

The seal of the Judicial Council of California is a circular emblem. It features a central figure of Athena, the Greek goddess of wisdom, wearing a helmet and holding a spear. The figure is set against a background of mountains and a bay with a ship. The words "JUDICIAL COUNCIL OF CALIFORNIA" are inscribed around the top inner edge of the seal, and "EUREKA" is written above the central figure. The year "1926" is at the bottom. The seal is rendered in a light purple color and is overlaid on a background of horizontal purple and white stripes.

Unified Courts for Families

IMPROVING COORDINATION OF CASES INVOLVING FAMILIES AND CHILDREN

1926



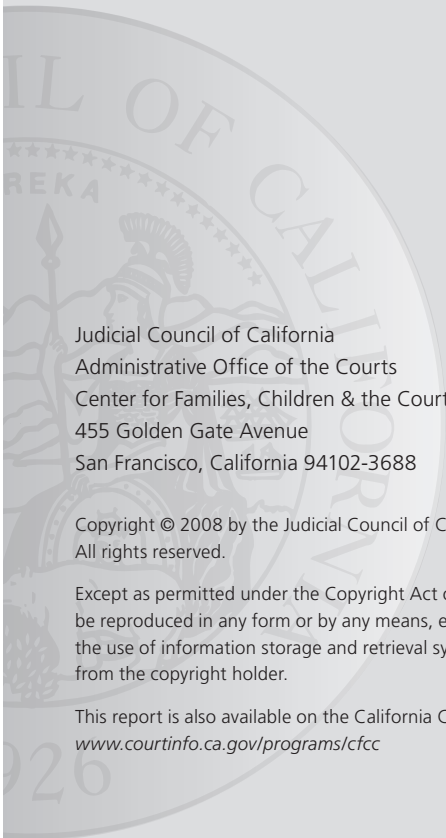
Unified Courts for Families

Improving
Coordination
of Cases Involving
Families and Children



ADMINISTRATIVE OFFICE
OF THE COURTS

CENTER FOR FAMILIES, CHILDREN
& THE COURTS



Judicial Council of California
Administrative Office of the Courts
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INTRODUCTION

This guide provides information for courts wanting to use unified or coordinated approaches to address the challenges associated with several cases involving the same family with multiple referrals and orders for services. It is based on the experience of California courts that have tested a variety of approaches to address these challenges.

The Need for Unification and Coordination

Cases involving families and children are some of the most complex and sensitive matters that courts hear. They often involve a combination of factors best addressed by the court in combination with resources in the broader community as well as those in the court.

Although many family law cases are resolved without significant court involvement, conflicted child custody cases may include allegations of drug abuse, domestic violence, or child endangerment, neglect, and abuse. Similar complex issues arise in juvenile cases with the additional challenge of finding or establishing permanent and stable homes for children in crisis. In many instances, these cases benefit from court-connected and community-based resources that provide child custody or juvenile dependency mediation, mental health evaluations and assessments, supervised visitation, drug testing, or differential assessments and referrals for intimate partner violence and child abuse.

In family law matters, parties are often self-represented or have limited access to attorney representation and legal advice. While attorneys are generally available

in juvenile cases, overwhelming caseloads and the limited availability of additional and much-needed resources often preclude the identification of other issues. As a result, the court may need to employ additional resources to assist parties with court procedures and to make appropriate information available to judicial decision makers.

Probate guardianship proceedings provide another court venue in which families and children may benefit from community or court-connected services, including investigations, evaluations, and mediation. Many families involved in probate guardianship proceedings also have an existing case in family law or elsewhere in the California court system. As a result, coordination of services and orders is particularly important in order to prevent unnecessary duplication, confusion, and delay.

Today, under-resourced courts handling these matters face many challenges as they attempt to identify and protect the best interest of children; issue appropriate, safe orders addressing domestic violence and child abuse; provide for a fair, accessible, respectful, and balanced process; and manage limited resources in ways that support efficient practices as well as an effective resolution.

A significant challenge facing these courts is that many cases involving families and children have related cases in other courtrooms or jurisdictions. For example, parties with a child custody matter in a family law court might also have a child support enforcement case, domestic violence restraining order, and criminal case involving the same or related individuals being handled by other judicial officers or courts.

