

MINUTES

CHILDREN AND FAMILIES IN THE COURTS COMMITTEE

September 25th from 1:30 p.m. to 5:30 p.m. MST and September 26th from 8:30 a.m. to noon MST.
Boise, Idaho

Call to Order: Honorable Russell Comstock (chairperson) Called to Order a committee meeting of the Children and Families in the Courts (CFCC) Committee held in Boise, Idaho, September 25th and 26th of the year 2014 at 8:30 a.m. MST.

CFCC Members in Attendance: Judge Russell Comstock (Chair) 4th Judicial District; Judge Rick Bollar 5th Judicial District; Judge Jerold Lee, 3rd Judicial District; Judge Steven Thomsen, 6th Judicial District; Judge Michael Dennard, Senior Judge ISC; Judge Scott Hansen, 7th Judicial District; Tom Dial, 6th Judicial District; Dr. Virginia Allen 6th Judicial District; Seth Platts, 5th Judicial District; Linda Wright, TCA 5th Judicial District; Ann Just, FCS, 7th Judicial District

Court Staff Attending: Cori Erickson, Family Court Services, Amber Moe, Domestic Violence Court, Imelda Ramirez, Court Assistance Office, Deena Layne, Deputy Attorney, and Janice Beller, Administrative Assistant, Reporter

Presenters in Attendance: Andrea Patterson, Human Resources, Kerry Hong Community and Family Justice Service Director, Jim Arnold, Finance, Janica Bisharat, Director of Court Management and Taunya Jones, Planning and Research Manager also joined for specific presentations.

CFCC Voting Members Not Present: Judge Kent Merica, 2nd Judicial District; Judge Gary DeMeyer, 3rd Judicial District; Tim Collias, 4th Judicial District; Judge Penny Friedlander, retired.

Opening Comments:

Judge Comstock opened the meeting with announcements and introductions; including new members Cori Erickson and Deena Layne.

Judge Comstock stated his objectives for the meeting: Judge Comstock views this as a “maintenance” meeting, a resetting of where we’ve been and where the committee is going in the foreseeable future.

Judge Comstock reviewed the mission statement from the Idaho Supreme Court noting changes.

I. IRFLP Status

Judge Comstock and Deena Layne

Judge Comstock reviewed the IRFLP status.
During Oral Conference the Justices decided to adopt the IRFLP as of July 2015. All Judicial Districts may adopt earlier. As of September 1, 2014 the IRFLP was adopted statewide.

Deena Layne presented information on the review and comment process for the IRFLP. The AOC is collecting comments to review the Rules. Comments can be sent to IRFLPComments@idcourts.net Comments may be submitted through Jan 2, 2015.

IRFLP comment working group members are:

- 1st - John Sahlin (Practitioner)
- 2nd – Judge Merica
- 3rd – Kim Brooks (Practitioner) – Judge Lee to ask Kim
- 4th – Judge Comstock
- 5th – Seth Platts (Practitioner)
- 6th – Judge Thomsen
- 7th – Judge Hansen

The group will also include Cori Erickson, Deena Layne, and Imelda Ramirez from the AOC.

ACTION ITEM: Cori/Deena to set up an initial phone conference in late October, with monthly meetings to follow through with comments.

ACTION ITEM: Judge Lee and/or Deena will contact Kim Brooks to see if she wants to participate.

II. Budget Process

Kerry Hong and Jim Arnold

Jim Arnold and Kerry Hong presented information to the CFCC on the AOC budgeting process.

Kerry Hong presented information to the CFCC about the various funding streams for Family Court Services. This was followed by a discussion with opportunity for questions and answers.

1. Misdemeanor charge funds
2. 2% surcharge on alcohol
3. Additional fixed amount from alcohol
4. DV Court fees get a percentage
5. “Emergency” surcharge – coming from felonies, misdemeanors, infractions

III. Update: Implementation of Family Court Services District Manager Position

Andrea Patterson and Kerry Hong

Andrea Patterson and Kerry Hong presented information to the CFCC about the Family Court Services District Manager job description and the status of implementation across the state with an opportunity for questions and answers.

IV. Advancing Justice

Taunya Jones

Taunya Jones presented the CFCC with information on a family law case flow management plan. The overall plan is going to the Justices in the next couple of months.

Motion: Moved by Judge Thomsen. Seconded by Judge Bollar. To form a working group to support the creation of the Family Law Template as part of the Advancing Justice Case Flow Management project.

Motion carries unanimously.

