

ACQUISITION
APPROPRIATE
ACQUISITIONS

**STATEWIDE REPORT
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STATEWIDE REPORT

I—INTRODUCTION

Until as recently as the last two decades, concerned citizens were excluded from assuming a constructive role in the judicial process. "Recent years, however, have seen a precipitous decline in the public's confidence in the major institutions of our society, the courts among them. This has led to a growing demand by citizens to participate in the vital decisions that affect their lives."¹ In addition, Gerald Caplan, an attorney and Research Director of the Law Enforcement Assistance Administration, contends that the criminal justice system, "too often operates to serve its own needs, ignoring citizens, the ultimate consumers of the criminal justice services."²

The Fund for Modern Courts, Inc., Family Court Monitoring Project has completed the first six months of an eighteen month project designed to encourage and initiate citizen participation in the Family Courts in New York State. Since July, 1976, 220 volunteers have been recruited and trained to observe, assess and monitor Family Court activity in five locations in New York State (Erie, Nassau, New York City, Westchester and Middletown).

The focus of the Family Court Project has been the point of view of the citizen. Recently a number of excellent professional studies have been published evaluating the Criminal, Family and other courts. Utilizing the talents of highly trained computer, management and economic specialists, these reports have signaled weaknesses in the system, and developed recommendations, standards and goals, which if implemented would improve conditions in these courts. While the value of these professional studies cannot be refuted, of equal importance is the viewpoint of the citizen. Almost every major study of the judicial system in recent years has urged increased citizen involvement.³ The vast majority of petitioners, witnesses and respondents represent the non-professional lay population. These are the same citizens who come before the court every day. It is imperative that this population's needs are met and that its voice is heard. The President's Commission on Law Enforcement in a 1967 report advised, "all parts of the (criminal) justice system can benefit from the special view of those outside it."⁴

The methodology of the Family Court Monitoring Project therefore was developed to utilize the talents of trained citizen volunteers in order to expose them to the Family Court and to allow them to evaluate the system in their own terms.

Although there are obvious advantages in designing a citizen effort there are also distinct limitations. Although this study has sought to discover and document with accuracy quantitative and qualitative issues concerning the Family Courts, the project does not claim to be as sophisticated in scope or statistical analysis as the professional studies cited above. The project findings and recommendations have been developed by citizens and local advisory committees evaluating the system as they perceive it.

The demonstration phase of this project was funded for a six

month period with a \$36,601 grant from the Division of Criminal Justice Services. The New York Community Trust awarded a \$3,733.00 grant to the Fund for Modern Courts, Inc. to supplement the New York City component. Additional monies have been secured from these two sources to allow the Fund to continue its sponsorship of the monitoring project in other locations for an additional year.

The Fund for Modern Courts, Inc. is a statewide, nonprofit, nonpartisan citizens' organization concerned with the quality and administration of justice in New York State. Since 1955, the Fund has been active in a number of endeavors to improve the courts in New York State. The Fund's members and supporters include lawyers, laypeople and diverse groups interested in the court reform movement. The Fund is concerned with selection of judges, judicial conduct, the structure, administration and financing of the court system and citizen participation in the criminal and juvenile justice system. The Fund is also the center of a 38 member Coalition of Organizations for Court Reform which shares the Fund's concern for the courts and assists the Fund in its endeavors to educate citizens about how the courts work.

The research focus of the Family Court Monitoring Project was to collect information regarding hearings to determine delinquency and need for supervision. Although the statewide report and local area reports may focus at times on other issues, the main thrust of this report is the juvenile proceeding.

The research goals of the project included but were not limited to:

- 1—collecting and evaluating data affecting the quality of juvenile justice.
- 2—providing specific recommendations for upgrading the current system.
- 3—initiating and maintaining a dialogue between citizens and their local judiciary.
- 4—providing a presence of concerned citizens in the courtroom to insure the accountability of the court and to alert others in the community about the problems in the court and the need for reform.

Specific research investigations for this phase of the project were focused on collecting data regarding:

- 1—frequency of and reasons for adjournment and delay.
- 2—physical conditions in the courthouse and courtroom.
- 3—attitudes of the bench, bar and court personnel towards petitioners, respondents, witnesses and the general public.
- 4—quality of representation.
- 5—respondents' rights.
- 6—court time utilization.
- 7—citizen access to the courts.

Beyond the stated goals of the project another important concern was to encourage as many citizen groups as possible, in present project areas and other local communities, to initiate or to continue court monitoring efforts on their own. The value

of having a citizen presence in the courtroom in order to improve the accountability of the court cannot be underestimated. In addition, the need to involve as many citizens as possible in the judicial process is of importance.

This report is in five parts. In addition to the recommendations and issues detailed in the Statewide section, four local reports are included. The local reports, while discussing some similar issues, also detail problems specific to each geographical area. They are meant to reflect the tone of the local court as the monitors and local advisory committees perceive it.

A fifth monitoring area (Middletown) is excluded from this study since volunteers in this area have just recently begun to observe proceedings and a significant amount of qualitative and quantitative data could not be obtained for this report. The Middletown findings will be released at a future date.

The New York City report is more detailed and contains a greater percentage of qualitative and statistical information due to the vast amount of information gathered and the presence of a professional full-time coordinator, a certified social worker, who organized the effort. Because the New York City coordinator was able to devote full time to training and supervision, some monitors showed a greater selectivity and sensitivity in their examination of the court. Such issues as variation in judicial and non-judicial attitude, while not exclusive to the New York City Family Courts, were investigated more fully in New York City.

The recommendations and issues cited in this report are directed toward the local bar associations, judiciary and court personnel. It is hoped that this will initiate a better understanding of the problems that exist and provide the base of communications toward improving the system. We are confident that each Administrative Judge and other members of the judiciary share with citizens the same commitment to achieving the highest practicable level of performance of the New York State Family Court.

The State Advisory Board, project staff and local advisory committees thank Judge Richard Bartlett for his continuing support of court monitoring efforts and the Division of Criminal Justice Services for their assistance. In addition, appreciation is extended to the New York Community Trust for the additional funding necessary to provide a more comprehensive detailed report of the New York City Family Court.

II—RECOMMENDATIONS

The following is a summary of the recommendations made in the report. A detailed discussion of the recommendations will follow.

A—Respondents' Rights

1—Each lawyer and when appropriate, each member of the judiciary should make a concerted effort to explain the meaning of each stage of the proceedings.

2—Each lawyer and when appropriate each member of the judiciary should explain proceedings to respondents in clear non-legal terminology.

3—The New York State and local bar associations should prepare a bilingual pamphlet, detailing the respondent's rights and court procedures.

4—Each Administrative Judge should insure that there is an adequate number of bilingual interpreters to service bilingual participants.

B—Representation

1—The Appellate Division of the Supreme Court should implement and enforce strict guidelines for the selection and appointment of Law Guardians or panel attorneys.

2—Local bar associations in conjunction with Law Schools should implement training programs to acquaint prospective Law Guardians or panel attorneys with Family Court procedure and juvenile justice legislation. This training should be ongoing to inform prospective and present attorneys about current changes.

3—The Administrative Judge should review the kind of training preparation that is available to the office of Corporation Counsel in New York City.

4—There should be a review of the variety of alternative proposals for the performance of the prosecutorial function in the Family Court in New York City.

C—Physical Conditions

1—The New York State Office of Court Administration in conjunction with the New York State and local bar associations and other appropriate groups should implement and enforce statewide minimum standards for physical conditions of courthouses and courtrooms.

2—Each Administrative Judge should insure there is a minimum security presence in the courthouse, courtroom and waiting room.

3—The new Bronx Courthouse should be opened as soon as possible.

4—Minimum physical conditions and maintenance standards should be enforced in the present Bronx Courthouse facility.

D—Citizen Access

1—Each Administrative Judge should insure that there is an information desk in the lobby of each courthouse adequately staffed during court hours to service the public.

2—Each courthouse should be easily accessible and identified with a sign in full public view.

3—The office of Court Administration should promulgate statewide guidelines for the type of information that should appear on daily calendars for the public.

4—There should be an effort to encourage and implement citizen participation in the courts in the form of monitoring or in the form of a citizen-court dialogue.

E—Delays, Adjournments and Court Schedules

1-Delays

a—Each judge should make an effort to insure that court sessions start promptly.

b—Judges and court personnel should explain to the public why there is a lengthy session start delay and give some

indication as to when court business will begin.

c—The Administrative Judge in conjunction with local bar associations and the Office of Court Administration should enforce sanctions on those attorneys and participants who are constantly late.

2—Adjournments

The Administrative Judge, with cooperation from the local bar associations, should enforce sanctions imposed on those attorneys and participants who further adjournment through non-appearance.

III—RESPONDENTS' RIGHTS

One area that elicited many comments from monitors involved respondents' rights. They were most concerned that juvenile rights may not be totally protected. It appeared that not enough time was taken by legal counsel and the judiciary to explain the nature or meaning of the proceedings. While monitors applauded those members of the bench and bar who took additional time as necessary to explain procedures to juveniles and other parties, they were equally distressed when participants walked away and appeared confused because they did not understand what had transpired. Monitors commented that the court experience is often confusing and awesome to the layperson. This may be even more true for juveniles, many of whom are afraid or just will not ask questions in open court.

Monitors suggested that there be a concerted effort to explain the nature of proceedings to all participants. These explanations should be in clear, simple and non-legal terminology. In cases where there are non-English speaking participants bilingual interpreters should be available to explain proceedings.

Monitors also commented in every local area that a bilingual fact sheet or brochure should be made available to all citizens. The fact sheet could be placed at information centers or handed out at Probation Intake hearings or when petitions are filed.

Particularly in New York City and other areas where volunteers observed a large Hispanic participant population monitors commented on the need to have an adequately staffed interpreter service. Too often monitors commented on proceedings being conducted for the non-English speaking participant without the presence of an interpreter, or with personnel or laypeople other than the qualified interpreter performing that service. In addition, monitors commented that the quality of the interpreter service may not be uniform.

Monitors believed that this lack of service may severely limit what is understood by the non-English speaking participant and may severely restrict his or her rights. Monitors suggested that the Administrative Judge conduct an investigation regarding the interpreter service and make an attempt to correct any inadequacies.

RECOMMENDATIONS

1—Each lawyer and each member of the judiciary should make an effort to explain the meaning of each stage of the proceedings.

2—Each lawyer and each member of the judiciary should explain proceedings to the respondent in clear non-legal terminology.

3—The New York State and local bar associations should prepare a bilingual pamphlet detailing the respondents' rights and court procedures.

4—Each Administrative Judge should insure that there is an adequate number of bilingual interpreters to service bilingual participants.

IV—REPRESENTATION

In local project areas outside of New York City, monitors were concerned about the quality of juvenile representation. In these areas most juveniles are represented by Law Guardians or panel attorneys. These attorneys are usually appointed from a list of private counsel who have been approved by the Appellate Division to practice in the Family Court. Monitors observed that some of the panel attorneys are well versed in family law and court procedures while others are not as expert. Monitors believed that a systematic training program for panel attorneys should be implemented. "The traditional view that any licenced lawyer is capable of handling any type of case has eroded rapidly in the face of increased specialization with the legal profession...Nowhere, however, is the need for specialized talent more compelling than in the 'defense' of the (criminally) accused."⁵

Monitors believed that each juvenile has the right to adequately informed and prepared counsel, and that the local bar associations, Administrative Judge and Appellate Division have the ultimate responsibility of protecting that right.

Monitors suggested that in order to insure some degree of uniformity in the quality of representation, a screening procedure should be implemented by the Appellate Division when selecting Law Guardians. This procedure should include a review of the prospective Law Guardian's in-court experience and the amount of time that they will have available to devote to the panel. In addition, monitors suggested that in order to insure that all panel attorneys have a minimum knowledge about Family Court procedure and juvenile justice legislation, a training program be implemented. It was suggested that this training program be required of all prospective Law Guardians and also be a continuous activity to keep all Law Guardians on the Appellate Division list informed about current changes in Family Court Law and juvenile justice legislation.

In courts monitored in New York City, the quality of representation offered by Law Guardians did not appear to present a problem. Rather, monitor comments centered on the quality of representation of the petitioner from the Assistant Corporation Counsel. Monitors commented that the counsel for the petitioner appeared to present a less thoroughly prepared case to the court than his/her adversary. Monitors cited that one reason for this apparent lack of preparedness may be the lack of an adequate supportive staff to assist the Corporation Counsel in basic investigative areas. There should

be a review of the kind of training preparation that the Assistant Corporation Counsel receives. This should accompany a review of the facilities and supportive staff available to the office of Corporation Counsel with the intent to identify problem areas and offer viable alternatives. This should include an attempt to make legal services for petitioners on a par with those available to the respondent.

In addition, consideration should be given to the variety of alternative proposals that may exist for the performance of the prosecutorial function in the Family Court. One of these alternatives could be the establishment of a special prosecutor's office within the Family Court as a special function of the District Attorney's Office or a reorganization of the functions of the Assistant Corporation Counsel.

RECOMMENDATIONS

1—The Appellate Division of the Supreme Court should implement and enforce strict guidelines for the selection and appointment of Law Guardians or panel attorneys.

2—Local bar associations, in conjunction with local Law Schools, should implement training programs to acquaint prospective Law Guardians or panel attorneys with Family Court procedure and juvenile justice legislation. This training should be ongoing to inform prospective and present Law Guardians about current changes.

3—The Administrative Judge should review the kind of training preparation that is available to the Assistant Corporation Counsel in New York City.

4—There should be a review of the variety of alternative proposals for the performance of the prosecutorial function in the Family Court in New York City.

V—PHYSICAL CONDITIONS

The National Advisory Commission on Criminal Justice Standards and Goals in a 1973 report stated that, "Court physical facilities in almost every state are inadequate. The judicial system is characterized by physical deterioration, design and space inadequacies."⁶ It seems redundant to say that adequate physical facilities should be provided. In almost every major study of the court system in recent years there has been a call to implement and enforce minimum standards for physical conditions. These standards for Family Courts should include criteria for courtrooms, waiting rooms, confidential lawyer-client conference areas and day care facilities.

Provisions should be made to insure adequate facilities in waiting rooms. These facilities should include adequate seating, room to hang coats and other articles, separate areas for smoking and reading material. In addition, there should be provisions in each courthouse for private areas or rooms where lawyers and clients can discuss case proceedings in a confidential and professional environment. Finally, to provide a valuable service for families who are forced to bring their young children to court, a supervised day care service area should be provided.

Although physical facilities vary greatly from county to county, one court has to be singled out as the worst. The Family

Courthouse currently being used in the Bronx is in deplorable condition. Although a move to a new building is expected shortly, citizens are currently forced to use this facility.

All attempts at maintenance have broken down and the facility is in a state of total disrepair. Glaringly inadequate security, lighting, temperature, audibility, space and unsanitary restrooms are some of the more apparent deficiencies. A detailed discussion of physical conditions in the Bronx Family Court can be found in Section V, New York City Physical Conditions.

RECOMMENDATIONS

1—The New York State Office of Court Administration, in conjunction with the New York State and local bar associations and other appropriate groups, should implement and enforce statewide minimum standards for physical conditions of courthouses and courtrooms.

2—Each Administrative Judge should insure there is a minimum security presence in the courthouse, courtroom and waiting room.

3—The new Bronx Courthouse should be open as soon as possible.

4—Minimum physical conditions and maintenance standards should be enforced in the present Bronx Courthouse facility.

VI—CITIZEN ACCESS

The National Advisory Commission on Criminal Justice Standards and Goals has stated that "facilities and procedures should be established to provide information concerning court processes to the public and to participants in the (criminal) justice system."⁷ Monitors commented on the need to provide an information service to make the court more accessible to the public. Often a citizen comes into a courthouse unsure of where to go with no available information resource. Monitors suggested that information desks be placed on floors with Family Court activity, staffed by bilingual personnel, to direct participants to proper areas. This information center could be staffed by trained volunteers who are familiar with the court structure and ancillary agencies.

Monitors also commented that in some areas courthouses are not adequately labeled or courtrooms or Parts are labeled incorrectly, thereby adding to the confusion. Monitors suggested that these conditions be corrected. An important aspect of adequate physical facilities should include satisfactory information services. This service should dispense facts about the court's function, respondents' and petitioners' rights and court services. This information center should be staffed by bilingual personnel where appropriate.

As cited in the introduction of this study, the viewpoint of the citizen and how the courts can benefit from it is of extreme importance. The National Advisory Commission has recommended that "The Administrative Judge of each court should establish a forum for interchange between judicial and non-judicial members of the court staff and interested members of the community." Local coordinators and advisory committee members have suggested that this recommendation be

expanded to include citizen participation in the form of monitoring. It is hoped that such efforts will promote a citizen-court dialogue. A concerted effort by Administrative Judges and local bar associations should encourage continuing citizen forums concerning the courts which will include court monitoring.

Monitors observed a variety of practices regarding the printing and publishing of calendars. In some areas names are published on the calendars and displayed in full public view while in other areas calendars are not posted or made available for public information. In view of the recent emphasis placed on disclosure of information regarding Family Court records it was suggested that uniform procedures be established by the Office of Court Administration. These procedures should include a set of guidelines indicating what kinds of information can be published on daily calendars.

RECOMMENDATIONS

- 1—Each Administrative Judge should insure that there is an information desk in the lobby of each courthouse adequately staffed by bilingual persons during court hours to service the public.
- 2—Each courthouse should be easily accessible and identified with a sign in full public view.
- 3—The Office of Court Administration should promulgate statewide guidelines on the type of information that should appear on daily calendars for the public.
- 4—There should be a concerted effort to encourage and implement citizen participation in the courts in the form of court monitoring or in the establishment of a citizen court dialogue.

VII—DELAY, ADJOURNMENT AND COURT SCHEDULING

a—Delay

Monitors were able to document delay from three perspectives:

- 1—Session Start Delay—the delay time between the actual and scheduled starting time of a court session.
- 2—Intercase Delay—the delay in time between cases.
- 3—Intracase Delay—the delay in time within the same case.

While monitors did not document significant delays between or within cases they did observe some time lost at the beginning of court sessions due to late starting times. Each area report contains tables which detail the frequency and length of session start delay.

Monitors commented that in some areas all cases are called for 9:30 a.m. A general call for all cases at one time should insure that some cases are ready to proceed at the beginning of the court session. Too often monitors observed court not starting on time due to non-appearance or tardiness of attorneys or other participants involved in the case. While monitors applauded those members of the judiciary who made a concerted effort to commence court proceedings on time, they were equally distressed when citizens were forced to wait in crowded waiting areas because lawyers, judges and other parties were not ready to proceed. Monitors commented that

the judge should exercise his or her full responsibility to insure that all court sessions begin promptly. This should include a calendar call to determine which cases are ready to proceed and which cases may have to be adjourned. Administrative Judge of the New York City Family Court, Joseph B. Williams, in a notice to lawyers reminded them that "the court calendar call in all Parts begins at 9:30."⁹ Similar directives should be sent to all lawyers, and everyone should be encouraged to appear on time.

Monitors suggested that in the event a court session cannot begin on time and citizens are forced to wait, the judge or some member of the court staff should announce in waiting rooms or courtrooms the reasons for the session start delay. Monitors also expressed concern about the lateness or non-appearance of attorneys and parties who are responsible for the delay of sessions. They suggested that the Administrative Judge investigate the possibility of imposing sanctions, approved by the Office of Court Administration, on those individuals who are consistently late.

RECOMMENDATIONS

- 1—Each judge should make an effort to insure that court sessions start promptly.
- 2—Judges and court personnel should explain to the public why there is a lengthy session start delay and give some indication as to when court business will begin.
- 3—The Administrative Judge, local bar associations and Office of Court Administration should enforce sanctions on those attorneys and participants who are constantly late.

b—Adjournments

In over 3319 cases monitored in Erie, Nassau and New York City, 1468 (60.2%) were adjourned. While it is recognized that a percentage of adjournments will be necessary to progress a case to another stage, many adjournments can be avoided. Adjournments have been documented to be a major source of delay in the Family Court; they also further complicate the processing of cases. Petitioners who are forced to take time from their work schedules to wait until their cases are called, only to have them adjourned to another day, experience frustration and eventually a lack of confidence in the judicial system.

Monitors were most concerned about the non-court related adjournment caused by the non-appearance of attorneys and participants. Although sanctions can range from the imposition of a fine to the severe commencement of grievance proceedings against attorneys, these measures have not been utilized. In Erie, Nassau and New York City 40.3% of the cases observed were adjourned for non-appearance. Clearly this is a condition that each Administrative Judge should investigate and make attempts to correct.

c—Court Scheduling

Monitors suggested that, in order to achieve a uniform attendance of all parties, there should be a concerted effort to

schedule proceedings more adequately. A recently published study by the Institute for Law and Social Research stated, "The scheduling system determines the pattern of utilization of all the resources of the court; the time spent by judges, attorneys, police, citizens and other personnel as well as court space and equipment."¹⁰ Of significant importance is the calendaring component which directly affects the day to day functioning of the system.

RECOMMENDATION

—The Administrative Judge with cooperation from the local bar associations should enforce sanctions imposed on those attorneys and participants who further adjournment through non-appearance.

VIII—TYPE AND LENGTH OF HEARINGS

Monitors observed a total of 3,319 cases during the month of November 1976, in the four areas under study. 38% (1285) of all the cases observed were Juvenile Delinquency and PINS hearings. Of the remaining types of proceedings observed, 50% were Support and USDL cases. (Other types of proceedings were observed in all local areas with the exception of Nassau County which was limited to Juvenile Delinquency and PINS hearings.) Not only did Support and USDL proceedings comprise a large percentage of the calendar load in the three areas, but monitors expressed concern over the amount of judicial time spent in the proceedings detailing expenses and resources of the parties involved. Since Support and USDL hearings were not the prime focus of the study, it was only in New York City, with the presence of a full time coordinator, that monitors were able to analyze these proceedings in more detail (see the New York City report for a further discussion of the issue).

An analysis of the length of hearings in Erie, Nassau and New York City indicated that over half (53%) of all the hearings observed during the month of November averaged five minutes or less in length. A comparison of the New York City high volume court with Nassau and Erie Courts shows that a lower volume court does not necessarily result in significantly longer hearings; 57% of all the hearings observed in New York City as compared with 51% of the hearings in Erie and Nassau were 5 minutes or less. (Refer to the local area reports for a more detailed analysis of the data.)

IX—CITIZEN RESPONSE

Citizen response to the concept of court monitoring has been overwhelming. Local coordinators in every project area have reported that volunteers were eager to learn about their local court and felt they were making a valuable contribution to the system by providing recommendations for its improvement.

In those areas where Fund sponsorship will be terminating, coordinators and monitors have expressed a strong desire to continue to observe the courts, to communicate with the local judiciary and provide recommendations. Where possible the Fund will provide administrative assistance and support to

allow these groups to launch monitoring efforts of their own.

