



BEYOND THE BENCH 21

*Coming of Age in Tough Times:
Building Our Strength Together*

December 1) -16, 2011
San Francisco, California

Conference Locations

Marriott at Moscone Center

55 Fourth Street
San Francisco, California 94103

AOC San Francisco Office

455 Golden Gate Avenue
San Francisco, California 94102



ADMINISTRATIVE OFFICE OF THE COURTS

CENTER FOR FAMILIES, CHILDREN
& THE COURTS

Sponsored by the Judicial Council of California, Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC). Specialized trainings and the Beyond the Bench conference are supported by a range of federal and state grants, private foundations, and registration fees.

CONTENTS

Wednesday, December 14

h Specialized Trainings	1
-------------------------------	---

Thursday, December 15

Concurrent Workshops 1.....	2
Morning Plenary	2
Concurrent Workshops 2.....	5
Thursday Lunch Plenary	8
Concurrent Workshops 3.....	9
Concurrent Workshops 4.....	13

Friday, December 16

Collaborative Justice Program	17
Educational Programs for Professionals Working in the Juvenile Court.....	19
<i>Probation Participants</i>	23
Legal Aid/Self Help Track, Family Law Conference.....	25
Education for Juvenile and Family Court Judicial Officers.....	28
<i>Workshops for Juvenile Court Judicial Officers</i>	28
<i>Workshops for Family Court Judicial Officers</i>	29

DECEMBER 14TH: SPECIALIZED TRAININGS

Intended Audience:

- New Dependency Attorneys
- Court Appointed Special Advocates (CASAs)
- Child Welfare Professionals

An Overview of Juvenile Dependency Law and Practice *◎◆

8:00–5:00 p.m.

This course provides an overview of the dependency legal system. The course focuses on stakeholder roles, dependency law and process, and legally mandated timelines. This course meets the 8-hour requirement for attorneys seeking to accept court-appointed cases.

Intended Audience:

- Judicial Officers
- Attorneys
- CASAs
- Child Welfare Workers
- Juvenile Probation Officers
- Other Child Welfare Professionals

California's Fostering Connections to Success Act (AB12/AB212): A Comprehensive Overview of the Legislation and its Impact *◎◆

8:30–4:45 p.m.

California's landmark legislation extending foster care benefits to eligible young adults begins its full implementation process on January 1, 2012. To help attendees understand the legislation's full scope and impact, this 8-hour course will offer content on eligibility, Rules of Court, changes to benefit laws, medical and mental health services eligibility, placement and housing allowances, post-secondary educational issues, young adult engagement, and special populations.

Intended Audience:

- Juvenile Probation
- Delinquency Attorneys
- Other Juvenile Delinquency Professionals

Incorporating Evidence-Based Practices into Juvenile Delinquency Courts *◎◆◆

8:00–5:00 p.m.

Juvenile probation departments throughout California are adopting evidence-based information gathering and assessment tools and practices into their daily work. This 8-hour program will closely examine how information is received by judicial officers and attorneys, and examine the intersections among roles, practices, and outcomes.

8:30-9:15 A.M.
MORNING PLENARY

Welcome

Ms. Diane Nunn

*Director, AOC Center for
Families, Children & the Courts*

Opening Remarks

Hon. Tani Cantil-Sakauye

*Chief Justice of California and Chair of
the Judicial Council of California*

Plenary Speaker

Mr. Jaiya John

*Professional Speaker, Poet, Author,
Youth Mentor and Advocate*

9:30-10:45 A.M.
CONCURRENT WORKSHOPS 1

**Thursday workshops are located at the Marriott at
Moscone Center.**

**Brief Solution-Focused Child Custody Mediation:
Approaches and Skills** *⊙◆**

What are the mediator skills necessary for working effectively with the parties in a limited amount of time? In any given group of separating parents, some may have minor custody/visitation disagreements, may be near agreement and, with mediator assistance, can arrive at a mutually agreeable parenting plan in a brief period of time. Learn how some courts utilize “day of court” mediation and others the orientation process to provide these families with a more immediate level of assistance. Learn how brief approaches are supported in the professional literature. Please read the statement regarding this workshop on page 15.

California Dependency Online Guide (CalDOG) Website Training ◆

The California Dependency Online Guide (CalDOG) is a resource website that provides high quality, juvenile dependency-related legal and nonlegal information to California attorneys, judicial officers, social workers and other child welfare professionals. This workshop will be an introductory training, for those with little or no experience using the website, or users who feel they would like more information about how to use all of the features of the website. There will be an opportunity to ask questions and provide feedback and suggestions. The workshop will be offered twice, at workshop sessions I and II. Following the workshops, the room will remain open through lunch, and CalDOG staff will be available to answer questions and conduct tutorials.

Children’s Participation in Family Law Cases *⊙◆

Child custody and parenting time cases often involve a host of issues requiring complex decision-making by the court as well as the involvement of attorneys, mediators, and mental health professionals. This workshop will primarily focus on children’s participation in family law matters and build on the experience of faculty with juvenile dependency cases where children more routinely participate. Content will include a discussion about why children of various ages often want to testify or participate in court proceedings, and how court-connected professionals and judicial officers can meet new legal requirements while effectively managing witnesses of various ages and appropriately analyzing and weighing children’s testimony or input. The panel will cover changes to the Family Code and the new statewide rule of court, effective January 1, 2012. Faculty perspectives will include the views of attorneys representing children and parents, and a judge with both family law and juvenile dependency experience.

9:30-10:45 A.M.

CONCURRENT WORKSHOPS 1 CONTINUED

Facebook Isn't Just for Friends: Examining the Use of Social Networks by Employers, Law Enforcement, and Others *◎ (Youth-oriented workshop open to youth and adult participants)

Your friends or future friends aren't the only people using social networks. Employers, law enforcement personnel, lawyers, and others are using social networks for far more than socializing. This presentation for youth and adults will examine some of those other uses of social networks and how these uses may affect you from a practical, legal, and policy standpoint. It will also cover recent decisions and laws relating to sexting, cyberbullying, and free speech.

Family Law Legal Update *◎◆

In addition to many legislative changes and new case law this year, several statewide family law rules and form changes will become effective January 1, 2012. This workshop will cover these changes and provide an opportunity for all participants to learn about how these changes might impact their work. The workshop will be relevant to judicial officers, mediators and child custody recommending counselors, evaluators, attorneys, and other court-connected professionals.

Hot Topics in Dependency *◎◆

This workshop will provide an analysis of the most important case law and statutory changes that affected the juvenile dependency court in 2011.

Meeting the Needs of Litigants with Limited English Proficiency ◆

With over 200 languages spoken in California, how can the courts ensure that their services are accessible to litigants who have limited or no English proficiency? Learn about new efforts by the Department of Justice and the American Bar Association to address these concerns and hear about a variety of creative strategies to address this major issue.

Restorative Justice – A Delinquency Justice Model That Works! *◎◆

Fresno has successfully implemented Community Justice Conferencing (CJC), a unique predisposition restorative justice program in collaboration with the Public Defender, District Attorney, Probation and the courts. CJC brings juvenile offenders together with their victims in a safe environment to address the violation, restore equity, and clarify future intentions. This interactive workshop will provide information about program effectiveness, victim and offender satisfaction, and offer means by which the program might be replicated.

9:30-10:45 A.M.

CONCURRENT WORKSHOPS 1 CONTINUED

Revisioning Juvenile Justice: Developing The Fiscal Argument for Change ♦

States across the nation faced with challenging fiscal times are rethinking prior approaches to juvenile justice and long-term incarceration of youth. Just as California is struggling with realignment and prison downsizing, other states have developed their own new approaches to juvenile incarceration as well as prevention strategies. This workshop will examine innovations and new approaches developed elsewhere, with a particular focus on fiscal drivers of reform. Panelists will also discuss cost/benefit analyses of reform initiatives, and how to use these fiscal arguments to develop bipartisan alliances for change.

