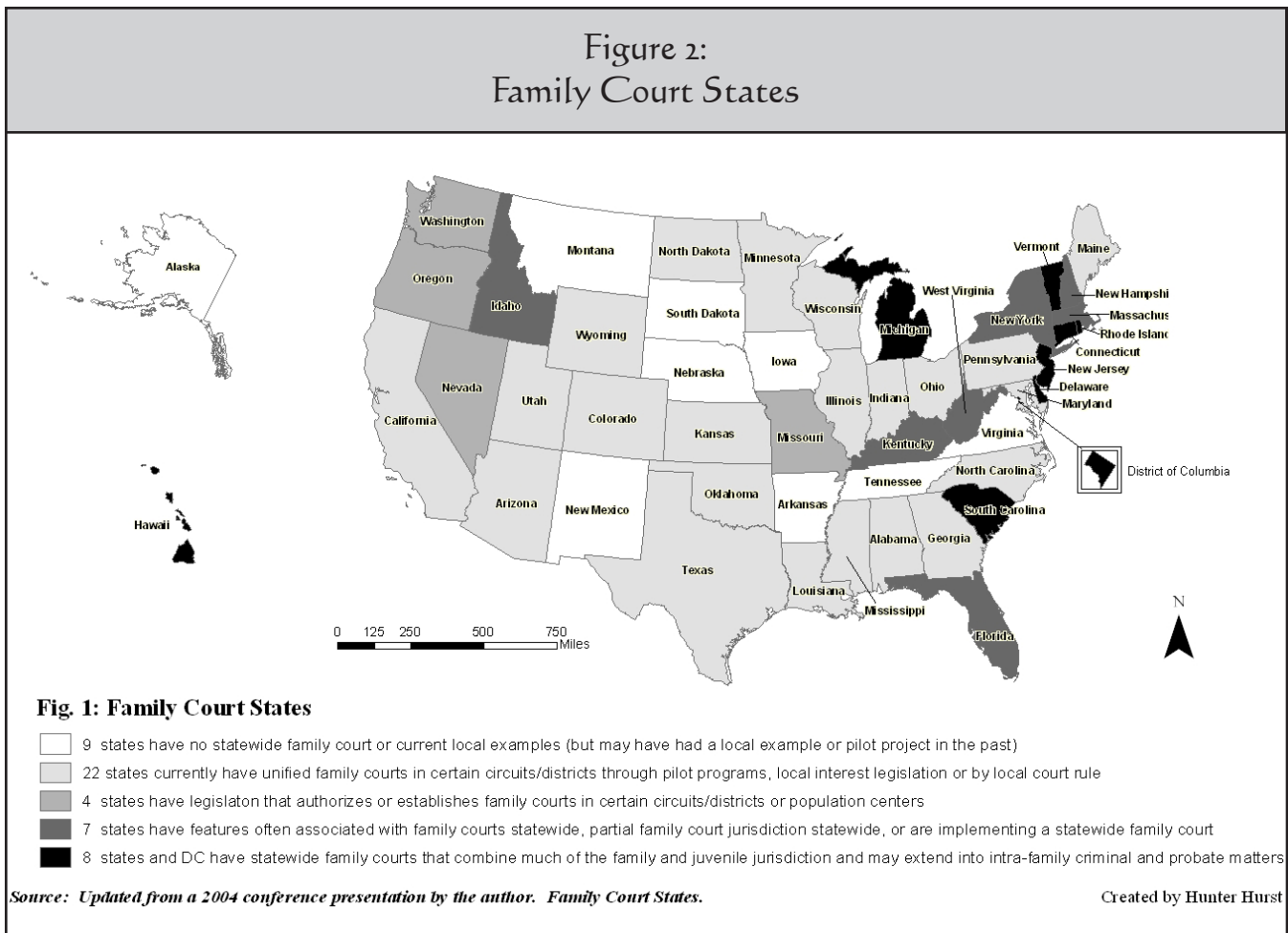
A total of 41 states and the District of Columbia have some form of family court structure, either statewide or in selected local jurisdictions (Fig. 2). Ohio is among the 22 states that currently have local family courts or family court experiments that have been established through pilot programs, local interest legislation or local court rules.

Of Ohio's 88 counties, a total of 78 have set up family courts of some kind (Fig. 3). The state preserves the flexibility of the counties to adjust the boundaries which define specialization to best fit existing resources in the courts. Therefore, an organic folding and splintering of court divisions has occurred over time through the introduction of local interest legislation to reorganize Ohio courts in each county. This process has resulted in four broad varieties of family court.

- *One Judge/All Case Types.* Five counties have the purest form of family court, in which one generalist judge sees all cases involving individual members of a given family, regardless of their nature.
- *Probate + Juvenile.* Sixty-one counties combine probate and juvenile jurisdiction in one court. This is by far the most common format, particularly in rural areas.
- *Domestic Relations + Juvenile.* Seven counties combine domestic relations and juvenile cases in one court, including the urban centers located in Franklin and Stark counties.
- *Probate + Domestic Relations + Juvenile.* Five counties combine jurisdiction over traditional probate, juvenile and domestic relations cases in one court division, adopting the name family court.

The probate/domestic relations/juvenile model has emerged over the past ten years. The most recent additions to this group are Lorain County (February 2009) and Champaign County (2007). Balancing movements toward family court, a previously combined juvenile

Figure 2:
Family Court States



and domestic relations court in Richland County has moved away from a family court format in favor of full specialization and a juvenile court.

Finally, eight counties have enabling legislation to move the parentage/custody/visitation/ and support jurisdiction for unmarried parents from specialized juvenile courts to the domestic relations division—in essence distilling a more specialized juvenile court and family law court. The remainder of this bulletin highlights considerable success in the Lorain County model and concludes with a summary of county developments both in favor and at odds with the family court ideal.

Lorain County

Over the past 15 years, the Lorain County Domestic Relations and Juvenile Court has steadily extended its family court approach to a greater range of case types. The Court also has increased the span and depth of its interventions, accountability tools for addressing the behavior of delinquent youth, and its treatment options for court-involved families.

Lorain County is Ohio's tenth most populated county with a population approaching 300,000 people. Just west of Cuyahoga County, it contains nine incorporated cities, the largest of which are Lorain and Elyria, which have total populations of about 70,000, and 60,000 re-

**Figure 3:
Family Court Jurisdiction**

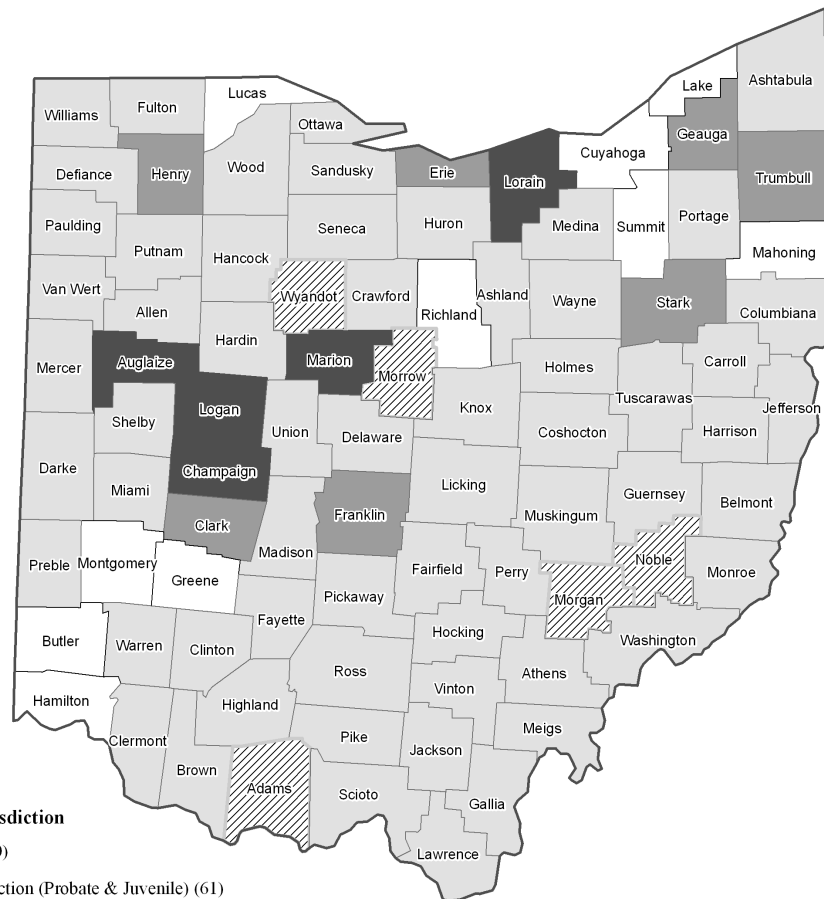


Fig. 3: Family Court Jurisdiction

- Fully Specialized (10)
- Family Court Jurisdiction (Probate & Juvenile) (61)
- Family Court Jurisdiction (Juvenile & Domestic Relations) (7)
- Family Court Jurisdiction (Probate, Juvenile & Domestic Relations) (5)
- ▨ Family Court Jurisdiction (All Combined) (5)

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Miles

Figure 4: Benefits of the Family Court

Benefits of the family court attributed to Judge Paul Alexander of the Lucas County Family Court in the 1960s:

1. Unifies judicial philosophy
2. Reduces conflict of jurisdiction
3. Reduces multiplicity of litigation and forum shopping
4. Develops specialist judges
5. Creates economies for families in courts with multiple issues/problems
6. Conserves lawyer time and effort
7. Conserves court time and effort
8. Establishes a common repository for family legal records
9. Encourages social agency cooperation
10. Develops more effective staff by providing a more complete picture of the family in court while treating component case elements
11. Shares service and support staff rather than duplicating them
12. Increases consistency and certainty of court process making it easier for attorneys to advise clients
13. Provides judicial access to records that increases effective decision-making



Judge Paul W. Alexander

spectively. The county is large and complex, with urban, small town, metro-suburban, college town (Oberlin) and rural elements. Lorain County's diversity, size and proximity to a major city make it an ideal location for family court. From the point of view of one court leader, Lorain County is the perfect size for a fully integrated family court approach to succeed and provide meaningful efficiencies for court users.