Each of these matters has the potential to result in orders that relate to, duplicate, or conflict with orders in one of the other matters. The families involved often view these various judicial officers or courts as a single entity and may assume that each of the decision makers has all the necessary information about existing orders and relevant facts. However, each division may have its own case management system, for example, and may not be able technologically to communicate easily with other divisions or courtrooms. Too often, family and juvenile law judicial officers do not have access to the information or resources they need to avoid issuing conflicting or duplicative orders. Families may end up, as a result, having to choose which court orders to follow, juggling attendance at various court-ordered services, or not having matters resolved effectively in the appropriate court.

In an effort to address these problems and improve the handling of cases involving families and children, many jurisdictions have established a **unified court for families**

or **unified family court (UFC)** or have implemented **unification** or **coordination** efforts. The focus in these courts is on unifying or coordinating related cases, court-ordered or court-referred services, and relevant information. In some unified family courts, for example, one judge handles all of a family's related cases and therefore is in a position to adjudicate all related matters without issuing conflicting or duplicative orders. While this one family/one judge approach is most often associated with unified family courts, other models and efforts support the same objectives: to improve the handling of related cases, coordinate services, avoid duplicative orders, and most effectively adjudicate complex, related matters involving families and children.

In California, such efforts have been organized and supported statewide by the Judicial Council and Administrative Office of the Courts (AOC) through the Unified Courts for Families Program. From 2003 to 2007, the Judicial Council provided funding through a competitive grant process to courts to assist them in developing methods to unify or coordinate proceedings involving families. These courts approached their projects in ways that would enable other courts to learn from their efforts.

This guide provides a synopsis of some of the lessons learned during the development of those unified courts and provides concrete examples from the participating superior courts, including those of Butte, Del Norte, Glenn, Los Angeles, Napa, Orange, Placer, Sacramento, San Francisco, San Joaquin, Santa Clara, Sonoma, and Yolo Counties. Courts that participated in the first three years of the project are described more fully in the Unified Courts for Families Evaluation, which can be found at: www.courtinfo.ca.gov/programs/cfcc/programs/description/unified.html.

Examples of Approaches

The following sections offer examples of various approaches to unification and coordination, including:

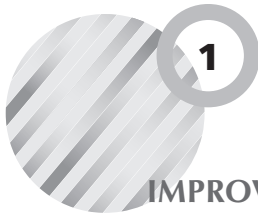
- 1 Improving coordination through information sharing
- 2 Developing a unified judicial response
- 3 Coordinating with the community to provide services
- 4 Using technology to improve coordination
- 5 Understanding benefits and outcomes
- 6 Developing a unified court for families or coordination procedures

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THE SIX APPROACHES TO UNIFICATION AND COORDINATION



IMPROVING COORDINATION THROUGH INFORMATION SHARING

More Informed Decisionmaking *A litigant requested a domestic violence restraining order against his previous girlfriend and sole custody of their child in common. The court's case manager searched for related cases regarding the mother and the father. The case manager discovered that the father had several convictions for domestic violence against the mother and, in fact, was currently on probation for those crimes. With this information, which the litigant was informed the court had access to, the court determined that it would be in the child's best interest to deny the father's request for custody of the minor child until a hearing was held to obtain more information on the situation and provide both parties with an opportunity to be heard. ●*

Judicial decision makers can act only on the information they are provided by litigants, attorneys, court staff, or other participants in the court process. Too often, courts acting in one capacity have little or no information about related cases or existing, pending matters that may impact the current proceeding.

While courts must maintain their neutral role as impartial triers of fact, appropriate information sharing that provides parties notice and an opportunity to be heard can assist courts in making effective orders. California law allows for and expects courts to make restraining orders, for example, with information about the criminal backgrounds

of the respondents or persons to be restrained. A court that employs a court-based case manager to search for related cases and conduct criminal background checks is in an excellent position to issue orders that reflect a greater understanding of the matter at hand.

Information Sharing

Such an approach to coordination is often referred to as **information sharing** and may take several forms. A juvenile dependency court, for example, might benefit from the child custody evaluation conducted in a prior family law case involving the same parties. A family law court handling a child custody matter where domestic violence has been alleged can approach the matter more comprehensively when it has access to the orders issued in the related criminal case. A court that has determined one man to be the father of a child in a juvenile dependency case can avoid making a determination that the child has a different father in a governmental child support matter. Similarly, a criminal court issuing a criminal protective order should be aware of any existing family law orders relating to the children, who may be more or less protected in the current civil restraining order. In each of these situations, litigants also need to be informed of the information the court may have before it as it decides the matter, so they may assist the court in developing appropriate orders.

