

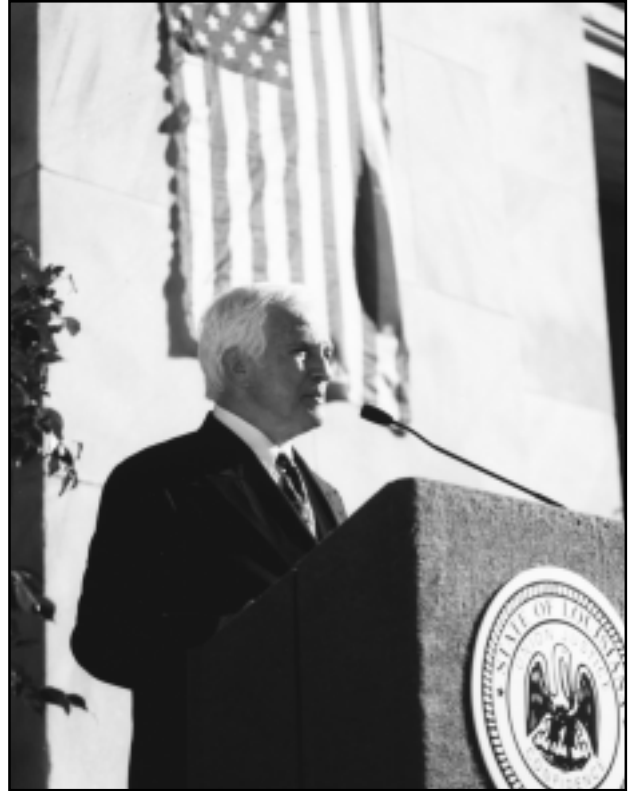
## *Campaign for Children*

by Chief Justice Pascal F. Calogero, Jr.

**W**e have all heard the stories on the news. Horrific stories of children neglected, abandoned or abused by those closest to them—their parents. As a parent and proud father of ten children, it is *incredible* to me that anyone could hurt a child. As a jurist, however, I know the unfortunate truth. Each year thousands of children in Louisiana enter our juvenile court system as innocent victims of child abuse and neglect. Removed from their parents they are “nobody’s child”, placed in foster care where they must wait for the courts to decide their future.

The Campaign for the Children is a public awareness program sponsored by the Louisiana Supreme Court as part of the Louisiana Court Improvement Program, a federally-funded initiative to improve the adjudication of child abuse and neglect cases in Louisiana. Recognizing that systemic reform requires total community involvement, the Campaign for the Children serves as a call to action: (1) to increase public understanding and support for the needs of children and families in the foster care system; (2) to make legislators, community leaders and the general public more aware of the problem of “foster care drift” and its serious consequences; and (3) to encourage lawyers and judges to become the primary gatekeepers of the foster care system as a means of ensuring the expeditious processing of child neglect and abuse cases while, at the same time, maintaining due process and respecting the rights of the parents.

The Campaign for the Children was kicked-off in February 1998 with an eleven-area tour of



*Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr.*

the state during which Supreme Court justices and staff spoke to 250 community leaders about the problems in the foster care system in Louisiana.

Phase II of the Campaign for the Children recruited interested participants from the first phase of the campaign to help “spread the word” by lining up speaking opportunities for Court staff and by showing the Dave Thomas Foundation video, “Through the Eyes of the Child,” in their respective communities.

With the generous support of the Dave Thomas Foundation and additional grant monies from the Children’s Trust Fund, we are now ready to launch Phase III—a media campaign focusing on the need to end “foster care drift” including the production and broadcast of a 30-minute television documentary.

In Phase IV, the Campaign for the Children media effort will promote adoption. Additionally, for Spring 1999, a statewide Court Improvement Conference is planned to cross-train judges, lawyers and other juvenile justice professionals and to update them on new federal and state laws designed to prevent “foster care drift.”

We have all heard the stories, now is the time to answer the call.