The Lorain County approach to family court integration emphasizes:

- the importance of parent, child and adolescent education in custody matters
- easy access to alternative dispute resolution
- highly structured divorce case management and services
- a therapeutic approach to behavioral health issues impacting families
- a family-friendly facility and one-stop services
- integrated social service provider partnerships, and

- one-family—one-judge case assignment when it serves the welfare of a vulnerable family member.

Managing Specialization

Among the most important elements of the Lorain County's family court model is the availability of magistrates to support elected judicial leaders. Each judge has three full-time magistrates. The magistrates are hearing and case-management specialists and are assigned responsibilities by their respective judges, tailored to individual experience and the judge's personal style. This critical resource helps judges to assume a generalist role across a broad range of jurisdictions, while preserving the efficiencies of specialization. The freedom and distance inherent in the arrangement helps the judge view a broader picture of families in court and apply their presence at critical leverage points in the process, such as initial hearings in emergency circumstances and during parent, child and adolescent education seminars provided early in the process. While random case assignment occurs at filing, cases are coordinated before the same judge when

a concurrent or prior filing is identified. This helps a three-judge court in a fairly large urban jurisdiction feel more like a one-judge rural operation.

Delinquency Services

A critical prerequisite for Lorain County’s pursuit of the family court model is its extensive array of specialized services for pre-delinquent and delinquent youth. A strong juvenile services department is important in a framework that must balance community protection and public safety with the therapeutic identity of a family court. In Lorain County, juvenile court services and probation departments have worked with state funding streams to assemble a continuum of locally administered delinquency services, from the point of intake and adjustment conferences to secure and staff-secure facilities tailored to the specific needs of its clients (Fig. 5). The continuum of delinquency intervention services in Lorain County is robust, ranging from truancy early-intervention programs and well-staffed intake adjustment resources to specialized training for community control staff, program support for research-based behavior modification, and specialized supervision for sex offenders and youth with mental health issues.

Troubled adolescents and their families also benefit from a court-operated residential campus offering secure detention as well as long-term staff-secure residential services that are tailored to the separate programming needs of adolescent girls and boys (Fig. 5). There may be need for growth, and secure detention facilities are starting to show their years. However, overall, this court has steadily expanded, improved and refined its delinquency services which in turn has served as the foundation for expanding its therapeutic reach to other types of family matters. In the process, the court has truly actualized a philosophy that the behavior of delinquent children is most effectively addressed close to home, and with as much family inclusion and support as possible.

Extending the Family Court Boundaries

In 2006 the Court extended its family court jurisdiction to include criminal non-support felony cases. A Lorain County judge explained the reform as a natural extension of cases that start in many instances with a juvenile court non-support filing. She views integrating caseloads as a way to strengthen the court’s relationship with the local Child Support Enforcement Agency. Increasing the continuity and consistency of the court involvement in child support actions is a strategic step toward

Figure 5:
Lorain County Delinquency Service Array

<i>Prevention & Early Intervention</i>	<i>Immediate Interventions</i>
Court/School Liaisons	Drug Court
Family Education Court	Probation
Intake adjustment hearings	Community Control/Supervision Teams
Unofficial complaints	Anger Reduction Therapy
First offense shoplifting	Cognitive Therapy
Tobacco violations	Anger Control Therapy
First offender diversion	Intensive Community Intervention/Control
Status offender diversion	Specialized Sex Offender Community Control
Youth Education Shoplifting Program	Specialized Mentally Ill Community Control
Drug and Alcohol Education/Eduvention	Bellefaire Juvenile Offender Project
Non-secure residential short term shelter	Skills for Youth skill development for mentally challenged youth
<i>Community Confinement</i>	Payback Restitution Program/Victim Services
Detention Home for Males	Community Service
Detention Home for Females	Psycho Educational Groups
In-home detention/electronic monitoring	Strengthening Families
12-month male residential	Thinking for a Change
12-month female residential	Girls Circle

Background photo - one of two long-term residential facilities for boys and girls in Lorain County.

coordinating the adult criminal actions that frequently grow out of and impact juvenile and domestic cases.

Concurrent to expanding jurisdiction, the court reorganized to gradually integrate probate jurisdiction. The three domestic and juvenile judges were sworn as probate judges in January 2006 and began assuming responsibility for certain aspects of the probate jurisdiction such as adoption finalizations in cases stemming from permanent custody (termination of parental rights). Full merger of the probate jurisdiction with the domestic and juvenile court occurred in February 2009 and makes Lorain County the largest of the fully integrated family courts (and one that includes jurisdiction over felony non-support matters).

Probate Identity and the Family Court

The dominant version of family court in Ohio integrates juvenile and probate functions, combining the older tradition of the probate court with the more recent specialty area of juvenile law. The probate identity is important for a true family court in Lorain County. As one judge pointed out, it is the court that families visit for regular life events, whereas the juvenile and domestic jurisdiction are like emergency rooms for family crisis and upheaval.

In Lorain County, the merger will result in some important differences. Four, rather than three judges, will preside over the full range of jurisdiction, with support from twelve full-time magistrates (one specializing in probate issues). The new family court is expected to have greater flexibility for managing specialization amid workload fluctuations and will reduce the obstacles to coordinating the cases of families in court. Proponents of the merger also suggest the plan may reduce long-range costs by removing the need for an additional domestic/juvenile judgeship (with associated hearing officer and support staff) that would otherwise have been required for the Domestic Relations and Juvenile Division in the near future.

Opponents of the family court consolidation initially questioned the immediate costs of the change, both for additional domestic/juvenile judicial support positions required by statute and for retrofitting of the brand new justice center facility. They also questioned the wisdom of expanding the breadth of power in one court division. A compromise agreement minimized facility modifications needed to support the new operating framework, so that the changes would be covered within existing facility maintenance budgets. But local interest legislation was introduced to reverse the consolidation. The

measure failed to pass, but may be reintroduced to reverse direction after the full consolidation is implemented in February 2009.

Integrated Services

The family court movement assumes that the court's access to a seamless array of social services is critical to the actualization of a "true" family court. This requires a commitment by the court to lead collaborations among a wide array of service providers. The Lorain County example includes such a collaborative effort – the Integrated Services Partnership (ISP).

