



AMERICAN UNIVERSITY
WASHINGTON, DC

JUSTICE PROGRAMS OFFICE

SCHOOL OF PUBLIC AFFAIRS

MEMORANDUM

To: Judges Providing Information to American University Regarding Strategies Used to Implement ASFA (Adoption and Safe Families Act)
From: Caroline S. Cooper, Research Professor and Associate Director, Justice Programs Office, School of Public Affairs, American University
Re: Summary of Responses/Strategies Developed/Notes of Telephone conversations
Date: January 9, 2006

PART ONE: INTRODUCTION

A. Overview

The following are summary notes of the telephone discussions conducted by American University during the period April 1 – July 2, 2004 with 34 judges who responded to the ABA/ASFA survey indicating they had introduced special strategies to comply with ASFA requirements; and two additional judges to whom AU was referred by survey respondents to talk over developments in the respondents' jurisdiction. In addition, summaries are provided for eight additional courts which have instituted relevant initiatives, reflecting telephone discussions with the eight judges involved and/or information maintained by the Bureau of Justice Assistance (BJA) Drug Court Clearinghouse at American University.

The information compiled during these telephone discussions has been used by the ABA in conducting its project follow up tasks. However, in light of the range of strategies being used, experiences developed and potential networking value of this information, I wanted to send each of the judges who participated in AU's telephone discussions a summary of the information we compiled. This memo is not an official report of the ABA but, for the reasons stated, I felt it important to disseminate the information which each of you has provided for both reference and correction, as appropriate.

The notes of each program described are organized in the following categories: (1) summary of strategy(ies); (2) problem(s) being addressed; (3) impact; and (4) additional comments/background.

In all, 37 judges were contacted by phone, in 24 states and the District of Columbia, representing 34 different counties/judicial districts. A number of the judges contacted sat in multiple counties and/or districts, so that the actual number of counties reflected in their comments is considerably more than the number of judges contacted. Four of the programs discussed were pilot demonstration sites with potential statewide replication¹.

¹ Missouri, North Carolina, Texas (family conferencing), and Washington (defense services)

B. Observations

The courts included in this memo reflect a number of innovative approaches being applied to the dependency caseload, including: adaptation of mediation techniques that were successful in other civil (non dependency) matters to a wide range of dependency issues (both legal and service delivery) which are reported to be resolving a much higher percentage of cases early in the process as well as substantially reducing appeals); utilizing family conferencing approaches to promote kinship and other community placements and support services; and greatly improved legal services.

Among the strategies reported being used to improve the court's capability to comply with ASFA requirements included:

- **early and frequent case reviews**, particularly during the first six months -- which can not only stimulate early provision of services but can also keep the various agencies actively providing services and accountable;
- **use of mediation** (see above), frequently early on, to identify and develop agreement on issues in the case, including jurisdiction, placement for the child, conditions the parent must comply with, etc.; not only does the use of mediation appear to reduce the adversarial nature of the situation but it is reportedly also getting parents invested and constructively participating in available services earlier as well as reducing appeals;
- **the use of family conferencing** (noted above) for identifying issues, family resources, potential resources to pursue, as well as development of meaningful case plans; it can reportedly also provide "reality therapy", particularly in a situation where a mother may have her mother taking care of the child "temporarily" but not necessarily "permanently", so the judge's inquiry re a plan for "permanency" can make everyone immediately take a much harder look at the situation for the long term;
- **continuous involvement of CASA volunteers** who appear to contribute tremendous value to the court, including, as one judge phrased it, serving as the court's "eyes" and "ears";
- **the use of TASC** -- traditionally a criminal case management/referral service -- for providing case management capabilities for dependency cases;
- **the introduction -- as early as possible -- of some level of visitation** with the parent in appropriate cases -- which can be gradually increased if/as appropriate -- to counter substantial periods of out-of-home placement of the child which, without some level of parental visitation, can reportedly work against efforts for reunification; and
- **frequent (sometimes weekly) meetings of representatives of the various agencies** involved to discuss the case, exchange information on it, and work together to address the parent's needs.

Despite their diversity, most of these programs share important common characteristics, including:

- enhanced court oversight of both participants and services/agencies
- much more intensive case supervision

- **much more intensive case management**, including comprehensive assessment of family needs and the developmental situation of the child;
- **much greater effort to establish working linkages and coordination** among treatment providers, other service providers, and the court;
- **much earlier case reviews**; and development/implementation of service delivery plans; and
- **increased mechanisms to assure accountability** – of both service providers as well as litigants

Most of these programs also reflect the courts' recognition that:

- a court hearing – whenever it is scheduled -- generally promotes action (by service providers as well as litigants); therefore, in dependency cases it is important to conduct court hearings early and frequently in the process and to ensure that these hearings promote meaningful action;
- extensive case management and ancillary services must be provided in these cases; the courts can't simply issue an order and expect a parent to comply -- particularly a parent who is already under the influence of alcohol or drugs and has depleted most, if not all, of their personal as well as other resources for dealing with their life situation;
- demonstration of “reasonable efforts” requires:
 - putting in place the services needed to conduct meaningful assessments of the developmental and other needs of the child and the family situation very early in the process;
 - putting in place the services, case management, and supervision necessary to try to address these needs, and maintaining a documented history of the efforts and progress subsequently made by service providers and litigants to reunify, if possible, in order to make determinations regarding permanency planning; and
 - the capacity to document -- very specifically -- the nature, range and extent of services provided to the parent AND the support exercised to promote service delivery and meaningful parent participation

Many of these courts have also pointed to the need to coordinate the dependency docket with the criminal docket – often involving the same parent(s) but handled by different judges, frequently in different courts. In some instances, the dependency case cannot be meaningfully dealt with until the criminal case is disposed.

A few courts are also introducing strategies for reducing the caseload of dependency cases subject to ASFA, either through assignment of retired senior judges to augment judicial resources and/or to institute screening procedures to screen out less serious cases so that the dependency court judge can focus on the more serious cases warranting the court's attention.

Many judges also indicated that, with this intensive infusion of supervision and services, if meaningful progress isn't made early on – particularly after a child has been removed from the home -- the court can, in most cases, make a tentative determination after a relatively brief period of time – clearly at the sixth month -- what direction the case will likely be taking. In this regard,

it was therefore interesting to note that, while the ASFA requirements collapse the timeline for permanency planning in one sense, they are, in reality, stimulating many jurisdictions to expedite the court’s intervention and service delivery so that the ultimate impact of ASFA may result in increased reunification in the long run – at least in jurisdictions which implement these strategies. In other words, many of the judges with whom we spoke indicated that the ASFA timelines promoted the immediate initiation of meaningful planning for reunification as soon as the petition was filed and that subsequent close monitoring of supervision, case management and service delivery thereafter assured that “reasonable” -- and even *best* – efforts were made to achieve reunification. Within this framework, many commented that the court could generally determine the likely route for permanency long before the 12 month period has elapsed.

C. Jurisdictions Included in this Memo and Judges Providing Information²

JURISDICTION/JUDGE TO CONTACT	JURISDICTION/JUDGE TO CONTACT
ARKANSAS Benton County: Judge Jay T. Finch	NEW YORK Suffolk County (Central Islip)
CALIFORNIA San Diego, California : Judge James Milliken (ret.) Santa Clara County (San Jose): Judge Len Edwards	NORTH CAROLINA Halifax County: Judge H. Paul McCoy Rowan County: Judge Beth Dixon
DISTRICT OF COLUMBIA Judge Lee Satterfield	OHIO Geauga County: Judge Charles E. Henry Franklin County: Judge William Kirby (Magistrate)
FLORIDA Dade County (Miami): Judge Jeri Cohen; Judge Cindy Lederman Escambia County: Judge John Parnham	Lucas County: Judge James Ray Fairfield County: Judge Steven O. Williams
IDAHO Bannock County: Judge Bryan Murray Minidoka County: Judge Larry R. Duff	OKLAHOMA Payne County: Judge Robert M. Murphy
IOWA: Scott County: Judge John G. Mullen Polk County: Judge Karla J. Fultz	OREGON Marion County: Judge Pamela Abernathy Umatilla County: Judge Rudy M. Murgo
ILLINOIS Cook County: Judge Sandra Otaka	SOUTH CAROLINA Beaufort County: Judge Robert S. Armstrong
KANSAS: Leavenworth County: Judge Robert J. Bednar	SOUTH DAKOTA Meade County: Judge Jerome A. Eckrich, Judge Jeanne Kern, and Judge Merton Tice
LOUISIANA Terrebonne Parish: Judge Timothy Ellender	TEXAS Bowie County: Judge William C. Martin III Gregg County: Judge Robin D. Sage
MICHIGAN Cass County, Michigan: Judge Susan L. Dobrich	Tarrant County: Judge Jean Boyd
MISSOURI Adair County: Judge Russell E. Steele Jackson County (Kansas City): Hon. Molly Merrigan	VIRGINIA Chesterfield County: Judge J. Hendrick Roanoke: Judge Philip Trompeter
MONTANA Custer County: Judge Garry L. Day	

² As noted above, In a few instances, a summary of relevant initiatives was provided from information maintained in BJA’s Drug Court Clearinghouse. In these cases, the name of the judge for further contact is listed. Contact information for each of the judges is provided at the end of the program summary in Section III.