X—METHODOLOGY

A—PROJECT STRUCTURE AND STAFF

A Statewide Advisory Board was established by the Board of Directors of the Fund for Modern Courts, Inc. The Statewide Board served as the policy making body for the entire project. Composed of persons with knowledge and expertise in juvenile justice and other court matters, the Board regularly assisted in the preparation of training and data collection instruments and provided support to the Project Director in the planning and carrying out of all phases of the project.

The State Advisory Board was composed of the following individuals:

Richard Coyne - Vice President and Chairman of Task Force on Courts, Economic Development Council of New York City, Inc.

Nathaniel Caldwell - Program Specialist, National Institute of Corrections.

David Ellis - Former Executive Director, Fund for Modern Courts, Inc.

Pauline Feingold - Chairwoman, New York Women In Criminal Justice.

Hon. Simeon Golar - Former Family Court Judge, currently in private practice.

Donald Grajales - Director, Region II, Legal Services Corporation.

Robert MacCrate - Former President, New York State Bar Association, currently in private practice.

Archibald R. Murray - Executive Director, Attorney-in-Chief, Legal Aid Society.

Flora Rothman - Chairperson, Justice for Children Task Force, National Council of Jewish Women.

Hon. Caroline K. Simon - Former Judge, Court of Claims, former Secretary of State of New York, currently in private practice.

The Statewide Advisory Board also helped to establish representative local advisory committees in each of the four project areas. Within guidelines set by the State Advisory Board, local advisory committees established in each project area have assisted the local coordinator in:

—recruiting and coordinating training programs for monitors.

—selecting the courts or court Parts to be watched.

—evaluating project progress.

—developing recommendations to upgrade the local court.

The staff members of the project were:

Project Director	Sondra Solomon
Assistant Director	Susan Shurov
New York City Coordinator	Diana Stewart
Erie Coordinator	Joan Bozer
Middletown Coordinator	John Hicks
Nassau Coordinator	Joan Hollander
Westchester Coordinator	Jean Fink

Consultants Charles Brock
 Robert Johnson
 Robert Kaplan
 Administrative Assistant Bernice Stone

All local coordinators, with the exception of New York City, were part time employees. Additional monies were provided by the New York Community Trust, to supplement the New York City component, and to allow the project to employ a staff coordinator on a full-time basis. Each local coordinator was responsible for all phases of the project in his or her local area. With the assistance of the local advisory committee, these duties included but were not limited to:

- 1—recruiting and screening the monitors.
- 2—developing and implementing an intensive training program.
- 3—scheduling and supervising the volunteers in court.
- 4—collecting, editing and evaluating quantitative data.
- 5—developing narrative reports of monitors' findings.
- 6—meeting regularly with members of the local advisory committees to evaluate progress and solve problems.
- 7—meeting with members of the local judiciary, bar associations and citizen groups to inform them about the project and insure their cooperation.

For this phase of the project, 220 volunteers were recruited. Preliminary requirements for participation in the project were that the individual:

- 1—would be available for monitoring one half day once a week.
- 2—would participate in a two week training session.
- 3—would commit themselves to a four month period of participation in the project.
- 4—would respect the confidentiality of the proceedings they observed.

Generally, the local coordinator would not consider individuals under the age of 18; however, in some cases several mature and responsible high school students were recruited for the project. Coordinators in local areas recruited volunteers with relative ease. In each area schools and colleges, local chapters of Junior Leagues and League of Women voters and other community groups were contacted for volunteers.

A number of schools and colleges had a special agreement with the local projects to allow their students to participate in the program for credit. A student would receive 3, 4 or 5 credits for his or her participation in the program as a court monitor.

As individual citizens became aware of the project they would call the state office in New York City or the local coordinator to arrange for an interview. At this time the prospective volunteer would be apprised of the project goals and responsibilities of the monitors. Another objective of the meeting was to determine the volunteer's suitability for monitoring. In relatively few cases, when it was felt that the individual might not be best suited for monitoring, other alternatives for participation were offered. All monitors recruited for the project were most responsible and enthusiastic about their monitoring duties. Very few lost interest during the

course of their monitoring responsibilities. Several volunteers offered their services for the purpose of collecting and evaluating data.

XI—TRAINING

After the population of volunteers was screened and recruited it was necessary to train them in a number of important areas. Training formats were developed during the first two weeks in September and monitor training sessions were held during the last two weeks of that month. The specific design of training programs in each project area is detailed in the local reports. The discussion that follows is of a more general nature.

The major goals of the training program were to educate the volunteer regarding:

- 1—the procedures, structure and function of the court.
- 2—how the ancillary agencies (Probation, Department of Social Services, Division for Youth, Department of Mental Health) interact with the court.
- 3—the mechanics of data collection.

The training phase of the program was of extreme importance. Since for most volunteers this was their first experience with the Family Court, the jurisdiction and processes of the court had to be thoroughly explained. There follows a discussion of how training goals were accomplished.

a-Court Tours

With the cooperation of Uniformed Court Officers and Court Clerks monitors were taken on court tours. This was an indispensable tool because it provided each monitor with a physical reference for many locations in the courthouse. In addition to acquainting the monitors with the physical surroundings after the court tour, monitors were able to identify key personnel and service areas in the court building.

b-In-Class Training

For approximately two weeks monitors attended discussion sessions led by members of the judiciary, attorneys, court personnel and probation officers. The purpose of these discussion sessions was to inform the monitors about the unique procedures, structure and function of the Family Court. Special care was taken to explain the confidential nature of the proceedings and how best to protect it.

A substantial portion of the training session was devoted to the method of data collection. The forms were somewhat complicated in design and the information that was to be collected had to be thoroughly explained. Each local coordinator had to insure that this phase of the training was complete because the more accurate the monitors were in collecting and recording their observations the more statistically accurate the resulting data would be. Additional training schedules were often arranged to supplement the training of individual monitors, who had missed earlier training sessions.

c-In-Training Monitoring

With in-class training completed, monitors were able to begin their court observation periods. Monitors were given their first opportunity to collect data about Family Court hearings and developed individual methods for data collection. This two week trial run was necessary to accustom the monitor to the pace and tone of the court. In addition, the local coordinator maintained constant communication with the monitors during this initial period to correct mistakes and pinpoint problem areas.

With these three stages of training completed, each volunteer was given a monitoring assignment. Each local coordinator made the decision to assign monitors to one Part on a permanent basis or to rotate monitoring assignments throughout the monitoring period.

d-The Courts

The State Advisory Board made the determination to monitor the New York State Family Court.

Each local advisory committee made the decision as to what Parts should be monitored. An attempt was made to insure a random sampling of all cases heard in the court. The courts chosen were:

New York City	Nassau
Queens County	Nassau County
Bronx County	
New York County	Westchester
	New Rochelle
Erie	White Plains
Buffalo	Yonkers

XII—PROJECT MATERIALS

All materials are cited in the text and noted as attachments. Please write or call the Fund for Modern Courts for copies.

1-Court Monitoring Form (Attachment A)

A form was developed to collect information about the court hearings observed by monitors. The forms were developed so that the data could be retrieved manually or through computer analysis.

2-Brochure (Attachment B)

There was a brochure developed for the purpose of recruiting monitors and informing the local community about the project's existence. It briefly stated the focus and goals of the project and the requirements and responsibilities of volunteers.

3-Handbook (Attachment C)

A court monitoring handbook was developed as a training tool and a resource for project volunteers. It provided an easily accessible source of information to project monitors during training and throughout all other stages of the project. The information discussed in the handbook included:

- 1—An introduction briefly discussing the history of the Family Court.
- 2—The project structure.
- 3—The Fund for Modern Courts, Inc.
- 4—The jurisdiction of the Family Court.
- 5—Procedures within the Family Court.
- 6—Charts detailing how PINS and J.D. petitions are handled.
- 7—Juvenile rights.
- 8—Legal representation in the Family Court.
- 9—How petitions are designated.
- 10—Positions and personnel in the Family Court.
- 11—Glossary detailing Family Court terminology.

FOOTNOTES

¹*Will Citizens Change the Criminal Justice Process*, Judicature 59:7, 1975 p. 72

²*Ibid*, p. 72

³*Ibid*, p. 73

⁴*Ibid*, p. 73

⁵"Courts: Report of the National Advisory Commission on Criminal Justice Standards and Goals", January 1973, p. 284

⁶*Ibid*, p. 192

⁷*Ibid*, p. 198

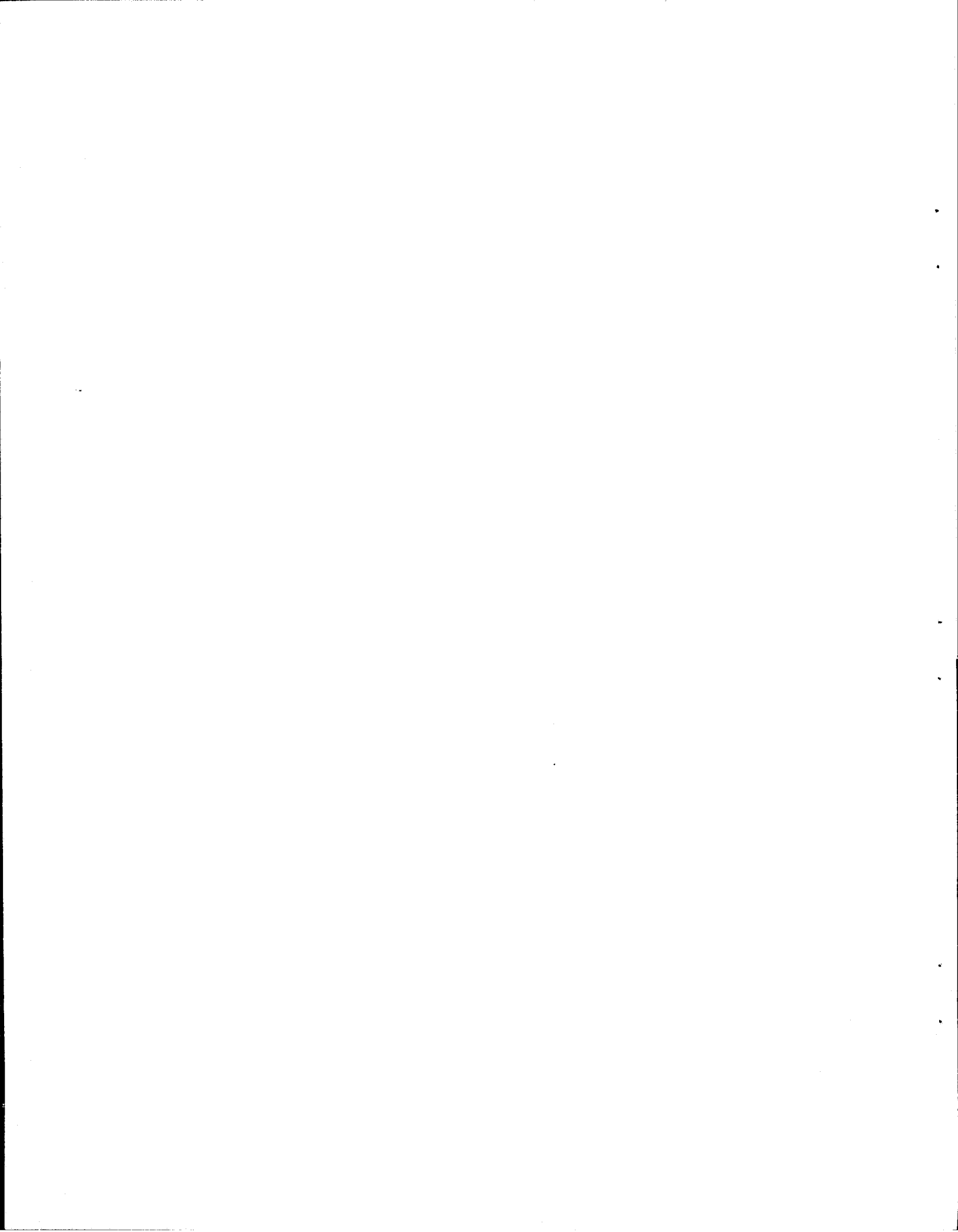
⁸*Ibid*, p. 191

⁹New York Law Journal, 177:13, February 15, 1977, p. 1

¹⁰"Guide to Court Scheduling; Institute for Law and Social Research", 1976, p. 7

**NASSAU COUNTY
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NASSAU COUNTY

I. INTRODUCTION

The Family Court Monitoring Project in Nassau County was launched in September, 1976. Funded and sponsored by the Fund for Modern Courts, Inc. and supervised locally by the Nassau Coalition for Safety and Justice, the project was designed as the first effort in Nassau County to allow citizen volunteers to observe, assess and document limited aspects of Family Court activity.

Since October, 1976 over 50 volunteers have been monitoring and collecting quantitative and qualitative data on Family Court hearings.

Within guidelines established by the State and local advisory committees, monitors gathered information about case hearings, physical conditions, legal representation and respondents' rights. Primary goals of the project included, but were not limited to, developing a set of recommendations to improve conditions in Nassau Family Courts and encouraging more citizen awareness and participation in the Family Court.

This report details the observations and recommendations of the project volunteers. Qualitative information reflects impressions and comments from October through December, 1976. Quantitative information was obtained from November monitoring. The Nassau report should be read in conjunction with the Statewide Report which discusses the findings and recommendations of monitors in all four project areas during this initial phase. The Statewide Report should also be referred to for a detailed discussion of project goals, research focus and methodology. Findings specific to the Nassau project are included in this local report.

Recommendations are directed toward the judiciary, bar associations, supporting court agencies and court staff in the hopes of initiating and maintaining an open dialogue between those groups and citizens in Nassau County and alerting all involved to possible problems in the Family Court.

Project staff and monitors wish to acknowledge the cooperation and support of the Administrative Judge of the Family Court, Hon. William J. Dempsey. In addition, we would like to thank Deputy Chief Clerks R. Clifford Fusco and Irving Sperber, for their continuing assistance and guidance to the project volunteers.

The local coordinator of the project was Ms. Joan Hollander. She may be contacted at the Nassau Coalition for Safety and Justice, 134 Jackson Street, Hempstead, N.Y. 11550, (516) 538-2460.

II. COURT STRUCTURE

There are eight Parts and eight judges in the Nassau County Family Court. Judges sit in a Part for one month, then rotate at the beginning of the next month to a new Part. Thus all judges hear all types of cases. PINS and Paternity hearings are scheduled in one Part and Juvenile Delinquency hearings are scheduled in a separate Part. Support and other court hearings are sometimes scheduled in the Delinquency Part.

All cases in Nassau County are scheduled for 9:30 a.m. While some trials are scheduled for the afternoon, the majority of hearings are not set for a particular time. Monitors commented that scheduling hearings for a particular time would reduce lengthy waiting periods for respondents, petitioners, witnesses and attorneys. Some monitors have stated that the benefits and inconveniences of a modified or split calendar should be investigated by the court administration.

RECOMMENDATION

—An evaluation of the benefits and shortcomings of split calendaring procedures should be investigated by the court administration.

III. PHYSICAL CONDITIONS

The Nassau County courthouse is located on Old Country Road in Westbury. This is six miles from the county seat in Mineola where most other courts are located. Public transportation is limited to a single East-West bus route. Respondents, petitioners, families and witnesses coming from Long Beach, Glen Cove and other outlying areas spend several hours traveling to the court. Those who drive to Family Court have difficulty finding a parking place. The parking lot, which is inadequate for the present needs of the court, is generally filled by 9:15 a.m. Monitors have commented that these conditions present a transportation problem and clearly inconvenience those who must come to the Family Court.

Monitors have suggested that an assessment of the space availability in the Mineola court complex should be undertaken to determine the possibility of relocating the Family Court there. In addition, to alleviate present parking pressures, the County Executive and Board of Supervisors should consider using County owned land near the Family Court as an additional parking facility.

The court was built in 1963 specifically for Family Court hearings. Monitors noted some damages (leaking windows, peeling plaster) that should be corrected before major damage occurs. The Nassau County Children's Shelter is located directly behind the Family Court and is linked to the courthouse through an underground tunnel.

The second floor waiting room is large and court officers are available to furnish information to the public. The smaller waiting rooms, however, are less desirable. These rooms, located on the first and third floors, are poorly ventilated and often very crowded. Some monitors noted smoky conditions in all waiting rooms and an insufficient number of ashtrays, seats and coats. Overcrowded conditions were cited by all monitors. Waiting rooms are bleak and monitors reported an atmosphere of mounting tension as respondents, petitioners and families are kept waiting.

All courtrooms are set up in traditional form, with a bench for the judge and tables and chairs for the Law Guardian, Deputy County Attorney, Probation Officer and Clerk of the

Part. There is a court stenographer present who records case activity during hearings. Several rows of seats are available for observers and others having business in the court. Court officers are present in all courtrooms and waiting rooms. The volunteers noted that they were generally courteous and helpful to them.

Monitors have commented on the inadequate number of private areas or rooms where Law Guardians or Deputy County Attorneys and their clients can confer in private. Generally petitioners, respondents and their attorneys are obliged to confer in hallways or stairwells, next to window ledges and in telephone booths. Clearly, the confidential nature and the professional integrity of these conferences are severely hampered by interviews held in these settings. Monitors felt that space availability in the present Family Courthouse should be investigated to determine if additional conference areas can be established.

Monitors noted that although court personnel are available to give information to citizens, trained volunteers could be recruited to staff an information desk on all floors of the Family Court.

Monitors also noted that there are no available dining facilities in the Family Court building. This inconveniences those citizens who may have to wait in the building for lengthy periods until their cases are called. Monitors have suggested that food and beverage vending machines be installed to provide citizens with refreshments while they are waiting for their cases.

A valuable babysitting service is available in the building. A small room has been set aside which is furnished with toys for young children to play with while their parents' or families' cases are being heard. However, the service is only open when a Red Cross volunteer is available to staff it. Monitors felt that this service should be open at all times when hearings are in session. They suggested soliciting citizen participation in the form of day care workers in order to open the babysitting service on a full-time basis.

RECOMMENDATIONS

1—Long range planning by the County Executive and Board of Supervisors should include the assessment of space availability at the Mineola Court complex to determine if there is adequate room to house the Family Court there.

2—Immediate planning by the Board of Supervisors and County Executive should consider the conversion of the County owned plot of land, located across the street from the present court parking lot, into an additional lot in order to alleviate parking pressures.

3—Planning by the Board of Supervisors and County Executive should include the immediate correction of existing damage in the Family Court.

4—An attempt should be made by the Administrative Judge to assess the availability and utilization of space to provide additional rooms for lawyer-client conferences.

5—The Administrative Judge should consider the possibility of utilizing trained citizen volunteers to staff information centers on all floors of the Family Courthouse.

6—Citizen volunteers should be actively recruited and scheduled to staff the day care service on a permanent full-time basis.

7—Additional coatsracks, ashtrays, wastebaskets and seats should be placed in the waiting room areas and beverage and food vending machines should be placed in the building for the convenience of the public.

IV. RESPONDENTS' RIGHTS

One area that monitors were quite concerned about involved the legal terminology employed by the judiciary to explain court procedure to the respondents, petitioners and witnesses. Monitors noted that respondents are generally advised of their rights at the preliminary hearings but that the juvenile may not fully understand the vocabulary used by the court. Monitors were particularly concerned that a juvenile should thoroughly understand the consequences of an admission or denial of guilt at the preliminary hearing stage. Monitors have noticed that some judges recite the same set of explanations and for clarification only repeat them louder. Volunteers felt it is imperative that the judge, or more importantly the Law Guardian, take as much time as is necessary to thoroughly explain court and case proceedings in terminology that the juvenile or layperson can understand. In addition, monitors felt that a bilingual fact sheet would be useful, as an information tool, to all citizens who must come to the Family Court.

RECOMMENDATIONS

1—Family Court Judges and Law Guardians should make a concentrated effort to explain to all participants at a hearing their rights and the nature of the proceedings. These explanations should be in simple, non-legal language.

2—The local bar association, Administrative Judge or other appropriate body should consider the development of a bilingual fact sheet detailing Family Court procedure.

V. REPRESENTATION

During the month of November, 50.8% (64) of the respondents in PINS cases and 64.8% (127) of the respondents in Delinquency cases observed by monitors were represented by Law Guardians. In an average 8.2% of the cases observed, monitors could not determine the type of representation and in 12.7% of the cases, the juvenile was not represented at that particular hearing. (Table I)

Law Guardians are appointed by the court to represent juveniles. They are selected from a list of approximately 200 attorneys who have been approved by the Appellate Division of the Supreme Court to represent juvenile respondents in the Family Court. In the past, approximately 30 attorneys from the list were called and scheduled to represent cases in the court and generally, they appeared. During the month of October, a

change occurred in the method of scheduling attorneys. Attorneys other than the core of 30 who were "regulars" were called to represent Family Court cases. During the month of October, monitors noted an unusually high level of non-appearances by Law Guardians. Subsequently the problem was discussed with the Administrative Judge and some adjustments were made in the procedure.

Respondents are advised of their rights at their initial appearance before the judge, but monitors felt that some children did not understand the terms used in court. In some cases when rights were read, the respondent and family were told that the court would appoint an attorney "if they could not afford" to retain one. This left some parents confused about whether their children were entitled to the service of a court-appointed Law Guardian.

Monitors also commented on the quality and consistency of representation. Volunteers noted that some of the Law Guardians seemed to lack expertise in juvenile law and Family Court procedure. While some Law Guardians were extremely familiar with Family Court procedure, others were not. Monitors suggested that it might be valuable to have all present and prospective Law Guardians participate in a thorough training program to better acquaint them with the unique procedures of the Family Court. Supplemental sessions could also be held to inform Law Guardians of any changes in juvenile justice legislation and Family Court procedures.

RECOMMENDATIONS

1—An evaluation of the method of appointing attorneys to be Law Guardian should be considered by the Nassau County Bar Association and Appellate Division.

2—The Nassau County Bar Association and Appellate Division should consider the development of a training program for prospective and present Law Guardians. This would insure that Law Guardians would have sufficient knowledge about Family Court practice and procedure. This training should be ongoing to keep Law Guardians abreast of changes in Family Court and juvenile justice legislation.

VI. DELAY

The Nassau monitors attempted to document delay from the following perspectives:

1—Session start delay - Does court start on time?

2—Intercase delay - Are there substantial delays between cases because cases are not ready or parties are not present?

3—Intracase delay - Once cases are called, are there delays because witnesses, attorneys, respondents, petitioners or other court matters are not ready to proceed?

A. SESSION START DELAY

During the month of November, monitors collected data on a total of 43 session starting times. In 60.5% (26) of those sessions, monitors observed delays. In 46.2% (12) of the sessions, there were delays of 1-15 minutes, 42.3% (11) of the sessions were delayed 16-30 minutes. (Table II a-b)

Monitors were informed by court personnel that the reason business did not start promptly was because the judge was conducting other court business in his or her chambers. While monitors felt that this was a valid reason for a session delay, they also commented it would be valuable and considerate to announce reasons for delay in the court and waiting rooms so all citizens waiting for their cases to be heard would be informed why there was a lag in the proceedings.