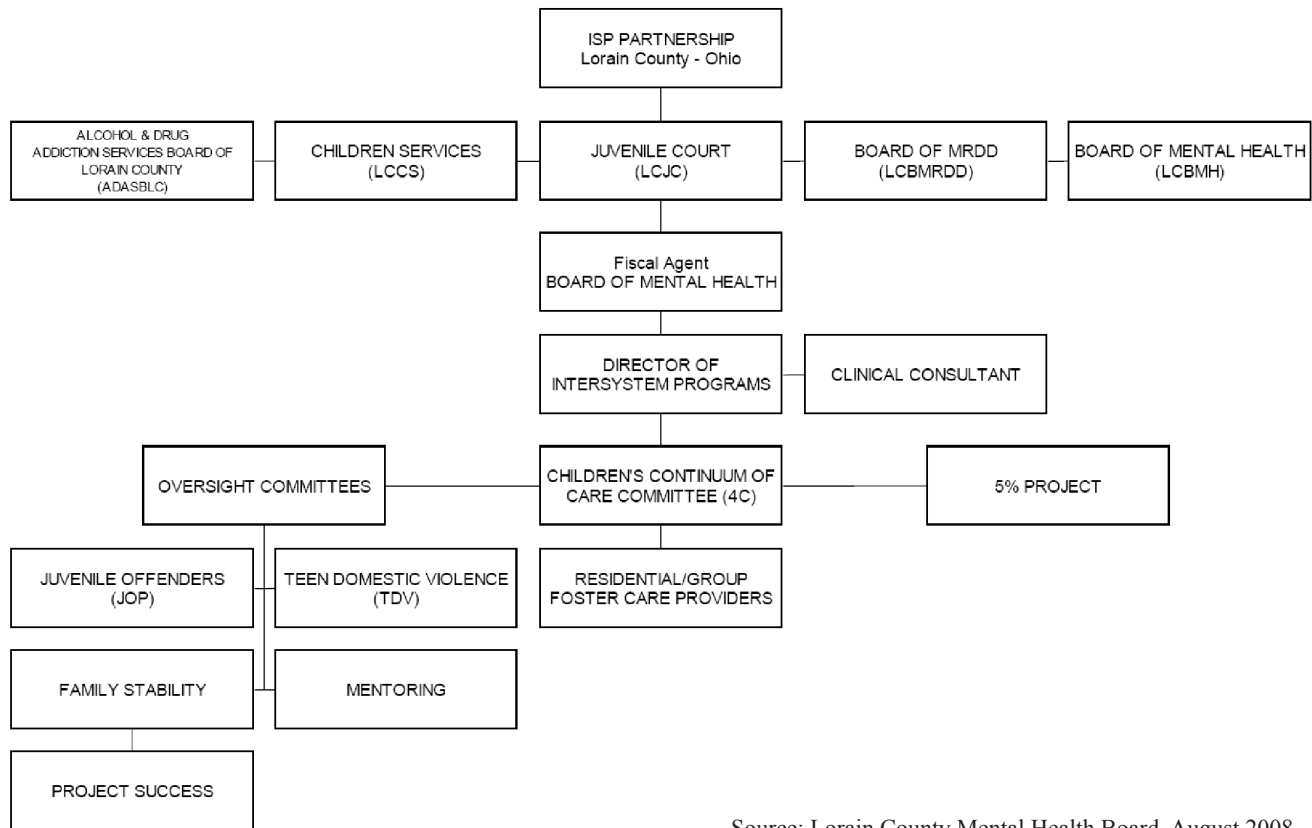
The ISP grew in 1995 from an established cluster process for shared funding of placement services for youth with behavioral issues that spanned more than one social service provider. ISP currently requires full participation from the leaders of the Court, Children Services, Mental Health Board, Mental Retardation Board and Alcohol and Drug Addiction Services Board (Fig. 6). These leaders meet each month in the court facility. The partnership has sustained its momentum over the years, moving past the goal of pooling placement moneys to focus on the maintenance of youth in the community and utilization of court records to develop research-based strategies for delinquency prevention (Fig. 7).

The Family Court Facility

Well-designed court facilities have adequate space to treat the public with dignity, project an appropriate public image, support efficient and safe circulation paths for different types of consumers, and facilitate access to court-related social services. Not coincidentally, the emergence of a family court model in Lorain County coincided with a much-needed court facility upgrade.

The Court faced many obstacles to realizing the full potential of family court in its prior facility. Sandwiched between floors of a County Administration Building, the Court was difficult to navigate and crowded with anxious families seeking answers and waiting for court hearings. In contrast, the Lorain County Justice Center complements the mission of the court to care for and protect families by treating them with dignity during the process and providing the space and tools required to reap the greatest benefit of each court visit and hearing event.

Figure 6:
Lorain County Integrated Services Project



Source: Lorain County Mental Health Board, August 2008.

Figure 7:
Developing Knowledge for Community Success

The Lorain County Integrated Service Partnership Board's Community Success program epitomizes the level of commitment among the court and social service partners in the ISP. Community Success is a collaborative of the court and local children services agency and Dr. Chris Mallet, Assistant Professor, School of Social Work, Cleveland State University. A goal of the project is similar to Charles Hoffman's vision of the final purpose of family court to develop knowledge that will one day inform intervention strategies for preventing youth with child protection histories from subsequent delinquent behavior.

With the assistance of Dr. Mallet, the court is sampling the court intervention histories of delinquent youth that have had an earlier history with the child protection agency. The research goal is to identify the risk and protective factors for youth with abuse and neglect experiences who were adjudicated delinquent by the court.

The court and the agency share an interest in preventing delinquency and ultimately reducing the need for costly out of home placements for delinquent youth. The initial stage of the research project is complete with a study of 70 youth placed on juvenile probation in 2005. A profile of risk and protective factors currently is being developed in phase 2 of the project. Upon completion, this profile will be used to tailor programs and additional services for abused, neglected and dependent youth to prevent subsequent delinquent behavior.

The Justice Center facility is placed prominently in the town square of the County Seat, Elyria. Clients of the court wait for hearings with a view of Elyria and the greater community at hand (see Fig. 8). While the facility's central location has some drawbacks, families make no mistake they have entered the main court facility for the community.

Among the many building highlights, is a customer service orientation area with clear signage and access to information (Fig. 9). In a single hallway on the first floor of the building, users of the court can access record-keeping services for most legal matters (with the exception of probate records).

The new facility brings together an array of court services that formerly were scattered around Elyria, helping to consolidate the case management responsibilities as well as reduce confusion for consumers who can access services directly after court hearings. Most court operated juvenile and domestic relations family services are located in the facility, with the exception of juvenile residential services, which are located on a campus outside of town.

The facility also facilitates the use of case management techniques to encourage amicable settlement of issues in divorce and custody matters. Court magistrates formerly attempted to conduct conferences and hearings in tiny offices, across desks. Large families literally could not fit into some of the rooms and magistrates were sometimes called upon to search out adequate space elsewhere in the building. In contrast, each magistrate now has a hearing room with ample space to accommodate families. Similarly, several small conference rooms are available for families that need to meet privately with counsel.

The new courtrooms strike a balance between respect for the law and the authority of the court and sensitivity to the needs of families (Fig. 10). They are equipped for jury trials and greatly benefit from sharing the General Division's jury management resources in the building. Further, separate user circulation for the public, the judges and court staff and persons in custody has increased the security of the environment, ensuring the safety of all individuals during sensitive hearings.

Over the past 10 years, four rural counties north and northwest of Franklin County have created family courts—Auglaize, Logan, Marion and Champaign counties. A fifth county in the region, Morrow County, has developed an alternative family court model for a rural area that sets it apart from any county in the state.



Fig 8: View from waiting area



Fig 9: Reception Area



Fig 10: Courtroom

Family Courts in Rural Ohio

Marion County Family Court

Marion County has developed an integrated family court that combines probate, juvenile and domestic relations jurisdiction. As the community grew and workloads increased, the common pleas court—then a probate-juvenile and general division model—created an additional judicial position to specialize in domestic relations matters. The scope of the probate-juvenile bench seat was subsequently broadened to include a domestic relations judge and to consolidate the new judgeship within a family court structure. The local interest legislation combining the division was approved in 1998 and a judge elected in 1999.

The creation of the family court was only the start of local court reforms. Court leaders steadily have targeted obstacles to full integration, taking steps that have included 1) bringing the probate-juvenile court and associated services into a new facility, 2) consolidating all of the family court record-keeping responsibility under the elected clerk of court, 3) advancing a new computer system to support operations on a compatible platform, and 4) consolidating local court rules into family court rules. The new facility was completed in 2004 and the elected Clerk of Court assumed the responsibility for juvenile records the same year.

According to a local judge, the family court format has increased the consistency of the court's responses to families. Families come to a single destination and deal with one staff member who has been cross-trained. They can ask questions about all jurisdiction matters and receive a consistent answer. The family court also has changed the image of the court in the community, leading to closer relationships with the schools, children's services, Families and Children First Council, and the child support enforcement agency. The change has contributed to the court developing additional family services, including parent education and mediation resources for both divorcing and never married parents, and case management procedures aimed at improving the timeliness of the hearing and decision-making processes in child protection cases.⁵

Logan County Innovations

Logan County established a family court system in January 2005. The family court was started by combining the jurisdictions of Domestic Relations, Juvenile and

Probate Divisions under a newly elected Judge and the incumbent Probate-Juvenile Judge. The two judges hear all case types within the new family court jurisdiction.

An early and ongoing challenge was working within the constraints of automated case tracking systems developed to essentially independently support the Common Pleas pre-existing divisional boundaries. Similar separation remains in place with respect to maintenance and access to legal records across these earlier jurisdictional boundaries. Even under the family court operating rubric, cases must be randomly assigned to judges by the Court's computer system, and the domestic relations case types are assigned by law to the elected Clerk of Court's while the family court judges are the ex-officio clerks for cases designated as juvenile or probate filings. The original design of the Common Pleas Court's automated system reflects these separations in its database architecture, presenting an immediate obstacle to systematically unraveling the inter-related case types of families in court at filing.

Logan County leaders have been developing a range of interim solutions to overcome automation obstacles. They continue to work with their software vendor to identify automated "workarounds" for the existing database architecture and to refine the manual family case screening procedures the clerks for domestic relations and probate/juvenile have established. The clerks apply certain docket codes to indicate the cases involving the same parties and families so that judicial officers can have all related cases before them for court hearings. Though the process is both slower and less precise than a fully automated solution, staff manage to retrieve and organize related case information to contribute to more complete knowledge of families in the system and consolidate cases before the same judge when it serves the best interest of children and vulnerable family members.

