

The Trial Court Administrator's Office
26th Judicial District of North Carolina

Community Report

FY2011-2012

Swifter, Higher, Stronger!

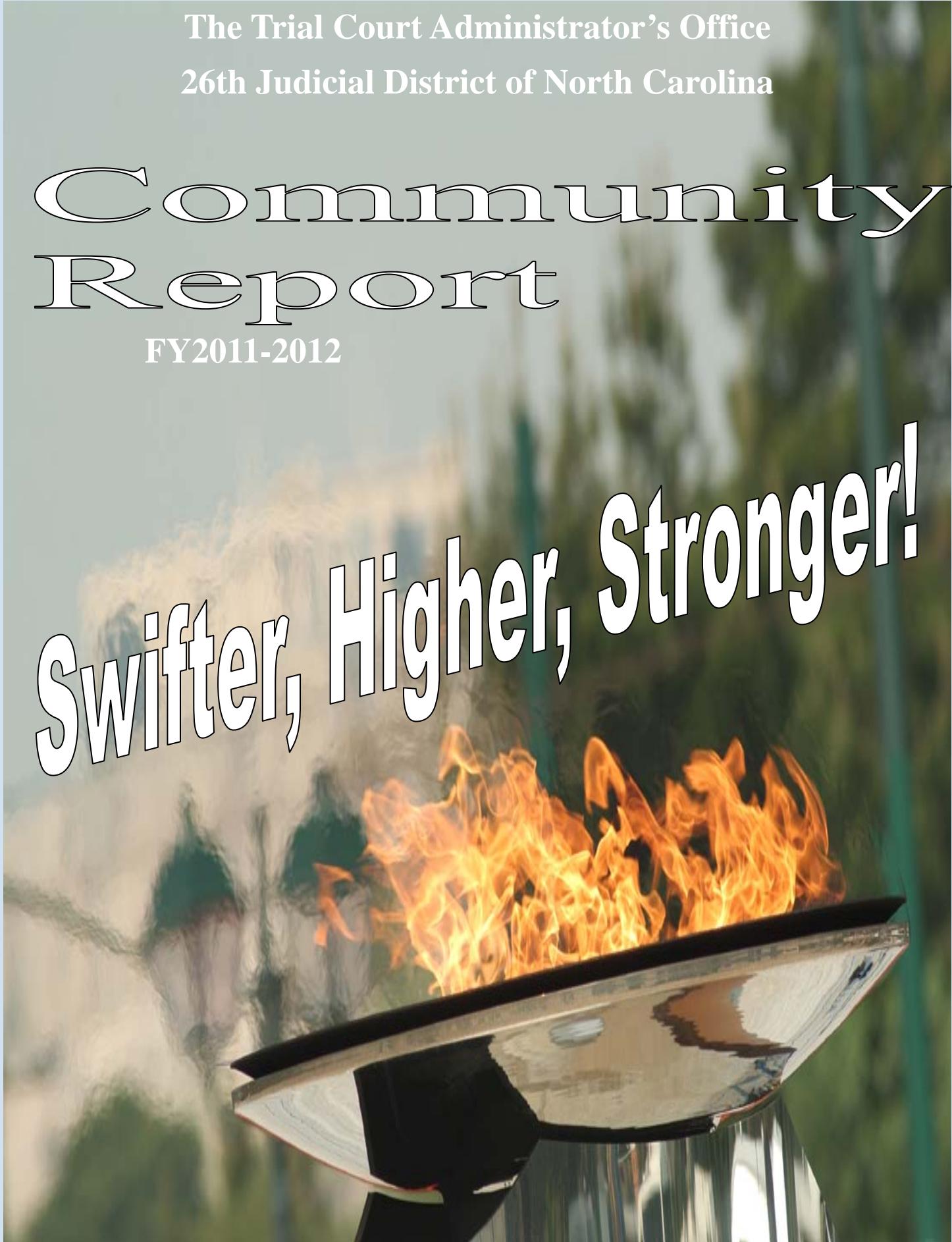




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A Word from the Trial Court Administrator

Welcome to our annual Community Report for FY2011-2012! We have chosen an Olympic theme this year, as we have overcome some hurdles and difficult challenges this year with a great degree of success.

I also thought it might be beneficial to give some perspective regarding the current organization structure of the Trial Court Administrator's Office. In other words, provide an explanation why all the various departments and divisions represented in this report operate under a unified management structure instead of as a cast of independent characters.



Todd Nuccio

Clearly, the structure we have today is not some random occurrence. It is the result of deliberate choices and concerted effort over the last 20 years. So, why do we operate in the fashion that we do? First and very simply, we operate as a consolidated organization because there are more advantages than disadvantages to this approach. Together, we gain significant economies of scale and can accomplish much more through our pooled resources. By consolidating there is no need to replicate basic infrastructure.

Each area does not need to have its own HR, Financial, Facilities, and Communications experts. Each department is able to concentrate on core responsibilities and not be distracted by issues unrelated to getting the job done. Therefore, everyone is able to be more productive.

Together, we also are able to offer the public and Bar consistent standards and expectations. They only need to understand one system instead of several. The benefits realized are certainty and predictability, which all individuals and businesses desire.

Together, we are able to integrate operations. The right hand knows what the left hand is doing. Integration brings greater efficiency and effectiveness. Essentially, we work smarter. In short, the whole is greater than the sum of the parts.

So, that brings me to my last point: Why do we publish this report each year? This report is produced to reveal how all the individual parts fit together and contribute to our overall success. The evidence is pretty clear. No where in this state can you point to a judicial district with more accomplishments than here in Mecklenburg. I'm very proud of our collective achievements. We have come a long way and we are sure to go even further under the solid foundation that has been established.

Todd Nuccio

Todd Nuccio
Trial Court Administrator

The Courts



SUPERIOR COURT JUDGES FY2011-2012

Hon. Richard D. Boner
Senior Resident

Hon. W. Robert Bell
Hon. Yvonne Mims Evans
Hon. Linwood O. Foust
Hon. Eric Levinson
Hon. H. William Constangy
Hon. Hugh B. Lewis

SPECIAL SUPERIOR COURT JUDGE FOR COMPLEX BUSINESS CASES

Hon. Calvin Murphy

SPECIAL SUPERIOR COURT JUDGES

Hon. F. Lane Williamson

DISTRICT COURT JUDGES FY2011-2012

Hon. Lisa C. Bell, Chief
Hon. Rickye McKoy-Mitchell
Hon. Louis A. Trosch, Jr.
Hon. Regan A. Miller
Hon. Becky Thorne Tin
Hon. Thomas F. Moore, Jr.
Hon. Christy T. Mann
Hon. Timothy M. Smith
Hon. Ronald L. Chapman
Hon. Theo X. Nixon
Hon. Paige McThenia
Hon. Donnie Hoover
Hon. Jena P. Culler
Hon. Charlotte Brown
Hon. John W. Totten, II
Hon. Elizabeth Thornton Trosch
Hon. Kimberly Best-Staton
Hon. Tyyawdi M. Hands
Hon. Karen Eady-Williams
Hon. Donald R. Cureton
Hon. Matthew J. Osman

District vs Superior Court

The North Carolina state court system is divided into 30 judicial districts comprising two major courts — District and Superior. Mecklenburg County comprises the 26th Judicial District. Both District and Superior Court handle criminal and civil matters.

Superior Court is the highest level state trial court. North Carolina divides Superior Court into eight divisions—Mecklenburg County is in the 7th Division. The 26th Judicial District is assigned seven “resident” Superior Court judges, including the Senior Resident. They rotate with the other resident judges in the 7th Division every six months, generally spending half a year in the 26th District and the other half in another district. Resident judges stand for election every eight years. Currently, there are also two “special” judges with offices in Mecklenburg County. They are appointed by the Governor, serve five-year terms, and may be assigned to hold court in any North Carolina county. One of the Special Judges is assigned to the North Carolina Business Court and generally handles only exceptional cases.

In civil court, Superior Court judges hear matters in cases involving more than \$10,000 and other special categories such as injunctions, constitutional issues, corporate receiverships and eminent domain. On the criminal side, Superior Court judges handle all felonies, as well as those misdemeanors or infractions that have been appealed from District Court.

District Court is the state trial-level court below Superior Court. Mecklenburg County’s 26th Judicial District is assigned 21 judges, including the Chief District Court Judge. District Court judges stand for election every four years.

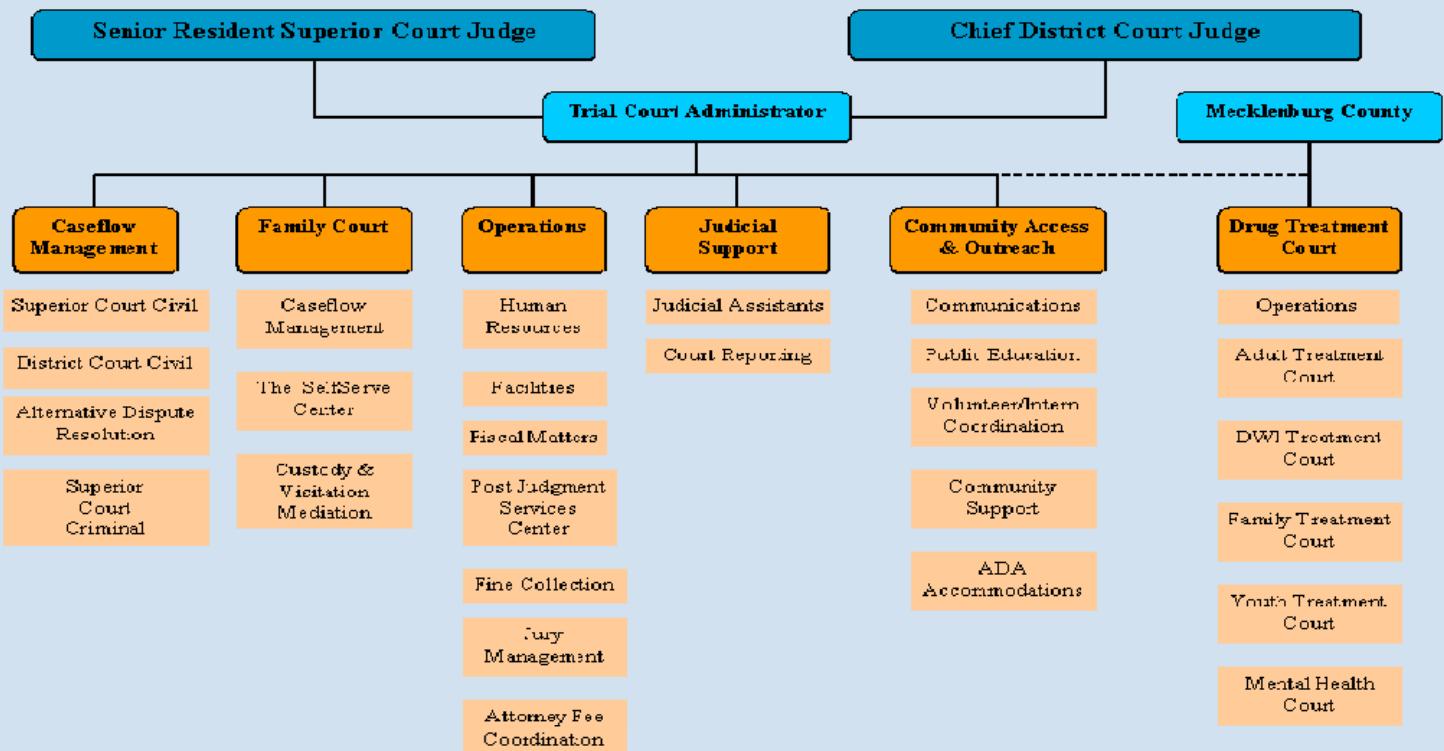
District Court hears both civil and criminal cases, as well as some specialized cases that are not heard in Superior Court. District Court handles all Family Court matters such as child custody, support, divorce, and juvenile abuse and neglect. It also hears civil cases involving money amounts over \$5,000 and less than \$10,000. (Cases involving \$5,000 or less are *generally* heard in Magistrate Small Claims Court and Probate and Estate matters are handled exclusively by the Clerk of Superior Court.) On the criminal side, District Court handles all misdemeanors, infractions, domestic violence and juvenile delinquency. Although felony cases are tried exclusively in the Superior Court, District Court conducts preliminary hearings to determine whether there is probable cause to bind defendants over to the grand jury for indictment to stand trial in Superior Court.



