

**STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
FAMILY DIVISION PILOT PROGRAM**

**PERFORMANCE AUDIT REPORT
JANUARY 2000**

To The Fiscal Committee Of The General Court:

We have conducted an audit of the Judicial Branch's Family Division Pilot Program to address the recommendation made to you by the joint Legislative Performance Audit and Oversight Committee. We conducted our audit in accordance with the standards applicable to performance audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to provide a reasonable basis for our findings and conclusions. Accordingly, we have performed such procedures as we considered necessary in the circumstances.

The purpose of our audit was to assess if the Family Division Pilot Program is realizing its goals set out by Chapter 152, Laws of 1995. The Pilot Program was established to better serve family-related cases in New Hampshire's court system. The audit period begins with the creation of the Pilot Program in fiscal year 1997 and runs through fiscal year 1999.

This report is the result of our evaluation of the information noted above and is intended solely for the information of the Judicial Branch and the Fiscal Committee of the General Court. This restriction is not intended to limit the distribution of this report, which upon acceptance by the Fiscal Committee is a matter of public record.

Office of Legislative Budget Assistant
Office of Legislative Budget Assistant

January 2000

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**STATE OF NEW HAMPSHIRE
FAMILY DIVISION PILOT PROGRAM**

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ABBREVIATIONS

AOC	Administrative Office of the Courts
FDPP	Family Division Pilot Program
LPAOC	Legislative Performance Audit and Oversight Committee

**STATE OF NEW HAMPSHIRE
FAMILY DIVISION PILOT PROGRAM**

SUMMARY

Purpose And Scope Of Audit

This audit was performed at the request of the Fiscal Committee consistent with a recommendation from the joint Legislative Performance Audit and Oversight Committee and was conducted in accordance with generally accepted government auditing standards. It describes the creation, organization, and evaluation of the Judicial Branch's Family Division Pilot Program (FDPP). The Legislature wanted a prompt and independent assessment of whether the Pilot Program is currently fulfilling its mandated goals. We determined that given our timeline, one of the most efficient ways of measuring how successful the Pilot Program has been in meeting its goals was to survey citizens, attorneys, and other professionals who have recently used the Family Division Pilot Program.

Background

According to Chapter 152:1, Laws of 1995, the Family Division Pilot Program is intended to promote the public interest and to better serve citizens who seek judicial resolution of such family matters as divorce, child custody and visitation, child support, legal separation, paternity, domestic violence, juvenile delinquency, child abuse and neglect, children in need of services, guardianship of minors, termination of parental rights, and adoption. One of the Pilot Program's goals is to have one court, and specifically one judge, handle all family-related matters for a single family. The chapter laws designated the Family Division Pilot Program to be implemented in Rockingham and Grafton counties. Accordingly, the Pilot Program has taken over new family-related cases previously handled by the Superior Court, District Courts, and Probate Courts in Grafton and Rockingham counties. FDPP cases are heard in District and Probate Court facilities in eight locations in these two counties. In the eight New Hampshire counties without the Pilot Program, families still may have to go to three courts and three different judges to adjudicate a number of situations which can be closely related such as juvenile delinquency, divorce, and termination of parental rights.

Surveys

We sent out five different surveys to a total of 1,680 recent users of New Hampshire courts. We developed four versions of a user satisfaction questionnaire for people involved with District Court juvenile cases, FDPP juvenile cases, Superior Court marital cases, and FDPP marital cases. These four survey instruments are based on the user satisfaction questionnaire developed by the Pilot Program. Our fifth survey was developed to obtain attorneys' and other professional users' opinions of the Pilot Program and is based on a survey used to assess the program's first year. However, our survey of professionals includes new questions seeking comparisons of the Pilot Program to District and Superior Courts in other counties that handle family-related cases.

Results In Brief

The Pilot Program Is Generally Meeting Its Legislative Goals According To Users

Overall, our survey results show that the Pilot Program continues to receive favorable responses from litigants, parents of juveniles, attorneys, and other professionals. These responses are a continuation of positive feedback the Pilot Program has received on its own satisfaction questionnaire as documented in two prior studies. Our survey of professional users showed they were generally supportive of the Pilot Program and viewed it as an improvement. However, there was a minority of professional users who did not view the program as an improvement. We also compared the surveys of litigants from the Superior Court and parents of juveniles from the District Courts and found similar high levels of satisfaction.

FDPP Hearing Officers And Staff Support The Pilot Program

The creation of the Family Division Pilot Program represents a change in philosophy on how courts manage family-related cases in New Hampshire. FDPP hearing officers and staff identified a number of Pilot Program strengths including:

- user-friendly atmosphere,
- staffing FDPP with people committed to handling family-related cases,
- creation of the case manager position which assists divorce litigants who represent themselves,
- emphasis on timeliness of cases (especially marital), and
- the team approach the program uses in managing its work.

Almost all FDPP judges and staff that we spoke to believe the Family Division should stay as a separate division if it is expanded to other counties.

The Pilot Program Is Not Without Additional Costs

Increased services provided by the Family Division Pilot Program have come at an increased cost. The original eighteen-month Pilot Program, as well as its subsequent operation throughout the audit period, was accomplished within existing Judicial Branch appropriations. During the first three years of the program the State provided no additional funding. The Judicial Branch's Administrative Council now says the Pilot Program requires additional funding, especially if it is going to be expanded. The program's costs are not easily identified because all the hearing officers (judges and marital masters), many of the staff positions, and the use of court facilities were transferred from other courts in the pilot counties. However, the Administrative Office of the Courts (AOC) has identified \$486,000 of additional costs for 13 FDPP personnel. It has been argued that the existing court system could have made similar improvements and offered new services given more resources.

**STATE OF NEW HAMPSHIRE
FAMILY DIVISION PILOT PROGRAM**

INTRODUCTORY SECTION

In September 1999 the Fiscal Committee of the General Court adopted a recommendation by the joint Legislative Performance Audit and Oversight Committee (LPAOC) for a performance audit assessing the Family Division Pilot Program (FDPP) by January 2000. During the planning phase we obtained pertinent State laws and administrative rules, reports, and newspaper articles. In addition, we interviewed FDPP supervisory judges, the former FDPP administrator, FDPP staff, the Executive Director of the Judicial Council, members of the New Hampshire Bar Association, and contacted other states with family courts. As a result of information we gathered during planning, as well as the deadline and direction given by the LPAOC, the scope of our audit focused on assessing whether the Pilot Program is achieving its mandated goals.

1.1 Overview

Family Division Pilot Program

The Family Division Pilot Program was created by Chapter 152, Laws of 1995. This program was meant to address shortcomings identified in the Legislatively mandated *Report of the Resolution of Family Issues in the Courts Study Committee* in 1995. The Family Division Pilot Program is consolidating a whole host of family issues in one court. Traditionally, family-related cases have been handled by three court systems in New Hampshire. The Pilot Program has taken over new cases previously handled by the Superior Court (primarily domestic relations cases), District Courts (primarily child protection, juvenile delinquency, and domestic violence cases), and Probate Courts (adoption, guardianship of minors, and termination of parental rights cases) in Grafton and Rockingham counties. Four courthouses in each county, as specified by Chapter 152, handle these cases. In Rockingham County the four family courts are currently located in Brentwood, Derry¹, Portsmouth, and Salem; and in Grafton County they are located in Haverhill, Lebanon, Littleton, and Plymouth. Approximately 60 percent of FDPP cases were formerly under the jurisdiction of the District Courts, 35 percent were under the Superior Court, and five percent were under the Probate Courts.

According to Chapter 152:1, Laws of 1995, the Pilot Program is intended to promote the public interest and to better serve citizens who seek judicial resolution of such family matters as divorce, child custody and visitation, child support, legal separation, paternity, domestic violence, juvenile delinquency, child abuse and neglect, children in need of services, guardianship of minors, termination of parental rights, and adoption. The stated goals of the

¹ Originally, Auburn, not Derry, was the fourth FDPP location in Rockingham County. However, the facilities were not adequate at the Auburn District Court and Chapter 265:14, Laws of 1996, allowed for the relocation to the new Derry District Court.

1.1 Overview (Continued)

Pilot Program are:

- geographically accessible court locations,
- respectful treatment of all citizens,
- prompt resolution of family issues,
- fair resolution of family issues,
- assignment of one judge or marital master to hear all family matters of a single family,
- decrease adversarial nature of proceedings through the use of alternative dispute resolution, and
- select and train justices and marital masters to deal with family-related cases.

1.2 Scope, Objectives, And Methodology

This report describes the creation, organization, and evaluation of the Family Division Pilot Program. In light of prior studies, we focused our attention on the Pilot Program's performance in meeting its mandated goals of serving the public. Because of the Legislature's need for a timely assessment, this performance audit does not attempt to assess management controls. In accordance with direction from the LPAOC, we did not conduct a detailed analysis of the program's costs to date or of its planned expansion.

Scope And Objectives

The scope of this performance audit is to determine the extent to which the Pilot Program attained its goals as defined in chapter law. We did not evaluate the need for family courts in New Hampshire. A 1995 report by the Judicial Council identified a number of weaknesses in how the court system handled family-related cases and offered the solution of a family court. The Legislature acted upon the study by creating the Family Division Pilot Program. We also do not offer an opinion on whether to expand the program.

The basic question guiding our audit is whether the Family Division Pilot Program accomplished its mandated goals. To answer this question we have followed these audit objectives:

- 1) provide readers of our report with a basic understanding of the philosophy and administration of the Pilot Program,
- 2) obtain and analyze subjective Pilot Program evaluations from users in the form of mail surveys, and
- 3) obtain and report on statistics produced by the AOC regarding the performance of the program.

1.2 Scope, Objectives, And Methodology (Continued)

Methodology

This performance audit was conducted in accordance with generally accepted government auditing standards and included such procedures as we considered necessary in the circumstances. In order to gain an understanding of the Pilot Program we conducted a literature search and reviewed pertinent State laws and court rules, prior reports, Legislative hearings, and newspaper articles. We also interviewed FDPP judges, marital masters, and staff; administrative judges from the Superior, District, and Probate Courts; officials from the Administrative Office of the Courts; and family practice attorneys.

To obtain information related to the audit objectives, we used three basic methods: 1) structured interviews, 2) mail surveys of court users, and 3) review of documentation related to the Pilot Program.

