



## Snapshot Study 2008: Family Court Services Profile

This Research Update provides an overview of the characteristics of Family Court Services (FCS) programs and staff as drawn from the 2008 Statewide Uniform Statistical Reporting System (SUSRS)—also known as the Snapshot Study—conducted by the Administrative Office of the Courts’ Center for Families, Children & the Courts. Judicial officers, court administrators, and family court services personnel may find this information useful to assist with program planning and development as well as the identification of resource needs.

The SUSRS helps to fulfill the requirements of Family Code section 1850, which calls for the Judicial Council to “[e]stablish and implement a uniform statistical reporting system relating to proceedings brought for dissolution of marriage, for nullity of marriage, or for legal separation of the parties, including, but not limited to, a custody disposition survey.” The SUSRS consists of a network of discrete but interlocking studies containing representative and longitudinal data from more than 20,000 child custody cases. Data were collected in 1991, 1993, 1996, 1999, 2003, and 2008.

The data in this Research Update come from the Director and Mediator Profile surveys completed by participating counties statewide during a one-week period in June 2008. The Director Survey was generally completed by one FCS director, manager, or supervisor in each county. Surveys were received from 56 of 58 counties, a 97 percent response rate. The mediator profile survey was to be completed by each FCS staff person who conducted mediations during the one-week study period. Surveys were received from 299 of 404 mediators,<sup>1</sup> a 74 percent response rate.

### Key Findings

- There were 2,045 mediations conducted statewide during the study period, suggesting that family court services offices conduct more than 101,000 mediations per year.
- The typical FCS office had four mediators (full-time or part-time). More than a third of the responding counties relied on contract staff for at least a portion of their mediations, and nearly half had a director or supervisor who also conducted mediations.
- About three-quarters of mediators were White/European-American, and three-quarters were female.
- The vast majority of mediators held a master’s degree. Slightly fewer than half were licensed in marriage and family therapy (MFT) or marriage, family, and child counseling (MFCC), and one in six were licensed clinical social workers (LCSW) or licensed independent social workers (LISW).

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<sup>1</sup> Although not all counties submitted a Director Survey, the total number of mediators who conducted mediations during the study period is accurate because the two nonresponding counties had no mediation sessions during the study period.

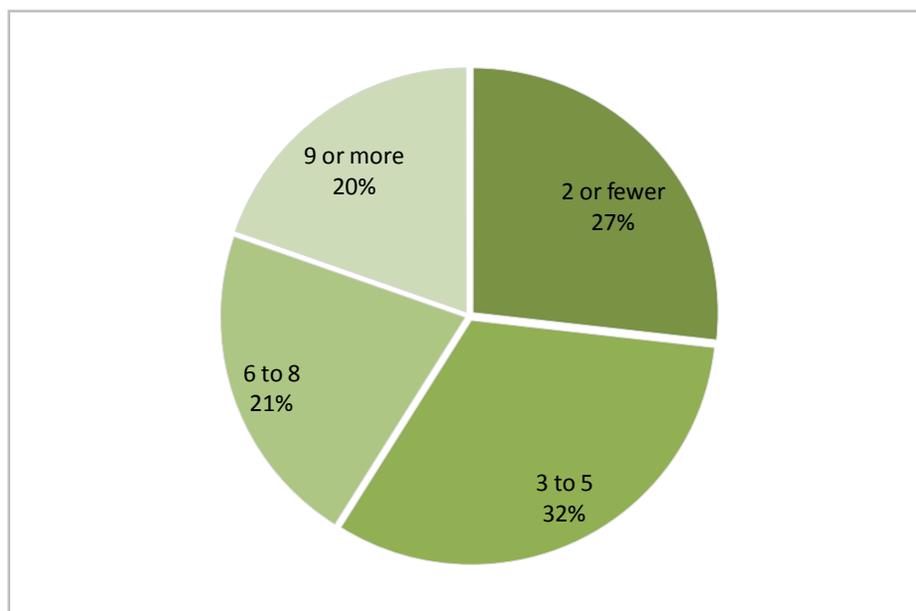
- Mediators had spent an average of more than 9 years working for FCS —and more than 21 total years working with families in some professional capacity.
- Mediators offered a variety of services to the courts, most commonly child custody mediation, parenting classes, and domestic violence assessment. Most mediators offered at least three different services. Only a minority were able to provide their services in a language other than English, however, with Spanish the most common alternate language.
- Both mediators and directors reported that the increasing complexity of the cases handled and the lack of financial resources and personnel constitute the biggest challenges to FCS.

