

Family Treatment Courts Help Parents Break Cycle of Addiction and Neglect

Jacqueline Freeman loves little Khadeisha, her only child, more than anything in this world. Freeman vividly recalls the day the young girl was taken from her and placed in a foster home after someone witnessed Jacqueline getting high while Khadeisha was in her care. "I was very angry when they took her from me, but now I couldn't be happier that it happened," says a beaming Freeman, who hasn't touched drugs or alcohol in over two years. "It gave me the incentive to get myself clean and sober." Today Jacqueline and Khadeisha, a lively four-year-old who just adores mom, share a comfortable home and lots of quality time.

Freeman, who'd abused drugs and alcohol throughout her life, was among the first eight women to graduate from Manhattan's Family Treatment Court (FTC) in June of last year. With as many as 80 percent of our country's foster care cases linked to parental substance abuse, this court was launched in the spring of 1998 to target, treat and carefully monitor parents with an addiction to alcohol, drugs or both, who neglect their kids as a result. Created in partnership with the New York State court system, the Administration for Children's Services (or ACS, the agency that brings cases alleging child neglect or abuse to court in New York City), the Legal Aid Society (whose lawyers represent the children in neglect and abuse cases) and the panel of attorneys that represents parents charged with neglect, Manhattan's FTC signifies a new level of cooperation and communication among the various parties comprising New York City's child welfare system.

Manhattan's Family Treatment Court is modeled after the Brooklyn Treatment Court, which offers



Judge Gloria Sosa-Lintner and Khadeisha

nonviolent drug-addicted criminals a chance to undergo a rigorous treatment program in lieu of incarceration. By getting drug-addicted parents into an appropriate treatment program as quickly as possible, the family treatment court gives them a realistic chance to be reunified with their kids, so long as they're truly serious about changing their lives. In addition to addressing the parent's substance abuse problem, the court links the family to housing, medical and other services vital to the reunification process, a comprehensive approach designed to break the cycle of addiction and neglect.

Members of the court's clinical staff assess the parent or relative charged, provided she or he admits the neglect was caused by an addiction problem, and a treatment plan is determined, usually within 48 hours. At that point, the parent appears before Gloria Sosa-Lintner—the presiding judge who's handled every case since the court first opened—to make the admission of neglect based on drug use and sign a contract agreeing to obey the court's rules and requirements.

continued on page 2

In Jacqueline Freeman's case, what happened next was spending 42 days in a drug rehabilitation program before beginning outpatient treatment that lasted over a year. "You know, at first I really did all this just to get my daughter back. Then I realized I needed to do it for me, otherwise I'd be getting high all over again once Khadeisha was back in my care," admits Freeman, who says she owes her speedy rehabilitation to the court's supportive staff and access to educational and other programs. "It's a team effort. We're all held accountable at FTC," says Sosa-Lintner, adding, "For mandatory rehabilitation to work, the client must be closely monitored by and have the reinforcement of the judge and the court as a whole."

A Carrot-and-Stick Approach

There are rewards—increased visitation, less frequent drug testing and other perks—for those who remain drug- and alcohol-free and comply with the court's orders, while sanctions are imposed on clients who fail to do so. Depending on the severity of the infraction, possible sanctions include more frequent drug testing and court appearances, and ultimately, the possible initiation of proceedings by ACS to terminate parental rights.

To graduate from the treatment court and get their kids back, Jacqueline and the seven other women—six moms and a grandmother—had to be clean for at least a year and satisfy all the court's requirements, demonstrating their ability to establish a safe, stable, drug-free home for their children. Each woman took classes in parenting skills, set and followed an employment, vocational training or education plan and had regularly scheduled, positive visitations with her children. It takes anywhere from 15 to 18 months to complete the program, with the goal to reunite the family on a trial basis before then, under the court's close watch, of course.