1.3 Previous Reports And Studies

The issue of a family court in New Hampshire has been researched and discussed since the late 1980s. The idea of introducing a new method of managing family-related cases into the existing judicial structure has not received unanimous support. Some have argued the existing system can provide the same types of services as a family court if provided the resources and opportunity. Others have argued a family court is needed to provide better service to those who may otherwise be involved in more than one type of court while trying to manage a difficult time in their lives.

The New Hampshire Supreme Court Long-Range Planning Task Force concluded in its 1990 report:

- the existing marital master system, located in the Superior Court, did not need to be replaced by a family court;
- the marital master system could accomplish the same tasks as a family court with the addition of more marital masters and administrative support; and
- the marital master system would not address juvenile matters, leaving them in the District Courts.

The Task Force also presented concerns that a family court system might provide fewer court locations and not provide the “same level of accessibility and effectiveness” as the District Courts.

Creation Of The FDPP

The Family Division Pilot Program was the product of studies and evaluations of how family-related litigation was handled by the courts. Family-related litigation was heard by the Superior, District, and Probate Courts, which primarily handled marital, juvenile, and parental rights cases, respectively. The Pilot Program unified family-related litigation at four sites in Grafton County and four sites in Rockingham County, as of July 1, 1996.

1.3 Previous Reports And Studies (Continued)

In 1993, the Superior Court requested an independent study be conducted of its marital master system. The Judicial Council was given the responsibility to study divorces and other marital matters within the judicial system pursuant to Chapter 358:11 and 358:12, Laws of 1993. The scope of this study was expanded by the Legislature through Chapter 413, Laws of 1994 to include all family-related matters. In addition, the study committee's membership was increased. The purpose of the new study committee was to provide a report and proposed legislation "relative to unifying family issues within a single jurisdictional system, and use of mediation, court diversion, non-judicial dispute resolution and ancillary services."

In 1995, the study committee issued the *Report of the Resolution of Family Issues in the Courts Study Committee*. The committee found family issues in the courts were often drawn out and costly as well as given a low priority in the court system. Additionally, it was not uncommon for a family to have to go before District Court, Superior Court, and possibly Probate Court, forcing families to travel to several different locations. The committee further suggested that courts need to be more user-friendly and provide services, such as case management to assist families in the system.

Because of the issues a family may encounter upon entering the judicial system, the study committee concluded it needed to address the family as a single unit and provide easier, more efficient, and effective family judicial services. The committee recommended in its report that a Family Division Pilot Program be created that "would utilize existing resources, including courthouses, judges, masters and support personnel of the current judicial system." Resources would be utilized from the Superior, District, and Probate Courts. The committee further stated the same judge and court personnel, such as marital masters, originally assigned to a court case should follow the case until it is completed. Another recommendation was that the Pilot Program be dispersed throughout the State at 25 to 30 sites to make it accessible to those needing it. The committee suggested the creation of a pilot program would provide cost savings to the State by allowing for the "more efficient utilization of existing facilities and personnel."

Prior Evaluations Of FDPP

There have been two studies of the Pilot Program: first, the 1997 *Evaluation of the New Hampshire Judicial Branch Family Division Pilot Project: Assessment of First-Year Results* by a court management consultant; and second, the FDPP's 1998 *Report of the Family Division Pilot Program*.

Pursuant to Chapter 152, Laws of 1995, a nationally known consultant conducted an assessment of the first year of the program: July 1, 1996 to June 30, 1997. The evaluation was to determine if the goals of the Pilot Program had been met. To evaluate these areas information was obtained using:

- the AOC automated database,
- the "user" questionnaires already developed and administered by the program,

1.3 Previous Reports And Studies (Continued)

- special questionnaires developed by the consultant and administered to attorneys and others associated with the Pilot Program,
- interviews conducted by the consultant, and
- data collected from court records.

Overall, the report stated the Pilot Program was “basically positive . . . given the amount of controversy surrounding its development and implementation. The family division is meeting (or on track to meeting) the goals set for it.” The report further suggested the project should continue beyond the one-year period to allow for sufficient time to provide a more accurate evaluation of whether the project is fully addressing the goals set for it. The report stated the status of mandated goals was as follows:

- The family program did not meet the disposition standards established by the court, but a comparison of the disposition of cases in the Superior and District Courts found the Pilot Program was disposing of cases in a more timely fashion.
- The development of mediation and neutral evaluation programs achieved part of the goal but responses to the surveys of litigants and attorneys suggested more work was needed.
- A majority of litigants indicated the geographic location was convenient for them.
- Most of the litigants responded to the FDPP’s user questionnaire that the process was easy.
- AOC data showed a single judge oversaw all of a family’s cases about 90 percent of the time.
- About half of the respondents indicated the goal of staffing the Pilot Program with judges and marital masters specially selected and trained to deal with family issues was being substantially met.

The FDPP 1998 report concluded the Pilot Program is meeting its mandated goals. The report provided the following support for its conclusions:

- Ninety percent of the hearings in any particular case were handled by the same judge or marital master.
- Time standards were used for marital cases.
- Court dates were immediately scheduled when all parties were present in the court.
- New forms were developed, new language adopted, and a handbook developed for marital litigants representing themselves.
- Judicial personnel were selected based on interest and expertise in family cases.
- Training was provided prior to and after the implementation of the Family Division Pilot Program as well as the development of a “bench book.”
- A system of on-call coverage was developed to ensure that FDPP judges will be available 24 hours a day 365 days a year.
- Case managers were available to explain the system and forms to individuals not represented by attorneys.
- Efforts were made to improve juvenile diversion programs and alternative dispute resolution programs.

1.3 Previous Reports And Studies (Continued)

The report also identified several areas that need to be addressed to further improve the Family Division Pilot Program. They include:

- the need for more court monitors to record court hearings,
- the need to provide legislation to allow marital masters to hear juvenile cases, and
- the need for careful consideration of locations for the program to ensure court resources are being used efficiently and effectively while meeting the goal of geographical access for families.

Two conclusions were drawn regarding the Pilot Program's administration.

First, multiple family division locations can provide better geographical access for families and can operate successfully. However, more administrative time and effort are required to maintain high levels of service at locations with a low volume of cases. Additional operating costs and inefficiencies are incurred at such locations. Second, the "mix" of cases in the family division is unique and the cases are, by their very nature, extremely time intensive and demanding. . . . [The Pilot Program] greatly increases the amount of work for staff.

The report recommends the Legislature establish an independent division in the Judicial Branch for the Pilot Program and provide the Supreme Court with the authority to expand the program to other counties in the State. The report further recommends that if the Supreme Court is not inclined to support an independent family division, it should cause the Pilot Program to be a division in the District Court system.

1.4 Organization And Administration Of The Pilot Program

The Family Division Pilot Program has two supervisory judges and an administrator who are accountable to the Administrative Council. The Administrative Council consists of: a representative from the Supreme Court, the Chief Justice of the Superior Court, Administrative judges from the District and Probate Courts, and the Director of the AOC. Since May of 1999, the Pilot Program has been without its administrator, which has raised concerns with FDPP staff.

Hearing Officers

Hearing officers are the Family Division Pilot Program's judges and marital masters who hear the cases. Eleven judges routinely hear FDPP cases; 10 judges are part-time, one is essentially full-time. They are either District or Probate judges. Currently, no Superior Court judges hear cases in the Family Division Pilot Program. One Superior Court judge worked in the Pilot Program for the first year and a half. Three marital masters regularly hear FDPP cases; two are full-time in Rockingham County and one is part-time in Grafton County. Rockingham County accounts for over 70 percent of all the FDPP judicial time. The Haverhill and Littleton FDPP courts are in session only one day a week.

1.4 Organization And Administration Of The Pilot Program (Continued)

There are two supervisory judges, one each for Rockingham and Grafton counties. They report to but are not members of the Judicial Branch's Administrative Council. The supervisory judges and the former FDPP administrator developed rules, policies, training, and forms; they also selected judges, marital masters, and court staff.

The marital master position was created for the Superior Court to hear marital cases throughout New Hampshire. They are usually divorce attorneys who have applied for and been selected to become marital masters. Marital masters do not have the same powers as a judge; they do not have the power to impose sanctions for contempt of their orders and their decisions must be approved by a judge. It was thought that marital masters would be able to hear juvenile as well as marital cases in the newly created Family Division Pilot Program, in order to preserve the *one judge for one family* concept. An early appeal regarding marital masters was made to New Hampshire's Supreme Court, which found marital masters did not have the authority to hear juvenile delinquency cases. This ruling hampers the goal of having one hearing officer handle all family-related cases for one family.