Trial Court Administrator's Office

TRIAL COURT ADMINISTRATOR'S OFFICE

The Trial Court Administrator (TCA) is a State-funded position established to improve the administration of justice through professional management. The TCA assists and supports the Senior Resident Superior Court Judge and Chief District Court Judge in the overall supervision of the Judicial District, and provides professional expertise necessary for managing today's increasingly complex court system. The TCA works with other court officials as a facilitator for change by initiating and coordinating discussions and by identifying problems and recommending solutions that lead to a more efficient and effective court system. The TCA is entrusted with responsibility for planning, organizing and directing non-judicial activities within the Judicial District. General management responsibilities of the position include: development of local rules and administrative policies to facilitate calendaring and other administrative activities, budgeting, personnel oversight, facilities management, research and strategic planning, grant procurement and administration, program development and project management. In addition to general management responsibilities, the TCA oversees services provided through the following areas: District and Superior Court civil scheduling; Superior Court criminal scheduling; Alternative Dispute Resolution; Jury Management; Court; Family Court; Custody Mediation; Permanency Mediation; Family Law Facilitation; Fine Collection; Post-Judgment Services Center; SelfServe Center; Communications/Public Relations; and Judicial Support. With the recent elimination of State funding, the TCA's Office plays a lesser coordination role in the operations of our Drug Treatment Courts that are now funded by Mecklenburg County. There are Team Leaders to administer each of the six divisions of the TCA's Office.



TWENTY SIXTH JUDICIAL DISTRICT MISSION STATEMENT

To provide fair and accessible justice to the community is the fundamental mission of the Court and its justice partners in Mecklenburg County. We are committed to working collaboratively with the community to prevent and solve problems to enhance the quality of life for all.

In the state's largest and most complex judicial system, we administer, deliver and uphold justice with a commitment to the fundamental values and principles of Fairness, Justice, Integrity, Respect, Wisdom, Cooperation, Quality and Community Responsibility.

Each year, the Trial Court Administrator's Office issues Certificates of Excellence to team members who receive a overall rating of "distinguished" on their yearly evaluation. Team members, including interns and volunteers, who demonstrate a specific act that goes above and beyond their required duties receive an Outstanding Achievement Award. To be awarded a Certificate of Excellence, an employee must have at least one year of employment and have received an annual performance evaluation with an overall rating of "Distinguished" for State employees or a rating of "6" or above for County employees. To receive an overall "Distinguished" rating, more than half of the ratings must be at the "Distinguished" level with no rating below "Commendable." During FY 11-12, the following persons received Certificates of Excellence:

Community Access**& Outreach**

Maura Chavez

Caseflow Management

Jennifer Acheson

Amy Kolodziej

Deb Savage

Samantha Stone

Drug Treatment Court

Daniel Coward,

Erica Oxendine-Hall

Rosalind James

Jessica Modra

Jill Valente

Judicial Support

Linda Brooks

Christine Elminowski

Lynn Florczyk

JoAnn Harris

Pat Hines

Melissa Lagies

Deborah Maren

Carol Swann

Jillian Turner

Operations

Mary Baker

Lea Glaze

Tashia Jones

Jessica Yost

Family Court

Shawana Almendarez

Diana Carter

Mary Florence

Russell Hendrix

Jennifer Kuehn

Katherine O'Kane

Darwin Rice

Erin Stack

Excellence!

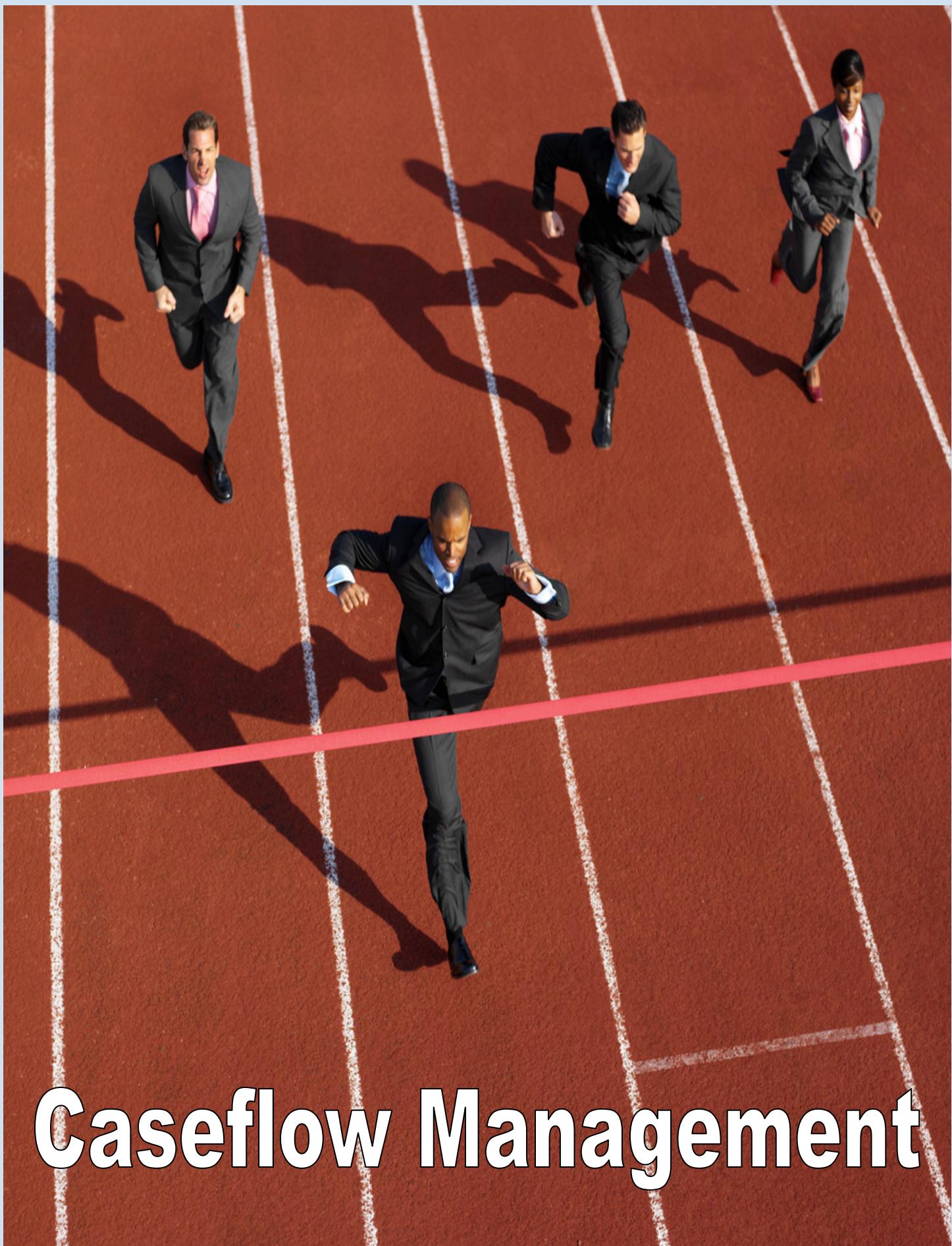


Trial Court Administrator Todd Nuccio presents Mary Florence with the Employee of the Year Award

In 2005, The Trial Court Administrator's (TCA) Office established The Helen Stonestreet Employee of the Year Award to recognize a TCA team member for their outstanding performance throughout the year. The award is named in honor of Helen Stonestreet, who was one of two founding members of the Mecklenburg County TCA's Office and served for over 25 years before retiring in 2004. The recipient of this award must demonstrate the qualities for which Helen was best known: professionalism, dedication, and hard work. Nominations can be submitted by anyone before July 31 each year. A selection committee comprised of a member of Justice Initiatives, Inc., the West Charlotte Rotary Club, and the Trial Court Administrator select a winner from the nominations. The award includes a certificate and is sponsored by the West Charlotte Rotary Club, who presents the recipient with a \$100 check, as well as Justice Initiatives, Inc. who provides \$150 for the winner, for a grand total of \$250. The recipients name is then engraved on a plaque along with previous recipients, which is displayed in the reception area of The TCA's Office.

This year's winner is Mary Florence, Case Coordinator with Family Court. Nominations for Mary came from three different sources: colleagues, attorneys and paralegals. Appreciation and admiration for Mary clearly runs far and wide. Some attributes that were cited in all the nominations included her professionalism, friendliness, and incredible patience in one of the most stressful environments in the court system. Another common theme cited was the manner in which Mary treats everyone she serves with courtesy and the utmost respect. Finally, Mary was described as the "face" of Family Court. It was noted that her knowledge and the way she truly seeks to help people navigate the system provides an invaluable service to our community. Mary clearly exemplifies the spirit of the Helen Stonestreet Award.





