

# CONTINUING UPWARD FROM THE SUMMIT

AN E-NEWSLETTER HIGHLIGHTING IMPLEMENTATION  
ACCOMPLISHMENTS & EVENTS THROUGHOUT THE COUNTRY

Volume 2  
May 2007

## NATIONAL SUMMIT ON CHILDREN – AN OVERVIEW

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Two hundred judicial and child protection agency leaders from 42 states, the District of Columbia, Guam, and Puerto Rico gathered in New York City on March 7-9, 2007 for a *Summit on Children*. Participants included 16 state chief justices, 24 state court administrators, 15 human services secretaries and deputy secretaries, and 25 child protection agency directors or senior officials in addition to trial judges, CIP directors, and advocates.



The Summit was sponsored by the National Center for State Courts (NCSC), the Unified Judicial System of New York (UJSNY), the Conference of Chief Justices, and the Conference of State Court Administrators, along with the National Conference of Juvenile and Family Court Judges (NCJFCJ). Funding support for the Summit was provided by generous grants from The Pew Charitable Trusts, the Dave Thomas Foundation for Adoption, the New York Community Trusts, the Center for Court Innovation, the Annie E. Casey Foundation, as well as contributions from the UJSNY, NCSC, and NCJFCJ.

This gathering built on 2005 National Judicial Leadership Summit on the Protection of Children held in Minneapolis, MN. Participants were warmly welcomed by Chief Judge Judith S. Kaye of the New York Court of Appeals, New York Governor Elliot Spitzer and Mrs. Spitzer, and New York City Mayor Michael Bloomberg. Plenary sessions focused on extending the scope of collaboration among courts and agencies providing services to children and families; effective approaches to strategic planning; initiatives that states have taken to implement the action plans developed at the Minneapolis Summit, and the next generation of issues facing states in ensuring the safety and well-being of children and the permanence and timeliness of placements. Workshops offered successful approaches states are taking to address key issues and problems. Roundtables provided participants with opportunities to for peer to peer discussion of troubling questions. And, a series of team meetings enabled the representatives from each jurisdiction to assess the current status of their collaborative efforts, identify initiatives undertaken by other states that could be replicated, and define the next steps they will take as a result of the Summit.

Summaries of several of the summit plenary sessions and workshops are presented below. For additional information about this National Summit on Children, please contact Richard Van Duizend at NCSC ([rvanduizend@ncsc.dni.us](mailto:rvanduizend@ncsc.dni.us)).

## EXPERT ASSISTANCE SERVICES

The National Center for State Courts (NCSC), with support from The Pew Charitable Trusts, is pleased to announce the availability of statewide child protection expert assistance services.

This expert assistance is intended to help state court systems to (1) strengthen collaboration between courts and state child welfare agencies; (2) enhance strategic planning to improve the child protection process and outcomes; (3) develop and implement performance measures; (4) collect and analyze data regarding the child protection process and outcomes; (5) increase timeliness of child protection proceedings and appeals; (6) develop effective means for better informing judges, court and agency staff, and attorneys regarding the needs of neglected and abused children and the means for addressing those needs; or (7) otherwise address unique issues affecting state efforts to ensure timeliness of permanent dispositions in child protection cases, the fairness of the process, and the safety and well-being of children who require protection. The experts assigned to provide the needed support may be NCSC or NCJFCJ staff, practitioners from other jurisdictions, or independent consultants.

Selection of states to receive assistance will be based on a set of established criteria and subject to approval by the Trusts. To request expert assistance please complete the online application at:

[http://www.ncsconline.org/d\\_consult/ChildProtection/form1.asp](http://www.ncsconline.org/d_consult/ChildProtection/form1.asp)

For further information, please contact Dick Van Duizend, Project Director at [rvanduizend@ncsc.dni.us](mailto:rvanduizend@ncsc.dni.us) or (703) 841-5632.