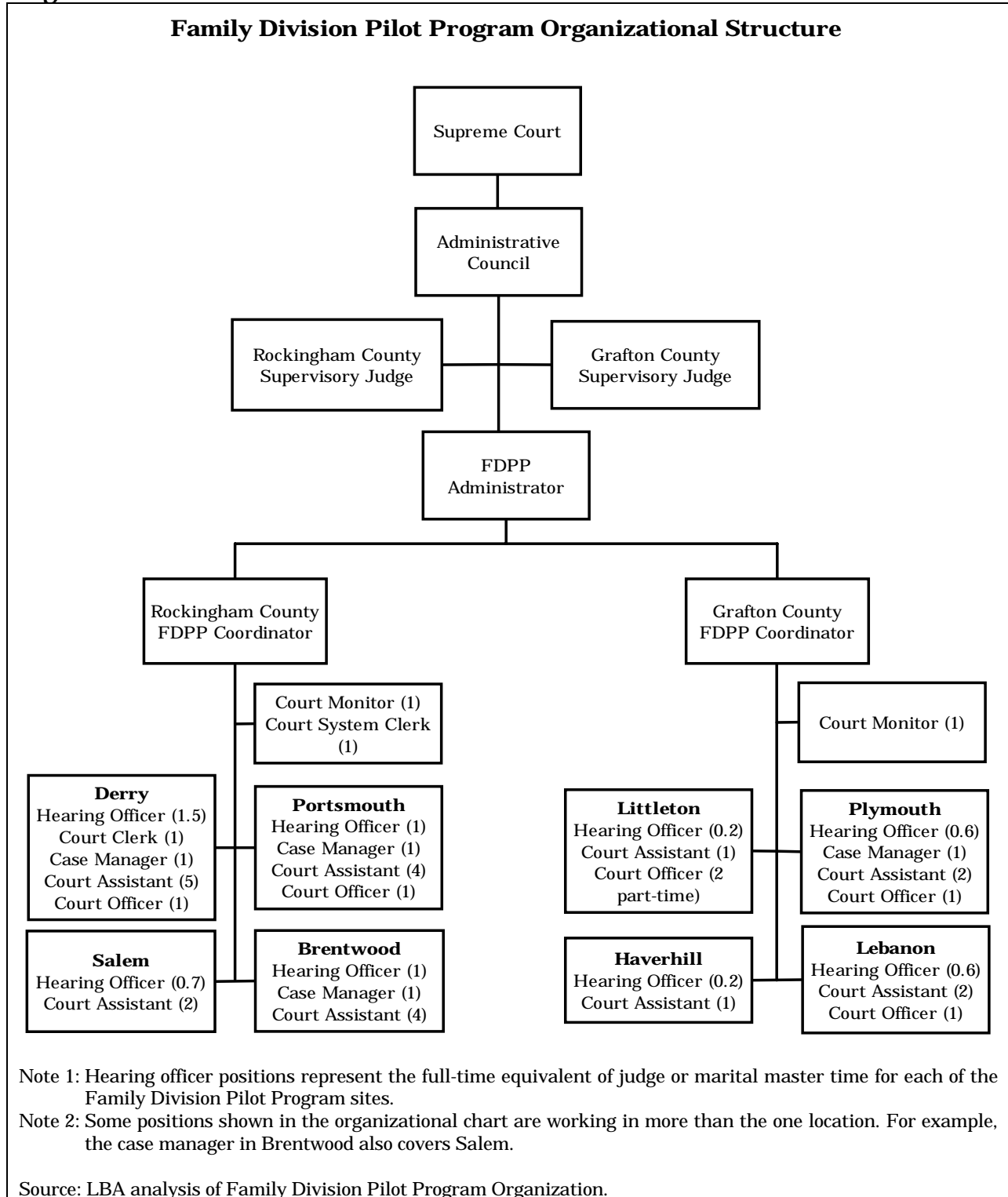
FDPP Staff Positions

Figure 1 illustrates the organization of the Family Division Pilot Program and provides a breakdown of its staffing. The following are brief descriptions of FDPP staff positions and responsibilities.

FDPP Administrator	The FDPP administrator is the top administrative official. The Supreme Court contracted with a former deputy director of the AOC to develop and implement the Pilot Program. This position has been vacant since May 1999. The process to fill the position began in October 1999.
Coordinator	The FDPP coordinators are responsible for overseeing the efficient and timely processing of cases, monitoring the customer service provided by staff, and providing technical assistance. In addition, they may be responsible for recruiting, hiring and daily supervision of subordinates, and providing recommendations and implementation procedures to improve the Pilot Program operations.

1.4 Organization And Administration Of The Pilot Program (Continued)

Figure 1



1.4 Organization And Administration Of The Pilot Program (Continued)

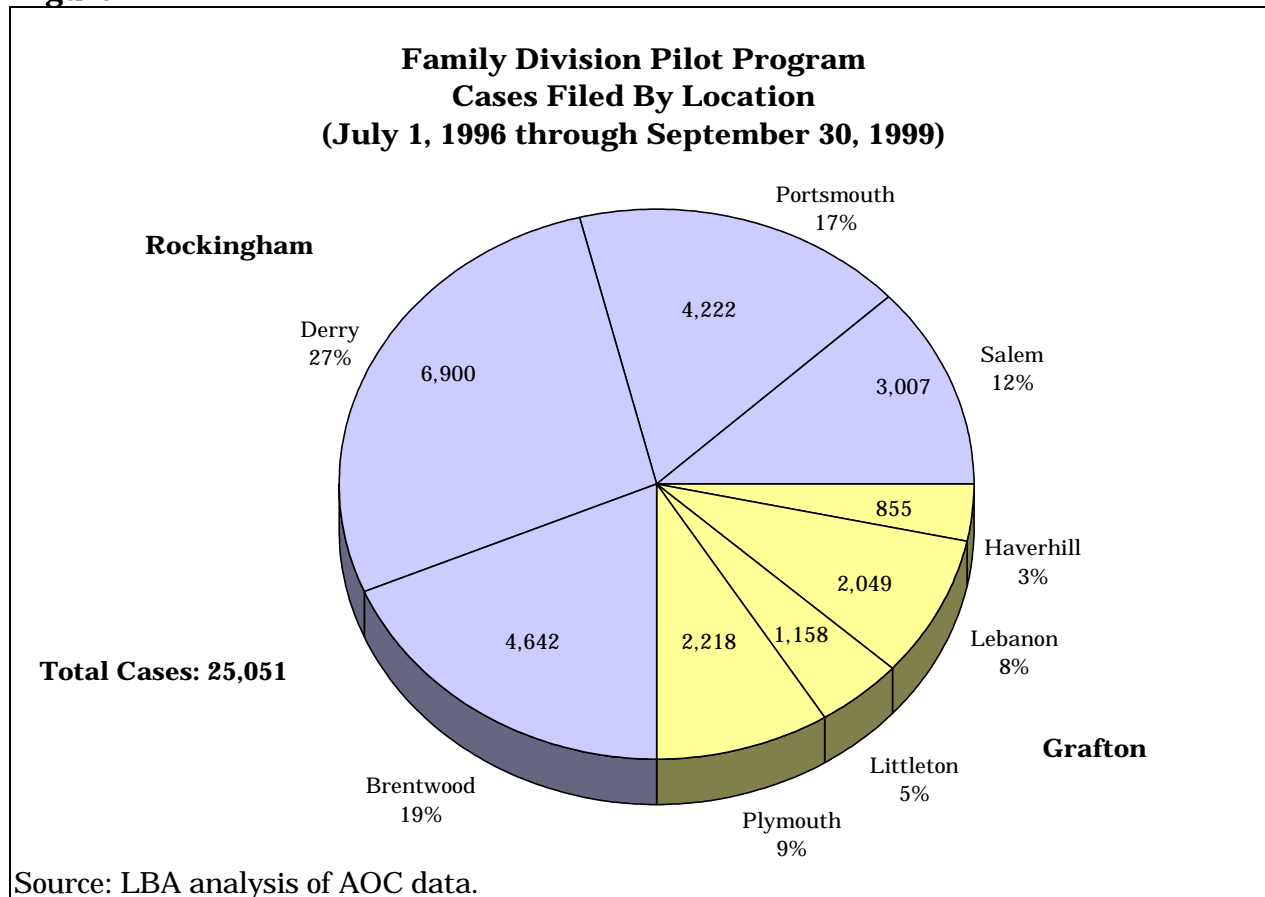
Court Monitor	The court monitors specialize in monitoring the sound recording equipment used during court hearings as well as performing clerical functions for the presiding judge, marital master, or the court clerk.
Court System Clerk	The court system clerk provides coverage when a court clerk is absent as well as high level technical assistance throughout the court system. Primarily, the court system clerk performs administrative duties.
Case Manager	The FDPP case managers are responsible for: providing information to litigants representing themselves; ensuring cases are processed in a timely, efficient manner; and assisting judges and marital masters to prepare litigants for hearings.
Court Assistant	Court assistants are responsible for completing clerical work in the court system such as: assigning docket numbers; answering telephones; typing notices; filing court records; and preparing summonses, notices, warrants, subpoenas, or similar processing.
Court Officer	Court officers maintain order and ensure security in the court environment for the public, litigants, attorneys, staff, and judges. They also assist county sheriffs in prisoner custody and transfer duties.
Court Clerk	A court clerk's work is primarily administrative and includes supervising subordinates. The court clerk is responsible for assigning and scheduling cases, establishing internal records management, system analysis, and processing cases.

Total Cases Filed In The Pilot Program

As shown in Figure 2, between July 1, 1996 and September 30, 1999, over 25,000 cases were filed in the Family Division Pilot Program. Seventy-five percent of these cases were filed in Rockingham County and 25 percent were filed in Grafton County. There is a close connection between the number of cases filed and the allocation of hearing officer time at the Family Division Pilot Program locations. The Derry location accounts for the most cases (27 percent) and the most hearing officer time (26 percent). The Haverhill location accounts for the least number of cases filed (three percent) as well as three percent of hearing officer time.

1.4 Organization And Administration Of The Pilot Program (Continued)

Figure 2



1.5 Alternative Dispute Resolutions In The Pilot Program

The Family Division Pilot Program requires that anyone obtaining a divorce must attend a free 30 minute information seminar on available alternative dispute resolution programs. This requirement may be waived if parties have filed a joint petition, have no dependent children, and file a permanent stipulation. As described by the New Hampshire Pro Bono Referral System's *Pro Se Divorce in the Family Division* booklet, some of the alternative dispute resolution programs available are:

Neutral Case Evaluation An experienced divorce attorney listens to both sides and explains how the court would likely decide the case, based on the information the parties present. FDPP judges and marital masters may conduct neutral case evaluations but they can not preside over hearings in those cases. In addition, nothing said during a neutral case evaluation can be used in the divorce.

1.5 Alternative Dispute Resolutions In The Pilot Program (Continued)

Divorce Arbitration	Both parties present their opinions, concerns, and wishes to a neutral arbitrator in a private setting. Usually the amount of time is limited, and formal rules of procedure are not followed. The decision of the arbitrator is generally not binding on the parties.
Divorce Mediation	Divorcing couples come together to work out the property, support, tax, and custody issues without having a trial. With the assistance of the mediator, the parties work out an equitable settlement outside of the court. New Hampshire has certification procedures for marital mediators.
Post-Divorce Mediation	In post-divorce problems with custody and support arrangements, a mediator will help parents identify and discuss the problems and arrive at mutually agreeable solutions.

1.6 Cost Of Operating The Pilot Program

As discussed earlier, the scope of this audit does not specifically address the costs of operating the Family Division Pilot Program. However, the Pilot Program has not been cost neutral. Originally some thought the program would not require additional funds and that the Judicial Branch could support it within its existing funding. The Pilot Program was undertaken and completed without appropriation of additional funds; the Judicial Branch drew on its existing resources to fund the program during its first three years. We do not know what other judicial initiatives may have been affected because of the reallocation of resources to implement the Pilot Program. In the operating budget for State fiscal years 2000 and 2001, for the first time, funds for the program are separately identified and amount to \$1.8 million each year.

The Pilot Program costs are not easily identified. Many of the staff positions and hearing officers would be handling family-related cases in other courts if the program did not exist. In addition, the Pilot Program shares space with other courts so these costs have not been segregated. The AOC has identified \$486,000 of additional costs for 13 FDPP personnel.