Caseflow Management

Caseflow Management

In Mecklenburg County, the Caseflow Management Division oversees the calendaring of all non-Family law related civil cases and Superior Court Felony cases excluding homicide. The most common types of civil filings overseen by this division are motor vehicle negligence, contract disputes, money owed and other types of negligence matters such as medical malpractice. The division is divided into five sections: Superior Criminal Case Management, Superior Civil Case Management, District Court Case Management, and Alternative Dispute Resolution. From filing until disposition, case coordinators monitor the cases and intervene as appropriate to ensure they are disposed within the time standards established under our local rules.

In most North Carolina counties, the Trial Court Administrator is personally involved in the day-to-day management of the docket. Given the breadth and depth of responsibility handled by the TCA in Mecklenburg County, though, docket management has been delegated to the Caseflow Management Administrator who oversees the division and reports directly to the Trial Court Administrator.

While it may seem that a more extensive staff would be necessary to perform the duties of this division, only seven individuals manage what is the largest caseload in the State. These individuals are highly effective at what they do.



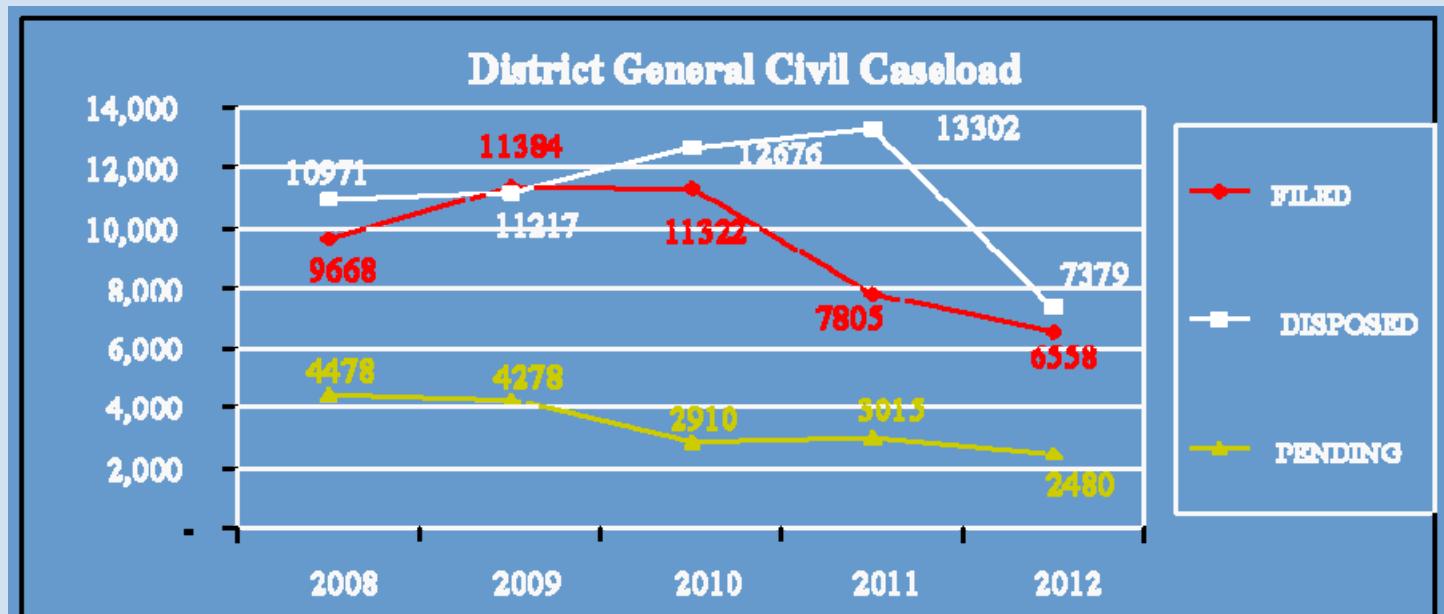
Civil

According to American Bar Association (ABA) standards, 90% of all civil cases should be settled, tried or otherwise concluded within twelve months of the date of filing, 98% within eighteen months of filing, and the remainder within two years of filing. In order for the court to maintain effective case management, it must dispose of cases at least at the same rate as cases are being filed. There are two basic areas that we look at when it comes to caseflow management. They are the number of pending cases and the age of the pending caseload. In both areas, improvements can be seen over the last FY for the Superior Civil Docket. The number of pending cases decreased by nearly 11% and the median age of the pending caseload dropped by 38 days.

In Superior Civil, the number of pending cases decreased by nearly 11%.

Superior Civil Case Type	Begin Pending	Number Filed	Number Disposed	End Pending	Cases #	Cases %	Clearance Rate
Admin. Appeal	32	52	66	18	-14	-5.2%	126.9%
Collection on Account	144	195	241	98	6	-17.1%	123.6%
Contract	690	903	1061	532	-158	-58.7%	117.5%
Motor Vehicle Negligence	522	648	703	467	-55	-20.4%	108.5%
Negligence	478	461	516	423	-55	-20.4%	111.9%
Other	395	732	868	259	-136	-50.5%	118.6%
Real Property	261	437	242	456	195	72.5%	55.4%
TOTAL	2522	3428	3697	2253	-269	-10.7%	107.8%

In District Civil, the pending caseload inventory decreased by 535 case.



Criminal

Scheduling and processing large numbers of criminal cases in Superior Court are not simple tasks. Events must be scheduled well in advance, participants must make preparations for each appearance, and multiple parties have to converge at the appointed place and time for a scheduled event to take place as planned. It is also clear that court time and other resources will generally allow for less than five (5) percent of felony cases to actually be tried before a jury. Therefore, a large number of cases must be resolved in some manner short of trial.

For any system to work effectively, each integral party must constructively fulfill the responsibilities of their position. The District Attorney must make reasonable plea offers, defense counsel must weigh all factors and act in the best interest of his/her client, and the judge must give full consideration to any negotiated pleas and/or participate in plea conferences, where requested, to bring about resolution at the earliest stage in the proceedings.

During FY2011-2012, the Caselfow Management team decreased median age of Felony Cases from 193 days to 144 days. The Clearance Rate for Superior Felony Cases operating under the Administrative Plan was an impressive 121%



Additional Accomplishments

During the last FY, Caselfow Management also conducted an audit and found discrepancies between the inventory being shown by the State and what was reflected locally. After investigating these findings, a new reporting system was put into place to more accurately reflect cases pending in the mediation process. This audit of Superior Civil also resulted in the closure of many cases previously shown to be pending.

A new filing system was also implemented for matters appealed from Special Proceedings to streamline the process and there was collaboration with the Drug Treatment Court to expedite the scheduling of cases involving their clients.

Alternative Methods of Dispute Resolution

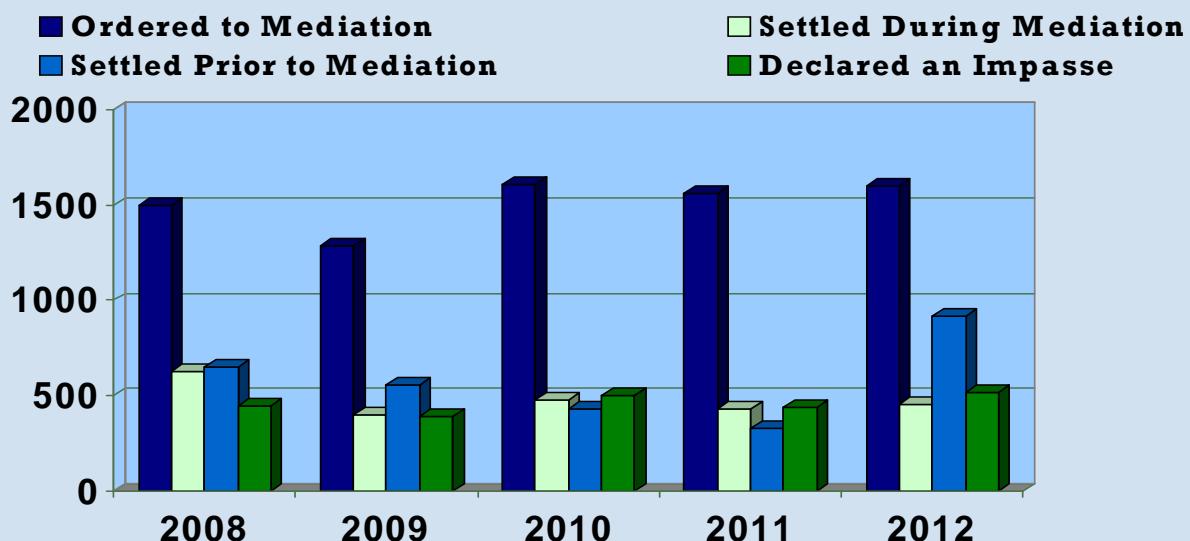
One of the court-mandated Alternative Methods of Dispute Resolution (ADR) utilized in North Carolina is mediated settlement conferences. The program requires Superior Court litigants and their attorneys to participate in a discussion with a paid mediator before their case can be tried in court. In Mecklenburg County, seventy-one percent of the cases ordered to mediation are recorded as resolved at the conclusion of the mediation session. This program is likely to have an even higher success rate in that many cases are resolved at later stages and the exchange that occurs during the mediation is a factor in the eventual outcome. The cost of going to trial in Superior Court is \$1,399 per day (jury trial) and \$1,039 per day (non-jury trial). The average length of trial is 2-3 days. The only cost associated with mediation is taxed upon the parties at no cost to the state, and an average mediation session is two-and-a-half hours. The approximate cost of disposing the same mediation caseload for FY11-12 through a two day trial would have been \$1,230,288 for trials heard before a jury and \$947,568 for non-jury matters.

Another method of Alternative Dispute Resolution (ADR) being used in North Carolina is court-ordered arbitration. Arbitration is submission of a dispute to a third party who renders a decision after hearing arguments and reviewing evidence. Arbitration is generally less formal and less time-consuming than litigation. It has been used for many years by agreement of the parties in commercial or labor contracts. The first court-ordered Alternative Dispute Resolution program enacted in North Carolina was mandatory, non-binding arbitration of civil claims for monetary damages of \$15,000 or less. The program now covers all District Court judicial districts and applies to civil cases for monetary damages of \$15,000 or less except those cases where the sole issue is collection on an account or an eviction. The state assesses a fee of \$100, payment of which is shared equally by the parties. A party who is not satisfied with the arbitrator's decision has a right to have the case heard by a judge. In FY2011-12, 87% of the cases ordered to arbitration in Mecklenburg County were successfully resolved at the arbitration stage.