Staffing and Volume (*Director Survey*)

FCS directors and supervisors were asked to report the number of staff they had conducting mediations in all locations countywide during the Snapshot Study period. To the extent that some staff members conducted no mediations during the study period (owing to vacation, illness, etc.), the numbers reported below may actually underestimate the statewide number of family court mediators who were regularly conducting mediations in 2008.

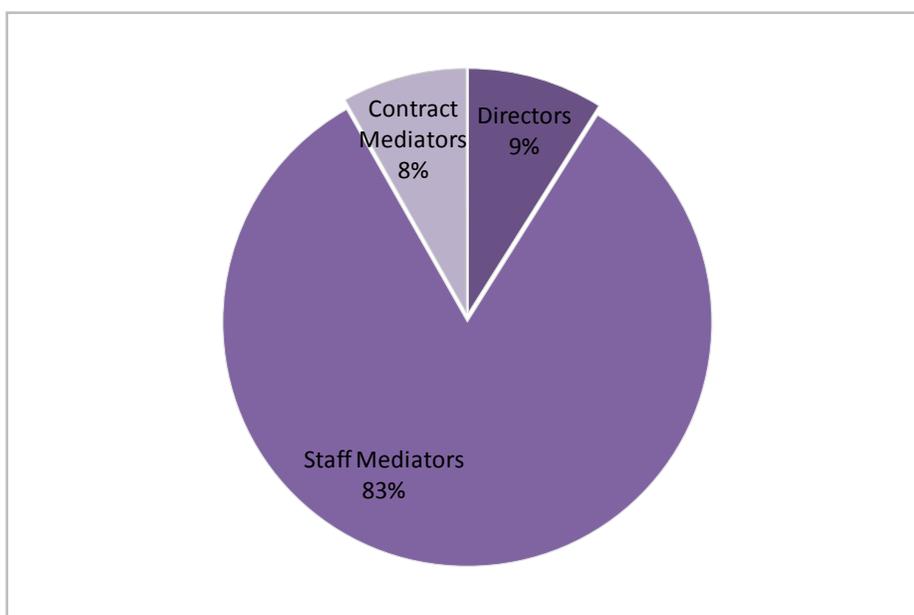
- The median number of staff members (including directors/supervisors and contractors) who conducted mediations in each county during the study period was four.
- Just over a quarter of the responding counties (27 percent) had two or fewer individuals conducting mediations, while one in five (20 percent) had nine or more (see Figure 1).
- Nearly half of the responding counties (47 percent) had a director or supervisor who conducted mediation sessions during the study period in addition to administrative duties. More than a third (37 percent) reported relying on contract personnel for at least some of their mediation workload.

**Figure 1: Number of Staff Conducting Mediations During Study Period**  
(N = 56 counties)



- During the study period, a total of 2,045<sup>2</sup> child custody mediation sessions were conducted statewide. Extrapolating this to an annual figure suggests that California’s FCS offices handle more than 101,000 mediations per year.
- Very small counties handled a median of 4 mediation sessions during the study week, small counties 17, medium counties 40, and large counties 152.
- The vast majority of mediation sessions statewide, 83 percent, were conducted by staff mediators. Directors/supervisors and contract mediators conducted 17 percent of the sessions (see Figure 2).<sup>3</sup>