Concerns Over Expansion

The Judicial Branch's Administrative Council indicates the Pilot Program has not been cost neutral and requires additional resources, especially to expand the program to other counties. The Judicial Branch Administrative Council's "Recommendation to the New Hampshire Supreme Court" states, "There is some sentiment on the Council to support the near-term expansion . . . but there is also reservation that the Pilot Project's services can be effectively delivered within the existing court structure."

In November 1997, the Supreme Court wrote to the Legislature saying, "we feel additional time is required to study [the Pilot Program's] progress and that additional funding will be

1.6 Cost Of Operating The Pilot Program (Continued)

needed to support it.” FDPP officials did their own assessment in October 1998, which recommended the program be expanded as funds become available at the rate of approximately one county per year until fully implemented statewide.

It has been argued that with additional resources similar services could have been provided within the existing court system. In fact, many court officials have mentioned that the Superior Court has followed the lead of the Pilot Program by adopting some of the FDPP practices such as improving forms and assigning the same judge to a family.

1.7 Report Outline

The next chapter of the report presents our analysis of the five surveys. In addition, we discuss the structured interviews with FDPP hearing officers and staff. A short conclusion is followed by appendices that contain: a letter from the Supreme Court Chief Justice; a table showing a detailed comparison of user satisfaction surveys; and the results from all five surveys of users of the Family Division Pilot Program and selected Superior and District Courts.

**STATE OF NEW HAMPSHIRE
FAMILY DIVISION PILOT PROGRAM**

ANALYSIS OF SURVEY RESULTS AND INTERVIEWS

In the opinions of litigants, parents of juveniles, and professionals, the Family Division Pilot Program (FDPP) is meeting or coming close to meeting most of the goals established by the Legislature. However, the goal of decreasing the adversarial nature of court proceedings appears to be unmet in the opinions of a majority of the professionals. Additionally, the Pilot Program still has some work to do in having the same judge or marital master hear all cases involving a family. When comparing the Pilot Program and its goals to Superior and District Courts, users from the other courts had similar levels of satisfaction with their court experiences as users of the Pilot Program.

As discussed in the introductory section, the Family Division Pilot Program was established by Chapter 152, Laws of 1995 with the following mandated goals:

- geographically accessible court locations,
- respectful treatment of all citizens,
- prompt resolution of family issues,
- fair resolution of family issues,
- assignment of one judge or marital master to hear all family matters of a single family,
- decrease adversarial nature of proceedings through the use of alternative dispute resolution, and
- select and train justices and marital masters to deal with family-related cases.

Surveys and structured interviews were used to ascertain if the Pilot Program has achieved the goals established by the Legislature. Due to the subjective nature of the mandated goals, our assessment of whether the program is achieving the goals is based largely on the opinions of court personnel, the litigants, parents of juveniles, and professionals involved with the courts.

Overall, the survey results show no significant differences in opinions regarding the Family Division Pilot Program, District Court, or Superior Court. Most users indicated they were satisfied with the court that heard their case and with the court processes. Fifty-two percent of the professionals viewed the Pilot Program as an improvement on how family issues are handled by the courts. Additionally, 48 percent of the professionals agreed or strongly agreed the FDPP provides better services to the public. Forty-five percent of the professionals indicated the Pilot Program provides better or much better attention to cases than other courts.

2.1 Administering The Surveys

Surveys were sent to users of the courts involved with the Family Division Pilot Program locations in Grafton and Rockingham counties and the Superior and District Courts located in Cheshire County and southern Hillsborough County between January 1, 1999 and June 30, 1999. We consulted AOC personnel in choosing Superior and District Courts in counties with similar case loads and demographic characteristics to the Pilot Program counties. The

2.1 Administering The Surveys (Continued)

surveys were adapted from the user satisfaction survey developed and used by the Family Division Pilot Program. A statistically valid random sample was chosen from litigants involved in a marital case and the parents of youths involved in a juvenile case. Individuals involved in adoptions, termination of parental rights, or guardianship hearings were not included because these cases make up only three to five percent of the FDPP caseload. Domestic violence cases were also omitted from the population to be surveyed due to the sensitive nature of these types of cases. The aggregate responses for the FDPP marital and juvenile surveys, Superior Court marital surveys, and District Court juvenile surveys can be found in Appendices C through F.

Additionally, we sent a survey to a statistically valid random sample of professionals such as attorneys, juvenile services officers, guardians ad litem, school officials, appearing in any marital or juvenile case heard in the Pilot Program between the period of January 1, 1999 and June 30, 1999. The survey used for the professionals was adapted from a survey developed by the court management consultant who completed the first year evaluation of the Family Division Pilot Program. The professionals were asked to rate their satisfaction with the Family Division Pilot Program as well as to compare their experience in other courts. The aggregate responses to the professional survey can be found in Appendix G.

As shown in Table 1, 477 of the 1,680 surveys mailed were returned by the deadline and judged usable for our analysis. The survey of professionals had a response rate of 51 percent for usable surveys which was at least double that of the other four surveys. Of the 219 usable surveys returned from professionals, 144 indicated their professional role as private attorney. Thirty-one of these private attorneys indicated more than one professional role, with 25 indicating they have been a guardian ad litem.

Table 1

Summary Of Survey Sample Sizes And Response Rates			
Survey	Sample Size	Total Usable Returns	Usable Return Percent
Superior Court (Marital)	349	60	17%
District Court (Juvenile)	250	59	24%
Professionals	431	219	51%
FDPP (Marital)	350	71	20%
FDDP (Juvenile)	300	68	23%
Totals	1,680	477	
Source: LBA analysis of surveys.			

Some surveys were returned with no forwarding address. While three of the surveys had close to a seven percent undeliverable rate, the Superior Court survey was 17 percent and the survey of professionals was only one percent. Twenty-four surveys were returned but not included in our analysis because the surveys were blank, or respondents indicated they did not have the experience or knowledge about the Pilot Program to provide a fair response.

2.2 Family Division Pilot Program Goals

Table 2 summarizes the responses from the four surveys we sent to litigants and parents of juveniles appearing before the courts. Based on the responses it appears the Pilot Program's mandated goals are being achieved. The table provides a combined percentage for those responding "agree" or "strongly agree" and "disagree" or "strongly disagree" to each of the statements found in the four surveys (See Appendix B for the uncombined responses). **Responses indicating the question was "not applicable" were not used in determining the percentages in the table.** It is important to note that for each of the statements, two-thirds or more of the respondents from each of the various court case types (FDPP marital, FDPP juvenile, Superior Court marital, and District Court juvenile) agreed with each statement. Many of the statements received 90 percent or more agreement from those responding.

Geographic Location

Survey respondents involved with the Family Division Pilot Program had a much stronger agreement that court locations are convenient versus the professionals respondents' opinion that the geographic accessibility of the program sites is better for its users.

The surveys showed the following opinions regarding the Pilot Program:

- 94 percent of the FDPP respondents agreed the court locations were convenient,
- 45 percent of the professionals involved in juvenile cases indicated the FDPP sites have proven more or much more convenient to the litigants, and
- 62 percent of the professionals involved in marital cases indicated the location of the Pilot Program sites is more or much more convenient to the litigants.

Most of the FDPP personnel interviewed indicated the locations have provided more geographically accessible courts. However, several stated the FDPP sites provided more geographically accessible courts for those normally involved in a Probate or Superior Court case, but decreased the number of courts available for District Court cases.

Superior Court and District Court survey respondents (93 percent) also agreed that the location of their courts were convenient for them.

2.2 Family Division Pilot Program Goals (Continued)

Table 2

Comparison Of User Satisfaction Surveys				
Statement	Family Division Respondents		Non-Family Division Respondents	
	Agree	Disagree	Agree	Disagree
The judge/master treated me with courtesy and respect.	93%	7%	89%	11%
The office staff of the court treated me with courtesy and respect.	95%	5%	93%	7%
The judge/master gave enough time in court to present the case.	89%	11%	93%	7%
The judge/master gave the case their undivided attention.	86%	14%	89%	11%
The case was completed within a reasonable amount of time after it was filed.	84%	16%	82%	18%
On days a hearing for the case was scheduled, it was timely.	75%	25%	74%	26%
The resolution of the case was fair.	85%	15%	81%	19%
The same judge/master conducted all hearings in the case.	95%	5%	80%	20%
The judge/master was familiar with the case.	81%	19%	80%	20%
It was easy to understand how the case would be handled in the court.	82%	18%	74%	26%
I understood what the judge/master did in the case.	88%	12%	87%	13%
The office staff was able to give me information I needed.	94%	6%	86%	14%
The court forms I used were easy to understand.	94%	6%	76%	24%
The court location where the case was heard was convenient for me.	94%	6%	93%	7%
I have been involved with other cases in the FDPP that were all assigned to the same judge/master.	70%	30%	---	---
<p>Note 1: Responses indicating the question was “not applicable” were not used in determining the percentages in the table.</p> <p>Note 2: The columns titled “Agree” include the “Strongly Agree” responses and the columns titled “Disagree” include the “Strongly Disagree” responses.</p> <p>Source: LBA analysis of survey responses.</p>				

2.2 Family Division Pilot Program Goals (Continued)

Courtesy And Respect

Overall, judges, marital masters and staff working in the Pilot Program are meeting the goal to treat citizens with respect in the opinions of those responding to the surveys and interviews. Additionally, judges and masters working outside of the Pilot Program were viewed as treating individuals with respect by most of the Superior and District Court respondents.

The surveys showed the following opinions regarding the Pilot Program:

- 93 percent of the FDPP survey respondents agreed the judge or master treated them with courtesy and respect,
- 95 percent of the FDPP survey respondents agreed the staff treated them with courtesy and respect, and
- 93 percent of the professionals responded that FDPP judges and masters treat people with respect and courtesy often to always.

All of the FDPP personnel interviewed and specifically asked indicated the Pilot Program is meeting its goal to provide respectful treatment to all citizens.

When comparing the Pilot Program to the other courts, respondents from the Superior and District Courts had similar agreement with 89 percent agreeing the judge or masters treated them with courtesy and respect and 93 percent agreeing the staff treated them with courtesy and respect.

Promptly And Fairly Resolving Cases

Overall, the agreement that cases and hearings are timely and cases are fairly resolved was strong. However, these goals scored somewhat lower than the other goals. Respondents from the FDPP and District Court juvenile surveys had a higher percent of agreement that cases were completed in a reasonable amount of time. One would expect juvenile cases to be completed more quickly than marital cases because State statute (RSA 169-B and 169-D) has provided specific timelines for disposing of juvenile cases.