When families find themselves with conflicting or duplicative orders, they face the challenge of determining which orders to follow. Family members who have been ordered to participate in various programs may find it difficult to simultaneously attend a drug or alcohol program, a parenting class, and an anger management course—or even to decipher conflicting orders to understand what they have been ordered to do. With full information about the services a family has been referred to, the court will be able to more effectively support a family with multiple issues. A court case manager, as in the example, can provide assistance directly to parties concerned about conflicting orders and work with the family and the court process to create more favorable outcomes.

Case Managers and Coordinators

One of the significant findings of the unified court for families effort has been how important it is to employ individuals as case managers or coordinators to most effectively find related cases, gather appropriate information to provide to judicial officers and litigants, and work to ensure that services for families are coordinated

and relate directly to the various matters before the court. Some courts, such as the Superior Court of San Francisco County, have allocated funds to employ a case manager who searches for related cases on specific calendars and provides appropriate information to judicial officers.

Specifically, in many of the unified courts, the case manager or case coordinator is or was responsible for:

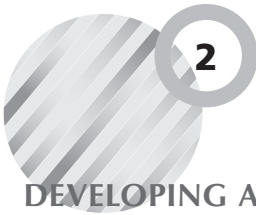
- ⌘ Researching court databases for related cases
- ⌘ Reviewing related case histories and summarizing relevant procedural and substantive issues
- ⌘ Researching relevant issues in family and juvenile law
- ⌘ Appropriately briefing bench officers, mediators, and other court personnel on case histories and ensuring that litigants are provided proper notice and an opportunity to be heard on such information
- ⌘ Attending court hearings and providing follow-up assistance to the bench on related cases
- ⌘ Attending meetings regarding case coordination and case consolidation
- ⌘ Meeting with judges, court staff, and participating agencies to develop protocols
- ⌘ Researching multiple case families for acceptance into a designated court program that may provide particular services or more frequent reviews

Accessing Crucial Information A self-represented petitioner requested a civil domestic violence restraining order but indicated her willingness to allow the restrained person access to firearms. However, a court-based case manager, whose duties include searching for related cases and conducting criminal background checks where appropriate, discovered an outstanding warrant for a firearms violation. With this information, of which the petitioner was unaware, the court was able to act on the warrant, have the respondent taken into custody, and issue an appropriate restraining order restricting the respondent's access to firearms. ●

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DEVELOPING A UNIFIED JUDICIAL RESPONSE

An Example: One Judge/One Family *“The UFC manages complex family cases where minor children are involved through comprehensive and effective judicial management. Most UFC cases involve families with multiple court matters such as guardianships, both criminal and civil, domestic violence, custody, visitation, juvenile dependency, delinquency, and civil harassment issues. Upon acceptance into the UFC, multiple family actions are either related or consolidated and assigned to one UFC judge.*

“The ‘one judge/one family’ concept allows for more efficient coordination of court proceedings and enables judicial officers to be well-informed about each family’s particular issues. The judicial officer may conduct planning conferences to ensure that needed services are ordered and to minimize duplication of effort by the various courts throughout our county.”

—Excerpt from brochure titled “Unified Family Court: A Collaborative Effort Helping Families Find Their Way Through the Court System,” published by the Superior Court of Santa Clara County ●

When discussing unified family courts, many people think of the one family/one judge approach, with a single judicial officer handling multiple, related cases involving a particular family or related family members. This approach requires judicial expertise in many areas of the law and may, as with other approaches to coordination,

use the expertise of the case manager or coordinator to provide information about related cases to the judicial officer and to assist families with court-connected and community-based services.

In the Superior Court of Yolo County, co-supervising judges served in two different courtrooms and heard related cases for individual families with either family law or juvenile case initial filings. Case information was bundled into one file, which contained relevant docket information, and the case would then be referred to the appropriate calendar. Multiple cases involving the same family were calendared on the same day in front of one judge to reduce the burden on the families and the court. Families with juvenile and family law cases pending were referred to one judge; families with pending family law and guardianship cases were referred to the other. The respective judges would hear all relevant case types simultaneously to a final conclusion. Case types heard included juvenile dependency and delinquency, dissolution, custody, child support, and guardianship. Information on related criminal matters, where appropriate, was provided. Attorneys and parties were provided with notice about the information the judge had available.