The Importance of Domestic Violence Coordinating Councils *⊙♦

In today's environment of limited resources, developing and maintaining the lines of communication among members of the community, community-based services, advocates, justice system entities, and the courts is crucial to fostering victim safety, perpetrator accountability, and child well-being when domestic violence is a factor. This workshop will focus on how to set up a viable domestic violence council, delineate the advantages and some of the pitfalls, and provide concrete examples of the benefits of flourishing domestic violence councils to large and small communities. It will also emphasize the vital role of the court in sustaining a successful council. For judicial officer participants, this course helps meet the requirement of CRC 10.464 for domestic violence education.

The Role of the Court in Fostering Collaboration and Local Systemic Change *⊙♦

Juvenile courts have the duty to protect, rehabilitate, and reunify children and families in the dependency and delinquency systems. Local courts play a key role in making systemic change. This session will focus on successful local collaborative efforts and how to facilitate systemic change, even in tight fiscal times.

Tribal Court Live (Mock Trial): Understanding How Tribal Courts Work and How to Work With Them ♦

This workshop will be a "mock trial" lead by Hon. Claudette White, Chief Judge of the Quechan Tribal Court. The trial will involve a marital dissolution case and will explore issues of child custody, division of property, and protective orders. It will examine some of the jurisdictional issues that may arise in tribal court and between tribal and state courts and how those issues can be addressed and resolved.

11:00-12:15 P.M.

CONCURRENT WORKSHOPS 2

California Dependency Online Guide (CalDOG) Website Training (REPEAT) ◆

The California Dependency Online Guide (CalDOG) is a resource website that provides high quality, juvenile dependency-related legal and nonlegal information to California attorneys, judicial officers, social workers and other child welfare professionals. This workshop will be an introductory training, for those with little or no experience using the website, or users who feel they would like more information about how to use all of the features of the website. There will be an opportunity to ask questions and provide feedback and suggestions. The workshop will be offered twice, at workshop sessions I and II. Following the workshops, the room will remain open through lunch, and CalDOG staff will be available to answer questions and conduct tutorials.

Family Law Domestic Violence Cases: New Forms, Rules, and Cases *◎◆

Many new forms and rules related to domestic violence restraining orders are taking effect January 1, 2012, including a new form and rule for parties to stipulate to parentage. In addition, forms related to restraining orders issued in juvenile, civil harassment, elder abuse, and other case types are changing. Panelists will highlight the major forms and rules changes, new legislation, and key new cases. For judicial officer participants, this course helps meet the requirement of CRC 10.464 for domestic violence education.

Family Law Settlement Services: Developing Protocols for Domestic Violence Cases *◎◆

Many family law cases benefit tremendously from the opportunity to use settlement services to craft resolutions addressing property and financial matters. Given the number of family law cases involving domestic violence allegations, restraining orders, or unreported fear or abuse or retaliation, how can settlement service providers most effectively ensure that programs take safety into account? This workshop will provide participants with examples of protocols and procedures for handling this issue in non-child custody programs and discuss why it is important to consider domestic violence when providing settlement services. For judicial officer participants, this course helps meet the requirement of CRC 10.464 for domestic violence education.

From the Depths of Hate: An In-Depth Look at the Life of a Former White Supremacist

(Youth-oriented workshop open to youth and adult participants)

From the Depths of Hate is a powerful presentation that takes an in-depth look at the life of a former White Supremacist, Tim Zaal. Mr. Zaal will discuss the role that propaganda played in his induction into the White Supremacy movement and detail the events surrounding his departure from the movement.

Guardianship Crossover Issues: Probate and Juvenile Courts *◎◆

The recent case, *In re Guardianship of Christian G.*, spotlighted the relationship between juvenile and probate guardianships. A brief discussion will be held on the holdings in the *Christian G.* case and the companion case of *In re Guardianship of H.C.* Faculty will engage in a discussion of the roles of juvenile and probate court stakeholders in these guardianship cases.

11:00-12:15 P.M.

CONCURRENT WORKSHOPS 2 CONTINUED

Helping Members of the Military: Using Collaboration to Address the Complex Needs of Service Members and Veterans *◎◆

Participants will learn strategies for providing outreach services, including direct access to legal services and offsite court hearings to homeless veterans, or those at risk of becoming homeless, through collaboration with local veterans' agencies, child support agencies, law school(s), court staff, facilitator's offices, and the private bar. Participants will also learn how to develop veterans' outreach programs aimed at preventing homelessness. Panelists will also explain how to develop a local court program with the private bar and the military to respond to the challenge of active duty service members who do not appear at a hearing, but are guaranteed legal representation and an automatic stay of proceedings under the Service Members Civil Relief Act.

Practical Strategies for Handling Compassion Fatigue, a.k.a. Secondary Trauma *◎◆

Judges, attorneys, social workers, and psychologists who work with children and families, are directly and indirectly affected by the trauma these people often experience when they are involved in difficult court proceedings. Such secondary effects sometimes result in decreased performance and significant health risks. This practical and interactive session introduces stress management techniques and strategies that can be integrated both off and on the job without interrupting productivity. Participants will be encouraged and prompted to understand their vulnerabilities, recognize early their own and colleagues' warning signs of secondary stress, and use self-care strategies to quickly regain a state of neuro-physiological regulation.

Safety-Centered Practice in Child Welfare *◎◆

This workshop will demonstrate how the Signs of Safety tools can be used in conjunction with the Structured Decision Making tools to enhance child welfare practice and decision-making.

Substance Abuse Issues in the Courts: Applying Collaborative Court Principles *◎◆

Courts throughout the state have been addressing substance abuse issues for many years through the use of a variety of approaches, including collaborative courts. However, these courts are being challenged by reductions in resources, increasing demand for services and changing demographics and needs. This workshop will address how collaborative courts are responding to these challenges with innovative approaches, including the use of evidence-based practices, family systems models, and more effective community collaborations and partnerships.

11:00-12:15 P.M.

CONCURRENT WORKSHOPS 2 CONTINUED

Tattoos on the Heart: Gang Members from a Family Perspective *◎◆**

Father Greg Boyle, a favorite presenter at the AOC's Beyond the Bench Conference and the FDR Statewide Educational Institute, has authored a recent book, *Tattoos on the Heart: The Power of Boundless Compassion*. Father Boyle's ministry has focused on working with gang members in East Los Angeles for over two decades. Gang members may find themselves in a number of court settings, including family; juvenile dependency and delinquency; and collaborative courts, such as reentry and drug courts. What do judges, mediators, collaborative court coordinators, and justice system partners need to know that will help them as they interact with gang members in their respective settings? For example, how can courts effectively address family-related issues, since a large percentage of gang members are parents of young children? Father Boyle's presentation will include homegirls sharing their experiences and addressing questions from attendees. Please read the statement regarding this workshop on page 15.

The Disappearing District Attorney: Are Prosecutors Choosing A New Role in the Juvenile Courtroom and at the Policy Table? ◆

Has our courtroom practice and political discourse moved away from public safety and victim's rights? Has the advocacy community alienated District Attorneys such that they are no longer willing to come to the policy table? This workshop will seek to clarify and redefine the DA's role in today's juvenile justice system.