The surveys showed the following opinions regarding the Pilot Program:

- 84 percent of the FDPP survey respondents indicated the case was completed within a reasonable amount of time after being filed,
- 79 percent of the professionals perceive the FDPP as promptly disposing of cases often to always,
- 58 percent of the professionals indicating involvement in marital cases believe FDPP cases are disposed of faster than the Superior Court, and
- 80 percent of the professionals indicated cases are fairly resolved often to always.

2.2 Family Division Pilot Program Goals (Continued)

The survey showed less agreement between FDPP marital respondents and juvenile respondents on whether scheduled hearings were timely (82 percent and 69 percent, respectively) and the resolution of a case was fair (77 percent and 92 percent, respectively). In addition, Superior Court and District Court respondents also had less agreement on whether scheduled hearings were timely (82 percent and 66 percent, respectively).

Most of the FDPP personnel interviewed indicated the Pilot Program is promptly and fairly resolving family issues.

Individuals involved in a Superior Court marital case or District Court juvenile case provided the following responses on the timeliness and resolution of the cases:

- 88 percent of the District Court respondents indicated their case was completed in a reasonable amount of time after being filed,
- 77 percent of the Superior Court respondents indicated their case was completed in a reasonable amount of time after being filed, and
- 81 percent of the Superior and District Court respondents indicated their case was fairly resolved.

One Judge For One Family

In the opinion of respondents, the Pilot Program has the same judge or marital master hear all *hearings* in a case the majority of the time. However, there was less agreement that the Pilot Program has the same judge or marital master hear all *cases* involving a family.

The surveys showed the following opinions regarding the Pilot Program:

- 95 percent of the FDPP survey respondents indicated the same judge or master conducted all hearings,
- 94 percent of the professionals strongly indicated the FDPP judge or master conducts all hearings in a case often to always,
- 70 percent of the FDPP survey respondents who had been involved in other cases indicated that they were assigned to the same judge or master, and
- 76 percent of the professionals indicated the same judge or master heard all of one family's cases often to always.

The other courts did not have as strong agreement that judges or masters conducted all the hearings in a case. Eighty-six percent of the Superior Court respondents and 73 percent of District Court respondents indicated the same judge or master conducted all hearings in their respective case.

2.2 Family Division Pilot Program Goals (Continued)

Adversarial Nature

In establishing the Family Division Pilot Program, the Legislature had a goal of decreasing the adversarial nature of court proceedings, particularly in divorce cases, through the use of alternative dispute resolution. Alternative dispute resolution and the need to attend a mandatory information seminar are addressed in the Family Division Pilot Program rules under Rule 17 in the domestic relations section. Specifically, parties involved in a domestic relations issue are required to attend an alternative dispute resolution information seminar prior to a pre-trial or final hearing. Attendance may be waived if the “parties have filed a joint petition, have no dependent children, and file a permanent stipulation.”

The results of the surveys showed that two-thirds of the FDPP marital respondents indicated the mandatory alternative dispute resolution seminar was not applicable to them. Of the respondents attending the seminar, 78 percent found it helpful. Most of the court personnel interviewed indicated the Pilot Program is successfully using alternative dispute resolution to decrease the adversarial nature of proceedings. However, over two-thirds of the professionals involved in marital cases in both the FDPP and the Superior Court indicated the adversarial atmosphere in court proceedings is about the same.

Selecting And Training Hearing Officers

Judges and staff were selected for the Family Division Pilot Program based on their interest to work in the program as well as their experience. The Pilot Program is mainly staffed by District Court judges but there are several judges from the Probate Courts and three marital masters from the Superior Court hearing cases. The court staff for the Family Division Pilot Program come from Superior, District, and Probate Courts.

At the beginning of the Pilot Program training was provided to all the staff. Because the Family Division Pilot Program involves cases coming from all three trial courts, hearing officers were cross-trained. In addition a “bench book” was developed for hearing officers sitting in the Family Division Pilot Program.

One of the weaknesses identified by the FDPP hearing officers and staff interviewed is the need for more training for all court employees. In the “Report of the Family Division Pilot Program” dated October 1, 1998, the need to support continuing education for FDPP hearing officers and staff is mentioned.

Of the professionals responding to the survey, 85 percent of those involved in marital cases indicated that marital masters have a sufficient knowledge of family law to a great or very great extent. Seventy-three percent of the professionals involved in marital cases indicated that judges have a sufficient knowledge of family law to a great or very great extent.

2.3 FDPP Staff Interviews

Twenty structured interviews were conducted with Pilot Program personnel such as hearing officers, coordinators, court assistants, and cases managers. Many of these interviews were conducted at the Plymouth and Lebanon sites in Grafton County, and the Derry and Salem sites in Rockingham County. Additional interviews were held in Concord.

FDPP Hearing Officers And Staff Support The Pilot Program

Overall, hearing officers and staff were very supportive of the Pilot Program and hoped that it remain a separate division. These were individuals who had volunteered to work in the Pilot Program; they enjoyed family-related cases and the support they receive from each other. A number of strengths of the Pilot Program were repeatedly identified. Of the 20 FDPP personnel with whom we spoke:

- 16 indicated creating a user-friendly atmosphere,
- 9 indicated staffing the Pilot Program with people committed to handling family-related cases,
- 8 indicated creating the case manager position which assists litigants who represent themselves in divorce cases,
- 8 indicated emphasizing the time disposition of cases (especially marital),
- 7 indicated managing the Pilot Program in a team approach,
- 7 indicated following the one judge for one family philosophy,
- 5 indicated making the court system more efficient by having all family-related cases heard in one court, and
- 4 indicated improving the scheduling of future court dates.

As mentioned above in the survey section, hearing officers and staff felt strongly that the Pilot Program was fulfilling its Legislative goals. When asked about weaknesses, the FDPP personnel we spoke with identified the following:

- 11 indicated needing more FDPP staff,
- 8 indicated needing more “judge time” or full-time FDPP judges,
- 5 indicated needing more training,
- 4 indicated needing to review the locations of FDPP courts, and
- 4 indicated needing to connect all courts through a computer network.

2.4 Support For The Case Manager Position

One difference between FDPP marital cases and Superior Court marital cases is the utilization of case managers by the Pilot Program. A case manager is a person who provides assistance to people who are handling their own divorce case. Litigants handling their own divorce cases are known as Pro Se (for oneself). The case manager helps Pro Se parties to complete court documents and understand the court processes. Case managers do not provide legal advice, however, they may suggest to Pro Se parties that consulting with an attorney would be beneficial in complex cases.

According to FDPP case manager reports for the full calendar year of 1998 and the first three quarters in 1999, almost half of all petitions for divorce, legal separation, and custody are assigned to case managers. Of the petitions assigned to the case managers, 65 percent reach a partial or full agreement thereby potentially reducing time spent in court. Eighty-six percent of the marital litigants in the Pilot Program who had experience with a case manager agreed that the case manager helped them understand the court process and be ready for their respective hearings.

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**STATE OF NEW HAMPSHIRE
FAMILY DIVISION PILOT PROGRAM**

CONCLUSION

Overall, users of the Family Division Pilot Program (FDPP) indicated that the program met its mandated goals of serving the public in a user-friendly manner. Our user survey results were consistent with findings in two prior surveys commissioned or conducted by the Judicial Branch. Our survey of attorneys and other professionals found that about one-half of those experienced in FDPP and non-FDPP courts thought the Pilot Program was an improvement and provided better services to the public when compared to other counties. In addition, the case manager position in the Pilot Program, which assists divorce litigants who are representing themselves, is generally seen as a positive development.

The increased level of service provided by the Pilot Program has come at a price, including the costs of additional personnel. During our audit period, the court system shifted resources to implement and run the program without any additional State funding. The true costs are somewhat hidden by the use of existing facilities and personnel. For example, the cost of hearing officers is transferred from family-related cases formerly held in Superior, District, and Probate Courts to the Pilot Program.

While our surveys of FDPP users (both litigants and professionals) largely reflect the results of previous surveys, our surveys of users in non-FDPP courts also indicated high levels of satisfaction with juvenile cases heard in District Courts and marital cases heard in the Superior Court. Several court personnel have stated that non-FDPP courts have made changes based on the Pilot Program. Since no previous surveys of non-FDPP users were conducted, it is unclear how much, if any, user satisfaction is a result of these changes.

As stated in our scope and methodology section, we did not see it as our charge to offer an opinion on the policy question of whether the Family Division Pilot Program should continue or be expanded. However, we believe that the Legislature and Supreme Court should take the survey results, as well as the cost issue, into account when deciding the future of the Family Division Pilot Program.

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APPENDIX A
JUDICIAL BRANCH RESPONSE

STATE OF NEW HAMPSHIRE
SUPREME COURT

DAVID A. BROCK
CHIEF JUSTICE



N.H. SUPREME COURT
CONCORD, N.H. 03301
(603) 271-2149
FAX: (603) 271-3977

December 21, 1999

Catherine A. Provencher, CPA
Director of Audits
Office of Legislative Budget Assistant
Audit Division
State House Room 102
Concord, New Hampshire 03301

Dear Ms. Provencher:

Thank you for all the time and effort you and members of your staff devoted to the "Performance Audit Report" prepared in connection with the Family Division Pilot Project being operated by the Judicial Branch. The surveys and their thoughtful analysis by members of your staff provide valuable insight into perceptions of the public and some professionals concerning the Family Division and our court system. At a time when public confidence in government is consistently reported to be at a low level, I was encouraged to read your findings that we accomplished the legislative goals for the Family Division Pilot Project and that the court system is held in high regard by users and professionals alike.

The initial charge of the Judicial Branch was to implement an 18-month Pilot Project to accomplish goals established in Chapter 152 of the Laws of 1995, without an additional appropriation. Three studies conclude that we have accomplished those goals. Independent and nationally recognized court management consultant Maureen Solomon reported in 1997 that the Family Division Pilot Project was meeting, or expected soon to meet, the legislatively established goals. The Family Division Pilot Project's own 1998 report concluded that the Project was meeting mandated goals. The Legislative Budget Assistant now concludes that the majority of professional users of the Family Division Pilot Project report that the project is an improvement and provides better constituent service; perhaps more significantly, Family Division users report high levels of satisfaction (69% approval to 98% approval) with the Project in 18 user categories. All three studies conclude the court system accomplished the goals of the legislature and enhanced constituent service.

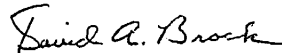
Appendix A – Judicial Branch Response (Continued)

Catherine A. Provencher
December 21, 1999
Page Two

Especially gratifying was the LBA's report of a similarly high level of constituent satisfaction in district and superior court handling of juvenile and marital cases, respectively, outside of the Family Division. Service to members of the public is a priority for judges and non-judicial staff; I am proud to lead the dedicated men and women who earned this high level of public approval.