The Superior Court of Santa Clara County employs the one family/one judge approach and articulates its goal as:

seek[ing] to minimize parents' frustration with the court system, increase understanding and compliance with court orders to ensure safety including treatment services, substance abuse testing, counseling and parenting classes . . . [and] also . . . to achieve proper representation and advocacy through court appointments of counsel for children to ensure that the child has a voice in the proceedings, without requiring young children to attend court and experience further trauma, and to ensure that the child's best interest is represented given the complex legal issues the families are facing.

While there are benefits associated with having one judicial officer become familiar with a family by handling multiple cases, courts have also reported some challenges with this approach, including concerns about calendaring cases when there are multiple case types involved, identifying judicial officers with expertise in several areas, and having community agencies available on calendars that may address more than one case type.

In response, some courts use a "one family/one judicial response" approach. This approach speaks more broadly to an individual superior court's commitment to

coordinating its handling of matters involving families and children and may take a variety of forms. One approach uses a single administrator to oversee court administration in areas involving families and children (family and juvenile law, for example, or family law and probate, or all three). With this approach, personnel resources can effectively be redeployed within the court so as to enable particular case types to receive more or less assistance as needed, depending on case flow and funding. A single administrator may be able to work directly with case managers or coordinators to assist with coordination and the use of community-based and court-connected services helpful to litigants in family, juvenile, or probate guardianship matters.

Lastly, even with multiple judicial officers handling cases involving the same family, with a “one judicial response” approach consistency across divisions in a given court provides a more coordinated process for litigants, thereby decreasing the likelihood that their court experiences unnecessarily differ depending on whether they are in a family, juvenile, or probate courtroom.





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COORDINATING WITH THE COMMUNITY TO PROVIDE SERVICES

Court/Community Case Coordination *“The Unified Family Court Project has assisted clients with understanding and explaining court orders, clearing-up old warrants, helped with taking care of fines in collections, arranging treatment services and assisting clients through the court process . . . [It] assisted social workers, probations officers, attorneys and judges by providing useful information as requested, coordinated and facilitated interagency communication, especially as it related to restraining orders.”—Superior Court of Butte County ●*

Courts that have dedicated resources to improving the coordination of cases have noted the importance of improving the availability of appropriate, responsive services for families—no matter which case type brings them to the courthouse. By providing leadership in the community in identifying the services that families generally require and serving as a catalyst for the development or implementation of such services, courts often witness improvements that serve families and children as well as address the court’s needs.

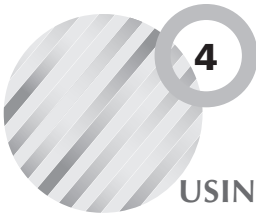
For example, the Superior Court of Butte County approached the need for coordination of services by having a case manager meet regularly with family members and service providers to avoid unnecessary duplication of services and identify gaps. When the need for residential services for drug treatment became apparent through



a formal court proceeding or in meetings with the case manager, the case manager was able to reach out to the community so that such services would be more readily available as families in need came through the court system.

Similarly, at the Superior Court of Napa County, the court provided leadership in developing a Web-based resource list for the county, which included services in multiple languages and throughout the area. The court's resource specialist assisted with the identification of services. After the first year of implementation, during which funds were provided for start-up by the court through a grant, the community became responsible for maintaining the database.

In the Superior Court of Del Norte County, the court worked with the community to develop much-needed services rarely available to family court litigants so as to reduce the likelihood that their multiple cases would be even more complicated by personal and familial challenges. Family court litigants were provided with increased access to low-cost or free mental health services and related assistance in an approach that allowed for coordination of their court cases and the services the family was using.



