EXAMPLES OF STATE STRATEGIES & INNOVATIONS

State CIPs were asked to respond to a pre-survey with descriptions of their current and planned strategies to address the five themes of the National Judicial Leadership Summit: family voice, high quality representation, preventing unnecessary removals, procedural fairness and access to justice, and court leadership in child welfare reform. There were 29 responses to the survey. This document provides a subset of the strategies and innovations described in the responses. Not all strategies and innovations described are evidence-based; their inclusion is intended to provide inspiration for discourse. For more information on implementation of the strategies, interested parties are encouraged to reach out to the specified state’s CIP.

Strategies to Meaningfully Incorporate the Voice of Families in the Court & Case Planning Process

Focus on Changing Culture
A key aspect of upcoming trainings in Alabama is the importance of really listening to child/parent/caregiver voices. They plan to ensure that lived-experience stories are told in the rooms where training happens, where hearts and minds can be touched, and where those members of the bench and bar who are really hearing the message can "fire up" those who may be more skeptical.

Family Engagement Initiative
The Family Engagement Initiative in Pennsylvania is a court led advanced practice model which requires advanced engagement training and skill development for judges, attorneys, child welfare and mental health professionals. It requires extensive family led meetings, plan development and a trauma responsive mind-set.

Parents for Parents
Washington is implementing Parents for Parents (P4P), which provides peer mentoring for families in the dependency court system. P4P provides early outreach and education that helps shift parental attitudes from anger and resentment to acknowledgment and acceptance, and enhances parents' engagement in their court ordered plans. Mentoring is provided by parent allies who have successfully navigated the child welfare system and are eager to help other parents succeed. Parent allies connect with parents at the shelter care hearing, provide Dependency 101 class, and provide on-going support to assist parents in overcoming barriers.

Eliminating Barriers to Family Participation
Oregon courts create a trauma informed court experience so that each person feels both physically and emotionally safe and provides different forums for families to participate in their case: the formal courtroom setting, less formal CRB reviews, and agency facilitated family meetings. Foster youth, foster parents, and grandparents are encouraged to participate in court proceedings, and model forms provide a prompt for judges to inquire about notice and whereabouts if these individuals are not present in court.
Strategies to Deliver High Quality Legal Representation to Families

Building Capacity of Attorneys
Massachusetts ensures that all parties have attorneys following the filing of the petition. To ensure high quality representation, Massachusetts supports extensive training and supervision of attorneys. The state is currently working with a law school to develop a curriculum leading to certification.

Parent-Child Representation Program
Oregon CIP supports the Office of Public Defense Services (OPDS) with conducting the Parent-Child Representation Program (PCRP) in 4 counties. The PCRP aims to ensure competent and effective legal representation throughout the life of the case by ensuring reduced attorney caseloads, the provision of specialized support services, and adherence to best practices for attorney performance. We have committed to convening a multidisciplinary group from each PCRP county for a shared learning collaborative program in the Spring of 2020.

Dynamic and Web-Accessible Training for Attorneys
The Michigan CIP hosted and developed a five-part series for legal training of parent attorneys, child attorneys, and agency attorneys based on hearing type. The training was held January 2018–May 2018 with upwards of 100 attorneys statewide attending each monthly program. The interactive series includes pre- and post- learning objectives, live polling, access to best practice resources, and a certification of completion to share with their judge/court to validate their gained specialized training. The series was recorded and archives on the CIP’s training website and continues to receive high traffic.

Multidisciplinary Legal Teams
Delaware has partnered a social worker with a parent attorney at the early stages of dependency and neglect cases to engage parents, connect them to appropriate services, and improve parent representation practices.

Pre-Removal Representation
Currently in Snohomish County, Washington between 12-15 infants are removed every month from their mothers at the hospital (where mothers used drugs or alcohol during pregnancy). Attorneys are typically appointed to represent parents at the shelter care hearing, 72 hours after their children have already been removed and placed into foster care. The newly formed Family Intervention Response to Stop Trauma (F.I.R.S.T.) Clinic provides free legal supports to moms BEFORE removal. The clinic works in conjunction with the hospital and offers free, confidential legal advice, support of a parent ally, a community resource navigator who will help moms get connected with services, and a housing component where moms can stay rent-free for 12-18 months while they focus on their recovery and family.

