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LISA C. BELL
CHIEF DISTRICT COURT JUDGE

State of North Carolina
General Court of Justice
26th Judicial District

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April 7, 2011

DISTRICT COURT JUDGES

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The Honorable Harold J. Brubaker
NC House of Representatives
300 N. Salisbury Street, Room 302
Raleigh, NC 27603-5925

Re: District Court Bench in Mecklenburg County Opposes Legislative Proposal
to Eliminate Family Court & Child Custody Mediation

Dear Mr. Brubaker:

As a unified bench, we call upon the N.C. State Legislature to reject a budget proposal that calls for eliminating funding for Family Court Districts and Child Custody Mediation. Family Court, which has evolved over the past decade, & Custody Mediation, which has evolved over the past three decades, have proven to be the most efficient and cost-effective means for providing access to District Court for families in crisis. Eliminating these services will cost the citizens of North Carolina much more, in financial and human terms, than maintaining them at current funding levels.

It is indisputable that Family Court Districts process cases more efficiently. The median age of a case in a Family Court District is currently 97 days compared to 305 days in a non-Family Court District. In Mecklenburg County, Family Court manages the largest caseload in the state with 10,768 domestic cases filed in fiscal year 09-10, which represents an 11% increase over previous years. Family Court monitors all case filings; ensures that court events are scheduled in compliance with "best practices" time standards; processes all emergency custody and other matters that need prompt judicial attention; and ensures that cases do not fall through the cracks so that families receive prompt and just resolutions to their disputes. Family Court also maintains communication with litigants, many of whom are without lawyers and need assistance in navigating the legal system.

Our Custody Mediators make contact with many of these families very early in the proceedings to educate parents about the impact of separation/divorce upon children and to set up appointments with a Mediator so that parents can attempt to

settle their custody disputes free of charge, without having to endure the stress and expense of trial. Our Mediators have assisted parents in settling their disputes in roughly 60% of the cases they handle. Their services directly benefit the children involved because a mediated settlement can help diffuse conflict between parents and provide children with stable visitation and custody arrangements at an early stage in the proceedings. Without this early intervention, children often fall victim to their parents' hostilities, which can include being exposed to verbal altercations or domestic violence; being snatched by one parent or the other to gain an upper hand in a custody battle; being prohibited from having access to one parent; or being exposed to one parent's derogatory views of the other.

Moreover, the apparent savings from eliminating these vital services are illusory. Over the past fiscal year, for example, it cost about \$287,000 to fund Mecklenburg's Child Custody Mediation Program. During that same period, our Custody Mediators resolved 492 cases, which saved close to \$470,000 in court costs. In other words, the program generated a net savings of over \$180,000. Without our Mediators and Family Court, the court system will have to accommodate hundreds more contentious trials that could have been avoided. Cases where the welfare of families are at stake will be more likely to fall through the cracks if we lose Family Court personnel, who ensure that judicial attention is given to families in crisis and monitor prompt scheduling of temporary and permanent hearings. With our trial capacity already limited by budget cuts, the end result is that all families will endure lengthy delays before making it into a courtroom. These costs, in both financial and human terms, are far greater than the expense of these programs.

One of the core missions of District Court is to provide families in crisis with ready access to justice, protection, and relief. Eliminating Family Court and Child Custody Mediation will undermine our ability to accomplish this task. And those harmed most by termination of these programs will be the children of this state, whose lives are profoundly affected by the services, or lack thereof, provided by District Court.

Sincerely,

District Court Judges (see next page)
26th Judicial District
Mecklenburg County