USING TECHNOLOGY TO IMPROVE COORDINATION

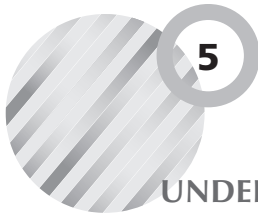
Technology: Appropriate Information Sharing *Development of an automated computerized search process called the “Children’s Index” assists the Superior Court of Los Angeles County with sharing appropriate information across case types. Specifically, the Children’s Index searches the case management systems used in dependency, delinquency, family law, child support, and probate for cases involving a specific child. The Children’s Index is the only mechanism by which the court can readily identify crossover cases. The system is used on a daily basis by judicial officers, managers, and staff. When a crossover case is identified, this information is recorded as part of routine business practices and available at all future hearings. In family law, the case management system was modified to include this information and courtroom calendars were redesigned to include it on the calendars provided to judicial officers. In probate, guardianship reports prepared by probate investigators and probate attorney notes were modified to include this information. In dependency, a search process was established to provide this information at the time of the initial hearing. The trainings for family law, probate, and dependency judicial assistants (courtroom clerks) sponsored by this project reinforced the importance of using the Children’s Index and of following the procedures for handling crossover cases. ●*

Coordinating proceedings and sharing information is most effectively and efficiently accomplished through the use of technology. Most of the courts that engaged in the Judicial Council's original planning effort for unified courts for families found that, without the support of appropriate technology, there was little more they could do to facilitate communication and coordination across case types. Within trial courts, each case type often has its own platform and the various types of programs cannot "speak" to each other. Despite these limitations, however, courts have used technology to improve coordination, most successfully seen in the search programs and database development described above. Additional efforts in the Superior Court of Orange County to track domestic violence restraining orders and research related cases further suggest the important role technology may play in providing a broader understanding of the work of the court and how various aspects require or benefit from improved coordination. Additional improvements in this area are expected statewide as improved technology is deployed that specifically addresses coordination and unification.

Unification and coordination procedures generally require the ability to identify related cases in different court departments. For many courts, available technology is limited in its ability to respond to this need. As a result, courts may consider having a clerk do manual searches. Still others may limit searches for related cases to situations when certain qualifying criteria are met or when a court employee or a judicial officer thinks that a red-flag issue warrants a search in a particular case—for example, when there are allegations of criminal conduct or concerns about child or adult safety.

In some instances, it may be possible by making a few modifications to the system to search electronically even when different court departments use different computer applications or platforms. Through a coordinated effort among the criminal, family law, juvenile, and probate courts, the Superior Court of Sacramento County worked to enhance the criminal and civil protective orders process by scanning the protective orders into an electronic system accessible to all judicial officers, court staff, and selected law enforcement personnel. The goal was to promote better communication among the court divisions and local law enforcement agencies and greatly reduce the likelihood that conflicting orders involving the same parties would be issued.

As case management systems are developed, implemented, and improved on over time, a crucial consideration must be how to most effectively connect related cases. A successful approach to coordination involves deploying appropriate staff effectively in combination with limited or, ideally, more robust systems that can assist the courts and litigants to resolve cases effectively.



UNDERSTANDING BENEFITS AND OUTCOMES

“I think the biggest benefit is the awareness of what’s going on and having more information; I think having information is power and we have the ability [with implementation of information sharing] to have more information and make better decisions.”

—A unified court judge

“I think the strength is that there is definitely more information sharing among the judges and the agencies; [it] cuts down on the continuances, which ultimately is more efficient from a staff perspective, not to mention judicial time.”

—A unified court administrator

“[The mentor court project and funding] gives [coordination] importance that it doesn’t have otherwise . . . it institutionalizes the changes so that even after the grant . . . there are policies that have to be followed and I hope that gives it a longevity that it wouldn’t have otherwise.”

—A unified court administrator

In addition to the changes and outcomes described above, courts that have implemented unified approaches describe a number of benefits associated with their efforts, both in terms of process and outcome. By developing formal rules or protocols,

identifying necessary staff (for example, case managers or case coordinators), improving internal court communications, and considering, where appropriate, reallocation of resources, courts report marked improvement in the handling of complex cases involving families and children. Beneficial results from unifying or coordinating related cases or actions include:

Coordination of hearings and services results in more efficient court operations.

When hearings can be coordinated or consolidated to reduce the need for multiple court appearances, court resources may be used more efficiently. In courts that have implemented unification and coordination procedures, some judicial officers hear cross-related matters, resulting in fewer hearings and continuances.

Communication is increased among court departments and divisions. The Unified Courts for Families Program courts reported increased levels of communication within the court as a result of unification and coordination procedures. Family law courts have become more familiar with juvenile court policies and procedures and vice versa. Some courts report an increased issuance of restraining orders in juvenile court as the court staff and the bench become more accustomed to intracourt interaction. Issuing restraining orders in juvenile court in an existing case is more convenient for the parties because they do not have to go through a family or criminal court process to request these orders. Courts may issue restraining orders in juvenile cases under the Welfare and Institutions Code or the Family Code.

