

# CONTINUING UPWARD FROM THE SUMMIT

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An E-newsletter Highlighting Implementation  
Accomplishments & Events Throughout the Country

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Listserv

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SAVE THE DATE !!

3<sup>RD</sup> NATIONAL JUDICIAL LEADERSHIP SUMMIT  
OCTOBER 14-16, 2009

## **The Third National Judicial Leadership Summit on Children is happening on October 14-16 in Austin, Texas.**

Summit III will be hosted by the Texas courts and the Permanent Judicial Commission on Children, Youth, and Families. It will build on the success of the Minneapolis and New York Summits by:

- ◆ Sustaining the commitment of the judicial and child welfare agency leadership to view the child protection process "Through the Eyes of a Child"
- ◆ Highlighting successful approaches and promising practices for:
  - ◆ Championing improvements in the quality, effectiveness, and timeliness of decisions in cases affecting the well-being of children
  - ◆ Broadening collaboration (e.g., with child support programs and providers of mental health services)
  - ◆ Sharing data
  - ◆ Measuring performance and success
  - ◆ Enhancing interstate cooperation and communication
  - ◆ Addressing children's needs in rural as well as urban jurisdictions
  - ◆ Providing competent legal representation to children and parents
  - ◆ Overcoming challenges and barriers to improving the timeliness and quality of outcomes for neglected and abused children
- ◆ Updating the action plans prepared by each state team

Summit-III will also provide the opportunity to broaden the scope of collaboration. States are encouraged to send teams that include not only the



Chief Justice, State Court Administrator, and Director of the State Child Protection Agency, but also the heads of the state Education and state Labor Departments. Other team members could include other policy level state officials, trial judges, and/or the state CIP Director.

The Summit will address issues that have emerged and practices that have expanded since the March 2007 New York Summit, such as best practices related for:

- ◆ Ensuring continuity of education when children are in foster care
- ◆ Considering grandparents and other relatives as permanent placement resources
- ◆ Providing foster children with contact and connections to relatives, if appropriate and in a child's best interest
- ◆ Making reasonable efforts to place siblings together and, if not appropriate for the children to be placed together, to assure that the siblings have regular and on-going interaction
- ◆ Ensuring that youth who age out of foster care have the requisite vocational skills to enable them to find jobs and support themselves
- ◆ Understanding the impact of methamphetamine addiction on families and how best to safeguard children in "meth-affected" environments
- ◆ Identifying types of cases that should be referred to family treatment courts
- ◆ Structuring mediation and family group conferencing programs to ensure the quality and fairness of decisions, and the safety and well-being of children
- ◆ Involving children in the courtroom process
- ◆ Assuring the quality of legal guardians and monitoring their performance



## NATIONAL JUDICIAL LEADERSHIP SUMMIT ON CHILDREN (CONTINUED)

Summit-III has been strongly endorsed by the Joint Committee on Courts, Children, and Families of the Conference of Chief Justices and the Conference of State Court Administrators. The President of the National Council of Juvenile and Family Court Judges has expressed that organization's willingness to again assist in the planning effort. The program will include individual and panel presentations, sets of concurrent workshops, and opportunities for the state teams to meet and update the action plans prepared in Minneapolis and New York.

The Pew Charitable Trusts has again agreed to provide generous support for the Summit. Discussions are underway with other foundations to provide support for the program and help keep the costs to participants as low as possible. It is anticipated that in many states, CIP funds will be able to cover travel costs of at least some state team members.

**Circle October 14-16, 2009 now and plan to attend.**

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## WISCONSIN SUMMIT ON CHILDREN AND FAMILIES DRAWS OVER 400 ATTENDEES

More than 430 Tribal and Circuit Court judges, attorneys, social workers and advocates gathered for the "Wisconsin Summit on Children and Families: Changing Lives by Improving Court and Child Welfare Practice," held at Kalahari Resort in Wisconsin Dells on September 24<sup>th</sup> – 26<sup>th</sup>. Never before has such a diverse audience in such large numbers come together to discuss the condition of child welfare and court practice in Wisconsin.



Collaboration between courts, tribes and social service agencies was the key concept underlying the Summit. The conference also focused on improving the way abused and neglected children's cases are handled, with the goal of reducing delays in securing safe, permanent homes for children in foster care.

Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson, Gov. Jim Doyle, and Former Stockbridge-Munsee Tribal Chief Judge David Raasch helped kick off the unprecedented statewide

conference. "There is no more important legacy we can leave than to ensure that a child grows up in a safe and permanent home," Abrahamson said. "Despite professional differences, we must find a way to truly collaborate to produce the best outcomes for children and families. My hope is that this summit creates a dialogue, where we confront barriers to change and work together across governments and cultures to start looking at our systems through the eyes of children."

Providing the closing presentation at the Summit was Geoffrey Canada, author of "Fist, Stick, Knife, Gun: A Personal History of Violence in America" and "Reaching Up for Manhood: Transforming the Lives of Boys in America." Canada has become nationally recognized for his pioneering work helping children and families in Harlem, New York. He was the keynote speaker at the 2<sup>nd</sup> National Summit on Children in New York City.

Topics addressed at the summit included Indian child welfare legal and cultural issues, evidence-based practice relating to brain development research, disproportionality of children of color in Wisconsin's child welfare system, and effective permanency planning strategies. A panel of five former foster youth also shared their personal experience in the Wisconsin child welfare system.