The approximate cost for holding a one-day civil trial session of District Court is \$1,049 (jury trial) and \$689 (non-jury trial). The average time required to hear a District Court civil trial is 4-8 hours. The cost associated with an arbitration hearing is \$100, which is divided between the parties. The time allotted for an arbitration hearing is one hour. There is no cost for disposing of the civil caseload through arbitration; the cost is borne by the parties. The approximate cost of disposing the same arbitration caseload for FY11-12 through a one-half to one trial would have been \$287,313 for non-jury matters and \$386,243 for a jury trial. ADR results in greater user satisfaction, timelier disposition of cases and cost effectiveness. For more information call **(704) 686-0185**.

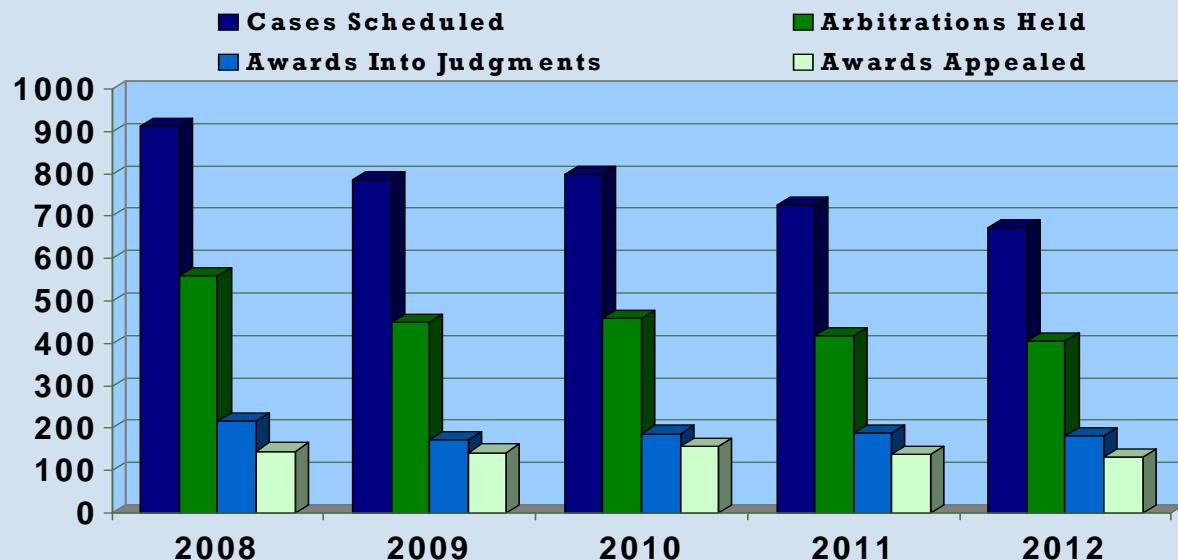
26th Judicial District Mediated Settlement Conferences Trend Analysis

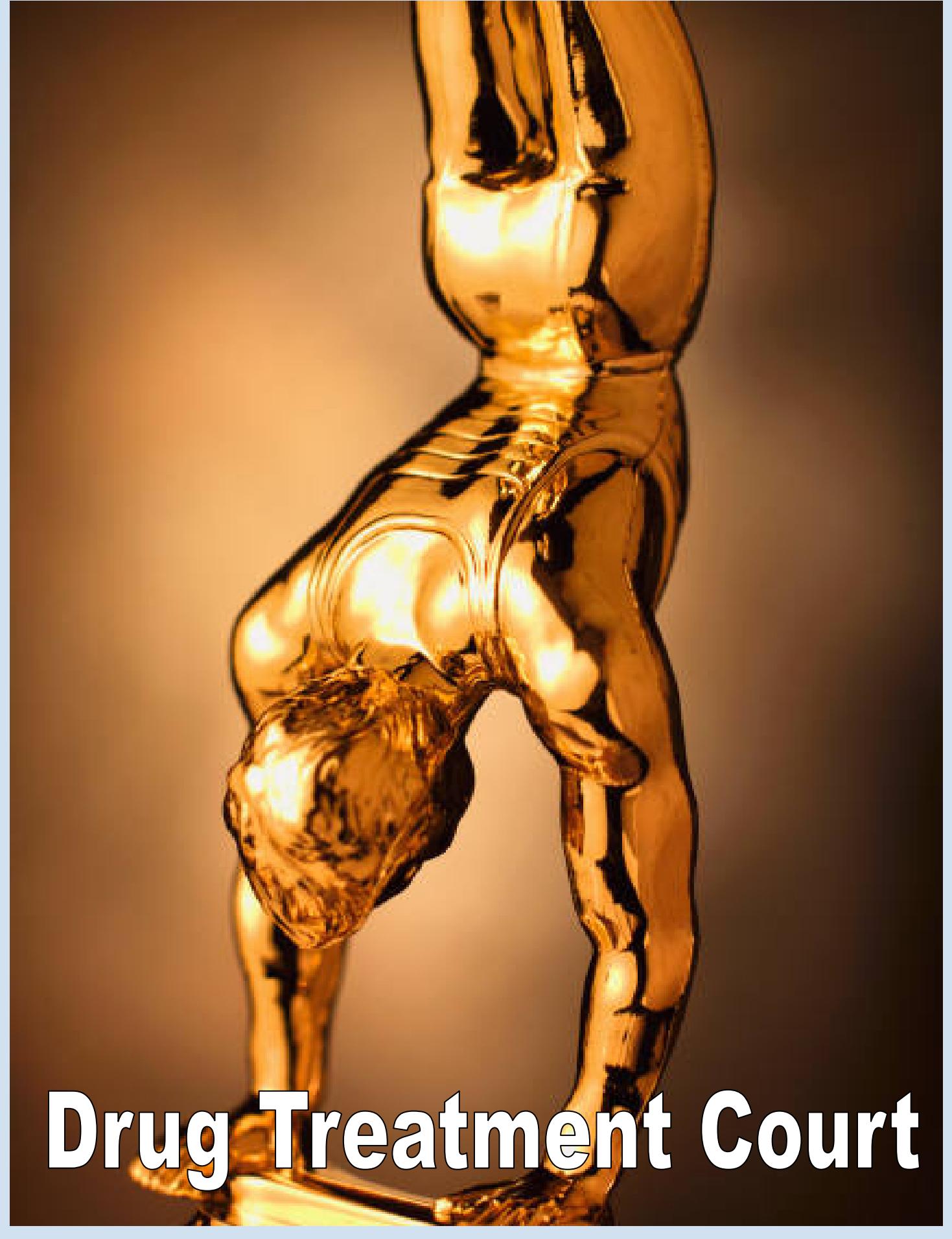
In FY2011-201, 72.1% of the cases scheduled were settled through mediation



26th Judicial District Arbitration Trend Analysis

In FY2011-2012, 87.2% of the cases scheduled were settled through arbitration



A golden Oscar statuette stands upright against a dark background. The statue depicts a person in a dynamic, forward-leaning pose, holding a sword in one hand and a branch in the other. The lighting highlights the metallic texture and contours of the figure.

Drug Treatment Court

Drug Treatment Court

Established in 1995, Drug Treatment Courts (DTC) began as an alternative sentencing option to address the revolving door created by simply incarcerating defendants when the crimes committed are related to the underlying abuse of alcohol and other drugs. DTC has since expanded to include parents facing abuse and/or neglect and juveniles with delinquency charges.

Our Drug Treatment Court has been on somewhat of a roller coaster ride when it comes to funding over the last several years. Despite the upheaval and attempts to eliminate the program, it has survived and is now prospering under a new funding source. Last year, the North Carolina legislature eliminated all \$2 million in annual funding for Drug Treatment Courts statewide, leaving local communities the task of finding overarching funding for them. Our district was very fortunate that Mecklenburg County agreed to fund the court, as local government realized the overall cost savings and benefits to the citizenry.

S.T.E.P. is the daily operating name of the program and is an acronym for Supervision, Treatment, Education and Prevention. The purpose of this name is to communicate the basic functions of the DTC and that just as recovery and behavioral change on the part of the alcohol and drug-dependent offender is an incremental growth process, behavioral and institutional change on the part of government and the community is also a process of learning and continuous improvement.

Drug Courts are a team effort, bringing together the resources of many community agencies to address the root of one of the core problems associated with the increase in crime and the resulting costs to our communities. The Mecklenburg County S.T.E.P. Treatment Court Programs are court-supervised, holistic and intensive programs for individuals identified as having a substance abuse problem. A multi-agency program consisting of a presiding judge, district attorney, public defender, case coordinator, probation officer, treatment provider, social worker and/or community support worker.

In Mecklenburg County, the S.T.E.P. Programs have established eight different treatment courts: Superior, District (2), DWI (2), Mental Health, FIRST (Family DTC) and a Youth Treatment Court. Program participants are held accountable for their behavior in an intensive, rehabilitative environment that provides a holistic approach to treating substance abuse while ensuring the safety of the citizens of our community.



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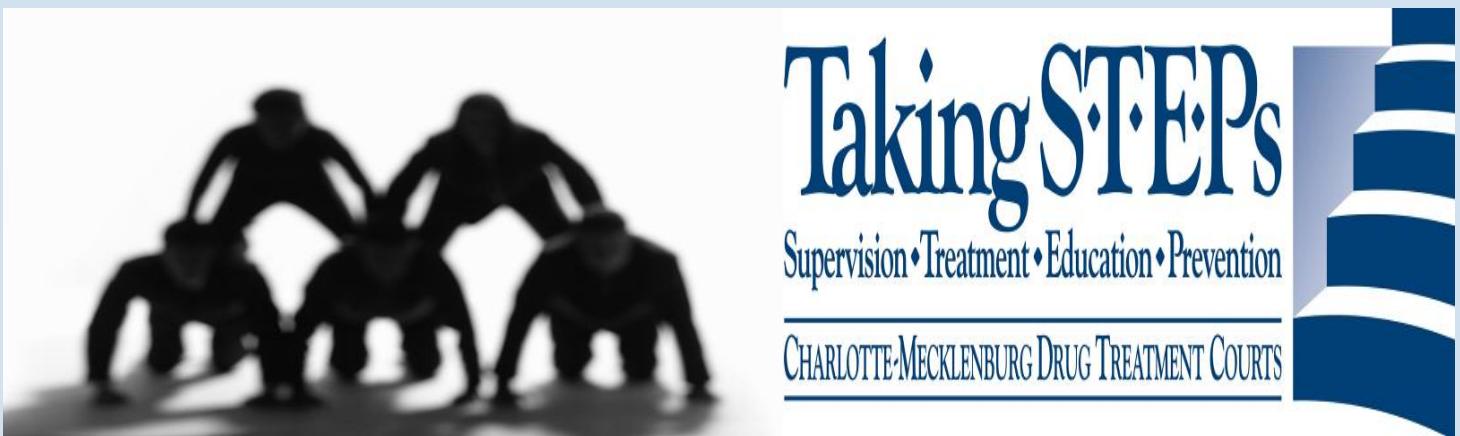
Following are the goals for Drug Treatment Court:

- To reduce alcoholism and other drug dependencies among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both;
- To reduce criminal and delinquent recidivism and the incidence of child abuse and neglect;
- To reduce the alcohol-related and other drug-related court workload;
- To increase the personal, familial, and societal accountability of adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect, or both; and,
- To promote effective interaction and use of resources among criminal and juvenile justice personnel, child protective services personnel and community agencies.