Good working relationships among the courts and community-based service providers, community agencies, and the local bar can be created or enhanced.

Courts that have implemented unification and coordination procedures report increased levels of collaboration between the court and the community. The process of producing agreed-on rules and protocols was cited as key in enhanced levels of communication and collaboration. Partners from many organizations attended meetings during the planning and implementation stages of the projects in some courts, and they continue their involvement by helping to develop rules and protocols.

Families may be safer when there are fewer potentially conflicting orders from multiple cases. When judicial officers are aware of related cases that court users are involved in and the current orders in those cases, they can avoid inadvertently issuing an order that may conflict with a prior existing order in a related case. Reducing conflicting orders ensures that the family, court staff, the judicial officer, and local law enforcement agencies will always have access to the most current orders. Family

safety is enhanced when protective orders are current (developed with the most recent information from the parties and all related cases), clear (able to be distinguished from other current or previously issued orders), and not in conflict with other protective orders that have different protective restrictions.

Referrals for services help families.

Referrals allow families to locate services that are ordered or recommended by the court. The ability to receive direct assistance from a case manager or a resource specialist helps litigants obtain a successful outcome because they are better able to comply with the requirements of the court.

Coordinating hearings and services reduces inconvenience and the need to take off time from work or school. Families' experiences in court are less burdensome when hearings are coordinated to reduce the number of times an individual or a family must return to court. For example, it is convenient for a family when services are coordinated to reduce the number of tests or classes a family member or members must take. It is also convenient and beneficial when different judicial proceedings may be heard at one hearing so as to reduce the number of court appearances.

Benefits of Unified and Coordinated Approaches

In interviews, judicial officers and key court managers identified the following benefits of unification and coordination:

- :: Increased levels of public trust and confidence in the courts
- :: Greater access to the courts
- :: Increased service coordination and referrals
- :: Less court-connected and community-based service duplication
- :: Increased quality of dependency exit orders
- :: Greater court-community collaboration
- :: More informed judicial decisionmaking
- :: Court culture shift toward a more user-friendly model
- :: Greater levels of job satisfaction for judicial officers
- :: More awareness of legal issues related to case coordination by courts
- :: Sharing of knowledge among courts

For more information, see the Unified Courts for Families Evaluation.



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DEVELOPING A UNIFIED COURT FOR FAMILIES OR COORDINATION PROCEDURES

Most courts that have implemented unification and coordination programs use a combination of several approaches and identify individuals or create teams to develop relevant court procedures. It may be useful to contact colleagues in existing unified courts to learn what worked best for them. For such assistance, please e-mail the AOC Center for Families, Children & the Courts at CFCC@jud.ca.gov.

Taking the Initial Steps

When getting started, a court may want to consider the following steps:

- ❑ Decide whether it may be effective to hold a meeting with key court managers, judicial officers, and related staff to introduce the concept of the unification and coordination of court cases involving families. Participants should be encouraged to talk about what type of coordination efforts they would like and why coordination would be helpful as well as the current obstacles or barriers to coordination.
- ❑ Before the initial meeting about unification and coordination, inquire about what type of information the attendees would like to receive from other court departments.

- ∴ At the meeting, consider creating the goals the court seeks to accomplish in addressing unification and coordination and what various divisions would like to see accomplished.
- ∴ Begin developing written protocols or guidelines so everyone involved can better understand the processes and procedures.

Development of rules and protocols is one of the most effective ways for the court to implement unification or coordination procedures. The current team will more fully understand how the court is changing, and, when leadership changes, written guidelines will assist in the transition and provide continuity. Rules or protocols to consider developing include:

- ∴ Identification of the types of related cases being researched
- ∴ The role of a case manager or case coordinator and whether that person, or someone else, will provide leadership in coordinating meetings, identifying community services, and performing other duties
- ∴ How case information provided to judicial officers is gathered and disseminated
- ∴ Whether a summary of case information is prepared and, if so, what information is included and excluded
- ∴ Where information gathered, such as background checks, is kept and who has access
- ∴ How the parties are informed that the court has certain information and whether the court has relied on the information in making a decision
- ∴ How a party may be heard if he or she disputes the information
- ∴ What safety measures and domestic violence protocols are in place and when they should be used

Other written information that may be helpful includes a list of community services and places to which litigants may be referred; information about court-connected or court-based services; and what types of forms or templates might be used in the coordination process for information sharing or reports.