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# WEST VIRGINIA'S CHILD ABUSE AND NEGLECT DATABASE

It was a proud moment for the West Virginia Court Improvement Program (WVCIP) when retired Judge Bill Jones, during his Child and Family Services Review preparation visit in February 2008, informed West Virginia Supreme Court of Appeals Chief Justice Elliott Maynard, Justice Robin Jean Davis, Administrative Director Steve Canterbury, and WVCIP representatives that he believed the state's Child Abuse and Neglect Database to be the first system of its type in the nation.



With assistance from the Court Improvement Program data collection and analysis grant from the Administration for Children and Families, the West Virginia Child Abuse and Neglect Database project gained momentum in 2006 and has become a rich source of data for research on Child Abuse and Neglect proceedings. The system tracks 26 performance measures in child abuse and neglect cases, including time to preliminary hearing, time to adjudicatory hearing, time to dispositional hearing, dates of permanency review hearings, time to achievement of permanency, the number of placements for each child, date of filing of the initial case plan, and several others. The judges' assistants enter the data into a statewide database, from which the West Virginia Supreme Court of Appeals' statistical analyst prepares semi-annual reports.

The WVCIP oversight board and sub-committees review the reports to target areas of concern, and the judges use the tracking forms as a case management tool. Previously, data were collected on paper forms and mailed to a third party agency for data entry. The most frequent problem with the old system was blank or incomplete records, which the new system will not create. The new system also prompts users to enter all critical

information. All in all, the new system has reduced errors and diminished the resources needed for data entry.

West Virginia's success on the Child Abuse and Neglect Database has been an example for other states. West Virginia Supreme Court staff were invited to speak on the project at the Eleventh Annual National Child Welfare Data and Technology Conference sponsored by the Child Welfare League of America in June 2008 in Washington, D.C., entitled "Making [it] Work: Achieving Safety, Permanency and Well-being for Youth." More than 400 program managers, system managers, agency administrators, and judges from around the country attended. Many participants lingered afterward with questions, and representatives from multiple states took back the presenters' reference materials on building data collection systems. Since the conference, Arkansas representatives have maintained regular contact with West Virginia Supreme Court staff to seek guidance as they design their database.

The Child Abuse and Neglect Database is one example of the West Virginia Supreme Court of Appeal's emphasis on improving children's safety, timely permanency, and well-being, in collaboration with the state Bureau for Children and Families. "During my three years at the Court, there has been no higher priority than finding every way possible to keep West Virginia's children as safe as possible," said Supreme Court Administrator Steve Canterbury. "This is yet another positive development from Justice Robin Davis' focus on children during her two consecutive years as chief justice in 2006 and 2007."



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# MORE FREQUENT DEPENDENCY HEARINGS LEADS TO BETTER OUTCOMES

The National Center for State Courts (NCSC) recently posted a question on the Children Summit listserv asking whether courts were holding more frequent dependency hearings than required by ASFA and whether more frequent dependency hearings encouraged better outcomes. Twenty-nine jurisdictions responded to the questions. The results are described in this article.

Thirty-eight percent of respondents reported that more frequent dependency hearings than required by ASFA were conducted in all dependency cases in their jurisdiction. Fifty-eight percent of respondents reported that more frequent dependency hearings were heard in some dependency cases in their jurisdiction, usually at the judge's discretion. Respondents reported that if the case needed special attention because the parents needed extra help or reunification could be accelerated then more frequent hearings would be held. Only one state reported that conducting more frequent dependency hearings was considered but rejected because of monetary costs. However, one county from that state responded that in some instances more frequent dependency hearings are conducted at the discretion of the judge.

**Is there an impact on outcomes with increased frequency of dependency hearings?** Sixty-five percent of respondents reported that there were better outcomes with increased frequency of dependency hearings. Thirty-five percent reported that they did not know whether outcomes were better. None of the respondents said outcomes were not better. It should be noted that only three respondents had data indicating that outcomes were better. The remainder of the respondents provided anecdotal evidence that outcomes were improved. Improved outcomes included:

- Greater responsiveness to parents' issues
- Greater accountability for all stakeholders
- Greater probability of compliance by parents
- Greater opportunity for timely corrective action when unexpected problems arise
- Less time in foster care because of accelerated reunification or permanency placement

- Better permanency plans
- Fewer children in out-of-home care
- Adoptions happen quicker
- Less recidivism

**What costs are associated with holding more frequent hearings?** Not all respondents answered this question, but there seems to be general agreement that there is an increase in the billable time of attorneys, GALs, and social workers. The dockets are more crowded and some case types are delayed as dependency cases are given priority on the docket. Social workers have to spend more time in court and prepare more reports. These costs are borne by the individual agency.

**Are the costs offset by savings related to better outcomes?** Thirty-eight percent of respondents reported that costs were offset by better outcomes. Again this was anecdotal evidence and only three jurisdictions had data that indicated a link between better outcomes and savings. One jurisdiction noted that in counties that have more frequent hearings there generally is a cost savings and that the savings are reinvested in child protection and court services. Some noted that the savings may not be monetary but in terms of social outcomes. Sixty-two percent of respondents reported that they did not know if the costs were offset by better outcomes. None of the respondents reported that the savings were not offset by better outcomes.

**If there were additional costs, especially in the start up phase, how did you obtain funding to pay for the increased costs?**

In one jurisdiction, courts that see a savings due to better outcomes (generally, fewer children in out-of-home care) are required to reinvest that money back into child protection and court services. One jurisdiction used some CIP grant funds for training and development of procedures to enact ASFA timelines. Most other respondents did not answer the question or noted that the increased cost was absorbed by the respective agencies.

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