

WHAT ARE THE STRATEGIES, IF ANY, THAT STATES ACROSS THE NATION EMPLOY WITH THEIR RESPECTIVE FAMILY COURTS TO WORK COLLABORATIVELY ON BEHALF OF CHILDREN IN CARE?

STATE SUMMARY: OREGON

State CFSR

Last year, the courts were actively involved in the initial CFSR review as well as drafting the PIP. Court personnel and judges served on committees that focused on various topics, such as permanency and termination of parental rights. Some of the committees' recommendations were incorporated into the final PIP. For example, there was a joint taskforce on adoption sponsored by both the child welfare agency and the courts' CRB (Citizen Review Board) that included judges, CASAs, attorneys, and community partners. The taskforce developed extensive recommendations on adoption, some of which the agency included when drafting the initial PIP.

Overall, both the CFSR review and the drafting of the PIP included community, court, and agency representation.

The PIP addressed a number of court related issues, as set forth in Appendix A.

Collaboration Following the Release of the PIP

Since the PIP was approved, the state courts and agency have worked together to address statewide concerns. Agency representatives serve on the courts' Advisory Committee, and vice versa.

While there is no statewide PIP committee comprised of the courts and the agency, each has developed strategies to deal with identified problems utilizing input from the other through representation on their respective advisory councils. This method of collaboration and involving each other in decision-making is working well. There are instances where either may inadvertently take action without involving the other, but this is discovered through the advisory council process. For example, the court just found out that the agency is changing the adoption portion of the PIP during an agency advisory council meeting. As a result of this discussion, the court has now been invited to contribute to that process as an active participant.

Ongoing Collaboration

Adoption. The Adoption Task Force, which has agency and court representation, developed recommendations for streamlining the adoption process. Those recommendations included development and implementation of a Progressive Family Assessment and training CASAs to gather medical and genetic history and obtain birth certificates. CASAs have been trained in two counties so far.

Review of local jurisdictional hearing scheduling and resolving timeliness barriers with local officials is one of the JCIP (Juvenile Court Improvement Project) performance goals. There was input into the performance measure by the agency representative on the JCIP Advisory Committee. Court personnel were also involved in working on modifying administrative rules and contracts to expedite legal assistance mediation.

Only the agency has been involved in efforts to pilot focused tracking and expedited processing of children at selected sites who are likely to be adopted by their current caretakers.

The courts have not been included in efforts to develop or support a timeline and checklist, clarify the appropriate use of early TPR in cases with aggravated circumstance in which no reasonable efforts are required, remove barriers to timely termination trials, or establish statewide standards for time allowed for courts to issue signed orders and notify DHS via copy.

In addition, courts have not been involved in the identification of management reports needed for tracking cases through concurrent planning and adoption and have not been trained on the use of those reports.

Case Review System. Each child in foster care has a permanency hearing. Additional steps are being taken to assure that those hearings are timely and thorough. Information has been provided in the CIP benchbook, at JCIP training conferences, and at new judge's training. Following each legislative session, the agency and the court collaborate and deliver training to child welfare partners and the juvenile court community throughout the state. Training materials are also utilized at conferences and new judges' training.

A revision of the case plan narrative was drafted to replace the court report outline. Court staff and judges were heavily involved in giving input into the draft to ensure courts have adequate written information to make appropriate permanency decisions. That case plan narrative is still in draft form.

Model court forms have been produced that provide prompts to ensure reexamination of permanency goals for appropriateness given the child's current circumstances at each permanency hearing. Court staff provide tools to assist judges to look at the overuse of permanent foster care as a permanency goal. The agency and their legal counsel were heavily involved in the development of the forms. Both the case plan narrative and model court form efforts are underway with strong collaboration between the court and the agency.

Training. The collaborative training after each legislative mentioned above is a model example of courts and the agency working closely together with the CRB to ensure that all the partners are trained in the passage of new legislation and how it effects them. The courts have not been involved in the new caseworker orientation training but would very much like to be. The CRB does present at new caseworker orientation training. The Multnomah County court/child welfare dependency committee is addressing the issue of court training for child welfare workers. JCIP recently received a CJA grant to gather together various members of the juvenile court community to discuss information presented in their individual trainings, and determine how each can be involved in the other's trainings.