Drug Court Works!

In February 2005, the U.S. Government Accountability Office issued its third report on the effects of adult criminal drug courts. Results from 23 program evaluations confirmed that drug courts significantly reduced crime. Moreover, although up-front costs for drug courts were generally higher than for probation, drug courts were found to be more cost-effective in the long run because they avoided law enforcement efforts, judicial case-processing, and victimization resulting from future criminal activity.

In the ensuing years, researchers have continued to uncover definitive evidence for both the efficacy and cost-effectiveness of drug courts. The most rigorous and conservative estimate of the effect of any program is derived from “meta-analysis,” in which scientists statistically average the effects of the program over numerous research studies. Four independent meta-analyses have now concluded that drug courts significantly reduce crime rates an average of approximately 7 to 14 percentage points. (National Drug Court Institute. (2008). Painting the Current Picture: A National Report Card on Drug Courts and Other Problem-Solving Court Programs in the United States (Vol.II, No.1). Alexandria, VA: Huddleston, C.W., Marlowe, D.B. & Casebolt, R.)



Mecklenburg County S.T.E.P. Program Accomplishments

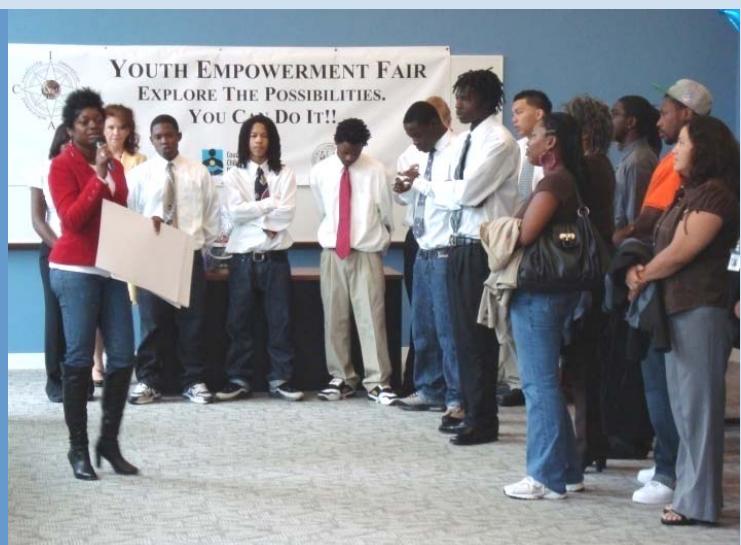
- 52 Adult DTC clients employed at time of exit
- 14 MHC clients engaged in competitive employment
- An average of 41% of MHC clients maintain stable housing
- 5 drug-free babies born
- 20 Parents reunited with 45 children
- 40 School meetings held for YTC clients

YOUTH TREATMENT COURT

The Mecklenburg County Youth Treatment Court (YTC) is a program designed to provide judicial supervision, address substance abuse, mental-health and behavioral issues by identifying child/family specific needs. The YTC program strives to build upon and support the intrinsic strengths that exist within each youth and their family. The program has been operational for six years and continues to strive to increase the number of treatment options and services that are available for program participants to meet their individualized treatment needs and aid them in successful program completion. Youth Treatment Court clients attended our first annual Youth Empowerment Fair during this fiscal year. Those participating had the opportunity to meet with representatives from the business community, institutions of higher education and others that can help broaden horizons and build self-esteem for these youth.

DRUG COURT WORKS!

"The Drug Court program gave me the structure I needed to live the life that I have been blessed with. My hope is that more people would have the opportunity that I have been fortunate to have. Thank you Drug Court for saving my life!"





The F.I.R.S.T. (Families In Recovery to Stay Together) Program is a collaborative effort of the Court, the Mecklenburg County Department of Social Services Youth and Family Services Division, and the Mecklenburg County Area Mental Health Authority. The F.I.R.S.T. Program coordinates and monitors the delivery of substance abuse treatment services to all parents involved in the child dependency process.

In FY2011-2012, ten parents from our FIRST program had the special privilege of attending the opera this year. Seen here is a picture of team members with some of the cast of *Madame Butterfly*.

S.T.E.P. Mental Health Court

The Mecklenburg County S.T.E.P. Program has been in operation for close to fifteen years. During this time, we have witnessed a high correlation between substance abuse and mental illness. However, it is often difficult to determine which issue is at the root of the individual's criminal involvement – their mental illness or the use of alcohol and other substances legal and illegal. Since 1995, the treatment providers who collaborate with the S.T.E.P. Program have specialized in providing an array of evidence-based, best practice substance abuse treatment. In an effort to address both the substance abuse and mental health needs of program participants, when resources are available, they have incorporated an Integrated Dual-Diagnosis Treatment model. This model seeks to work with an individual's alcoholism/addiction and their mental illness in an integrated and congruent manner.

The Mental Health Court (MHC) was born out of the recognition that the primary need for many of those referred to one of the S.T.E.P. DTC programs was a mental illness masked by their use of alcohol and other substances. The MHC held its first court session on February 25, 2005. It is a collaborative effort between the Mecklenburg County Area Mental Health Authority and the 26th Judicial District of North Carolina. Its mission is to reduce recidivism among participants and to promote stability, service engagement and increased levels of independent functioning within the community. The MHC is a voluntary, court-based alternative to incarceration.

Mecklenburg County S.T.E.P. Drug Treatment Court Partners

Partners with Adult DTC Programs

Mecklenburg County District Attorney's Office
 Mecklenburg County Public Defender's Office
 Mecklenburg County Division of Community Corrections
 Mecklenburg County Sheriff's Office
 Mecklenburg County Area Mental Health
 Southeast Addiction Institute and Learning Center, Inc.
 Anuvia Prevention & Recovery Center
 McLeod Addictive Disease Center
 Mecklenburg County Jail Inpatient Treatment Program
 Freedom House
 Urban Ministries
 Salvation Army Residential Program
 Joblink Transformation Center
 CPCC Pathways Program
 Uptown Men's Shelter
 Emergency Winter Shelter

Partners with FIRST Program

Mecklenburg County Area Mental Health
 Anuvia Prevention & Recovery Center
 Community Choices CASCADE
 McLeod Addictive Disease Center
 Southeast Addiction Institute & Learning Center, Inc.
 Women's Commission

NOVA

CMC Behavioral Health Center
 Department of Social Services, Youth & Family Services Division
 The Law Offices of Pili Fleming

Partners with YTC Program

Mecklenburg County Area Mental Health
 Department of Juvenile Justice and Delinquency Prevention
 Children's Law Center
 Mecklenburg County District Attorney's Office
 Charlotte-Mecklenburg Schools
 Family Preservation Services
 CMC-Behavioral Health Center
 Charlotte-Mecklenburg Police Department

Partners with MHC Program

Mecklenburg County District Attorney's Office
 Mecklenburg County Public Defender's Office
 Mecklenburg County Division of Community Corrections
 Mecklenburg County Sheriff's Office
 Mecklenburg County Area Mental Health/Provided Services Organization
 Mecklenburg County Jail Inpatient Treatment Program
 Mecklenburg Open Door
 CMC Randolph Behavioral Health Center
 Person Centered Partnerships

DRUG COURT WORKS!

"I've now been sober 18 years. I have a beautiful wife and two wonderful children. I own a business that is focused on helping others."

"Without my experience in Drug Court, I probably wouldn't have stopped smoking Marijuana and drinking."



Family Court



Family Court Program

The 26th Judicial District's Family Court Program has been in operation since June of 1999. Family Court is designed to respond to cases involving families and children more efficiently and effectively by reducing the amount of time it takes to move from filing to disposition and by using a variety of intervention services to improve outcomes for families and children. Judges are specially trained to deal with issues affecting children and families, including child development, cultural competence, substance abuse, domestic violence, family dynamics, and alternative dispute resolution. The program subscribes to the "One Family – One Judge" model, thus consolidating multiple court cases involving one family before one judge. The goals are to promote earlier resolution of issues, reduce the number of court hearings a family must attend, and foster consistency in judicial decision-making.

Family Court has experienced many trials and tribulations regarding budget cuts over the last year. Through it all, the program demonstrated the ability to maintain focus, persevere and come out on top. Since its inception, the Family Court program has made notable strides in this District's caseload management. (1) Fewer continuances are granted. (2) The number of referrals to intervention services such as mediation, parent education classes, counseling and treatment programs and parenting-support groups has increased. (3) The Parent Coordinator program has been developed and utilized to improve outcomes in family disputes. (4) Family Court hearings are scheduled and tracked by Family Court Case Managers to ensure that they are resolved within established time standards. (5) Conferences are conducted with pro se litigants to explain court processes, assess family needs, and make proper referrals. For more information, call the Family Court Division at **(704) 686-0200**.

Family Law Facilitator Program

One of our signature domestic programs is the Family Law Facilitator Program. The goals of the Family Law Facilitator Program are to reduce the number of children entering foster care and to assist self-represented litigants in navigating the courts when involved with domestic matters. This year, we focused on Permanency, Timeliness and Growth.

With regard to permanency, achieving a safe and permanent home for children at risk of entering foster care is this program's top priority. During FY 2011-2012, 154 children achieved permanency compared to 115 in the previous fiscal year. This demonstrates a 34% increase in the rate of achieving permanency.