Collaborating With Other Stakeholders

Establishing sustainable procedures that will become integrated into the court's routine operation is most effectively addressed with the participation of appropriate stakeholders. Appropriate stakeholders may be identified by determining who is involved in the court proceeding and asking whether their work will be affected by the establishment of a unified court or by the coordination initiative being considered. These stakeholders should be included in court communication and planning about procedural changes. For example, if a court wants to formalize information sharing about whether a party has been involved in the related case types of juvenile dependency, family law child custody, and probate guardianship, the key stakeholders who would need to be identified and included may include judicial officers, court managers, mediators, self-help center or facilitator staff, and courtroom and file clerks from the family law, juvenile law, and probate divisions. It is also important to consider including local bar members, county counsel, attorneys for parents and children, and the managers of related community resources.

Identifying Case Types

Unified courts and the coordination of cases include a variety of case types involving families and children. The most frequent case types handled by unified courts and coordination include:

Family law cases. These cases include dissolution, custody, support, and domestic violence. Often, families in family court have multiple, related family law matters that may be heard by more than one judicial officer; thus it is key that all judicial officers have the relevant information. Efforts to reduce the number of times that families have to come to court can be important to minimize stress on the family and prevent parents from losing time from work.

Juvenile court cases. Dependency and delinquency cases may involve parties who have prior or simultaneous family law, guardianship, or criminal cases. By including juvenile cases, the court increases the likelihood that those children and youth under the jurisdiction of the court will have their interests protected.

Probate guardianship and conservatorship cases. These cases might be included in a unified courts for families program because judicial officers benefit from knowing about related cases and existing orders in guardianships of minors and

One Example of Related Cases *In some courts, the unified courts for families program requires that a family member be a party in two currently open cases in the family law, juvenile law, or probate law departments in order for the cases to be heard together or for a case manager to be assigned. Under such a program, for example, if a family has a family law child support matter and a juvenile dependency matter, both cases are identified as related, unified court cases. Information on both cases may be provided to the judges, where appropriate, to assist in reunification efforts or address concerns about arrearages. The parties and their attorneys are provided with notice that information about both cases has been provided to the judges, and they have an opportunity to review the information about the cases and challenge anything that may be inaccurate. The court can coordinate the calendar to reduce the number of court appearances required and coordinate orders in the cases to ensure that they do not conflict.*

conservatorships of elders and dependent adults. These complex legal custody issues profoundly affect families.

Criminal cases. These cases are sometimes included in unified courts through information sharing or, at times, coordinated hearings. Many examples exist of criminal court cases that overlap with family law, juvenile law, and probate law cases. For example, when there is a civil domestic violence case, there may also be a criminal case where domestic violence or substance abuse are issues. Criminal child abuse may be a related case to a resulting juvenile dependency case that is opened when a child victim is removed from an abusive parent. Criminal elder or dependent adult abuse may be charged when a senior or dependent adult victim is under a conservatorship.

Building on Existing Resources

In addition to using one model or a combination of models to structure unification and coordination procedures, many programs address their goals and objectives by including other components, such as mechanisms for providing assistance to self-represented litigants, including funding full- or part-time positions in a self-help center located at the court. These efforts may include funding additional hours for family law facilitators or other court professionals to assist self-represented litigants, opening a self-help center at the court with computer access to forms and other legal materials, and printing brochures and other information in

multiple languages to increase accessibility. Another approach may be to work with community-based evaluation, counseling, and educational services to create a system for referrals of court users to appropriate services. Some programs hire or contract with full- or part-time resource specialists who work directly with court users to refer them to such services.

In some instances, it may be more realistic to consider using existing resources or identifying sources for a small increase in resources in order to improve coordination without developing a unified family court. Several courts have implemented approaches that improve efficiency by maximizing existing resources or are improving coordination without developing a more complex UFC. With a few changes in procedures or by employing individual staff in more expansive roles, they have had a significant impact on their courts and the families they serve.

For example, many programs have found that even if automated research is not easily available due to limited technology, having staff flag cases manually or compile relevant information is helpful in assisting decision makers with access to crucial case information. Something as simple as using a stamp or other flag to identify a case that has a related case can save the court time in not having to research a case many times.