Now that the Legislative Budget Assistant has confirmed the success of the Family Division Pilot Project through its study, the Supreme Court again recommends that the Legislature expand the Family Division statewide and appropriate funds necessary to support this enhanced constituent service.

Sincerely,



David A. Brock
Chief Justice

DAB:rc

APPENDIX B

DETAILED COMPARISON OF USER SATISFACTION SURVEYS

Statement	District		FDPP Juvenile		FDPP Marital		Superior	
	Agree	Disagree	Agree	Disagree	Agree	Disagree	Agree	Disagree
The judge/master treated me with courtesy and respect.	91%	9%	96%	4%	90%	10%	86%	14%
The office staff of the court treated me with courtesy and respect.	97%	3%	95%	5%	96%	4%	90%	10%
The judge/master gave enough time in court to present the case.	93%	7%	94%	6%	84%	16%	93%	7%
The judge/master gave the case their undivided attention.	88%	12%	93%	7%	79%	21%	89%	11%
The case was completed within a reasonable amount of time after it was filed.	88%	12%	86%	14%	83%	17%	77%	23%
On days a hearing for the case was scheduled, it was timely.	66%	34%	69%	31%	82%	18%	82%	18%
The resolution of the case was fair.	83%	17%	92%	8%	77%	23%	80%	20%
The same judge/master conducted all hearings in the case.	73%	27%	93%	7%	98%	2%	86%	14%
The judge/master was familiar with the case.	83%	17%	86%	14%	75%	25%	77%	23%
It was easy to understand how the case would be handled in the court.	72%	28%	86%	14%	77%	23%	76%	24%
I understood what the judge/master did in the case.	90%	10%	93%	7%	83%	17%	85%	15%
The office staff was able to give me information I needed.	88%	12%	94%	6%	93%	7%	84%	16%
The court forms I used were easy to understand.	81%	19%	94%	6%	93%	7%	72%	28%
The court location where the case was heard was convenient for me.	90%	10%	93%	7%	95%	5%	97%	3%

Note 1: Responses indicating the question was “not applicable” were not used in determining the percentages in the table.

Note 2: The columns titled “Agree” include the “Strongly Agree” responses and the columns titled “Disagree” include the “Strongly Disagree” responses.

Appendix B – Detailed Comparison Of User Satisfaction Surveys (Continued)

Statement	District		FDPP Juvenile		FDPP Marital		Superior	
	Agree	Disagree	Agree	Disagree	Agree	Disagree	Agree	Disagree
I have been involved with other cases in the FDPP that were all assigned to the same judge/master.	---	---	88%	12%	46%	54%	---	---
The mandatory Alternative Dispute Resolution Seminar was helpful.	---	---	---	---	78%	22%	---	---
The alternative dispute resolution programs were helpful.	---	---	---	---	72%	28%	76%	24%
Neutral case conference was helpful.	---	---	---	---	81%	19%	71%	29%
The case manager helped me understand the court process to be ready for my hearings.	---	---	---	---	86%	14%	---	---
<p>Note 1: Responses indicating the question was “not applicable” were not used in determining the percentages in the table.</p> <p>Note 2: The columns titled “Agree” include the “Strongly Agree” responses and the columns titled “Disagree” include the “Strongly Disagree” responses.</p> <p>Source: LBA analysis of survey responses.</p>								

APPENDIX C

SURVEY OF FAMILY DIVISION MARITAL USERS

NOTES:

- Responses are in bold.
- Totals may not add up to 100 percent due to rounding.
- A statistically valid random sample of 350 surveys were mailed to spouses involved in a Family Division marital case in the Brentwood, Derry, Haverhill, Lebanon, Littleton, Plymouth, Portsmouth, or Salem locations between January 1, 1999 and June 30, 1999. The following is a breakdown of surveys that were returned by November 5, 1999:

Total surveys undeliverable	19	(5%)
Total surveys returned	75	(21%)
Total usable surveys	71	(20%)

- Four surveys were unusable because the case was never heard, an attorney handled all court appearances, there was no involvement with a marital case, or the survey was blank.

-
1. Please check the Family Division Pilot Program location where your case was heard.

Responses: 68

17	(25%)	Brentwood
13	(19%)	Derry
3	(4%)	Haverhill
9	(13%)	Lebanon
4	(6%)	Littleton
4	(6%)	Plymouth
14	(21%)	Portsmouth
4	(6%)	Salem

2. How were you represented in your case? *(Please check the appropriate response.)*

Responses: 71

32	(45%)	You represented yourself
35	(49%)	You were represented by an attorney
4	(6%)	Other

Appendix C – Survey Of Family Division Marital Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
3. The judge/master treated me with courtesy and respect. Responses: 71	30 42%	23 32%	2 3%	4 6%	12 17%
4. The office staff of the court treated me with courtesy and respect. Responses: 71	40 56%	24 34%	2 3%	1 1%	4 6%
5. The judge/master gave enough time in court to present the case. Responses: 71	29 41%	19 27%	3 4%	6 8%	14 20%
6. The judge/master gave the case their undivided attention. Responses: 71	31 44%	15 21%	5 7%	7 10%	13 18%
7. The case was completed within a reasonable amount of time after it was filed. Responses: 70	34 49%	24 34%	4 6%	8 11%	0 0%
8. On days a hearing for the case was scheduled, it was timely. Responses: 71	26 37%	23 32%	6 8%	5 7%	11 15%
9. The resolution of the case was fair. Responses: 69	34 49%	16 23%	3 4%	12 17%	4 6%
10. The same judge/master conducted all hearings in the case. Responses: 70	31 44%	17 24%	0 0%	1 1%	21 30%
11. The judge/master was familiar with the case. Responses: 70	18 26%	23 33%	10 14%	4 6%	15 21%

Appendix C – Survey Of Family Division Marital Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
12. It was easy to understand how the case would be handled in the court. Responses: 71	22 31%	26 37%	11 15%	3 4%	9 13%
13. I understood what the judge/master did in the case. Responses: 71	32 45%	23 32%	5 7%	6 8%	5 7%
14. The office staff was able to give me information I needed. Responses: 69	31 45%	25 36%	2 3%	2 3%	9 13%
15. The court forms I used were easy to understand. Responses: 68	20 29%	37 54%	4 6%	0 0%	7 10%
16. The court location where the case was heard was convenient for me. Responses: 68	35 51%	26 38%	0 0%	3 4%	4 6%
17. The mandatory Alternative Dispute Resolution Seminar was helpful. Responses: 67	6 9%	12 18%	4 6%	1 1%	44 66%
18. The alternative dispute resolution programs were helpful. Responses: 67	3 4%	10 15%	4 6%	1 1%	49 73%
19. Neutral case conference was helpful. Responses: 68	8 12%	9 13%	2 3%	2 3%	47 69%

Appendix C – Survey Of Family Division Marital Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
20. I have been involved with other cases in the Family Division that were all assigned to the same judge/master. Responses: 66	3 5%	3 5%	3 5%	4 6%	53 80%
21. The case manager helped me understand the court process to be ready for my hearing(s). Responses: 68	22 32%	10 15%	0 0%	5 7%	31 46%

Comments:

Out of the 71 usable surveys returned, a total of 38 surveys contained written comments. Like comments from three or more surveys are listed below. The remaining comments were either personal in nature or did not meet the threshold of three or more like comments. Of the 38 surveys with comments:

- 10 contained a positive comment regarding the judge, marital master, case manager, or court staff;
- 9 expressed some dissatisfaction with the outcome of the case, the judge, or the marital master;
- 5 indicated the process was quick and easy; and
- 4 indicated they did not have to appear before a judge or go to court.

APPENDIX D

SURVEY OF FAMILY DIVISION JUVENILE USERS

NOTES:

- Responses are in bold.
- Totals may not add up to 100 percent due to rounding.
- A statistically valid random sample of 300 surveys were sent to parents of juveniles who had a case heard in the Brentwood, Derry, Haverhill, Lebanon, Littleton, Plymouth, Portsmouth, or Salem locations between January 1, 1999 and June 30, 1999. The following is a breakdown of surveys that were returned by November 5, 1999:

Total surveys undeliverable	17	(6%)
Total surveys returned	73	(24%)
Total usable surveys	68	(23%)

- Five surveys were unusable because the individual was not involved with the court process or the survey was returned blank.

1. Were you involved with the court process (i.e., attending hearings, completing paperwork) involving your child? (*Please check the appropriate response.*)

63 Yes, please continue with the questionnaire.

3 No, please stop and return the questionnaire unfinished in the enclosed envelope.

5 No response to this question, but remainder of survey completed.

2 Returned with no responses.

Appendix D – Survey Of Family Division Juvenile Users (Continued)

2. Please check the Family Division Pilot Program location where your child’s case was heard.

Responses: 68

- 10 (15%) Brentwood
- 22 (32%) Derry
- 1 (1%) Haverhill
- 5 (7%) Lebanon
- 1 (1%) Littleton
- 6 (9%) Plymouth
- 8 (12%) Portsmouth
- 9 (13%) Salem
- 1 (1%) Other
- 5 (7%) No location provided.