Court's Intensive Monitoring Makes the Difference

Since the court's start-up, over 220 addicted parents and family members have been assessed and quickly placed in treatment, with about 70 percent overall compliance. Lawyer Andrew Baer, a familiar face at Manhattan's Family Treatment Court, represents some of these parents and other relatives. Baer, who says working within this innovative model has been a very positive

experience, attributes the court's success to the many services available to clients and the intensive follow-up that goes on. ACS attorney Rodney Pepe-Souvenir shares Baer's enthusiasm for the FTC model, explaining, "With the frequent court appearances, issues can be brought up throughout the case. All the problems are right out there and have to be addressed."

Like its Manhattan counterpart, the Suffolk County Family Treatment Court—a collaborative effort of the county's social service and health departments, the state court system and the nonprofit Education and Assistance Corporation—takes an integrative approach to addressing the multiple needs of chemically dependent parents and their children. The court, which was started in late 1997, encourages clients to establish a foundation of abstinence from drugs and alcohol and to develop responsible parenting skills, rewarding them for reaching their goals. Those who don't stay clean and fall short of meeting their obligations to their children are held accountable.

A Bleak Past Doesn't Have to Mean A Dark Future

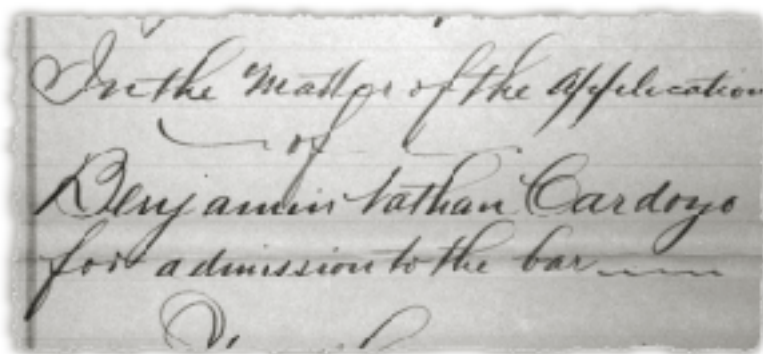
Shirley Jones, whose youngest daughter tested positive for cocaine at birth, earned the ultimate Suffolk County FTC reward last October when she graduated from the court and was reunited with her baby girl and five other children. One of the court's first 13 graduates, Shirley gives credit to Nicolette Pach, the court's presiding and sole judge, for keeping her on the right track. "Judge Pach was really there for me, and that made all the difference," emphasizes Jones, who's now studying to be a medical assistant. She continues, "Judge Pach didn't hold my hand, but she really cared. She understood how much my kids mean to me and said it's up to me to get them back." Jones knew Judge Pach was right, plus she was tired of constantly trying to get drugs. Disgusted with her aimless life, she went into an intensive treatment program and soon found herself thinking about her family's future, coming up with a plan to enroll in a course that would prepare her for a career in the medical field. Now looking forward to completing the 11-month medical course she started last September, Jones says, "I can't correct the past, but I can make a better future for my kids." And that, in a nutshell, is why special courts like these exist. ♦

NYC Courts Hold Special Events for ABA's Annual Meeting

If you happen to be serving on jury duty in New York City this July and notice a little more hustle and bustle on the streets than usual, it may have something to do with the thousands of lawyers who'll be hitting the Big Apple in summer 2000 for the American Bar Association's first annual meeting of the new millennium. The event kicks off in New York City in early July, before moving on to London, where the American Bar Association (ABA) contingent will celebrate the 21st century by paying homage to the British roots of the American legal system. Founded 122 years ago by 100 lawyers from 21 states, the organization—whose official mission is “to be the national representative of the legal profession, serving the public and the profession by promoting justice, professional excellence and respect for the law”—now has more than 400,000 members.

Along with the many seminars, receptions and vendor exhibits scheduled in New York City between July 6th and 11th for this large assemblage of ABA members, the New York courts are hosting several presentations for the visitors. The court events will highlight the evolution of the legal profession and the courts in New York over the last 200 years, starting off with a demonstration of the high-tech Courtroom 2000, located in the Commercial Division of Manhattan Supreme Court in downtown New York City. Courtroom 2000 features a digital

equipment system combining computers, video monitors, image scanners, animation software, TV cameras and VCRs. Here complex testimony is made simpler with the use of animation, 3-D exhibits, a computerized “blackboard” on which outlines of case-relevant scenarios can be drawn, and real-time transcription, which allows court reporters’ steno-



Archivist Bruce Abrams (below), of the New York County Clerk's office, assisted Tanenbaum in his search for documents, including Benjamin Cardozo's admission to the bar (above).



graphic notes to be converted into readable text in an instant. Lawyers who've recently tried cases in Courtroom 2000 will be on hand for the presentation, which is being followed by an exhibit on the development of lawyering in New York. The exhibit, which is open to the public, will take place in the historical rotunda of the landmark courthouse.