## Enlarging the Table

The “Enlarging the Table” session highlighted efforts to broaden the scope of collaboration between courts and child protection agencies to include legislatures, schools, and substance abuse treatment and mental health treatment agencies. The panel discussed strategies to overcome common barriers to collaboration and gave examples of how their states were able to overcome these barriers. Cited as essentials for good collaboration were:

- ◆ Having all stakeholders at the table
- ◆ Identifying the primary customer
- ◆ Having the requisite staff resources so as to have a foundation to build on before asking people to come to the table
- ◆ Having a strategy at the start
- ◆ Trusting that others are committed to solving the problem, and
- ◆ Pooling resources to build groups effective at communicating with the legislature



Judge Joan Cooney reported that by bringing school districts and foster children to the table, New York was able to reduce the frequency of children having to move from school to school as their placements changed. Daniel Wright, Director of Michigan’s Family Services Division, spoke of the success of pilot programs in Michigan that improved mental health care services for children and families by bringing mental health care professionals to the table and integrating mental health services into other care services provided at the local level. Leola McKenzie, Assistant Division Director for Court Programs and Services Division, spoke of the success in Oregon of reducing the time of appeals by bringing public defenders to the table. Dr. Nancy Young, Executive Director of Children and Family Futures, described the essential role of collaboration in recovery for the whole family. Those providing substance abuse recovery for the parents and those providing care for abused and neglected child should have the same goals -- family recovery, safety, and permanency for children.

All the panelists commented on how surprised they were to find that other agencies wanted to be at the table and were willing to collaborate in order to assist troubled families. They also noted how collaboration brings out the best in people; being part of a team enhances involvement and creativity.

## Strength-Based Strategic Planning

Sharon Abrams, Chief Deputy Court Administrator and Chief Information Officer of the Administrative Office of the Courts, Eleventh Judicial Circuit, Miami, FL discussed the use of strength based strategic plans in Dade County. Ms. Abrams urged that in order for strategic planning to be successful, trust must be established between all stakeholders. One way of trust-building is to conduct meetings at each stakeholder’s office. She also recommended that strategic plans should be short-term and intensive, and that sustainability must be kept in mind throughout the plan development process. Ms. Abrams then outlined the requisite attributes of a strong strength-based strategic plan process:

- ◆ Write plans because you want to
  - Many things trigger writing a plan -- tragedy, change of leadership; desire to obtain funding -- but a plan will not be successful unless the plan is truly desired
- ◆ Write plans that drive change
  - Plans must have a clear statement of the role for each stakeholder -- who is to do what
- ◆ Write plans that achieve the mission and reflect the vision of the court
  - The scope of the plan must be well defined;
- ◆ Write plans for prevention as well as intervention
  - For example, Dade County uses GIS maps of where kids are removed from home and where foster care homes are located so children can be placed near their original school
- ◆ Write plans that provide training for transformational changes
  - Transformational change allows families to become self sufficient and able to obtain the services they need
- ◆ Write plans that are data driven, research-based and measure outcomes
  - Evidence based programs should be established with systems for measuring outcomes of programs



## Inside Perspective

A panel of four young adults who had recent experience with the New York foster care system provided an “Inside Perspective.” The panel was moderated by Alycia Guichard, Supervising Attorney and New Jersey Bar Fellow, at the Street Law Program of Rutgers University School of Law and a former foster child herself. The youths gave their perspective of the foster care system - some were served better than others by the system. All four panelists identified as one of the greatest downsides of the foster care system, being moved from foster home to foster home. Some of the youth had been moved as many as nine times. Each young person stated that he or she was looking to become part of family and had often been disappointed. They eloquently pointed out that regardless of the age of a child, all children want to have a permanent home.

Those that found permanency observed that the foster parents were much more effective at preparing them for life outside the system than the foster care agency. They urged that life skills be provided early enough so that children are not overwhelmed when they age-out of the system. Foster parents are also better equipped to assist children to succeed in the education arena. Those who lived in group homes or residential facilities found that staff were not qualified to assist them with homework and took little interest in school activities or attending parent-teacher conferences to learn how the student was faring in school.



The lack of family involvement in school activities has another negative impact; as it tends to stigmatize students who are in foster care. When foster care is treated as a negative, it becomes a barrier to success; foster care comes to define the individual rather than his or her individual talents and gifts. Yet, as all the young adults on the panel demonstrated, foster care does not have to be an impediment. One youth is completing an MBA after having already completed a M.A. in communications; another is preparing to attend Pratt Institute to become a performance artist. The other students are finishing high school and preparing to start college.

## Sharing Successes



Speakers from three states shared the successes of creative initiatives undertaken to address the priorities identified at the Minneapolis Summit. Diane Nunn of the California AOC spoke on the formation of the California Blue Ribbon Commission on Children in Foster Care. The Commission is charged with making politically viable recommendations that increase the awareness and involvement of the court in child protection services. The guiding principles of the Commission are that all children are equal and that collaboration is necessary.

