

# Unified Family Courts of North Carolina

## Family Court Counties

Anson	Buncombe
Burke	Caldwell
Catawba	Cumberland
Durham	Greene
Halifax	Lenoir
Mecklenburg	Montgomery
Moore	New Hanover
Pender	Pitt
Randolph	Richmond
Stanly	Union
Wake	Wayne



## OUR MISSION

To help resolve cases involving children and families through combined efforts of the family, the Court and community services.

To approach each case in a way that is not overly adversarial or intrusive, but always in a just, timely and efficient manner.

To be courteous, safe and accessible and to provide quality service to those in need.

## NORTH CAROLINA FAMILY COURTS UNDERGO CONTINUATION REVIEW

Cuts to the FY2011-12 state budget left many facets of the courts struggling to meet the demands of fair and timely judicial service to the public. Funding for North Carolina Family Courts was eliminated from the recurring budget; yet, continued for one year pending the results of a Continuation Review. Full restoration of funding is dependent, in part, on whether a compelling case can be made regarding the efficacy of Family Courts. The Continuation Review was completed by the Research and Planning Division of the North Carolina Administrative Office of the Courts on December 16, 2011 and submitted to the Legislature's Fiscal Research Division. This article highlights select content of the Continuation Review report.

### Timely Resolutions For Families.

Family Court districts represent almost half of all domestic cases filed within the state. The most significant quantifiable difference between cases filed in Family Court and non-Family Court districts are the Percentage of Cases that have been pending more than 365 days and the Pending Median Age.

DOMESTIC	Pending > 365 Days	Pending Median Age
Family Court Districts	19.8%	90
Non-Family Court Districts	43.6%	272

These statistics demonstrate the ability of Family Court districts to move cases through the court system in a much more timely manner. This ensures that families can move forward with their lives and not have to wait

years for the resolution of their court case. In fact, the executive summary of the Continuation Report notes that, should Family Court funding be discontinued, it is foreseeable that the pending median age would rise dramatically as would the percentage of cases pending more than one year.

### Rise in Self-Represented Litigants.

Over the last decade, more and more litigants are representing themselves in court rather than retaining private counsel. The majority are working and raising families and unable to afford traditional legal representation. The public has come to expect accessible information and services from the courts. Family Court personnel maintain contact with self-represented litigants. They make them aware of court dates and answer general procedural questions. Personnel also direct them to resources where they can find additional help in the community. "You can talk to the families who have been guided through the system with the help of the Family Court staff. They will tell you how instrumental this program has been in helping families in crisis and children in trouble get the resolution that they need from the courts," stated Chief District Court Judge Lisa Thacker, Judicial District 20A.

### Working for the Best Interest of Children and Families.

Family Court serves families that are in crisis and when they are at their most vulnerable. These citizens need and deserve the personalized attention of specially trained judges and staff and the stability, consistency and efficiency that the one judge/one family approach offers.

## JUDGES SEEK RESTORATION OF FAMILY COURT FUNDING

*In addition to the quantifiable impact of family courts, the Continuation Report contained letters from chief district court judges who shared information regarding the local impact should family court funding be discontinued. Noted below are excerpts from those letters.*

“What will happen if we lose Family Court? Things will probably revert pretty quickly to the pre-Family Court status. If judges have choices between trying cases or doing administrative work, they almost always opt for the former. The undone administrative work eventually makes the whole system a mess.”

**~Honorable David A. Leech, Chief District Court Judge, 3A Judicial District**

“... the creation of Family Court has had a more profound and positive impact on the administration of justice than any other change I have witnessed. In deciding child custody cases and cases involving neglected children we are charting the future for families. These cases and the others we hear in Family Court deserve the very best we have to offer.” **~Honorable J.H. Corpening, II, Chief District Court Judge, 5<sup>th</sup> Judicial District**

“Family Court is a court-driven system that implements constant calendaring and adherence to time standards for cases to ensure that they are never “lost” in the system. To return to the former attorney-driven system would mean that cases are calendared at the will of the attorney. This would further mean one side could effectively “starve out” the other side by simply not calendaring a case which would be detrimental to the financial stability of the family.” **~Honorable Brenda G. Branch, Chief District Court Judge, 6A Judicial District**

“... a return to how we did things in the past will be a giant step backwards for our district and North Carolina. My thirty years of experience in the courts have proven to me that Family Courts work.”

**~Honorable David. B. Brantley, Chief District Court Judge, 8<sup>th</sup> Judicial District**

“To eliminate Family court will be a tremendous, if not devastating, set back to the efficient operation of our civil courts.” **~Honorable Robert B. Rader, Chief District Court Judge, 10<sup>th</sup> Judicial District**

“Family Court has enabled us, as a district, to bring control and efficiency to two of the most emotional and difficult areas of the law - domestic and juvenile.”

**~Honorable A. Elizabeth Keever, Family Court Advisory Committee Chair and Chief District Court Judge, 12<sup>th</sup> Judicial District**

“The real issue that should be asked is why the Family Court model, which is an example of efficient and good government is on the State’s chopping block? The public’s lack of faith in the criminal system (excessive delays and repeated court appearances) should not be carried over into the Family court system that is working so well.” **~Honorable Marcia A. Morey, Chief District Court Judge, 14<sup>th</sup> Judicial District**

“Eliminating Family Court will undermine our ability to provide families with real access to justice. Without Family Court, we will have to discontinue services ... and return to a system that was significantly more frustrating to judges, attorneys, and families.”

**~Honorable Michael A. Sabiston, Honorable Jayrene R. Maness, Honorable Lee W. Gavin, Honorable Scott C. Etheridge, Honorable James P. Hill, Jr., Honorable Don W. Creed, Jr., and Honorable Robert M. Wilkins, 19B Judicial District**

“‘Justice delayed is justice denied.’ These words, having been gleaned from the Magna Carta and parlayed into a mission statement for the North Carolina court system, echo in my mind when I consider the possible loss of the Family Court Program.” **~Honorable Lisa D. Thacker, Chief District Court Judge, 20A Judicial District**

“The elimination of Family Court from the thirteen districts where it now enjoys such success would be a significant step backward for North Carolinians seeking access to justice.” **~Honorable N. Hunt Gwyn, Chief District Court Judge, 20B Judicial District**

“Over the last several years a great deal of progress has been made in the disposition of Family Court cases. I would hate to see the state return to a system that obviously did not work then and would not work now.” **~Honorable Robert M. Brady, Chief District Court Judge, 25<sup>th</sup> Judicial District**

“I believe eliminating Family Court will result in a lesser quality of justice for those citizens who have domestic cases, an increase in the age of pending cases, and a vast increase in the time the Chief District Court Judge is required to devote to case management, rather than to his or her duties as a presiding judge.”

**~Honorable L. Oliver Noble, Jr., former Chief District Court Judge, 25<sup>th</sup> Judicial District**

“Without question the elimination of the Family Court Program would send our system of justice spiraling backwards. The fair, speedy, economical and accessible forum for the resolution of matters involving families and children would cease to exist as we know it. The human cost would be far greater than the expense of these programs.” **~Honorable Lisa C. Bell, Chief District Court Judge, 26<sup>th</sup> Judicial District**

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