



Workgroup to Study Child Custody Court Proceedings Involving Domestic Violence or Child Abuse Allegations

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Maryland's Family Divisions and Family Justice System

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Mission of the Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC)



- Family justice system reform
- Identifying structures and processes to improve families' and children's lives
- Creation of Unified Family Courts (UFCs)

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

- Website:** <http://law.ubalt.edu/centers/cfcc/>
- Facebook Page:** <https://www.facebook.com/UBaltLawCFCC>
- Twitter:** <https://twitter.com/UBaltLawCFCC>
- Blog:** <https://UBaltLawCFCC.wordpress.com/>
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Family Law Litigants by the Numbers (% relative to entire trial court caseload)

Maryland = 46%

Kentucky = 49%

Nevada = 63%

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A Look Back

How family law cases were handled prior to 1998

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Background Leading to the Creation of Maryland's Family Divisions

- Attorney General's Advisory Council on Family Legal Needs of Low-Income Persons, Increasing Access to Justice for Maryland's Families (1989)
- Governor's Task Force on Family Law, Final Report (1992)
- Chief Judge Robert Murphy's Review Commission
- Almost a decade of proposed legislation and advocacy

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Problems With Existing Family Justice Systems

1. Time consuming, expensive, cumbersome, duplicative court process
2. Child-related issues do not receive proper attention
3. Inadequate resort to ADR

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Problems With Existing Family Justice Systems (continued)

4. Inadequate coordination of litigation involving the same family
5. Lack of interest, temperament, understanding by some judges hearing family cases
6. Courts not giving proper attention to the needs of poor and self-represented litigants

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Maryland’s Family Division – Rule 16-307 (enacted 1998)

- Establishes the Family Divisions
- Confers comprehensive subject-matter jurisdiction
- Identifies essential family support services
- Requires allocation of judicial resources and case management plans
- Creates Family Support Services Coordinator position for all Circuit Courts

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Maryland’s Essential Family Support Services

- Mediation
- Custody investigation
- Trained personnel to respond to emergencies
- Mental health evaluations and evaluations for alcohol/drug abuse
- Information services, including assistance for self-represented litigants
- Information about lawyer referral services
- Parenting coordination services
- Parenting seminars
- Any additional services that can be funded

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Mission Statement of Maryland's Family Division

- ◆ Provide a fair and efficient forum
- ◆ Resolve family legal matters in a problem solving manner
- ◆ Goal of improving the lives of families and children who appear before court

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Mission Statement of Maryland's Family Division (continued)

- ◆ Make available appropriate services for families who need them
- ◆ Provide an environment that supports judges, court staff, and attorneys to respond effectively to legal and non-legal issues

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System Values And Intended Outcomes Of Maryland's Family Division

- Preserving the rule of law
- Stabilizing families in transition
- Providing forums for prompt conflict resolution
- Promoting co-parenting relationships

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System Values And Intended Outcomes Of Maryland's Family Division (continued)

- Fostering parents as primary family decision-makers
- Maximizing the use of alternative dispute resolution methods and programs
- Providing safety and protection
- Preserving family relationships where possible

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System Values And Intended Outcomes Of Maryland's Family Division (continued)

- Supporting linkages between resource needs and available resources on behalf of parents and their children
- Increasing access to the family justice system
- Using judicial time efficiently by providing comprehensive information to judges and masters to assist them in making the most informed decisions possible

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System Values And Intended Outcomes Of Maryland's Family Division (continued)

- Developing a familiarity with each family
- Increasing cultural competency



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Baltimore City Family Division Services

- Substance Use Services
- Supervised Visitation Program
- Medical Services Office
- Neutral Drop-Off
- Family Mediation Services

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Baltimore City Family Division Services (continued)

- Domestic Violence Ex Parte Project
- Protective Order Advocacy and Representation Project
- Assisted Pro Se Litigation Project
- Parenting Seminars
- Third-Party Parenting Seminars
- Children's Groups

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Baltimore City Family Division Services (continued)

- Volunteer Attorney Settlement Panel
- Daycare
- Book Loan

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How Do We Know What Works? Bureau Of Justice Assistance Trial Court Performance Standards

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

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Performance Standards and Measures for Maryland's Family Divisions

<http://www.courts.state.md.us/family/publications/performancestandards.pdf>

Under each standard, identified

- Issues
- Practical recommendations
- Measurement systems

Used by the legislature, the executive branch, the judiciary, and the practicing bar

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Other Noteworthy Initiatives

- Commission on Child Custody Decision-Making, Final Report (2014)
- .Rule 9-205, Mediation of child custody and visitation disputes
- Parenting Coordination, Rule 9-205.2

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Other Noteworthy Initiatives

- Custody and Visitation-Related Assessments, Rule 9-205.3
- Administrative Office of the Courts, Department of Juvenile and Family Services

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“Ultimately, as Justice Felix Frankfurter reminded us, the authority of the court is a moral one, rooted in fundamental shared values and the good character of its officers. And, ultimately, that authority rests on our ability as judges to live up to those values, to meet the reasonable expectations of litigants and the public, to put a human face on who we are, what we do, and how we do it, to show that we care about the people affected by our processes and decisions—in short, to demonstrate that we are worthy of the public’s trust.”

Judge Roger K. Warren, *Public Trust and Procedural Justice*, 37 CT REV. 12, 16 (2000).

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