

Recommendation		Progress Made (August 2005)	Next Steps
<i>A Central Case Management Process for Cases Involving Families</i>			
1	All open cases involving a family should be coordinated by a central case management team	<b>Ongoing:</b> Colorado looks forward to an October 2006 pilot of the SANCA project, the first step in developing central case management within court's database. SANCA expected to go statewide in June 2006. Colorado was selected as 1 of 6 sites nationwide to implement the Strengthening Abuse and Neglect Courts in America (SANCA) Act.	The Committee hopes to expand SANCA project into all cases involving children and families.
2	Central case management team should be knowledgeable regarding all proceedings involving family	<b>Ongoing:</b> The Ethics Subcommittee of the Standing Committee is developing a report on ex parte and ethical issues involved in central case management. Further, ethical/business rules have been drafted to govern the transmission of data between the Court and DHS during the pilot of the SANCA project. Data will include treatment and placement snapshots for children involved in dependency and neglect actions.	Ethical rules to be evaluated during pilot and expanded as needed.
3	Definition of family members to achieve central case management	<b>Ongoing:</b> SANCA development of "Family Screen" was researched and discussed with interested parties in December 2004. Development and programming costs determined to be beyond the scope of this limited project.	This effort will need to be revisited at the conclusion of SANCA.
4	Family Case Management to include: dependency & neglect; delinquency; truancy; adoptions; relinquishments; mental health; domestic relations and some misdemeanors.		This effort will need to be revisited at the conclusion of SANCA.
5	Develop case management protocols for family matters within each judicial district	<b>Completed:</b> All courts have CMOs for 16.2 domestic cases posted on courts' internal training page. <b>Ongoing:</b> Family Unit/CIC assisting districts in developing case management plans for dependency & neglect case processing. Also, the Ethics Subcommittee of the Standing Committee is developing recommendations concerning ex parte and ethical issues involved in central case management. Further, ethical/business rules have been drafted to govern the transmission of data between the Court and DHS during the pilot of the SANCA project. Data will include treatment and placement snapshots for children involved in dependency and neglect actions.	
6	Establish multi-discipline or cross-system teams as an independent community resource to assist the central case management team	<b>Ongoing:</b> In 2005, 3 sites in Colorado selected as "Model Courts" to further collaborative efforts in dependency & neglect case processing. <b>Legislative Session 2004:</b> HB 04-1451 Teams and MOUs developed statewide to streamline provision of services.	Collaborative processes developed either in individual districts or within the Model Court project need to be studied for potential application to all cases involving children and families (divorce, paternity, probate, domestic violence, etc.) and for potential dissemination statewide.
7	Develop process to require professionals involved in a case to meet prior to a court hearing to assure complete information provided to court	<b>Ongoing:</b> Family Court Facilitators in the local districts ensure that necessary information is provided to the court prior to hearing. Collaborative processes and professional communication are being developed in the context of CIC Model Courts project. The Pew Commission on Children in Foster Care may also contribute to implementation of this recommendation.	There may be a need to look at new models in light of 2005 legislation, amending or creating the roles of the child and family investigator, parenting coordinator and decision-maker. Collaborative processes developed within the Model Court project need to be studied for potential application to all cases involving children and families (divorce, paternity, probate, domestic violence, etc.) and for potential dissemination statewide.
8	Develop required training of professionals to focus on teamwork among professionals	<b>May 2005</b> Family Issues Conference (Judicial) and Adolescent Issues Conference (OCR) addressed teamwork among professionals. Future trainings will revisit the issue. <b>Ongoing:</b> Issue to be addressed in the context of CIC Model Courts project.	Consider statewide multidisciplinary conference to present lessons learned from the Model Courts collaborative efforts.