Retired lawyer and honorary curator Charles J. Tanenbaum spent several months collecting items for the rotunda exhibit, which focuses on law in New York in the 19th century. Tanenbaum is an octogenarian who 30 years ago started his own collection of legal artifacts, documents and such, mostly dating back to the 1700s. Looking for appropriate items to include in the court's rotunda display, he searched the archives of the New York County Clerk's office, also culling materials from Columbia Law School, New York University School of Law, the Association of the Bar of the City of New York, New York Law Institute—all of which were founded in the 1800s—and law firms with 19th century origins.

Tanenbaum says he came across many interesting documents during his search, including Benjamin N. Cardozo's 1889 admission to the bar, which was chosen to be part of the exhibit. Cardozo, appointed Chief Judge of the New York Court of Appeals in 1927, went on to succeed Oliver Wendell Holmes as Associate Justice of the U.S. Supreme Court in 1932.

In addition to the Courtroom 2000 demo and rotunda exhibit at Manhattan Supreme Court, those attending the ABA meeting will be offered the opportunity to meet with a panel of judges from experimental courts testing nontraditional approaches to drug addiction, domestic violence and quality-of-life

continued on page 8

Veteran Commissioner of Jurors Takes Seat in the Jury Box

Norman Goodman remembers the days, not too far back, when most New Yorkers had a rather negative image of jury service. Goodman, who as Manhattan's county clerk for the past three decades also is the county's commissioner of jurors, says that ever since a number of significant jury reforms started being implemented several years ago under Chief Judge Judith Kaye's leadership, the public's perception of jury service has changed dramatically. "Years ago people around town used to joke, 'How smart can you be if you don't know how to get out of jury service?' Well, I don't hear that one anymore. Today they're showing up for jury service. The perception is that jury service is universal, that everyone has to serve," asserts Goodman.

The Jury Project

In September 1993, several months after Kaye was appointed chief judge, she commissioned a panel of judges, attorneys, jury commissioners, educators, journalists and business people to review jury service throughout the state and come up with recommendations to enhance the efficiency of the jury system, make jury pools more representative of the local community and jury service a more positive experience for New Yorkers. Norman Goodman was part of this 30-member task force, known as The Jury Project, which reported its findings in the spring of 1994. Based on many of the panel's recommendations, and with the collaboration of the legislative and executive branches, the judiciary and the bar, several important enhancements—including the repeal of automatic exemptions, the reduction of terms of service by 50 percent, less frequent summoning for jury service and a raise in juror pay—have been put in place. Goodman, who works in a county where some 2,000 people fill the jury assembly rooms each day, says jurors are looking a lot happier since the reforms, and that makes life easier for him and his staff.

First-time Juror

The implementation of these changes, in particular the lifting of all occupational exemptions statewide, also has affected Goodman personally. As a member of the bar, Goodman was previously exempted from jury service. Then in spring 1999, for the first time, he was summoned for jury duty and chosen for a panel, something he'd been looking forward to but thought would never happen.

Goodman served on a criminal case, describing it as an enriching experience. "Ours was a fine jury, and truly representative of the community," he says.

From the beginning of the trial, the jurors knew that Goodman was county clerk of Manhattan

because the judge had told them so. The first time Goodman's jury retired, following the testimony of several witnesses, all the jurors sat around a big table, each of them reading and not exchanging one word with any of the others. The second or third time that happened, Goodman, who couldn't take the quietness any longer, broke the ice by telling the others that despite his experience as county clerk, being a juror was something thoroughly new for him. Goodman never realized how difficult it would be for him to keep silent about the case until all the evidence had been presented, the two sides gave their summations and the judge sent the jurors off to deliberate. "I was so eager to know what the other jurors thought about the testimony we'd heard up until then, though none of us could say a word about the case before the proper time," he adds.