Safely Preventing Unnecessary Entry of Children into Foster Care

Required Documentation of Reasonable Efforts
During the show cause hearing in Oklahoma, the judge has to document the reasonable efforts that were made to prevent the children from coming in the system. Family Centered Services (FCS) are documented as reasonable efforts. FCS is a pre removal program wherein the families are given an opportunity to correct conditions referenced in a referral to keep the child out of the system and with family.
Training Videos for New Jurists
In late 2018, the Michigan CIP developed a professional training video to identify the statutory timelines, procedural requirements, legal findings, best practice tips, and other information relevant to the Preliminary Hearing. The video displays mock court hearings with illustrative case scenarios; one where the child is removed from home and one where the court maintains the child in the home pending trial. The training videos are viewed by new jurists assigned to a child protection docket and will be used for various child welfare stakeholders statewide.

Family Helpline
The Family Helpline fulfills a gap in access to justice for families facing the Texas child protection system, particularly during the investigations and family preservation stages of a CPS case by providing families easy access to high-quality legal information and education given directly by experienced child welfare attorneys.

Safe Baby Courts
A collaborative project between the AOC, Department of Children’s Services (DCS), and Department of Mental Health and Substance Abuse Services (MHSAS), Tennessee is implementing Safe Baby Courts with a focus on families of children, ages zero through three, who are at risk of entering foster care because of parental substance abuse or who are in foster care. Collaborative training is provided by national experts to judges and court and DCS staff. Judges are offered peer-to-peer opportunities. Emphasis is placed on the development of services and improving service timeliness to avoid the need for foster care placement. Cases are reviewed at least monthly for reasonable efforts to prevent removal.

Specific Focus on Risk and Removal
Georgia’s intensive, multi-disciplinary training contains a specific 3-hour module on Risk and Removal focusing on the CAPTA definition of imminent harm and detailing issues involved in making an assessment of risk before removing children. This issue is also covered in the County Practice Guide and is a focus of the statewide Child Welfare Summit. Our child welfare agency has piloted Pre-Removal Staffings where a request for removal is vetted and discussed by teleconference with subject-matter experts to ensure that reasonable efforts to prevent removal are being made in each case.

Involving Court Leadership in Child Welfare System Reform
Permanency Mediation Program
The District of Columbia’s Permanency Mediation Program addresses recent Court of Appeals requirements for an evidentiary proceeding prior to ordering a permanency goal change from reunification to adoption. It provides an opportunity, through mediation, for parents to determine their child’s permanency consistent with the child’s best interests.

System of Care Advisory Council
The Children and Youth with Specialized Needs workgroup was formed by Oregon’s Governor, the President of the Senate, and the Chief Justice of the Supreme Court to address unique challenges faced by children with distinctive mental or behavioral health needs who come to the attention of different systems. The workgroup led to a senate bill that establishes a System of Care Advisory Council to improve the effectiveness and efficacy of state and local systems of care that provide services to youth.
Cross-System Roundtables
Pennsylvania’s Children’s Roundtable Initiative is a communication/leadership structure which involves those leading change in the identification of changes needed, solutions and change implemented. This strategy has been incredibly effective and is dramatically improving the child welfare system.

Ensuring Procedural Fairness, Equity & Access to Justice for Families
Court Observation and Data Collection
Wyoming’s Office of Parents’ Counsel’s Court Observation Project looks at hearing quality in terms of notice, representation, family voice, hearing timeliness, and discussions around reasonable or active efforts.

Documenting Best Practices
Pennsylvania’s Dependency Benchbook and Judicial Education includes training, support and monitoring of issues such as trauma responsive courts, implicit bias, and reasonable efforts determinations.

Legal Clinics
Court Districts are establishing weekly or monthly legal clinics for indigent families. The Mississippi Bar Association promotes pro bono services from law firms statewide, and it is a requirement of licensure as an attorney. The agency’s adoption unit has broken through the red tape to move TPR packets to the AG’s office by making sure service of process has been achieved so that cases are not continued.

Family Treatment Dockets
Through the work of the Vermont Judicial Commission on Family Treatment Dockets, Vermont is implementing a regional Family Treatment Court. As with other potential collaborative approaches to the CHINS docket, a Family Treatment Docket would provide (1) earlier access to assessment and treatment services; (2) increased management of recovery services and compliance; (3) improved family-centered services and parent-child relationships; (4) increased judicial or administrative oversight; (5) systemic response for participants; (6) a consistent system in identifying likely to benefit from a recovery model; and (7) non-adversarial approaches across service systems and courts.

Access to Justice Commission
The Tennessee Access to Justice Commission (AJC) created the website - justiceforalltn.com – which contains much information for self-represented litigants. Free legal clinics are held routinely throughout the State to address various legal needs. The Tennessee Faith and Justice Alliance is a recent project of the AJC and is an alliance of faith-based groups who commit to providing legal resources to their congregations and communities. The AJC also has a Family Law Committee that focuses on family issues. The ACJ drafted and the Supreme Court approved self-represented divorce forms. Other forms are being drafted for approval, including a child dependency petition.