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
3. The judge/master treated me with courtesy and respect. Responses: 68	41 60%	24 35%	1 1%	2 3%	0 0%
4. The office staff of the court treated me with courtesy and respect. Responses: 68	35 51%	28 41%	3 4%	0 0%	2 3%
5. The judge/master gave enough time in court to present the case. Responses: 68	32 47%	27 40%	2 3%	2 3%	5 7%
6. The judge/master gave the case their undivided attention. Responses: 68	38 56%	24 35%	3 4%	2 3%	1 1%

Appendix D – Survey Of Family Division Juvenile Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
7. The case was completed within a reasonable amount of time after it was filed. Responses: 67	29 43%	27 40%	2 3%	7 10%	2 3%
8. On days a hearing for the case was scheduled, it was timely. Responses: 68	21 31%	26 38%	8 12%	13 19%	0 0%
9. The resolution of the case was fair. Responses: 68	29 43%	32 47%	2 3%	3 4%	2 3%
10. The same judge/master conducted all hearings in the case. Responses: 66	31 47%	23 35%	2 3%	2 3%	8 12%
11. The judge/master was familiar with the case. Responses: 66	25 38%	31 47%	7 11%	2 3%	1 2%
12. It was easy to understand how the case would be handled in the court. Responses: 67	23 34%	32 48%	5 7%	4 6%	3 4%
13. I understood what the judge/master did in the case. Responses: 68	32 47%	30 44%	4 6%	1 1%	1 1%
14. The office staff was able to give me information I needed. Responses: 68	23 34%	38 56%	4 6%	0 0%	3 4%
15. The court forms I used were easy to understand. Responses: 68	19 28%	42 62%	4 6%	0 0%	3 4%

Appendix D – Survey Of Family Division Juvenile Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
16. The court location where the case was heard was convenient for me. Responses: 68	30 44%	33 49%	4 6%	1 1%	0 0%
17. I have been involved with other cases in the Family Division that were all assigned to the same judge/master. Responses: 66	6 9%	9 14%	2 3%	0 0%	49 74%

Comments:

Out of the 68 usable surveys returned, a total of 22 surveys contained written comments. Like comments from three or more surveys are listed below. The remaining comments were either personal in nature or did not meet the threshold of three or more like comments. Of the 22 surveys with comments:

- 8 contained a positive comment regarding the judge or the court staff;
- 4 expressed some dissatisfaction with the outcome of the case or the judge;
- 4 expressed some dissatisfaction with others involved with the case, such as lawyers or juvenile services officers;
- 4 contained negative comments regarding the scheduling (hearings cancelled and rescheduled) and timeliness of hearings; and
- 3 expressed some dissatisfaction with the process.

APPENDIX E

SURVEY OF SUPERIOR COURT MARITAL USERS

NOTES:

- Responses are in bold.
- Totals may not add up to 100 percent due to rounding.
- A statistically valid random sample of 349 surveys were mailed to spouses involved in a Superior Court marital case in either Cheshire County or Hillsborough County (Nashua location) between January 1, 1999 and June 30, 1999. The following is a breakdown of surveys that were returned by November 5, 1999:

Total surveys undeliverable **60** (17%)

Total surveys returned **63** (18%)

Total usable surveys **60** (17%)

- Three surveys were unusable because the survey was blank or the case was not heard in New Hampshire.

-
1. Please check the Superior Court location where your case was heard.

Responses: 60

14 (23%) Cheshire County

46 (77%) Hillsborough County (Nashua location)

2. How were you represented in your case? (*Please check the appropriate response.*)

Responses: 60

25 (42%) You represented yourself

31 (52%) You were represented by an attorney

4 (7%) Other

Appendix E – Survey Of Superior Court Marital Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
3. The judge/master treated me with courtesy and respect. Responses: 59	30 51%	20 34%	5 8%	3 5%	1 2%
4. The office staff of the court treated me with courtesy and respect. Responses: 60	26 43%	28 47%	4 7%	2 3%	0 0%
5. The judge/master gave enough time in court to present the case. Responses: 58	25 43%	27 47%	4 7%	0 0%	2 3%
6. The judge/master gave the case their undivided attention. Responses: 60	27 45%	23 38%	4 7%	2 3%	4 7%
7. The case was completed within a reasonable amount of time after it was filed. Responses: 60	25 42%	21 35%	10 17%	4 7%	0 0%
8. On days a hearing for the case was scheduled, it was timely. Responses: 60	20 33%	27 45%	9 15%	1 2%	3 5%
9. The resolution of the case was fair. Responses: 59	28 47%	19 32%	4 7%	8 14%	0 0%
10. The same judge/master conducted all hearings in the case. Responses: 58	26 45%	22 38%	6 10%	2 3%	2 3%

Appendix E – Survey Of Superior Court Marital Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
11. The judge/master was familiar with the case. Responses: 60	15 25%	26 43%	9 15%	3 5%	7 12%
12. It was easy to understand how the case would be handled in the court. Responses: 60	13 22%	32 53%	7 12%	7 12%	1 2%
13. I understood what the judge/master did in the case. Responses: 59	19 32%	31 53%	3 5%	6 10%	0 0%
14. The office staff was able to give me information I needed. Responses: 60	16 27%	27 45%	3 5%	5 8%	9 15%
15. The court forms I used were easy to understand. Responses: 60	6 10%	32 53%	11 18%	4 7%	7 12%
16. The court location where the case was heard was convenient for me. Responses: 60	28 47%	28 47%	0 0%	2 3%	2 3%
17. The alternative dispute resolution programs were helpful. Responses: 56	4 7%	9 16%	1 2%	3 5%	39 70%
18. Neutral case conference was helpful. Responses: 54	5 9%	5 9%	2 4%	2 4%	40 74%

Appendix E – Survey Of Superior Court Marital Users (Continued)

Comments:

Out of the 60 usable surveys returned, a total of 25 surveys contained written comments. Like comments from three or more surveys are listed below. The remaining comments were either personal in nature or did not meet the threshold of three or more like comments. Of the 25 surveys with comments:

- 5 expressed some dissatisfaction with the court staff, the judge, or the marital master;
- 4 indicated the need for more information or accurate information;
- 4 contained a positive comment regarding the judge, marital master, or court staff;
- 4 provided positive comments regarding the process; and
- 3 provided negative comments regarding the process.

APPENDIX F

SURVEY OF DISTRICT COURT JUVENILE USERS

NOTES:

- **Responses are in bold.**
- **Totals may not add up to 100 percent due to rounding.**
- **A statistically valid random sample of 250 surveys were mailed to the parents of juveniles involved in a case in either Cheshire County or Hillsborough (south) County between January 1, 1999 and June 30, 1999. The following is a breakdown of surveys that were returned by November 5, 1999:**

Total surveys undeliverable	19	(8%)
Total surveys returned	63	(25%)
Total usable surveys	59	(24%)

- **Four surveys were unusable because respondents were either not involved with the court proceedings or they did not fill out the questionnaire.**

-
1. Were you involved with the court proceedings (i.e., attending hearings, completing paperwork) involving your child? (*Please check the appropriate response.*)

57 Yes, please continue with the questionnaire.

3 No, please stop and return the questionnaire unfinished in the enclosed envelope.

2 No response to this question, but remainder of survey completed.

1 Returned with no responses.

2. Please check the District Court location where your child's case was heard.

Responses: 59

10 (17%) Jaffery/Peterborough

12 (20%) Keene

8 (14%) Merrimack

5 (8%) Milford

22 (37%) Nashua

2 (3%) Other (Amherst, Manchester)

Appendix F – Survey Of District Court Juvenile Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
3. The judge treated me with courtesy and respect. Responses: 58	17 29%	36 62%	4 7%	1 2%	0 0%
4. The office staff of the court treated me with courtesy and respect. Responses: 59	20 34%	37 63%	2 3%	0 0%	0 0%
5. The judge gave enough time in court to present the case. Responses: 58	12 21%	39 67%	3 5%	1 2%	3 5%
6. The judge gave the case his/her undivided attention. Responses: 59	17 29%	34 58%	6 10%	1 2%	1 2%
7. The case was completed within a reasonable amount of time after it was filed. Responses: 59	11 19%	40 68%	3 5%	4 7%	1 2%
8. On days a hearing for the case was scheduled, it was timely. Responses: 59	7 12%	32 54%	15 25%	5 8%	0 0%
9. The resolution of the case was fair. Responses: 59	13 22%	35 59%	7 12%	3 5%	1 2%
10. The same judge conducted all hearings in the case. Responses: 57	12 21%	23 40%	8 14%	5 9%	9 16%
11. The judge was familiar with the case. Responses: 57	9 16%	36 63%	6 11%	3 5%	3 5%

Appendix F – Survey Of District Court Juvenile Users (Continued)

Please fill in the one circle that best reflects your opinion for each statement.	Strongly agree (1)	Agree (2)	Disagree (3)	Strongly disagree (4)	Not applicable (5)
12. It was easy to understand how the case would be handled in the court. Responses: 59	5 8%	36 61%	11 19%	5 8%	2 3%
13. I understood what the judge did in the case. Responses: 59	11 19%	41 69%	3 5%	3 5%	1 2%
14. The office staff was able to give me information I needed. Responses: 58	7 12%	39 67%	4 7%	2 3%	6 10%
15. The court forms I used were easy to understand. Responses: 58	6 10%	37 64%	8 14%	2 3%	5 9%
16. The court location where the case was heard was convenient for me. Responses: 59	16 27%	37 63%	5 8%	1 2%	0 0%

Comments:

Out of the 59 usable surveys returned, a total of 18 surveys contained written comments. Like comments from three or more surveys are listed below. The remaining comments were either personal in nature or did not meet the threshold of three or more like comments. Of the 18 surveys with comments:

- 7 expressed some dissatisfaction with the outcome of the case or the judge;
- 5 expressed some dissatisfaction with others involved with the case, such as attorneys or juvenile services officers; and
- 4 contained a positive comment regarding the judge or the court staff.

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APPENDIX G

SURVEY OF FAMILY DIVISION PROFESSIONALS

NOTES:

- Responses are in bold.
- Totals may not add up to 100 percent due to rounding.
- A statistically valid random sample of 431 surveys were mailed to professionals involved in a Family Division Pilot Project marital or juvenile case in Rockingham or Grafton counties between January 1, 1999 and June 30, 1999. The following is a breakdown of surveys that were returned by November 5, 1999:

Total surveys undeliverable	4	(1%)
Total surveys returned	227	(53%)
Total usable surveys	219	(51%)

- Eight surveys were unusable for reasons such as a lack of adequate experience with the Family Division or there was an indication the case was never heard.

-
1. Please indicate your professional role(s) in Family Division cases: *(Check all that apply.)*

A total of 262 responses were provided by 218 individuals responding to this question. Percentages are calculated based on the number of individuals responding. Due to more than one response per individual, percents do not total 100 percent.

6	(3%)	Child Protective Social Worker
5	(2%)	DHHS Attorney
39	(18%)	Guardian ad Litem
11	(5%)	Juvenile Service Officer
20	(9%)	Law Enforcement/Prosecution
144	(66%)	Private Attorney
4	(2%)	Public Defender
5	(2%)	Support Enforcement
28	(13%)	Other

Appendix G – Survey Of Family Division Professionals (Continued)

2. Please indicate the court location(s) you attended when you were involved with Family Division cases since January 1, 1999: *(Check all that apply.)*

A total of 481 responses were provided by 218 individuals responding to this question. Percentages are calculated based on the number of individuals responding. Due to more than one response per individual, percents do not total 100 percent.