Inside

*Focus On:*  
**THE FAMILY**

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# CORNER

## COLLINS



Hugh M. Collins, Ph.D.  
Judicial Administrator

This issue of Court Column highlights the relationship between courts and families. In this context, juvenile courts have been a particular focus of the Judicial Administrator's Office. Specifically, the Planning and Research Department, under the direction of Deputy Judicial Administrator Tony Gagliano, has been a driving force in developing programs to improve juvenile courts and in securing support to implement them.

Through a federal grant from the Department of Health and Human Services, the Planning and Research Department has been working with an Advisory Committee of juvenile justice professionals to assess problems in the system regarding the handling of child abuse and neglect cases and to develop a strategic plan for improvement. This statewide effort known as the Louisiana Court Improvement Program, has been funded through 2001 and supports several programs including: the *Campaign for the Children*, the *Judge Advocate Network* and the *Sub-Grant Program*.

The Planning and Research Department is also working with the New Orleans Collaborative for Timely Adoptions (NOCTA) in conjunction with a grant to Orleans Juvenile Court. Under this grant, all methods to expedite and improve the handling of child abuse and neglect cases are being studied. New court rules, judicial and employee training, and integrated juvenile justice information systems are all part of the NOCTA pilot program. With the leadership of the judges of Orleans Parish Juvenile Court, our goal is to identify and eliminate barriers to good service, battle delays and make the system work better for its young clients.

The Judicial Administrator's Office is proud of these programs administered by the Planning and Research Department and is reassured by its commitment to a brighter future for families and children in the Louisiana courts.

## Workload of the Louisiana Courts

All Louisiana state courts are required to submit reports of their activities to the Judicial Council of the Louisiana Supreme Court. You can find a detailed breakdown of the reported data in the 1997 Annual Report of the Louisiana Supreme Court including, among other things:

- the number of judges serving on the court
- the number of cases filed;
- the number of cases concluded;
- the average time from filing to disposition; and
- the number of jury trials conducted in that year.

If you would like a copy of the 1997 Annual Report of the Louisiana Supreme Court, contact the Community Relations Department at (504) 599-0311.

### A Snapshot of the Workload of Louisiana Courts - 1997 Statistics -

#### Louisiana Supreme Court

Writs		
	Civil	Criminal
Applications filed .....	1,604	518
Prisoner Pro Se writs .....	43	903
Granted .....	233	193
Dismissed .....	23	13
Not considered .....	43	8
Denied .....	1,260	1,635
Opinions rendered .....	78	8

#### Courts of Appeal

Writs		
	Civil	Criminal
Applications filed .....	2,772	1,190
Writs filed (except Pro Se) .....	1,916	883
Writs Granted .....	688	377
Pro Se writs filed .....	301	3,026
Pro Se writs granted .....	44	750
Dismissed/Transferred .....	427	110
Opinions rendered .....	2,346	1,037

#### Overall Workload of Louisiana Courts

Statewide Totals	
Civil Filings .....	168,140
Criminal (includes DWI) Filings .....	170,823
Traffic Filings .....	277,534
Total Filings .....	642,915
Civil Jury Trials .....	485
Criminal Jury Trials .....	1,498



## School or Jail

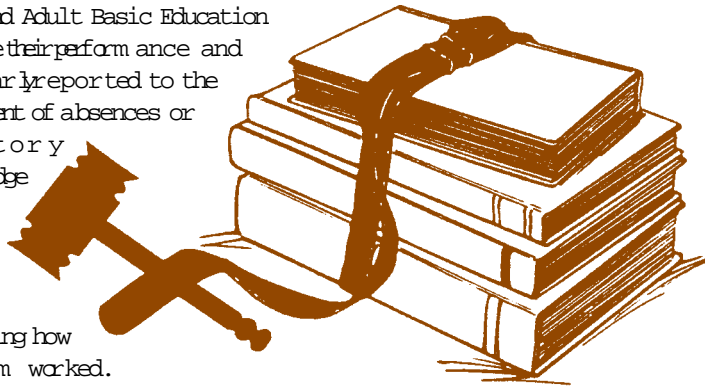
After the first few months on the criminal court bench, Chief Judge Robert "Bob" D. Downing of the 19th JDC in East Baton Rouge made an important observation, "I seldom saw someone before me in criminal court who had a high school diploma." Since then, Judge Downing has spearheaded a number of programs for criminal offenders which promote education instead of incarceration.