The Impact of the Economy on Parenting and Parent-Child Contact *◎◆**

How do mediators and the courts effectively work with parents affected by the economy and financial hardship? Separating couples may initially come to court, or return to court, with a change of circumstances due to job loss and/or income reduction. This may lead to lifestyle changes that significantly affect parenting, including housing challenges such as move-away situations. How can parenting plans realistically address the parties' changed circumstances? What are some resources that may be available to parents facing these challenges? Please read the statement regarding this workshop on page 15.

Tribal Customary Adoption – Lessons Learned *◎◆

This session will discuss experiences in implementing California's tribal customary adoption law since it went into effect on July 1, 2010. Panelists will include participants in a tribal customary adoption case in San Francisco that recently finalized. We will hear perspectives on tribal customary adoption (TCA) from the tribal attorney, county counsel, minors' attorney, social worker, and the attorney for the adoptive parents, and the panelists will discuss the challenges they faced in implementing TCA as a permanent plan.

Beyond the Bench 21, December 15-16

Coming of Age in Tough Times: Building Our Strength Together

12:30-1:45 P.M.

THURSDAY LUNCH PLENARY

Introduction

Ms. Diane Nunn

Director, AOC Center for Families, Children & the Courts

Plenary Speaker

Father Gregory Boyle

Executive Director, Homeboy Industries, Los Angeles

Coming of Age in Tough Times: Building Our Strength Together ♦*

Author of a recent book, *Tattoos on the Heart: The Power of Boundless Compassion*, and founder of Homeboy Industries, Father Greg Boyle has worked with gang members in East Los Angeles for over two decades. This year's Beyond the Bench theme is certainly one that Father Boyle sees again and again in his work. "Coming of Age," diverting from the gang path, is not an easy or simple journey. It takes "Strength Together." Homeboy Industries and its programs embody the diversity of approaches, the pieces of the mosaic, to equip youth to move from gang activity to effective contribution to neighborhood, family, and society. Education, parenting classes, case management, specialized services for substance abuse and domestic violence, including Relapse Prevention, 12-step meetings, a court-certified Batterers Treatment Program, and a domestic violence survivors group augment Homeboy Industries job programs. This hope in the individual's ability to transform his/her life, buoyed by a supportive network, is one shared by both Homeboy Industries and family/juvenile/collaborative courts. They both implement a problem-solving/restorative justice approach, working with one individual and family at a time. Many working together for a unified outcome. Father Boyle will inspire us to "build our strength together."

2:00-3:15 P.M.

CONCURRENT WORKSHOPS 3

California’s Juvenile Justice System: Re-Tooling or Rudderless? *⊙◆

Juvenile Justice reform over the past 10 years has been significant, but where do we go from here? Find out what the new terrain looks like through the eyes of a judge, two youth advocates, and a chief probation officer. This workshop will explore where we have been and where we need to go to improve our delinquency system through realignment. It will examine the changing role of probation under adult and juvenile realignment; the implications of social science research for next steps in juvenile system reform; the role of realignment in addressing the needs of special populations, such as those with mental health care needs; how budgetary factors such as commitment penalties and downsizing proposals may produce unintended consequences; the need for state level policy and leadership in juvenile justice; and, other cutting edge issues.

Collaborative Courts in Action:

An Evaluation of Alameda County’s Juvenile Mental Health Court *⊙◆

This workshop will provide an overview of mental health courts and results of a recent evaluation of one juvenile mental health court. Panelists will discuss the goals and the essential elements of mental health courts, as well as the outcomes and effectiveness of one juvenile mental health court.

Creating and Sustaining a Youth Court ◆

Youth courts provide positive alternative sanctions for first-time youth offenders, which results in reduced recidivism rates. Youth courts in California conduct hundreds of hearings annually, with an overwhelming percentage of respondents completing their sanctions as ordered. Every year, hundreds of young people in California serve as judges, jurors, and advocates. Expanding youth courts is an effective strategy for reducing juvenile delinquency, allowing young people to take responsibility for their actions and learn community engagement skills. Hear from the president and former president of the California Association of Youth Courts on how to create and sustain a youth court in your jurisdiction.

Cultural Humility: Working in Partnership with Our Multicultural Court Users *⊙◆□

This session introduces the concept of cultural humility as we serve a multicultural population using the courts. Besides providing culturally competent services, cultural humility allows us to develop a lifelong commitment to self-evaluation, to redressing power imbalances between providers and consumers, and to developing mutually beneficial and nonpaternalistic partnerships with the communities we serve. Rather than learning to identify and respond to sets of culturally specific traits, using cultural humility the service provider develops and practices a process of self-awareness and reflection.

2:00-3:15 P.M.

CONCURRENT WORKSHOPS 3 CONTINUED

Family Law: What Teens and Young Parents Need to Know *◎

(Youth-oriented workshop open to youth and adult participants)

This workshop will educate teens and young parents on their legal rights concerning restraining orders, child custody and support, paternity, emancipation, and other issues. We will discuss the family court system and how and when youth should access this system. The workshop will use specific real life stories to explain how family law plays out in the real world for teens and young parents.

Human Trafficking: An Overview and Special Focus on Commercially Sexually Exploited Children (CSEC) *◎◆

Human trafficking arises in a wide variety of case types and may involve an array of allegations ranging from sexual exploitation to forced labor. This workshop will provide a brief overview of the legal and social science definitions of human trafficking and where it might arise in a court setting. Faculty will focus in particular on the unique features of commercially sexually exploited children (CSEC) and highlight characteristics of victims, perpetrators, dynamics, and risk factors. The workshop will also address broad goals of services and treatment for exploited children and the increasing need for court leadership in this critical area.

Organizing and Managing the Flow of Family Law Cases *◎◆

Panelists will discuss the fundamental principles and goals of caseflow management in family law. Specific examples of local court procedures currently used in California family courts to track, organize, and manage cases will be provided. Panelists will also discuss the role of caseflow management as an essential infrastructure to support judicial case management of cases requiring a family-centered case resolution plan.

Parallel Parenting: When Co-Parenting May Be Too Much to Expect *◎◆**

Is parallel parenting a better approach than co-parenting for some parents and circumstances? During a mediation session, it may become clear that co-parenting may be out of reach for some couples, at least at the present time. Is parallel parenting a better-suited approach to their parenting plan and expectations? Key elements of parallel parenting will be discussed. Insights from the research of John Gottman and from Connie Ahrons' spectrum of separating couples will also be included. Please read the statement regarding this workshop on page 15.

2:00–3:15 P.M.

CONCURRENT WORKSHOPS 3 CONTINUED

Public Safety Realignment Overview: The Architecture of Change *⊙◆

This workshop, presented by the Legislative Analyst’s Office (LAO), will provide an overview of the major components of the 2011 realignment legislation that was approved as part of the 2011–12 state budget. The presentation will focus on the major policy change to shift the responsibility for supervising certain prisoners and parolees from the state to local governments, including how these changes and others are likely to impact the courts, including collaborative courts. The presentation will cover the mechanics of realignment, as well as how it will be funded. The LAO will also discuss its recommendations on how to structure realignment for long-term success, the new evidence-based tools made available to local governments in the legislation, and an overview of how counties are beginning to implement the realignment locally.

Recognition and Enforcement of Tribal Protective Orders *⊙◆

Providing for the justice needs of tribal communities is a challenge. One way that tribes, both inside and outside California, seek to meet this challenge is by developing their own court systems. Today there are close to twenty tribal courts operating in California and over 300 tribal courts nationwide. A priority for many of these courts is the development of protective/restraining order protocols to ensure the safety of their citizens. Historically, a lack of awareness and understanding of tribal courts (by state courts?) has impeded the effectiveness of restraining orders issued by tribal courts and undermined the safety of tribal victims. In this session, tribal and state court judges will discuss jurisdiction on tribal lands and in tribal court, federal and state law concerning enforcement and recognition of tribal court protective orders, existing procedures for the mutual recognition and enforcement of protective orders, and proposed changes to the California Rules of Court.

