

they stand poised to assist military-connected families in the state court systems in a more informed, transparent, and effective manner.

The National Summit on Courts and the Military succeeded in generating information-sharing, excitement, and resounding commitment from this multi-disciplinary group of participants, with a keen interest from these top leaders and experts for future collaborative work. Available funding will enable the vital work to continue, and cement the connections and goodwill between organizations and leaders formed at this Summit.

The Summit ~ March 5-6, 2015

Introduction:

For two days in March 2015, the U.S. Infantry Museum, located at the gates of U.S. Army Fort Benning, in Columbus, Georgia, served as the site for a unique, and in modern times unprecedented, conference of national leaders. They came from state juvenile and family courts, the National Council of Juvenile and Family Court Judges, the Office of the Secretary of Defense, U.S. Department of Veterans Affairs, the National Military Family Association, the Family Readiness Association (U.S. Army), national and state legislators, state executive branch administrators and directors, university professors, state and county legal counsel, policymakers, ABA Center on Children and the Law, and several subject matter expert non-profit groups.

Organizing and convening the Summit for those days in March 2015, the National Council of Juvenile and Family Court Judges (“the Council”) brought together highly motivated participants keen to create further collaboration among the judiciary, armed forces, and veterans affairs. Participants were tasked to create an action plan geared to improve the outcomes for military families (active, retired, guard and reserve) who must interact with juvenile and family courts.

The Council has a proven track record of developing better solutions for court-involved families by creating wide collaborations with all the host of service providers, agencies, and systems affecting the family in need. With this strong history of national leadership in areas of domestic violence, child welfare, juvenile justice, tribal court integrity, and family law, it was well positioned to gather the national experts to this invitation-only event focused on military-connected families in crisis.

In recent years, responding to its judicial members’ concerns about the unique stressors on military families, the Council placed increasing priority on helping those military families who intersect the judicial system in juvenile and family courts. The Military Issues Committee was formed; a Council Board of Trustees 2011 resolution underscored the Council’s commitment to this segment of the population; a membership survey identified critical judicial training topics; and military issues were hereafter a standing topic in all Council trainings. See, Marsh & Gonzalez, *A Need for Training: Preparing Juvenile and Family Court Judges on Military-Related Issues*, 65 Juv & Fam

Ct J 2 (Spring 2014); Rosa, J., *Mission Critical: A Call to Action for Juvenile and Family Courts, the U.S. Armed Forces, and Veterans Affairs*, 52 Fam Ct Rev (July 2014), Seamone, E, *Educating Family Court Judges on the Front Lines of Combat Readjustment: Toward the Formulation and Delivery of a Core Curriculum on Military Family Issues*, 52 Fam Ct Rev 458 (July 2014). (The entire July 2014 issue of Family Court Review is devoted to this topic, with a wide spectrum of expertise.)

The Council, specifically the efforts of the Military Issues Committee chair, Hon. Warner Kennon Sr, together with NCJFCJ CEO Mari Kay Bickett and Chief Program Officer Shawn Marsh, Ph.D., initiated the search for the National Summit funding, and fanned the flames of interest. Through the efforts of these and other individuals, generous funding from the Vivian Phillips Foundation, the Bradley Turner Foundation, the State Justice Institute, and an anonymous local donor was secured.

Format of the Summit

The National Summit format was designed to first provide information about the juvenile and family court systems to those attendees who may have previously had little appreciation for the complexities and differences among the states, and the many ways in which military-connected families come to court. The military command and legal perspective from the armed forces point of view was provided to judges. Those opening presentations highlighted the different frames of reference, and conflicting universes, that a service member experiences when interacting with both the armed forces and civilian judicial system.

Attendees then heard from additional national experts on a variety of subjects: the challenges of identifying service members and their families; the often-misunderstood requirements of the Servicemembers Civil Relief Act (SCRA); the unique challenges of American Indian and Alaska Native active duty service members and veterans; and the scourges of domestic violence, substance abuse, PTSD, and mental health as applied to this population. The military family was represented with a moving story related by a longtime service member whose three adult children entered the military in his footsteps. He recounted his indebtedness to a local Veterans Treatment Court (criminal docket case) for helping one of those veteran children with recovery from substance abuse.

