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The History of “Beyond the Bench”

At the most recent Beyond the Bench conference (2017 - #24), a judge asked me about the history of the conference. When did it start and why has it been so successful? The history goes back a long time, but I’ll try to put it together.

It started with my membership in the National Council of Juvenile and Family Court Judges (NCJFCJ). I joined in 1985 and attended several of their conferences. I began talking to juvenile court judges from around the country. I learned that many of them were elected or selected to serve their entire judicial careers in juvenile court, and that many states had juvenile court organizations comprised of all the juvenile court judicial officers in the state. One of the judges told me that it is important to organize juvenile court judges as these judges are unique in the justice system and can learn a great deal from colleagues.

I decided to try out some of those ideas in California. In the spring of 1988 I invited about 25 juvenile judges from around California to a mini-conference in San Jose at the new Fairmont Hotel. The attendees included judges Paul Boland, Phil Champlin, Wilmont Sweeney, Bill Morgan, Judy McConnell, Dan Weinstein, Bob Jameson, Betty Lou Lamoreaux, Arnie Rosenfield and about 8 others. At the mini-conference we heard from Cal Terhune, the Director of the California Youth Authority and Linda McMahon, the State

Director of the Department of Social Services. When the State Director gave her presentation, she was confronted by a number of judges who were dissatisfied with the social workers who appeared in their courts. Juvenile dependency was a relatively new addition to the juvenile court, the federal law having been enacted in 1980 and implemented slowly thereafter. No one seemed happy with the new law and the arrival of social workers in court. The complaints ranged from late reports to unprofessional conduct in court. One judge had a social services director picking up trash along the highway, and another judge threatened to throw social workers into jail. Director McMahon was able to withstand the verbal assaults from frustrated judges, but she and I met after her presentation and decided to hold a conference to bring together social workers and judges. After all, we wanted the juvenile dependency system to work better and cooperation and understanding of the roles of each of the professionals was critical.

At that same conference we heard from Judge David Grossmann from Cincinnati, Ohio. He told us about how the juvenile court judges in Ohio had formed an association, met every year at a juvenile court judge’s meeting, and proposed legislation to the Ohio legislature as well as court rules to the Ohio Supreme Court. The assembled judges wasted no time, created the Juvenile Court Judges of California (JCJC), and authorized

me and Judge Dan Weinstein (then Juvenile Presiding Judge from San Francisco) to approach the California Judges Association to become a committee within CJA. The CJA Board agreed and after a trial year, JCJC became a section in CJA.

Planning for the first conference started shortly after the judges meeting in San Jose. We decided to hold it in Sacramento at the downtown Holiday Inn. I worked with Ken Borelli, a Santa Clara County social work supervisor, as part of the planning team. On one of our drives to Sacramento for a planning meeting, I said that we have to get beyond the silos that each department/court created. Ken suggested that we get beyond the bench. We concluded that “Beyond the Bench” was an excellent title for the conference and it stuck.

The first Beyond the Bench was held on December 8-10, 1988. It was a small affair. Through my contacts with the NCJFCJ, I invited Judge Richard FitzGerald from Louisville, Kentucky, and Social Worker Betsy Cole from Pennsylvania to be our keynote speakers. The NCJFCJ helped finance the appearance of these national experts and provided support for the conference for many years thereafter. I also contacted Commissioner Pat Bresee from San Mateo County, and she volunteered to write the script for a skit that we would perform at the conference. She

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created “Courting Disaster,” a skit to touch on many of the problems that professionals were experiencing in the juvenile dependency courts. The script made fun of everyone. The actors were all court-related professionals, but they played different roles than those they had in court. Thus, a social worker might be cast as the judge, the county counsel might be the bailiff. In one scenario a judge hearing criminal cases was assigned to juvenile dependency court. The judge had never been to that court and stumbled through every stage of the proceedings. In another, a “court interpreter” only knew one language....Russian. Pat wrote a new skit each year for the first 4 or 5 conferences. They helped lighten the atmosphere.

At the first Beyond the Bench, approximately 70 people attended, about 30 judges and 40 social workers from various counties as well as administrators from the State Department of Social Services. As we convened for the first time, the participants reminded me of a high school dance with the judges on one side of the room and the social workers and administrators on the other side, both nervous about crossing the room. After the plenaries, each side retired to separate rooms with Judge FitzGerald working with the judges and Betsy Cole talking with the social workers. There were only a few workshops. One of the highlights at the conference was Pat Bresee’s case law update, a program that she would present at many of the future Beyond the Bench conferences.

The second conference was also held in Sacramento while the third and fourth were held in San Jose. Then at the invitation from Cecil Steppe, the Director of Social Services in San Diego, Beyond the Bench moved to San Diego for two years. Alameda hosted the 7th conference, and, thereafter, the conference has primarily been held in San Francisco, Los Angeles, Orange County, or San Diego. Beyond the Bench grew so large and complex that at the 8th conference in 1996 in

San Francisco, I was pleased to hand over the organization and management of the conference to the Judicial Council’s Center for Families Children and the Courts where Diane Nunn, Susie Viray, and their team could undertake the complexities of this ever-expanding conference.

Each year the numbers of attendees has grown reaching over 1,400 in 2015 and over 1,300 in 2017. The educational offerings have expanded dramatically. In 2015, there were 14 pre-conference workshops, 80 workshops, 5 plenaries, 8 post conference events, 2 films and 264 faculty members. In 2017, there were 15 pre-conference workshops, 4 plenaries, 62 workshops and 198 faculty members. Staffing the conference has grown as well - from the handful of people creating the first few conferences to over 60 staff managing the most recent conference.

Beyond the Bench has become the largest judicially sponsored conference in the state. No longer are there only judges and social workers in attendance. There are educational offerings for every professional and volunteer working with children and families. Now the conference includes specialists in domestic violence prevention and intervention, mental health, education, collaborative courts, and related fields. The conference program has expanded, and includes educational tracks for all areas of interest to those working with children and families in the court system.

Through the year the conference has brought together national and international experts to provide information and inspiration to the attendees. These experts included Carl Dennis, the creator of wrap-around services, Dr. David Arredondo, the creator of the first juvenile mental health court, Kevin Campbell, the creator of Family Finding, Shay Bilchik, the director of OJJDP and later the director of CWLA, Bryan Stevenson, Professor Michael Wald, Adam Foss, Father Gregory

Boyle, Howard Snyder, Rob Reiner of First Five fame, Professor John E.B. Myers, Professor Charles Ogletree, Federal District Court Judge Vaughn Walker, Chief Justice Kathleen Blatz from Minnesota, and many, many others. My favorite presentation came at the Alameda conference when four professionals from New Zealand talked to us about Family Group Conferencing, the practice that brings families together to develop the best plan for their child, whether that be in juvenile justice or juvenile dependency. Family Group Conferencing is based on the practices of the indigenous people, the Maori’s, and is written into the New Zealand constitution. Their presentation was so inspirational that several county social work agencies immediately implemented Family Group Conferencing in their counties. The low point may have been in one of the Santa Clara County conferences when a panel of foster parents started bashing social workers in Los Angeles, many of whom were in the audience. Voices were raised and epithets hurled.

Beyond the Bench has become a national model. I have appeared at several state-wide kick-off conferences around the country that were replicating what we do here. More importantly, Beyond the Bench has improved practice in California. Talking with one another about best practices and hearing from outstanding leaders from around the country has raised the bar in all professional categories, from judges to attorneys to social workers to probation officers to service providers. It has also broken down the silos that prevented collaboration and cooperation between the different professionals working in our juvenile and family courts. Beyond the Bench has improved outcomes for children and families across the state. 🌟