One such program, School or Jail, was funded for two years by a grant from the Job Training Partnership Act (JTPA), giving probationers the opportunity to attend Baton Rouge VoTech as a condition of probation. Previously probationers were only required to report to a probation officer for about five minutes a month. School or Jail changed this by requiring probationers attend Adult Basic Education classes and have their performance and progress regularly reported to the judge. In the event of absences or unsatisfactory progress, the judge would sentence the probationer to a weekend in jail.

"It was amazing how well this program worked.

Once troubled kids started working with their hands and could see a use for their education, their behavior improved. Why pay for additional security guards, alarm systems and police, when it is a lot cheaper to educate the people who are becoming criminals? We need to make education our top priority" Judge Downing said.

For more information about School or Jail, contact Chief Judge Bob Downing at (504) 389-4706.



## Serve and Support

The 14th JDC Family and Juvenile District Court and the Calcasieu Parish Sheriff's Department have teamed up to track down "deadbeat parents." Since 1996, the Court's nonsupport fund, derived from a 5 percent charge on nonsupport payments provides \$30,000 annually to pay for the equipment and salaries of two Serve and Support deputy sheriffs who are prepared to track down non-paying parents locally, statewide and in other states if necessary.

The program has recently expanded to include "mini-round-ups" whereby the Serve and Support deputy sheriffs begin at dawn and literally "round-up" and bring to court parents who are wanted on recently issued warrants for nonsupport before they have a chance to avoid justice.

"The Support and Serve program targets those hard-to-locate parents who 'run and hide' in order to avoid paying child support," said Judge Billy Ezell. "When the fugitive is caught, they will either have to pay or be incarcerated. If they are not paying anyway, why not lock them up?"

When the program began two years ago, there were 700 outstanding nonsupport warrants in the parish — 75% stamped "unable to locate". Today the tables have turned; now over 75% of the errant parents are located by the deputies.

For more information about the Support and Serve program, contact Judge Billy Ezell at (318) 437-3363.

## 19th JDC Kids ID Program

At the 19th JDC, there are two kinds of "service with a smile". The first refers to the friendly service of the dedicated employees of the Clerk of Court's Office who are always willing to make every effort to help citizens meet their needs. The second refers to the 19th JDC Kids ID Program which has youngsters in East Baton Rouge Parish smiling for the camera.

The Kids ID Program is a community service initiative where by staff of the 19th JDC Clerk of Court Office set-up in shopping centers, at community events and church fairs to provide an ID card for every child whose parent requests one. The ID card contains a photo, information and thumb prints of the child and is designed for the parents to keep in case the child ever becomes lost or missing.

According to Doug Welborne, Clerk of Court, 19th JDC, "We always say that we hope this tool never has to be used for this purpose. Still it does provide peace of mind for parents to have such a record and cards of this type have proven successful in helping to locate children."

For more information on the Kids ID Program, contact Doug Welborn at (504) 389-3960.

### CYBER COURTS

National Judicial College  
www.judges.org/

Justice Directory  
www.cqnet.org

Legal Resources  
www.tam.edu/library/govdocs/legal.html

The Piper Letter  
statecourtdirectory  
www.piperinfo.com

Legal Sites Directory  
national legal and court web sites  
www.geocities.com/CapitolHill/1814/legal.html



# YOU ARE SUNSHINE

by

Justice Catherine "Kitty" Kimball



Justice Catherine "Kitty" Kimball

*"Some children think it must be their fault that their parents got a divorce. Maybe they were bad and caused everybody's sunshine to go out. But children don't cause divorces — adults do. Their children are the sunshine to remind divorced adults that they can have their sunshine back one day!"*

*-You Are Sunshine*

Nothing is more gratifying than the realization of a dream.

Several years ago, during my campaign for judge, I was moved by a teacher who told me that she tried to say a kind word to each one of her students everyday, knowing that it could very well be the only kind word the child heard.