B. INTERCASE DELAY

For this phase of the project, monitors were limited to viewing only Juvenile Delinquency and PINS hearings. Monitors were called into court when a PINS or Juvenile Delinquency case was being heard and asked to leave when other matters were before the court. This made it very difficult for monitors to document with accuracy intercase delay reasons.

Volunteers commented that this restriction gave them a limited perspective on the Family Court and strongly believed that it would be beneficial to allow citizen monitoring to encompass all types of Family Court proceedings (as occurred in all other project areas).

C. INTRACASE DELAY

Once a case has been called, delays in the resolution of the case often occur. Other cases are called and heard and the delayed case is recalled when it is ready to proceed. In 55.6% (70) of the PINS hearings and 68.9% (135) of the Delinquency hearings documented by monitors, there were delays to a later part of the same session or day. In 35.7% (25) of the PINS hearings and 27.4% (37) of the Delinquency hearings observed, intracase delay was due to non-appearance of the respondent or petitioner. In 14.1% (19) of the Delinquency hearings, delay was necessary to obtain or appoint legal representation. (Table IIc)

Monitors felt that time taken out of a court session or hearing for the purpose of assigning counsel could be avoided by assigning counsel at the Probation Intake stage or by carrying out the process on an administrative level by a court clerk outside of the formal court hearing. The Family Court Act provides for these procedures.

RECOMMENDATIONS

1—Every effort should be made to start court at the scheduled 9:30 a.m. starting time. If the court session must be delayed, citizens should be informed of the reasons for the delay.

2—The court administration should evaluate assignment of counsel procedures to determine if this process could be removed from formal court hearings and carried out on an administrative level by the court clerk or by assigning counsel at the Probation Intake stage.

VII. RESULTS OF HEARINGS

Monitors documented that a total of 55.6% of the PINS hearings and 61.2% of the Delinquency hearings were

adjourned. Petitions were withdrawn or dismissed in 3.2% of the PINS hearings and in 9.2% of the Delinquency hearings observed. Sixteen percent of the PINS cases and 8.2% of the Delinquency hearings were adjourned in contemplation of dismissal. (Table III)

Monitors also gathered information regarding the reasons for adjournment. Results indicate that although the adjournment rate of cases observed was high, 50.8% of all the PINS and 39.2% of all the Delinquency adjournments were necessary to progress the case to another stage. However, monitors were quite concerned about the high rate of adjournments due to non-appearances of different parties; 21% of the PINS hearings and 38.8% of the Juvenile Delinquency hearings were adjourned because of non-appearance. (Table IV)

Monitors felt that greater control should be exercised on those participants and attorneys who consistently fail to appear. A review of how non-appearances are handled with possible sanctions for attorneys and participants who consistently fail to appear would be valuable.

Although the data does not provide specific documentation, monitors expressed concern about the "hard to place" children whose cases were repeatedly adjourned until an adequate treatment facility would accept them. Monitors also commented about children who were granted several "extensions of placement" in the Children's Shelter after adjudication awaiting permanent placement.

Monitors' concern about the apparent lack of coordination of agencies serving the court has resulted in a meeting in which Division for Youth representatives spoke to agency personnel and representatives of citizen groups. Items on the agenda included the detention of PINS and the development of community based treatment facilities.

RECOMMENDATIONS

1—A review by the court administration should evaluate how non-appearances that cause delay and adjournments are handled by the court. The use of sanctions for attorneys and participants who consistently fail to appear should be considered.

2—Child care agencies including the Division for Youth, Department of Social Services, Probation Department and private agencies should plan together to assure proper treatment for all children adjudicated by the court.

VIII. METHODOLOGY

PROJECT STRUCTURE AND STAFF

The local coordinator in Nassau County was responsible for the carrying out of all phases of the project. In addition to recruiting, training, scheduling volunteers and evaluating monitoring reports, the coordinator was responsible for establishing a representative advisory committee.

The advisory committee functioned as the local policy making body of the project. Within the general guidelines established by the State Advisory Board, the local committee assisted the coordinator in developing recommendations,

communicating with the judiciary and developing training formats for project volunteers. The advisory committee brought together individuals from different groups who shared a common interest in the Family Court. Project staff wish to acknowledge the continuing cooperation and assistance of the advisory committee. Members of the local advisory committee in Nassau County were:

Ms. Mitra Florez Adamczac	—Coalition of Hispanic Americans in Nassau County
Ms. Marina Angel	—Professor, Hofstra Law School
Mr. James Davis	—Executive Director, Nassau County NAACP
Mr. Nathan Edelson	—Chairman, Family Court Subcommittee, Nassau County Bar Association
Ms. Betty Forman	—League of Women Voters
Mr. John Kearse	—Executive Director, Economic Opportunity Commission of Nassau County
Captain Patrick Looney	—Nassau County Police Department
Mr. Gerry Migliore	—Freeport Youth Outreach
Mr. Richard Sass	—Oyster Bay Youth Bureau
Ms. Lee Selden	—Area Chairwoman, National Council of Jewish Women
Ms. Amalie Wallace	—Fund for Modern Courts, Inc.

VOLUNTEER RECRUITMENT

A total of 50 volunteers were recruited and trained during September, 1976. Recruitment was easily accomplished and additional volunteers could have been recruited and trained for the project. However, volunteer participation was limited due to an agreement with the court administration allowing just one volunteer per PINS or Juvenile Delinquency Part at a time.

Monitors were recruited from the following organizations:

<u>ORGANIZATION</u>	<u>NUMBER</u>
Family Service Association	1
Junior League of the North Shore	15
League of Women Voters	3
Mobilized Community Resources	1
Nassau Coalition for Safety and Justice	4
Nassau County Office of Volunteer Services	7
National Council of Jewish Women	10
North Shore Community Council	3
Parent Teachers Association	6
TOTAL	50

Volunteers were women except for one man, a student at C.W. Post College in the Criminal Justice Department. Several of the women were also students at various Long Island colleges. They ranged in age from 20-60 years of age. The age breakdown was as follows:

<u>AGE</u>	<u>NUMBER</u>
20-30	2
30-40	17
40-50	21
50-60	6
60 plus	4
TOTAL	50

TRAINING

Initial monitor training was held in three sessions in late September. At the first session, monitors toured the Family Court, and an explanation of the court structure and administration was given by the Deputy Chief Clerk. At the second session, an in-depth discussion of court procedures was presented by a Law Guardian, three representatives from the Probation Department and the Deputy County Attorney. A third session led by the coordinator was devoted to the specifics of data collection.

After each monitor had observed court proceedings at least once, a follow-up training session was held. Mr. Robert Kaplan, an independent court management consultant assisting the Statewide Project, discussed the details of the data collection and answered questions about Family Court proceedings in Nassau County. Representatives from the Nassau County Police Department Juvenile Aid Bureau discussed how juveniles entered the system and detailed possible alternatives available to the Police department other than referring the case to Family Court.

Additional training included a tour of the Nassau County Children's Shelter. A meeting of the monitors held after three

months of court observation, enabled them to share their experiences, frustrations and questions with one another.

Monitors have made use of materials furnished by the Nassau County Criminal Justice Coordinating Council. Materials included case flow charts and statistics on caseloads, Probation Intake and recidivism rates. The local coordinator provided continuous supervision and assistance throughout the course of the project.

Court personnel have been extremely cooperative and have always answered questions and assisted monitors when necessary. Judges have also made themselves available to monitors, often inviting them into chambers and discussing case proceedings in detail.

IX. FINAL COMMENTS

The volunteers characterized their participation in the Family Court Monitoring Project as an educational experience. They have shared the frustrations and anger that court personnel experience at the late reports, missing information and non-appearances that serve to delay justice and disrupt people's lives.

They are touched and troubled by the needs of many of the youngsters they see in court and upset by the apparent defiance of others. They also are aware and have commented on the lack of a supportive family situation for so many of the children appearing in court.

Most of all, their consciousness has been raised. They feel they are just beginning to gain some knowledge regarding the complexities of dealing with troubled children.

X—TABLES

**NASSAU COUNTY
TABLE I**

REPRESENTATION	REPRESENTATION		% OF TOTAL	
	NUMBER OF CASES			
	PINS	J.D.	PINS	J.D.
Law Guardian	64	127	50.8	64.8
Private Counsel	35	29	27.8	14.8
Not Represented	16	25	12.6	12.8
Cannot Determine	11	15	8.8	7.6
Total	126	196	100.0	100.0

**NASSAU COUNTY
TABLE IIb**

	MINUTES DELAYED	
1-15	12	46.2
16-30	11	42.3
31-45	3	11.5
Total session start delay	26	100.0 (60.5)
Total sessions not delayed	17	39.5

**NASSAU COUNTY
TABLE IIa**

DELAY

SESSION START DELAY

	<u>NUMBER</u>	<u>% OF TOTAL</u>
Total number of sessions delayed	26	60.5
Total number of sessions not delayed	17	39.5
Total	43	100.0

**NASSAU COUNTY
TABLE IIc**

INTRACASE DELAY

	PINS		JUVENILE DELINQUENCY	
	NUMBER	% OF TOTAL	NUMBER	% OF TOTAL
Respondent absent	11	15.7	22	16.3
Complainant absent	14	20.0	15	11.1
Parent/Guardian absent	0	.0	19	14.1
To obtain/appoint counsel	26	37.1	34	25.2
Other	9	12.9	8	5.9
Cannot determine	10	14.3	20	14.8
Total cases delayed	70	100.0 (55.6)	135	100.0 (68.9)
Total cases not delayed	56	44.4	61	31.1
Total	126	100.0	196	100.0

**NASSAU COUNTY
TABLE III**

RESULTS OF HEARINGS

	PINS		DELINQUENCY	
	NUMBER	% OF TOTAL	NUMBER	% OF TOTAL
Adjourned	70	55.6	120	61.2
Petition Withdrawn/ Dismissed	4	3.2	18	9.2
Adjudicated PINS/J.D.	17	13.5	22	11.2
Adjourned in Contempt of Dismissal	20	15.9	16	8.2
Other	8	6.3	8	4.0
Cannot determine	7	5.5	12	6.2
Total	126	100.0	196	100.0

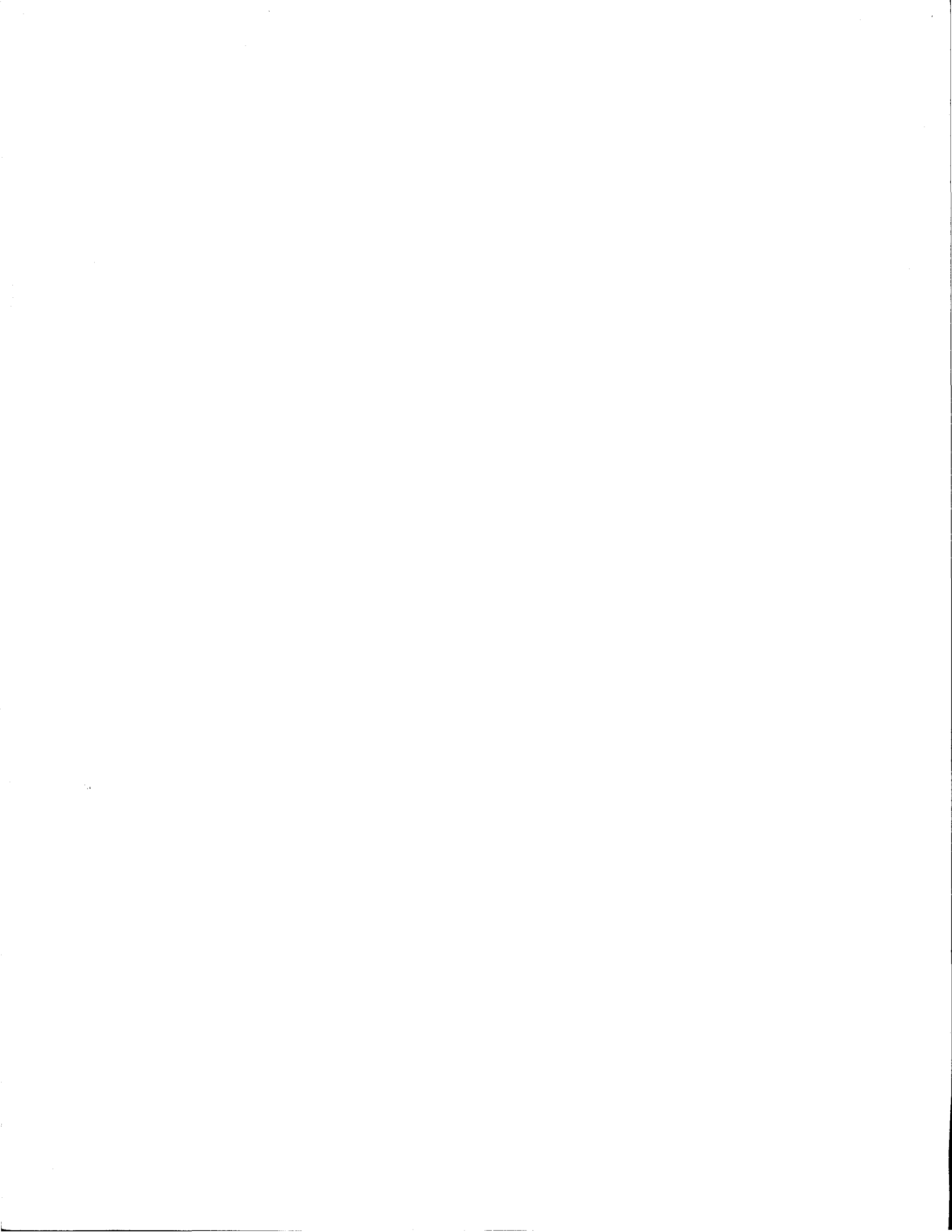
**NASSAU COUNTY
TABLE IV**

REASONS FOR ADJOURNMENTS

	PINS		DELINQUENCY	
	NUMBER	% OF TOTAL	NUMBER	% OF TOTAL
NON APPEARANCE				
Police Officer	0	.0	6	4.7
Respondent	5	7.1	10	7.9
Petitioner	3	4.3	7	5.6
Parent/Guardian	0	.0	10	7.9
Law Guardian	7	10.0	16	12.7
FURTHER COURT PROCESSING				
Fact Finding Hearing	10	14.3	22	17.5
Investigation and Report by Probation Dept.	12	17.1	0	.0
To obtain/appoint Counsel	9	12.9	28	22.2
To arrange placement	6	8.6	0	.0
Other	8	11.4	7	5.6
Cannot determine	10	14.3	20	15.8
Total cases adjourned	70	100.0	126	100.0
+				
Total cases not adjourned	56		70	
Total cases heard	126		196	

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ERIE COUNTY

I—INTRODUCTION

The Fund for Modern Courts, Inc., recently completed a Family Court Monitoring Project in Erie County. The project, which was designed to bring citizen participation through monitoring of procedures in the Buffalo Family Court, was launched in September, 1976. Since October, 1976 over 35 volunteers have been recruited and trained to observe, assess and document certain aspects of Family Court activity.

Initially only PINS (persons in need of supervision) and Juvenile Delinquency hearings were observed. During the course of the project, as monitors became accepted and valued in the court, they were invited to view and assess other types of hearings (Support, Abuse, Neglect, Paternity).

After some initial reservations about the concept of citizen monitoring, court personnel welcomed the volunteers and assisted them in many ways. Project staff and monitors would like to express particular appreciation to Administrative Judge J. Douglas Troust and Judges John Honan, Mary Ann Killeen, Peter Notaro and Edward Mazur. The judiciary and court personnel were extremely cooperative and courteous in answering the many questions of the monitors. Project staff and monitors also wish to acknowledge the continuing support and assistance of the Clerk of the Family Court, Mr. Frank Boccio and Ms. Jenelle Wilson, Supervisor of Social Work. Both have willingly given their time to explain court procedures and answer questions.

This report represents the initial observations, findings and recommendations of the Erie County volunteers. Erie volunteers have expressed an interest in continuing their monitoring in order to examine in more depth some of the issues that arose during the course of the study. Qualitative data reflects impressions of the monitors from October through December, 1976. November, 1976 monitoring was analyzed for quantitative information. This report should be read with the statewide report included at the beginning of this study. The statewide report discusses the general findings and impressions of the monitors in four project areas (New York City, Nassau, Westchester and Erie). The statewide report should also be referred to for a detailed discussion of project goals, research focus and methodology. Methodology specific to Erie County is included at the end of the local report.

Questions or comments regarding the Erie County effort should be directed to the local coordinator, Ms. Joan Bozer; she may be contacted at 768 Parkside Avenue, Buffalo, New York 14211, (716) 838-2355.

II—COURT STRUCTURE

The Erie County Family Court and the Psychiatric Clinic occupy three floors of a modern building. The structure, completed in 1966, is located in downtown Buffalo and is convenient to the City, County and State Federal Courts. A directory in the lobby identifies the location of the court on the third floor and signs on that floor indicate the location of the various Parts.

The court currently has five Parts and five judges. Judges rotate through the Parts, serving two months in each. However, once a judge has started a case he or she continues to follow that case through disposition. This is true even if the judge has moved on to another Part. As a result of this practice, monitors observing in any Part saw a variety of cases. (Table I details the types of cases observed by monitors.) A sixth judge was elected to the Family Court bench in November, 1976 and an additional Part will be open in early 1977 if funds are available.

Part I principally handles cases involving youths in detention. The case load is kept low so that these cases can be heard as quickly as possible. Abuse and Neglect cases are top priority and these hearings are also scheduled in this Part. Part II handles cases involving youths not held in detention but who must appear on Delinquency and PINS charges. Part III handles Paternity hearings and Parts IV and V principally handle Custody, Support and Family Offense cases. Juvenile preliminary proceedings are heard in one Part. However, as a result of the rotation of judges and the requirement that the judge presiding over a preliminary proceeding remain with the case until disposition, Juvenile hearings can be conducted in all five Parts.

The Family Court and the Probation Department of Erie County, although separate and autonomous units, work closely together. The Probation Department is responsible for Family Court Intake procedures and provides placement investigations for the court prior to dispositional hearings. Half the personnel in the Probation Department work with the Family Court; the remaining personnel service the other courts.

In addition, the Family Court operates its own Detention Department. Children are held in detention homes for short periods prior to court appearances or until the court provides permanent placement in institutions as ordered by the judge. The Detention Department operates both secure and non-secure homes. The Family Court also operates its own Psychiatric Clinic which assists the court in evaluating problems of respondents and recommends treatment approaches. Monitors' comments regarding court structure and procedures were generally favorable. They reported that the Administrative Judge attributed an efficient administration to the close working relationship of the Psychiatric and Detention Departments with the court.

HEARINGS OBSERVED

Table I documents the number and type of hearings observed by monitors during the month of November. A total of 31.6% (72) of the hearings observed were Juvenile Delinquency proceedings, 9.2% (21) were PINS and 25.4% (58) were Support. Foster Care Review constituted 21.5% (49) of the hearings observed and the remaining 13.3% (28) cases were other adult proceedings.

III—PHYSICAL CONDITIONS

Monitors reported that the courtrooms in the Family Court are new, attractive and comfortable. Approximately 25 observers can be comfortably seated and acoustics are very good. Proper decorum is maintained and there is little noise, distraction or traffic because doors to the waiting rooms are kept closed. Security is maintained by a Deputy Sheriff assigned to each Part. The Deputy Sheriff was always observed to be in the courtroom during the proceedings. There is one extra Deputy Sheriff on duty when adults are brought over from the Holding Center for appearances in court. Members of the Detention Department staff transport youths from detention homes for court appearances, thereby freeing security personnel from this responsibility and allowing them to carry out other responsibilities.

Monitors were concerned that direction or information services were lacking in the Family Court. Citizen volunteers cited the need for a large calendar showing daily proceedings for each Part to direct participants to the right courtroom. Court personnel expressed concern over publishing names of the parties involved in a case on a calendar. They believed that the confidentiality of the proceedings would be violated. It was suggested that case identification numbers could be used to avoid disclosing confidential information.

Monitors believed that an information post would be helpful in the hall outside the clerk's office in order to answer the questions of citizens who are not familiar with the court. It was suggested that this desk could be staffed by citizen volunteers who are familiar with court procedure rather than court personnel whose valuable time could be better utilized performing other court functions.

Citizens observed frequent crowding in the halls and waiting rooms caused by lawyers and their clients discussing case proceedings. Conferences constantly held in this setting offered little privacy and monitors pointed out the need to establish conference rooms in order to alleviate crowding in the halls and provide a confidential and professional setting for these meetings.

Monitors noted the lack of a babysitting or day care service to supervise young children who must accompany adults to court. All monitors felt a supervised room for this purpose would be beneficial. Monitors suggested that the Red Cross or volunteer groups could be contacted to organize this service.

RECOMMENDATIONS

1—The Administrative Judge should consider using citizen volunteers to staff information desks. This would provide a valuable service to those citizens who come to the Family Court.

2—The Administrative Judge and court administration should consider assessing space availability to determine if areas can be provided where lawyers and their clients can confer in private.

3—The Administrative Judge should consider the establishment of a babysitting service to supervise young

children who come to the court with their families. The Red Cross or a similar volunteer agency should be encouraged to participate in this effort.

4—The court administration should consider posting a daily calendar listing Parts, case identification numbers, number of cases on the court calendar and type of hearing.

IV—RESPRESENTATION

Table II details types of representation for all Delinquency and PINS proceedings observed. The majority of Juveniles were represented by Law Guardians. Monitors documented that in 90.4% (19) of the PINS hearings and 63.9% (46) of the Delinquency hearings observed, respondents were represented by Law Guardians. Monitors also reported that 5.6% (4) of the respondents in Delinquency hearings observed were not represented by counsel.

Monitors expressed great concern over several issues concerning representation of the juvenile. They questioned the practice of some judges of asking juveniles if they wanted to waive their right to representation and "speak for themselves". Monitors expressed the belief that all juveniles should be informed about their rights regarding counsel in clear, easy to understand language and strongly urged to have the benefit of legal representation throughout all stages of their case. In order to implement this, monitors suggested that Law Guardians should be assigned either at the time of filing the petition or at the Probation Intake stage so that juveniles would have the benefit of legal counsel at the earliest possible stage of the proceeding (1976 Uniform Rules for the Family Court of the State of N.Y., Part 2507, Rule 2507-3.3 permits the presence of an attorney at Probation Intake). Early assignment of counsel would also give attorneys and their clients more time to confer and reduce time expended during court hearings to appoint counsel.

Monitors did note a new procedure instituted by some judges insisting that all Law Guardians speak with respondents before appearing at the court hearing. Monitors suggested that this procedure become standard practice for all Family Court Judges.