Advisory Committee. Court personnel serve on the agency Child Welfare Advisory Committee, which meets quarterly. In addition, there are several sub-committees that the courts and agency are both involved in. For example, the Children's Justice Act Taskforce subcommittee of the Child Welfare Advisory Committee reviews and evaluates the state's investigative, administrative, and civil and criminal judicial handling child abuse and neglect cases every three years and allocates money to various projects to meet identified needs. In addition, the agency has created a PIP subcommittee that includes a judge from Multnomah County and the CIP Director.

Juvenile Court Improvement Advisory Committee. DHS serves on this committee, which has developed performance measures targeted towards improvement of juvenile courts.

Legislation. New legislation was passed which requires that if the case plan for a ward is independent living, at the time of the permanency hearing, the court must make findings regarding whether (1) the plan is adequate to ensure the ward's successful transition, (2) the agency has offered appropriate services under the plan, and (3) the agency involved the ward in the development of the plan.

Policies The agency has drafted a face-to-face contact policy. This policy outlines expectations for child-caseworker and parent-caseworker contact, and requires contact at least once every 30 days. Court personnel reviewed and provided input on this policy. The CRB will develop a monitoring system.

Conclusion

The courts and agency are working in a close collaborative relationship, but there is always room for improvement. Sometimes each gets caught up in the urgency needed for changes without

involving the other. Both are committed to continually strive to coordinate efforts. The next federal review is in June, 2005.

APPENDIX A: OREGON'S PIP EXTRACT

SAFETY 1 OUTCOME MEASURE:

Children are, first and foremost, protected from abuse and neglect.

Conformity of Statewide data indicators with national standards:

	National Standard	State's Percentage	Proj. Improvement Level	National Standard Compliance
Repeat Maltreatment	6.1%	8.68% *	7.7%	Does not meet
Maltreatment of children in foster care	.57%	.50% *	.57%	Meets

*Revised to comply with AFCARS requirements

Indicator 1: Timeliness of initiating investigation of reports of child maltreatment.

Goal 1.1: Screening and Child Safety Assessment will meet state policy and national standard guidelines.

Indicator 9: Adoption

Goal 9.1: Progressively increase over the federal AFCARS reporting periods 2003-A through 2004-B the percentage of children who exit foster care to adoption for whom finalized adoption is achieved within 24 months of removal from home by:

- A. Decreasing the length of time from identification of adoption as the permanency plan to finalized adoption by piloting focused tracking and expedited processing of identified cohorts of children at selected sites who are likely to be adopted by their (relative or non-relative) current caretakers; and
- B. Conducting, publishing and disseminating a report compiled from individual adoption case files of the most frequently occurring case characteristics of all ffy 2002A (and 2002B) adoptions that finalized in 24 months or less; include in this study information about length of time to achieve major landmark events during the progression to adoption
- C. Streamlining processes across the child welfare system to achieve improved length of time to adoption outcomes for all children with a plan of adoption

Action Step 9.1.4: Involve key child welfare stakeholder groups to finalize time line and checklist and to launch implementation plan:

Lead Person: Administrator of CAF Office of Permanency for

Children and of Training jointly with CHS administrative lead

Geographic Area: statewide

Method of Measurement: accomplishment of A and B, below

Frequency of Measurement: quarterly

Interim Measures:

A. August 2002: Initial meeting of statewide key stakeholders, including: CASA, CRB, DOJ General Counsel, FLS/DOJ, Multnomah DA, defense bar, JCIP, DHS/CAF administration, CAF Adoptions, CAF FBS (concurrent planning lead), JRP, and other key partners

B. October 2002: Local meetings in lead counties to include SDA manager, child welfare manager, local CHS staff, judge, CASA, CRB, FLS/DOJ (in Multnomah, MDA) attorney, defense bar, JCIP, CAF Adoptions, CAF FBS (concurrent planning lead), JRP, and other key partners, set performance standards: reasonable time frames for accomplishment of each landmark activity in their local service delivery area. This team should agree on a local plan and meet quarterly to track progress.

Action Step 9.1.5 calls upon the Department of Human Services to involve a range of partners in supporting the new timeline and checklist. These partners are to include, among others, courts, attorneys, and other legal system participants.