Strategies for Reducing the Long-Term Foster Care Population *⊙◆

This workshop will focus on inter-connected initiatives to reduce long term foster care, including the federally funded California Partners for Permanency; local collaborative work to effectively implement family finding and engagement strategies; and state-level efforts that actively involve the voice of children, youth and families in efforts to reduce disproportionality, improve policy, service delivery, and outcomes for children and families who are involved in the child welfare system.

Uses of Technology to Assist Self-Represented Litigants ◆

This workshop will discuss how technology has been adapted at numerous courts to assist self-represented litigants. Panelists will emphasize the ways technology can be used to increase the number of litigants assisted and improve the quality of assistance.

Beyond the Bench 21, December 15–16

Coming of Age in Tough Times: Building Our Strength Together

3:30–4:45 P.M.

CONCURRENT WORKSHOPS 4

California Fostering Connections Act (AB12/AB212) *⊙◆

This workshop will provide a basic overview of the legislation that expands foster care eligibility to children between the ages of 18-21. This overview workshop is intended for social workers, psychologists, attorneys, case managers and others wanting to know the basics of AB12 and AB212.

Brain Injury in Presumed Child Abuse Cases: Difficulties in Diagnoses *⊙◆

In this workshop, child neurologist Dr. Charles Niesen will discuss brain anatomy, and injuries involved in shaken baby syndrome, and new research that focuses on differentiating accidental from non-accidental head trauma. He will present common and rare medical conditions that can mimic the appearance of child abuse. Dr. Niesen will also discuss the role of retinal hemorrhages in diagnosing child abuse, other causes for subdural hematomas, and the role of the child neurologist in evaluating these injuries.

Child Support and Tribal Communities: Myths and Realities ◆

With the growing number of tribal courts, tribal TANF agencies, tribal child support agencies, and the growth of the 107 recognized tribes in California as major employers, tribal/state court jurisdiction in general and child support matters in particular have become an emerging area of the law affecting many families in California. This session brings together a tribal judge, a local child support attorney, and the State Dept. of Child Support Tribal Liaison for a discussion of where we are jurisdictionally, collaboratively, and where we hope to be in the future.

Collaborative Courts in the Delinquency System: Juvenile Mental Health, Drug, and Reentry Courts *⊙◆

This workshop will introduce collaborative court concepts that have been successfully applied in the juvenile delinquency setting, including juvenile mental health, drug, and reentry courts. Panelists will discuss early results from pilot efforts, explain the importance of assessment and monitoring, and engage in a discussion about the future of collaborative approaches in the juvenile delinquency system.

Dependency Mediation: Benefits, Outcomes, and Cost Savings For All *⊙◆

Looking for a way to save time and money without sacrificing the judicial branch goals of access, fairness, and quality of justice and service to the public? Juvenile dependency mediation is being used by many courts and is a service that is recognized and encouraged by the California Welfare and Institutions Code, the Blue Ribbon Commission on Children in Foster Care, nationwide research studies, and a recent appellate ruling. Panelists will answer questions such as why mediation should be incorporated as a core function of the court, how to sustain a referral process in times of transition, and how, even in these difficult economic times when we are cutting services, dependency mediation will save the court time, money and provide better outcomes for all.

3:30-4:45 P.M.

CONCURRENT WORKSHOPS 4 CONTINUED

How to Encourage More Pro Bono and Limited Scope Representation ♦

With a growing number of litigants coming to court without attorneys, many judges and court administrators are interested in increasing representation for litigants in the courtroom. Pro Bono and Limited Scope representation (also known as unbundling) provide some options. The panelists will discuss what judges can and cannot do to encourage pro bono and limited scope representation, including encouraging attorneys to take portions of juvenile cases that cannot be paid for by court funds. They will review the law on obtaining attorney fees for limited scope representation and share the wide variety of resources available to help attorneys provide those services ethically and appropriately.

ICWA for Minors' and Parents' Attorneys ♦

The Indian Child Welfare Act (ICWA) establishes unique procedural and substantive requirements for dependency proceedings involving Indian children. Although most of the responsibility for complying with the requirements of ICWA fall to the child welfare agency and the courts, appointed counsel for minors and parents have an important role to play as well. Learn how to use ICWA to advance your clients' interests and understand the role that you as counsel play in protecting your clients' rights under ICWA.

Juvenile Interrogation: A New Look At An Old Problem *◎♦

The recent U.S. Supreme Court case of J.D.B. v. North Carolina focused anew on an old problem. Using J.D.B. v. North Carolina as a starting point for an interactive discussion, this workshop will explore nuances of juvenile interrogations from the perspectives of law enforcement, the District Attorney and the Public Defender, and how the new neuroscience research on child brain development might be considered when interrogating juveniles.

Lesbian, Gay, Bisexual, and Transgender (LGBT) Domestic Violence:

What You Need to Know *◎♦□

Domestic violence among same-sex couples is just as prevalent as among opposite-sex couples, but unique dynamics have resulted in invisibility and the potential for further victimization by the legal process. This workshop will examine domestic violence in the LGBT community and will include an overview of demographic information, terminology, and specific domestic violence information. Faculty will use a scenario to examine batterers' tactics from an LGBT framework and discuss challenges the court system may face when presented with cases of LGBT domestic violence. The workshop will also highlight actions that can be taken to protect LGBT survivors and to move toward bias-free courtrooms. For judicial officer participants, this course helps meet the requirement of CRC 10.464 for domestic violence education.

3:30–4:45 P.M.

CONCURRENT WORKSHOPS 4 CONTINUED

Measuring the Impact of Changes in Family Law on Court Processes *⊙◆

Information will be provided designed to help participants understand how to use available data to assess the effect on workload of various family law processes and procedures such as self-help assistance, caseload management, continuances policies, and other calendar management issues. Panelists will discuss methods to evaluate potential cost and time savings.

System Change to Address Children’s Exposure to Violence *⊙◆

This workshop will showcase the latest policy recommendations for multiple systems, intersecting with dependency courts, that engage with children exposed to domestic violence to help them heal and remain or reunite with their families. Drawing on the research and recommendations of the California Leadership Group on Domestic Violence and Child Wellbeing, the panel will highlight practical activities within and across systems and communities that will significantly aid in this process. Panelists will also offer prevention and early intervention approaches.

The Impact of Recent Criminal Justice Legislation (Realignment) on the Courts, Mediation, and Parent-Child Contact *⊙◆**

How will Family Court Services, the courts, probation departments, and other agencies collaborate on family needs and safety issues when parents who are low-risk offenders move from state prison to county incarceration and supervision? The presenters will provide a basic overview of criminal justice concepts, a timely report of the unfolding of these new initiatives, and some suggested approaches to issues which arise within families with incarcerated and formerly incarcerated parents. As a result of recent criminal justice legislation, beginning October 1, 2011, eligible low-risk prisoners—mothers, pregnant women, and primary care providers of minor children incarcerated in California’s 33 state prisons—began serving the remainder of their sentences on parole in their county of residence. Further, eligible offenders convicted of low-risk felonies (non-violent, non-serious, non-sex offenses) will now serve their sentences in county facilities instead of state prison. Those who are parents may be requesting contact with and/or custody of their children, which may increase caseloads and create challenges for family, dependency, and probate courts. Please read the statement regarding this workshop on page 15.