RECOMMENDATIONS

1—The judge should tell every juvenile in clearly understandable terms that he or she has the right to legal counsel at every stage of court proceedings.

2—The Administrative Judge and Clerk of the Court should evaluate the benefits of assigning counsel either at the time of filing the petition or at the Probation Intake proceeding. Such a practice would insure representation at all stages of the court hearings.

3—All judges should require all Law Guardians to meet with their clients before appearing at the Preliminary hearing.

V—DELAY

Monitors attempted to document delay from three perspectives.

1—Session Start Delay - The number of minutes lost between scheduled starting time and actual court starting time

2—Intercase Delay - Minutes lost caused by delay between cases.

3—Intracase Delay - Time lost caused by delay within the same case.

Based on the 228 cases observed by monitors during the month of November in Erie County, intercase and intracase delay did not emerge as a major obstacle to the functioning of the court. Table III indicates that in 90.3% (65) of the Delinquency hearings observed there was no intracase delay.

Monitors did express concern, however, over the delay in session starts. Tables IVa and b reveal that monitors observed a total of 25 session starts. 64% of the sessions were delayed 21-60 minutes. Only 4 sessions started on time. The reason for delay could not be documented 40% (10) of the time. Absence of one or more parties involved accounted for the session delay 16% (4) of the time. Although court officers explained that some session start delay was attributed to the judge discussing cases in his/her chambers, monitors believed that it would be beneficial to announce in the courtroom and waiting area the reasons why the session was not starting on time.

RECOMMENDATIONS

1—Every effort should be made to start court at the scheduled time.

2—The judge or court personnel should explain reasons for delay to the public.

VI—RESULTS OF HEARINGS AND REASONS FOR ADJOURNMENTS

Monitors documented the results of the PINS and Delinquency hearings they observed (Table V). PINS proceedings were adjourned in 52.4% (11) and juveniles were adjudicated PINS in 23.8% (5) of the hearings observed. Monitors documented 56.9% (41) of the Delinquency hearings were adjourned and 11.1% (8) of the juveniles were adjudicated delinquents. Two (9.5%) of the PINS hearings and 7 (9.7%) of the Delinquency hearings were adjourned in contemplation of dismissal.

Table VI analyzes the reasons for the 52 adjournments in PINS and Juvenile Delinquency cases observed. Almost half of the PINS cases (45.4%) and 34.2% of the Juvenile Delinquency cases were adjournments in order to further the case i.e. Fact Finding Scheduled, Referral to Probation for Investigation, Arrange Placement. This type of adjournment is viewed as necessary for the progress of the case. However, monitors expressed concern over the frequency of adjournments called for reasons of non-appearance of one or more parties. Although only 9.1% of the PINS cases adjourned were in this category, 34.2% of the Juvenile Delinquency cases observed were adjourned for non-appearance reasons. In

order to limit such adjournments, monitors suggested possible sanctions against those participants and attorneys who consistently fail to appear.

RECOMMENDATION

—Court Administrators should evaluate how the court handles delays and adjournments caused by non-appearances. The use of sanctions against attorneys and participants who consistently fail to appear should be considered.

VII—METHODOLOGY

PROJECT STRUCTURE AND STAFF

A local coordinator was hired in Erie County to supervise and carry out all phases of the local project. In addition to recruiting, screening, training and scheduling volunteers, the local coordinator was responsible for the establishment of a local advisory committee. The advisory committee served as the local policy making body for the project working within broad guidelines established by the Statewide Advisory Board. The local committee assisted the local coordinator in the development of training formats. In addition, the local committee initiated a dialogue between citizens and the judiciary. The advisory group functioned as a coalition of groups and individuals with a common interest in the Family Court. Members of the advisory committee included:

Ms. Carol Celani	League of Women Voters
Ms. Cookie Ehrenreich	Chairwoman, Buffalo Family Court Advisory Committee, Chapter Chairperson, Buffalo area, Fund for Modern Courts, Inc.
Mr. R. Donald Finn	Attorney, Citizen's Committee for Children
Ms. Donna Hall	Junior League
Ms. Marjorie Mohn	Church Women United
Ms. Sandy Ritkin	National Council of Jewish Women
Ms. Karen Schimke	Citizen's Committee for Children
Ms. Ellen Thomson	Child and Family Services Society

Project staff would like to take this opportunity to thank the members of the advisory committee who devoted their time and expertise to the efforts of the Buffalo project.

VOLUNTEERS RECRUITMENT

A total of 35 volunteers were recruited for participation in the Buffalo project. The population of volunteers was obtained from the following sources:

American Association of University Women	9
Junior League	3
Church Women United	1
SUNY Buffalo, Buffalo Law School	6

League of Women Voters	3
National Council of Jewish Women	4
Unaffiliated	5
Coalition of Court Observers	4
TOTAL	35

TRAINING

After initial recruitment and screening of volunteers, a training program was developed. With the assistance and cooperation of Mr. Frank Boccio, Clerk of the Erie County Family Court, monitors were given tours of the court and an explanation of Family Court procedures.

In addition, continuing training sessions were held monthly to address any problems and answer questions monitors had during the course of the project.

VIII—TABLES

**ERIE COUNTY
TABLE I**

HEARINGS OBSERVED

<u>CASE TYPE</u>	<u>NUMBER</u>	<u>% OF TOTAL</u>
Juvenile Delinquency	72	31.6
*PINS	21	9.2
Support	58	25.4
Neglect	11	4.8
Family Offense	4	1.8
Paternity	10	4.4
**USDL	3	1.3
Foster Care Review	49	21.5
Total	228	100.0

*Persons In Need of Supervision

**Uniform Support of Dependents Law

**ERIE COUNTY
TABLE II**

REPRESENTATION

<u>TYPE OF REPRESENTATION</u>	<u>PINS</u>		<u>DELINQUENCY</u>	
	<u>NUMBER OF CASES</u>	<u>% OF TOTAL</u>	<u>NUMBER OF CASES</u>	<u>% OF TOTAL</u>
Law Guardian	19	90.4	46	63.9
Private Counsel	0	0	12	16.6
Other	0	.0	0	.0
Not represented	1	4.8	4	5.6
Cannot determine	1	4.8	10	13.9
Total	21	100.0	72	100.0

**ERIE COUNTY
TABLE III**

REASONS FOR INTRACASE DELAY

	<u>PINS</u>		<u>DELINQUENCY</u>	
	<u>NUMBER OF CASES</u>	<u>% OF TOTAL</u>	<u>NUMBER OF CASES</u>	<u>% OF TOTAL</u>
Petitioner absent	0	.0	1	1.4
Parent/Guardian absent	1	4.8	0	.0
Appoint/obtain counsel	0	.0	1	1.4
Late reports	0	.0	1	1.4
Arrange placement	2	9.5	0	.0
Cannot determine	0	.0	4	5.5
Total cases delayed	3	14.3	7	9.7
Total cases not delayed	18	95.7	65	90.3
Total cases	21	100.0	72	100.0

**ERIE COUNTY
TABLE IVa**

SESSION START DELAY

Number sessions observed 25
Number sessions delayed 21 (84%)

<u>SESSION DELAY TIME</u>	<u>NUMBER OF SESSIONS</u>	<u>% OF TOTAL</u>
1-10 minutes	0	0
11-20	3	12.0
21-30	3	12.0
31-40	3	12.0
40-50	6	24.0
51-60	4	16.0
60+	2	8.0
No delay	4	16.0
Total	25	100.0

**ERIE COUNTY
TABLE IVb**

REASON FOR SESSION START DELAY

	<u>NUMBER OF SESSIONS</u>	<u>% OF TOTAL</u>
Parent/Relative/Guardian absent	1	4.0
County attorney absent	1	4.0
Court Reporter absent	1	4.0
Private Counsel absent	1	4.0
Law Guardian/County Attorney unprepared	2	8.0
Other	5	20.0
Cannot determine	10	40.0
No delay	4	16.0
Total	25	100.0

**ERIE COUNTY
TABLE V**

RESULTS OF HEARINGS

	PINS		DELINQUENCY	
	NUMBER OF CASES	% OF TOTAL	NUMBER OF CASES	% OF TOTAL
Adjourned	11	52.4	41	56.9
Petition withdrawn	0	.0	0	.0
Petition dismissed	1	4.8	6	8.4
Adjudicated delinquent	0	.0	8	11.0
Adjudicated PINS	5	23.8	0	.0
Adjourned in contemplation of dismissal	2	9.5	6	8.4
Other	2	9.5	7	9.7
Cannot determine	0	.0	4	5.5
Total	21	100.0	72	100.0

**ERIE COUNTY
TABLE VI**

REASONS FOR ADJOURNMENT

	PINS		DELINQUENCY	
	NUMBER OF CASES	% OF TOTAL	NUMBER OF CASES	% OF TOTAL
Respondent absent	0	.0	2	4.9
Complainant absent	0	.0	4	9.8
Both sides absent	0	.0	5	12.1
Private Counsel absent	0	.0	4	9.8
Police officer absent	0	.0	2	4.9
Parent/relative/guardian absent	1	9.1	4	9.8
By consent	1	9.1	0	.0
Fact Finding scheduled	3	27.2	6	14.7
Referred to probation for investigation and report	0	.0	7	17.1
Additional reports ordered	2	18.2	0	.0
To arrange placement	0	.0	1	2.4
Other	2	18.2	1	2.4
Cannot determine	2	18.2	5	12.1
Total cases adjourned	11	100.0	41	100.0
		(52.4)		(56.9)
Total not adjourned	10	47.6	31	43.1
Total	21	100.0	72	100.0

**WESTCHESTER COUNTY
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WESTCHESTER COUNTY

I—INTRODUCTION

Since October, 1976 over 60 citizen volunteers have observed the Family Courts in Westchester County. These citizens have participated in a special Family Court Monitoring Project sponsored by the Fund for Modern Courts, Inc. and designed to increase citizen participation in the Family Courts in Westchester County.

During this phase of the Westchester Project, the emphasis was on collecting qualitative information about Family Court administration, structure, proceedings and hearings. Primary goals included, but were not limited to, developing a set of recommendations to upgrade the Family Court in Westchester County, implementing an ongoing citizen presence in the courtroom to insure the accountability of the court and initiating a dialogue between citizens and the local judiciary.

Table I documents the number and type of hearings observed by monitors in each of the courts. Of the 746 hearings observed during November, 1976, 47% were Support or USDL (Uniform Support of Dependents Law) proceedings, 17.6% were Juvenile Delinquency and PINS (persons in need of supervision). The remaining cases represented the other types of proceedings observed in Family Court (Neglect, Abuse, Paternity, etc.). This report details the qualitative observations, findings and recommendations of the project volunteers for the observation period of October through December, 1976. The Westchester report should be read in conjunction with the Statewide Project Report which discusses the findings of all monitors in the four project areas (Nassau, New York City, Erie and Westchester) and contains a detailed discussion of project goals, research focus and methodology. Recommendations cited in this report are directed toward the judiciary, bar associations, supporting court agencies and court personnel in the hopes of initiating and maintaining a continuing dialogue between citizens and these groups.

The project staff, local advisory committee, local coordinator and monitors wish to acknowledge the support and cooperation of Administrative Judge Vincent Gurahian and Judges Lucille Polk Buell, Matthew F. Coppola, W. Denis Donovan and Louis C. Palella. The local coordinator of the project is Ms. Jean Fink and she may be contacted at 112 Brewster Road, Scarsdale, New York 10583 (914) 723-4181.

II—COOPERATION OF COURT PERSONNEL

Family Court Judges and related personnel have been extremely cooperative and helpful during this project. In addition to addressing monitors at orientation meetings, judges have invited court monitors to their chambers for discussions and have offered explanatory information in court between cases. Clerks, deputies, guards and secretaries have also been supportive of the court monitors and offered assistance when needed. Special acknowledgement must be made to the Family Court Clerk, Mr. Frank Pumillo, who has never been too busy to answer questions, and has conducted tours of the court

facilities, has always been available for interviews and has been an unending source of information.

Members of the Probation Department have also been helpful in making the Probation Conference Room in White Plains available for monitor interviews and meetings.

The only obstacles that monitors met with were in White Plains where calendars were limited due to lack of copying facilities and often were not available for reference until the court session was completed. In addition, repeated failure of the Deputy Clerk to call monitors into court until at least the second case had started made it difficult for monitors to determine the exact session starting time. In general, monitors felt that their experience had been a positive one.

III—PHYSICAL CONDITIONS

A—General Comments

Monitors reported on the general physical conditions of the three Family Courts in Westchester County in addition to citing problems specific to each local court.

The physical conditions and appearance of the waiting rooms in the three local courts elicited negative comments from volunteers. Observers found the waiting rooms to be stark, dingy, crowded and uncomfortable. The walls were bare and the floors dirty. In addition, monitors commented on the lack of facilities for children who must accompany their families to court.

It was suggested that waiting room conditions be improved to include repainting and redecorating to provide a warmer, friendlier atmosphere. Monitors suggested that inexpensive posters, pictures and plants could be added, as well as reading material.

Monitors felt that tension levels in the waiting room would be significantly reduced if those awaiting court appearance were given some information regarding session start and hearing delay. Volunteers suggested posting general instructions regarding court procedures in full view.

Citizens further commented on disruptive noise in the hall. They felt it detracted from the dignity of the court and the audibility of the proceedings. Monitors suggested that these interruptions be minimized. Monitors wondered if it was necessary for so many people to be in the hall area, other than the principals of the next case and the related court personnel. It was suggested that a small holding room next to the courtroom might improve crowded conditions in the halls.

With regard to the courtroom itself, monitors commented that the high noise level coming from the hallways and frequency of interruptions disrupted and significantly affected the decorum in the courtroom. In addition, audibility of hearings was diminished by doors constantly opening to allow clerks, probation officers, court officers and other court personnel entry to the courtroom while a case was in progress. Monitors felt traffic in and out of courtrooms during case

hearings should be restricted in order to decrease disruptions and increase audibility.

B—White Plains

The County Courthouse in White Plains is located in a newly renovated section of the city and is easily identifiable. Although the structure is new, it is generally conceded in the community that recommendations from court agencies and ancillary services were either non-existent or totally ignored during planning and construction stages. The facilities were found to be inadequate and outdated soon after completion.

The Family Court Parts are located on the sixth floor. The Probation Department occupies 25% of the floor space on the sixth floor. Certain areas are quite overcrowded and office and desk space are extremely limited. Congestion is increased due to the lack of lawyer-client conference areas. This forces lawyers and clients to discuss case proceedings in halls and corridors. Monitors were disturbed by the unprofessional setting of these hearings which also adds to the noise levels and generally disruptive atmosphere.

Some improvement in the physical conditions should occur in the near future when probation personnel, currently on the 6th floor, will join the rest of the Probation Department on the 5th floor. The move will unfortunately eliminate the Probation Conference Room on the 6th floor but will create three rooms for lawyer-client conferences and increase space for Family Court use. Monitors commend the court on these plans and hope they will be carried out as soon as possible. They also suggest that an evaluation of available space be done to determine if there are other rooms that could be utilized for probation conferences.

C—New Rochelle

Family Court in New Rochelle is located in an office building which is identified only as belonging to the County of Westchester. The Family Court is listed in the lobby on the building directory. The court occupies the entire 5th floor. Monitors believe that a sign identifying the building as a County Courthouse would be beneficial.

The courtroom environment is satisfactory; there is good lighting and ventilation. Audibility is adequate and there is sufficient seating. Monitors commented, however, on the unsatisfactory conditions in the waiting room. In addition to the lack of security personnel in the waiting room, monitors found it usually overcrowded and poorly lit. Volunteers again cited the lack of space where clients and lawyers could meet to discuss case proceedings in a confidential setting.

D—Yonkers

The Yonkers Family Court is held in a building on Ashburton Avenue which also houses municipal, county and federal agencies. The building is identifiable only by the street number "70". Monitors believe a sign should indicate that the Family Court is in this building.

The Family Court is on the 6th floor and shares facilities with the Department of Mental Health. The courtroom environment is comfortable; seating accommodations are more than adequate and audibility is good when windows and doors are kept closed. However, monitors cited a lack of adequate

security in the court and waiting rooms. Fire laws require that a door between the Family Court and the Yonkers Mental Health Community Clinic be kept open which allows free passage to Family Court Parts and permits the wandering in and out of unauthorized personnel.

Monitors were particularly distressed about the inadequate parking space in the vicinity of the Yonkers court. Public parking in the immediate area was non-existent. The building parking lot, which allots a certain number of spaces for each tenant was always filled. However, a new metered parking facility nearby has just been completed and should alleviate the situation.

RECOMMENDATIONS

1—The court should seek further funds to improve the physical conditions in the waiting rooms. This should include painting and some decoration which would provide a warmer, friendlier atmosphere.

2—The Administrative Judge should direct that a study be made of any available space in the Yonkers and New Rochelle courts to determine the possibility of establishing lawyer-client conference areas, such as those planned for White Plains.

3—A minimum standard of cleanliness should be maintained at all times in waiting rooms.

4—Efforts should be made to restrict as much as possible the traffic in and out of courtrooms while a case is in progress.

5—Clearly visible signs should be posted identifying those buildings which house the Family Court.

6—The Administrative Judge and Chief Clerk should evaluate assignments of security officers to ensure that they are placed where they are most needed.

IV—COURT STRUCTURE AND PROCEDURE

The Family Court of Westchester has five judges, each elected for a term of 10 years. The Hon. Vincent Gurahian is Administrative Judge of the Family Court. The other Family Court Judges are: Lucille Polk Buell, Matthew F. Coppola, W. Denis Donovan and Louis Paella.

Court is held in three locations in Westchester County; White Plains, New Rochelle and Yonkers. Each local court has jurisdiction over specific geographic areas in Westchester County. The New Rochelle Court (524 North Avenue) covers New Rochelle, Bronxville, Eastchester, Tuckahoe, Larchmont, Mamaroneck, Pelham and Mt. Vernon. The Yonkers Court (70 Ashburton Avenue) covers Yonkers, Crestwood, Dobbs Ferry and Hastings. The White Plains Court (111 Grove Street) has jurisdiction over the remaining areas in Westchester County.

The New Rochelle and Yonkers Courts are each assigned one judge. The other three judges are assigned to White Plains. Generally, Judge Coppola is assigned to New Rochelle, Judge Donovan to Yonkers and Judges Gurahian, Buell and Paella to White Plains. The Clerk of the Family Court, Frank Pumillo, works at the White Plains Court and is responsible for the court records, coordination of the three local courts, assignment of

counsel, transportation of juveniles from detention centers and case calendaring. There are Deputy Court Clerks at all three locations.

In Westchester County there is an attempt to maintain judicial case continuity. This continuity is made possible because of the permanent assignment of each judge to a specific location. This pattern is changed only when vacation schedules or assignments out of the county make changes in assignments necessary.

Hearings which are scheduled to last more than a few hours are scheduled for Trial Term. This Special Term is generally held during the last two weeks of every month in White Plains. Regular Juvenile hearings are scheduled for Monday and Tuesday afternoons in White Plains, on Tuesday mornings in Yonkers and on Thursday afternoons in New Rochelle.

Monitors discussed the value and possibility of the three local Family Courts merging into one area in the White Plains courthouse. Such a move would save a great deal of time and money utilized in rent, transportation, communication and duplication of services. Small local Probation Offices could be retained for filing petitions, and for preliminary Intake procedures. Space could be reallocated to utilize empty courtrooms on upper floors at the White Plains Courthouse as Family Court Parts.

RECOMMENDATION

—The Administrative Judge should explore the possibility of merging the three local courts into one Family Court in White Plains. Small local offices might be retained for the purpose of screening and for Probation Intake.

V—FINDINGS AND RECOMMENDATIONS

A—General Comments

While the court monitors were generally impressed with the caliber of Family Court Judges in Westchester County, they were most concerned about the time wasted by adjournments, late starting of court sessions and the cancellation of court sessions. In addition, monitors were concerned by delays caused by counsel who are unfamiliar with their court cases and the frequent lack of communication between the office of Corporation Counsel and the court. The recurring non-appearance of lawyers in court with last minute notice or no notice at all, as well as the occasional unavailability of Corporation Counsel was very disturbing to monitors. In addition to causing further adjournments, they added a tone of lack of concern. Many court monitors felt that the court should be stricter with lawyers failing to appear without adequate notice. Monitors also reported that counsel sometimes appeared to be unfamiliar with their cases which led to further adjournments and delay of the hearing.

Quantitative data concerning Juvenile Delinquency and PINS cases for this phase of the report was limited so a statistical analysis of the factors cited above could not be presented at this time. Such a study could perhaps be undertaken in the future.

B—Session Start Delay

Table II documents the number of sessions observed during the month of November and the length of the delay documented at the beginning of each session. A total of 26 sessions were observed in White Plains, 18 in New Rochelle and 23 in Yonkers.

Session start delay was greatest in New Rochelle with 58.9% of the sessions delayed 31-60 minutes. 53.8% of the sessions observed in White Plains were delayed 31-60 minutes or more while in Yonkers only 12.5% of the sessions were delayed for a similar period. Monitors suggested that the reasons for delays, either at the beginning of a proceeding or during a proceeding should be announced in courtrooms and waiting areas. This would significantly reduce tension and confusion.

C—Court Scheduling

Although there are five Family Court Judges in Westchester, there were few times during the months of October, November and December that all five court Parts were in operation. The Yonkers Court was in session most regularly and started most promptly; the New Rochelle Court met regularly and generally started later. Monitors observed some courts were left uncovered with unexplained vacancies. This was true particularly around the holiday season.

Although there had been only one Family Court in session in White Plains during November and December case loads did not fall very far behind. Monitors wondered why it was necessary to have three judges assigned to White Plains. If the courts (County, Family, Supreme and Surrogate) were merged into one Superior Court with equal status and salary for all judges, their talents, experience and time might be put to more efficient use, with occasional rotation. Several judges now in the County and Supreme Court were formerly Family Court Judges and could use their expertise sitting in those courts when necessary. Concurrently, Family Court Judges could perform a vital function by occasionally filling vacancies in other courts.

D—Delays and Adjournments

Monitors expressed concern over the frequency of delays and adjournments due to non-appearance of respondents, petitioners and attorneys. This was often due to the failure of notices to reach the right address because of the mobility of the population. Other non-appearances were caused by emergencies or other unusual circumstances. Monitors suggested the implementation of a telephone alert service staffed by court personnel to insure a more regular contact with respondent and petitioner and assure court appearances.

Monitors commented that if a party is unable to appear, the other parties involved should be notified of a possible adjournment. A telephone call may locate the respondent in time or may inform the court if the respondent cannot be located. Monitors specifically cited the frequent adjournments in Support cases which were often due to failure of the respondents to appear or to bring the proper financial statements. It was felt that adjournments for these reasons might be reduced by distributing bilingual appearance notices detailing

the documents necessary for the next hearing and the penalties which might be imposed if the respondent fails to appear.