A Positive Experience

Several days later, when it came time to deliberate, the foreperson decided to start off by taking a secret ballot to see where everyone on the panel stood at that point. Then each juror explained his or her vote. Following further discussion and a break for lunch, the jury was ready with a verdict. After the verdict was delivered, the judge thanked the jurors for their service and asked them to talk about how they arrived at their final decision. "Before we parted ways, all the jurors told me they'd found the experience very interesting, as did I," Goodman says.

A Connecticut native, Goodman arrived in New York City on the eve of World War II to attend New York



Norman Goodman

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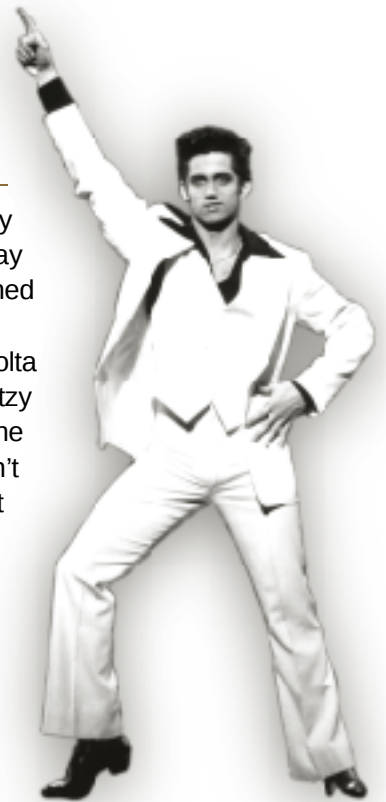
Son of Upstate Jurist Lights Up Broadway

James Carpinello, son of Appellate Justice Anthony Carpinello of Albany, is a very happy hooper these days. The young actor-singer-dancer beat out hundreds of Broadway hopefuls, landing the lead in the stage production of "Saturday Night Fever," which opened in New York City last October. The show is Carpinello's first Broadway gig.

The 24-year-old headlines as disco darling Tony Manero—the part played by John Travolta in the 1977 film of the same name—boogying to the catchy beat of the Bee Gees in his glitzy disco duds. So is the new Broadway heartthrob a chip off the old block? The judge says he and wife Sharon, executive deputy commissioner of the State Office of Mental Health, aren't very talented when it comes to singing, dancing and acting. "We can't really take any credit for James's success on the stage," states the proud papa.

The couple watched James perform in countless plays in the family basement as a child, then on stage at school, but never relished the idea of a theater career for him. Sharon Carpinello says her son was always very articulate and that she and her husband thought he'd be a trial lawyer. Adds the jurist, "We decided, though, if the professionals of the prestigious theater program at Pittsburgh's Carnegie Mellon University thought he could make it in show business, we had to let him pursue his dream."

The young star graduated from Carnegie Mellon in 1997, his performing career taking off. Last year, he played in the off-Broadway cult hit "Stupid Kids," with the show's general manager, Albert Pollard, calling Carpinello "a born star." He's certainly wowing "Fever" audiences with his sexy, energetic rendition of Manero. By the time the show ends, he has the whole house—some 1,600 people—dancing in the aisles. No doubt, Carpinello's got them stayin' alive and then some.



James Carpinello as Tony Manero

University, where he's now on the board of trustees. In 1969, after practicing law for 17 years, he became Manhattan's county clerk and says that through the years he's heard it all when it comes to excuses for getting out of jury service. "One juror said he couldn't serve because his religious beliefs prohibited him from judging another human being. I explained that jurors don't judge people, they judge the facts, and that it was his civic duty to serve, which he did," reminisces Goodman. Another time, a juror arrived at the courthouse with a doctor's certificate excusing her from jury service. Goodman knew right away that the document was a phony because he'd recently seen a legitimate certificate from that same doctor for another juror. Of course, the woman with the falsified certificate wound up having to serve.