By developing interim solutions, the Court and its clerks have advanced their knowledge of family court intake and are developing a more complete understanding of the kind of judicial operations that will one day be supported by automated records management in Logan County. They also are advancing understanding of how to operate a family court in a rural setting. The manual screening and case consolidation procedures, for example, successfully assign cases with minimal judicial recusals due to case conflicts. Issues related to incomplete or missing information needed for identifying family members and family cases have been partially resolved through development of special clerking procedures. The court has finally streamlined a procedure for printing the case history information from the respective

court automation modules in a summary manner. This document provides the judiciary a history of a family's legal involvement.

Morrow County Innovations

For many years Morrow County Judges considered their court one of Ohio's original family courts. A single judge handled every trial court matter from felony criminal trials to juvenile traffic violations. As the community grew and the time approached to make a case for a new judgeship, the County resisted specialization. Rather, the court and community chose to retain the one-judge tradition by requiring each of two judges to handle all case types and selectively coordinating the cases of families with fragmented litigation before one judge. Morrow County is the only jurisdiction in Ohio with more than one judge in the common pleas court to not create a specialty division.

Judicial leaders from Morrow County consider the model a good fit for several reasons. First, developing a pool of experienced candidates for a new judgeship is easy in a place where most of the local bar are generalists. According to Morrow County judges, support for the model also came from the fellowship of the remaining five one-judge jurisdictions. Leaders in these courts collectively recommended preserving the advantages of their current format, particularly the ability to recognize the complexities of families in court and their progression over time.

The Morrow model also conserves costly facility resources; a separate, specialty division eventually requests its own separate space, customized to its function. Sticking to the truest one-family—one-judge-model also reduced the need for additional staff positions such as separate court administrator, assignment commissioner and head clerk positions. Cost savings also may be realized in other public agencies that are inclined to mirror the court specialization (e.g., prosecution and public defense).

Setting aside frugality, the Morrow model foremost preserves the truest vision of the family court. Individual pleadings are randomly assigned to each judge per the Ohio Revised Code. Separate actions are selectively consolidated before one judge when it serves the best interest of a family member. In practice, this can be realized by each judge being assigned the cases of a dozen or so families with complex multiple actions in court, frequently spanning several years. In the words of the Morrow County Judges, one judge takes the Hatfield family's cases and the other takes the McCoy's.

Modified Jurisdiction Counties

Among the most inter-related areas of jurisdiction cited in the 1997 Ohio Family Court Feasibility study was jurisdiction over parentage, custody, support and visitation issues for unmarried parents. A majority of respondents simply felt that the specialized juvenile courts were not as effective at handling the detail of these matters for unmarried persons as specialized domestic relations courts were with married couples.⁶ A current response in Ohio jurisdictional arrangements is to introduce local interest legislation to modify the jurisdiction of the domestic relations divisions to include parentage cases and all of the custody, child support and visitation issues of unmarried persons, or to modify the juvenile court jurisdiction to exclude these cases. Eight Ohio counties currently have such enabling legislation, and court leaders in three counties (Summit, Richland and Medina) have reported implementing the change.⁷ A ninth locality, Butler County, has implemented a similar change by local court rule, transferring parentage cases and the associated custody and child support matters from the juvenile court to the separate domestic relations court.

Supporters of the change point to steadily growing numbers of juvenile court cases and the efficiencies realized in consolidating custody, visitation and child support matters in one court division. Where the domestic division is well equipped, the move is viewed by some as freeing the juvenile court to focus its resources more intensively on delinquency, unruly and child protection matters. Among the courts making the move is Richland County, which also separated a combined domestic and juvenile court division. Further specializing the courts and removing parentage cases from the juvenile court jurisdiction is viewed by the juvenile court judge as creating a specialty court for extraordinary family events (juvenile court) and for more common life change events (domestic court). From a juvenile court judge's view it responds to changes in the local environment (a greater number of children born out of wedlock) with a modification that optimizes existing resources. The primary goal for modifying the jurisdiction of the juvenile court in other counties is to provide greater consistency in the handling of custody, visitation and child support issues regardless of marital status.

Conclusion

Ohio remains an ideal place for testing the sustainability of family court in a range of settings. Tradition firmly roots the state in advancing family court ideals, without dismissing the forces that compel specialization for practical reasons. The preconditions for supporting a family court orientation do not exist in all communities at all times, and family courts can be challenging to sustain as workloads and resources ebb and flow. When and where family courts emerge in Ohio they hang upon a strong framework for enabling specialty courts that is independent of how jurisdiction is organized within the overall trial court and in many ways much more critical to achieving best practice.

Endnotes

- ¹ Alexander, Paul W. (1958) *Legal Science and the Social Sciences: The Family Court*. *Marriage and Family Living*. 20(2), May 1958, pp. 132-139.
- ² Among these Ohio leaders were Judges Tom Jenkins (Marion County), Don Ramsey (Erie County) and Gerald Radcliffe (Ross County).
- ³ Hurst, Hunter, Jr. et al (1997). *Ohio Family Court Feasibility Study: Final Report*. National Center for Juvenile Justice.
- ⁴ Hurst, Hunter, Jr. and Halemba, Gregg, (2002). *Ohio Family Court Feasibility Study: Phase II Final Report: Assessment of Family Court Pilot Initiatives*. National Center for Juvenile Justice.
- ⁵ Lord, Rachael (2006, Winter). *Summary of the Ohio Court Improvement Reassessment; Recommendations for Improvement; and Court Initiatives Making Progress*. *Children, Families and the Courts: Ohio Bulletin*. National Center for Juvenile Justice 2(4) p. 13.
- ⁶ Hurst et al (1997)., *op. cit.*, p. 57.
- ⁷ The eight counties are Allen, Fairfield, Medina, Licking, Muskingum, Richland, Scioto and Summit.

TPR Appeals — A Case Processing Update

The Supreme Court of Ohio in collaboration with the Ohio Department of Job and Family Services initiated case-level data collection efforts to improve the management of appellate delays in termination of parental rights (TPR) appeals (from the trial courts). The ongoing work was initiated in 2002 to examine the accuracy of a Child and Family Service Review assertion that Ohio’s appellate courts inhibited children’s ability to achieve permanency.

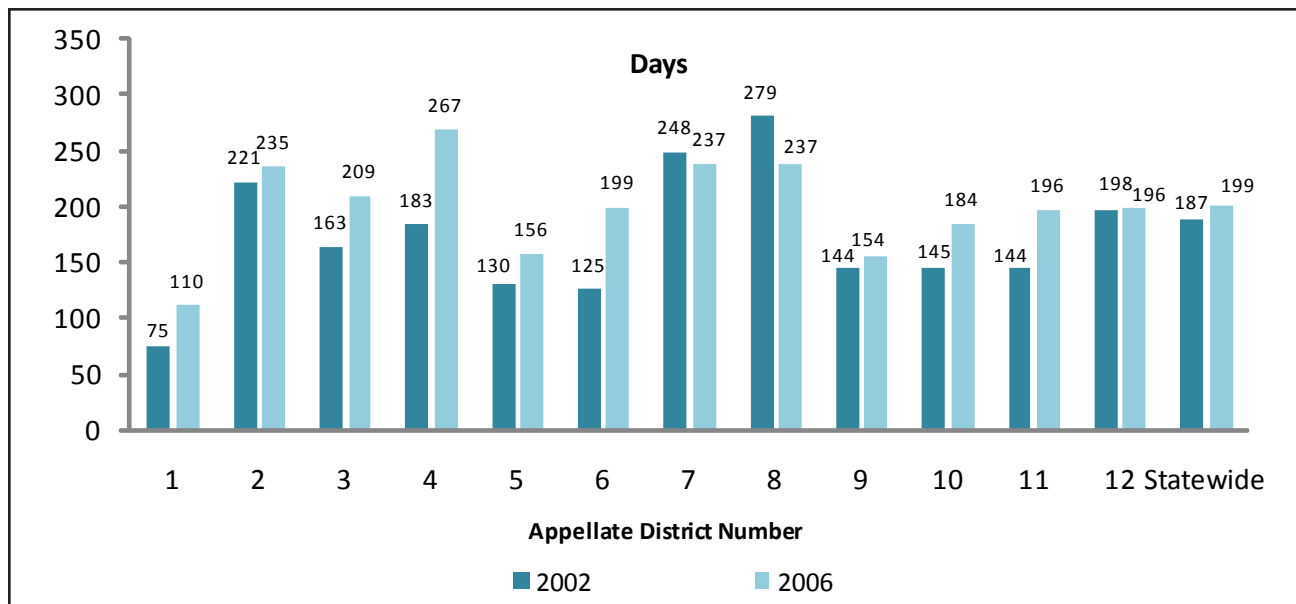
Data are collected when TPR determination appeals are filed in one of Ohio’s twelve appellate courts. The Supreme Court of Ohio’s Children, Families and the Courts Section gathers the data with the assistance of each district, which identifies cases resolved in a targeted calendar year. Key case processing information related to the initiation and timeliness of the appeals process is then extracted.