New York Family Court Judge Joseph Lauria discussed three main objectives identified by his state’s team at the Minneapolis Summit. The first goal was to ensure that all stakeholders are heard. This goal is being achieved by enhancing data sharing on a statewide level, implementing the capacity to transfer reports electronically, and enhance wireless conductivity in courthouses for attorneys and staff. The second goal was to improve outcomes. New York is working to accomplish this goal by expanding family-friendly visiting areas, increasing the number of children centers, basing education liaisons in court, and conducting stakeholder meetings. The third goal was to strengthen teen courts. To encourage teens to come to teen court, the Family Court held a teen day for which teens were invited to come and learn about the court process and operation of teen court. The Family Court also held focus groups to get input from the teens.

Justice James Hannah of the Arkansas Supreme Court and Connie Tanner, Director of Juvenile Courts with the Arkansas Administrative Office of the Courts, spoke of Arkansas’ goal of expediting appeals. Arkansas determined that the greatest delay in the appellate process was getting transcripts. Therefore, a subcommittee of the Supreme Court was formed with representatives from all stakeholder groups. The subcommittee met with respondent counsel, GALs, court clerks, appellate judges, trial judges, court reporters, and Arkansas Department of Health and Human Services officials to discuss the problems in the appellate process. As a result of the subcommittee’s work, a rule change was accepted that shortened timelines and limited extensions to no more than one, seven-day extension. The rule change has decrease the time for appeals from 18 months to 6 months. In addition, Arkansas conducted its own mini-summit which had 360 participants from across the state. Each team was charged with creating a court improvement plan with goals and implementation actions. Arkansas also created best practice worksheet for every hearing type that can be used by all stakeholders.





## Emerging Issues

Three speakers provided insight into upcoming changes in federal and state law and federal programs regarding the protection of children. First, Joan Ohl, Commissioner, Administration on Children, Youth and Families, USDHHS discussed the new guidelines for CIP basic grants, CIP training grants, and CIP data collection grants. Meaningful collaboration between agency and court is necessary to qualify for CIP monies. She stressed that this must be true collaboration – a consistent way of doing business; not a sometime thing. Commissioner Ohl also elaborated on a new Collaborative supported by the ACYF that includes the National Center for State Courts, the National Council of Juvenile and Family Court Judges, and the ABA Center on Children and the Law. The Collaborative can provide assistance to states seeking to strengthen Collaboration, address issues raised during the CFSR review, enhance the focus on permanency, and develop of their CIP strategic plans.

Courtney Holden from the Congressional Coalition on Adoption Institute spoke of her agency's role as a bipartisan organization to provide education to congressional leaders. Steve Christian from the National Conference of State Legislatures offered a summary of current state legislative trends. The trends include:

- ◆ The promotion of relatives for foster care and adoption
- ◆ Increases in transitional services
- ◆ Increasing the age of foster care beyond 18
- ◆ Increasing the age for Medicaid beyond 18
- ◆ Greater focus on mental health services for foster children
- ◆ More attention on shaken baby syndrome
- ◆ Better protection of sibling relationships.



## Crossing Borders

This panel updated participants on new legislation impacting adoptions across state and international borders. Ramona Foley, Assistant Director of Oregon Department of Human Services described the changes to the ICPC by the recently enacted Safe and Timely Interstate Placement of Children Act. The new Act now requires:

- ◆ Home studies across state lines must be done in 60 days
- ◆ \$1500 incentive if home studies are done within 30 days
- ◆ Receiving state must respond within 14 days or assumption that placement is good
- ◆ If ICPC placement is denied then there must be a due process method for challenging the decision
- ◆ Pre-adoptive, relative and foster care parents have a right to be heard in all foster care proceedings
- ◆ Narrows the compact to foster care or adoptive placements
- ◆ New rule making processes.

Lisa Vogel from the Bureau of Consular Affairs, US Department of State explained the Hague Convention on Intercountry Adoptions which will go into effect on April 1, 2008. The greatest impact of the Convention will be on that the State Department, which must certify that an adoption was done in accordance with the Convention and a re-adoption in the U.S. is not necessary. Ms. Vogel stated that for international adoptions involving an American child, the Convention will require a showing of reasonable efforts to find an in-country adoption.

