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FAMILY COURT UNIT ASSAILED BY STUDY AS 'NOT EFFICIENT'

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The city's Family Court system, which handles youthful offenders from teen-age muggers to truant schoolchildren, dismisses the vast majority of its cases because of disorganization and inefficiency, according to a study by the Community Service Society.

The three-year study, to be released today, is one of the most extensive examinations of the Family Court system ever undertaken. It found that most cases are repeatedly adjourned, that most charges are eventually dismissed and that the number of young people actually placed under supervision is very small.

Joseph B. Williams, the administrative judge in charge of the city's Family Courts, said he had not seen the study and would not comment on its findings until he had.

'Very, Very Innocent'

The study contends that Family Court operates in a way that favors the Legal Aid lawyers who defend the youths, and hinders the lawyers from the Corporation Counsel's office who act as prosecutors. That imbalance, the study stresses, contributes to case delays and dismissals.

"In this court, the defendant is very, very, very innocent until proven guilty," said Michael Fabricant, an associate professor at the Hunter College School of Social Work, who directed the study for the Community Service Society, a nonsectarian, nonprofit social agency dating from 1848 that has expanded in recent years from social work to monitoring governmental activities.

Among the problems reported by the agency were these:

- With no central records bureau for city delinquents, a youngster with a long record of offenses in one borough can be tried as a first offender in another.
- What records there are on juvenile offenders are often spotty and inaccurate. A youngster who has used five aliases may have five files, none of which have been coordinated to show his full record of offenses.
- Complainants, probation officers and witnesses are told to report for court in the morning and often made to wait all day before their case is called.
- Families and complainants must wend their way through a huge court bureaucracy that has no central information service and no central telephone system to give them the extensions of the probation officers, lawyers or social workers involved in their case.
- One case can be heard by several judges as it moves from hearing to hearing because

Family Court judges are rotated from borough to borough.

- Lawyers from the Office of the Corporation Counsel rarely follow a case through to the end because they are assigned to a specific court part on a given day and handle whatever cases are in that part at that time.

The study, which monitored more than 500 cases, focused on the Family Courts in Brooklyn and the Bronx, where two-thirds of all the delinquency cases in the city are processed. Researchers also interviewed court officials, from judges to records clerks.

The study reported that in Family Court, the Legal Aid Society has a legal staff double that of the city's Corporation Counsel. However, a spokesman for the Legal Aid Society, Patricia Bath, said its lawyers had to deal not only with the Corporation Counsel but also with the District Attorney and the Bureau of Child Welfare. She noted that she had not seen the report. Methods of Financing

The Legal Aid lawyers, the report points out, are paid for through state and Federal grants, while the Office of the Corporation Counsel is financed by the city's more restricted budget.

According to the report, the Family Court's Legal Aid lawyers, known as law guardians, fight for the decision preferred by their young clients, which is usually to return home.

The result is that "kids who need treatment or supervision or even discipline are just returned to the community, and that doesn't help the kids or the community," Mr. Fabricant said. "What do we think is going to happen to the car thief or the vandal we turn back out on the streets?" he said. "Do we honestly believe that he will mature out of his problems?"

Mr. Fabricant said in an interview that one consequence of the court's ineffectiveness has been the development of a "two-tiered system of juvenile justice." Change in the Law

In 1978, responding to public pressure to crack down on juvenile offenders, the Legislature changed the law so that juveniles as young as 13 could be tried as adults for such designated crimes as murder, rape and robbery.

"Basically, we're saying that we will ignore troubled kids until they commit a serious crime, then we will come down on them with everything we have," Mr. Fabricant said.

The study monitored some 270 teen-agers who were accused of delinquency and 230 youths accused of minor noncriminal acts known as status offenses for the first time. The researchers found that 73 percent of the accused delinquents had their cases dismissed even though 93 of them were charged with further crimes as they awaited the disposition of their original cases.

Of all the delinquent cases monitored, 27 percent of the defendants were found to be delinquent, and 4.6 percent were placed in institutions. Nine percent of the youngsters charged with such status offenses as truancy or failure to obey their parents were placed under supervision, nearly twice the percentage of delinquents placed.