Grafton County			Rockingham County		
18	(8%)	Haverhill	123	(56%)	Brentwood
19	(9%)	Lebanon	117	(54%)	Derry
15	(7%)	Littleton	81	(37%)	Portsmouth
41	(19%)	Plymouth	67	(31%)	Salem

3. Since the creation of the Family Division in 1996, have the locations of Family Division Courts proven convenient to you in:

Juvenile Cases *(Check one.)*
Responses: 164

Marital Cases *(Check one.)*
Responses: 182

31	(19%)	Much more convenient	50	(27%)	Much more convenient
26	(16%)	More convenient	35	(19%)	More convenient
42	(26%)	About the same as before	42	(23%)	About the same as before
12	(7%)	Less convenient	12	(7%)	Less convenient
10	(6%)	Much less convenient	14	(8%)	Much less convenient
43	(26%)	Not applicable to me	29	(16%)	Not applicable to me

Appendix G – Survey Of Family Division Professionals (Continued)

For the next six questions, please fill in the one circle that best reflects your opinion for each statement.

To what extent, if at all, do the following statements reflect your experiences with the Family Division?	Always or almost always (1)	Very often (2)	Often (3)	Sometimes (4)	Seldom if ever (5)	Don't know (6)
4. The Family Division judge or master conducts all the hearings in a case. Responses: 214	156 73%	32 15%	12 6%	6 3%	1 0%	7 3%
5. All of one family's cases are assigned to the same judge or master in the Family Division. Responses: 212	97 46%	46 22%	18 8%	12 6%	1 0%	38 18%
6. The Family Division is promptly disposing of cases. Responses: 214	68 32%	62 29%	38 18%	30 14%	8 4%	8 4%
7. The Family Division is fairly resolving cases. Responses: 215	68 32%	54 25%	50 23%	31 14%	8 4%	4 2%
8. Family Division cases receive the level of attention from the court they need in terms of their complexity. Responses: 215	78 36%	51 24%	32 15%	36 17%	10 5%	8 4%
9. The Family Division judge or master treats people with respect and courtesy. Responses: 215	127 59%	49 23%	23 11%	11 5%	3 1%	2 1%

10. Since the creation of the Family Division in 1996, have their locations proven convenient for litigants and families in:

Juvenile Cases (*Check one.*)

Responses: 163

22 (13%) Much more convenient
28 (17%) More convenient
41 (25%) About the same as before
9 (6%) Less convenient
10 (6%) Much less convenient
53 (33%) Not applicable to me

Marital Cases (*Check one.*)

Responses: 190

51 (27%) Much more convenient
45 (24%) More convenient
44 (23%) About the same as before
10 (5%) Less convenient
5 (3%) Much less convenient
35 (18%) Not applicable to me

Appendix G – Survey Of Family Division Professionals (Continued)

11. To what extent, if at all, do you believe Family Division judges have sufficient knowledge of family law in:

Juvenile Cases *(Check one.)*

Responses: 171

5 (3%) To little or no extent
8 (5%) To some extent
11 (6%) To a moderate extent
44 (26%) To a great extent
52 (30%) To a very great extent
51 (30%) Not applicable to me

Marital Cases *(Check one.)*

Responses: 189

6 (3%) To little or no extent
19 (10%) To some extent
17 (9%) To a moderate extent
56 (30%) To a great extent
56 (30%) To a very great extent
35 (19%) Not applicable to me

12. To what extent, if at all, do you believe Family Division masters have sufficient knowledge of family law in:

Juvenile Cases *(Check one.)*

Responses: 161

5 (3%) To little or no extent
7 (4%) To some extent
18 (11%) To a moderate extent
30 (19%) To a great extent
19 (12%) To a very great extent
82 (51%) Not applicable to me

Marital Cases *(Check one.)*

Responses: 190

4 (2%) To little or no extent
6 (3%) To some extent
12 (6%) To a moderate extent
61 (32%) To a great extent
67 (35%) To a very great extent
40 (21%) Not applicable to me

Appendix G – Survey Of Family Division Professionals (Continued)

In the table below, please indicate the approximate number of family-related cases you were involved with in the Family Division and in courts other than the Family Division for the past year.

Type of family-related cases	Approximate number of Family Division cases per year						Approximate number of family-related cases outside of the Family Division per year					
	1-10	11-20	21-30	31-40	41-50	>50	1-10	11-20	21-30	31-40	41-50	>50
13. Divorce/Marital	93	39	11	1	6	3	67	27	13	5	4	18
14. Juvenile CHINS or Delinquency	47	10	5	6	2	17	36	2	3	1	2	2
15. Juvenile Abuse or Neglect	63	6	3	4	2	3	37	5	3	0	1	0
16. Adoption, Guardianship, or Termination of Parental Rights	67	5	0	0	1	0	44	1	1	0	0	2
17. Other: <i>(Please specify)</i>	11	2	0	0	0	0	7	0	0	0	0	2
If you have not worked on family-related cases outside of the Family Division skip questions 18 – 27 and go to end of survey on page 6.												

Grafton and Rockingham are the only counties where the Family Division Pilot Program is implemented. Family-related cases in the other eight counties in New Hampshire are handled by the Superior, District, and Probate Courts. In the following questions we want you to compare the Family Division Courts with these other courts. Please base your answers on cases you personally have been involved in.

18. In which of the following counties have you been professionally involved in family-related cases similar to those in the Family Division. *(Check all that apply.)*

A total of 368 responses were provided by 209 individuals responding to this question. Percentages are calculated based on the number of individuals responding. Due to more than one response per individual, percents do not total 100 percent.

- 43 (21%) Belknap
- 25 (12%) Carroll
- 14 (7%) Cheshire
- 11 (5%) Coos
- 107 (51%) Hillsborough
- 77 (37%) Merrimack
- 61 (29%) Strafford
- 19 (9%) Sullivan
- 11 (5%) Not applicable to me

Appendix G – Survey Of Family Division Professionals (Continued)

19. Compared to similar cases in the other counties, to what extent, if at all, do you believe the Family Division has made the legal process easier for litigants and families to understand in:

Juvenile Cases *(Check one.)*
Responses: 121

- 18 (15%)** To little or no extent
- 8 (7%)** To some extent
- 16 (13%)** To a moderate extent
- 14 (12%)** To a great extent
- 12 (10%)** To a very great extent
- 53 (44%)** Not applicable to me

Marital Cases *(Check one.)*
Responses: 156

- 36 (23%)** To little or no extent
- 22 (14%)** To some extent
- 28 (18%)** To a moderate extent
- 30 (19%)** To a great extent
- 20 (13%)** To a very great extent
- 20 (13%)** Not applicable to me

20. How does the attention given by the Family Division to your cases compare with similar cases handled by the Superior, District, or Probate Courts in other counties?

The Family Division is: *(Check one.)*
Responses: 168

- 24 (14%)** Much better than courts in other counties
- 49 (29%)** Better than courts in other counties
- 69 (41%)** About the same as courts in other counties
- 18 (11%)** Worse than courts in other counties
- 1 (1%)** Much worse than courts in other counties
- 7 (4%)** No opinion

Appendix G – Survey Of Family Division Professionals (Continued)

For the next five questions, please fill in the one circle that best reflects your opinion for each statement.

To what extent, if at all, do the following statements reflect your experiences with the Family Division?	Strongly agree (1)	Agree (2)	Undecided (3)	Disagree (4)	Strongly disagree (5)	Don't know (6)
21. Overall, the Family Division is an improvement over how family issues are handled in other courts not in the pilot program. Responses: 168	37 22%	51 30%	27 16%	37 22%	11 7%	5 3%
22. When compared to Superior Court in other counties, the Family Division has minimized the adversarial nature of divorce. Responses: 169	11 7%	28 17%	27 16%	58 34%	15 9%	30 18%
23. When compared to other counties, the Family Division provides better services to the public. Responses: 169	26 15%	55 33%	29 17%	40 24%	7 4%	12 7%
24. Overall, the accessibility of juvenile diversion alternatives is better in the Family Division than in other courts. Responses: 161	11 7%	18 11%	17 11%	17 11%	5 3%	93 58%
25. Overall, the creation of case managers in the Family Division has been beneficial. Responses: 169	25 15%	45 27%	34 20%	19 11%	4 2%	42 25%

Appendix G – Survey Of Family Division Professionals (Continued)

26. To what extent, if at all, has the potentially adversarial atmosphere in court proceedings been affected by the creation of the Family Division for:

Juvenile Cases *(Check one.)*

Responses: 127

- 6 (5%)** Atmosphere much less adversarial
- 20 (16%)** Atmosphere less adversarial
- 51 (40%)** Atmosphere about the same
- 1 (1%)** Atmosphere more adversarial
- 1 (1%)** Atmosphere much more adversarial
- 48 (38%)** Not applicable to me

Marital Cases *(Check one.)*

Responses: 159

- 8 (5%)** Atmosphere much less adversarial
- 33 (21%)** Atmosphere less adversarial
- 96 (60%)** Atmosphere about the same
- 3 (2%)** Atmosphere more adversarial
- 2 (1%)** Atmosphere much more adversarial
- 17 (11%)** Not applicable to me

27. How would you compare the time required to dispose of cases between the Family Division and the courts in the other eight counties?

Marital cases in the Family Division are: *(Check one.)*

Responses: 173

- 32 (18%)** Much faster than in Superior Court
- 53 (31%)** Somewhat faster than in Superior Court
- 48 (28%)** About the same as in Superior Court
- 7 (4%)** Somewhat slower than in Superior Court
- 6 (3%)** Much slower than in Superior Court
- 27 (16%)** Not applicable to me

Appendix G – Survey Of Family Division Professionals (Continued)

Comments:

Out of the 219 usable surveys returned, a total of 83 surveys contained written comments. Like comments from three or more surveys are listed below. The remaining comments were either personal in nature or did not meet the threshold of three or more like comments. Of the 83 surveys with comments:

- 30 viewed the Family Division Pilot Project positively or believed it should continue;
- 14 viewed the Family Division Pilot Project negatively or believed it should not continue;
- 12 had positive comments regarding the staff or judges;
- 7 responded that the judges or masters lacked knowledge of family law;
- 6 indicated that scheduling was problematic;
- 6 indicated that there was no difference between Family Division and Non-Family Division courts;
- 4 indicated that the decisions were prompt and cases were disposed of in a timely manner;
- 3 indicated that the Family Division was not successful in assigning the same judge for family cases;
- 3 indicated that the court locations were convenient;
- 3 indicated that there was no change in the adversarial nature of court proceedings;
- 3 indicated that the process was too fast; and
- 3 indicated that there was a backlog of cases.

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