As a district judge often presiding over family matters, I too saw many children who seemed never to hear a kind word. It was my dream to find a way to bring that kind word to each and every Louisiana child. My thought was to write a book that could be given to Louisiana children which would allow them to see their own self-worth regardless of the environment surrounding their personal lives. Since I did not feel competent to write a

children's book, I enlisted the support of Dr. Sally Clausen, president of Southeastern Louisiana University. She and I had a mutual friend, Shirley Porter, whom we felt had this skill. Together with the guidance of a task force of experts from Southeastern University, we began to develop thoughts for a book to reach children throughout the state.

*You Are Sunshine* is my dream come true. It is a glossy lap-sized paperback authored by

Shirley Porter in consultation with First Lady Alice Foster. Shirley is a Baton Rouge psychotherapist with over 28 years of working with families. The book is brilliantly illustrated by Lisa Homan-Conger. *You Are Sunshine* is written to address issues that affect young children's self-esteem and, though it is designed to be read to children, it also contains information on ways parents and caregivers can build a child's self-concept.

*You Are Sunshine* took about two years to produce. There are approximately 18 thousand copies in print. Our goal is to distribute a copy of the book to each of the 160 thousand four

and five year-old children in Louisiana.

First Lady Alice Foster, who has initiated a self-esteem program for the children of our state called "Sharing Sunshine with the

Children of Louisiana," has kindly graced *You Are Sunshine* with an inspiring introduction. In closing, I would like to echo her words.

"Now is the time for those of us who care...to share the sunshine with Louisiana's children."

For information about *You Are Sunshine*, contact Shirley Porter at (504) 751-5800.







## Louisiana Court Improvement Program

In January 1995, the Supreme Court of Louisiana was awarded a four-year federal entitlement grant administered by the Department of Health and Human Services to assist and improve the handling of Child in Need of Care (CINC) cases in state courts with juvenile jurisdiction. Assisted by an advisory committee chaired by Orleans Parish Juvenile Court Judge Ernestine S. Gray, the first phase of the Louisiana Court Improvement Program required grant recipients to assess how well their state courts were fulfilling the requirements of the Adoption Assistance and Child Welfare Act of 1980.

In the second phase, participating states must develop and implement reforms to improve the handling of abuse and neglect cases based on the assessment results. With the assessment phase of the program completed, activities to implement the second phase through the Louisiana Strategic Plan are now in progress. The key components of the Louisiana Strategic Plan include attorney and judicial training, the development of automated case management systems, a public awareness campaign called the *Campaign for the Children* (see cover story), the Judge Advocate Network and the Sub-Grant Program.

The Louisiana Court Improvement Program was recently extended an additional three years through 2001.

For more information about the Louisiana Court Improvement Program contact Tony Gagliano, Louisiana Supreme Court Deputy Judicial Administrator at (504) 568-8249.

## Judge Advocate Network

The Louisiana Supreme Court has recently established the Judge Advocate Network as a regional approach to providing equal justice and resources to Louisiana's rural and urban areas. Under this program, the state has been divided into seven juvenile justice regions, each having a volunteer judge whose role is to gather information on regional issues and problems. The Judge Advocates, together with representatives of the executive and legislative branches, will meet quarterly to address regional needs and to develop both short-term and long-term strategies for improvement. The primary focus of the Judge Advocate Network is on juvenile justice issues—child abuse and neglect, delinquency, and status of offenders. However, domestic court issues, such as child support and domestic abuse, will also be considered.

On July 8, 1998, Chief Justice Pascal F. Calogero signed an order appointing the first group of Judge Advocates. They are:

- Judge Ernestine Gray  
Orleans Parish Juvenile Court (Region 1)
- Judge Grace Gasaway  
Hammond City Court (Region 2)
- Judge Jerome Barbera  
17th JDC (Region 3)
- Judge Anne Simon  
16th JDC (Region 4)
- Judge Billy Ezell  
14th JDC (Region 5)
- Judge Andrew Gallagher  
Caddo Parish Juvenile Court (Region 6)
- Judge Benjamin Jones  
4th JDC (Region 7)

Upon signing the order Chief Justice Calogero said, "I believe the Judge Advocate

*There is always  
one moment  
in childhood  
when the  
door opens and  
lets the future in.*  
—Graham Greene

Network will be a major vehicle for interbranch cooperation to achieve constructive change and reform."