In calendar year 2006, the Ohio appellate court system decided 317 TPR appeals, involving 378 children. The courts serving the 4th, 5th and 6th Appellate Court Districts contributed over half of the overall appeals cases. In contrast, the districts encompassing the individual counties of Cuyahoga (8th District), Franklin (10th District) and Hamilton (1st District) contributed about 15% of the appeals case workload. Over 60% of the overall appeals workload on TPRs is generated from cases originating in eight counties.¹ This set of TPR appeals workload-driving counties are inclusive of the major urban jurisdictions of Cuyahoga, Franklin and Lucas counties, but also include some fairly rural jurisdictions.

Statewide, appellate cases took 199 days on average from the date of the notice of the TPR appeal to decision in 2006 (Figure 1). This represents 12 days longer on average than 2002 when the overall average was 187 days. The 1st District court comprising Hamilton County was the only court to decide cases (on average) within the 120-day timeframe recommended by the National Council of Juvenile and Family Court Judges (Figure 1).²

Two appellate districts have reduced the number of days to a decision compared to the 2002 base year (Fig 1). The 7th District took 11 days less on average, and the 8th District reduced the time frame by 42 days. On the other hand, 10 of the appellate districts took anywhere from 2 days upward to 84 additional days in 2006 than in 2002 to decide cases. The average delay increase experienced across these 10 districts in comparison to the 2002 base year was 38 days.

Fig. 1:
Average Number of Days from the Appellate Court Receiving a Notice of Appeal



TPR Appeals — A Case Processing Update....continued

**Table 1:
The Relationship Between the Appeals Process and the Age of the Underlying TPR Case
(2006 TPR Appeals Data)**

		Years from original removal to filing of TPR decision			
		Less than 1 year	1-2 Years	More than 2 years	Total
Days from initial notice of appeal to appeal decision entered	Less than 120 days	11 (23%)	19 (12%)	16 (18%)	46 (15%)
	120-180 days	13 (28%)	60 (37%)	24 (27%)	97 (32%)
	180-240 days	13 (28%)	31 (19%)	27 (30%)	71 (24%)
	More than 240 days	10 (21%)	54 (33%)	22 (25%)	86 (29%)
	Total	47 (100%)	164 (100%)	89 (100%)	300 (100%)

A slight positive correlation exists between the relative age of the originating TPR case and the length of time required to enter a TPR appeal decision. Cases that took more than two years from initial removal to a final TPR decision being entered were more likely to also suffer from delay in the appeals process of 180 days or more (Table 1). Specifically, 49% of the cases with underlying TPR cases of less than one year took 180 days or more on appeal to decide; whereas 55% of the 89 cases with an underlying TPR of 2 or more years took 180 days or more on appeal.

Over two-thirds of TPR appeals involved extensions for submission of the record and/or briefs. Extension requests for a record typically also were accompanied by an extension for a brief in 39% of the overall TPR appeal cases, making “combined extension cases” particularly problematic (fig. 2, p. 15). The combined extension situations added 110 additional days on average to enter a final decision on a TPR appeal. Extension for briefs-only were also fairly common, occurring in almost one-third of cases, and adding well over a month (39 days) on average to the appeals process.

Some questions raised by analyzing Ohio’s TPR appeals data include:

- *What external factors/influences can explain changes in TPR appeal timeliness between 2002 and 2006 data years?*
- *What are the formulas for strongly performing appellate districts? For example, what is the relationship between the Ohio Rules of Appellate*

Procedure for expediting TPR appeals and differential performance between districts? Do strongly performing appellate districts apply the court rule differently than those that experience greater delay?³

- *How do TPR filing rates in the counties comprising an appellate district influence the TPR appeals workload of the districts?*

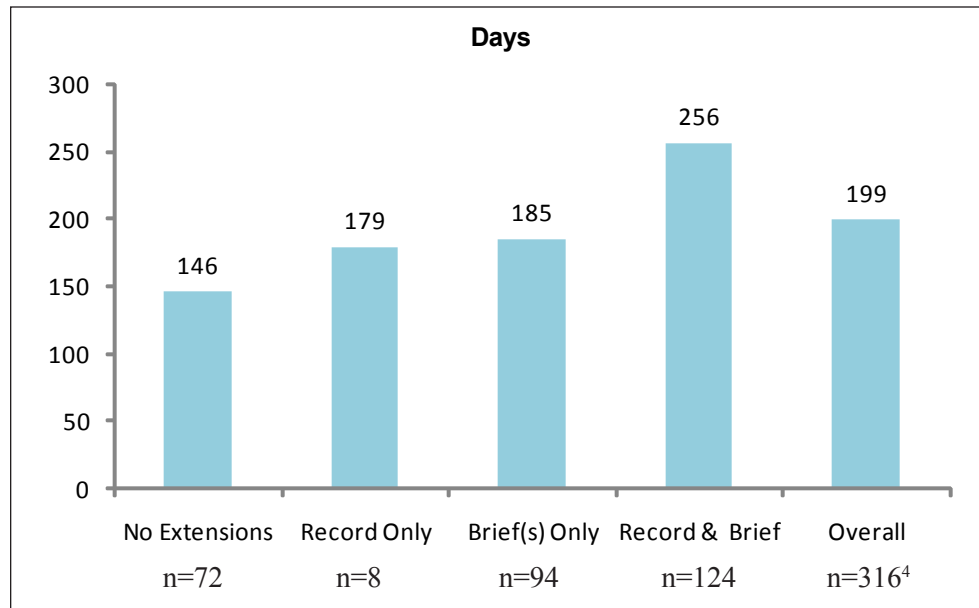
¹ The eight counties are Cuyahoga, Fairfield, Franklin, Lucas, Stark, Summit, Tuscarawas and Vinton.

² Please see National Council of Juvenile and Family Court Judges, *Adoption and Permanency Guidelines: Improving Practice in Child Abuse and Neglect Cases*, Chapter 4 (2002). The overall proposed time allocation for appeals process in the Resource Guidelines is 150 days. The 120-day threshold proposed in this analysis excludes 30 days allocated in the Resource Guidelines measure for the actual filing of the appeal notice and is more comparable with the measure applied in the work.

³ A good example is the 5th District Court of Appeals. This District continues may compare favorably to others in part because they apply local court rules to place these cases on an expedited calendar rather than an accelerated calendar (Rules 6 and 7, amended in 2003). The 5th District also continues to use automated reports to manage TPR appeals on a daily basis as described in the Winter 2006 edition of the Ohio Bulletin (pages, 14-15).

⁴ One case was missing the data required to calculate the days from filing of notice of appeal to final decision statistic.

Fig. 2:
The Average Number of Days from the Filing of a Notice of Appeal to Final Decision on the Appeal, Controlling for Whether or Not Extensions were Requested in the Case (Analysis of 2006 TPR Appeals Data)



SAVE THE DATE

June 4 & 5, 2009

Shared Child Welfare Decision Making: Partnering with Families and Children

This interdisciplinary symposium hosted by the National Center for Adoption Law and Policy will explore strategies for engaging and supporting families, including: birth, foster and adoptive parents; kinship caregivers; extended family; and importantly, children through all aspects of child welfare practice. Plenary sessions and breakout workshops with state and national presenters will examine the respective roles of all child welfare stakeholders in honoring family voices and empowering families to participate in decision making opportunities at all points from intake through court intervention. Please plan to join us at the Greater Columbus Convention Center on June 4 & 5, 2009.

To view the agenda, and sign up to receive information regarding the symposium, go to <http://www.law.capital.edu/adoption/symposium/>.

Ohio Updates

Alternative Response

The Spring 2007 Ohio Bulletin provided a detailed description of Alternative Response, including a description of the Subcommittee on Responding to Child Abuse, Neglect and Dependency's (Subcommittee) intent to oversee the Alternative Response pilot project authorized in Ohio Am. Sub. Senate Bill 238 (26th). Alternative Response project updates since have become a staple of the Ohio Bulletin series.

The previous update (vol. 4 no.2, p. 16) described project site preparations for going live with Alternative Response. Since then, state and local administrative focus has shifted from initial implementation to system monitoring, quality assurance and examining model fidelity within and across the sites.