One of the most memorable stunts Goodman recalls a juror pulling is the time a banker who'd been summoned for jury duty hired an imposter to serve in his place. Goodman says that the man who was

actually summoned to serve was very remorseful for what he'd done. Sentenced by the judge to 500 hours of community service, this jury-service shirker happily served his sentence for the better part of a year, performing a variety of clerical tasks at the New York County Supreme Court in lower Manhattan, where Mr. Goodman's office is located. "He did such a terrific job and was so well liked that when he completed his community service, the employees threw him a farewell party," laughs Goodman. And the next time this fellow was called for jury duty—not long after completing his community service—he, not a stand-in, showed up at the jury assemblyroom ready to do his civic duty.

Goodman's 30-plus years as Manhattan's jury commissioner have certainly been colorful and enriching. "It's been a privilege taking part in the reform efforts that have made jury service more pleasant for New Yorkers. Having the opportunity to be a juror myself was the icing on the cake," he says. ♦

Court-Appointed Volunteers Speak Up for Foster Kids

It's a late Thursday afternoon and Judy Lamb, executive director of Erie County's Court Appointed Special Advocates (CASA) in Buffalo, is beginning to get that "there aren't enough hours in the day" feeling. "Some of these foster care cases can get so complicated, and then you've got the kids who don't have anybody who cares about them, which is so hard for the child and so frustrating for us," says Lamb, who, along with her fund-raising duties, oversees the work of some 50 volunteers trained to assist Family Court judges in investigating, implementing and monitoring permanency plans for foster children involved in Family Court proceedings. Often the only constant the child knows while moving through the child welfare system, the CASA volunteer plays an essential role in ensuring that services ordered by the court are received by the child and the child's family.

Unlike today's child welfare workers, who average 60 to 90 cases at a time, CASA volunteers work on only one or two cases, putting in anywhere from 10 to 20 hours a month per case, allowing sufficient time to review any

relevant records and visit with the child, the parents and others in the youngster's life, including school and medical officials, neighbors and relatives. Based on what the volunteer finds, a formal report, with recommendations on whether the child should stay with the parents or guardians, be placed in foster care or freed for permanent adoption, is submitted to the court.

"We're usually assigned to a case when the judge isn't getting clear feedback about the services being provided," says Pat Kilbury, an Erie County CASA volunteer for the past five years. "We talk to a lot of people and get vital information." That extra piece of information may be critical to the outcome of a case, like the time one of Lamb's volunteers helped locate a foster child's biological father. Previously, the father had inquired unsuccessfully about the toddler's whereabouts. Now this dad and his son are living together happily.

Judge's Idea Quickly Catches On

Started in 1977, CASA was founded by David Soukup, a Seattle judge concerned over having to make decisions about abused and neglected children's lives without sufficient information. Wanting someone in the courtroom who could tell him what's best for the child from the child's viewpoint, Soukup came up with the idea of using trained community volunteers. His concept quickly took root and soon was replicated in courts across the country. New York's first CASA opened in 1979 in New York City. In 1990, Congress allocated funds to start and expand CASA programs, and today there are more than 800 nationwide, with CASA active in 23 counties in New York State.

Playing An Integral Role

CASA volunteers learn about courtroom procedure, child development and adolescent behavior. They're also trained in child advocacy and interviewing techniques. In Erie County, Family Court Deputy Clerk Dan Johnston, a former member of CASA's New York State Board of Directors, addresses new CASA recruits, giving them a history of New York's Family Court, explaining how judges render decisions and discussing the special needs faced by children involved in legal proceedings. "CASA has become integral in assisting the court with foster care cases. Our judges have great confidence in the program's capabilities," he asserts.

This poem, written by foster child Danielle Bush at age 10, expresses the sense of isolation and disappointment felt by all foster children at some point in their lives.

Who am I?

There was once a tree full of apples
which was my family.

Then one day I fell off.

Some grown-ups came and put me in a pear tree.

Then I fell off.

A little boy came and put me in a tree with apples,
oranges, pears and peaches. Then I fell off.

Then I sat there forever wondering
who will pick me up next.