## SUMMIT WORKSHOPS

### Performance Measures

Ann Ahlstrom, Project Manager for Minnesota's Children's Justice Initiative; Judge Bryan Murray of the Sixth Judicial District, Bannock County, Idaho; and Judge Michael Nash, Presiding Judge of Los Angeles County Juvenile Court addressed the experience in their states in developing and applying performance measures to child protection. Seven years ago, Minnesota began to develop performance measures by creating multidisciplinary teams in each county. The teams developed best practices booklets from which two pages of outcome-based performance measures for courts and agencies were extracted. For example, safety is being measured in terms of timely adjudications; permanency in terms of the number of children in foster care for more than 12 months; and due process in terms of a Guardian ad Litem for each child and representation for all parents. In Idaho, the challenge was tracking child welfare cases, which was something its case management system did not do. Using federal grant money, Idaho updated its system and created a bench card for each case type, a child protection manual, and a clerk support manual. California's performance measures are very similar to the Performance Measure Toolkit developed by NCSC, NCJFCJ, and the ABA Center on Children and Law that will be published by the federal government. Continuances were identified as the biggest problem; therefore the California courts began to track the time from petition to disposition. California has reduced time to disposition from 163 days to 60 days.



## Disaster Planning and Child Protection

Recent events have raised awareness of the need to ensure continuity of operations in the event of a natural or man-made disaster. Judge Ernestine Gray of the Child Protection Division of New Orleans Parish Juvenile Court led a discussion on lessons learned following Hurricane Katrina.

- ◆ In every jurisdiction, the juvenile and family court, child welfare agency, and other system professionals must engage in collaborative efforts to develop disaster plans that facilitate communication, coordination, and oversight of child protection cases.
- ◆ Juvenile and Family Courts must take a leadership role in disaster planning and work collaboratively with child welfare agencies and other system professionals to ensure a coordinated and effective response in times of disaster and appropriate tracking and oversight of children and families.
- ◆ Juvenile and Family Courts must develop disaster plans that address the specific needs of cases involving children and families, especially child protection cases.
- ◆ Disaster plans aimed specifically at the Juvenile and Family Court must be incorporated into broader court disaster plans that focus on continuity of operations.
- ◆ Disaster plans should focus on prevention, preparedness, response, and recovery efforts and be coordinated at the local, regional, and state levels.
- ◆ Local, regional and state plans need to be coordinated and shared with local and state leadership - everyone needs to know the plan, how to activate it, and how to mobilize resources in coordinated manner.



## Family Treatment Courts

Judge Dale Koch, Presiding Judge of the Circuit Court for Multnomah County in Portland, Oregon; Judge Nicolette Pach, Judicial Fellow with the National Drug Court Institute; and Dr. Nancy Young, Executive Director of Children and Family Futures described their experience with family treatment courts. They noted that jurisdictions across the country are applying the problem-solving court model to child protection matters in order to coordinate the counseling, substance abuse, health, mental health, education and other services that troubled families may need and balance the permanency and safety of children. Some of the hallmarks of family treatment courts are (a) prompt identification of substance abuse; (b) facilitated referral to treatment; (c) removal of barriers to treatment; (d) intensive judicial supervision; and (e) compliance with treatment plans. The courts can stand alone courts, parallel track with child welfare courts, or systemically integrated into child welfare system. Research on the effectiveness of these courts shows that there is a reduction in the time from screening to entry into treatment; savings in terms of out of home placement; improved reunification rates; and decreased adoption rates.

## Fostering Collaboration at the Local Level

Judge Lou Trosch of the 26<sup>th</sup> Judicial District in Mecklenburg County, North Carolina, Judge Oscar Galbadon of the 65<sup>th</sup> Judicial District Court in El Paso County, Texas, and Andrea Hoffman Jelin, Administrator of the Office of Children and Families in the Courts within the Pennsylvania AOC emphasized the importance of extending collaboration from the state to the local level where child protection cases are heard and most child and family services are delivered. Ms. Jelin described how state level collaboration can lead to improved communication and working relationships at the local level. In Pennsylvania, county-to-county and county-to-state communication were enhanced through the use of a three tiered roundtable initiative. Each of 67 counties was asked to create a children's roundtable that included multidisciplinary teams with each stakeholder group represented. These teams worked on local issues and also sent representatives to another level of roundtable that consisted of counties of like size and population to share data with those counties. The third tier was the state level roundtable which had representatives from the multi-county roundtables. Prior to the roundtable initiative the 67 counties did not share any data, after the roundtable initiative, data was flowing in both directions – from the local level to the state and from the state to the local level. This enhanced system a communication led to more collaboration and more efficient problem solving.



*Continuing Upward from the Summit* is supported by a generous grant from The Pew Charitable Trusts. The opinions expressed are those of the authors and do not necessarily reflect the views of The Pew Charitable Trusts.