Youth Empowerment through Teen Court

(Youth-oriented workshop open to youth and adult participants)

Teen Courts represent an alternative to the traditional juvenile justice system for first-time youth offenders. However, all teen courts are not the same. Hear directly from youth on how their teen court works, their involvement in teen court, the impact teen court has had on their lives and their communities, and the use of restorative justice within their courts. You will learn the difference between teen court and juvenile court when the youth panel compares what would happen if a first-time youth offender commits a crime and is then sent to juvenile court or, in the alternative, is sent to teen court.

Beyond the Bench 21, December 15-16

Coming of Age in Tough Times: Building Our Strength Together

THURSDAY, DECEMBER 15

CONCURRENT WORKSHOPS

****PLEASE NOTE: The asterisked workshops above are being videotaped. Although audience members are not the focus of the videotaping, the images or voices of attendees may be recorded during the filming. By entering and by your presence in these conference workshops, you consent to be photographed, filmed and/or otherwise recorded. Please contact conference staff prior to start of the workshop if you have any concerns.**

FRIDAY: COLLABORATIVE JUSTICE PROGRAM

WORKSHOPS *(Listed alphabetically by time)*

8:45 – 10:15 a.m. Complications from Combat:

Traumatic Brain Injury, Posttraumatic Stress Disorder, and Violence Risk *⊙◆

Many veterans fight a war within to overcome their violent reactions. Behavioral impairments from brain injury, along with an increased activation of the limbic system associated with Post Traumatic Stress Disorder (PTSD), can perpetuate aggressive and violent behavior. Combat veterans' courts can assist in the re-entry of such veterans into civilian life, including women service members suffering from sexual trauma. The role of mentors in veterans' courts is also discussed.

PROGRAM OVERVIEW

Marriott at Moscone Center

8:45 a.m. – 3:30 p.m.

This collaborative justice track is sponsored by the Judicial Council's Collaborative Justice Courts Advisory Committee and the AOC Center for Families, Children and the Courts.

This educational program for judges, collaborative court coordinators, and justice system/treatment partners is a full-day program with plenary and concurrent workshop sessions designed to address current trends and public safety realignment issues affecting California's drug, mental health, reentry, veterans, and other collaborative courts. Participants will be eligible to receive judicial officer, court personnel, BBS, or MCLE training credits. Plenary session workshops are open to all program participants and participants will register to attend one concurrent workshop session in the morning and one concurrent workshop session in the afternoon. The Judges Roundtable (afternoon concurrent session) is limited to judicial officers only.

8:45 – 10:15 a.m. Dependency Drug Courts:

Focusing on the Children *⊙◆

Often the focus in Family Drug Courts is on the parents and their treatment needs, with all partners assuming the needs of the child are being addressed elsewhere. In fact, the children of parents participating in drug court are at heightened risk for their own developmental, behavioral, mental health and substance abuse concerns. Responding to the needs of the child/family, as well as the parent, significantly increases the chances of successful reunification; decreases the risk of relapse and recurrence of maltreatment; and intervenes in the cycle of generational substance use and child abuse and neglect. This workshop will focus on the impact of parental substance use and co-occurring mental health disorders and trauma on child development; the importance of and effective tools and strategies for addressing the needs of both the parent and the child; and, the role of the Family Drug Court team in identifying and meeting these needs.

8:45 – 10:15 a.m. Funding and Program Sustainability in Changing Times

Collaborative court programs typically face on-going funding and resources challenges. In 2011, collaborative courts, including drug courts and mental health courts, are undergoing particularly severe challenges due to reductions in local and state government budgets and

FRIDAY: COLLABORATIVE JUSTICE PROGRAM

WORKSHOPS *(Continued, listed alphabetically by time)*

unprecedented cuts to the judicial branch budget. In addition, courts and their collaborative partners are adjusting to changes in how public safety services are funded. Faculty for this workshop will examine ways to ensure program stability, develop grant proposals designed to meet the needs of collaborative court clients, and work within new contracting requirements and parameters.

8:45-10:15 a.m. Serving Persons with Mental Illness in the Criminal Justice System: Recommendations of the TFCJCMHI *⊙◆

The Task Force for Criminal Justice Collaboration on Mental Health Issues (TFCJCMHI) presented its final report to the Judicial Council in April 2011. The 137 recommendations in the report provide a framework for improving practices and procedures in our courts for cases involving adult and juvenile offenders with mental illness. This workshop outlines key recommendations and focuses on ways the courts and their local criminal justice and mental health partners can work together to improve outcomes and reduce recidivism.

10:30-11:45 a.m. Collaborative Courts Roundtable: Collaborative Courts and the Changing Environment (Plenary) *⊙◆

California's collaborative courts are responding to multiple changes and challenges. These include court budget cuts, realignment, budget constraints for justice and treatment partners, and the impacts of the fiscal crisis on participants and their families. Realignment activities in 2011 have shifted the responsibility and funding for many programs from the state to the local level, including drug courts, adult offenders and parolees, and mental health and substance abuse treatment. Panel members will discuss how the changing environment in California affects the court system, collaborative courts, and court teams, and the role of collaborative courts in meeting the challenge.

1:00-2:00 p.m. Cost Analysis and Adult Drug Courts (Plenary) ◆

Drug courts are the most studied of all collaborative courts. A significant amount of research has been done in California and nationally that allows us to identify the most effective and efficient drug court practices. Research will be presented on the top ten most effective drug court strategies for reducing recidivism and cutting costs, derived from evaluations in California and throughout the country. Examples will be presented of how to use data and research regarding cost effective strategies to modify practices and leverage resources at the local level.

FRIDAY: COLLABORATIVE JUSTICE PROGRAM (OPEN TO ALL)

FRIDAY WORKSHOPS *(Continued, listed alphabetically by time)*

2:15-3:30 p.m. Best Practices in Drug Court: What's Practical, What's Possible? *⊙◆

This presentation will review the latest research findings on the specific treatment and supervision practices that are associated with more effective and cost-efficient outcomes in drug courts. A lively discussion will ensue about the practicalities of undertaking these best practices in light of program cutbacks. This information can be extrapolated to other collaborative court programs.

2:15-3:30 p.m. Judges Roundtable: Communication with Courts and Counties in Changing Times

This “judicial officers only” roundtable is designed to provide judicial officers with an opportunity to candidly discuss the opportunities and challenges of developing and maintaining collaborative courts in a time of reduced resources and new responsibilities for the court system, their justice system partners, and the counties they serve.

2:15-3:30 p.m. Regional Partnership Grant Program: Improving Outcomes for Families Affected by Substance Abuse *⊙◆

The Child and Family Services Improvement Act of 2006 enacted the broadest federal program ever launched to assist states, tribes, and communities to improve the well-being, permanency, and safety outcomes of children who are in out-of-home placement, or are at risk of placement as a result of a parent’s or caregiver’s methamphetamine or other substance abuse. The legislation created the Regional Partnership Grant (RPG) program, which will improve access to substance abuse treatment and other community services through significant collaborative partnerships and will facilitate the reporting of both child welfare and substance abuse treatment outcomes for children and families. California is home to 9 of the 53 RPG sites. This workshop will provide an overview of the RPG program, including a look at the partners, the strategies being employed by the partnerships, and performance indicator data on over 19,000 children and 12,000 adults participating in services, as well as a summary of performance data from the nine California sites.

FRIDAY: EDUCATIONAL PROGRAMS FOR PROFESSIONALS WORKING IN THE JUVENILE COURT (Child Welfare, Juvenile Justice)

PROGRAM OVERVIEW

Marriott at Moscone Center
8:00 a.m. – 3:00 p.m.

This juvenile court track is sponsored by the Judicial Council’s Family and Juvenile Courts Advisory Committee, the AOC Center for Families, Children & the Courts, The California Endowment, and the California Social Work Education Center. This program will be located at the Marriott at Moscone Center.