## The Sub-Grant Program

The Sub-Grant Program addresses the improvement of court processes in child protection cases. In response to requests for proposals from the Judicial Administrator's Office, seven courts have been awarded subgrants to improve the handling of Child in Need of Care (CINC) cases. As a result, delay reduction programs are currently in progress in the 9th, the 16th and the 22nd Judicial District Courts and in Hammond City Court as well as in Caddo, East Baton Rouge and Orleans Parish Juvenile Courts. Examples include:

- Judge Porter in the 16th JDC has created a new court order requiring parents to report to the Indigent Defense Office before the first hearing. The order is intended to preempt delays caused by those parents who initially refuse legal representation and then request it at the first hearing.
- In East Baton Rouge Parish, the Juvenile Court has created a Facilitation Team composed of judges, Office of Community Services personnel, public defenders, agency and district attorneys and court personnel. At monthly meetings, the Facilitation Team addresses such issues as docketing, synchronization of case plans with court hearings and other problems affecting the expedition of CINC cases.
- Orleans Parish has also created a Facilitation Team to address delay through a combined program of concurrent planning and case tracking.
- Caddo Parish Juvenile Court has instituted time-certain scheduling, whereby at the first child custody hearing, when all the parties are present, all future court dates are set.

Under the Sub-Grant Program, additional programs are also planned to expedite cases by process analysis to discover obstacles to the efficient movement of cases, by risk analysis to assist with decision-making, by court monitoring programs and by "red flagging" those which fall behind statutory time requirements.



## PILLAR OF THE COMMUNITY: 28TH JDC-LaSalle Parish

Guest Author: Bobby Wilson, 28th JDC Court Reporter



How many times have you heard it said, "No need to go to that little hick town...you'll get a good taste of home cooking but you can't get in court because the judge is fishing!" This is a real misconception about how courts work in small towns.

The 28th JDC in LaSalle Parish is a working example of an efficient rural court. It is a single parish court with one judge. He handles everything from speeding tickets to first degree murder on the criminal side, small claims to million dollar lawsuits on the civil side and juvenile and family court are also thrown into the mix.

Judge J.P. Mauffray, Jr. has sat on the bench of the 28th JDC since 1994 and has seen the caseload in his court increase dramatically over the past couple of years. It has become more and more difficult to keep up with the explosion of litigation and prosecution yet his office works very hard to maintain and stabilize a schedule that works for everyone.

The 28th JDC handles over 3500 cases per year with court in session 75% of the time. Docketing these cases requires the cooperative effort of the judge's office, the clerk of court's office, the district attorney's office as well as parish and town law enforcement. This kind of cooperation, communication and willingness to work together until these cases are disposed of within a reasonable time is vital to ensure that justice serves everyone.

With such a variety of cases to be heard, the judge must be extremely knowledgeable in all aspects of the law. Judge Mauffray came to the bench with 20 years of litigation experience and he uses this knowledge to expedite matters without prejudice to either side. An attorney who thinks he or she can fly by the seat of his or her pants in Judge Mauffray's court will quickly get a lecture on being prepared. Judge Mauffray feels that if he is prepared for a day in court then all involved should be ready also. This attitude not only promotes fairness but also efficiency.

There are two things you can count on in LaSalle Parish...good home cooking and an efficient rural court.



*Seated: Judge J.P. Mauffray, Jr.*

*Standing: Cynthia Bradford, Minute Clerk; Bobby Wilson, Court Reporter; Forest Cook, Court Bailiff; and J. Reed Walters, District Attorney for the 28th Judicial District Court*

## Strengthening Our Families

City Court of Houma Judge Jude Fanguy and the court's newly appointed **Family Skills Coordinator, Brenda Ellender Johnson**, work together to identify at-risk families for participation in the Strengthening Our Families Program, a 14-week program which focuses on improving the family environment, parenting skills and ways for parents to provide appropriate learning opportunities for their children. The program, for at-risk youth ages 10-14 and their families, is facilitated by Nicholls State University senior's majoring in Family and Consumer Science.

