



Idaho Family Courts

Charting a Course for the Future

Report to the Governor
C.L. "Butch" Otter
and the
2nd Regular Session of the
63rd Idaho Legislature



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Idaho's Family Court Services (FCS) offices, located in each judicial district, were established to meet the needs of the court while fostering family relationships and protecting families in transition. As provided by Idaho Code § 32-1402(4), FCS, among other responsibilities, assist families in need to connect with appropriate resources for the family, provide assessment information to the court to assist in early case resolution, and conduct workshops to educate the parties on the adverse impact of high conflict family disputes.

The marriage may end and a contract dissolved, but the needs of children and families are paramount. The Children and Families in the Courts Committee has identified core services to be coordinated by FCS district managers. In FY2015, the following services were provided:

- Pre-filing workshops (1,041 parents)
- Co-parent Education (8,455 parents)
- Civil Intake Screening (1,235 cases)
- Supervised Access (209 cases)
- Mediation (1,659 cases)
- Brief Focused Assessments (185 assessments)
- Parenting Time Evaluations (56 evaluations)

Core services are provided for in all districts through various practices. The following paragraphs highlight several aspects of core services.

As a result of FCS manager expertise, early, less restrictive, less expensive interventions are offered that benefit all involved. FCS offices work closely with and support the Court Assistance Office, domestic violence coordinators and the guardianship and conservatorship coordinators. Services offered in a collaborative manner include pre-filing workshops, assistance with parenting plan development, referrals, shared resources, cross training, and materials. This process reduces the chances of sending families to inappropriate services or agencies.

Fifth Judicial District Trial Court Administrator, Linda Wright, states that professional working relationships fostered by FCS managers maximize efficiency of service delivery and coordinate programming, providing families with guidance and support.

Rural FCS delivery has its unique challenges. FCS managers continue to expand core services to families and communities who face needs due to rural, social, and economic conditions, compounded by isolation, scarcity of services, and extreme weather conditions. FCS offices have improved their presence by making the public aware of available services to courts across the state. This has been accomplished in part by moving FCS offices into the courthouse, increasing the capacity of the FCS to serve families. District-wide education for members of the Bar about available resources has opened the line of communication for service integration and coordination. Stakeholder education and increased visibility of court services help increase the use of and access to FCS.

According to the census, Idaho's Hispanic population grew 73% in the first decade of this century. Research supports the value of co-parent education early in the judicial process for divorcing and never-married parents. FCS recognized the need for Spanish speaking programs and developed a Spanish version of the co-parenting education class used in the Third

Judicial District. The Spanish co-parent education program gives parents the information they need to navigate difficult relationships and parenting issues related to family transitions in their language. The class helps parents understand their children's developmental needs, the value of both parents, and how to keep children out of the middle of conflict. The goal is increased family well-being and decreased court time and costs. Parents are saying, "It was helpful to get this information in Spanish."

Mediation offers a cooperative and beneficial method to resolve disputes with families in transition. In mediation, decisions are reached jointly by the parties, unlike litigation, where decisions are sometimes imposed in an adversarial process. When mediation is successful, the parties have avoided an expensive and possibly destructive courtroom battle and there is a greater likelihood of cooperative parenting that is in a child's best interest. Idaho's FCS have fully embraced mediation as a means to resolve parenting time and access disputes. In the First Judicial District, court-referred mediation with community providers has resulted in a 76% agreement rate over the past 7 years. The process helps parents communicate better and see each other's perspective.

Professionals in the Fourth Judicial District using the screening tool have this to say ...

The screening tool is well-organized and thorough. The tool collects necessary information to direct a case to appropriate services given its unique circumstances. Incorporating a systematic screening process to help identify domestic violence, the tool provides for the safety and well-being of all involved.

Civil Intake Screenings are intended to provide judges with recommendations to help direct families to appropriate services in contested cases. In a collaborative effort, Family Court Services restructured the Idaho Civil Intake Screening tool. The screening tool helps to protect vulnerable people involved in the court process such as victims of domestic violence and children who may be at risk. The screening tool is designed to reduce the burden of contentious litigation on families by connecting them with appropriate services early in the case management process. The tool provides for effective allocation of professionals and services, and more efficient use of court resources.

Brief Focused Assessments (BFAs) were developed to assist with judicial decision making. It can be a challenge to provide

family courts with reliable information about children's needs and parental competence. BFAs might address such issues as overnight visitation, age-appropriate visitation arrangements, and the educational or medical needs of the child(ren). Traditionally custody evaluations were recommended, but with limited resources, BFAs are utilized in Idaho courts to focus on one or two narrowly defined or specific issues to assist parents and courts to resolve a dispute. Some advantages of BFAs are: they are cost effective, less intrusive, and can be completed in less time, therefore keeping a case on track to resolution.

Seventh Judicial District Magistrate Judge Penny Stanford states:

This tool (BFA) has been terrific in helping to quickly resolve cases and help these children begin healing instead of being even more damaged through trial.

Families of all income levels wrestle with financial implications of separation and divorce. The legal process for self-represented parties can be frightening and intimidating. FCS and Court Assistance Offices provide pre-filing workshops for self-represented parents. These workshops give parents information related to the preparation of court-approved forms, child support, and research-based, developmentally appropriate parenting plans. These workshops provide valuable assistance and parents in the Second Judicial District declare, "This is an excellent service to offer the public; Personalized instructions were very helpful; Instructors were very patient, understanding, and helpful."

The Idaho Supreme Court is committed to resolving cases involving children and families through the combined efforts of the courts, the family, and community services in ways that are least adversarial and intrusive. Family Court Services are essential to attain this goal.

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