



Multnomah County

Site Profile



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The Family Court Enhancement Project

The Family Court Enhancement Project (FCEP), an initiative funded by the U.S. Department of Justice, Office on Violence Against Women (OVW), is a multi-year demonstration initiative designed to build the capacity of court systems and partner stakeholders to improve child custody decision-making in cases involving domestic violence. Four project sites have engaged in assessing and strengthening their response to domestic violence in custody cases: Cook County, Illinois (Chicago), the State of Delaware (all three counties), Hennepin County, Minnesota (Minneapolis), and Multnomah County, Oregon (Portland).

The National Council of Juvenile and Family Court Judges (NCJFCJ) is responsible for coordinating technical assistance (TA) provision to the four sites through dedicated TA teams composed of representatives from each of the project's National Partner organizations: the NCJFCJ, the Center for Court Innovation (CCI), the Battered Women's Justice Project (BWJP), and OVW. Specifically, TA teams are helping these court systems determine how their procedures, practices, and structures related to custody and parenting time can reduce further violence and trauma and enhance victim and child resilience and well-being.

The FCEP enabled the project sites to explore, implement, and assess new and innovative court and non-court procedures and practices designed to improve custody and parenting time decision-making and overcome existing barriers identified during the assessment phase of the project. One important objective of the FCEP, as a demonstration initiative, is to share lessons learned and experiences and outcomes with other communities so that they can benefit from the focused work at each project site.

This document is one of four site profiles, summarizing the challenges identified by each site, the activities designed to address those challenges, and the impact the FCEP has had on each community.

Development Questions

1 Please provide a short description of your court, including any relevant statistics, descriptions of your previous handling of domestic violence cases, data, number and type of cases, etc.

- The Multnomah County Family Court (MCFC) is an extremely busy bench with numerous assigned family, criminal domestic violence (DV), and juvenile dockets that rotate and a “One Judge, One Family” orientation that concentrates legal matters for a family with a particular judicial officer. After a judge hears a case for one hour or more, all current and new cases regarding that family go to that judge. Judicial officers, including the Project Lead, are routinely booked 3 to 4 months out with their assigned families and other dockets, with only half-hour or hour slots randomly open during those periods. In addition, numerous committees and groups working with the Court compete for meeting time over the noon hour to maximize judicial attendance.
- Our Court has 38 elected Judges, of which 14 hear Family, Juvenile, and Criminal DV cases (10 Judges, 4 Referees).
- Multnomah County has a multi-decade history (since mid-1980's) of community collaboration, in which the Court has a leadership role.

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Describe the problems or challenges you chose to work on during the project as identified during the planning phase of the project. Please also discuss how you came to identify those as the challenges you wanted to address during the project.

- The three major problem areas we identified are: (1) self-represented litigants need more information to better navigate the family court process; (2) family law professionals (judges, evaluators, attorneys, etc.) need more information on how to screen for DV and how DV impacts parenting and long-term safety for families; and (3) the court needs to increase perceptions of procedural fairness.
- Many problems in our community and court had been previously identified by the court, the Family Violence Coordinating Council, advocates, attorneys, and others that work with domestic violence survivors in a court setting; we just did not have the resources (time or money) to work on these problems.
- We worked with our Collaborative Workgroup in multiple facilitated discussions about what challenges survivors experience in their custody cases. We also asked survivors about their experiences with family court during our implementation phase and their responses affirmed the FCEP was on the right track.

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Describe the steps you took as a court to address the problems or challenges you identified. For example, did you create new positions, change practice, complete studies, change structures, etc.?

- We determined that our problem areas fell into 4 major areas: tools and standards, procedural fairness, assistance to self-represented litigants, and training. We formed four subcommittees to work on specific tasks identified in our logic model and plan activities to address problem areas. We asked management team members to be on a subcommittee and at least one judge to co-chair the subcommittee, with the FCEP Coordinator providing support to each subcommittee.
- During the planning phase we conducted focus groups and interviews with survivors about their experiences in family court. During that time we realized we had not interviewed a diverse enough population and continued to recruit and conduct focus groups.
- Early on we wanted family law professions to change their practice in DV cases and recognized the need to get feedback from lawyers and custody evaluators about their experiences working with families who had experienced DV, so we recruited and conducted interviews and focus groups to get that feedback.
- We have and are completing the creation of informational handouts and videos to help self-represented litigants better understand their court process.
- We created and distributed a survey asking court users about their experiences with procedural fairness to get a base line understanding of the community's perception of the court.

- We have and are completing tools and guidelines for family law professionals to use in cases with DV.
- All of the problem areas involved a training component, and over the past two years we have trained 429 court staff, legal professionals, and community members about trauma, procedural fairness, domestic violence, and legal issues related to DV and custody.
- We created a new position, the Court Navigator, to assist self-represented litigants with their family law case when DV is a concern.

