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## **DEVELOPING A PROPOSAL FOR DIFFERENTIATED CASE MANAGEMENT FOR THE FAMILY COURT OF THE ELEVENTH JUDICIAL CIRCUIT**

The primary objective of this project is to research and develop a proposal for a Differentiated Case Management program for the Eleventh Judicial Circuit's Family Court. Since 1991, all circuits in Florida have been under a mandate by the Florida Supreme Court to establish a Family Court that would coordinate all family court matters that affect a single family. In its most recent decision *In Re: Report of the Family Court Steering Committee*, 26 Fla. L. Weekly S287 (Fla. 2001), the Florida Supreme Court specifically adopted the recommendations of the Family Court Steering Committee of establishing a "coordinated management" model in the Family Courts in Florida. This model includes the establishment of a differentiated case management system using either the concept of one family/one judge or one family/one team.

In developing a DCM system for the Eleventh Judicial Circuit's Family Court, there are four questions that I will address: 1) What goals and objectives will we achieve by establishing a DCM System in our Family Court? 2) What

are the current caseload characteristics and how are current cases being disposed of? 3) What are the specific case flow problems that need to be addressed? and 4) What is the appropriate DCM model for the Eleventh Judicial Circuit's Family Court?

Two research methods were employed to answer the questions listed above. A data collection survey was developed and sent to courts throughout the United States to ascertain whether they use a formal or informal DCM system in their Family Courts. The surveys response provide useful information to be used as we develop goals and objectives for our own DCM system and determine the best practices in Differentiated Case Management in Family Courts. Second, the caseloads of two Family Division Sections of our Circuit were reviewed to determine the current caseload characteristics and identify any specific caseload problems. This information from the caseload study will provide assistance in developing and proposing the criteria for case differential, proposing a method of screening cases, determining DCM track characteristics and developing a method for monitoring and evaluation of the proposed DCM model for our Family Court.

The current Family Court case management system focuses on reducing backlog, ensuring compliance with court orders and monitoring compliance of self-represented litigants with documentation requirements. From studies of other Unified Family Court systems, we have learned principles and values of differentiated case management, coordination of cases with overlapping issues,

and the value of appropriate referrals and monitoring of parties' compliance. However, full implementation has been limited due to insufficient staff and inadequate technology. To complicate matters even more, the Eleventh Judicial Circuit has three separate divisions that handle the type of cases enumerated in the most recent Florida Supreme Court's decision. Because of geographic location of courthouses and availability of resources, our circuit has not been able to "unify" these divisions administratively. The Eleventh Judicial Circuit is faced with the challenge of improving case process while responding to the continued challenge of decreasing resources and timely resolution of increased cases loads. Establishing a DCM System for our Family Court will play a vital role in reorganization and the possibility of consolidating resources within the three divisions.

As a result of this research project, a proposal for a Differentiated Case Management System for the Eleventh Judicial Circuit's Family Division was developed. Using the information derived from the caseload study and the data collection survey, criteria for case differential, protocols for screening and reviewing cases, DCM track characteristics and a method for monitoring and evaluating the proposed DCM model for our Family Court were developed. The proposed DCM system would address the inefficiency of our circuit's current case flow. Full implementation of this system with the appropriate resources and the initial intake process when the case is filed will accomplish timely disposition of cases consistent with the circumstances of each case, enhance the quality of the services our court provides to litigants and enable the just and efficient resolution of cases by improving system resources.

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