The parents and youths meet separately for one hour. The youths explore concepts such as: goal setting, making positive choices, consequences for actions, peer pressure, problem solving and respect for parents. The parents, meanwhile, receive instruction on setting limits, effective discipline techniques and the importance of consistency in child-rearing. A second hour of the program brings the family together and allows the parents and children to practice what they have learned through role-play exercises.

According to Judge Fanguy, "The long range goals of the program are to reduce first-time drug/alcohol offenders, to reduce the occurrence of behavior problems in the home, school and community and to ultimately reduce the number of court referrals."

For more information about the Strengthening Our Families Program, contact Brenda Ellender Johnson at (504) 868-4232.

## Law Consortium Fires Up

More than 75 professionals in the legal field gathered August 11 at the Louisiana Supreme Court for a Business Partners Luncheon to learn how they can become involved in the MetroVision School-to-Career Initiative's Law-Related Careers Consortium. The Supreme Court has been a member of the Law-Related Careers Consortium since it began in 1996.

The School-to-Work Initiative is a collaboration of business, educators, government and the community to better prepare students for high academic achievement, careers and lifelong learning.

"Over the past two years, the Supreme Court has fully embraced the School-to-Career program by participating in a number of activities which have brought area high school students and teachers into our court house or have sent Supreme Court employees into their schools," Chief Justice Pascal Calogero said.

According to Sue Burge, Director of the School-to-Career Initiative, the response by participants at the luncheon was overwhelming. A number of law firms and other law-related professionals immediately agreed to sponsor student internships and the list continues to grow.

For information about the School-to-Work Initiative's Law-Related Careers Consortium contact Sue Burge at (504) 527-6935.

For information about the School-to-Work Initiative's Law-Related Careers Consortium contact Sue Burge at (504) 527-6935.



*Participants in the Ben Leadership Camp on Conflict Resolution and Prevention get a word of encouragement from Chief Justice Pascal F. Calogero, Jr.*

## 9th JDC: Partners in Education

Ninth JDC Judge W. Ross Foote entered into a Partners in Education Agreement with Bolton High School formalizing the first cooperative agreement between a judge and a school in Rapides Parish. The purpose of the agreement is to increase Bolton High School faculty and student awareness of the functions and role of the courts; to expose students to the actual operations of the local court system; and to create a positive relationship between students and judges. Judge Foote has obligated himself to meet with students during lunch periods for unstructured question and answer sessions in order "to put a human face on the courts for the students." Future plans include holding actual court proceedings at the high school.

Recently, 40 Bolton High School students spent the day at the 9th JDC courthouse on a scavenger hunt of sorts designed by Judge Foote entitled *Welcome to Your Courthouse: A Self-Guided Tour*. Each student was provided with a packet of information about the court along with a checklist of people and things to find in the courthouse. The guide encouraged the students to walk around the courthouse, meet the people and learn what they do.

"Bolton High School is my alma mater and I wanted to give something back. This partnership is a commitment of time and effort, not money," Judge Foote said.

For more information about Partners in Education contact Judge W. Ross Foote at (318) 443-6893.

## Monroe Mentors

The Monroe City Court is using adult volunteer mentors to provide positive role models to at-risk youths in misdemeanor and juvenile courts. The mission of the **Mentoring Program** is to provide disadvantaged youth with the guidance they need to become productive adults.

According to Eldon Pipes, the Monroe City Court Mentor Coordinator, the program has nine specific objectives:

Mentors must spend at least two hours per week with the youth, acting as a positive influence while spending quality time together. Qualifications for being a mentor include a commitment to the mentoring role, ability to provide support and nurturing, and sensitivity to differences.

All mentors, parents and youths in the program are invited to meet and evaluate the program once a month. Special accomplishments, such as most improved student, mentor and youth of the month, and athletic achievement, are also recognized at these meetings.

So far the number of juveniles suspended in Monroe has dropped dramatically, and 85% of the youths in the program show academic achievement. Not a single youth has offended or re-offended since entering the program.