Monitors also commented on the delays caused by Law Guardians and assigned counsel who failed to appear, were poorly prepared and had not met with clients prior to court appearance. They believed the attitude was related to the unusually low payments to these attorneys. The present fee schedule is only \$15 per hour for an appearance in court and \$10 per hour for work performed out of court. Court monitors and members of the Advisory Committee believed it was important to improve the fee payments and that pay be the same for in court and out of court work. In addition, monitors felt that every Law Guardian and assigned counsel should meet with clients at least one time prior to the court hearing. These meetings would offer counsel the opportunity to become better acquainted with the client and the case. This might also help to remove the impatient attitude and lack of concern that must be very discouraging to those who come to the Family Court.

E — Legal Representation

Monitors commented about several issues concerning Law Guardians and assigned counsel. It is mandated in the Family Court Act that juveniles be represented by counsel. If the family does not provide a private attorney, the court provides the juvenile with a Law Guardian. Westchester uses a list of private attorneys who have indicated their interest in serving as Law Guardians and who are approved by the Appellate Division. Although the Clerk of the Court attempts to rotate names, only one third of the attorneys accept assignments with regularity.

Monitors reported that while many attorneys were knowledgeable about Family Court procedures, others were not. They suggested that all Law Guardians and private counsel could participate in a training program in Family Law. This would give all attorneys practicing in the Family Court some basic familiarity with the Family Court Act and other juvenile justice legislation.

F — Respondents' Rights

Many court monitors stated that respondents and petitioners often do not seem to understand exactly what is happening in the courtroom. Many citizens find the courtroom experience confusing, do not understand the legal terminology but are afraid to ask questions. Monitors believed that rights and procedures should be explained by the judge and lawyer to insure that everything that transpires during a proceeding is understood by all. Monitors commended the practice of one judge who asked the respondent if he or she understood the proceedings and then asked the respondent to explain it in his or her own words.

G — Interpreter Services

Inability to understand English at all is another problem which concerned monitors. When it is known in advance that an interpreter will be needed, one is hired the day before for \$25 per "session". However, if it is not known ahead of time that an interpreter is needed, one must make do with the

facilities available, or the case is adjourned. In Yonkers, Judge Donovan makes use of his Spanish or calls upon his sheriff, who speaks Spanish. In White Plains, there is a bilingual clerk-secretary who becomes interpreter when necessary, without any extra remuneration. More than once, one of our court monitors stepped up to translate when no one else could oblige, and other times people in the same case interpreted for each other. On one occasion the petitioner interpreted for the respondent.

Monitors suggested that additional attention be given to a policy of hiring an adequate number of qualified bilingual personnel with the understanding that they would be used as interpreters when necessary and given additional remuneration when they perform this function.

RECOMMENDATIONS

- 1—The court administration and Court Clerk should evaluate scheduling procedures to insure the functioning of as many court Parts as are necessary.
- 2—Judicial assignment schedules should be arranged to allow for the assignment of one judge from White Plains to the Yonkers Court one or two days a week.
- 3—The court should investigate instituting a telephone service to insure the court appearance of all parties, or alert the court to possible adjournments.
- 4—Appearance notices should include specific instructions regarding the documents necessary to bring to the next scheduled court hearing, and the penalties imposed for non-appearance.
- 5—The Westchester Bar Association and Appellate Division should investigate the establishment of a training program for all prospective and present counsel for respondents. This training program should be continuous to inform all Law Guardians and private counsel about current changes in juvenile justice and Family Court Law and procedures.
- 6—Counsel should meet with respondents and petitioners prior to court appearance.
- 7—The court should consider a policy of hiring an adequate number of qualified personnel to serve as interpreters in the Family Court. When performing this function, they would receive additional remuneration.

VI — FINAL COMMENTS

Monitors expressed concern about the available placement possibilities for juveniles. They felt that lack of proper facilities, both secure and non-secure, may influence judicial decisions at disposition.

In addition, the disparity among dispositions caused many comments by monitors. They realize that the Family Court judges were intended to have more discretion than judges in other courts. However, the varying approaches of the different Family Court judges made for greater disparity than might have been expected due to their varying philosophies about the Family Court.

While monitors expressed frustration and concern over many of the practices within the Family Court, their experiences were essentially positive and educational. Moni-

tors were especially impressed by the Family Court Judges who are competent and impartial, handling cases with dispatch, concern and firmness.

VII — METHODOLOGY

A — Project Structure and Staff

Within the guidelines established by the State Advisory Board, a local coordinator was hired. The coordinator was responsible for carrying out all phases of the project. In addition, a local advisory committee was established to assist the local coordinator in recruiting and training volunteers, meeting with the local judiciary and assisting the project in areas where each had special expertise. Members of the Westchester advisory committee were:

Ms. Marion P. Ames	—Director, Fund for Modern Courts, Inc.
Ms. Arlene Breskin	—National Council of Jewish Women, Great Westchester Division
Mr. Paul D. Dennis, Jr.	—Administrator, New Rochelle Youth Bureau
Ms. Edith Doran	—Yonkers Catholic Charities
Ms. Betty Ewing	—Director, Westchester Citizens' Committee, National Council on Crime and Delinquency
Mr. Leslie Fernandez	—Executive Director, Cage Teen Center of White Plains
Ms. Margaret Findlay	—Former Court Monitor in the Criminal Court of New York City
Mr. John Galloway	—Private Attorney, practicing in the Family and other courts; Village Prosecuting Attorney of Scarsdale
Ms. Doris Holding	—Former Court Monitor in the Criminal Court of New York City
Ms. Ruth Jewell	—Former Court Monitor in the Criminal Court of New York City
Ms. Marion C. Katzive	—Law Guardian in Westchester; author of, <i>A Caseworker's Guide to the New York State Juvenile Justice System</i> , published by the Vera Institute, 1975
Ms. Hazel Nourse	—President, Westchester Council of Junior Leagues
Mr. Lawrence Perkins	—Executive Director, Children's Village of Dobbs Ferry
Ms. Jary Rapaport	—Family Advocate, Family Service of Westchester, Inc.
Ms. Elizabeth Saudek	—Former Court Monitor in the Criminal Court of N.Y.C.
Ms. Valerie Somersille	—Attorney; Executive Director, Union Day Care Center

B—Volunteers

1—Recruitment

Recruitment of volunteers began the second week in September, 1976. Press releases were sent to local newspapers. A County Board memo was sent by the Westchester League of Women Voters to the 26 local Leagues and the Director of Volunteers of the Probation Department. The local coordinator met with representatives of local Junior Leagues and executives of the Westchester Volunteer Service Bureau and addressed meetings of various community groups.

2—Training

a—White Plains

After initial screening of volunteers by telephone, each citizen was interviewed in person and filled out an application form indicating the times he or she was available. Monitors were asked to sign a statement that they would maintain the confidentiality of the court proceedings.

Training commenced at the end of September with small discussion meetings in the chambers of the Administrative Judge. Judge Gurahian met with 3 different groups, discussed Family Court procedures in depth and answered questions. Following these sessions the monitors were addressed by the Chief Probation Officer, the Senior Assistant County Attorney and a Law Guardian. After a week of orientation meetings an additional session was held to distribute forms and explain the data collection methodology. Three or four people were assigned to each half-day in the White Plains Court. It was necessary to schedule at least 4 monitors to cover all courts. Normal attrition or occasional absences of monitors provided no more than 3 observers per courtroom.

b—New Rochelle

With White Plains monitoring underway, plans were immediately made to recruit, train and schedule additional monitors for New Rochelle. Orientation consisted of two sessions with Judge Coppola, a discussion session with the heads of the Probation Department in New Rochelle and Mt. Vernon, and an attorney from the County Attorney's office. Scheduling assignments for monitors were given for the New Rochelle Court; forms were distributed and explained.

c—Yonkers

Orientation was held in Yonkers with Judge Donovan, the Chief Probation Officer and Yonkers volunteers. Yonkers was the least popular court for monitoring because of the undesirable neighborhood and the complete absence of parking facilities in the court area.

Throughout the course of the project, training had been an active process. Field trips were offered last fall through the auspices of the Westchester Citizens' Committee of the National Council on Crime and Delinquency. Several monitors participated in visits to youth homes (non-secure residential settings). Many also joined a tour of an alternative school for

Juvenile Delinquents and PINS and also attended a lecture given by Peter Edelman, Director of the State Division for Youth. Several monitors, as well as the coordinator, attended a six-session course given by Westchester Community College on "Volunteer Possibilities in Criminal and Juvenile Justice." Guest lecturers included the Supervisor of Volunteers from the Probation Department, the Volunteer Coordinators from the Penitentiary and the Bedford Woman's Prison, an ex-offender, a Probation Officer, the acting Westchester Director of the State Division for Youth, the Assistant Director for the County Youth Board, a Youth Officer from the White Plains Police Department and the directors from several community projects.

Monthly court monitor meetings have been held so that participants would have an opportunity to ask questions, compare notes, clarify issues and offer suggestions to each other. Supplementary information and practical data have been provided by guest speakers.

Reference material was offered to the monitors to aid them in their understanding of Family Court proceedings and court terminology. A *Caseworker's Guide to the New York State Juvenile Justice System* by Marion Katzive was obtained from the Vera Institute in quantity and sold at bulk rates. *Justice for Children* and *Children without Justice*, a pamphlet and paperback book issued by the national Council

for Jewish Women, were made available to the monitors without charge by the Greater Westchester Division through Arlene Breskin, a local advisory committee member. "Focus", a study of Child Abuse by the Junior Leagues of Westchester was provided in quantity by Hazel Nourse, President of the Westchester Council of Junior Leagues and also a member of the advisory committee. The Westchester Citizens Committee of the National Council on Crime and Delinquency distributed helpful reports from the New York State Division for Youth, including "Summary of Juvenile Legislation enacted by the New York State Legislature in 1976" and "Progress Report on Placement Diversification in the Division for Youth." From the Community Service Society was received "Making the Punishment Fit the Crime — A Proposal for Determinate Sentences for Juveniles."

By mid-October the project was in full operation in the three courts. There was a total of 60 volunteers: 34 in White Plains, 17 in New Rochelle and 9 in Yonkers. Three Yonkers monitors attended full-day sessions.

The monitors ranged in age from 18-69. The population of volunteers included 7 students, 20 members of the League of Women Voters, 5 Junior League members, 4 former monitors from the Criminal Court Project and 9 lawyers. Other monitors were active volunteers who were involved in other civic and community projects.

VIII TABLES

WESTCHESTER

TABLE I

CASES OBSERVED

	WHITE PLAINS		NEW ROCHELLE		YONKERS	
	NUMBER OF CASES	% OF TOTAL	NUMBER OF CASES	% OF TOTAL	NUMBER OF CASES	% OF TOTAL
Juvenile Delinquency	47	13.2	4	5.0	39	12.5
PINS*	20	5.6	12	15.0	10	3.2
Support	136	38.3	21	26.2	150	48.2
USDL**	49	13.8	0	.0	0	.0
Neglect	5	1.4	3	3.8	10	3.2
Family Offense	49	13.8	12	15.0	31	10.0
Paternity	16	4.6	7	8.8	18	5.8
Custody	11	3.1	7	8.8	17	5.5
Foster Care Review	2	0.6	1	1.2	12	3.9
Other***	14	3.9	13	16.2	2	.6
Cannot determine	6	1.7	0	.0	22	7.1
Total	355	100.0	80	100.0	311	100.0

*Pins — Persons in need of supervision

** USDL — Uniform support of Dependents Law

***OTHER	WHITE PLAINS	NEW ROCHELLE	YONKERS
Education of Handicapped	12	13	0
Adoption	1	0	0
Guardianship	1	0	0
Consent to Marry	0	0	1
Placement of Mentally Retarded	0	0	1

TABLE II

	SESSIONS OBSERVED	SESSION DELAYED		SESSION DELAYED 16+ MINUTES
		#	%	
White Plains	35	26	(74.3)	21 (60.0)
New Rochelle	18	17	(94.5)	16 (88.8)
Yonkers	23	8	(34.8)	4 (17.4)

<u>NUMBER OF MINUTES DELAYED</u>	<u>WHITE PLAINS</u>	<u>NEW ROCHELLE</u>	<u>YONKERS</u>
1-15	5 (19.3)	1 (5.8)	4 (50.0)
16-30	6 (23.0)	5 (29.4)	3 (37.5)
31-45	7 (26.9)	6 (35.4)	0 .0
46-60	7 (26.9)	4 (23.5)	1 (12.5)
61+	1 (3.9)	1 (5.9)	0 .0
Total sessions delayed	26 100.0 (74.3)	17 100.0 (34.5)	8 100.0 (34.8)
Total sessions not delayed	9 (25.7)	1 (5.5)	15 (65.2)
Total	35 100.0	18 100.0	23 100.0

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NEW YORK CITY

I—INTRODUCTION

Since October 1976, more than 75 citizen volunteers have been observing the all purpose Parts in three Family Courts in New York City: Manhattan, the Bronx and Queens. These citizens have been participating in a special Family Court Monitoring Project which was sponsored by the Fund for Modern Courts, Inc. and funded by grants from the Division of Criminal Justice Services and the New York Community Trust. This project was designed to implement citizen participation in the New York City Family Court.

Goals of the New York City project included educating citizens about the Family Court, providing a presence of concerned citizens in the courtroom, initiating a dialogue with the judiciary and court personnel and providing recommendations to improve the Family Court. Citizen concern included not only safeguarding the rights of respondents and petitioners but also understanding the problems encountered by court personnel in the Family Court system.

Citizens collected quantitative and qualitative data about the Family Court system. While the initial research focus was to document Juvenile Delinquency and PINS (persons in need of supervision) hearings, additional data was collected and evaluated concerning Child Abuse and Neglect, Support, Custody, Guardianship, Paternity, Family Offense, Permanent Neglect and U.S.D.L. (Uniform Support of Dependents Law) proceedings. Quantitative data represents hearings observed during the month of November. Qualitative data reflects observations made by monitors from October through December 1976. Monitors did not observe Probation Intake hearings.

This study presents the first report of the New York City volunteers. It should be read in conjunction with the Statewide project report which discusses the findings of volunteers in Erie, Westchester and Nassau in addition to New York City. The recommendations in this report are directed to the judiciary in the hope of initiating and maintaining a dialogue between citizens and their local courts.

The project staff and monitors wish to acknowledge the continuing cooperation and support of Administrative Judge Joseph B. Williams and local Administrative Judges Edith Miller, Joseph Dyer and Saul Moskoff. A special thanks is extended to James Kenny, Deputy Executive Officer/Operations, who provided continuing information and assistance to the New York City Coordinator, and Robert Howard, Director, Court Information Systems and Special Projects, who provided continuing assistance in training project volunteers.

II—COURT STRUCTURE AND ADMINISTRATION

A—GENERAL COMMENTS

Each Family Court in New York City has two intake Parts, with four all purpose Parts in Manhattan and three each in Queens and the Bronx. Child Abuse cases in each county are generally held in Part 2, along with other proceedings. Adoption proceedings are held one morning every week

in each court; Wednesdays in Manhattan, Tuesdays in the Bronx and Queens. Foster Care Review is held in Manhattan Family Court in two Parts which are separate from the all purpose Parts. During the period from October to December, 1976, citizens monitored more than half of all Parts with the exception of Foster Care Review and Adoption.

During the period covered by this report, there were five judicial vacancies citywide (as of February 1977, there will be seven). Judges are rotated from Part to Part and county to county on a quarterly basis. However, during the period covered in this report, judges were rotated on a one to two month basis. Monitors were dismayed and concerned regarding the large calendars judges were expected to cover each day. Monitors commented that there did not appear to be enough time for judges to study cases thoroughly, since many judges often read a case for the first time when it was called.

B—TYPE AND LENGTH OF HEARINGS (Tables I and II a-c)

Table I details the types of cases monitors observed during the month of November. Of the 2,023 cases observed, 30.5% (617) were Juvenile Delinquency, 6.0% (121) were PINS and 63.5% (1,285) were other types of proceedings (adult and other juvenile cases). Support and USDL cases accounted for 49.3% (632) of the other types of proceedings.

Not only did Support and USDL cases represent a high percentage of the calendar loads in each county, but monitors noted that these cases took more court time than Juvenile Delinquency and PINS proceedings. Tables II a-b analyze the length of intake and fact-finding or dispositional hearings observed; 45.7% (208) of the Juvenile Delinquency and 57.8% (52) of the PINS fact-finding and dispositional hearings observed were five minutes or less as compared with 41.9% (118) of the Support and USDL hearings which were five minutes or less (Table II c). Monitors observed judges often spending a great deal of time detailing expenses and resources of the respondents and petitioners in Support hearings. Up until July 1975, designated financial officers under the Department of Probation conducted pre-court interviews routinely on all support parties immediately before court hearings. They used a check-off budget questionnaire to determine any changes in financial status. This procedure alleviated lengthy court hearings on accounting matters. Due to budgetary cuts in Probation, this service was largely eliminated. Monitors suggested that this procedure be reinstated, possibly using citizen volunteers under the supervision of the Probation Department.

A comparison with the intake hearings (Tables II a-c) shows that the majority of fact-finding and dispositional hearings of all types of cases monitored in the all purpose parts were only five minutes longer than cases heard in intake.

C—CALENDAR CALLS

Only two judges were observed to hold calendar calls in the courtroom. Other judges delegated the entire responsibility for

calling the calendar and determining the order of priority for the day's cases to the uniformed court officer, who was barely audible shouting the names of parties over the noise in the waiting room. Monitors suggested that a calendar call procedure in which all parties are called into the courtroom where space permits be performed at the beginning of each session. In the words of one monitor, "Citizens are at least recognized and assured that their cases will be called." Monitors were disturbed to see that the parties who showed up on time were often penalized by being forced to wait all day without any recognition from the judge. Holding a calendar call in the courtroom assured each citizen a chance to have his or her needs acknowledged by the judge. It also permitted a more equitable order for hearing cases. Monitors stressed that persons who arrive on time and are ready to be heard should be given priority whenever possible.

Some judges were observed to make a deliberate effort to order the calendar in accordance with citizens' needs. For example, monitors noted that on one occasion a judge scheduled a woman's case for her lunch hour so that the woman, who worked nearby, could return to her job.

D—CALENDARING PROCEDURES

Due to the lack of specific calendaring times, respondents, petitioners and witnesses are required to arrive in court at 9:30 a.m. Some citizens are not called until late in the afternoon, only to have a very brief hearing or to have their case adjourned to another day for lack of time. Arresting police officers in the three boroughs are receiving their salaries while sitting as petitioners or witnesses in the waiting room all day; if required to testify on their day off, they are paid overtime. Monitors found that 25.9% (160) of the petitioners in Juvenile Delinquency cases viewed in the three counties were police officers (Table III).

Monitors also observed that private citizens (who made up 25.3% of the petitioners in Juvenile Delinquency cases) were often inconvenienced. They were forced to miss work, to pay for transportation, lunch and frequently, child care services. Those who brought their children to court with them had an additional burden. Long waiting periods and the uncertainty of not knowing when their cases would come up created anxiety and tension in the waiting rooms. In the words of one monitor, "Many unnecessary delays cause hardship on respondents and witnesses who waste time when they come to court . . . Citizens can wait all day and not be sure that their case will be called."

Judges are under pressure to finish their calendars, but this should not be accomplished at the expense of the citizen who feels cheated by the lack of a full hearing. Frequently monitors observed the frustration of citizens who waited patiently for hours until their case was called, only to be rushed through the court. A typical comment of one judge, facing a calendar of 30 - 40 cases, indicates this pressure to clear the calendar. "I've only gone through five cases and it's already eleven o'clock." As one monitor observed, practices vary from individual to individual: "Some judges give citizens all the time they need to discuss their problems, others seem in a great hurry to get

rid of cases." Another monitor stated, "In some Parts the system may be too efficient, rushing through cases and not letting respondents know what happened."

In order to alleviate delays, adjournments and inordinate waiting periods, monitors recommended the adoption of a split calendar with morning and afternoon calendar calls.

RECOMMENDATIONS

1—The Judge should begin each morning and afternoon session with a calendar call, bringing all parties present into the courtroom where space permits.

2—When there is a delay in the start of a session or any time during a session, the court officer should inform all parties in the waiting room about the reason for delay.

3—The judge should attempt to call cases and grant adjournments, whenever possible, according to the needs of involved parties.

4—The Mayor should be urged to fill all judicial vacancies in the Family Court expeditiously.

5—The court should adopt a split calendar. Cases would then be scheduled for either a morning or an afternoon session.

6—The pre-court budget questionnaire should be reinstated for handling Support cases. Citizen volunteers could be used for this procedure under the supervision of the Department of Probation.

E—DECORUM

Monitors observed that the judge sets the tone for the courtroom and influences the work patterns of the personnel. Monitors cited that the tone and dignity of the court varied from courtroom to courtroom. While monitors observed that most judges encouraged a humanitarian, caring approach to citizens, they noted that some judges appeared to have very low interest and their seemingly indifferent attitudes were reflected in the apathy of court personnel towards citizens, especially minority or ethnic group members. This was true even of some court personnel from minority groups who exhibited this behavior towards members of their own and other minority groups.

Judges have sometimes been observed to show their personal biases in the courtroom. For example, after observing many support hearings, monitors noted that one judge tended to single out women from certain ethnic groups who were on welfare for interrogation as to why they were not working. From these and other observations monitors concluded that judges sometimes made value judgements based on their personal biases, rather than on an objective basis. In the words of another monitor, "Surely there should be more uniformity in the disposition of cases so that judges do not make decisions according to their individual whims." In view of the fact that many judges enter the Family court without prior experience in Family Court Law, monitors recommended that judges be required to attend a seminar in Family Court Law prior to ascending the bench.

In addition, judges should be required to attend training in human growth and development, family relations and prob-

lems of urban living in order to improve their sensitivity to the human needs of citizens.

Monitors observed some instances of unprofessional behavior on the part of uniformed court officers and other personnel who made jokes at the expense of the parties in their presence and were, at times, curt and rude to the citizens. Some judges failed to curtail private conversations between court personnel while a case was in progress. In addition, monitors observed some personnel napping or reading a magazine during court hearings.

Monitors also noted that some judges permitted persons not involved in a specific case to enter the courtroom and engage in disruptive conferences. Audibility was further impaired on these occasions by the banging of courtroom doors and the noise from adjoining waiting rooms. One Queens courtroom in particular was frequently used by personnel as a short cut from one side of the building to the other.