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Describe the successes you have experienced as a result of your participation in the Project. How did your work help improve your court's handling of domestic violence cases in which custody and visitation decisions are made? Did your changes improve the lives or experiences of victims and their children, improve safety, etc.? Provide real-life examples of your success.

- While extensive data on case outcomes is not yet available, we have positive information on survivors' descriptions of their specific outcomes, feedback from trainings, and anecdotal experiences with the new navigator position.
- We developed attorney and custody evaluator tools/guidelines.
- We engaged in outreach to the community and improved community partnerships.
- Training feedback has been very positive and later data indicates the training has been implemented in everyday practice.

- We developed easy-to-read information sheets for self-represented litigants and are producing a series of videos to appear on the court website.
- The navigator position has had a direct survivor impact, and the family law office and Family Court Services have received favorable feedback.
- We have seen increased court communications between the court and other court-related entities (e.g., Family Court Services and the family law office).
- The project has raised awareness of DV and the need for more training and an improved knowledge base.
- Survey results revealed opportunities for improvement within a realistic time and budget.
- Discussing procedural fairness has raised the profile of the court and has helped in making connections with those outside of the court.
- We have reached out to stakeholders and engaged them in the process in ways not previously done.
- CCI's Procedural Fairness assessment and the project's focus was important during the design of our new courthouse, with feedback given to the builders.
- We are disseminating news of the FCEP's activities and successes to have a statewide impact.

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What data did you collect or seek to collect as part of the project? What have you done with the data or what do you plan to do with the data as you reach the end of the project? Was data collection helpful? What challenges did you come across when trying to collect or analyze your data?

- We spoke to 41 survivors about their experiences in family court.
 - 7 focus groups with 30 survivors, all but 4 of which were women of color, immigrants, or refugees.
 - 4 groups were conducted in or translated into languages other than English.
 - Interviews with 11 survivors, including at least 3 women of color and 1 trans woman
- They were referred to us by DV advocacy organizations and professionals. They were asked generally what their experiences were with all parts of the family court process, one component being court, but also judges, law enforcement, advocates, supervised visitation, family court services, attorneys, and custody evaluators.
- We have used survivor feedback to help the court and those involved have a better understanding of survivors' experiences, issue spot and gather ideas for future activities and to confirm we are working on the correct problems.
- We spoke to attorneys and custody evaluators in focus groups and interviews asking generally about their experiences in family court.
 - 2 focus groups with parent attorneys, with 9 attorneys participating

- 3 interviews with custody evaluators including both private and public
- 3 interviews with attorneys representing children
- We also surveyed 99 family law practitioners (parenting time coordinators, attorney, therapists, custody evaluators, parenting supervisors)
- This information was used to identify training and guides/tools needed for practitioners.
- Finally, we created and distributed a survey to litigants about their experiences of procedural fairness in the court. The court had never previously surveyed litigants in this fashion.

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What obstacles did you experience as a court working to change practice or create change? How did you deal with those challenges?

- Judicial involvement was limited in the early stages, so we asked judges to take leadership roles on subcommittees and trainings.
- Court staff initially did not support the creation of the Navigator position, so we rewrote the job description with their input.
- Custody evaluators resisted involvement in the project at first, particularly private evaluators. We extended personal invitations to training, recruited custody evaluators on the core planning committee, solicited feedback through survey and focus groups, and made connections with the Association of Family and Conciliation Courts (AFCC), a professional group that includes a large number of evaluators.
- Court staff and judicial time constraints posed an obstacle to

training attendance, so we provided multiple sessions of trainings in different locations, and gave ample advance notice to allow participants to plan their attendance.

- Judicial feedback was identified as a key component to evaluate procedural fairness and judicial demeanor, but the idea met with a lukewarm initial response from the bench. Training, survey results, and focus group results, however, overcame their concerns.

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What were some of the most challenging aspects of being a FCEP court?

- At times we wished the grant extended beyond just custody to include the family court process for single folks in DV.
- Did not anticipate the sometimes lengthy local bureaucratic processes necessary to apply funds, even though funds were awarded and sought to be used as budgeted.
- Limited time period to plan and implement the scope of changes that are really necessary.
- Balancing national TA team's expectations with our site's unique issues.

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Describe how the assistance of national TA providers helped your work.

- Rarely have we had the opportunity to receive high quality training from people that are familiar with the court. This was one of the most helpful aspects of working with our TA team.
- Very responsive to questions, concerns, and site needs.
- Positive energy and support.
- Access to data and research.

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What aspect(s) of your participation in the Project do you believe should be highlighted in detail on the website for other courts?

- Without a dedicated coordinator position, it would have been difficult to accomplish much due to the time needed to keep project activities moving.
- We went out in the community, gave information, and asked for feedback from litigants and professionals, helping the court gain invaluable insight, but also make the courts seem more accessible.
- We made connections with family law professionals and DV professionals that didn't exist before the project.
- We raised the profile of issues related to DV, procedural fairness, language access issues, and trauma.





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