The Future of the Tulsa County Family Court Program

Judge Mary F. Fitzgerald
Chief District Judge of the Family Division

District Court of the State of Oklahoma
Fourteenth Judicial District

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TULSA COUNTY FAMILY COURT PROGRAM (TCFC)

Program Need:

The lingering impact of the 2008-09 economic recession continues to wreak havoc on individual and family well being, particularly for low income persons, due to ongoing high unemployment, reduced income and financial uncertainty. A recent report from Duke University states that much of the progress made in child well being since 1975 has been wiped out due to job loss, declines in income and family economic well being. **These conditions put additional strain and stress on marital and family relationships, contributing to the high divorce rate in Oklahoma (among the five highest rates in the nation).**

Based on the 1st Quarter Report of the Tulsa County Family Court Program, projections are that the Parenting Plan Conference Docket, the Case Management Docket and the Agreed-To Default Docket will process 6,000 cases in 2011. The Parenting Plan Conference Docket alone will be involved with 7,200 litigants and over 13,800 of their children, who are impacted by the marriage dissolution and paternity process.

At a time of growing need for these services, recent state budget cuts are having an immediate and deleterious impact on community-based and specialty court services. In addition to the 3.5% cuts to district courts, the Oklahoma Supreme Court budget was reduced by 4%. In order to cope with these budget cuts, the Tulsa County District Court is asking each county and district court to examine every aspect of their court to determine if there are expenditures that can be reduced.

Children, in particular, will suffer if services are reduced or discontinued. That is why we need the George Kaiser Family Foundation's help in partnering with F&CS and The Tulsa County District Court to ensure the continuation of this vital program in our community. If services are reduced or discontinued, the following impacts will likely occur:

- Children, who are caught in the middle, will be the ones to suffer, including impacts on their economic and emotional stability.
- Visitation and contacts with parents will be interrupted, resulting in more conflict and harm to children.
- Parenting Plan Conferences will be much less available, if not non-existent.
- There will be increased difficulty in getting appropriate child support in place timely, resulting in economic harm to children.
- Divorcing parents will be less informed about the court process, resulting in confusion and delays in processing cases.
- The overall timeliness of cases will be significantly impacted, as courts will be burdened with responding to court clerk issues, issues currently handled by staff of the Tulsa County Family Court Program.
- There will be reduced or no services that focus on high conflict cases, putting children at an even greater higher risk for harm.

Funding Need:

In July of 2010, the Supreme Court cut the District Court budget causing Tulsa County to lose their family court referee, juvenile court referee, and the future funding for their Family Court. Additional funds set aside from previous years will be exhausted in July of 2012. Currently, this funding pays for Tulsa Family Court Services.

Tulsa County Family Court cannot function effectively or efficiently without these services. Therefore, it is vital that there is appropriate funding to sustain this program.

The proactive steps to secure new funding have been pursued as follows:

- Increasing fees for Helping Children Cope With Divorce – done 2/11 and will bring in $40,000 a year to support the $130,000 budget.
- Applying for $20,000 grant from Oklahoma Bar Foundation – done $5,000 awarded and will start 1/12 with quarterly payments.
- Obtain a direct line from Oklahoma State Legislature that funds the program at the original 2001 level of $100,000 a year – in process, an active funding committee comprised of public policy makers, former legislators, attorneys and lobbyists meet regularly and advocate with existing legislators and other potential funding sources to achieve this goal.
- Explore additional funding sources – the long term planning committee is still active with discussions with county and city officials by the funding committee.
- For fiscal year 2012, the program needs $85,000 to match funding coming from the projected fee increases received from the Helping Children Cope with Divorce Program and the OBF $5,000 grant. We are requesting two to three years of funding to help us bridge our short term funding gap.

Program Overview:

After several years of planning in the mid-1990's between a Tulsa County District Court Judge and two committees of the Tulsa County Bar Association, Family & Children's Services (F&CS) pursued and received an 18-month Venture Grant award in 1998 to initiate a pilot program to improve the administration of justice to couples and their children going through the difficult life transition of divorce. The program plan for the then called Families in Transition Program was a result of the Long Range Planning Committee of the Domestic Court and the Children and the Law Committee, who fully endorsed our goal to make the process of divorce more humane for children. The pilot program was highly successful and the Tulsa County District Court asked that the program continue and was able to provide some funding to support the program. Since that time, F&CS has continued to work in an innovative partnership with the Court, to educate couples on the legal process, to promote effective co-parenting to ameliorate the harmful impact on children and to improve and streamline the court process.

Family Court Services consists of two personnel; the Family Court Case Coordinator and the Family Resource Coordinator. The goals of Family Court Services are to assist the Family Court Judges and staff by providing the following services:

- Stabilizing families and fostering co-parenting relationships;
- Early intervention and access to services and resources;
- Case Coordination;
- Access to justice;
- Timely case processing; and

- Creating an environment that supports Judges, court staff, and attorneys so they can respond effectively to help divorcing families.