This education program is designed to serve judicial officers, attorneys, probation officers, child welfare workers, Court Appointed Special Advocates (CASAs), and other professionals who serve children and families appearing before California’s juvenile court. Participants will be eligible to receive judicial officer, court personnel, BBS or MCLE training credits. STC credit is pending. Each of the five rooms is available to all attendees, though each room has a dedicated theme for the day and content will be directed toward a particular target audience. Participants can either remain in one room or choose to attend sessions in any of the available rooms.

Room 1:
Information Sharing – Who Can I Tell, What Can I Know, and What Laws Apply?

Intended Audience: All Professionals

Room 2:
Juvenile Legal Information

Intended Audience:
Juvenile Justice Professionals (a.m. workshops)
Dependency Professionals (p.m. workshop)

Room 3:
Accessing Our Education System: Challenges Faced by Youth in Our Juvenile Justice Systems

Intended Audience: Juvenile Justice Professionals

Room 4:
Court Appointed Counsel

Intended Audience: Attorneys who represent parents and children in dependency cases.

Room 5:
Agency Issues in Juvenile Cases

Intended Audience: County Counsel/City Attorney and Child Welfare Workers

Workshop descriptions in this educational program are listed by room number (1-5), then alphabetically by time.

Beyond the Bench 21, December 15-16

Coming of Age in Tough Times: Building Our Strength Together

FRIDAY: EDUCATIONAL PROGRAMS FOR PROFESSIONALS WORKING IN THE JUVENILE COURT – WORKSHOPS

ROOM 1: INFORMATION SHARING –

WHO CAN I TELL, WHAT CAN I KNOW, AND WHAT LAWS APPLY?

8:00–11:50 a.m. Overview & Information Sharing (*four-hour course*) *◎◆◆

This workshop will begin with an overview of the laws that apply to shared information (Education Records, Mental Health, Medical and Substance Abuses Treatment records), as well as confidentiality/consent vs. privilege issues. An in-depth interactive examination of how information flows between key agencies, courts, schools, and service providers and others, as well as an opportunity to troubleshoot specific issues will be key components of this informative workshop.

1:10–3:00 p.m. Master Class on Information Sharing (*two-hour course*) *◎◆◆

Attendees will ask questions and Ms. Rebecca Gudeman will troubleshoot issues.

ROOM 2: JUVENILE LEGAL INFORMATION

8:00–9:50 a.m. Collateral Consequences *◆◆

Collateral consequences often result from an arrest or an adjudication in juvenile court. The reality is that with increasing consequences being attached to juvenile adjudications, there can be significant consequences that can affect everything from education, future military service, employment, etc. These consequences are not always mitigated by informal probation or even sealing. This workshop will explore how adjudications for offenses often carry with them long-term consequences that are not always contemplated at the time of disposition in juvenile court.

10:00–11:50 a.m. Delinquency Legal Update *◎◆◆

This workshop provides a review of 2011 new cases and legislation affecting delinquency law and policy.

1:10–3:00 p.m. Dependency Legal Update *◎◆

This session summarizes 2011 case law relevant to dependency and provides an overview of significant appellate and Supreme Court cases.

FRIDAY: EDUCATIONAL PROGRAMS FOR PROFESSIONALS

WORKING IN THE JUVENILE COURT – WORKSHOPS *(Continued)*

ROOM 3: ACCESSING OUR EDUCATION SYSTEM:

CHALLENGES FACED BY YOUTH IN OUR JUVENILE JUSTICE SYSTEMS

8:00–9:50 a.m. Workforce Development: Building a Well-Trained, Well-Educated Workforce for Our Future *◆◆

As we continue to improve upon our educational system, where does workforce development fit into our long-range goals for youth at risk and youth reentering the community from the justice system? How can we engage businesses and the private sector in promoting youth workforce efforts? What challenges do youth face as they exit the justice system and seek to enter the workforce? What pending federal reforms might help guide and advance these efforts?

This workshop will address the challenges facing youth at risk as well as some innovative approaches to workforce development that have successfully mitigated those challenges. State and national experts will discuss barriers to employment facing youth at risk, describe innovative approaches to workforce development that have successfully mitigated some of those challenges, and provide an overview of national reforms that seek to promote and support employment of youth at risk.

10:00–11:50 a.m. School Discipline and Climate: Issues, Challenges, and New Thinking *⊙◆◆

This workshop will explore how our approaches to and thinking about school discipline and school climate issues have evolved over the past ten years. We will hear from local, state and national experts about how some school districts have been successfully built principles of restorative justice into school practices and developed new ways to address school discipline concerns. We will consider what seems to be working in today's climate and why and also address the critical and differing roles of school, judicial, and law enforcement officials in processes of change. Finally, we will discuss how best to build collaborations, develop and promote reforms and engage key leaders and stakeholders in our evolving understanding of what works and why.

1:10–3:00 p.m. Education and Our Youth: Federal Lawsuit Updates *⊙◆◆

The participants will learn what challenges face county Offices of Education in educating incarcerated youth and youth in camps, court, and community schools. Presenters will share challenges to the education of these youth from the perspective of a county educational system, and will discuss relationships with probation, mental health, other community entities, and school systems from which these students come. Panelists will present opportunities and success models, will address barriers to implementing improvement plans, will present steps or programs to improve educational and systems working with these incarcerated youth, and will discuss how similar systems and/or actions could be structured to improve the overall approach to educating youth in the juvenile justice system.

FRIDAY: EDUCATIONAL PROGRAMS FOR PROFESSIONALS

WORKING IN THE JUVENILE COURT – WORKSHOPS *(Continued)*

ROOM 4: EFFECTIVE REPRESENTATION IN DEPENDENCY CASES

8:00–9:50 a.m. Cross-Examination of a Child Abuse Expert: Guide to Do’s and Don’ts *⊙◆

This is a 2-hour workshop devoted to exploring effective cross examination techniques to obtain key testimony from a child abuse expert. Review of important neurology findings and points will be discussed. In instances where expert testimony is unavailable, key medical points will be identified and explored so all relevant information can be included in the case.

10:00–11:50 a.m. Sexual Abuse Allegations in Child Abuse Cases *⊙◆

This workshop for court appointed counsel will focus on the complex issues of sex abuse cases. These issues will be presented by an expert in the field. Participants will be able to ask the expert follow-up questions. Skills learned in this workshop will include identifying various elements in sexual abuse cases that can complicate the determination of what actually occurred. It will also discuss disclosures and recantations of sexual abuse in a developmental context and will address problematic parent reactions to child sexual abuse.

1:10–3:00 p.m. Incarcerated Parents and Their Children *⊙◆

This workshop will focus on advocating for incarcerated parents and their dependent children. Faculty will discuss the legal requirements in offering services to incarcerated parents, including defining reasonable services in these cases. Participants in the workshop will gain an understanding of the barriers in offering services to the parents and learn tips for advocating for incarcerated parents and their children.

ROOM 5: SOCIAL SERVICES AGENCY ISSUES IN JUVENILE CASES

8:00–9:50 a.m. Camreta v. Greene: The Aftermath *◆

Questions about the constitutionality of investigating allegations of child abuse by interviewing children at school were not answered by the United States Supreme Court’s decision in *Camreta v. Greene* (2011 WL 4530024 (U.S.)). This workshop will focus on the law and social work practice after this decision.

**10:00 – 11:50 a.m. Crossing the State Line in Juvenile Proceedings:
Common Barriers and Helpful Tactics** *◆

This workshop will focus on substantive legal issues when youth are placed out of state. The issues to be discussed are found in the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), the Interstate Compact on the Placement of Children (ICPC) and the Interstate Compact on Juveniles (ICJ).