Action Step 9.1.6: Streamline legal processes to free children for adoption

- Examine use of and clarify, in administrative rules, the appropriate use of early TPR in cases with aggravated circumstances in which no reasonable efforts are required; plan with Department of Justice, judges, Multnomah County District Attorney's Office, defense bar, JCIP; train staff and partners.
- Provide legal assistance staffing for every child at no later than 10 months in care if return home is not imminent to assure that all concurrent planning activities are done; proactively staff and track until finalization
- Establish procedures and modify interagency agreements with legal counsel to reduce time to complete legal assistance referral and file

TPR petitions for children for whom a legal assistance referral has been approved

- Review local jurisdictional hearing scheduling and resolve timeliness barriers with local officials
- Work with partners to remove barriers to timely termination trials
- Work with Judicial Department to establish statewide standards for time allowed for court to issue signed orders and notify DHS via copy
- Modify administrative rules and contracts to expedite legal assistance mediation for cases in which this process is appropriate for the establishment of post-legal communication agreements

Action Step 9.1.8: Maximize use of available data (from all sources) and create new data for efficient step-by-step tracking of and reporting on movement of children to finalized adoption.

- Identify management reports needed for tracking cases through concurrent planning and adoption process; coordinate with Judicial Department.
- Disseminate to and train all appropriate CAF, CHS, Justice, and Judicial staff on use of reports.

Lead Person: Administrator of CAF Office of Program Performance and Reporting

Geographic Area: statewide, with priority for lead counties

Method of Measurement: identification, creation and production of management reports

Frequency of Measurement: one time event

WELL-BEING 3 OUTCOME MEASURE:

Children receive adequate services to meet their physical and mental health needs.

ASFA SYSTEMIC FACTOR STATEWIDE INFORMATION SYSTEM

SYSTEMIC FACTOR #2 CASE REVIEW SYSTEM

Indicator 27: Provide a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

Goal 27.1: A court report outline within the case plan narrative will ensure courts have adequate written information to make appropriate permanency decisions during permanency hearings.

Action Step 27.1.1: CAF/JCIP will review and revise a court report outline within the CF147B substitute care case review narrative to ensure information is presented to the court in a format which assists the court in their decision making process. Judges will be consulted in this process to gain perspective into what they'd like to see in a court report. In conjunction with the Judicial Department JCIP and Indigent Defense Administration, the Department will develop strategies and determine training needs to address the barriers causing court delays or continuances in the scheduling of permanency hearings.

Lead Person: CAF Program Monitoring Manager

Geographic Area: Statewide

Method of Measurement: Survey CHS staff, courts and CRB to measure improvement of court reports.

Frequency of Measurement: Three months after implementation.

Interim Measures: 1. Revised case plan narrative content issued to judges for review and comment in June 2002.

2. Final revision of narrative content, based on judicial comment completed July 31, 2002.

Goal 27.2: Permanency goals will be reexamined for appropriateness given the child's current circumstances at each permanency hearing.

Action Step 27.2.1: Continuous reexamination of the appropriateness of the permanency goal will be required and included in the revisions/enhancements made to the case plan narrative and court report documents. A report will be made available to child welfare supervisors showing the current and concurrent permanency goal for children on their staff's caseloads. Supervisors will be asked to monitor and review this report with their staff on a regular basis to ensure that the permanency goal remains appropriate given the child's current circumstances. JCIP will also speak to the necessity of this examination in their communication, meetings and training with courts.

Lead Person: CAF Program Monitoring Manager

Geographic Area: Statewide

Method of Measurement: Semi annual case review process

Frequency of Measurement: Twice yearly

- Interim Measures:
1. Monitoring through monthly CRB reviews.
 2. A report to assist in supervisor's monthly review of the permanency goals recorded on their staff's caseloads to be developed.

TRAINING OUTCOME MEASURE:

Indicator 33: The State provides for ongoing training of staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSR.

Goal 33.2: Casework staff attends legal training, which includes testifying in court and utilizing the court process.

Action Step 33.2.1: Supervisors, CETs and/or identified staff attend new "CWP Legal Issues" training.

Lead Person: CAF Training Manager, PSU Child Welfare Partnership

Geographic Area: Statewide

Method of Measurement: Session attendance records

Frequency of Measurement: Quarterly