Sen. Penny Williams obtained funding for Tulsa in 2001 through the Oklahoma State Legislature, to implement family court reforms in an effort to reduce the numbers of divorcing parents and to develop protections for children and families. We lost that funding in 2009 when the legislature did away with certain "earmarks."

In 2009, new services for high conflict cases were added and the program became known as the ***Tulsa County Family Court Program***. F&CS participates in the Quality Assurance Panel of the Tulsa County District Court, which oversees the program and recommends program changes based on results and input from judges, attorneys, litigants, community representatives and social service agencies.

Program Services:

Tulsa County Family Court offers a number of services to both educate parents on the needs of their children during this potentially adversarial time, as well as manage judicial dockets for the divorcing parents' accessibility to both legal and social services offered through Tulsa. Family Court Staff members and specialized court dockets help families and their children through the, at times overwhelming and seemingly complicated, process of divorce.

- **Family Court Case Coordinator**
  - Provides case management services and resource information to high conflict/complex cases;
  - Assists the Family Court Judges by communicating with attorneys and litigants to move high conflict cases to resolution; and
  - Decreases conflict between co-parents, thereby reducing the number of court appearances, and time involved with the court.

- **Family Resource Coordinator**
  - Helps self-represented families navigate the legal system;
  - Connects families with needed social services, child support, and financial resources; and
  - Helps self-represented cases at the Parenting Planning Conference docket work out temporary orders, resulting in financial and visitation agreements.

- **Parenting Plan Conference (PPC) Docket**
  - Staffed by Judges, Family Resource Coordinator, DHS Attorney;
  - 12 dockets per month averaging 500 parents;
  - All Dissolution of Marriage, Legal Separation, and Paternity cases <u>involving minor children</u> are scheduled on the PPC docket two weeks after filing their petition;
  - Help families understand the effects of divorce and conflict on their children;
  - Assists the Domestic Judges by encouraging families to create a Temporary Order Agreement;
  - 94% of the cases come to a Temporary Order Agreement at the PPC. The remaining 6% are referred to the Assigned Judge for a Temporary Order Hearing; and
  - Identifies high conflict/complex cases.

- **Case Management Docket**

- Staffed by Judge, Family Court Case Coordinator;
- Provides case management services to high conflict/complex cases;
- Protects and improves the outcomes for children and families; and
- Assists the Domestic Judges by managing these complex and time consuming cases.

- **Agreed-To/Default Dissolution docket**
  - Staffed by Judge, Family Resource Coordinator;
  - 20 dockets per month averaging 150 litigants;
  - This docket is held every day; and
  - Assists the Domestic Judges by ruling on Dissolution of Marriage, Legal Separation, and Paternity cases that agree or do not contest.

- **Protective Order Docket**
  - Staffed by Judge, (2) DVIS Advocates, Family Resource Coordinator;
  - 16 dockets per month averaging 300 litigants; and
  - Assists the Domestic Judges by providing community resource information on all Protective Order cases.

Program Benefits:

Program benefits extend primarily to the children who continue to have economic needs met and access to both parents uninterrupted during a potentially highly disruptive time. Messages received in every conference and hearing are focused on putting children first and working together as co-parents for the children. Children with two parents in their lives do better in school; have reduced likelihood of abusing drugs, developing mental health problems, or becoming involved in the juvenile justice system. Our data shows that we have been successful in reducing judicial case loads and educating families on how to reduce conflict and to co-parent. I would also like to direct you to our website at www.tulsacountyfamilycourt.org for additional information.

Family Court Services is Tulsa County Family Court and works seamlessly with the Judges and staff to support the families in many ways:

1. Increased access to justice, early intervention and access to services and resources, decreased court appearances and court involvement, and stabilized families and fostered co-parenting relationships.
   - Worked with an average of 200 self-represented families at the PPC docket;
   - Provided access to services and resources to an average of 4,500 families a month with minor children;
   - Saved the Family Court Judges time by preventing 34% of the self-represented litigants from seeing the Judge with incorrect or missing paperwork at the Agreed-To/Default Dissolution docket; and
   - Worked with high conflict/complex cases.

2. Increased case processing time and facilitated case coordination:
   - Created a new system that allowed Family Court to work with the Department of Human Services (DHS) to verify services for all litigants scheduled on the PPC docket:
     - 33% of all cases with minor children have DHS involvement;
     - Saved the court and thousands of families' time by eliminating the three (3) month verification process.

3. Created an environment that supported the Judges, court staff, and attorneys so they could respond effectively and efficiently to help families:
    - Provided services and resource information and education to all parties involved with Family Court;
    - Facilitated data collection to monitor Family Court and worked to increase services that were effective and efficient and eliminated those that were not; and
    - Improved case coordination and case management procedures.