For more information about the Monroe City Court mentoring program, contact Eldon Pipes, Mentor Coordinator at (318) 329-2580.

Chief Justice  
Pascal F.  
Calogero, Jr.  
swears in  
11 new recruits  
to the  
Kramer Police force.







## IpsO Facto... Courthouse Gone to Pot?

Scores of New Orleans police officers, parish deputies, defense attorney and pedestrians walked by daily, unaware that a marijuana plant was growing between the cracks of the front steps of Orleans Parish Criminal Court.

This all changed the day a former narcotics detective who works in the courthouse pointed out the plant and the eight-inch seedling immediately became the center of attention for a myriad of curiosity-seekers. "Was it or wasn't it marijuana?" they all pondered aghast.

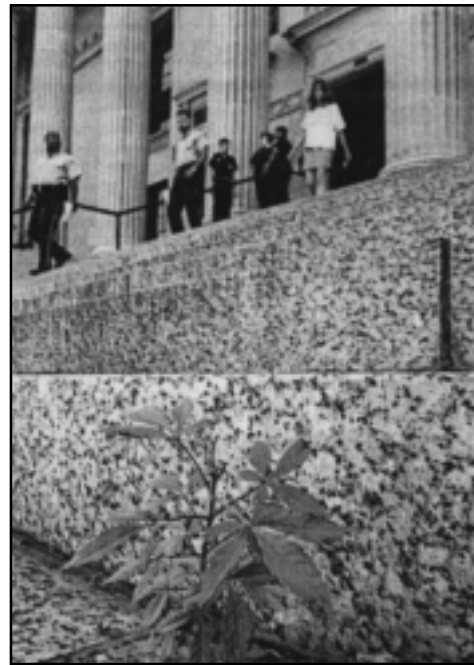
The ex-detective who discovered the plant admitted he had enjoyed a daily chuckle watching it grow over a period of a few weeks. Criminal Court's Chief Judge Leon Cannizzaro was also amused by the irony of the situation. "What do you do? Charge the building with possession of marijuana? Or arrest everyone in the building for con-

structive possession? I will say this: We're going to do everything in our power to eradicate the problem." With that, the weed was gingerly plucked at the root by a court officer and sent to the crime lab for testing.

"Let the record reflect that the plant has been pulled and we will withhold a verdict until we receive a final analysis from the crime lab," Cannizzaro said.

### IT'S A FACT!:

*The verdict is in. The courthouse joke went up in smoke when the crime lab analysis determined that the weed was not a marijuana plant but merely a common garden weed.*



# HONORS YOUR

Louisiana Supreme Court Justice Harry T. Lemon was elected to the Board of Directors of the American Judicature Society. Professor Frank L. Marist and Justice Lemon also recently co-authored the Louisiana Civil Procedure Treatise which is part of the Louisiana Civil Law Treatise Series distributed by West Publishing.



Orleans Civil District Court Judge Ronald J. Sholes was the commencement address speaker for the LSU Medical Center summer exercises. Judge Sholes received a BS. degree from the LSU Medical Center School of Allied Health Professionals in 1976.

Judge Jude TFanguy of the City Court of Houma was honored by the Louisiana Association of Marriage and Family Therapy with the Family Friendly Award for his longstanding dedication to the youth and families of Terrebonne Parish.

Judge Billie Colombaro Woodard of Louisiana's Third Circuit Court of Appeal has received her Master's Degree in Judicial Pro-

cess from the University of Virginia Law School. Judge Woodard was also a lead author in the American Inns of Court Foundation/Lawyers Cooperative Publishing, Louisiana Civil Litigation Series Practice Guide, published in 1997.



Chief Judge Robert "Bob" D. Downing of the 19th Judicial District Court is a recipient of the Outstanding Literacy

Award by the Capital Area Literacy Coalition for his part in mandating General Education Development (GED) programming for those jailed in the drug wing of parish prison.

### Court Column Correction

The Truancy Court program established by 9th JDC Juvenile Judge F. Rae Swent was incorrectly attributed to the 19th JDC in the Summer issue of *Court Column*. Our apologies.



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