Where will I go? Will I go where I belong?

Or will I waste my life living with fruits who I
don't belong with because they can't encourage me to
accomplish my dreams, or can't tell me who I am
because they don't know who I am.

It's up to you.

Who am I?

For Erie County Family Court Judge Marjorie Mix, CASA serves several functions. “Along with monitoring a case to see that the child’s needs are being met, the CASA volunteer can aid a parent who is working to get her or his child back in obtaining needed services. Also, the volunteer can communicate to the caseworker any special problems the parent may be facing,” explains the judge, who’s recently started assigning CASA volunteers to cases in which grandparents or other relatives have been granted temporary custody of a child and are seeking permanent custody. Here the CASA volunteer can facilitate the child’s transition into the relative’s home and help ensure that the youngster’s educational, medical and other needs are being met.

A Special Focus on Foster Children’s Health Needs

Another group working to improve conditions for foster children is New York’s Permanent Judicial Commission on Justice for Children, established in 1988 to address the problems of children in New York State whose lives are touched by the court system. In May 1998, the Commission created a special working group to consider the role of the courts in ensuring the healthy development of foster children, who are much more likely than other youngsters to have histories of maternal substance abuse, parental mental illness and multiple caregivers. Finding that foster children often had serious health problems that were seldom the focus of court proceedings, last fall the Commission published a guide to assist those involved in the court process—from CASA volunteers to family court judges—in identifying the health needs of those in foster care. Along with the dissemination of the guide, the Commission has been holding special training sessions to

familiarize CASA directors and volunteers, judges and other appropriate parties with health-related issues affecting our state’s foster kids, including the services these children are entitled to by law. In addition, since the early years are the most critical in terms of a youngster’s development, last September the Commission asked the CASA programs in Erie and Westchester Counties to become part of a pilot program focusing the energies of new CASA recruits on cases involving children five years of age and below.

Surely, Jane Reeve understands how much those first years count. For much of her life she taught preschool and kindergarten in the Rochester area. After retiring from teaching several years ago, Reeve decided she wanted to put her vast experience with children to good use, becoming a CASA volunteer in Monroe County. Reeve says the work, although rewarding, can be emotionally trying at times, adding, “You can’t help but feel badly for these kids. They lack the consistency children need in their lives.” So, with all the challenges and frustrations that come with the territory, what keeps Judy Lamb, Pat Kilbury, Jane Reeve and other CASA volunteers and staffers going? Monroe County CASA Director Laurie Holmes responds, “I’ve been with CASA 16 years. None of us would be doing this if we didn’t think we were making a difference.” ♦

CASA programs rely on volunteers and on various funding sources, including donations from private companies and individuals. If you would like to learn more about CASA, e-mail the New York State CASA Association at mail@casanys.org or call 877-80-VOICE (toll-free) or (518) 426-5354.

“Greenskeepers” Brighten NYC Jury Assemblyroom



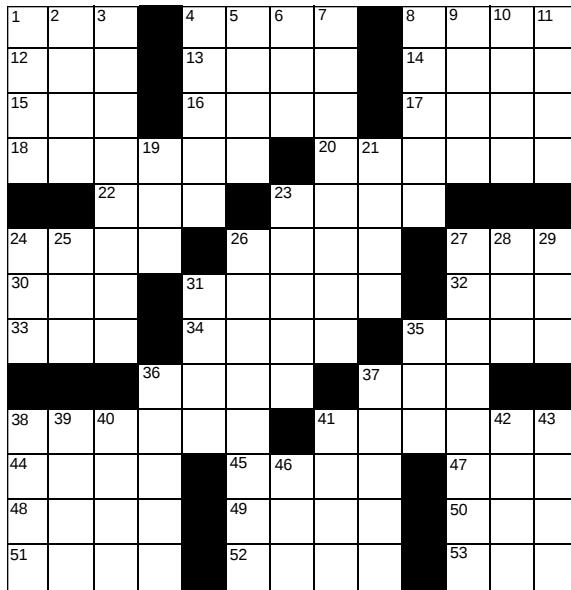
Green Guerillas volunteer Li Li Wu tending plants at the Manhattan Supreme Court jury room.