Beyond the Bench 21, December 15–16

Coming of Age in Tough Times: Building Our Strength Together

FRIDAY: EDUCATIONAL PROGRAMS FOR PROFESSIONALS WORKING IN THE JUVENILE COURT *(Continued)*

PROBATION PARTICIPANTS

Educational programs for probation will be located at the Marriott at Moscone Center.

Standards and Training for Corrections (STC) credit is pending for sessions listed below. Credit can only be given for sessions that are at least four hours in length and where attendance can be confirmed through signature sheets at the beginning and end of workshops. Please see workshop descriptions on pages 19–22 (STC pending courses noted with ♦ symbol. On Wednesday, 8 hours of STC credit is pending for the Incorporating Evidence-Based Practices into Juvenile Delinquency Courts workshops, and 6 hours of STC credit is pending for the Fostering Connections to Success Act AB12/AB212 workshops. On Friday, STC is pending for three programs, please see below. To receive STC credit you must remain in the same room for the entire day but you may submit for courses on both Wednesday and Friday. Wednesday and Friday programs are considered separate programs and will be STC certified separately.

No workshops on Thursday will offer STC credit.

Wednesday, December 14: Specialized Trainings for Probation

- 8:00–5:00 p.m.** Incorporating Evidence-Based Practices into Juvenile Delinquency Courts *(8 hours)*
- 8:30–4:45 p.m.** Fostering Connections to Success Act: A Comprehensive Overview of the Legislation and its Impact *(6 hours)*

Friday, December 16: Educational Programs for Probation

Room 1: Information Sharing – Who Can I Tell, What Can I Know, What Laws Apply? *(6 hours)*

- 8:00–11:50 p.m.** Information Sharing Overview: Mental Health, Medical, and Substance Abuse Treatment Records, Education Records
- 1:10–3:00 p.m.** Information Sharing Master Class

Room 2: Legal Information *(4 hours)*

- 8:00–9:50 a.m.** Collateral Consequences
- 10:00–11:50 a.m.** Delinquency Legal Update

Room 3: Education and Workforce Development *(6 hours)*

- 8:00–9:50 a.m.** Building a Well-Trained, Well-Educated Workforce for Our Future
- 10:00–11:50 a.m.** School Discipline and Climate: Issues, Challenges, and New Thinking
- 1:10–3:00 p.m.** Education and Our Youth: Federal Lawsuit Updates

♦ MCLE □ Elimination of Bias * BBS © PSY ♦ STC Pending

Beyond the Bench 21, December 15-16

Coming of Age in Tough Times: Building Our Strength Together

FRIDAY: LEGAL AID/SELF HELP TRACK, FAMILY LAW CONFERENCE

WORKSHOPS *(Listed alphabetically by time)*

9:00-10:30 a.m.

New Developments in the Intersection of Housing, Domestic Violence, and Family Law *◎◆

This presentation will discuss family law and housing law strategies that can be used to address some of the most common housing issues DV survivors encounter. It will include a variety of tools to protect survivors' housing rights, eviction defense, early lease termination, and lock changes for survivors. It will also review the Violence Against Women Act, fair housing laws, DVPA, family laws, civil code, and collaborative community support.

9:00-10:30 a.m.

Working with Domestic Violence Survivors Aged 25 and Under *◎◆

This training will educate participants about working with domestic and dating violence survivors aged 25 and under. Current brain research confirms what youth advocates have been saying for years – our brains are not fully developed when we turn 18. So what can attorneys who work with clients aged 18-25 learn from youth advocates? We will provide the audience with developmentally appropriate tips for working with these clients. We also will review the available legal rights and remedies for domestic and dating violence survivors who are still legally minors.

10:45 a.m.-12:15 p.m.

Representing Same-Sex Couples in Dissolution and Domestic Violence Proceedings *◎◆

This interactive training will follow the full process of representing a survivor of intimate partner violence in the dissolution of his or her domestic partnership and marriage, from intake and an initial restraining order to a judgment of dissolution. The case study will involve many issues that can arise in these cases, including determinations of parentage, preservation of eligibility for public housing and other benefits, and federal tax implications of property division and support.

PROGRAM OVERVIEW

AOC San Francisco Office

9:00 a.m. – 4:30 p.m.

The Administrative Office of the Courts (AOC) and the Legal Aid Association of California (LAAC) are proud to announce the 2011 Family Law Conference as part of the 2011 Beyond the Bench Conference.

The Family Law Conference is an opportunity to meet with other family law advocates around the state and learn about emerging issues in family law, introductory topics for new advocates, and advanced topics for more experienced advocates. The Family Law Conference is a full-day program with nine workshops run in four sessions and a plenary over lunch. MCLE is available for a total of 6.5 credits, with 1.5 Elimination of Bias in one of the workshops.

FRIDAY: LEGAL AID/SELF HELP TRACK, FAMILY LAW CONFERENCE

WORKSHOPS *(Listed alphabetically by time)*

10:45 a.m.-12:15 p.m. The Vulnerabilities of Immigrant Families:

An Overview of Immigration Status and How it Influences Client Interactions *◎◆

This presentation will offer an overview of how immigration status influences a client's interactions with attorneys and government agencies, including courts, in the legal process. The presentation will provide a familiarity with general immigration vocabulary and an understanding why immigration law is relevant to legal practice in low-income communities. An additional theme of this course is how deportation fears may affect legal practice and client engagement with immigrant families. This knowledge is fundamental in helping to develop a case as well as providing competent legal services. A description of what may occur when an undocumented immigrant parent is separated from his/her U.S. citizen child is also reviewed. Additional resources on the intersection of immigration and social work are included.

12:15-1:30 p.m. (Plenary)

Legal Update: New Rules and Forms for Family Law and Domestic Violence ◆

In addition to many legislative changes and case law this year, many family law rules and form changes will become effective January 1, 2012. This workshop will cover these changes and those that are scheduled to come into effect later in the year.

1:45-2:45 p.m. Child Care Issues for Separated Parents *◎◆

The training will cover issues that arise for parents when child care is part of the custody agreement. We will talk about privacy and access to information, drop-off and pick-up issues, the need for court orders, financial obligations, and what to do when there is domestic violence. We will also address how child care subsidies for low-income families can be affected by child support orders or payments ordered through the custody agreement.

1:45-2:45 p.m. Day-of-Court Conflict Resolution: A Collaborative Approach ◆

Santa Clara County Superior Court and Pro Bono Project of Silicon Valley are collaborating on a Family Law Settlement Project. Parents in select cases on the Self-Represented Litigant Law and Motion Calendars are provided pro bono attorneys for day-of-court to address custody and visitation issues using collaborative law methods. A judge in the pilot project courtroom, the supervisor for the self help center and the supervisor for the pro bono project will provide their perspectives on how to operate this project. They will review the various program elements including identifying the partners and bringing them to the table, determining the appropriate cases, the role of the Self Help Center staff, training and mentoring volunteer attorneys, securing funds in difficult fiscal times, and sustainability.

FRIDAY: LEGAL AID/SELF HELP TRACK, FAMILY LAW CONFERENCE

WORKSHOPS *(Listed alphabetically by timeslot)*

1:45-2:45 p.m. Effective Responses to Abusers Using the Family Law and Immigration Law Systems Against Victims of Domestic Violence *◎◆

This workshop will consider how legal professionals can improve their ability to respond to tactics abusers employ within the legal system to perpetuate abuse against victims of domestic violence. The panel will present on a variety of methods being used against victims, such as filing baseless restraining order requests and ex parte requests alleging kidnapping, calling the police on the victim, filing non-stop custody requests, and attempting to prejudice the judge by claiming that the victim is only seeking a restraining order for immigration purposes.