Concerning the expedition of cases, time is very important to children when their home life is unstable. During FY 11-12, the timeline for program cases decreased from 129 days to 78 days. This represents a 40% decrease from the time a case is referred to the time the Court enters a permanent child custody order.

Finally, we know there is a growing need for this program and we want to meet the demand. The program served 271 children during FY 11-12 compared to 215 the previous fiscal year. This demonstrates a 26% increase in program growth.

Caseflow Management

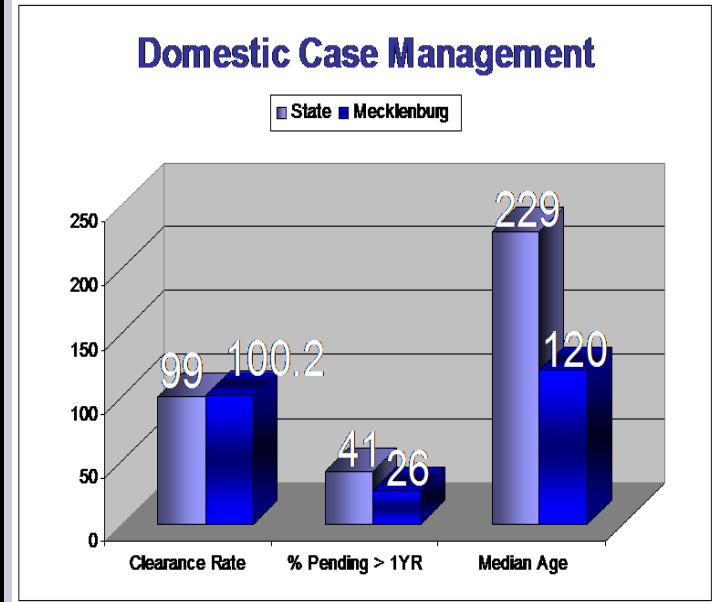
Family Court Domestic Operations is responsible for managing over 10,000 cases each year from filing to disposition. The Case Management Team prides itself in timely and courteous service. Performance is often measured by examining (1) the clearance rate; (2) the percentage of cases pending over one-year; and (3) the median age of pending cases. Here is how we stack up in those categories when compared to the state.

First, the clearance rate compares the number of cases filed in comparison to the number of cases disposed. The goal is to dispose of more cases than were filed and thereby achieve a clearance rate of 100% or more. A clearance rate of less than 100% will result in a case backlog. In FY 11-12 we achieved a clearance rate of 100.2%.

Second, a time standard used for measuring case flow efficiency is the percentage of cases pending over one year. While there are complex domestic cases that justifiably take longer than one year to resolve, the goal is to ensure as many cases that can be, are resolved within one year. The percentage of cases pending

over one year in Mecklenburg is 26% compared to 41% statewide.

Lastly, the median pending age is an indicator of how quickly domestic lawsuits are moving through the court system from the filing of the initial legal claim(s) to their disposition. The current median pending age in Mecklenburg County for domestic filings is 120 days compared to 229 days statewide.



The SelfServe Center: Access to Justice

One of the programs under Family Court is the SelfServe Center; which operates to build public trust and provide greater access to justice. Access, Service and Partnerships are the cornerstones of our success here.

The Center provides access to court forms, legal information, legal clinics, technology services and free attorney consultations. It provides quality and convenient service through trained pro bono attorneys, paralegals, volunteers and interns.

This year the Center participated in the MCB's Centennial Celebration by hosting a week long event. All services, including free walk-in legal consultations, were offered to customers during extended operational hours.

Through expanded partnership with the Latin American Coalition, free legal clinics are now being offered in Spanish and hosted at their facility on Central Avenue. Through expanded partnership with the Charlotte School of Law, Access to Justice students are now working 30 hours each semester in the SelfServe Center as part of their clinical requirements. These partnerships have extended our outreach and improved the quality of our service.

Juvenile Court Operations

Family Court's Juvenile Court operations reached new heights this year through education, collaboration and evaluation!

Relating to education, Family Court hosted a Juvenile Court Lunch and Learn series that included six educational events – each accredited by the State Bar and each generating revenue to be reinvested within Family Court. The Family Court Division also coordinated two training conferences this year. The Model Court Conference focusing on issues related to Abuse, Neglect and Dependency and the First Annual Educational Conference for Elected Officials.

Collaboration and Evaluation are the benchmarks of Family Court's ever evolving attempt to define areas of success and areas needing improvement. Race Matters for Juvenile Justice also known as RMJJ embodies both. RMJJ is a local collaborative group supported by leaders representing child welfare, education, law enforcement and the courts. Its purpose is to identify the root cause of the disproportionality within governmental systems and work to ameliorate it.



This effort is driven, in large part, by the Family Court Division. RMJJ is one of our best examples of leadership working within systems and across systems to improve outcomes.

Custody Visitation and Mediation

Our longest serving court program is custody and visitation mediation. In fact, Mecklenburg had the first program in NC. It helps parents to focus on the interests of children in a non-adversarial setting. Thousands of parents and children have been touched by the work of this program over the last 23 years.

In the last FY, there were a total of 1,698 referrals. Of those, 1,295 litigants attended an orientation sessions. Eight-hundred fifty-two mediation sessions were thereafter conducted. In addition, 475 parenting agreements were drafted coming out of the mediation sessions held.

Permanency Mediation

Another component of our juvenile court is the Permanency Mediation program. It directly engages parents in helping them to understand and address the situation that has brought their parental rights into question. In FY 11-12, the Permanency Mediation Program held 81 mediation sessions. Of these cases, 94% resulted in one or more signed agreements. In all, 122 children were served by mediated agreements.



Operations

Human Resources

One of the areas of responsibility for Operations is Human Resources and one of the roles of HR is wellness for all employees. The 26th Judicial District Worksite Wellness Committee was formed in April 2011 to provide opportunities to employees to develop healthier lifestyles by supporting the adoption of habits and attitudes that contribute to their positive well-being.

The Worksite Wellness Committee provides lunch and learn opportunities on wellness-related topics and offers fitness classes, flu shot clinics and mobile mammography screenings in support of employees' well-being. In 2011, 177 employees received seasonal flu vaccinations and 31 received mammography screenings.

Drug Treatment Court and the Worksite Wellness Committee partnered to plan the 1st Annual Worksite Wellness Fair. It was held in May, in honor of Drug Court Month, and was a huge success with 26 vendors participating and with over 200 State, County and City employees, DTC clients and others in attendance. Several vendors raffled off various prizes, including massages, acupuncture sessions, health consultations, groceries, fitness classes and gift cards. There were also exercise demonstrations, an "Ask the Doc" session and free chair massages.

The wellness newsletter, "The Apple", is published quarterly and is distributed to over 600 employees in the Judicial District. It includes information about wellness events and activities, healthy recipes, exercise tips, a calendar of up-coming events and more.

Fiscal, Facility and Technology Management

Besides HR, Operations handles everything related to Finance, Facilities and Technology. Shown here are some of the accomplishments in those areas. Grant Funding was secured for the following:

- Professional Development for TCA staff
- Customer Satisfaction Survey Incentives
- Employee Incentives
- Juror Appreciation Month

Additionally, the Operations Team coordinated furniture repairs throughout the courthouse and repairs to officer benches in District Court courtrooms.



Jury Service

For many citizens, their only contact with the courts is through jury service. They form their impressions about the judicial system and even government in general from this experience. It is critical that the time spent with us is a positive one if we are to accomplish our mission of building public trust and confidence. In Mecklenburg County, jury management has expanded and modernized to ensure excellent communication with jurors, provide comfortable and accommodating jury assembly areas, and increase the yield of jurors attending on their assigned dates of service. Jurors are randomly selected from a combined list comprised of licensed drivers and registered voters. All county residents are eligible for jury service with the exception of those who have served within the past two years, are under the age of 18, are not physically or mentally competent, have been convicted of a felony and have not had their rights restored, or are not United States Citizens.

To make service more convenient and efficient, Mecklenburg County employs the use of the “One Day or One Trial” approach, meaning that a person will be asked only to serve the length of one day or, if selected to sit on a trial, the length of that trial. This enables almost all jurors summoned to complete their service within one to three days. Mecklenburg County also utilizes an interactive voice response system, which allows summoned jurors to check their status by telephone to see if they need to report to the courthouse the following day; reschedule their service once within six months of the original service date without question; and obtain general information with regard to parking, location and jury pay. This service is available 24 hours a day, 7 days a week. Additionally, jurors are shown recently released movies during the course of the day and served complimentary popcorn, in an effort to make the experience more enjoyable. They also have access to a business center, lactation room, and game room.

The Operations team and County Information Technology Services have also worked this last fiscal year to expand upon our Interactive Juror Website by adding a mobile application so that jurors can easily access the primary functions of the full site via their smart phones. In FY11-12, over 8,700 requests for deferral and excusal were submitted via Jury Manager Web and the mobile application.

“I usually dread jury service from past experiences. This time was more pleasant for a few different reasons. I was very impressed with the jury waiting suite. It was very comfortable and accommodating to my needs. It was nice to be able to take my laptop. The seating was comfortable and the eating area near the vending machines was extremely nice! The movies were a nice way to pass the time and the popcorn was great! It was nice to have a quiet room, which I took advantage of. Overall, I would give the experience a super rating...I wouldn’t mind being summoned again in the future.” - Mecklenburg Juror

The Post-Judgment Services Center

The Post-Judgement Services Center (PJSC) assists clients in complying with court orders or judgments through an efficient, effective and timely process that holds the court, clients and providers accountable. In practice, it was designed to provide a single point of contact where a defendant's sentence is coordinated and monitored by various court-related agencies. It functions as an alternative to incarceration or assignment to supervised probation.

Among its purposes are to enforce court-ordered sanctions, such as financial sanctions and community service; to reduce the number of cases sentenced to supervised probation; and to make efficient use of court resources, i.e. eliminate the time judges spend reviewing cases for compliance.

The PJSC addresses the enforcement of sentences and fines of at least \$200.00 imposed upon defendants in misdemeanors from District Court and low-level felonies from Superior Court. Some of the offenses covered by this are: Possession of Drug Paraphernalia, Traffic Offenses, Driving While Impaired, Driving While License Revoked, Worthless Checks, Simple Assault, Tax Fraud, Breaking and Entering, Larceny, Simple Possession of Stolen Goods, Property Damage, Concealment, Sex Offenses, Aiding and Abetting, Resisting and/or Obstructing a Public Officer, and Food Stamp Fraud.