**Figure 2: Mediation Volume by Staff Type**  
(N = 1,948 sessions)



#### Mediator Characteristics (*Mediator Profile Survey*)

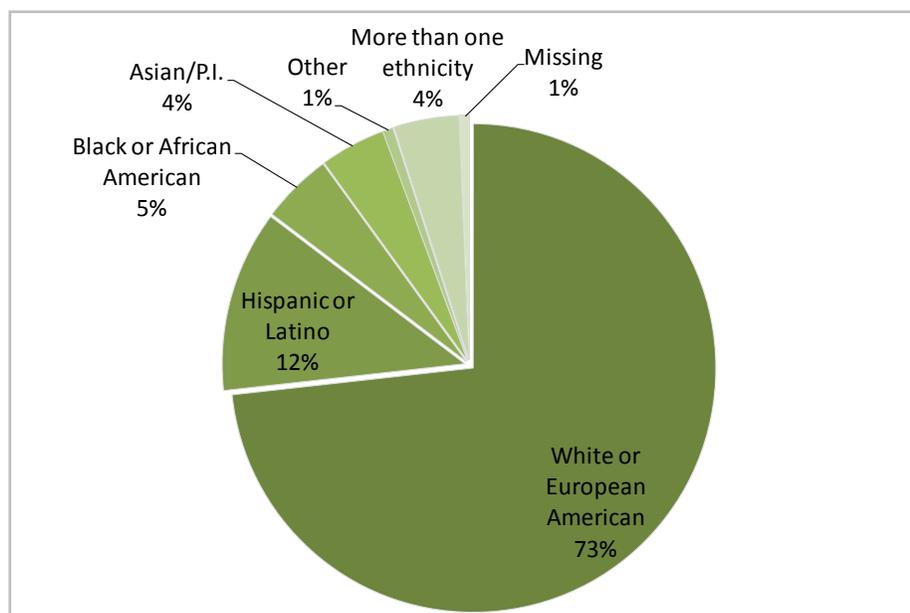
- The majority of respondents, 75 percent, were female.
- Most mediators were White/European American, with Hispanic or Latino respondents forming the second most represented ethnic group (see Figure 3).
- There was a much higher percentage of individuals who identified themselves as Hispanic or Latino among mediation clients (36 percent)<sup>4</sup> than among mediators (12 percent).

<sup>2</sup> The number of mediation sessions during the study period had to be estimated for three counties with reporting errors, and that estimate is reflected in this total; less the estimates, actual sessions reported by the remaining 53 counties totaled 1,948.

<sup>3</sup> The proportions listed here and depicted in Figure 2 comparing case volumes among staff types are calculated based on the data from the 1,948 total mediation sessions reported by the 53 counties that had no reporting errors.

<sup>4</sup> Source: Snapshot Study 2008: Parent Survey.

**Figure 3. Race/Ethnicity of Mediators**  
(N = 299 mediators)



- The vast majority (94 percent) of mediators held at least a master’s degree, with 12 percent holding doctoral degrees (see Table 1).
- Among those with a master’s degree, two-thirds had MA or MS degrees, and one-third had MSW degrees. The majority of those with a doctorate had a PhD, while 20 percent had a PsyD.

**Table 1. Educational Background: Highest Degree Earned**

	N	%
JD	6	2%
Doctorate	35	12%
Master’s	239	80%
Bachelor’s	15	5%
Missing	4	1%
Total	299	100%

- Slightly fewer than half of mediators—45 percent—were licensed in marriage, family, and child counseling (MFCC) or marriage and family therapy (MFT). Approximately one in six—16 percent—were licensed independent social workers (LISW) or licensed clinical social workers (LCSW) (see Table 2).

- Professional licenses, particularly LCSW or LISW, were more common among mediators with master’s degrees (19 percent) than those with doctoral degrees (9 percent) (see Table 2).