The first third of the project demonstration phase is complete and the project sites collectively are producing the first initiation-to-closure outcomes of working with families with an alternative approach. New practices are starting to settle across the sites. Site representatives generally report developing a comfort level with the work, realizing its organizational impact and benefits, and encountering specific systemic or community challenges. On a day-to-day basis, the project sites are establishing:

- *Routine.* Counties report that alternative response caseworkers are becoming more comfortable with the approach and its expectations, as well as self-assured in their roles. Individually, counties are discovering how planned case flow, management and timeframes developed in concept actually function in practice. For some programs, this has required regrouping for organizational or vision adjustment; for others, success has provided added opportunity.
- *Ongoing support and communication.* As front-line workers and supervisors engage more deeply in the programming and begin to more clearly differentiate from current practices, they are identifying the need for specific skills and knowledge bases. Project administrators are seeking to provide training opportunities, outside technical assistance and opportunities for peer support and group problem-solving.
- *Data collection.* Site-specific data bases and processes to track and monitor key components of alternative response are being implemented and reviewed. As of mid-January, 2009, there are approximately 2,200 families in the study. Data collection is focused both on outcomes and on information critical to administrative oversight, such as case assignment, expenditures, and services. Establishing sound data collection frameworks is a labor-intensive process, and working outside of SACWIS has been a significant barrier to larger project sites.
- *New partnerships.* As sites focus on finding innovative solutions to families' needs, new associations continue to develop with community service providers. Some counties have reported a shift to less-traditional partnerships, often from the private for-profit community; others report that the process of community education and/or team planning for families has resulted in a more comprehensive understanding of the myriad resources that are available, producing an expanded menu from which to select.
- *Public and professional education.* All counties have held community meetings and have had excellent press coverage that enhanced the overall understanding of child welfare. For some counties, talking about Alternative Response has offered the child welfare agency an opportunity to open conversations about service needs and to dispel misperceptions about agency practices.
- *Problem solving.* Perhaps most exciting have been agencies' success stories and the discovery of new solutions to old problems. Project funds, along with practice creativity inspired by the project are resulting in more services and different types of services for families. Workers also are reporting that they are spending more time in the field with families. For example, a Licking County worker recently commented, "I like the idea that I can just spend time with the family to come to a resolution, rather than gathering information to come to a decision." Some workers report an enhanced ability to engage family support systems since families do not feel stigmatized. Client input from family members is consistently positive concerning the Alternative Response approach.

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Ohio Updates

Alternative Response.... continued

.....continued from page 16

The project is steadily advancing and becoming an established practice for project sites. Several challenges, however, have emerged within the project sites, including:

- Maintaining fidelity of the overall research goals for the project, particularly with regard to case randomization and management.
- Meeting specialized training issues to address gaps in skill sets required for Alternative Response practice.
- Adapting to an environment of dwindling resources as difficult economic times swell client rolls and needs. Housing, for example, is a critical need for families across counties. Transportation is another challenge for families, especially in the more rural counties, which also continue to report gaps in substance abuse and mental health services.

The Alternative Response Leadership Council is comprised of representatives of each of the ten counties and the project staff. Over the next few months, the Council will be focusing on ensuring:

- Access to skill development and technical assistance that is responsive to worker requests.
- State-level support and understanding of alternative response (political will for change).
- Identifying the elements that are critical to success, as well as future needs for funding and services.
- Ensuring that alternative response is integrated into the state's overall priorities, including the state's child and family services review performance improvement plan.
- Continuing project oversight and accountability.

For additional project detail and updates. The state consultant team, AIM (American Human Association, Institute for Applied Research and Minnesota Consultants) produces a quarterly bulletin to facilitate communication between sites. To obtain copies of past issues or to be included in the electronic distribution, contact Kristin.Gilbert@jfs.ohio.gov or Steve.Hanson@sc.ohio.gov.

Free Multidisciplinary Training Opportunity In Your County

Your organization/agency is invited to host “Developing the Child Welfare Team: Building a Collaborative Legal Representation Model,” a workshop presented by the National Center for Adoption Law & Policy with funding provided by the Ohio Department of Job and Family Services. This half-day multidisciplinary workshop is aimed at helping caseworkers, CASA/GALs, parents’ attorneys, agency counsel and prosecutors, juvenile court personnel, and other members of the child welfare team work together more effectively. The workshop will be presented free of charge to you and your participants. CLE and CEU credit will be offered to participants. For more information, or to schedule a workshop in your county, please contact Jackie Martin, Administrative Coordinator, The National Center for Adoption Law & Policy, jmartin@law.capital.edu, 614.236.7239.

Ohio Updates

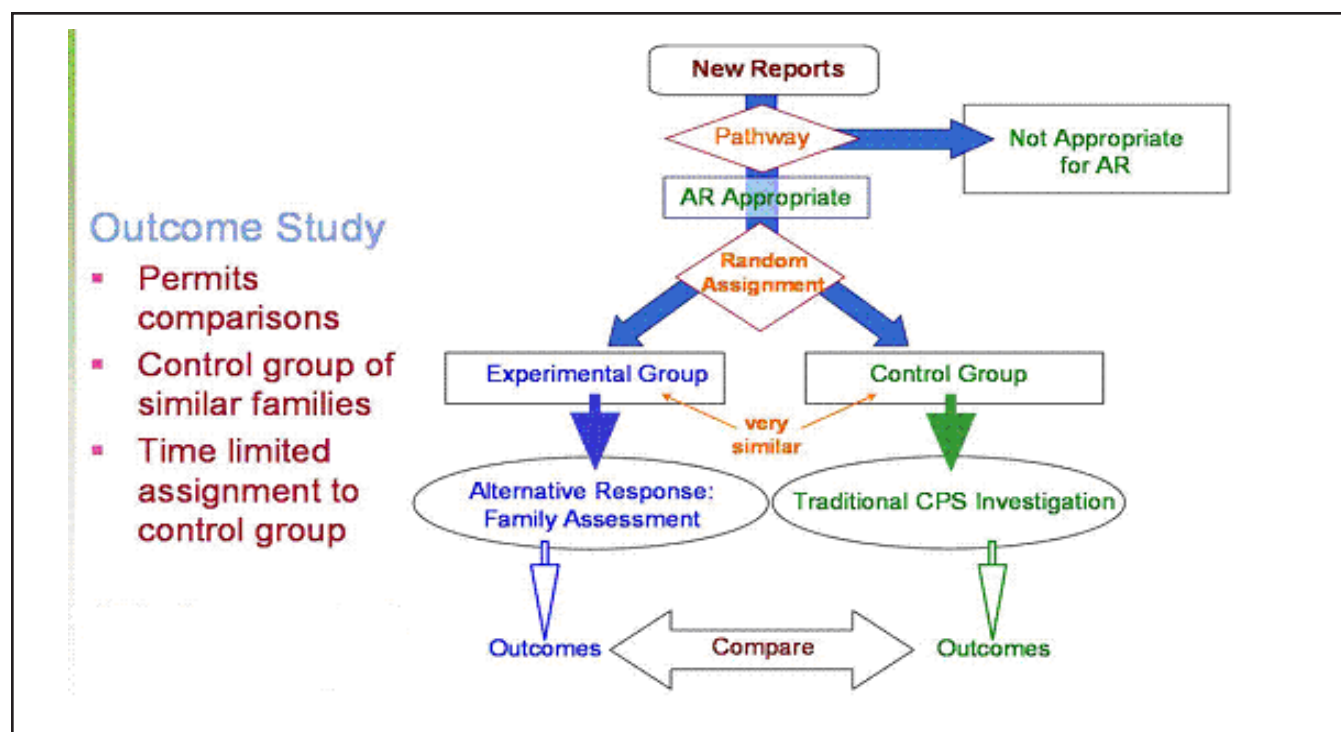
Evaluation of Ohio's Alternative Response Project

The evaluation of Ohio's Alternative Response Project is being conducted by the Institute of Applied Research (IAR). IAR is a part of the AIM (American Human Association, Institute for Applied Research and Minnesota Consultants) Team selected by Ohio to assist with the design, implementation and evaluation of Ohio's project, but it is conducting the evaluation separately from those assisting with design and implementation.

The basic design of the outcome evaluation is a field experiment comparing different approaches to responding to families accepted into the child welfare system. The study examines reports of suspected child maltreatment that have been accepted by the public child welfare agency. Cases diverted from the agency are not a subject of the study since Alternative Response is not a screening methodology or diversion program. As reports are "screened in," program criteria are applied. Clients that are not appropriate for an alternative approach (e.g. cases of sexual abuse, abuse, alleged to have occurred in substitute care, incidents of serious physical harm, etc.) are referred for investigation under the existing process established through statute and Ohio administrative code rule. In the project, this approach is referred to as "traditional response."

For the first fifteen months of the project (July 1, 2008 – September 30, 2009), families that are determined to be appropriate for an alternative response will be randomly assigned to one of two groups: 1) those offered an alternative response which includes greater participation in decision making by families and a broader approach to family needs or 2) those offered the traditional approach. The first group is the "experimental" group; the second group is the control group composed of the "business as usual" families. Differences in activities and outcomes for these two groups will be compared to determine whether the effects of alternative response are positive, negative or represent no change from the traditional approach of child protective services.

.....continued on page 19



Evaluation of Ohio's Alternative Response Project.... continued

....continued from page 18

The project expects approximately 6,000 families to eventually participate in the research as workers and intake staff gain familiarity with the process. As of mid-January, data has been gathered on almost 2,200 families.