This program also provides a net financial gain to the State. The staff manages the ever-growing caseload very well and they continue to improve the collection rate even with the challenges that difficult economic times bring. In FY2011-2012, the staff interviewed 10,299 clients for service in the PJSC, which is a 15% increase over FY10-11. The program also realized an increase in referrals to Fine Collection by 16% over FY10-11. Most notably, over \$1,000,000 was collected in the last fiscal year compared to \$852,000 the prior year!



Attorney Fee Coordination

The Attorney Fee Program is the newest department within Operations. This is one of a few programs in place that provide a net financial gain to the State. Under the direction of the Trial Court Administrator, the Attorney Fee Coordinator is charged with two main objectives: 1) Reviewing all attorney fee applications submitted by a Panel attorney before they are submitted for payment to the Administrative Office of the Courts and 2) collaborating with Judges, Clerks, and others to improve recoupment of attorney fees in Mecklenburg County.

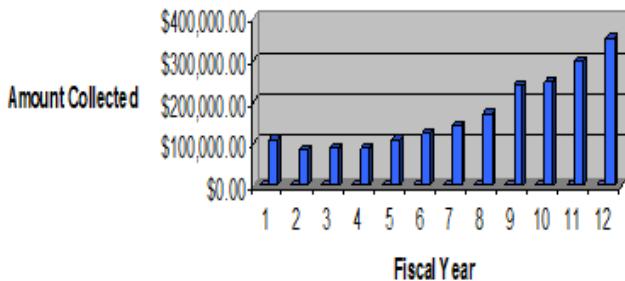
The Attorney Fee Coordinator reviews Non-Capital Criminal Case attorney fee applications for accuracy and completeness, as well as reviews attorney timesheets to ensure work hours correspond with application. If errors are flagged, the Coordinator returns incorrect or incomplete fee applications to attorneys and judges. Once applications have been verified as correct, the Coordinator then submits the approved fee applications to Indigent Defense Services for payment.

The Attorney Fee Coordinator also works to recoup attorney's fees from defendants who received their services. The Coordinator screens fee applications to applications that are eligible for recoupment. Once it has been determined the fee applications do not have an existing order for recoupment, the Coordinator then submits eligible fee applications for docketing as civil judgments. The chart below demonstrates a steady increase in the recoupment of attorneys fees.

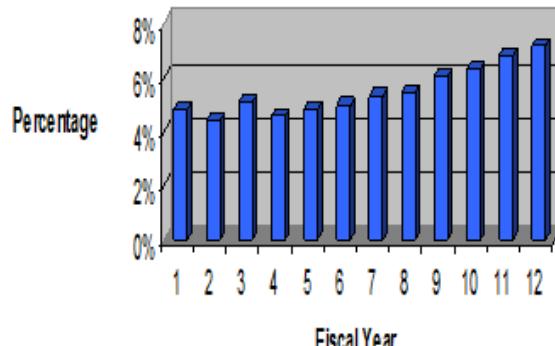
The chart demonstrates that Mecklenburg's percentage of recoupment statewide has steadily increased since the implementation of the Attorney Fee Program in FY05-06.

The efforts of the Attorney Fee Coordinator play a significant role in obtaining this result. This position is funded on a temporary basis by Indigent Defense Services (IDS) with recoupment dollars. Due to the impressive figures for FY11-12, IDS has now extended funding for this position through February 2013, at which time it will again be reviewed for continued funding.

Attorney Fee Recoupment Via
Set-Off Debt Collection
Mecklenburg County



Mecklenburg Collection as Percentage of State Collection



Community Access and Outreach



Community Access and Outreach

Under the direction of the Trial Court Administrator, the Community Access and Outreach Division focuses on three major areas: public access to the courts, public education and outreach, and volunteer and internship coordination. The Speakers Bureau, Annual Community Report, Annual Statistical Report, Trial Court Administrator's Office Newsletter, courthouse tours, web site development and content maintenance, public relations plans for the Trial Court Administrator's Office and 26th Judicial District, media inquiries and requests, camera authorization requests, inclement weather and emergency operations, intern and volunteer coordination, Americans with Disabilities Act (ADA) accommodations, community support, and other special projects are captured by the Community Access and Outreach division.

International Relations

You may not be aware, but our district has become an internationally known court system and a requested destination for foreign dignitaries, court officials, and attorneys who want to learn more about our programs and services to implement in their respective countries.

In FY11-12, we had visitors from the following countries:

Afghanistan, Algeria, Bangladesh, Chile, Iraq , Israel, Kyrgyz Republic, Kuwait, Morocco, Nepal, Qatar, Saudi Arabia, Syria, Ukraine, Yemen



District Court Judges Ty Hands and Rickye McKoy-Mtichell (seated in front row) pose with a delegation of twelve government officials from the Near East and North Africa.



Court Camp is quickly becoming one of our flagship programs. We continue to receive great feedback from parents and students and we now have a new promotional video and logo to attract an even greater number of students.

Court Camp is an educational program offered each summer for children ages 14-18 who are interested in learning more about the law and the North Carolina Judicial System and who are possibly considering a career in law. The week-long camps take place at the Mecklenburg County Courthouse.

Participants of Court Camp learn about the North Carolina Judicial System, meet Judges, Clerks, Deputy Sheriffs, Attorneys, Court Reporters, Interpreters, and other court personnel, take a behind-the-scenes tour of the Mecklenburg County Courthouse, take tours of the Mecklenburg County Jail, Charlotte Mecklenburg Police Department Crime Lab, The Charlotte School of Law, and a large law firm. Participants also observe live criminal and civil trials and participate in a mock crime scene and mock trial. The curriculum includes guest speakers, classroom lecture, videos, field trips, and hands-on activities. A graduation ceremony is held on the last day of the camp at which parents are invited to attend. Participants are supervised by an adult at all times during Court Camp.



Students pose with Chief District Court Judge Lisa C. Bell.

Community Involvement

The Trial Court Administrator's Office started the Community Involvement Initiative a few years ago to create an opportunity for our organization to give back to the community in a personal and meaningful way. Some of the community involvement activities from last year are mentioned below. In past years, we replaced wooden slats on benches in Latta Park, painted the dining room at Southside Senior Center, and sorted clothing for Crisis Assistance Ministry, just to name a few.

This year the TCA's Office conducted a food and sundries drive in partnership with the Marine Corp League – Detachment 750 . Items collected were distributed to families in need in North Carolina who had loved ones serving in the military overseas. Our office also volunteered to served food to senior volunteers at the annual Retired Senior Volunteer Program (RSVP) Thanks-For-Giving event. During the Christmas holidays , TCA staff and judges collected toys and other needed items for children in the care of Thompson Child and Family Focus.



Community Outreach

When it Comes to Outreach, our Strengthening Community Relationship lunch and learn series has proved to be a valuable tool that allows judges and court employees to learn about the culture and social norms of various diverse populations within the Charlotte community so they can be aware of them during any

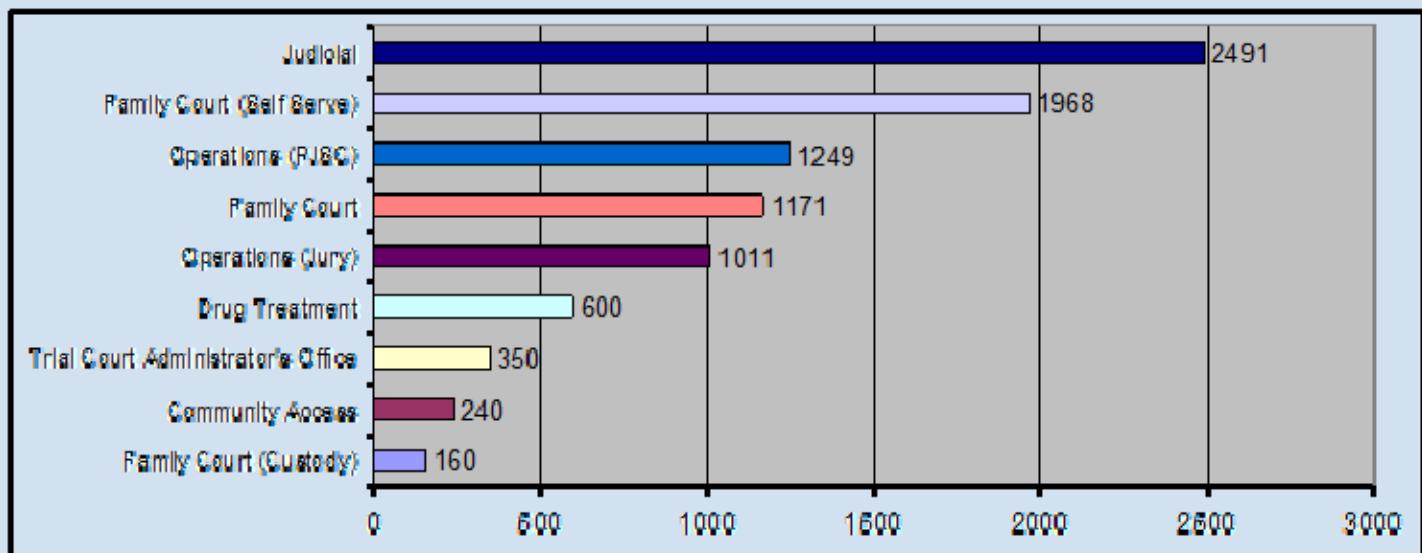
interactions that may take place in court or at the courthouse. This year, court personnel learned about the Muslim and Montagnard communities. The series also featured a faith-based seminar where members of various local faith-based organizations were invited to come to the courthouse to learn about the courts in Mecklenburg County, meet judges, and learn about various programs and services that may affect members of their faith. This program is sponsored by Justice Initiatives, Inc.

Another method of reaching out to the community to educate them about the courts is through the use of Town Hall-style meetings. This year our Town Hall meetings focused on students. Our most recent meeting took place at Carmel Christian where we received a great turnout. Students and teachers were able to ask direct questions of key court officials including judges, the District Attorney, Public Defender, and Trial Court Administrator. This meeting was moderated by News 14 Carolina Anchor Rob Boisvert.