3:00-4:30 p.m.

Relief from Removal: an Overview of Gender-Based and Children's Asylum Claims *◎◆

This session will introduce advocates to asylum claims founded on gender-based violence and violence against children. It will use three case studies that represent common claims: a domestic violence based claim, a claim involving child abuse, and a claim in which the applicant fears persecution by gang members.

3:00-4:30 p.m.

Vulnerable Parents: Overcoming Unique Challenges in Custody and Visitation Cases *◎◆

Working with low-income litigants from vulnerable populations, including parents with criminal records, parents who have histories of drug or alcohol abuse, and parents who are living with mental illness, present unique challenges and obstacles in custody and visitation disputes. Although these parents are often stereotypes as 'bad parents', the reality is that many of these parents are survivors of trauma, both as children and adults, and are dealing with the effects of multiple socio-economic barriers in their lives. This panel will identify many of the challenges vulnerable parents face in establishing and maintaining relationships with their children, and effective tools and creative strategies practitioners can use to address these issues in the case. First, we will provide an overview of who these vulnerable parents are, and the cyclical relationship between domestic violence and incarceration, addition, and mental health. Next, we will discuss the legal challenges that many parents in this population face, including modifying juvenile dependency court exit orders and permanent family law orders, rebutting Family Code 3044, the difference between 'family reunification' in family law cases as compared to dependency court cases. We will then use case studies to demonstrate how challenges were identified, assessed, and overcome in custody and visitation disputes in our own practice. Finally, we will open the panel up to questions and discussion to encourage a dialogue about providing direct legal services and direct representation to low-income vulnerable parents, as well as assuring the best interests of the children are met in these types of cases. Attendees will be provided with written materials including a bibliography of important cases pertaining to this population of parents and custody and visitation decision; a checklist for rebutting family code 3044; and a checklist for parenting assessment.

Beyond the Bench 21, December 15–16

Coming of Age in Tough Times: Building Our Strength Together

FRIDAY: EDUCATION FOR JUVENILE AND FAMILY COURT JUDICIAL OFFICERS

(Open to judicial officers only)

PROGRAM OVERVIEW

Location: AOC San Francisco Office

8:00 a.m. – 3:50 p.m.

The family law judicial officers track is jointly sponsored by the AOC Center for Families, Children & the Courts (CFCC) and Education Division/Center for Judicial Education and Research (CJER). The juvenile law judicial officers track is sponsored by the AOC CFCC.

The judicial education program is divided into separate tracks for each court type. Juvenile judges will select workshops on disproportionate minority contact, Fostering Connections to Success Act (AB12/212) and Interstate Compact on the Placement of Children (ICPC) v. Interstate Compact on Juveniles (ICJ). For family law judges, workshop selections will cover case management, live testimony, children’s testimony, and dividing property. Participants will attend a joint ethics course and receive two hours of ethics credit.

These courses are limited to judicial officers only.

FRIDAY: WORKSHOPS FOR JUVENILE COURT JUDICIAL OFFICERS

8:30–12:30 p.m. Beyond the Basics of AB12 and AB212 for Judicial Officers: Dependency and Delinquency Perspectives

This session will review AB12 and AB212 from two perspectives—dependency and delinquency. Non-minor dependents who remain in the foster care system as adults are entitled to certain benefits. Are there differences in terms of services and benefits for the different populations? What evidence must courts receive and consider, and when? What findings must a judicial officer make? And how can we help transition these young adults to independent living? These and other questions will be extensively examined from a judicial perspective during this workshop.

8:30–10:30 a.m. ICJ v ICPC Roundtable: Ask the Experts

This session for juvenile delinquency and dependency judges will discuss the Interstate Compact on Juveniles (ICJ) and the Interstate Compact on the Placement of Children (ICPC). Topics to be discussed include the relationship between the two compacts, the role of the judge, placing children in out of state foster placements and the return of juveniles and status offenders on probation or parole. Attendees in this workshop will have an opportunity to ask the panelists questions.

FRIDAY: WORKSHOPS FOR JUVENILE COURT JUDICIAL OFFICERS

(Continued, listed alphabetically by time)

10:45-12:30 p.m. *Delinquency Workshop*

The Intersection of Disproportionate Minority Contact and Evidence-Based Practices in Juvenile Justice

The juvenile justice system in California has been increasingly engaged with issues of cultural competency and racial disproportionality in the treatment of youth involved in the juvenile courts. This workshop will discuss the challenges and opportunities with instituting an Evidence Based Practices approach to risk/needs assessments and service provision alongside a program to reduce Disproportionate Minority Contact (DMC) in the juvenile justice system.

10:45-12:30 p.m. *Dependency Workshop*

Disproportionate Minority Contact in Dependency Cases: The Role of the Judicial Officer

Research demonstrates that children and families of color are disproportionately represented in the child welfare system. The National Council of Juvenile and Family Court Judges recently developed the CCC Preliminary Protective Hearing Benchcard, a practical resource and tool judicial officers can use to reduce DMC in dependency. This session will present an opportunity to learn about and share best and evidence-based practices and what courts and judges are doing and can do to reduce DMC in the state.

1:50-3:50 p.m.

Judicial Ethics for Juvenile and Family Law Judges and Subordinate Judicial Officers

(Joint course for family and juvenile judicial officers offering two hours of ethics credit)

This course will focus on judicial ethics issues that arise in juvenile and family law court rooms, including issues such as disqualification, disclosure, ex parte communication and demeanor, including the application of the canons in the context of the increasing numbers of self-represented litigants.

FRIDAY: WORKSHOPS FOR FAMILY COURT JUDICIAL OFFICERS

(Listed alphabetically by timeslot)

8:30–10:30 a.m. Case Management: How It Helps Litigants, Judicial Officers, and the Court

Participants will learn to identify the type of case that would benefit from a case management plan; the types of issues that can be resolved without a full case plan; the benefits of a case management plan; and how to craft understandable and enforceable case management orders. Class discussion will also examine how effective case management can improve calendar management and how the new rules of court will benefit judicial officers.

8:30–10:30 a.m. Children’s Testimony: How Should This Be Done?

Participants will identify the skills needed for preparing children of various ages to testify. Topics will include: techniques a judge can use to get the information needed to make custody determinations, how to establish safeguards or ground rules to ensure that the procedures used address the development capacity of the child, and ensuring to due process.

10:45 a.m.– 12:30 p.m. Live Testimony: Allowing Due Process Without Chaos and Delay

Participants will examine best practices when dealing with requests to present live testimony pursuant to Family Code section 217. Specific topics will include: ensuring procedural rights, making an adequate record when exercising your discretion, and the relationship between calendar management and testimony when dealing with heavy short cause calendars. The discussion will include implementing new rules of court and any perceived conflicts with *In re Marriage of Reifler*.

10:45 a.m.– 12:30 p.m. Dividing Property in Cases Where Both Parties Are Self-Represented

Participants will learn how to get the information needed to divide property in cases where the litigants may appear in court with either a shoe box full of documents or no documents at all. Topics will include: dealing with debts, reimbursements, and the upside down house.

1:50–3:50 p.m.

Judicial Ethics for Juvenile and Family Law Judges and Subordinate Judicial Officers

(Joint course for family and juvenile judicial officers offering two hours of ethics credit)

This course will focus on judicial ethics issues that arise in juvenile and family law court rooms, including issues such as disqualification, disclosure, ex parte communication and demeanor, including the application of the canons in the context of the increasing numbers of self-represented litigants.