<u>9</u>	Develop methods to address conflicts when family involved in both criminal and civil cases		This protocol needs to be developed.
<u>10</u>	Minimum rotation of 2 years in family matters; option to extend beyond 2 years		This issue requires further study.
<u>11</u>	Cases should stay with the central case management team	<b>Ongoing:</b> Six month pilot of the SANCA project, the first step in developing central case management within court's database. SANCA expected to go statewide in June 2006.	This effort will need to be revisited at the conclusion of SANCA.
<u>12</u>	Court facilitators coordinate issues involving the same family to avoid multiple treatment plans and/or conflicting orders	<b>Ongoing:</b> Training has occurred and Family Court Facilitators in individual districts coordinate issues.	Efforts to implement this recommendation will be greatly aided by development of the SANCA project. This effort needs to be revisited at the conclusion of SANCA.
<u>13</u>	Court facilitators must be given additional funding and resources	<b>Ongoing:</b> A subcommittee of Family Court Facilitators was created in August 2005 to research issues and will present recommendations to the Standing Committee.	This is to be included in SCAO long range planning. Subcommittee may consider evaluation of Family Court Facilitators and case management efficiencies.
<u>14</u>	Bundle cases involving the same children/families.		This effort will need to be revisited at the conclusion of SANCA.
<u>15</u>	Seek funding from General Assembly to measure results from central case management approach		SCAO Family Unit seeking outside funding sources.
<u>16</u>	Extend use of ICON in identifying cases related to same family	<b>Ongoing:</b> Colorado looks forward to an October 2006 pilot of the SANCA project, the first step in developing central case management within court's database. SANCA expected to go statewide in June 2006. Colorado was selected as 1 of 6 sites nationwide to implement the Strengthening Abuse and Neglect Courts in America (SANCA) Act.	The Committee hopes to expand SANCA project into all cases involving children and families.
<u>17</u>	Interdepartmental and interagency work on collaboration and information sharing	<b>Ongoing:</b> Colorado will participate in the Pew Commission Summit on Children in Foster Care in September 2005, an effort promoting interdepartmental and interagency collaboration. Colorado has also 3 sites designated as "Model Courts" to further collaborative efforts in abuse and neglect case processing. <b>Legislative Session 2004:</b> HB 04-1451 Teams and MOUs developed statewide to streamline provision of services.	Collaborative efforts in individual districts need to be disseminated statewide.
<u>18</u>	Chief Justice establish performance standards re family cases for Chief Judges	<b>Ongoing:</b> The Case Flow Task Force is currently evaluating performance standards. <b>Completed:</b> The Judicial Performance Subcommittee submitted performance standards to the Nominating Commission. While the Family Law Section was supportive of corollary letters, the Colorado Bar Association ultimately declined to endorse the letters, not wanting to focus on one area of family issues in judicial selection.	
<b>Non-adversarial Alternatives</b>			
<u>19</u>	Amend court rules and statutes to provide non-adversarial procedures	<b>Completed:</b> 16.2 Case Management (Domestic Relations) became effective on 1/1/05.	Forms and procedures to continue to be studied and modified as necessary.

<u>20</u>	<b>Amendments to apply to dissolution, guardianship (probate), dependency &amp; neglect, delinquency, paternity and support.</b>	<b>Completed:</b> 16.2 Case Management (Domestic Relations) became effective on 1/1/05. <b>Ongoing:</b> Non-adversarial procedures are available in dependency & neglect, delinquency, paternity and support.	
<u>21</u>	<b>Should be a presumption that parties will follow least adversarial process-least adversarial may differ by case</b>	<b>Completed:</b> 16.2 Case Management (Domestic Relations) became effective on 1/1/05. <b>Ongoing:</b> Non-adversarial procedures are available in dependency & neglect, delinquency, paternity and support.	Non-adversarial processes need to be studied statewide and discussed by the Standing Committee
<u>22</u>	<b>Where implemented, simplified dissolution should incorporate mandatory procedures set forth in Appendix VI</b>	<b>Completed:</b> 16.2 Case Management (Domestic Relations) became effective on 1/1/05.	Financial Affidavit to continue to be reviewed and modified as necessary
<u>23</u>	<b>Request funds from the General Assembly for independent evaluations of non-adversarial alternatives such as simplified dissolution</b>		Given the state's ongoing budget crisis, SCAO's Family Unit is seeking outside funding sources.
<u>24</u>	<b>Develop measurements to assess district success in the area of family matters</b>	<b>Ongoing:</b> The Case Flow Task Force is considering measurements in all areas with the input of the SCAO/Family Unit.	
<b>Status and Role of Judges and Magistrates</b>			
<u>25</u>	<b>Recognition to judicial officers hearing family matters for exceptional and innovative work</b>	<b>Ongoing:</b> 3 sites designated as "Model Courts" for D&N in Colorado. <b>Ongoing:</b> The Case Flow Task Force is considering measurements in all areas.	Consider "Best Practice" Court designation.
<u>26</u>	<b>Implement system to remove ill suited or burned out judicial officers from family case assignments</b>	<b>Ongoing:</b> A Chief Justice Directive, allowing chief judges to consider judicial assignment, will soon be released. Judicial wellness information is being received from the National Council of Juvenile and Family Court Judges in the context of Model Courts. <b>May 2005</b> Family Issues Conference include a presentation regarding judicial stress and burnout. Future training will revisit the issue.	
<u>27</u>	<b>Upgrade computers to meet needs of family cases and implement Family Friendly Facilities (FFF) legislation</b>	<b>Ongoing:</b> A Family Friendly Facilities Coordinator will begin with the SCAO Family Unit by October 2005.	This effort will need to be revisited at the conclusion of SANCA.
<u>28</u>	<b>Accord magistrates same increased recognition and enhanced surroundings as recommended for judges</b>		This issue still needs to be addressed.
<u>29</u>	<b>Develop methods of communication for judicial officers who hear family matters</b>	<b>Continuing:</b> A new Web Developer was hired at SCAO in July 2005 and will assist with improved web-based communication. Both domestic and juvenile judges have e-mail distributions to discuss issues. <b>May 2005:</b> The Family Issues Conference provided judicial training for judges, magistrates and FCFs who hear family matters; over 120 participated.	The issue of financial disclosures has generated rich discussion. SCAO Family Unit will continue to dialogue with judges and facilitators concerning the Financial Affidavit and will amend it as as necessary.