Each presentation was followed by a large group discussion led by a trained, independent facilitator. After most of the topics, small group table discussions were held to define what was critical for judges to know, critical for military personnel to know, what practices and solutions already exist in one or another of the institutions, and what gaps in services must be overcome.

Consensus and Priorities

From these robust and spirited discussions, promising practices and support were identified as existing either nationally or locally. Those known resources were: 1) education and training offerings ongoing in all sectors (although more is needed); 2) the rise and proven success of such specialty courts as Family Drug Treatment Courts (civil docket, child welfare) and Veterans Treatment Courts (VTC) (criminal docket, for drug or mental health issues); 3) agency and government resources and services; 4) tools, such as judicial bench cards, books, internet and web tools; 5) identification of military status – several large web-based data systems (but not known to all non-military institutions or users); 6) the use of Memoranda of Understanding or Agreement (MOU/MOA) in local jurisdictions between the courts and military command; 7) local (albeit, isolated and episodic) pockets of goodwill and collaboration between command and judiciary, with mutual respect for different roles; 8) the current heightened level of interest in the military-connected family, including significant ongoing media exposure; 9) increasing command and judicial leadership interest in solutions; and 10) a wealth of well-positioned content experts around the country with fairly uniform messages about the needs of this population.

After identifying the landscape of the current knowledge, understanding, and practices, Summit members moved forward to prioritize these existing resources in terms of urgency or impact. Participants were asked to rank order needs, to identify those most important to advance the well-being of military-connected families. This setting of priorities would then guide future collaborative action. The top 5 items were determined to be:

- 1) ***Education and training in a more comprehensive, consistent, and widespread manner than currently exists.*** System players must not only understand the military-connected family's needs better, but must also be able to access appropriate resources for the family that exist in other institutions. Time and again throughout the Summit, participants mentioned 'you don't know what you don't know', noting that both courts and the military continue to be a puzzle to the other, with each having resources of which the other was unaware.

Recognizing that at the heart of the discussion is the military-connected family, other training topics mentioned were: legal preparation for these families to successfully navigate the legal system from legal counsel versed in civilian state laws; capturing the 'consumer voice' of these families to better understand their needs; and perhaps most importantly, de-stigmatizing the real or perceived threat to a service member's career when the family or individual accesses the courts or mental health resources. Participants were also keen on ensuring that civilian care providers were versed in the unique stressors of military families before providing court-ordered services.

- 2) ***Resources and services for military-connected families.*** Participants recognized the importance of fitting the appropriate services to the families' needs; thus, mapping those resources available through either military or civilian channels is in order. Participants stated that MOUs are absolutely crucial to this

task of coordinating services. Attendees noted the need for data to identify needs, and thereafter measure the success of intervention. Some noted that it is important to look beyond local (often inadequate or non-existent) resources, and work to capitalize on the current national commitment to military families, an attitude not seen in such depth since the last mid-century, when returning numbers of World War II soldiers, sailors and fliers flooded back into civilian society.

- 3) **Judicial and Command collaboration.** Only by continued communication across both institutions, and Veteran Affairs, will change and coordination of efforts occur. The success of local judges and military commanders must continue, but it is crucial that such leadership expands to a more systemic and consistent platform, with dependable support from those in the chain of command in all three institutions. This will allow for stability and continuity during the inevitable changes that occur with judicial rotation or retirement, and command transfers.

In a universe of limited financial resources, collaboration is the only route to synergistic solutions. At large stakeholder tables, solutions are created from parts and pieces of all the members of the group. Collaboration should include not only the stakeholder positions represented at the Summit. Participants said it was vital that the 'consumer voice' of the military-connected families be at the table.

- 4) **Judicial and Command leadership.** This leadership ingredient is essential, and no change will occur without it. The most well-meaning of civilians will not gain passage onto a military installation without leaders opening the way, and the judge is the perfect community leader to initiate that contact. Commanders and judges have the power to convene, and they must use that power for solutions.
- 5) **Assessing the needs and risks of the military-connected family members.** Attendees stressed the need for data-sharing about service members, or the creation of data where none presently exists, recognizing that funding sources will need this data infrastructure to determine the effectiveness of any collaboration this initiative would create.