While monitors noted many problems in court decorum, they also cited positive procedures and attitudes. The following is a monitor's description of one judge whose courtroom decorum was exemplary:

"The judge is very interested in her work and court. She is very calm. If the parties don't understand what the judge is saying, she takes her time to explain and her reason for doing so. She is not at all hostile to anyone, she never seemed angry or aggravated at anyone. She listened attentively — she is not reading the case while the respondent is being questioned. She is right there with them listening to every detail. They had a court officer outside and he didn't let anyone in while it was in process. I was quite amazed how everything ran so smoothly. There were no banging doors or anything that would be disruptive to the court. The judge also spoke very slowly and in a loud clear voice, so there would be no misunderstanding."

RECOMMENDATIONS

1—The judge should make every attempt to maintain decorum in the courtroom. This should include:

- a—minimizing disruptive conferences
- b—eliminating traffic in and out of courtrooms during hearings
- c—maintaining respect for all parties in case hearings

2—Judges should be required to attend training in Family Court Law prior to ascending the bench.

3—Judges should be required to attend ongoing training in human growth and development, family relations and problems of urban living in order to improve their sensitivity to the human needs of citizens.

F—SECURITY

Next to the judge, monitors noted that the single most important person in the court is the uniformed court officer. In each all purpose Part there are usually two uniformed court officers. One is the bridgeman, calling the calendar in the waiting room and regulating who enters and leaves the courtroom. The other uniformed court officer must go to the

holding room to escort juveniles from detention to the court. He or she may also be asked to run errands, such as carrying reports between the courtroom and the record room. Monitors suggested that citizen volunteers could be utilized to deliver reports. Monitors recommended, furthermore, that one uniformed court officer be stationed inside each waiting room to prevent disruptions, maintain security and provide information regarding calendaring.

In the Manhattan court, there is a roving security team of two men who cover all eleven floors (including four floors where there are no courtrooms) and all the waiting rooms. This is obviously inadequate coverage. During lunch, there is no security at all in the building. There is currently no uniformity in the way persons entering the building are screened. Part of the problem is due to the lack of personnel at the information desk in the lobby. The two uniformed court officers stationed at the entrance must double as an information service and answer phones when no one is present at the information desk.

Monitors were especially concerned about the lack of security personnel in the building during the noon recess (from 1 - 2 p.m.). On one occasion, a monitor observed that an elderly woman's handbag was stolen by a male youth shortly before two p.m. Although she screamed, it was quite a while before anyone came to her assistance. Monitors urged that there be a uniformed court officer on duty on each floor where there is a public waiting room during the noon recess.

Monitors noted that the uniformed court officer is the intermediary between the public and the judge. It is important, therefore, that this person be adequately trained in human relations. Although some court officers were pleasant and cooperative, monitors observed numerous instances when uniformed court officers would respond rudely to inquiries from the public.

Monitors recommended instituting a mandatory in-service training program which would include instruction on security procedures, crisis intervention, public relations techniques, first aid and guidelines for how to maintain decorum in the courtroom. In addition, monitors were concerned about the need for retaining experienced court officers who often must rotate out of the court in order to be promoted to the senior officer position.

RECOMMENDATIONS

1—An ongoing in-service training program should be mandatory for all uniformed court officers. This should include:

- a—security procedures
- b—crisis intervention and public relations techniques
- c—procedure for determining calendar priorities
- d—first aid
- e—how to maintain decorum in the court

2—One uniformed court officer should be stationed inside each waiting room to prevent inappropriate interruptions, provide a security presence and provide calendaring information for the waiting parties.

3—A uniformed court officer should be stationed on each floor where there is a public waiting room during the noon recess.

4—Citizen volunteers should be utilized to carry records and reports between offices and courtroom, freeing court officers to fulfill their security function.

5—The Administrative Judge should explore a method of developing a career ladder for uniformed court officers within the Family Court system which does not necessitate their rotation out of the court.

III—PHYSICAL FACILITIES

MANHATTAN

The Manhattan Family Court, the newest of the New York City Family Court buildings, is located at 60 Lafayette Street, in the city hall area, within easy access of major transit lines.

The eleven-story building has facilities for 13 courtrooms and 7 waiting rooms. During the month of November, 1976, nine of the courtrooms were utilized. Two of the four Foster Care Review Parts on the eighth floor, one courtroom on the ninth floor, and Part 4 on the sixth floor which is now the Felony Part, were not in use. In addition, the building has ample office space for Legal Aid, Corporation Counsel, Probation, Mental Health Services and more than seventeen social service agencies. One record room for the court is located on the seventh floor. The executive administrative offices of the New York City Family Court are on the eleventh floor.

Monitors noted that each day's calendars are clearly displayed in a glass enclosed case located in the entrance lobby. An information desk in the lobby, however, is only sporadically staffed by Red Cross Volunteers. When no volunteer is present, one or both of the uniformed court officers stationed nearby must answer the telephones and provide information to persons entering the building. This interferes with their ability to effectively perform their security functions.

Monitors felt that regular bilingual coverage of the information desk is essential. In addition, bilingual information services should be available in the waiting rooms. All directional signs throughout the building should be posted in English and Spanish. Monitors also recommended that a directory of offices should be displayed in the entrance lobby.

Confusion regarding location of court Parts occurred for more than two months during which time Part 5 was held in a room labeled Part 9, and Part 3 was held in a room labeled Part 10, both on the ninth floor. Such confusion resulted in unnecessary delays. Monitors noted that delays of this nature could be easily prevented by proper labeling of rooms.

Due to the architectural design of the building, maze-like corridors connecting office areas with waiting rooms and elevator hallways appear to create difficulties for security personnel. In particular, the restrooms, while clean and well supplied, are isolated in dimly lit corridors between waiting rooms and elevator corridors. Monitors suggested installation of brighter lighting in these areas.

Another planning oversight is the lack of security devices in any of the probation offices which are located in areas of the

building that have no stationary security personnel. A positive security feature is the second set of elevators located at the rear of the building which enable uniformed court officers to escort respondents in custody between the holding room on the ground floor and the courtrooms on the upper floors. A corridor connects these elevators directly with the courtrooms on each floor, eliminating the need to escort these youths through crowded waiting rooms. The public uses a separate set of elevators located next to the lobby entrance.

The two story high waiting rooms are clean, outstandingly spacious and filled with natural light. Moderately comfortable molded plastic chairs in pastel colors provide adequate seating. Since there are no designated smoking areas, persons wishing to smoke are asked to stand in the hallways next to the elevators. Monitors felt that, where possible, there should be designated smoking areas equipped with ashtrays located in areas adjoining the waiting rooms. Monitors also noted that refuse baskets are needed in the waiting rooms.

Small anterooms connect waiting rooms to courtrooms which are set up in round-table fashion, with conference tables seating parties in a semi-circle facing the judge. An additional row of seating is available along the back wall, behind the principal parties. Acoustics, lighting and temperature control are good. Monitors commented that the digital clocks located in the back of each courtroom opposite the judge, are difficult to see from other parts of the room. Judges' chambers adjoin the courtrooms.

Monitors also noted that the public cafeteria located on the ninth floor is not yet open. Monitors felt that an inexpensive food service on the court premises would provide low income citizens with an alternative to the high priced restaurants in the area. In addition, monitors suggested that vending machines for coffee and snacks be placed in each waiting room. This would ease tension during the long waiting periods by enabling the parties to get a cup of coffee or a snack without causing possible delay by leaving the vicinity of the courtroom.

RECOMMENDATIONS

1—The lobby information desk should be staffed regularly, possibly utilizing citizen volunteers under the supervision of the court or a social service agency.

2—A directory of offices should be prominently displayed in the lobby and all directional signs should be posted in Spanish and English.

3—The Department of Public Works should install brighter lighting in the corridors adjoining rest rooms.

4—Devices to alert uniformed court officers of possible security problems should be installed in probation interviewing areas.

5—Smoking areas equipped with ashtrays should be designated.

6—Refuse baskets should be provided in waiting rooms.

7—The public cafeteria should be opened and should serve economically priced foods.

8—Vending machines for coffee and snacks should be set up in each waiting room.

THE BRONX

The Bronx Family Court is in two separate buildings: one building is entered at 1118 Grand Concourse, near 167th Street, and the other building is entered at 1109 Carroll Place. In the Carroll Place building there are two waiting rooms and courtrooms where the all purpose Parts are heard. In the Grand Concourse building there are two waiting rooms and three courtrooms (Intake A and B). As of February 1, 1977 Part 4, the new Felony Part, is also located in the Grand Concourse building.

There are two elevators in the Bronx Family Court. At the Grand Concourse entrance is a small staff-operated elevator which is not working during the noon recess, from 1 to 2 p.m. Monitors observed elderly persons during this recess laboring on the winding staircase which parallels the elevator. Monitors urge that the court provide an operator to keep the elevator functioning throughout the day. At the Carroll Place entrance, a small automatic elevator is also inadequate, with doors which do not close completely.

The Bronx Family Court building is poorly maintained and structurally inadequate. While awaiting a move to a new facility scheduled for May 1, 1977 the maintenance of the existing facility is deplorable. Public rest rooms are not only unclean, but unsanitary; urine and human excrement have been found on the walls and floor. In addition, there is a lack of toilet paper, soap and paper towels and frequently toilets are out of order and doors to toilet stalls are missing. The size of the rest rooms is also inadequate in proportion to the many people whom they are supposed to serve. Although monitors were offered the use of the staff facilities, the public did not have that option. Monitors also found that water fountains were frequently out of order. Monitors urged that these conditions be corrected immediately by the Department of Public Works.

Lighting, audibility, temperature and space were all found to be inadequate in both the waiting rooms and the courtrooms. Insufficient seating in the waiting room resulted in an overflow of persons into the hall and stairways. Wooden connecting chairs and benches were found to be splintered and often hazardous to sit on. In spite of no smoking signs, court personnel were observed smoking, while citizens were told to stand in the stairways if they wanted to smoke. Tiny courtrooms were overcrowded, badly lit and had poor temperature control. Audibility was especially poor as a result of noise from the waiting rooms adjoining some courtrooms, due to the frequent opening and shutting of doors. The floors of the building were kept minimally clean.

The holding room for juveniles was totally inadequate. Plumbing was frequently out of order, broken windows remained unrepaired for weeks and space and heating were inadequate. Conditions in this area grew so intolerable that court action was brought by the Legal Aid Society.

All offices in the court building were observed to be overcrowded. Space availability is so minimal that the Corporation Counsel rents an office at the YMHA next door and the Legal Aid branch is located in a store front around the corner.

Due to the maze-like narrow connecting passageways between the two buildings, it was difficult to provide adequate security. Monitors felt that these areas should at least be well lit to reduce security risks.

No information services are available to the public. Confusing handwritten directional signs are taped to the walls. Monitors recommended that bilingual information services should be made available to the public on the ground floor of the Grand Concourse entrance. Directional signs should be placed in passageways between buildings and on each floor.

RECOMMENDATIONS

- 1—The May 1, 1977 deadline for the move to the new facility should be stringently enforced.
- 2—The Department of Public Works should immediately make necessary repairs at the Bronx Family Courthouse.
- 3—Maintenance should immediately be upgraded. In particular, rest rooms should be cleaned daily and kept stocked with needed supplies.
- 4—The elevator at the Grand Concourse entrance should be staffed during the noon recess.
- 5—Brighter lighting should be installed in corridors connecting the court buildings.
- 6—The Administrative Judge should establish an information service with bilingual staff on the ground floor at the Grand Concourse entrance.
- 7—Bilingual directional signs should be placed in passageways and on each floor.

RECOMMENDATIONS FOR THE NEW FACILITY

Based on the observations of weaknesses in the old facility, the following recommendations, if not already underway, should be considered in the planning of the new facility:

- 1—A directory of offices should be prominently displayed in the lobby.
- 2—All directional signs should be posted in Spanish and English.
- 3—Vending machines for coffee and snacks should be set up in each waiting room.
- 4—Separate smoking areas equipped with ashtrays should be designated.
- 5—Information desks should be set up in each waiting room.

QUEENS

The Queens Family Courthouse is located at 89-14 Parsons Boulevard in Jamaica and is convenient to bus and subway transportation. However, there is no free parking in the area and nearby parking meters cost 25 cents per hour up to a maximum of three hours. At the Farmer's Market, several blocks away, all day parking is available for \$1.00. Monitors felt that since Queens residents may use automobiles as a means for transportation to the court, the availability of additional parking facilities should be explored. The four story

former library building has 6 courtrooms and 2 waiting rooms. Somewhat cramped offices are provided for Legal Aid, Corporation Counsel, Probation and others, but space for ancillary services is limited. A nursery on the premises appears underutilized. Located in the Probation area is a reading clinic for court referred youths which is staffed by York College volunteers.

Calendars are posted on the ground floor waiting area. Monitors felt that a bilingual information desk here and in individual waiting rooms would improve communication. They also suggested displaying a directory of court offices next to the elevator, with bilingual directional signs throughout the building. Signs indicating rest rooms were found inadequate.

Two small crowded elevators service the building. One, located near the entrance to the building, is available to the public; the other, located in the rear, is utilized only by court personnel. This second elevator stops at the fourth floor where the administrative offices and judges' chambers are located. With the exception of the court clerk's offices, the fourth floor is restricted from public access.

While the general maintenance of the building appeared adequate, monitors noted that sections of the ceiling in corridors on the ground floor have been torn open and are in need of repair. Waiting rooms and courtrooms appeared reasonably clean, although crowded and somewhat dingy. Audibility in courtrooms varied with the number of disruptive conferences and the amount of noise carried over from the waiting rooms with the opening and shutting of courtroom doors. Audibility in one courtroom was particularly poor because court personnel used it as a corridor between a waiting room and the staff elevator. Monitors recommended that this practice be prohibited by the judge sitting in that Part.

Food service in the Queens Family Court is limited to a kiosk on the ground floor next to the public elevator. Candy, soft drinks and magazines are sold there.

RECOMMENDATIONS

- 1—The Administrative Judge should establish an information service with bilingual staff on the ground floor of the court building.
- 2—A directory of offices should be displayed next to the public elevator. Bilingual directional signs should be posted throughout the building; in particular, rest rooms should be clearly designated.
- 3—The Department of Public Works should make ceiling repairs where necessary.
- 4—The presiding judge should prohibit the practice of using a courtroom as a corridor between the waiting room and the staff elevator.

IV—RESPONDENT AND PETITIONER RIGHTS

A—EXPLANATION OF PROCEEDINGS

Citizen monitors observed that many citizens participating in the Family Court did not appear to understand the proceedings. Although monitors found that some judges were careful

to clearly state the charges and describe court procedures in non-legal language, they found that other judges were negligent in this area. These judges did not verbalize charges or dispositions, did not explain court procedures and tended to use legal terminology. Some judges attempted to bridge the communication gap by raising their voices and shouting "DO YOU UNDERSTAND?" Monitors observed that most people appeared intimidated in the presence of the judge and answered "yes" out of this feeling of intimidation rather than out of understanding.

In Queens, this problem is further complicated by the fact that legal counsel and corporation counsel sit at tables several feet in front of the respondents and petitioners. The judge talks to the counsel and not to the parties directly. Monitors recommended that lawyers and clients be seated together. This way if there are any questions, by clients or lawyers, they can be asked while the proceedings are in progress.

Monitors noted that charges in juvenile delinquency proceedings were rarely stated at fact finding hearings. Respondents can waive their right to have the charges read to them at every hearing. Since youths were sometimes brought to court at different times and on more than one charge, monitors recommended that the specific charges be read at every hearing.

When judges did explain the proceedings, monitors were concerned that they were often not audible. Monitors recommended that judges speak audibly and directly to the parties involved in the case, not solely to court personnel. They should speak in easily understood language, explaining all the proceedings.

Monitors felt that judges should give their complete attention to the parties who are speaking. Some judges were observed reading the record at that time. If a record is late, monitors suggested that the judge should read the record before continuing. Monitors also recommended that judges should try to hear a case, when possible, in its entirety minimizing interruptions. Monitors observed some judges getting up to answer the phone or arbitrarily stopping one case to hear another case.

Another problem noted was that many people seemed confused and uncertain about what they were supposed to do after the hearing. In one instance, a woman was told that the court would issue a stayed warrant and she would have to serve it. She was confused as to the procedure but was quickly escorted out of the courtroom. At that point, she burst into tears. No one appeared willing to take the time or trouble to explain what a stayed warrant was and what she must do next.

Monitors recommended that an ombudsperson position be created to assist citizens who have complaints regarding their treatment in court. They further suggested that this person be linked to each courtroom by trained bilingual volunteers stationed in each waiting room at information desks ready to give immediate information and assistance. Monitors also recommended that a bilingual Family Court fact sheet describing services, procedures and citizens' rights, be made available.

B—REPRESENTATION

The majority of Juvenile Delinquency and PINS respondents in New York City were represented by the Legal Aid Society. Monitors were able to document that 58.7% (362) of the Juvenile Delinquency respondents and 71.1% (86) of the PINS respondents in the three counties were represented by Legal Aid; 8.6% (53) of the Juvenile Delinquency respondents were represented by 18b Panel Attorneys and 6.6% (41) of the Juvenile Delinquency and only .8% (1) of the PINS respondents were represented by private counsel. (Table IV)

What was most striking to monitors was the imbalance between the Legal Aid's representation of the respondents and the corporation counsel's presentation of the petitioner's case in Juvenile Delinquency proceedings. This imbalance was reflected in the quality of preparation and presentation of the petitioner's case. The corporation counsel's office seemed understaffed, which at times necessitated that one attorney cover two Parts.

On the other hand, Legal Aid, with almost twice the number of attorneys, plus a staff of social workers and field investigators, seemed better prepared in court. Their policy of one client - one attorney enabled them to maintain continuity of client contact as well. Monitors expressed concern that this imbalance jeopardized the rights of the petitioner to a thorough and expeditious hearing.

C—INTERPRETERS

Citizen volunteers observed a high volume of Hispanic parties in the court, many of whom needed an interpreter's assistance. Of the 409 Juvenile Delinquency proceedings observed in the Bronx and Manhattan, 28.5% (61) and 24.6% (48) respectively had Hispanic respondents (Table V). However, monitors reported that the few interpreters on staff were not always readily available when requested. In the Bronx, interpreters were often delayed in the waiting room giving necessary directions and other information to Hispanic parties

Monitors noted the paucity of Spanish speaking staff other than interpreters. In Manhattan, for example, only 3 of the 33 uniformed court officers were Hispanic. Monitors recommended that the court actively recruit more bilingual staff in all areas.

Spanish speaking monitors in the Bronx Family Court expressed concern about the quality and accuracy of interpretation. They reported that some interpreters inaccurately paraphrased the words of the judge or parties, translating some statements and arbitrarily deleting others. For example, in a Juvenile Delinquency dispositional proceeding, a mother requested in Spanish that both her sons be placed in the same upstate facility. A bilingual monitor describes what happened: "She said that she could not afford to visit them more than once a month since she had younger children to take care of, it was difficult to find a babysitter and besides, the trip upstate to see them was pretty hard on her pocket since she lives on welfare. The interpreter did not relay any of this to the judge who placed the boys in separate institutions."

English speaking monitors observed that other Spanish speaking persons in the courtroom sometimes interrupted the interpreters to correct their translations. Monitors recommended that interpreters be carefully screened for ability.

In addition, monitors noted that some court sessions were conducted without benefit of an interpreter although one had been requested, or were begun before the interpreter arrived. For example, in one case an interpreter was requested but was not readily available. The whole case was conducted before the interpreter arrived. The interpreter walked into court and as she said "I'm here," was told, "Well, the case is over." The judge stated, "Most people don't understand what I say anyway."

Monitors thought it important for court personnel to take a more sympathetic attitude towards the participants in the court process whose difficulties in comprehension are compounded by their inability to communicate in English.

RECOMMENDATIONS

1—The judge should make every effort to make himself/herself clearly understood by all parties. This should include:

- a—being attentive to the case in process
- b—speaking audibly
- c—explaining what transpires during each hearing
- d—stating the charges at every hearing
- e—minimizing the use of legal terminology

2—An effort should be made to recruit more bilingual persons for staff positions throughout the court, especially those positions which involve contact with the public.

3—The judge should be sure that an interpreter is present from the beginning to the conclusion of every case when there is any doubt that a party can understand English, or when requested.

4—In Queens, courtroom seating should be rearranged so that the parties and attorneys can sit together.

5—An ombudsperson position should be created and should be linked to trained citizen volunteers stationed at information desks in each waiting room.

6—A bilingual fact sheet describing services and procedures in the court and citizens' rights should be made available.

V—DELAYS

A—SESSION START DELAY (Tables VI and VII)

The Family Court in New York City is scheduled to begin at 9:30 a.m., recess for lunch at 1:00 p.m. and reconvene for the afternoon session at 2:00 p.m. Of the 165 sessions viewed (98 morning and 67 afternoon) in the three counties during the month of November, the majority of all sessions were delayed thirty minutes or more. While some afternoon session delays may have occurred because of late morning adjournments, monitors commented that most of these late adjournments could have been avoided by prompt morning starting times.

In Manhattan, the average starting time for morning sessions was 10:21 a.m., an average delay of fifty one minutes. In 41% (18) of the morning sessions there was a delay of 50 minutes or

more. Monitors also documented significant delay in the start of the afternoon sessions observed; in 26.6% (8) of these sessions, court was delayed 21-30 minutes; the same percentages were true for delays of 31-40 and more than 40 minutes. This means that more than half of all afternoon sessions were delayed over 30 minutes.

Slightly more prompt than the Manhattan court, the Queens Family Court morning session average starting time was 10:11 a.m., a delay of 41 minutes. In 54.1% (13) of the morning sessions there were delays of 41-50 minutes. In 54.6% (12) of the afternoon sessions, there were delays of 21-30 minutes.

The Bronx court showed the best starting times for both morning and afternoon sessions. The average morning session started at 9:52 a.m., still a delay of 22 minutes. In the Bronx, two out of five Parts were frequently observed to start within five to ten minutes of the scheduled 9:30 start, thus accounting for the lower percentage of delay. More than half of the afternoon sessions were more than twenty minutes late in starting.

Table VII analyzes the reasons for session start delays citywide and by county. Monitors were unable to determine the reasons for delays in 45.7% (43) of the morning sessions and 57.6% (38) of the afternoon sessions observed. Generally, reasons for delays were not stated in court. Monitors were able to report that 33% of all morning and afternoon session start delays were due to non-appearance of the various parties and court personnel. Of these, lateness or absence of respondents or petitioners was found to be a lesser factor (1.5% in the afternoon sessions in the three counties) than the lateness or absence of the judiciary, which monitors found to be the cause of delay in 35.1% (33) of the morning session starts and 19.6% (7) of the afternoon sessions.

A monitor's description of a typical morning session start is as follows: "I entered the courtroom at 9:20 and saw that the clerk of the Part and one court officer were present. The court reporter came in at 9:34, then left the room. At 9:52 the corporation counsel came in. The C.L.O. came in at 9:55. Legal Aid came in at 10:03 and the judge ascended the bench at 10:05 and ordered the first call at 10:10. No case was ready even when the judge was ready to begin. The first case was finally heard at 10:45."

