

**DARE COUNTY  
MEMORANDUM OF AGREEMENT**

The parties to this MOA agree to support the following practices and policies.

**A. Judicial Specialization.**

- 1) Judges assigned to hear abuse, neglect and dependency cases should receive specialized training not only on the juvenile code, but in non-legal areas such as child development, substance abuse treatment and the dynamics of domestic violence and shall attend and participate in training in these areas.
- 2) Judges assigned to hear these cases should receive certification from the Administrative Office of the Courts as a juvenile court judge.
- 3) Judges should be assigned to juvenile court for a significant length of time, preferably at least three years.
- 4) Effort should be made to ensure that the same judge will hear a child welfare case from start to finish.
- 5) Judges assigned to these cases should commit to a thorough review of the child and family's situation at each hearing.

**B. Quality Representation of Parties.**

- 1) All attorneys practicing in dependency court should receive specialized training not only on the juvenile code, but in non-legal areas such as child development substance abuse treatment, and the dynamics of domestic violence.
- 2) All attorneys representing parents through court appointment should meet established qualification standards.
- 3) There should be recruitment of qualified attorneys to represent parents.

**C. Active Case Flow Management.** The parties agree to regular review of available data to determine the number of children in the local court system, whether timelines are being followed and whether agreed upon outcomes are being met and to use this data to identify and correct

areas that are preventing cases from having outcomes in a timely manner.

- D. **Court Rules.** The parties agree to conduct an annual review and update of local court rules.
- E. **Child Planning Conferences.** The parties agree to implement CPCs and to periodically update local rules for scheduling CPCs, notifying the participants and identifying the issues to be discussed.
- F. **Continuous Calendaring.** At the end of each hearing, the next date and type of hearing that will occur shall be set and the juvenile clerk shall enter the information into JWISE in accordance with the Clerk's Rules of Record-Keeping. The information shall be provided by the social worker, in the memorandum of judgment, if applicable, to the parties before they leave the courtroom.
- G. **Timely Court Orders.** At the conclusion of each hearing in which efforts are still being made to reunify with a parent or parents, an order or a memorandum of judgment from that hearing shall be signed by the Judge and distributed by the social worker to all parties and counsel. The Court and parent attorneys will instruct the parents to remain in the courtroom until they have been served with a copy of the Memorandum of Judgment.  
The final order shall be prepared, signed and filed within 30 days of the hearing. All proposed orders shall be submitted to all counsel or parties and the court in accordance with the local rules.
- H. **Case Planning** – When a child enters the child welfare system, case planning is used by the local Department of Social Services (DSS) to achieve the goal of the child's safety, permanency and well-being. An essential tool is the Child and Family team (CFT) which conducts a structured, facilitated meeting which brings family members together so that with the support of professionals and community resources, they can create a written plan that ensures child safety and meets the family's needs. The CFT meeting will result in a list of planned activities that all participants agree to, and that list will be used to develop the actual Out-of-Home Family Services Agreement that will be provided to the parents. The 'Family Services Agreement contains the team's decision regarding what action must be taken and/or what services are needed to assist a family to develop the capacity and capability to assure the child's health and safety and to meet the child's well being needs.

Attorneys for the parents should be provided with notice of the date, time and place of the CFT meeting and may attend and participate if

requested by their client. The Family Services Agreement prepared as a result of the meeting shall be provided to the parents, their counsel, the GAL, the attorney advocate and counsel for the Department by personal delivery, mail or facsimile within five days of the date it is signed by the parties.

I. **Collaboration.** The parties recognize and support the vital role of partnerships with each other and with other agencies and organizations in improving outcomes for abused, neglected and dependent children. The parties to this MOA agree to establish an Advisory Committee comprised of key players in abuse/neglect/dependency court cases. The Advisory Committee will meet regularly not only to address legal and administrative issues, but to develop both short and long term goals for the community that will improve the lives of children and their families.

J. **Training.** The parties are committed to identifying unmet training needs and increase training opportunities for all key players in abuse/neglect/dependency court. To attain this goal, the parties agree to:

A. Appoint two individuals from their county committee to serve on a district wide Training Committee. These individuals will solicit suggestions for training topics from their county multidisciplinary committee, judges, attorneys and AOC staff and present these suggestions to the District Training Committee. This information will be used to establish a local training plan, and at a minimum, the training will include an annual training event to review legislative changes and recent juvenile appellate decisions.

B. Schedule training events to maximize participation of everyone involved in juvenile abuse and neglect proceedings and will include topics that meet the individual needs of the local participants.

C. Make logistical arrangements for each training event, such as arranging for adequate facilities, securing guest speakers and making arrangements to offer continuing education credits for attorneys and social workers.

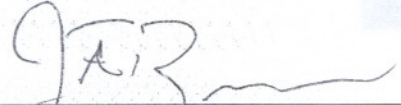
D. Provide or identify cross-training opportunities for judges, clerks, attorneys, service providers, court administration and Guardian Ad Litem staff and volunteers to build effective relationships at the local level.

K. **Term of Agreement.** This agreement will be effective from the date of signature and will be reviewed biennially.

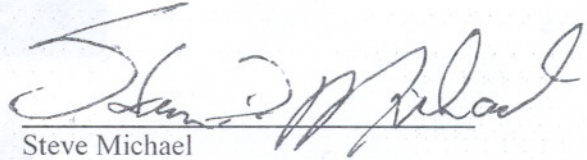
L. **Revisions.** Revisions of this agreement may be made upon the approval of all signatories and shall become effective upon adoption.

M. **Signatures.**

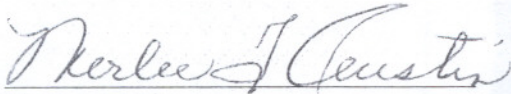
Signed October 28, 2009.



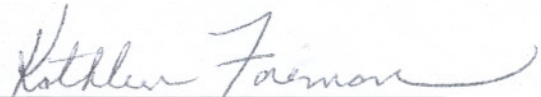
Jay Burrus, Director  
Dare Co. Dept. of Social Services



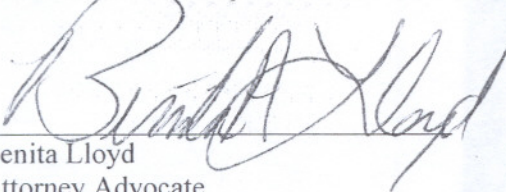
Steve Michael  
Dare DSS Attorney



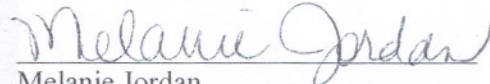
Merlee Austin  
Dare Co. Clerk of Superior Court



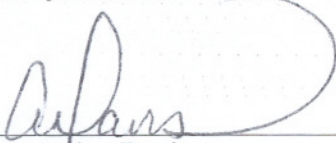
Kathleen Foreman  
Guardian ad Litem District Adminis.



Benita Lloyd  
Attorney Advocate



Melanie Jordan  
Court Improvement Project Director



Judge Amber Davis  
District Court Judge