In addition, there are different resources available to these families depending on status (active, veteran, guard/reserve). Mapping resources that exist in the various military avenues, and in the civilian arenas both court and community, is crucial for a better understanding.

Accurate assessment of the risks and needs of these families, and the collateral consequences they can face in many arenas, was a recurring theme from participants. Without targeted resources, mismatched services create confusion, hopelessness, frustration, or worse. Only by accurate assessment and screening tools, and the effective and coordinated use of the information obtained, will family members be steered to the correct level and area of

assistance. Understanding the universe of services will enable meaningful coordination of services, as well as highlight gaps in service where no institution adequately assists the military-connected family. This knowledge will not only uncover duplicative services, but would also lessen the confusion rampant among military-connected families accessing the state judicial systems, and the judges before whom they appear.

After the individual votes were analyzed as above, Summit participants were directed to view their work product to identify any overlooked topics or items of note. In that discussion, attendees discussed the value of the VA's Veteran Reentry Search Service for tracking service members and veterans. They also noted the lack of current data on the factors and stressors that lead to military-connected family civil legal involvement. Likewise, existing evidence-based and proven services need to be identified and replicated.

As the Summit neared its end, participants were asked to create SMART (Specific, Manageable, Achievable, Relevant, and Time-bound) action plans for themselves or their institution based on the discussions and new views that had come to light. Nearly a dozen participants shared their plans and goals with the larger group, to underscore their personal commitment to this collaboration. Participants shared a wide range of actions, including educating self and others; creating conversations on this topic in their communities; promoting the work through writing articles, convening meetings, and planning conferences; engaging in new or renewed collaborative efforts in their local area; and introducing legislation to remove barriers.

Looking Forward

Top leaders and experts from every invited group voiced their continued interest in being involved in future efforts. Funding streams for those endeavors is absolutely vital to initiate and sustain momentum. In the interim the National Council of Juvenile and Family Court Judges commits to maintaining this focus, and disseminating information to interested segments, as its resources are able to support.

Looking forward, the National Council of Juvenile and Family Court Judges can:

- 1) Increase *ad hoc* members on the Military Issues Committee to include military command leadership and other expert voices from institutions who serve this population;
- 2) Maintaining the discussion about improved outcomes for military-connected families involved in the court system;
- 3) Encourage development of judicial and military command collaborations at local, state, and national levels;

- 4) Capitalize on the personal action plan commitments developed by Summit participants, by follow up and, if possible, support to those moving forward;
- 5) Develop an inventory of information and resources on military-connected families, serving as a national resource center for education and training opportunities across disciplines and agencies, cataloging and sharing collaborative efforts across the country, collecting data on military-related families, resources, and services offered. Once developed, this information can be disseminated through justice, military, and other relevant channels;
- 6) Serve as the host for future meetings, trainings, summits, relying on the Council's experience in organizing collaborative work with national partners;
- 7) Develop training curricula for judges, military command, and allied stakeholders on the unique issues of military-connected families involved in the juvenile and family court systems;
- 8) Identify and engage those juvenile and family judges in jurisdictions with substantial military installations, to share their experiences and serve as pilot sites for collaborative work with military command.

Although much work remains to be done, this first National Summit on Courts and the Military was a resounding success in information-sharing, generating connections, and reaffirming a commitment to the military-connected families that the multi-disciplinary Summit participants serve. The National Council of Juvenile and Family Court Judges stands ready to leverage its robust network of judges and courts, its expert staff, and its long history of system improvement efforts to move this important work forward together with likeminded and interested partners.

"While the challenges for civil courts, the armed forces, and Veterans Affairs might appear daunting in breadth, in truth the barriers are quite surmountable. We simply cannot allow difficulties to forecast defeat when there are proven options to consider. Simply put, if we expect our active service members to show courage and even give all in service to their country we must surely do no less for them, their families, and our veterans." Rosa, J, Mission Critical, at 524

Suggested citation: Rosa, J. (2015). *Report on the 2015 National Summit on Courts and the Military*. Reno, NV: National Council of Juvenile and Family Court Judges.