• A Case Manager in San Joaquin County *Under its unified court approach, the Superior Court of San Joaquin County employed a case manager to identify related cases by searching multiple case management systems, “bundle” or physically group case-related information together to provide to judicial officers, create a summary sheet of relevant information, and provide information to litigants about the court process and how to obtain community-based services. This collection of information was done manually, with the assistance of very limited technology. Such information was helpful to judges when there were related cases and assisted them in avoiding the issuance of conflicting orders.*

Court-Based Services in Placer County *The Superior Court of Placer County developed the Unified Court Program for Random Drug Testing, which enables drug testing to be conducted through the court in family law and probate guardianship matters. The drug testing lab faxes the results to the court clerk, who monitors the results. Litigants in need of rehabilitation services receive appropriate referrals from the case coordinator or case manager.*

Using Court-Connected and Community-Based Services

Families with multiple cases often have needs for which community agencies may serve as helpful resources. Similarly, court-based services may be able to provide assistance for families and improve the court experience for them. In some courts, a case manager serves as a resource specialist who works with court users to expedite and obtain court-recommended or court-ordered services.

Even without an established unified court, the improved coordination or expansion of court services such as mediation or self-help centers may be manageable. In the Superior Court of Sonoma County, an increase in guardianship proceedings led family court services, the unit focused largely on child custody mediation, to develop training for mediators on guardianship matters so they could provide mediation services in addition to guardianship investigations. Some courts have reallocated resources from the clerks' office to work in the self-help center to assist in answering questions and ensuring that pleadings are properly presented to the clerk.

Maximizing court resources in this way can lead to increased coordination of various case types and better communication among the judicial officers and staff involved, thus improving the range of services offered to families.

Providing more information to litigants, through workshops, for example, can help people identify which court process or procedure might be most appropriate for them and make their interaction with the court more satisfactory.



INFORMATION SHARING, DUE PROCESS, AND CONFIDENTIALITY

Information sharing is a basic tenet of the unification and coordination of courts that hear cases involving families. Before starting a unification or coordination program, consider reviewing what information, if any, is currently shared among court departments. In many courts, information sharing may be done informally. In some, it may be done manually using existing personnel; in others, technology may be employed to run checks for related cases or existing orders. Sometimes, asking litigants, if appropriate, whether they have an existing order or case provides helpful information for court staff and judicial officers. However, this method cannot be relied on entirely and additional methods of finding related cases or sharing relevant information about orders are important. When litigants or attorneys are able to provide information about related cases, the court should make sure that the same information, if appropriate, is made available to relevant judicial officers and staff.

Information sharing carried out within the confines of formal rules or protocols increases the likelihood that confidential information and litigants' rights will be protected. Parties have the right to notice of the information that will be considered by the court and an opportunity to be heard concerning that information. It is critical that information sharing be done carefully in order to protect these rights—and to make it more likely that the court will receive accurate information on which to base decisions.

Many types of information are protected by local, state, or federal laws. So much confidential information is involved in court cases that developing usable protocols

for sharing information may seem to be a daunting task. However, if the protocols document the type of information and permit the parties to verify, deny, or rebut the information, it can be shared in a responsible way.

For more information on confidentiality, due process, and information sharing, please see the *Unified Courts for Families Deskbook*.¹ Because of legal changes in this area over time, please consider contacting the AOC’s Center for Families, Children & the Courts for additional assistance.

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1 Judicial Council of Cal./Admin. Off. of Cts., *Unified Courts for Families Deskbook: A Guide for California Courts on Unifying and Coordinating Family and Juvenile Law Matters (2004)*, available online at www.courtinfo.ca.gov/programs/cfcc/pdffiles/UCFdeskbook.pdf or in print by contacting the AOC Center for Families, Children & the Courts at 415-865-7739.



CONCLUSION

This guide provides examples of various approaches courts have taken in collaboration with the Unified Courts for Families Program. Not only did initial funding fundamentally change the way some courts handle cases involving families and children, but many courts are continuing to employ their unification or coordination efforts even with limited resources. Through collaboration, creativity, and court-based leadership, courts throughout California are redefining how to best address the multiple issues and challenges presented by related cases.

For more detailed legal information on the unification and coordination of family and juvenile matters, please see the *Unified Courts for Families Deskbook*.

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