Monitors often reported being told by court personnel that court began at 10:00 a.m. Participants in proceedings however, were notified that court started at 9:30 a.m. Monitors noted that, while "no cases ready" accounted for delays in 8.3% (2), 18.5% (5) and 9.3% (4) in Queens, the Bronx and Manhattan respectively, non-appearance and lateness of the judiciary and court personnel significantly interfered with prompt session starts.

While monitors were sometimes informed by court personnel that judges were taking care of court business in chambers, monitors felt that the reason for such delay should be made known to citizens in the waiting room. Monitors observed that the delay in starting when all parties were present tended to discourage the public from arriving at court promptly in the future. On the other hand, monitors suggested that if the judge

in each Part maintained a consistently prompt starting time, giving priority to parties who appear on time, this would motivate citizens to arrive more promptly. Monitors noted the demoralizing effect of the session start delays on citizens who were prompt but still had to wait until late afternoon in order to be heard. Monitors who visited all three Family Courts noted that the morale of the court personnel in the Bronx was higher where two of the judges were observed to start promptly.

B—INTERCASE DELAY (Table VIII)

Monitors documented delays of five minutes or more between cases once the court session began. Citywide, 32.4% (200) Juvenile Delinquency hearings and 11.6% (14) PINS hearings had intercase delay. Reasons for intercase delay that monitors were able to document were largely due to non-appearance of parties.

In Manhattan, 24.6% (48) of the Juvenile Delinquency and 11.9% (5) of the PINS hearings showed intercase delay. In the Bronx, 18.5% (39) of the Juvenile Delinquency hearings and 15.4% (6) of the PINS hearings had intercase delay. The Queens Family Court showed the highest incidence of intercase delay. Monitors reported that there was delay in 54.4% (113) of the Juvenile Delinquency proceedings and 7.5% (13) of the PINS proceedings observed.

A monitor describes intercase delay in an afternoon session: "From 3:16 to 3:36 court sat mute. The judge talked about a case or two, signed foster parent forms, and finally asked the U.C.O. about the remaining cases. At 3:36 uniformed court officers left the courtroom, ostensibly to bring in a case. At 3:40, other court officers arrived and the judge asked them to bring a case into court; the judge, clerk, C.L.O. and stenographer were all waiting. At 3:42, the judge said, 'Where are the court officers?' The clerk of the Part went into the waiting room and brought a case into court. The court officer came back in at 3:43 at which time the case started."

C—INTRACASE DELAY (Table IX)

Monitors attempted to document delays between the start and finish of a hearing. This was not always possible to determine as monitors were not always able to follow a hearing to its conclusion. They were able to determine that 44.9% (277) of the Juvenile Delinquency and 31.4% (38) of the PINS hearings observed showed some intracase delay. As Table IX indicates, monitors were unable to determine the reasons for the delays that did occur in 85.9% (238) of the Juvenile Delinquency and 81.7% (31) of the PINS cases delayed.

VI—RESULTS OF HEARINGS

A—ADJOURNMENTS (Table X)

Monitors reported that most hearings in the three counties resulted in adjournments. Of the 2,023 hearings observed, 60.5% resulted in adjournments.

In Manhattan, adjournments accounted for 52.8% of Juvenile Delinquency results, 47.6% of PINS hearing results and 62.5% of the results of all other proceedings.

More than half of the PINS hearings, 59%, also resulted in adjournments in the Bronx. The percentage of adjournments in Juvenile Delinquency (67.3%) and other hearings (66.4%) was the highest of the three counties.

Of the three counties, the highest percentage of PINS hearings resulting in adjournments, 67.5%, was reported in Queens. In addition, 58.2% of Juvenile Delinquency cases and 56.6% of the other types of cases resulted in adjournments.

B—REASONS FOR ADJOURNMENT (Tables XI a-c)

Non-appearance of one or more persons accounted for 41.2% of all adjournments in the three counties: 17.4% of Juvenile Delinquency and 23.8% of PINS cases were adjourned due to non-appearance reasons. Of the other types of cases, non-appearance reasons made up 49.4% of the Support/USDL cases and 36.2% of the other types of cases. The largest single reason for non-appearance in all types of cases was lateness or absence of respondents: 23.1% of Juvenile Delinquent respondents, 18.6% of PINS respondents, 38.2% of Support/USDL respondents and 27.9% of the respondents in the other types of cases did not appear. Monitors expressed concern over such high adjournment rates due to non-appearance of various parties and urged the judiciary to apply stringent measures to minimize adjournments.

C—OTHER RESULTS OF HEARINGS (Table X)

In the three counties, monitors were able to determine that 9.4% (58) of the Juvenile Delinquency cases observed and 8.3% (10) of the PINS cases observed were dismissed. Monitors were not always able to ascertain the reason for dismissal but they did comment that in the Juvenile Delinquency cases, some cases were dismissed for lack of prosecution due to the non-appearance of essential witnesses and petitioners. New York County showed the highest percentage of dismissed Juvenile Delinquency cases, 14.9% (29), and Queens County had the highest percentage of PINS cases dismissed, 12.5% (5).

In the three counties, PINS cases resulted in an adjudication of PINS and placements were ordered almost twice as frequently as in Juvenile Delinquency cases; 14.9% of the respondents were adjudicated PINS and 11.6% (14) were placed as compared with 6.4% (39) of the respondents who were adjudicated Juvenile Delinquents and 8.4% (52) who were placed.

D. STATUS OF JUVENILE RESPONDENTS AT BEGINNING AND END OF SESSIONS (Tables XII and XIII)

Monitors commented that Juvenile Delinquency respondents were frequently released to the custody of their parents, sometimes over the objections of parents who felt unable to provide adequate structure for these youths. In the three counties observed, 53.2% (328) of the Juvenile Delinquency respondents were at home at the start of the hearing and 51.2% (316) of the Juvenile Delinquency respondents were returned home at the end of the hearing. Monitors expressed concern about youths who were accused of violent street crimes being

released in parental custody, only to return to the same neighborhood as the victims of the crime. In addition, monitors observed that many of the respondents who were at home seemed to be the same respondents who failed to appear in court for subsequent hearings. While warrants were issued for those respondents who failed to appear, monitors observed that youths seemed more likely to be brought in on new charges rather than apprehended on a warrant.

Monitors were also concerned that there appeared to be a lack of appropriate treatment facilities and an unwillingness on the part of many private treatment facilities to accept and develop programs for more troubled youths. This seemed to account for some of the high rate of return to parental custody. Monitors recommended that the power of the court to enforce placement at private agencies be strengthened. They recognized the futility of the court process without adequate community based prevention and treatment facilities.

RECOMMENDATIONS

1—Each judge should enforce a uniform prompt starting time in all morning and afternoon sessions.

2—Court personnel should announce the reason for the session start delay for the benefit of citizens waiting for their cases to be heard.

3—If a judge finishes the calendar early, he or she should consistently check to see if cases can be transferred from another Part prior to adjourning court.

4—The judiciary should apply stringent measures to minimize adjournments. This should include requiring all parties and attorneys to be present for a 9:30 a.m. or 2:00 p.m. calendar call. Those attorneys who will be absent should be required to notify the court in writing prior to their scheduled day in court. Those who do not appear should be held in contempt of court. If a respondent does not appear, the court should immediately issue a warrant which should be served expeditiously.

VII—METHODOLOGY

A—PROJECT STRUCTURE AND STAFF

The coordinator was responsible for the carrying out of all phases of the New York City project. In addition to recruiting, training and supervising volunteers, she supervised the tabulation of data, the evaluation of monitor reports, and wrote the project report. The coordinator also supervised the development of a community based advisory committee for the project in the Bronx.

BRONX ADVISORY COMMITTEE

Ms. Maria DeGennaro, a student at Lehman College and Bronx resident, and Mr. George Simon, a full-time project volunteer, were instrumental in initiating early local contacts for the Bronx committee.

Members of the advisory committee represent citizen groups which are concerned about the Family Court. Their role involves widening community based participation in the project, providing information regarding community concerns to

project staff and monitors and helping to implement recommendations to improve the court. The following are members of the Bronx advisory committee:

Heriberto Alvarez	—Bronx Council of High School Students
Peggy Arroyo	—Single Parent Family Project
Alice Collins	—International Key Women of America
Anrena Davis	—Bronx Citizen Monitor
Maria DeGennaro	—Bronx Citizen Monitor
Gwendolyn Lewis	—Bronx Council of High School Students
Merle McEldowney	—Bronx Council for Advocacy of Children and Youth
Blanche Rifkin	—Board of Trustees, Bronx House
George Simon	—Former Supervisor, Tremont Office, Division for Youth
Bunetta Sleight	—International Key Women of America
John Twomey	—Northwest Bronx Clergy Coalition

B—VOLUNTEER RECRUITMENT

A total of 74 volunteers were recruited and trained during September, 1976. These citizens came from a wide variety of backgrounds, representing both men and women ranging in

age from 17 to over 70. The single largest group of students (18 persons) came from John Jay College of Criminal Justice. These men and women received academic credit for their court monitoring experience. Other schools and colleges and a list of the many community groups represented by citizen monitors are listed under acknowledgements. The monitor profile chart below shows the age, sex, ethnic and recruitment sources of the volunteers.

All citizens were required to make a minimum commitment of one half day per week for three months. More than half the volunteers spent two half days or one full day per week in court. Citizens were also required to attend an orientation training period prior to monitoring and one ongoing training session each month, in addition to their weekly time in court.

C—TRAINING

Training focused on procedures and terminology of the Family Court, and involved group meetings with local members of the court in each of the counties. Volunteers had an opportunity to learn about the function of the Legal Aid attorney in Juvenile Delinquency, Support and USDL cases, the role of Probation Intake in pre-court screening of cases and the role of the Court Liaison Officer in the courtroom. They met with the Deputy Chief Clerk in New York County and with staff from the office of the clerk of the court in the Bronx and Queens to gain knowledge about the jurisdiction of the court.

MONITOR PROFILE

		<u>BRONX</u>		<u>QUEENS</u>		<u>MANHATTAN</u>	
Ethnicity	White	11	50.0%	13	61.9%	24	77.4%
	Black	5	22.7%	6	28.6%	6	19.4%
	Hispanic	6	27.3%	2	9.5%	1	3.2%
	Total	22	100.0%	21	100.0%	31	100.0%
Sex	Male	11	50%	8	38.1%	13	41.9%
	Female	11	50%	13	61.9%	18	58.1%
	Total	22	100%	21	100.0%	31	100.0%
Age	17-22	12	54.5%	13	62.0%	11	35.5%
	23-30	6	27.3%	2	9.5%	2	6.4%
	31-40	3	13.6%	2	9.5%	3	9.7%
	41-50	1	4.6%	2	9.5%	5	16.1%
	51-65	0	0	2	9.5	4	12.9%
	Over 65	0	0	0	0	6	19.4%
	Total	22	100.0%	21	100.0%	31	100.0%
Referral Sources	Schools & Colleges	16	72.7%	16	76.2%	10	32.3%
	Mayors Office for Volunteers	0	0	2	9.5%	2	6.4%
	Community Groups or Organizations	6	27.3%	2	9.5%	15	48.4%
	News media	0	0	1	4.8%	0	0
	Criminal Court Monitors	0	0	0	0	4	12.9%
	Total	22	100.0	21	100.0%	31	100.0%

In New York County, volunteers also met with the court liaison representative from the New York State Division for Youth regarding placements for children.

In small group tours of their local courts, volunteers were familiarized with the physical court facilities and court proceedings. In the Manhattan Family Court, volunteers were permitted to observe Probation Intake interviews, with the permission of parties involved. A final session was held by the local coordinator to train volunteers in the use of the questionnaire in order to collect data on court proceedings. In addition, the volunteers were able to take part in role playing sessions with each other and the project coordinator to prepare them for contacts with court personnel. Quizzes at the end of training sessions helped them to review what they had learned about the court process. Monitors were also invited to evaluate the training program and to give suggestions regarding on-going monthly sessions.

After the initial training, citizens began monitoring for a week and then had small group follow-up meetings. The small size of the groups (6-10 persons) gave monitors adequate opportunity to discuss their feelings and their experiences. At on-going monthly meetings, monitors discussed problems they had identified and developed recommendations to improve conditions in the courts.

Many monitors requested field trips to learn more about the ancillary services of the court. A group tour of the Spofford Juvenile Center and a visit to the Rikers Island Women's Facility were among some of the field trips arranged for some monitors. Others viewed the film "This Child is Rated X" and discussed national Juvenile Delinquency and PINS issues. At one meeting, Mr. Carmine Magazino, Chairperson of the National Association of Social Workers Child Welfare Committee, led a discussion on group homes and the treatment needs of children.

Monitors utilized the Bibliography prepared by the League of Women Voters and Marion Katzive's *Caseworker's Guide to the New York State Juvenile Justice System*, as well as other resource materials provided by the local coordinator and by each other.

D—RESPONSE OF COURT PERSONNEL TO MONITORS

Initially, citizen monitors reported some reluctance on the part of court personnel in accepting their presence in the courtroom. The attitude and treatment of court personnel varied a great deal from person to person, and depended primarily on the attitude of the judge. One monitor's description of his treatment is representative of this: "Some of the judges treated me nicely. After court was over they would ask me if I had any questions and, if I did, they would take the time to answer them. Other judges seemed to pretend I wasn't in their courtroom. They would never say a word to me, not even a hello or goodbye: this gave me the feeling they didn't really like the idea of my being in the courtroom." A few judges interrogated monitors in depth regarding the purpose of the project.

The initial fear that the monitors might be "out to get them" gradually gave way in most cases to a friendly acceptance. As court personnel got to know the citizens in the courtroom and to realize that they, too, were very concerned with the problems of the system as a whole, they became more cooperative. A college student monitoring the court describes her experience: "One of the clerks was an older man who had done this work most of his life. During court he often helped me by explaining what had previously happened in a case now before the court and what was happening at the moment."

Often court personnel were eager to share some of their perceptions about court problems. In addition to the relief they gained in airing their views to the monitors, they seemed hopeful that perhaps through the citizen presence in the courtroom the public would come to understand better the many frustrations and inadequacies of the Family Court system. One judge stated that he felt a positive impact of the monitor's presence in the courtroom in that he became more aware of his own statements and actions. This increase in self-awareness, he felt, was directly related to the presence of a citizen monitor in the courtroom.

E—CONCLUDING COMMENTS

Many citizens have experienced a tradition of exclusivity and paternalism in the court system which has often removed justice from the realm of the layperson. The responsibility for determining right and wrong is most often placed in the hands of the judiciary, the task of explaining citizen needs in the hands of lawyers. In short, the decision making process is turned over to persons of prestige and power, persons "who know".

Through their participation in the Family Court Monitoring Project, citizens have begun to develop a new awareness of their responsibilities and potential for involvement in the judicial process. The comments which appear below reflect the impact of their experience in the project.

"Sometimes the court has become so impersonal that I cannot believe that what I see is truly happening."

"It is demeaning, tiring and many feel justice isn't being served. People have to return to court too often and spend the whole day in a terrible environment . . ."

"It is a legal paperwork and bureaucratic jungle that not only a new building will cure—a better, more efficient system must be devised . . ."

"We are seen favorably by those in court as a 'helping agent' to encourage change which so many employees there want."

"It tries hard but is overburdened. Some cases are squabbles over \$10 a month support payments. It's disturbing to see our courts clog up with these."

"Judges should not only have a law degree but they should have schooling in human behavior and family relations."

"The difficulty of getting all people involved (lawyers,

respondents, complainants, etc.) at court on time and at the same time seems insurmountable."

"It provides invaluable experience as to how the Family Court system runs."

"I would like to be employed in the system 5 days a week, to work with concerned people, to better the entire set-up . . ."

"Being able to be a concerned citizen sitting in on court proceedings makes the judge and court aware that citizens care about justice . . ."

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Manhattan County

Ray Allman	Clerk of the Court
Shirley Atkins	Office of the Clerk of the Court
Yulev Elmas	Court Liaison, New York State Division For Youth
Steve Hiltz	Attorney in Charge, Legal Aid Society
Eileen Mack	Branch Chief, Probation Intake
Kay Thompson	Assistant Attorney in Charge, Legal Aid Society
Larry Schwartzstein	Attorney in Charge, Corporation Counsel

Bronx County

Edward Carraher	Deputy Clerk
Irving Cohen	Branch Chief, Probation Intake
Norman Friedman	Court Clerk
Ray Jamet	Clerk of the Court
William Logan	Attorney in Charge, Legal Aid Society
Gary Tarnoff	Assistant Attorney in Charge, Corporation Counsel
Arthur Truffelli	Attorney in Charge, Corporation Counsel

Queens County

Joseph R. Filippi	Deputy Clerk of Court
Joseph Shuter	Attorney in Charge, Legal Aid Society
Herbert Stine	Attorney in Charge, Corporation Counsel
Doris Vaughan	Supervisor, Department of Probation Intake

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Joan Kinnier	MENPAC (Maintenance Employees Night Protection Alert Corporation)
Carmine Magazzino	Executive Director, St. Joseph's Children's Services
Charles Schinitzky	Attorney in Chief, Juvenile Rights Division, Legal Aid Society

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The following volunteers contributed their time, in addition to court monitoring, in assisting in the tabulation of the quantitative data on which this interim report is based.

Sadie Frank	Pat O'Brien
Mildred Friedman	Sister Maureen Roach
William Hochman	George Simon
Lola James	Sara Thomas
Jerry Jozsef	Gilbert White
Katherine Kappas	Steven Zaffos
Andrew Koski	

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Anrena Davis	Sr. Jan McNabb
Maria Davis	Carmen Millan
Maria DeGennaro	Doug Miller
Marlene De Jesus	Sr. Mary Lawrence Mooney
Anthony Donato	Patrick O'Brien
Sharon Dupree	Alice Parker
Brent Firester	Vanessa I. Pelzer
Sadie Frank	Gwendolyn Pierce
Mildred Friedman	Sr. Maureen Roach
Joseph Gallick	Albert Rosenberg
Patricia Giles	Edward Scarvalone
Dorian Giraldo	George Simon
Stuart Goldberg	Ginger Stevenson
Warren R. Goldsmith	Ann Marie Stewart
Anthony Gonzalez	Sara Thomas
Roberto Gonzalez	Rosemary Travers
Milt Goodman	James Vance
Marjorie Gordon	Nancy Vargas
Lillie Graham	Margaret Vitiello
Helen E. Harden	Hiram Viruet
Rosaura Hernandez	Deighton Waithe
William F. Hilton	Gilbert White
Reginald Hines	Willie White
Beverly Hobson	Margaret Wilkinson
William Hochman	Ruth Williams
Sr. Eileen Hogan	Ulrich B. Wolff
Karl Hotz	Steven Zaffos

(Tables start on next page.)

TABLE I
NEW YORK CITY — TYPES OF CASES OBSERVED-NOVEMBER, 1976

TYPE OF CASE	TOTAL 3 COUNTIES		QUEENS		BRONX		MANHATTAN	
	#	%	#	%	#	%	#	%
Juvenile Delinquency	617	30.5	208	30.2	214	37.4	195	25.6
PINS	121	6.0	40	5.8	39	6.8	42	5.5
*Support	462	22.8	215	31.2	108	18.9	139	18.2
*USDL	171	8.5	45	6.5	46	8.0	80	10.5
Child Abuse and Neglect	187	9.2	52	7.6	54	9.4	81	10.7
Family Offense	120	5.9	53	7.7	25	4.4	42	5.5
Paternity	141	7.1	34	4.9	42	7.4	65	8.5
Custody	87	4.3	25	3.6	34	5.9	28	3.7
Guardianship	33	1.6	0	0	0	0	33	4.3
Permanent Neglect	48	2.4	7	1.0	4	.7	37	4.9
Other	25	1.2	6	.9	5	.9	14	1.8
Cannot Determine	11	.5	4	.6	1	.2	6	.8
TOTAL	2023	100.0	689	100.0	572	100.0	762	100.0

*Support and USDL petitions (633) represent 49.3% of the total other adult and child abuse cases (1285)

TABLE IIa
NEW YORK CITY — LENGTH OF HEARING J.D.

	TOTAL-3 COUNTIES %		QUEENS %		BRONX %		MANHATTAN %	
	#	%	#	%	#	%	#	%
1-5 Minutes	89	54.9	50	56.2	11	33.3	28	70.0
6-10	37	22.8	15	16.9	12	36.4	10	25.0
11-20	8	4.9	6	6.6	2	6.1	0	0
21-30	2	1.3	2	2.3	0	0	0	0
31-40	1	0.6	1	1.1	0	0	0	0
40+	3	1.9	2	2.3	1	3.0	0	0
Cannot determine	22	13.6	13	14.6	7	21.2	2	5.0
Total	162	100.0	89	100.0	33	100.0	40	100.0

	TOTAL-3 COUNTIES %		QUEENS %		BRONX %		MANHATTAN %	
	#	%	#	%	#	%	#	%
1-5 Minutes	208	45.7	58	48.7	85	47.0	65	41.9
6-10	110	24.2	20	16.8	45	24.9	45	29.0
11-20	83	18.2	21	17.7	36	19.9	26	16.8
21-30	20	4.4	4	3.4	5	2.8	11	7.1
31-40	8	1.8	3	2.5	2	1.1	3	1.9
40+	17	3.7	6	5.0	7	3.8	4	2.6
Cannot determine	9	2.0	7	5.9	1	0.5	1	0.7
Total	455	100.0	119	100.0	181	100.0	155	100.0

TABLE Iib

NEW YORK CITY — PINS — LENGTH OF HEARING

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
1-5 Minutes	22	71.0	14	70.0	4	66.7	4	80.0
6-10	1	3.2	0	.0	0	.0	1	20.0
11-20	1	3.2	1	5.0	0	0	0	0
21-30	1	3.2	1	5.0	0	0	0	0
31-40	0	0	0	0	0	0	0	0
40+	0	0	0	0	0	0	0	0
Cannot determine	6	19.4	4	20.0	2	33.3	0	0
Total	31	100.0	20	100.0	6	100.0	5	100.0

NEW YORK CITY — ALL PURPOSE

1-5 Minutes	52	57.8	13	65.0	19	57.6	20	54.1
6-10	17	18.9	3	15.0	6	18.2	8	21.6
11-20	13	14.4	1	5.0	5	15.2	7	18.9
21-30	1	1.1	0	0	1	3.0	0	0
31-40	0	0	0	0	0	0	0	0
3+	2	2.2	0	0	1	3.0	1	2.7
Cannot determine	5	5.6	3	15.0	1	3.0	1	2.7
Total	90	100.0	20	100.0	33	100.0	37	100.0

TABLE Iic

NEW YORK CITY

LENGTH OF HEARING — ADULT

	TOTAL				QUEENS				BRONX				MANHATTAN			
	3 COUNTIES		OTHER		SUP/USDL		OTHER		SUP/USDL		OTHER		SUP/USDL		OTHER	
	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	
1-5 Minutes	271	77.2	213	68.7	108	78.9	78	72.2	40	78.5	35	59.3	123	75.5	100	69.9
6-10	51	14.5	72	23.2	19	13.9	21	19.4	5	9.8	16	27.1	27	16.6	35	24.5
11-20	19	5.4	16	5.2	5	3.6	4	3.7	4	7.8	5	8.5	10	6.1	7	4.9
21-30	1	0.3	3	1.0	0	0	2	1.9	0	0	1	1.7	1	.6	0	0
31-40	0	0	1	.3	0	0	1	.9	0	0	0	0	0	0	0	0
40+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cannot determine	9	2.6	5	1.6	5	3.6	2	1.9	2	3.9	2	3.4	2	1.2	1	.7
Total	351	100.0	310	100.0	137	100.0	108	100.0	51	100.0	59	100.0	163	100.0	143	100.0

	TOTAL				QUEENS				BRONX				MANHATTAN			
	SUP/USDL	OTHER	SUP/USDL	OTHER	SUP/USDL	OTHER	SUP/USDL	OTHER	SUP/USDL	OTHER	SUP/USDL	OTHER	SUP/USDL	OTHER		
1-5 Minutes	118	41.9	136	39.7	52	42.3	33	48.5	42	40.8	51	43.6	24	42.9	52	32.9
6-10	77	27.3	87	25.4	30	24.4	16	23.5	32	31.1	37	31.6	15	26.8	34	21.5
11-20	50	17.7	58	16.9	26	21.1	5	7.4	14	13.6	19	16.2	10	17.9	34	21.5
21-30	17	6.0	21	6.1	6	4.9	2	2.9	6	5.8	8	6.9	5	8.9	11	7.0
31-40	9	3.2	14	4.1	3	2.4	1	1.5	4	3.9	0	0	2	3.5	13	8.2
40+	5	1.8	20	5.8	5	4.1	7	10.3	0	0	2	1.7	0	0	11	7.0
Cannot determine	6	2.1	7	2.0	1	0.8	4	5.9	5	4.8	0	0	0	0	3	1.9
Total	282	100.0	343	100.0	123	100.0	68	100.0	103	100.0	117	100.0	56	100.0	158	100.0

TABLE III
NEW YORK CITY

WHO IS PETITIONER J.D.

