

MINUTES
Custody Mediation Advisory Committee
March 4, 2022

The Custody Mediation Advisory Committee (CMAC) held a hybrid in-person/WebEx meeting on Friday, March 4, 2022. The Honorable J. Corpening called the meeting to order at Noon.

CMAC Members:

Judge Jay Corpening, Committee Chair
Sheila Eley
Sanya Eller
Kristen Hirsch
Judge Christine Walczyk
Nisha Williams
Marci Ward

NCAOC Staff:

Asia Prince
Stephanie C. Smith
Kari Marvin
Lori Cole
Tara Minter
Stephanie Satkowiak
Abby Ware, Intern

Guests: Kayla Lloyd, NCCADV Intern
Tricia Sarrazin, Master's of Law student,
University of Missouri

Welcome & Approval of Draft Minutes

Judge Corpening recognized this was the first CMAC meeting with the option of in-person attendance in two years. Judge Corpening shared that the meeting is livestreamed to satisfy the state's open meeting requirements. Draft minutes from the November 19, 2021 meeting were shared in advance of the meeting. After review, the minutes were unanimously approved without changes on a motion from Sheila Eley and seconded by Sanya Eller.

Custody Mediation Program Update

Stephanie Smith reported the new mediator in District 10 is currently in training and interviews are underway for a new custody mediator in District 5. Stephanie indicated there has been more turnover than usual, requiring additional 40-hour trainings. Mediators in their first year are required to attend four New Mediator meetings, and the next one is scheduled for March 14th. An in-service training will be held on March 22 for all mediators, and hopefully an in-person training can be held in the fall.

Stephanie introduced Tricia Sarrazin, a graduate student at the University of Missouri. Tricia, who is pursuing her Master's in Law in Alternative Dispute Resolution, reached out to Stephanie to ask if she could study the Custody Mediation program for a research project on how public entities/programs are meeting their mission. She explained that customer expectations are increasing while budgets are typically decreasing. Tricia's project concentrated on identifying stakeholders, understanding their interests, and exploring their influences on the organization. Public value is created when a program is meeting expectations at a reasonable cost. Tricia conducted numerous interviews and performed a SWOT (strength, weakness, opportunities, and threat) analysis. She noted that the CMAC performs a constant reassessment of the program by investigating what is working and what needs to be updated and changed. She added that all the stakeholders

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she interviewed were very focused on the mission of the best interest of the child(ren). Tricia will share her full report with Stephanie before the end of the month.

Kari Marvin gave a user demonstration on the latest version of the Parenting Agreement generator, a long-term project she has worked on with Bert Barber from the NCAOC Training and Services team. Kari and Bert will present on the generator at the national Association of Family and Conciliation Courts Conference in May 2022. The coverage mediators are now using the Word version of the statewide template and have provided positive feedback.

Stephanie introduced Abby Ware, NC State Social Work intern, to share the research she has been conducting analyzing the efficiency and efficacy of the DV screening protocol in Durham. Abby is comparing cases from 2018 (prior to implementation of the protocol) and 2019, when the protocol was initiated. The evaluation questions include:

- 1) Does the DV protocol prevent post-resolution DV?*
- 2) Does DV lead to negative outcomes in custody mediation?*
- 3) Does the pre-mediation interview lead to more positive outcomes in mediation and lessen cases of DV post-mediation?*

While the evaluation is ongoing, Abby shared results from an analysis of 2019 cases. As expected, cases with red flag markers prior to custody mediation were less likely to reach an agreement in mediation. Cases with red flag markers were also more likely to experience domestic violence post-mediation. Stephanie clarified that tracking domestic violence is limited to indicators in court records.

Judge Corpening asked Stephanie to discuss the history of the DV screening protocol. Stephanie shared that it began with discussions in CMAC regarding the need for some type of screening prior to orientation and the need to shift to an opt-in system for cases where DV is present. In 2018, CMAC tasked NCCADV's committee representative to work with Stephanie in researching a protocol that aligns with the statute governing the program. Over the course of several meetings the protocol was developed and approved by the CMAC and NCAOC Director Warren. Stephanie has been able to pilot the protocol in District 14 with Chief District Court Judge Evan's permission.

Stephanie was awarded a technical grant from State Justice Institute to develop a video to educate domestic violence survivors, who have been waived from mediation per the protocol, about their choice to opt-in to mediation. The video has been completed and was premiered to committee members before the meeting began. Judge Corpening congratulated Stephanie for her persistence in the long journey of seeing the protocol and video become reality. Judge Corpening also thanked Stephanie for her participation in the District 5 custody mediator interviews and the support provided during the vacancy.

Domestic Violence Update

Stephanie Satkowiak reported that research at UNC evaluating the DV e-filing system indicated there is a sustained decline for involuntary dismissals. They also found time reductions and increased efficiency between the issuance of an *Ex Parte* order and service and between commencement of the action and final disposition. Stephanie shared that the first paper will be published next month. UNC also received additional funding to examine how the e-filing system performed during the pandemic. The next research focus will be examining repeat filings and cross filings. Stephanie is exploring remote proceeding safety protocols. She is also a presenter for a Department of Defense webinar exploring the partnership she developed with Ft. Bragg. Stephanie stated the community collaboratives already developed around e-filing will help with the implementation of Odyssey.

Family Court Update

Lori Cole shared that the Uniform Parentage Act subcommittee plans to present recommendations at the March 11th Family Court Advisory Commission meeting. The Family Court Annual Report will be finalized and posted by the end of the month. The report includes trauma-informed practices that are utilized to help mitigate the stress and negative impacts of family conflict. The Family Court conference will be held in Asheville April 2-3 and will include judges and staff so they can proceed through training as a team. Lori and DeShield Greene will also attend the Court Managers Conference in the same location later in the week.

Human Trafficking

Tara Minter will be conducting a training for clerks in June and possibly July. During the training, she will cover how to create a regional response team that can address human trafficking at the local level. The Human Trafficking Commission has contracted with Lindsey Lane, a former human trafficking prosecutor in North Carolina, to help share her human trafficking prosecutor experience. Tara is seeking training opportunities for Lindsey to share her knowledge with judicial personnel. Chief District Court Judge Braddy will be joining the Human Trafficking Commission. The Human Trafficking Commission is planning an in-person training in September 2022. The NC Demand Reduction Taskforce is seeking individuals who have an interest in legislation or curricula impacting human trafficking.

Court Programs

Asia Prince reported they are interviewing candidates to manage the Office of Language Access following Brooke Bogue's departure. Asia explained that expansion of Family Court is a priority of the leadership team. To help share information about Family Court and to pursue future buy-in, non-Family Court staff have been invited to the Family Court Conference next month. CMAC members discussed some of the obstacles that have hindered Family Court expansion. Judge Corpening added that robust funding from the legislature and the implementation of Odyssey makes this an opportune time to pursue Family Court expansion.

Conclusion

Judge Corpening concluded the meeting at 1:18 p.m. The next meeting will be held Friday, July 15 at Noon.