Data collection activities include information collected from SACWIS and completed Family Service Plans. Additionally, sample cases are being randomly selected monthly. Workers are contacted for feedback via e-mail and a web survey form. IAR has established this methodology to obtain systemic information that cannot be obtained other ways, such as changes in child safety, worker views of family response, other needs of families, etc. Additionally, IAR is conducting family surveys and general worker surveys. A community survey was conducted at onset of the project and will be re-applied at the conclusion.

Overall, the evaluation is examining:

- The process of implementation and
- Changes in outcomes for children, families, the agency and the community that may result from the introduction of alternative response.

Outcomes that will be monitored include:

- Child safety
- Family satisfaction
- Family and worker perceptions of change
- Benefits and deficits of the alternative approach
- The occurrence of later reports of child abuse or neglect
- Later removal and placement of children in families offered the alternative approach
- Community stakeholder perceptions of the alternative approach
- Effects of the alternative approach on caseloads of workers
- Short-term and longer-term costs of alternative response to the state and
- Other potential changes resulting from the introduction of this approach.

The importance of the IAR work is amplified during a time of fiscal constraint--one where each stakeholder struggles to identify the services and programs that yield the greatest return for investment. The knowledge base the project is developing will assist ODJFS and its sister agencies during budget planning and state service menu reviews. And as the volume of data grows over the next six months, the experiences of workers, families and the community can be used to design a more meaningful system through the child and family services review performance improvement process.

IAR is recognized as the nation's leading evaluator of alternative (differential) response. To access a wide range of reports and studies from other states, link to IAR's website, <http://www.iarstl.org/>.

Ohio Updates

Supreme Court Adopts New Rule for Guardians Ad Litem

The Supreme Court of Ohio has announced the adoption of a new rule to govern guardian *ad litem* standards in Ohio. The rule becomes effective March 1, 2009.

Although some courts had local rules regarding guardians *ad litem*, this is the first state rule that sets standards regarding the appointment, responsibilities, training and reporting requirements of guardians *ad litem*. Rule 48 of the Rules of Superintendence for the Courts of Ohio applies in all domestic relations and juvenile cases in common pleas courts where the court appoints a guardian *ad litem*. Courts appoint guardians *ad litem* to protect and act in the best interest of a child.

“Courts rely on the expertise of guardians *ad litem* to make decisions that heavily impact the lives of children such as where a child lives and what services may be offered to the child and family,” said Steven W. Hanson, manager of Children, Families and the Courts Programs at the Supreme Court. “For a child and family, these decisions often affect their lives for years into the future. While some courts have adopted local rules, until now there has been no uniformity across the state with respect to guardian *ad litem* training and practice.”

The rule requires each court to enter an Order of Appointment, which identifies the capacity in which the guardian *ad litem* is appointed, and sets specific duties the guardian *ad litem* is to perform to learn about the facts of the case and the status of the child.

The content of the rule was based on recommendations from two former court groups: the Guardian *ad litem* Standards Task Force appointed by Chief Justice Thomas J. Moyer and a subcommittee of the Advisory Committee on Children, Families and the Courts. The rule also reflects revisions based on public input received during the public comment period.

In order to assist attorneys in meeting the requirements of this new rule, regional training is available through the Ohio Judicial College. Information on the training can be found at:

<http://www.supremecourt.ohio.gov/Boards/judCollege/default.asp>.

Current guardians *ad litem* have one year from March 1, 2009 to comply with the educational requirements.

The new rule can be found at:

<http://www.supremecourt.ohio.gov/RuleAmendments/Archive.aspx>.

A “Frequently Asked Questions” website regarding the new rule can be found at:

<http://www.supremecourt.ohio.gov/Boards/judCollege/GAL/FAQ.asp>

Ohio Updates

Biography: Director, Ohio Department of Job and Family Services

Ohio Governor Ted Strickland appointed Douglas E. Lumpkin as the Director of the Ohio Department of Job and Family Services, effective January 12, 2009. “His background in public administration, government and technology, combined with his strong commitment to public service made him the ideal candidate to lead the Ohio Department of Job and Family Services,” Governor Ted Strickland said. “Our state is facing historic economic challenges, and I am glad that Doug will be leading the agency that will provide critical services to those most in need at this time.”

Lumpkin, 51, was the director of the Franklin County Job and Family Services Agency, Franklin County’s largest agency with a budget of more than \$145 million in state and federal funds and approximately 700 employees. Prior to his work with Franklin County, Lumpkin served as the chief operating and information officer for the Office of the Ohio Auditor of State from 2003 to 2005. He was a 20-year veteran of the Office of the Ohio Attorney General where he served as chief of administration and then director of administration. Prior to the Attorney General’s Office, Lumpkin worked for the Office of the Ohio Secretary of State.

“I am honored to have this opportunity to serve the people of Ohio,” Lumpkin said. “I look forward to working with Governor Strickland, legislative leaders and all the key stakeholders of the department to address the economic challenges Ohio families are facing.”

Lumpkin received his bachelor’s degree in biology from Wittenberg University. He is a graduate of Columbus Linden McKinley High School.

(This article was reprinted from an announcement posted on the Ohio Department of Job and Family Services website, http://jfs.ohio.gov/ocomm_root/director.stm)



*Douglas E. Lumpkin
Director*

Ohio Updates

2009 New Child and Family Law Judges

There are several new domestic relations, juvenile and probate judges for 2009.
Please join us in welcoming the following judges:

Brown County

(Common Pleas General and Domestic Relations Divisions)

Scott T. Gusweiler

Butler County

(Common Pleas Juvenile Division)

Kathleen Dobrozsi Romans

Carroll County

(Common Pleas Probate and Juvenile Divisions)

John S. Campbell

Champaign County

(Common Pleas Probate, Juvenile and
Domestic Relations Divisions)

Lori L. Reisinger

Champaign County

(Common Pleas Probate, Juvenile and
Domestic Relations Divisions)

Brett A. Gilbert

Coshocton County

(Common Pleas Probate and Juvenile Divisions)

David W. Burns

Cuyahoga County

(Common Pleas Domestic Relations Division)

Leslie Ann Celebrezze

Cuyahoga County

(Common Pleas Probate Division)

Anthony J. Russo

Cuyahoga County

(Common Pleas Probate Division)

Laura J. Gallagher

Defiance County

(Common Pleas Probate and Juvenile Divisions)

Jeffrey A. Strausbaugh

Franklin County

(Common Pleas Probate Division)

Eric Brown

Gallia County

(Common Pleas Probate and Juvenile Divisions)

Thomas S. Moulton, Jr.

Lake County

(Common Pleas Juvenile Division)

Karen D. Lawson

Licking County

(Common Pleas Domestic Relations Division)

Richard P. Wright

Lorain County

(Common Pleas Probate, Juvenile and
Domestic Relations Divisions)

James T. Walther

Marion County

(Common Pleas Probate, Juvenile and
Domestic Relations Divisions)

Bob Fragale

Miami County

(Common Pleas Probate and Juvenile Divisions)

W. McGregor Dixon, Jr.

Ottawa County

(Common Pleas General and Domestic Relations Divisions)

Bruce A. Winters

Perry County

(Common Pleas General and Domestic Relations Divisions)

Tina M. Boyer

Sandusky County

(Common Pleas General and Domestic Relations Divisions)

Barbara J. Ansted

John P. Dewey

Sandusky County

(Common Pleas Probate and Juvenile Divisions)

Brad Smith

Seneca County

(Common Pleas Probate and Juvenile Divisions)

Jay A. Meyer

Shelby County

(Common Pleas Probate and Juvenile Divisions)

William R. Zimmerman

Union County

(Common Pleas General and Domestic Relations Divisions)

Don Fraser

Ohio Updates

2009 Appointments to the Advisory Committee on Children, Families and the Courts

The terms of Co-chairs, Judge David A. Basinski (Lorain County) and Helen Jones-Kelley expired December 2008. They each served as founding members and Co-chairs for two three-year terms and warrant recognition for their guidance of the Advisory Committee through its formative stages. Advisory Committee members whose terms expired in 2008 also include Kathy Clark, Ph.D. (Marion County), Judge Thomas Lipps (Hamilton County), Magistrate Diane Palos (Cuyahoga County) and Director Barbara Riley (Ohio Department of Aging). A great deal has been accomplished during their tenure with Advisory Committee and we thank them for their service to Ohio's children and families and the Supreme Court of Ohio.

Chief Justice Moyer announced several appointments to the Advisory Committee for 2009. The Honorable Deborah A. Alspach of the Marion County Family Court (and current member of the Advisory Committee) and Executive Director Gary A. Crow, Ph.D. of the Lorain County Department of Children Services have been appointed as Co-Chairs for the Advisory Committee.

Joining the new Co-chairs are the following appointees with terms beginning in 2009:

The Honorable Denise N. Cubbon Lucas County Juvenile Court	Jewel Neely, Deputy Director Ohio Dept. of Alcohol and Drug Addiction Services
The Honorable Dixilene N. Park Stark County Probate Court	Rhonda Reagh, Ph. D., Director Greene County Children Services
Odella Lampkin-Crafter, Magistrate Franklin County Domestic Relations and Juvenile Court	Cedric D. Riley Youth Representative / Foster Care Alumnus

Legislative member Senator Timothy Grendell and Mike Smalz of the Ohio State Legal Services Association were re-appointed to second terms on the Advisory Committee.