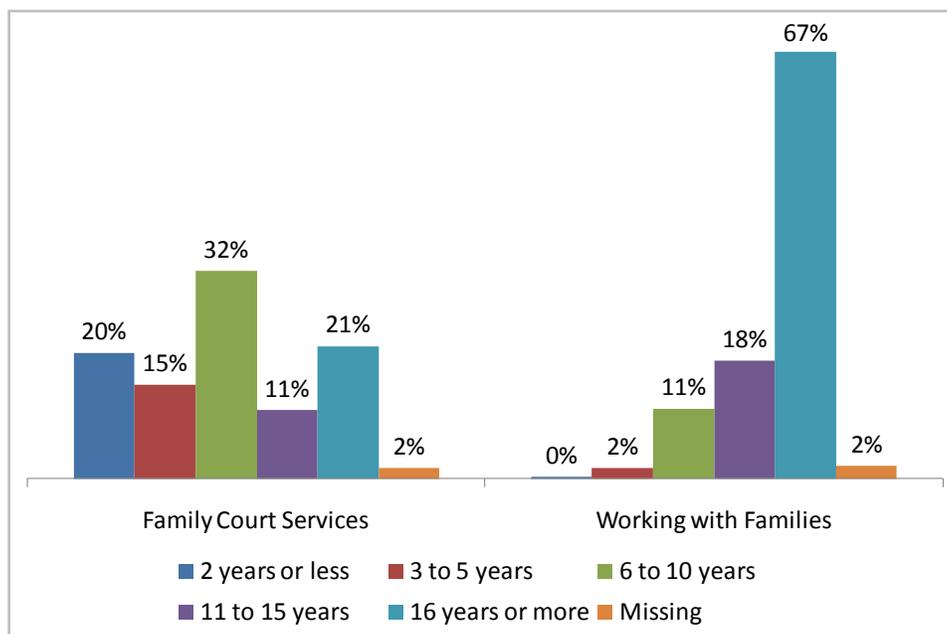
**Table 2. Professional License or Other Credential, by Highest Degree Earned**

	Master’s (N = 239)		Doctorate (N = 35)		Other (N = 21)		Total (N = 299)	
	N	%	N	%	N	%	N	%
MFCC/MFT	114	48%	16	46%	3	14%	133	45%
LCSW/LISW	46	19%	3	9%	N/A	N/A	49	16%
Licensed psychologist	N/A	N/A	14	40%	N/A	N/A	14	5%
Family law specialist	N/A	N/A	N/A	N/A	1	5%	1	<1%

Note: First three columns do not sum to N=total because highest degree was unknown for 4 of the 299 respondents.

- Mediators had an average of more than 9 years and a median of 7 years of experience working for FCS. Approximately one-third had more than 10 years of experience (see Figure 4).
- Mediators’ experience working with families in some professional capacity was more than double their experience working with FCS, with an average of more than 21 years and median of 20 years. Only 13 percent had less than 5 years of experience working in some capacity with families (see Figure 4).

**Figure 4. Mediators’ Experience Working With FCS and With Families**  
(N = 299 mediators)

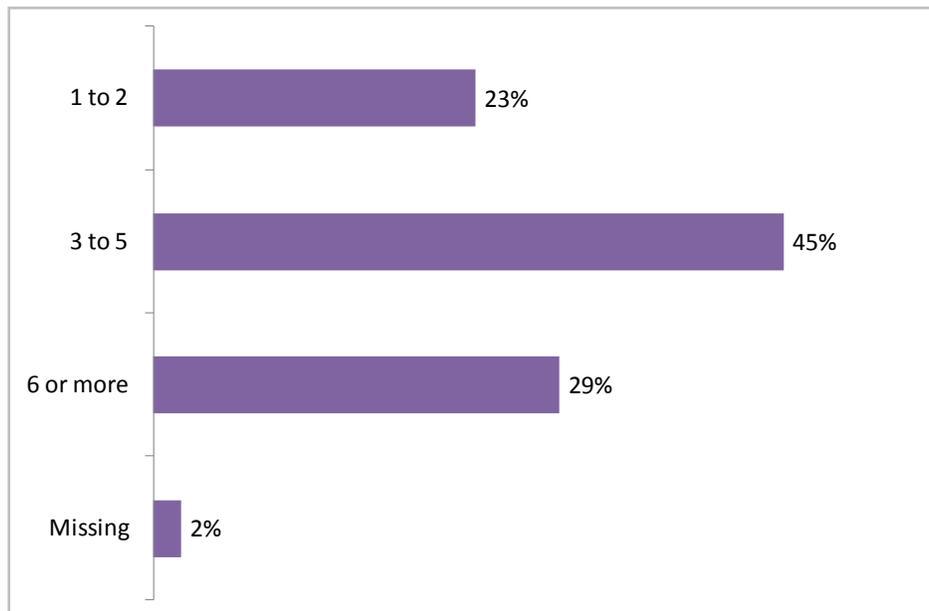


### Services Provided (*Mediator Survey*)

- Mediators provided a wide range of services, with 75 percent providing at least three different services and nearly a third—29 percent—providing at least six different services (see Figure 5).

