

MINUTES
Custody Mediation Advisory Committee
January 31, 2025

The Custody Mediation Advisory Committee (CMAC) held a WebEx meeting on Friday, January 31, 2025. The Honorable J. Corpening called the meeting to order at Noon.

CMAC Members:

Judge Jay Corpening, Committee Chair
Judge Christine Walczyk
Kristen Hirsch
Cheryl Howell
Rick Igou
Valerie Laney

NCAOC Staff:
Stephanie C. Smith
Kari Marvin
De Maca Adams
Polly Handrahan

Welcome & Approval of Draft Minutes

Judge Corpening called the meeting to order and welcomed everyone. The July 12, 2024 and October 4, 2024 meeting minutes were shared in advance. After review, the minutes were unanimously approved without changes on a motion from Rick Igou and seconded by Kristen Hirsch.

Custody Mediation/Permanency Mediation Program Update

The mediator in District 43 is retiring in March. The NCAOC Custody Mediation staff helped review applications and assisted the Chief District Court Judge with interviews for the upcoming vacancy. The spring in-service training for mediators will be held online March 6th. Topics include child welfare laws presented by Sarah De Pasquale, Permanency Planning Mediation, a presentation by Danielle Kestnbaum from Our Family Wizard, an ethics scenario involving domestic violence, and updates of the Uniform Rules. Since Stephanie has received several reports of clients recording online mediation sessions, she will help mediators discuss how they can discourage this behavior during training.

Stephanie asked a custody mediator to track cases that do not agree in mediation to see how easily and reliably case resolution can be followed in Enterprise Justice. Stephanie is hopeful this information will prove useful for future research and that other mediators may track the information as well.

Stephanie presented on the Permanency Planning Mediation Program to the Durham Court Collaborative Team in December. A case has since been ordered to permanency mediation; a second custody mediator, who is being trained in permanency mediation, will observe.

Modification of Uniform Rules

The committee reviewed and approved the proposed changes to **Sections 1, 6.02, and 6.03** of the amended Uniform Rules draft. Stephanie clarified that only NCAOC trainings

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or NCAOC approved trainings count toward a mediator's required continuing education hours.

In **Section 7**, the committee was asked about parenthetical information, "*See form AOC-CV-632, Motion and Order to Waive Mediation.*" and decided to delete the sentence. In addition, in the last sentence of **Section 7**, "*shall*" was changed to "*may*" because not all districts utilize show cause orders.

Changes to **Sections 9, 10, and 12.02** were approved.

In the preceding CMAC meeting, the committee approved the language now included at the end of the first paragraph in **Section 12.04**:

"When the parties agree it is appropriate, the parenting plan may require that a party submit to drug testing or screening. The parenting plan cannot include provisions regarding financial matters with the exception that the parenting plan may provide for the allocation of the cost associated with the drug testing or screening between the parties."

Committee members would like a sentence added to the second paragraph of **12.04** to make it clear that determining acceptable methods of signing agreements is a decision each Chief District Court Judge will make for his or her Custody Mediation Program.

Committee members discussed **Section 12.06** (Termination of Mediation) and decided that it should be reworked along with **Section 8** (Waiver of Mediation). Included in the rewrite will be a statement indicating a mediator can bring a case to a judge's attention for consideration of a waiver if the mediator has determined it is inappropriate for mediation.

Section 12.08 was approved.

Safe Babies Court

Polly Handrahan shared that Yancey, Mitchell, Durham and Brunswick are enrolling families with children ages zero to five, and New Hanover is enrolling families with children ages zero the three. The program did their first six-month Continuous Quality Improvement (CQI) review, including discussions about processes, what is working well, and what adjustments are being made. The implementation process is beginning in McDowell and Rutherford with a timeline to enroll families next June or July. Polly indicated the implementation team meetings pull together all the court partners and is a great forum for problem solving. Similarly, the active community team meetings are productive as they look at what resources are available, what is needed, issues with referrals, etc. Judge Corpening shared his overwhelmingly positive experience with judicial status conferences, highlighting the ability to connect positively with Safe Babies participants.

Access & Visitation Update

De Maca Adams reported that October 1st began a new grant cycle for the Access & Visitation (A&V) program. In October 2023, the number of A&V Coordinators was reduced to five positions at 40-hours and the Cumberland/southeast region position at 30-hours. The Buncombe County position became vacant last August and efforts to fill the vacancy have been challenging given the hurricane in October and new judicial leadership. Recruitment efforts for the vacancy have been postponed to determine what impact any possible changes to federal grants will have. In Fiscal Year 2023-24, A&V coordinators worked with 6,327 clients and provided 8,215 services which included counseling, parent education, and court navigation assistance.

Conclusion

Judge Corpening concluded the meeting at 1:15 p.m. The next meeting will be Friday, March 14th at Noon.