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V. CFCC Membership Survey Results

Judge Comstock

Judge Comstock reviewed an 8 question climate survey that was distributed to the CFCC. Results are in the meeting proceedings document. As a result of the survey Judge Thomsen made a motion.

Motion: Moved by Judge Steven Thomsen and seconded by John Salin. Develop a draft conflict of interest statement and a list of CFCC support systems and resources available to all committee members.

Further discussion led to Judge Thomsen amending his original motion to add “and a description of member of roles and responsibilities.” to his original motion.

Motion carried unanimously.

ACTION ITEM: Cori will draft a statement CFCC support systems and resources available to all committee members, a draft description of member of roles and responsibilities, and a draft conflict of interest statement.

VI. Subcommittee Reports:

A. DV Subcommittee Report

Judge Lee and Amber Moe

Judge Lee reported on the Domestic Violence subcommittee and the committee has reconvened after a hiatus. There was an opportunity for discussion with questions and answers. There were no motions or action items.

B. Rules Subcommittee Report

Judge Bollar

Judge Bollar discussed IRCP 54 and a proposed amendment – aligning IRFLP 803 to be consistent with IRCP 54.

A discussion ensued and motion was put forth.

Motion: Moved by Judge Scott Hansen and seconded by Judge Thomsen. To draft a rule that incorporates what is needed in family law judgments with language complying with IRCP 54.

The Motion was amended after further discussion.

Amended Motion: Moved by Judge Scott Hansen. Seconded by Judge Thomsen to amend Judge Hansen’s original motion to include a target completion date, of approval by both the CFCC and the Family Law section of the Bar, by the end of the year. Seconded by Judge Thomsen.

Motion carries unanimously.

ACTION ITEM: Judge Bollar will reach out to Jim Bevis and Stan Welch and ask them for their support on this issue; their assistance getting through the Family Law governing board.

Judge Comstock asked the committee if they would hear updates on the implementation of Guide and File and Training and postpone the Family Court Services subcommittee report until Friday morning. Request approved.

VII. General Updates

Implementation of Guide and File

Imelda Ramirez

Imelda Ramirez gave a brief update on Guide and File and electronic filing. This is an interview design and new form creation project.

Training

Judge Comstock

Judge Comstock discussed the lack of forensic service providers and a need to provide quality training for evaluators

At 5:30 p.m. MST the CFCC adjourned for the day.

On Friday September 26, 2014, the CFCC reconvened at 8:30 a.m. MST

Attendees: The same attendees as September 25, 2014 short of Deena Layne

VI. Subcommittee Reports: (continued)

C. Family Court Services Subcommittee

Ann Just

Ann reviewed the Family Court Services subcommittee report including the charge of the subcommittee, core services and a family court services flow chart. The subcommittee reviewed the current state of the system and various services offered across the state.

The Family Court Services subcommittee members represent each district and are Ann Just (chair), John Sahlin, Judge Kent Merica, Judge Jerold Lee, Judge Steven Thomsen, Tim Collias, and Seth Platts.

Family Court Services subcommittee report continued later in the morning.

VII. General Updates (continued)

Odyssey

Taunya Jones and Janice Bisharat joined the CFCC to discuss the “E-Courts Project” and the migration to Odyssey.

Janica Bisharat reported on the project history.

Odyssey will be rolled out starting first in Twin Falls, moving to Ada County, then the rest of 3rd and 4th Districts, 1st and 2nd Districts, concluding with 6th and 7th Districts.

Taunya Jones presented information to the Committee about data and reporting capabilities in Odyssey. Discussion, questions and answers followed.

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Judicial Education Update

Judge McLaughlin

Judge McLaughlin reviewed with the CFCC changes within the Judicial Education department and that they have become the center for all things training related including Judges, AOC staff, etc. Judge McLaughlin addressed the status of the Children and Families Institute.

VI. C. Family Court Services Development Subcommittee Report (continued)

Ann Just

Ann continued with the FCS subcommittee recommendations. The subcommittee report is in the CFCC meeting materials handbook.

After a discussion a motion was generated.

Motion: Moved by Judge Comstock. Seconded by Judge Bollar. The motion extends the continuation of the charge for the Family Court Services Subcommittee through June 2016.

Motion carries unanimously.

Judge Comstock led a visioning/brainstorming exercise for Family Court Services.

No motions or actions items were created as a result.

Judge Comstock adjourned the meeting at 12:13 p.m. Next meeting date/ time to be announced, likely after the April/May 2015 Magistrates' Conference.