<u>30</u>	Provide support services/resources to judicial officers to fulfill evaluation, counseling and facilitation roles for the district court	<b>Legislative Session 2005:</b> Legislation regarding special advocates (child and family investigators), parenting coordinators and decision-makers signed into law.	Existing Chief Justice Directives need to be amended pursuant to 2005 legislative changes. A new Chief Justice Directive establishing Parenting Coordinator Standards is expected by 2006.
<u>31</u>	Judicial officers understand the role of mental health and other professionals in family cases, and engage them in cases as appropriate	<b>May 2005:</b> Judicial Training for judges, magistrates and FCFs who hear family matters; over 120 participants.	Existing Chief Justice Directives need to be amended pursuant to 2005 legislative changes. A new Chief Justice Directive establishing Parenting Coordinator Standards is expected by 2006.

***Selection and Evaluation of Judicial Officers***

<u>32</u>	Skills for judicial officers hearing family cases	<b>Ongoing.</b> SCAO provided judicial scholarships for the August 2005 Family Law Institute.	
<u>33</u>	Education of nominating commissions, applicants and Governor that over 50% of cases involve families	<b>Completed:</b> Standing Committee submitted educational materials and questions to the Nominating Commissions.	
<u>34</u>	In districts where judges hear all types of cases, nominating commissions should clearly advise applicants re volume	<b>Completed:</b> Standing Committee submitted educational materials and questions to the Nominating Commissions.	
<u>35</u>	Magistrates with demonstrated skill and expertise in family matters should be carefully considered for district court judge positions	<b>Completed:</b> Standing Committee submitted educational materials and questions to the Nominating Commissions.	
<u>36</u>	Train nominating commissions re the nature of a family law assignment	<b>Completed:</b> Standing Committee submitted educational materials and questions to the Nominating Commissions.	Standing Committee may consider a process to re-evaluate training periodically.
<u>37</u>	Develop a process to encourage individuals interested and experienced in family matters to apply for judicial openings	<b>Ongoing:</b> With assistance from the Court Improvement Program, the University of Colorado Law School instituted a Juvenile Law Clinic in 2003. <b>Ongoing:</b> The Colorado Women's Bar Association continues to support individuals to pursue judicial openings.	The Standing Committee may consider approaching the Colorado Bar Association or Family Law Section.
<u>38</u>	Instruct nominating commissions that political affiliation should not be a factor in selection of judicial officers	<b>Completed:</b> Standing Committee submitted educational materials and questions to the Nominating Commissions.	
<u>39</u>	Develop a process whereby consumers of court services can register concerns with the process	<b>Ongoing:</b> Court users can register comments on the State Judicial Website. Local courts often circulate customer surveys, as in Adams County or Denver. The Case Flow Task Force is considering the development of statewide survey instruments.	The Standing Committee is developing a survey instrument and is also considering improvements to the judicial website.
<u>40</u>	Develop a system of lay volunteers with family law expertise to observe courtroom proceedings		This task has not yet been assigned.
<u>41</u>	Performance criteria for judges hearing family cases	<b>Completed.</b> The Standing Committee developed materials that have been provided to the Performance Commissions.	Materials will be included in the Performance Commission training to occur in 2006.