**Figure 5. Number of Services Provided**

(*N = 299 mediators*)



- The services most commonly provided by mediators were child custody mediation (96 percent), parent orientation (53 percent), and domestic violence assessment (45 percent) (see Table 3).
  - Parent orientation is required in all mediations, with some counties integrating the orientation into mediation sessions and others treating it as a separate process. The fact that not all mediators reported conducting orientations likely reflects that some respondents interpreted parent orientation to represent a separate process from mediation.
  - Similarly, domestic violence assessment is required in all cases. The low percentage of mediators who reported providing assessment implies that the others interpreted domestic violence assessment either as a separate process from mediation or as referring to a more in-depth assessment conducted after the presence of domestic violence has been identified.
- Child custody evaluations, both partial or limited (40 percent) and full (29 percent), were also commonly provided services (see Table 3).

**Table 3. Services Provided by FCS Mediators**

	N	%
Child custody mediation	288	96%
Parent orientation	157	53%
Domestic violence assessment	135	45%
Partial/limited evaluation	120	40%
Guardianship mediation	117	39%
Full evaluation	87	29%
Screening/emergency assessment	62	21%
Guardianship investigation	55	18%
Parenting classes	49	16%
Juvenile dependency mediation	42	14%
Conservatorship investigation	33	11%
Clinical supervision	33	11%
Case management	32	11%
Management/administration	30	10%
Grant/special project work	20	7%
Self-help assistance	8	3%

*Note: N = 299 mediators. Percentages sum to more than 100 because respondents were permitted to select more than one service.*

- Many mediators also provided non–family law–related services, such as guardianship mediation (39 percent), guardianship investigation (18 percent), and juvenile dependency mediation (14 percent) (see Table 3).
- About one-fifth, or 21 percent, of mediators provided services in a language other than English, with Spanish the predominant non-English language offered.

### Challenges Facing Family Court Services (*Director Survey and Mediator Profile Survey*)

According to both directors/supervisors and line staff, the challenges facing FCS are primarily related to the increasing complexity of the cases handled, accompanied by a decrease in the amount and type of resources (in terms of people, programs, and time) available to effectively manage them.

#### **Program and Administrative Issues**

- High caseloads and reduced staffing levels (both professional and support staff)
- Increasing demand for services, including non–family law services like probate investigations
- Insufficient time for each mediation appointment
- Insufficient time to write reports and recommendations
- Insufficient time to work with families who would benefit from additional mediation

- Limited staff and time available to conduct evaluations and investigations
- Facilities inadequate in size or otherwise ill-suited for mediation services
- Reduced availability of community services such as supervised visitation, parenting classes, and counseling
- Lack of low-cost services
- Lack of interpreters and bilingual mediators
- Limited access to or difficulty obtaining court files and information from justice partners or service providers

### Case- and Client-Related Issues

- Increasing numbers of self-represented litigants who are unfamiliar with the court process
- Increasing numbers of culturally and linguistically diverse clients
- Complex cases involving issues such as domestic violence, drug and alcohol abuse, child abuse, mental health, or move-aways
- High-conflict or very adversarial cases, coupled with difficulty getting parents to focus on their children’s interests
- Clients with limited financial resources to pay for evaluations or other needed services
- Failures to appear for mediation
- Noncompliance with court orders, along with lack of consequences for noncompliance
- Clients returning to mediation multiple times

### Changes in Staffing and Workload

It is important to note that since the time the data for the 2008 Snapshot Study were collected, there have been severe budget cuts to the judicial branch, resulting in many courts implementing hiring freezes that preclude filling vacant positions and some courts laying off staff; the full impact of these cuts on family court services is as yet unknown. Additionally, there have been changes in caseloads and case characteristics—in part a result of the economic downturn—that may have further affected family court services workloads. Changes in staffing and workload, among other issues, will be monitored through regular surveys of family court services directors.

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