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Private citizen	156	25.3	61	29.3	59	27.6	36	18.5
Parent	26	4.2	5	2.4	13	6.1	8	4.1
Police	160	25.9	49	23.6	68	31.8	43	22.1
School	4	0.7	1	0.5	0	0	3	1.5
Agency	13	2.1	0	0	1	0.4	12	6.1
Other	12	1.9	1	0.5	3	1.4	8	4.1
Cannot determine	246	39.9	91	43.7	70	32.7	85	43.6
Total	617	100.0	208	100.0	214	100.0	195	100.0

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Private citizen	0	0	0	0	0	0	0	0
Parent	48	39.7	8	20.0	22	56.4	18	42.8
Police	0	0	0	0	0	0	0	0
School	6	5.0	0	0	4	10.2	2	4.8
Agency	11	9.1	3	7.5	1	2.6	7	16.7
Other	2	1.6	1	2.5	0	0	1	2.4
Cannot determine	54	44.6	28	70.0	12	30.8	14	33.3
Total	121	100.0	40	100.0	39	100.0	42	100.0

TABLE IV

NEW YORK CITY J.D.

REPRESENTATION

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Legal Aid	362	58.7	104	50.0	146	68.2	112	57.4
18b	53	8.6	29	13.9	13	6.1	11	5.6
Private counsel	41	6.6	23	11.1	12	5.6	6	3.1
Not represented	23	3.7	2	1.0	15	7.0	6	3.1
Cannot determine	138	22.4	50	24.0	28	13.1	60	30.8
Total	617	100.0	208	100.0	214	100.0	195	100.0

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Legal Aid	86	71.1	16	40.0	34	87.2	36	85.7
18b	0	0	0	0	0	0	0	0
Private counsel	1	0.8	1	2.5	0	0	0	0
Other	3	2.5	3	7.5	0	0	0	0
Not represented	4	3.3	1	2.5	1	2.5	2	4.8
Cannot determine	27	22.3	19	47.5	4	10.3	4	9.5
Total	121	100.0	40	100.0	39	100.0	42	100.0

TABLE V
NEW YORK CITY

J.D.

ETHNICITY

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Black	281	45.5	104	50.0	91	42.5	86	44.1
Latin	125	20.3	16	7.7	61	28.5	48	24.6
White	48	7.8	25	12.0	17	7.9	6	3.1
Oriental	3	.5	3	1.4	0	0	0	0
Other	14	2.3	7	3.4	7	3.3	0	0
Cannot determine	146	23.6	53	25.5	38	17.8	55	28.2
Total	617	100.0	208	100.0	214	100.0	195	100.0

PINS

Black	54	44.6	15	37.5	15	38.5	24	57.2
Latin	22	18.2	3	7.5	12	30.7	7	16.7
White	15	12.4	6	15.0	6	15.4	3	7.1
Oriental	1	0.8	1	2.5	0	0	0	0
Cannot determine	29	24.0	15	37.5	6	15.4	8	19.0
Total	121	100.0	40	100.0	39	100.0	42	100.0

TABLE VI
NEW YORK CITY

STARTING DELAYS FOR MORNING SESSIONS

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
No delay	4	4.1	0	0	3	10.0	1	2.2
5 minutes or less	5	5.1	1	4.2	4	13.3	0	0
6-10	3	3.1	0	0	3	10.0	0	0
11-20	7	7.1	0	0	7	23.3	0	0
21-30	16	16.4	1	4.2	7	23.3	8	18.1
31-40	20	20.4	8	33.3	2	6.7	10	22.7
41-50	22	22.4	13	54.1	2	6.7	7	16.0
More than 50	21	21.4	1	4.2	2	6.7	18	41.0
Total	98	100.0	24	100.0	30	100.0	44	100.0

NEW YORK CITY

STARTING DELAYS FOR AFTERNOON SESSIONS

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
No delay	1	1.5	0	0	0	0	1	3.4
5 minutes or less	3	4.5	1	4.6	0	0	2	6.7
6-10	1	1.5	0	0	0	0	1	3.4
11-20	11	16.4	2	9.0	7	46.7	2	6.7
21-30	25	37.4	12	54.6	5	33.3	8	26.6
31-40	17	25.3	6	27.2	3	20.0	8	26.6
More than 40	9	13.4	1	4.6	0	0	8	26.6
Total	67	100.0	22	100.0	15	100.0	30	100.0

TABLE VII

NEW YORK CITY

REASONS FOR DELAY, MORNING SESSIONS

TOTAL-3

	COUNTIES %		QUEENS %		BRONX %		MANHATTAN %	
No cases ready	11	11.7	2	8.3	5	18.5	4	9.3
Non-appearance: Law Guardian	1	1.1	0	0	0	0	1	2.3
Non-appearance: Judge	33	35.1	10	41.7	10	37.1	13	30.3
Other	6	6.4	1	4.2	4	14.8	1	2.3
Cannot determine	43	45.7	11	45.8	8	29.6	24	55.8
Total delayed	94	100.0(95.9)	24	100.0(100.)	27	100.0(90.0)	43	100.0(97.7)
Total sessions heard	98	100.0	24	100.0	30	100.0	44	100.0

NEW YORK CITY

REASONS FOR DELAY, AFTERNOON SESSIONS

TOTAL-3

	COUNTIES %		QUEENS %		BRONX %		MANHATTAN %	
No cases ready	4	6.1	0	0	1	6.7	3	10.4
Non-appearance: both sides	4	6.1	1	4.6	0	0	3	10.4
Non-appearance: Law Guard.	1	1.5	0	0	0	0	1	3.4
Non-appearance: Corp. Counsel	1	1.5	0	0	0	0	1	3.4
Non-appearance: Court Report	2	3.0	0	0	0	0	2	6.9
Non-appearance: Judge	7	10.6	3	13.6	1	6.7	3	10.4
Long recess from lunch	5	7.6	0	0	4	26.7	1	3.4
Other	7	10.6	3	13.6	4	26.7	0	0
Cannot determine	35	53.0	15	68.2	5	33.2	15	51.7
Total sessions delayed	66	100.0(98.5)	22	100.0(100.)	15	100.0(100.)	29	100.0(96.7)
Total sessions heard	67	100.0	22	100.0	15	100.0	30	100.0

TABLE VIII
NEW YORK CITY

	INTER-CASE DELAY REASON				J.D.			
	TOTAL-3 COUNTIES %		QUEENS %		BRONX %		MANHATTAN %	
Non-appearance: respondent	4	2.0	0	0	0	0	4	2.1
Non-appearance: petitioner	2	1.0	0	0	0	0	2	1.0
Non-appearance: both sides	1	0.5	0	0	1	2.6	0	0
Non-appearance: private counsel	5	2.5	0	0	1	2.6	4	2.1
Non-appearance: Law Guardian	3	1.5	0	0	1	2.6	2	1.0
Non-appearance: Corp. Counsel	2	1.0	0	0	0	0	2	1.0
Non-appearance: probation officer	2	1.0	0	0	1	2.6	1	0.5
Non-appearance: parent, relative or guardian	1	0.5	0	0	1	2.6	0	0
Appoint counsel	5	2.5	0	0	3	7.6	2	1.0
On consent	1	0.5	0	0	1	2.6	0	0
Arrange placement	1	0.5	0	0	0	.0	1	0.5
No cases ready	9	4.5	0	0	3	7.6	6	3.1
Corporation Counsel unprepared	3	1.5	0	0	1	2.6	2	1.0
Law Guardian unprepared	1	0.5	1	.9	0	0	0	0
Recess	4	2.0	2	1.8	2	5.1	0	0
Cannot determine	142	71.0	105	92.9	19	48.7	18	8.7
Other	14	7.0	5	4.4	5	12.8	4	2.1
Total cases delayed	200	100.0 (32.4)	113	100.0 (54.4)	39	100.0 (18.2)	48	100.0 (24.6)
Total cases	617	100.0	208	100.0	214	100.0	195	100.0
			PINS					
No cases ready	1	7.3	0	0	0	0	1	20.0
Recess	3	21.4	0	.0	2	33.3	1	20.0
Cannot determine	9	64.4	3	100.0	3	50.0	3	60.0
Other	1	7.1	0	0	1	16.7	0	0
Total Delay	14	100.0 (11.6)	3	100.0 (7.5)	6	100.0 (15.4)	5	100.0 (11.9)
Total cases	121	100.0	40	100.0	39	100.0	42	100.0

TABLE IX
NEW YORK CITY

J.D.

REASON FOR INTRACASE DELAY

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Non-appearance: respondent	9	3.3	1	0.9	6	14.1	2	1.7
Non-appearance: petitioner	1	0.4	0	0	1	2.3	0	0
Non-appearance: private counsel	3	1.1	3	2.5	0	0	0	0
Non-appearance: probation officer	2	0.7	1	0.9	1	2.3	0	0
Non-appearance: parent, relative or guardian	4	1.4	0	0	4	9.3	0	0
Appoint counsel	2	0.7	0	0	2	4.7	0	0
Late reports	2	0.7	1	0.9	1	2.3	0	0
Law Guardian unprepared	1	0.4	0	0	0	0	1	0.9
Recess	2	0.7	0	0	2	4.7	0	0
Other	13	4.7	1	0.9	7	16.1	5	4.3
Cannot determine	<u>238</u>	<u>85.9</u>	<u>111</u>	<u>94.1</u>	<u>19</u>	<u>44.2</u>	<u>108</u>	<u>93.1</u>
Total cases delayed	277	100.0	118	100.0	43	100.0	116	100.0
		(44.9)		(56.7)		(20.1)		(59.5)
Total cases heard	617	100.0	208	100.0	214	100.0	195	100.0
			PINS					
Non-appearance: respondent	1	2.6	1	12.5	0	0	0	0
Non-appearance: Law Guardian	2	5.3	0	0	0	0	2	14.3
Non-appearance: parent, relative or guardian	1	2.6	1	12.5	0	0	0	0
Non-appearance: agency	1	2.6	0	0	0	0	1	7.1
Non-appearance: court reporter	1	2.6	1	12.5	0	0	0	0
Law Guardian unprepared	1	2.6	1	12.5	0	0	0	0
Cannot determine	<u>31</u>	<u>81.7</u>	<u>4</u>	<u>50.0</u>	<u>16</u>	<u>100.0</u>	<u>11</u>	<u>78.6</u>
Total Cases delayed	38	100.0	8	100.0	16	100.0	14	100.0
		(31.4)		(20.0)		(41.0)		(33.3)
Total Cases heard	121	100.0	40	100.0	39	100.0	42	100.0

TABLE X

NEW YORK CITY

J.D.

RESULTS OF HEARING

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Adjourned	368	59.6	121	58.2	144	67.3	103	52.8
Petition withdrawn	26	4.2	15	7.2	11	5.1	0	0
Petition dismissed	58	9.4	17	8.2	12	5.6	29	14.9
Adjudicated J.D.	39	6.4	0	0	19	8.9	20	10.3
Adjudicated PINS	5	0.8	5	2.4	0	0	0	0
ACD	38	6.2	9	4.3	12	5.6	17	8.7
Placement/Other	52	8.4	23	11.1	11	5.1	18	9.2
Cannot determine	31	5.0	18	8.6	5	2.4	8	4.1
Total	617	100.0	208	100.0	214	100.0	195	100.0
			PINS					
Adjourned	70	57.8	27	67.5	23	59.0	20	47.6
Petition withdrawn	4	3.3	0	0	3	7.7	1	2.4
Petition dismissed	10	8.3	5	12.5	2	5.1	3	7.1
Adjudicated PINS	18	14.9	2	5.0	4	10.3	12	28.6
ACD	4	3.3	0	0	2	5.1	2	4.8
Placement/Other	14	11.6	5	12.5	5	12.8	4	9.5
Cannot determine	1	0.8	1	2.5	0	0	0	0
Total	121	100.0	40	100.0	39	100.0	42	100.0

TABLE XIa

NEW YORK CITY

J.D.

REASONS FOR ADJOURNMENT

REASONS TO PROGRESS CASE TO NEXT STAGE	TOTAL # %		QUEENS %		BRONX %		MANHATTAN %	
For trial after hearing	10	2.7	2	1.7	3	2.1	5	4.9
Continue hearing	22	6.0	15	12.4	5	3.5	2	1.9
After Fact-finding								
refer to investigation	28	7.6	7	5.8	7	4.9	14	13.6
Arrange placement	11	3.0	2	1.7	2	1.4	7	6.8
OTHER REASONS								
Non-appearance-respondent	85	23.1	27	22.3	35	24.3	23	22.3
Non-appearance-petitioner	16	4.3	6	5.0	8	5.5	2	1.9
Non-appearance-both sides	9	2.4	1	0.8	7	4.8	1	1.0
Non-appearance-private counsel	4	1.1	1	0.8	2	1.4	1	1.0
Non-appearance-Law Guardian	4	1.1	3	2.5	0	0	1	1.0
Non-appearance-police officer	16	4.3	5	4.1	6	4.2	5	4.8
Non-appearance-Corp. counsel	1	0.3	1	0.8	0	0	0	0
Non-appearance-Probation	1	0.3	0	0	0	0	1	1.0
Non-appearance-parent, relative, guardian	19	5.2	7	5.8	8	5.5	4	3.9
Non-appearance-agency	1	0.3	0	0	0	0	1	1.0
Appoint counsel	5	1.4	0	0	5	3.5	0	0
Decision reserved	3	0.8	2	1.7	0	0	1	1.0
On consent	2	0.5	0	0	0	0	2	1.9
Late reports	11	3.0	0	0	8	5.5	3	2.9
Corp. counsel-unprepared	5	1.4	1	0.8	1	0.7	3	2.9
Law Guardian unprepared	17	4.6	14	11.6	3	2.1	0	0
Recess	1	0.3	1	0.8	0	0	0	0
Cannot determine	43	11.7	9	7.4	23	16.0	11	10.7
Other	54	14.6	17	14.0	21	14.6	16	15.5
Total Adjournments	368	100.0	121	100.0	144	100.0	103	100.0

TABLE Xib
NEW YORK CITY
REASONS FOR ADJOURNMENT
PINS

REASONS TO PROGRESS CASE TO NEXT STAGE	TOTAL # %		QUEENS %		BRONX %		MANHATTAN %	
	For Fact-Finding	2	2.9	1	3.7	0	0	1
Continue hearing	4	5.7	0	0	3	13.0	1	5.0
For dispositional hearing	8	11.4	2	7.4	1	4.4	5	25.0
Arrange placement	9	12.9	3	11.1	1	4.4	5	25.0
OTHER REASONS								
Non-appearance respondent	13	18.6	2	7.4	6	26.0	5	25.0
Non-appearance petitioner	1	1.4	1	3.7	0	0	0	0
Non-appearance parent, relative, guardian	5	7.2	3	11.1	2	8.7	0	0
Non-appearance agency	1	1.4	0	0	0	0	1	5.0
Appoint counsel	2	2.9	1	3.7	0	0	1	5.0
Decision reserved	1	1.4	0	0	0	0	1	5.0
On consent	1	1.4	0	0	1	4.4	0	0
Cannot Determine	15	17.1	13	48.2	2	8.7	0	0
Other	8	15.7	1	3.7	7	30.4	0	0
Total Adjournments	70	100.0	27	100.0	23	100.0	20	100.0

TABLE Xic
NEW YORK CITY
REASONS FOR ADJOURNMENT
SUPPORT/USDL and OTHER (PATERNITY, FAMILY OFFENSE, ABUSE, NEGLECT, CUSTODY, GUARDIANSHIP)

REASONS TO PROGRESS CASE TO NEXT STAGE	TOTAL				MANHATTAN				QUEENS				BRONX			
	SUPP/USDL		OTHER		SUPP/USDL		OTHER		SUPP/USDL		OTHER		SUPP/USDL		OTHER	
For fact-finding	16	4.5	41	9.8	11	9.1	33	16.2	0	0	0	0	5	5.2	8	6.6
Continue Hearing	19	5.3	27	6.4	2	1.6	2	1.0	17	12.1	24	25.0	0	0	1	0.8
For dispositional hearing	2	0.6	23	5.5	1	0.8	15	7.4	0	0	0	0	1	1.0	8	6.6
Arrange placement	0	0	2	.5	0	0	2	1.0	0	0	0	0	0	0	0	0
OTHER REASONS																
Non-appearance-resp.	137	38.2	117	27.9	47	38.9	58	28.5	57	40.4	17	17.8	33	34.4	42	34.7
Non-appearance-pet.	16	4.5	8	1.9	6	5.0	3	1.5	9	6.4	2	2.1	1	1.0	3	2.5
Non-appearance-both	12	3.3	8	1.9	3	2.5	5	2.5	6	4.2	0	0	3	3.2	3	2.5
Non-appearance-private counsel	11	3.1	9	2.1	2	1.6	2	1.0	7	5.0	5	5.2	2	2.1	2	1.7
Non-appearance-police	0	0	1	0.2	0	0	1	0.5	0	0	0	0	0	0	0	0
Non-appearance-parent relative, guardian	0	0	2	.5	0	0	0	0	0	0	1	1.0	0	0	1	0.8
Non-appearance-agency	1	0.3	7	1.7	0	0	4	2.0	0	0	1	1.0	1	1.0	2	1.7
To appoint counsel	5	1.4	14	3.3	2	1.6	6	3.0	0	0	0	0	3	3.2	8	6.6
Corp. counsel unprepared	0	0	3	0.7	0	0	0	0	0	0	0	0	0	0	3	2.5
Law Guard. unprepared	2	0.6	7	1.7	0	0	4	2.0	1	0.7	1	1.0	1	1.0	2	1.7
Late reports	1	0.3	12	2.8	0	0	6	3.0	0	0	1	1.0	1	1.0	5	4.1
Other	71	19.8	66	15.7	34	28.2	42	20.6	14	9.9	9	9.4	23	24.0	15	12.4
Cannot determine	65	18.1	73	17.4	13	10.7	20	9.8	30	21.3	35	36.5	22	22.9	18	14.8
Total	358	100.0	420	100.0	121	100.0	203	100.0	141	100.0	96	100.0	96	100.0	121	100.0

TABLE XII

NEW YORK CITY

J.D.

JUVENILE STATUS AT BEGINNING OF SESSION

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Probation/Home or Home	328	53.2	100	48.0	139	65.0	89	45.6
Probation/Detention or Detention Placement	136	22.0	54	26.0	32	15.0	50	25.6
Cannot Determine	16	2.6	2	1.0	10	4.6	4	2.1
	<u>137</u>	<u>22.2</u>	<u>52</u>	<u>25.0</u>	<u>33</u>	<u>15.4</u>	<u>52</u>	<u>26.7</u>
Total	617	100.0	208	100.0	214	100.0	195	100.0

NEW YORK CITY

PINS

JUVENILE STATUS AT BEGINNING OF SESSION

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Probation/Home or Home	53	43.8	13	32.5	23	59.0	17	40.5
Probation/Detention or Detention Placement	28	23.2	8	20.0	7	17.9	13	31.0
Cannot Determine	9	7.4	2	5.0	3	7.7	4	9.5
	<u>31</u>	<u>25.6</u>	<u>17</u>	<u>42.5</u>	<u>6</u>	<u>15.4</u>	<u>8</u>	<u>19.0</u>
Total	121	100.0	40	100.0	39	100.0	42	100.0

TABLE XIII

NEW YORK CITY

J.D.

JUVENILE STATUS AT END OF SESSION.

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Probation/Home or Home	316	51.2	113	54.3	111	51.9	92	47.2
Probation/Detention or Detention Placement	112	18.2	37	17.8	32	14.9	43	22.0
Cannot determine	26	4.2	11	5.3	9	4.2	6	3.1
	<u>163</u>	<u>26.4</u>	<u>47</u>	<u>22.6</u>	<u>62</u>	<u>29.0</u>	<u>54</u>	<u>27.7</u>
Total	617	100.0	208	100.0	214	100.0	195	100.0

	TOTAL-3		QUEENS		BRONX		MANHATTAN	
	COUNTIES	%		%		%		%
Probation/Home or Home	37	30.6	9	22.5	17	43.6	11	26.2
Probation/Detention or Detention Placement	28	23.1	7	17.5	9	23.1	12	28.6
Cannot determine	24	19.8	6	15.0	9	23.1	9	21.4
	<u>32</u>	<u>26.5</u>	<u>18</u>	<u>45.0</u>	<u>4</u>	<u>10.2</u>	<u>10</u>	<u>23.8</u>
Total	121	100.0	40	100.0	39	100.0	42	100.0

END