***Training of Judicial Officers***

<u>42</u>	Pursue private funding for judicial education and training		The Standing Committee will communicate with the Colorado Judicial Institute.
<u>43</u>	Provide docket coverage for judges to allow adequate time for training	<b>Ongoing:</b> While the type of coverage envisioned by the Commission is currently hindered by current budget constraints, senior judges currently provide docket coverage.	The Standing Committee will continue to work with the State Court Administrator.
<u>44</u>	Judges and attorneys will be provided training regarding specific family-related issues	<b>May 2005</b> Family Issues Conference (Judicial) and Adolescent Issues Conference (OCR) addressed these issues. Future trainings will revisit these issues.	Pursue CIC funding for judicial training.
<u>45</u>	Judges and attorneys will be provided training regarding imposition of sanctions	<b>May 2005</b> Family Issues Conference (Judicial) addressed this issue.	
<u>46</u>	Training for judicial officers by senior family law bar and mental health professionals	<b>May 2005</b> Family Issues Conference (Judicial) and Adolescent Issues Conference (OCR) addressed these issues. Future judicial and OCR trainings will revisit these issues. <b>Ongoing:</b> This has moved forward in cooperation with the Family Law Section at the Family Law Institute 2003, 2004 and 2005.	SCAO/Family Unit Check will continue to work with Judicial Education Director.
<u>47</u>	Establish peer training through a confidential judicial officer family issues list serve	<b>Completed:</b> established by SCAO in September 2002.	Continue to support dialogue in this forum and through other web-based communication/training efforts.
<u>48</u>	Incorporate judicial training recommendations in judicial strategic education plan		SCAO/Family Unit Check will continue to work with the State Court Administrator regarding inclusion of this item in the Strategic Plan.
<u>49</u>	Provide "distance learning opportunities"	<b>Ongoing:</b> CBA Family Law Section provides phone hook-up for every monthly CLE program for judges.	SCAO/Family Unit Check will continue to work with Judicial Education Director.
<b>Community Involvement by Judicial Officers</b>			
<u>50</u>	Encourage community involvement by judicial officers		(check with Justice Kourlis)
<u>51</u>	Designated external activities for judges	<b>Legislative Session 2005:</b> Individual judges participated in testimony and debates.	Consider policy and/or communication mechanisms for encouraging judicial participation in the legislative process, such as weekly legislative teleconferences.
<u>52</u>	Authoritative interpretation of Code of Judicial Conduct regarding community involvement		(check with Carol Haller and Justice Kourlis)
<b>Compensation and Training for Public Sector Attorneys</b>			
<u>53</u>	Raise compensation for public sector attorneys who represent children to same level as other public sector attorneys	<b>Ongoing:</b> The Court Improvement Committee established a Respondent Parents Counsel Task Force in June 2005 to address training, standards and compensation of Respondent Parents' Counsel. <b>2003:</b> OCR achieved gradual transition to hourly payment for GALs and attorney special advocates and continues to improve practice.	Training, Compensation and Standards considered in RPC Task Force.
<u>54</u>	Training for public sector attorneys who represent children	<b>Ongoing:</b> The Office of the Child's Representative provides regular, regional training as well as distance learning opportunities. The Office of Dispute Resolution also provides training state-wide.	Expand effort to RPC. Regional trainings planned with Respondent Parents Counsel Task Force.
<b>Training and Mentoring for Private Attorneys</b>			

55	CJD requiring attorneys who accept family law cases to obtain a minimum of 8 CLE credits in the area of family law during each 3 year reporting period	Ongoing: Chief Justice Directives 04-05 and 04-06 address practice standards for court-appointed counsel and representatives of children. Training standards are also addressed in contracts with professionals through SCAO contracts.	This recommendation needs to be explored more broadly for all attorneys practicing child or family law.
56	Family law CLE at no cost or reduced fee for attorneys who agree to take at least one pro bono case during the 3 year period	Ongoing: Currently offered through CLE at the Colorado Bar Association.	
57	Creation of a mentoring program	Ongoing through the Family Law Section of the at the Colorado Bar Association.	