The jury assemblyroom at the landmark 60 Centre Street courthouse in lower Manhattan is looking cheerier these days with the addition of the hardy, green plants that line the stately room’s windowsills. Installed and maintained by the Green Guerillas—a New York City organization started in 1973 to help urban communities turn abandoned lots into lush gardens—the plants seem very much at home in the sun-drenched waiting room, providing just the right contrast to its rich oak paneling.

The greening of the jury room began several years ago, to the credit of the Vera Institute for Justice, a nonprofit organization that’s been working with New York’s courts since 1994 to improve the juror

continued on page 8

Courtside Crossword



Across

1. Word with "off" or "out"
4. Answer to a charge or indictment
8. 12-Across, for example
12. Item for a lumberjack
13. Helpless
14. Trick

15. In poor health

16. Aid and ___
17. Capri, for one
18. Races
20. Eloquent speaker
22. Exclamations of delight
23. Spoken

24. Des Moines' state
26. Enjoy a meal
27. Influential one
30. Half a pair
31. Hackman and Kelly
32. Before
33. ___ off, fall asleep
34. Disgusting
35. What a show-off will do
36. Spartan king
37. Insane
38. Defense lawyers hope their clients can produce these
41. New York's Chief Judge Kaye, for one
44. Title for some royals
45. A big name in radio
47. Dove's cry
48. Certain poems
49. In court, the witness takes one
50. Take a stab at
51. Heroine of a Hardy novel
52. Like a buttinsky
53. Thoroughfares: abbr.

Down

1. Den
2. Order for an auto-parts shop
3. Like an old newspaper
4. Arthur Miller works
5. Hits a tennis ball like Serena Williams

6. Common suffix
7. Prosecutor, for one
8. ___ by jury
9. Eject
10. Norwegian city
11. Lecherous glance
19. I think I've got it!
21. Sally Field film-character Norma and namesakes
23. Certain farm sounds
24. Charged atom
25. John Lennon's widow
26. Synonym for 27-Down: singular form
27. Deliberating juries reach these, usually
28. A Gershwin
29. Place in a definite category
31. Leslie Caron movie role
35. Legal profession
36. Bottomless pit
37. Adjective for a romance novel, perhaps
38. Very much: 2 words
39. Take on cargo
40. ___ of March
41. Extends out
42. Do a laundry chore
43. Santa's elves make them
46. A famous name in China

GREENSKEEPERS continued from page 7

experience, involving jurors in efforts to reform and strengthen the jury system. Looking for creative ways to add to the beauty of the mural-lined jury assembly-room while keeping its dignity intact, the Vera Institute initiated the partnership between the Green Guerillas and the staff at the Manhattan courthouse.

Volunteer Li Li Wu (pictured on page 7) is part of the youthful, spirited Green Guerillas team that drops by the courthouse each week to prune, water and feed the plants, which were chosen with the help of the

court's staffers. Manhattan Chief Clerk of Jurors Vincent Homenick says people serving on jury duty always stop to tell him what a nice touch the plants are. "They really do perk up the place, making waiting time a little more pleasant for the jurors," comments Homenick, adding that there will be more foliage to look forward to this summer, when the room's brand-new seats arrive. "To our delight, we were able to work several rather large, potted plants into the new seating design." ♦

ABA continued from page 3

crime. The panel, being moderated by New York Chief Judge Judith S. Kaye, will convene at Manhattan's Midtown Community Court—the nation's first community court—to discuss these innovative court models.

The ABA visitors also will have a chance to observe the progressive Midtown Community Court in action. The court, located in New York City's Times Square district, works with local residents and businesses to develop and supervise community service projects, providing a way for the court's nonviolent, low-level defendants to pay back the neighborhood for their

wrongdoing. Community service sentences at the midtown court range from cleaning streets, planting trees and removing graffiti to stuffing envelopes for the area's nonprofit organizations. The court also offers offenders counseling, job training and medical and other rehabilitative services to help them get their lives back on track.

The July events are a joint effort of the New York State Court System and the ABA's New York Advisory Committee. ♦