Judge Alspach, Dr. Crow and all of our new members bring a wealth of knowledge and experience to the table along with a genuine passion for improving how systems respond to the needs of children and families. A full roster of the Advisory Committee on Children, Families and the Courts can be found at: http://supremecourt.ohio.gov/Judicial_and_Court_Services/family_court/vol4_1.pdf

2009 Table of Organization

The Advisory Committee on Children, Families, and the Courts
Honorable Deborah A. Alspach, Co-Chair
Dr. Gary A. Crow, Co-Chair

The Subcommittee on Adult Guardianship
Hon. Dixlene Park
Chair

The Workgroup on Preferred Monitoring Protocols
James Clement
David Zwyer
Co-Chairs

The Workgroup on Guardianship Data Improvement
Georgia Anstaberger
Roland Hornbostel
Co-Chairs

The Workgroup on Minimum Standards and Certification
Julie Meek
Chair

The Subcommittee on Domestic Relations Forms
Hon. Craig Baldwin
Heather Sowald
Co-Chairs

The Subcommittee on Legal Representation
Jill Beeler, Chair

The Workgroup on Probate-Juvenile Legal Education
Jill Beeler, Chair

The Workgroup on Domestic Relations Legal Education
Kathy Clark, Chair

The Subcommittee on Responding to Child Abuse, Neglect and Dependency
Rhonda Reagh, Chair

Alternative Response to Reports of CAND

Alternative Response Leadership Council

Statutory Definitions

The Subcommittee on Rules & Statutes
Hon. Denise Cubbbon
Chair

GAL Statutes and Rules

The Workgroup on Juvenile Defendants' Access to Counsel
Hon. Denise Cubbbon
Chair

Ohio Updates

Advisory Committee on Children, Families and the Courts - Subcommittee Updates

The **Subcommittee on Responding to Child Abuse, Neglect and Dependency** continues its work on the Ohio Alternative Response Pilot Project. The implementation phase began in July and will continue through December 2009. The design and evaluation of the project is being facilitated through a contract with the American Humane Association. Counties participating in the pilot are: Clark, Fairfield, Franklin, Greene, Guernsey, Licking, Lucas, Ross, Trumbull and Tuscarawas. Thus far over 2,200 families have participated in the study with over 1,100 being served using the alternative response approach. An evaluation of the pilot project will be completed in early 2010. Also supporting the project are grants from the Ohio Children's Trust Fund and Casey Family Programs.

The **Subcommittee on Legal Representation** was formed to identify and recommend strategies for increasing the availability of quality legal representation for the children, families, and child-serving agencies that come before Ohio's Courts. Juvenile courts in Delaware, Hamilton, Harrison, Lake, Mahoning, and Perry Counties continue to pilot the implementations of two sets of attorney practice standards—the American Bar Association's *Standards of Practice for Lawyers Representing Parents in Abuse and Neglect Cases* and the Ohio Public Defender Commission's *Standards of Representation of Clients in Juvenile Delinquency Cases*. The subcommittee will complete a report of its recommendations in the spring for consideration by the Advisory Committee. Recommendations will include strategies related to the recruitment and retention of qualified attorneys and to the feasibility of establishing attorney standards of practice.

The **Subcommittee on Rules and Statutes** continues to study a proposal from The Ohio Public Defender, Children's Law Center and the American Civil Liberties Union to amend Juvenile Rule 3 and 29 to require juveniles to consult an attorney prior to waiving their right to counsel. This workgroup will complete its work in 2009 with a report to the Advisory Committee.

The **Subcommittee on Adult Guardianship** was formed to make recommendations for standards of practice, data collection, and monitoring protocols in this area. A draft report with recommendations has been completed with a final report slated for March 2009. The Subcommittee also is developing a bench card for judges to use when reviewing adult guardianship cases. Judge Thomas Swift (Trumbull County) has requested the assistance of the Subcommittee in developing a plan for a proposed 2010 Summit on Elder Abuse.

A **Subcommittee on Domestic Relations Forms** was created to develop five uniform court forms that will be accepted in all Ohio domestic relations courts. This Subcommittee, co-chaired by Judge Craig Baldwin (Licking County) and attorney Heather Sowald, will recommend forms to the Advisory Committee in early 2009. We hope these forms will be considered for inclusion in the Interpreter Services Court Form Translation Project.

Save the Date!!

The National Council of Juvenile and Family
Court Judges
in partnership with the
Office on Violence Against Women
invites you to:

A New Direction for a Safer Tomorrow:
A National Conference on
Supervised Visitation
and Safe Exchange

September 3-4, 2009

Omni San Diego Hotel
San Diego, CA

This conference will inform professionals
about how to provide safe supervised
visitation and exchange services
that account for domestic violence.

National experts will provide
education on safety for adult
victims and children; services for diverse
populations; community collaboration;
and advocacy.

For more information, please contact:
Michele Robinson at 775-784-6427
or mrobinson@ncjfcj.org

Who should attend:

Advocates
Attorneys
Batterer Intervention Providers
Community Collaborators
Custody Evaluators
Guardians ad litem
Judges/Court Personnel
Program Directors
State/Local Government Partners
Supervised Visitation Programs
Supervised Visitation Providers

This project was supported by Grant No. 2006-WT-AK-X026 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the author(s) and do not necessarily reflect the views of the Office on Violence Against Women, U.S. Department of Justice.

Ohio Updates

Regional Forum — Child and Family Service Reviews: PIP Planning

The U.S. Department of Health and Human Services (HHS) will be sharing its findings from Ohio's 2008 2nd Round Child and Family Services Review (CFSR) in a written report expected early Spring 2009. Staff from HHS' Children's Bureau already have communicated that Ohio did not meet substantial compliance in a number of outcome measurements and that the state will be required to submit a plan for addressing these issues ninety days after the receipt of HHS' final report. Ohio's strategies are to be captured in a written document known as the "Program Improvement Plan" or "PIP."

These times of fiscal constraint require all stakeholders' full engagement in the state's planning process. Our economic reality is that the CFSR will drive many budget decisions and our experiences clearly demonstrate that the safety, permanency and well-being of Ohio's children and families are not simply child welfare issues. As we develop Ohio's PIP at the state level, we must be reducing duplicative efforts and focusing resources on proven methodologies. This is not something that can effectively be accomplished without the voices of a wide range of stakeholders representing all aspects of Ohio's programming.

To share Ohio's 2nd Round CFSR results and explore how Ohio best can respond in light of the state's current budget limitations, ODJFS has planned a series of PIP Forums across the state. The purposes of each session are to seek input on a variety of topics from participants and to begin the PIP planning process. ***Since space limits the number of participants that can be accommodated, ODJFS will ask each PCSA Director for suggestions regarding invitees; additional spots will be open for general registration as space permits.*** PCSA Directors will be encouraged to begin with existing county teams such as Summit planning teams or the Family and Children First Councils in order to avoid duplication of efforts and build upon the extensive planning work that already has occurred in many Ohio communities. It is hoped that these forums will offer an opportunity for a voice in the PIP process to a diverse audience, including:

- Legislators
- Attorneys
(parent, child, prosecuting)
- Child Advocates
- Educators
- Foster Parents & Kin
Providers
- Youth
- Birth Parents
- State and County
Provider Agencies
- State and County
PCSA Staff

All sessions will be located at the Regional Training Center affiliated with the ODJFS' Ohio Child Welfare Training Program. Site-specific addresses can be found at <http://www.ocwtp.net/RTCs.htm>.

DAYTON

April 6, 2009
Western Ohio RTC

COLUMBUS

April 9, 2009
Central Ohio RTC

CANTON

April 21, 2009
Northeastern Ohio RTC

CINCINNATI

April 7, 2009
Southwestern Ohio RTC

TOLEDO

April 20
Northwestern Ohio RTC

ATHENS

April 22, 2009
Southeastern Ohio RTC

Additional sessions may be added. Ohio's PIP will have significant impact on the state's child welfare priorities. Make sure your community's voice is heard by looking for additional information regarding the days' logistics.

Questions on the forums can be directed James.Lacks@jfs.ohio.gov or (614) 752-0049.

CHILDREN, FAMILIES, AND THE COURTS - Ohio Bulletin

is a copyrighted publication of the National Center for Juvenile Justice in conjunction with the Supreme Court of Ohio and the Ohio Department of Job and Family Services. This bulletin is a publication that refers to a constellation of activities jointly administered by the Supreme Court of Ohio and the Ohio Department of Job and Family Services to improve both the interaction between child welfare and judicial systems, and the effectiveness of intervention in cases involving families where judicial action is required. This collaboration is supported by a blend of federal Court Improvement and Children's Justice Act grant funds.

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