<i>Ethics, Professionalism and Accountability of Attorneys</i>			
<u>58</u>	Issues regarding non-compliance with court orders should have priority setting	<b>Ongoing:</b> Issue addressed in CJD 04-08 and the model appointment order for special advocates (child and family investigators).	Continued monitoring and training in this area to occur.
<u>59</u>	Encourage professionalism and collegiality in domestic bar	<b>Ongoing:</b> Inns of Court program in place.	Collaborate with FLS in developing future projects.
<u>60</u>	Encourage law schools to teach real-life ethics in this area of law	<b>Ongoing:</b> With assistance from the Court Improvement Program, the University of Colorado Law School instituted a Juvenile Law Clinic in 2003.	The Ethics Subcommittee may consider a project in this area.
<u>61</u>	Revisit the representation standard for family law cases	<b>Ongoing:</b> The Ethics Subcommittee of the Standing Committee is currently researching this issue.	
<i>Access and Availability of Legal Services</i>			
<u>62</u>	Supreme Court and CBA support bar associations pro bono programs and ensure uniform and consistent programs across the state		Committee to work with Access to Justice Commission.
<u>63</u>	Each district should investigate availability, structure and success of local legal services programs		Committee to work with Access to Justice Commission.
<u>64</u>	Prepare a video on how to select an attorney	<b>Ongoing:</b> Access to Justice is currently looking at options.	
<u>65</u>	Committee of judges and attorneys to investigate, study and make recommendations re provision of legal services to middle-class, as well as poor or working poor		Committee to work with Access to Justice Commission. Model Court Sites may participate in Poverty Subcommittee of the National Council of Juvenile and Family Court Judges.
<u>66</u>	Each district should make self help curricula available to parties	<b>Ongoing:</b> Assistance with forms and inquiries on Judicial website. All districts have access to materials and forms. Family Court Facilitators also provide assistance.	Committee to work with Access to Justice Commission.
<u>67</u>	Each district should investigate the availability of low-cost or no-cost ADR	<b>Ongoing:</b> Office of Dispute Resolution provides reduced-cost or no-cost mediation. ODR increased no- and low-cost mediation in Spring 2005.	
<i>Roles, Responsibilities, Guidelines and Accountability of Professionals who Interact with the Courts</i>			
<u>68</u>	Develop position descriptions as set forth in Appendix VII to further understanding of the various roles and responsibilities of these professionals.		Other Professionals Subcommittee to review and determine best use.

<u>69</u>	Develop standards of practice for professionals.	<b>Completed:</b> Standards for Special Advocates (Child and Family Investigator) and Model Appointment Order. <b>In process:</b> CJD and Motions/Orders for Parenting Coordinators and Decision-Makers.	
<u>70</u>	Develop legislation to change name Special Advocate to Child and Family Investigator	<b>Completed</b> 2005 Legislative Session.	
<u>71</u>	Develop a universal, enabling contract for CASA volunteers to serve as Domestic Relations Advocates		Discuss with OCR and Colorado CASA.
<u>72</u>	Out of home placement information	<b>Final Report (2003)</b> available at: <a href="http://www.courts.state.co.us/panda/reports/epp_2003_an_rep.pdf">http://www.courts.state.co.us/panda/reports/epp_2003_an_rep.pdf</a>	
<u>73</u>	Develop procedures re reporting on out of home placements	<b>Ongoing</b> efforts to ensure all districts has an individualized plan to implement Chief Justice Directives 98-02 and 96-08.	SCAO/CIC Coordinator to assist districts in development of district plans, implementing procedures
<u>74</u>	Train judges and case workers re reporting out of home placements	<b>May 2004</b> Family Issues Conference.	
<b><i>Support for Judicial Branch Efforts in the Areas of Pro Se Litigants and Domestic Violence and Restraining Orders</i></b>			
<u>75</u>	Continue efforts to establish uniform and consistent self-help services for pro se litigants	<b>Ongoing:</b> Pro se litigants can receive assistance with forms and answers to questions on the judicial website. Family Court Faciliators provide assistance in districts. IIS and Legal Aid have a joint grant proposal for kiosks in the courts.	
<u>76</u>	SCAO develops a standard self-help curriculum		The Standing Committee will continue to work with the Access to Justice Commission and the Colorado Bar Association.
<u>77</u>	Judicial branch support committee working on a comprehensive restraining order improvement plan	<b>Completed:</b> In March 2005, SCAO redrafted protection orders to allow for multi-state recognition. <b>Amendments Legislative Session 2003-2004:</b> amendments to protection order statutes and forms.	Consider existing needs in the area of family violence, particularly with respect to ICON/Eclipse Database.
<b><i>General Recommendations</i></b>			
<u>78</u>	Appendix IV staffing pattern study should be used to develop staffing models to assist districts in implementing Commission recommendations		The Staffing Pattern Study will be forwarded to the Planning Standing committee to consider this information and develop staffing models that will help the judicial districts implement the Commission's recommendations and/or accomplish district objectives with regard to serving families better.
<u>79</u>	Chief Justice to create an ongoing, oversight committee to ensure implementation of these recommendations	<b>Completed and Ongoing:</b> In November 2002, the Standing Committee on Family Issues was created. The Standing Committee remains committed to implementing the Commission Report.	