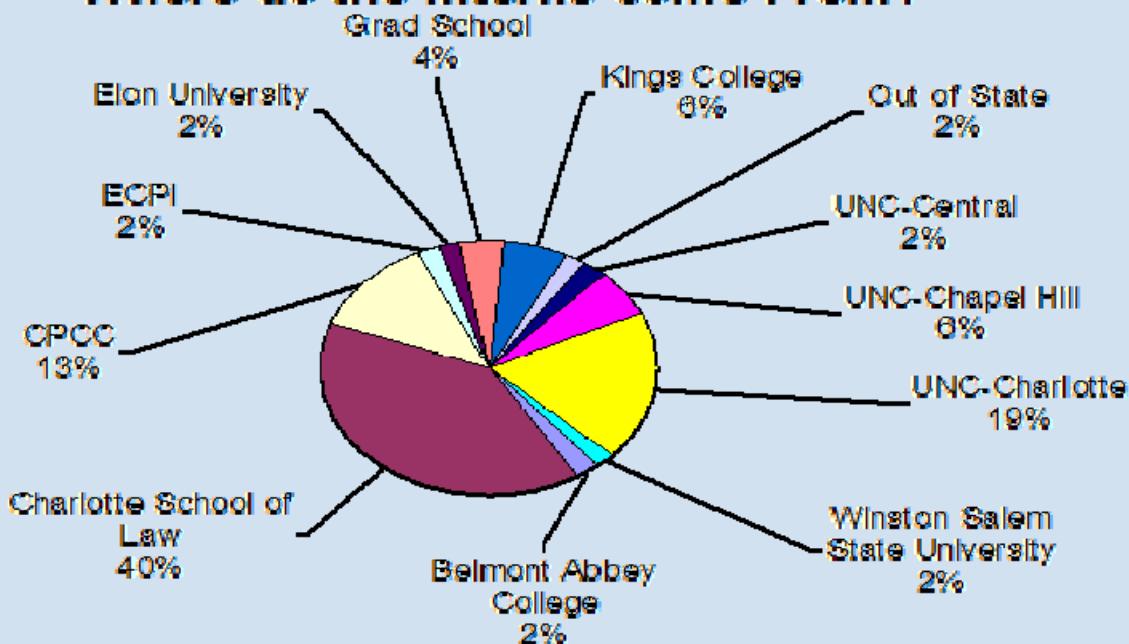
Interns and Volunteers

The Trial Court Administrator's Office offers unpaid internships and volunteer opportunities to students and citizens. This program serves two purposes: it affords students and citizens the opportunity to learn about the court system first-hand and also provides much needed support in under-funded areas where help is needed. The charts below reflect how many hours interns/volunteers contributed in the various offices, as well as the sources for most student interns for FY2011-12. Most students are majoring in criminal justice, law, paralegal technology and/or political science. Interns and volunteers contributed over 10,000 hours during this period.

Number of Hours Contributed by Interns and Volunteers by Area



Where do the Interns come From?





Larry King's Clubhouse: Children's Play and Care Center, Inc. was created to meet the needs of children, families, and court officials. This drop-in child care center serves two purposes: *Larry King's Clubhouse* is a safe, secure, and enriching place for children whose family members are conducting business at the courthouse or serving as jurors. It also serves as a point of access to link children and families to needed community services.

Larry King's Clubhouse offers high quality drop-in childcare at no cost to the public from 8:00 am-5:00pm on all days that the court is in operation. The Clubhouse serves up to twenty nine children at one time who are between the ages of six weeks and twelve years. While in care, children participate in enriching activities under the guidance of trained and experienced early care and education professionals. Finally, the Clubhouse provides community support service referrals to families who need and are eligible for, but are not already connected to these resources.

During FY2011-2012 the center cared for 8,366 children.

What People Are Saying About Larry King's Clubhouse!

"I was able to come to court on time and not have to worry about not being able to show up today due to lack of childcare."

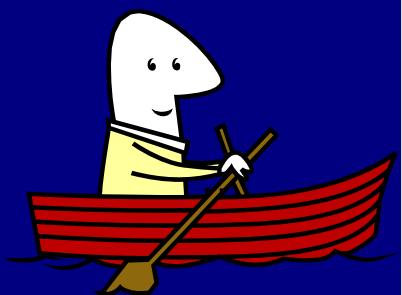
"This was a great service. I am so happy you provide this FREE service while individuals attend court. The staff was great and the atmosphere was wonderful."

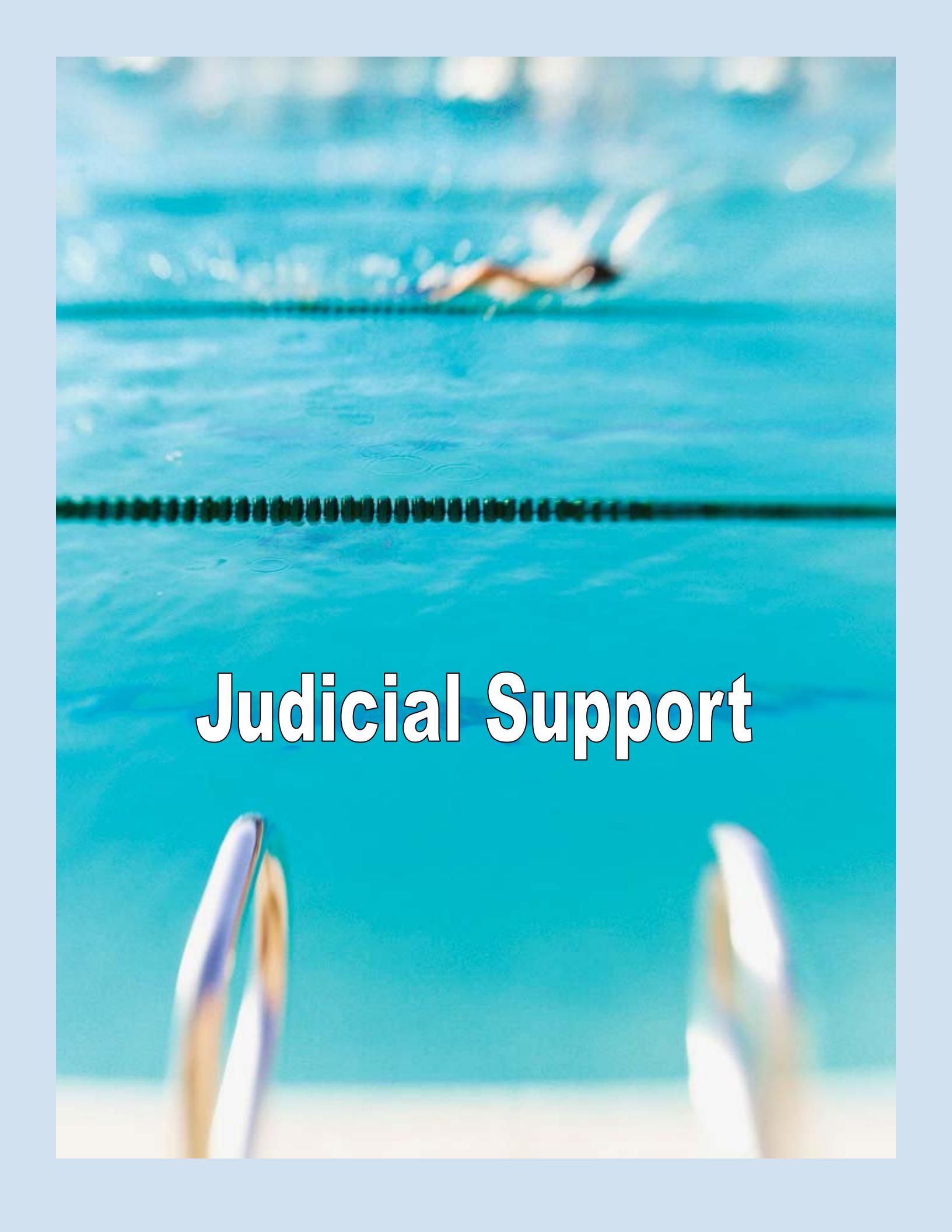
"Made conducting business today less stressful and very courteous to my children. Staff is great."

"Having this service was really convenient!"

"Service was quick and my daughter had fun."

"It was fast and easy so I could take care of what I came for."



The background of the entire image is a blurry photograph of a swimming pool. It features dark lane lines stretching across the frame. In the distance, a swimmer is visible, though out of focus. The water has a bright blue tint.

Judicial Support

Judicial Support

Personnel are provided to support the judges who preside over district and superior court. Judicial assistants perform administrative and secretarial functions, including preparing documents and tracking the status of cases.

During FY2011-2012, the judicial support staff researched and responded to 400 pieces of legal correspondence during the last fiscal year. They also researched the new legislation on processing out-of-state subpoenas and wrote a handout with the new instructions for clerks and the public. They also created a pro hac vice "tip" sheet for out-of-state attorneys seeking to temporarily represent clients in Mecklenburg County cases. This document has greatly reduced the number of times the office has had to reject requests on the first attempt. Also developed were new procedures for gun Permit Appeals to clarify and streamline the process.

Court Reporting

Court reporters record many of the proceedings of the trial division, such as trials and hearings of pre-trial motions. Court reporters are hired locally and the AOC provides supplemental reporters when there are not enough local reporters to cover all courts. Reporters are required to record the courtroom proceedings verbatim, which means exactly as the words are spoken by the court officials, witnesses and others speaking before the court. Some parts of a trial, like the selection of jurors, are not recorded unless a party asks for recording. When a case is appealed, court reporters prepare transcripts of the case for the appealing parties. The reporter's original notes are state property and are preserved by the clerk of superior court. In district court, only certain proceedings are recorded. Trials for misdemeanors and infractions are not recorded, but pleas of guilty to low-level felonies must be recorded the same as they would be in superior court. Juvenile hearings are recorded electronically, and the recordings are later erased if there is no appeal for which a transcript must be prepared. For civil cases in district court, recording by court reporter or electronic recording is available if any party to the case requests it, but any court reporter in those cases generally must be paid for by the parties.

The Court Reporters in this judicial district covered 15 homicide trials in the last fiscal year and delivered 177 transcripts; which is a 14% increase over last year. The total page count produced for the year was an amazing 41,896; which is a 10% increase. Our court reporters also made a presentation at a recent Bar Continuing Legal Education course on "How to Make a Great Record."



Contact Us!

www.nccourts.org/County/Mecklenburg/Default.asp



Trial Court Administrator's Office

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Caseflow Management Division

704-686-0185

Community Access and Outreach Division

704-686-0269

Drug Treatment Court Division

704-686-0150

Family Court Division

704-686-0200

The SelfServe Center

704-686-0210

Operations Division

704-686-0267

Fine Collection Department

704-686-0240

Jury Management Office

704-686-0195

District Court Judges Office

704-686-0101

Superior Court Judges Office

704-686-0100

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<http://www.nccourts.org/County/Mecklenburg/Community/Reports/Reports.asp>