NEBRASKA Phelps County: Judge Robert A. Ide	WASHINGTON Benton County: Judge Lonna Malone
NEVADA Washoe County (Reno): Judge Charles MacGee (Ret.)	Lewis County: Judge Tracey Mitchell

PART TWO SUMMARY NOTES OF TELEPHONE DISCUSSIONS REGARDING STRATEGIES REPORTED

ARKANSAS

BENTON CO. (BENTON), ARKANSAS

Hon. Jay T. Finch jfinch@co.benton.ar.us	Circuit Div. III, 19th Judicial District West Benton Co. (Benton), Arkansas	Tel: (479) 271-1020 Fax: (479) 271-5752	Combining adult drug court for parents with juvenile judges presiding over children in foster care because of parents' drug use.
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Judge Finch is the adult drug court judge – also spearheading the planning for the juvenile drug court if funding is obtained

Summary of Strategy: trying to develop mechanisms to identify cases in other dockets that involve situations of parental substance abuse (e.g., on the criminal docket, for example) that may have not yet formally entered the dependency case process in order to provide services earlier and in a more coordinated manner:

Problem being addressed: Prime problem is that many criminal drug case defendants have children but they never come to anyone's attention if case isn't in the dependency case system, so he has been trying to alert other judges to refer criminal cases they receive that involve defendants with children to the adult drug court so that he can try to develop family-oriented services, even though only the parent is involved in the criminal case process

Impact: Local officials feel his approach is sound but difficult to get the early screening that is appropriate. (I suggested contacting a local university to see if student could serve as interns with the DA to do this – I'm also sending him information from Judge Pamela Abernathy in Salem, Oregon, who has done something along these lines (Project "BOND")).

ADDITIONAL COMMENTS/ BACKGROUND:

5 judges on the court: 2 criminal; 2 domestic relations; 1 juvenile;
If mother has children and relapses, DHS will probably intervene and try to remove the children; but court can still provide services to her as an adult drug court defendant;

Sometimes difficult when dealing with parent as an adult criminal defendant and court knows there are dependency issues involving children but doesn't have formal jurisdiction to address them.

Service providers are different: Dependency cases: DHS provides services: Adult Drug Court: local treatment provider (Decision Points) provides services – primarily inpatient but have also developed very structured outpatient services

Drug court is primarily post adjudication

Needs to have someone screening criminal cases for children – public defender and/or publicly paid counsel might be able to but often gets into case late

Real problem is getting criminal justice officials to look at parents when they come into the system to determine whether they have children

Case management: provided by drug counselor (paid by Department of Community Punishment) and probation

IDAHO

BANNOCK CO., (POCATELLO), IDAHO

Judge Bryan Murray bryanm@co.bannock.id.us	Juvenile Court, Bannock Co. (Pocatello), Idaho	Tel: 208/234-1087	We are testing our parents in our juvenile drug court, making it sort of a family drug court. Drug testing provides constant motivation to stay clean
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Summary of Strategy: drug testing parents of juveniles participating in juvenile drug court when suspects parents are using drugs and, when necessary, orders substance abuse treatment services for parents and family as well as juvenile;

Problem Being Addressed: situations in which parents are using drugs but, although situation hasn't come formally into court as a dependency case, is impacting on the child who is already in the juvenile justice system and is participating in the juvenile drug court;

Impact: no statistical data available, but clearly has impact in terms of reaching parents whose children are in the juvenile system and, for whatever reason, their substance abuse hasn't come to the dependency court's attention but it, nevertheless, is impacting on the children, if, through no other evidence, illustrated by their involvement in the juvenile justice system

ADDITIONAL COMMENTS/BACKGROUND:

Has a juvenile drug court – under juvenile Corrections Act³– gives court jurisdiction over parents as well – so if find substance abuse problems with parents can order parents to participate in juvenile drug court along with children –through Court Improvement Project, does drug testing right in court – case worker can require parent to come to court to drug test or come to detention center, check in and drug test them

If parent needs service, can also refer them to services as well; if parent has substance abuse problems, brings them in to the juvenile drug court

Also have drug court workers who go out and test parents

Set up system to have detention center test the parent; juvenile corrections dept can be good at conducting testing – may be preferable than having testing done by Health and Human Services workers who may feel it interferes with their relationships

³ Juvenile Act: Title 20, chapter 5, Juvenile

Use two different types of test – instant test (usually with juveniles) – good way to confront kid and get response; Adults: more skilled at deceit – have excuses; so if positive, then sends test to lab – gets response within 3 days

Helps a great deal because shows parents right away that they are being monitored – so make up their minds to get serious

attorneys had a little difficulty accepting the testing of parents at first – but once they realized the Court is using the drug court testing procedure to help the family support the child, they have accepted it

MINIDOKA COUNTY (RUPERT), IDAHO

Judge Larry Duff	5th Judicial Dist. Court, Minidoka Co. (Rupert), Idaho	Tel: 206/436-7186	Requires that substance abuse intervention be set out in details in case plan; also provides a dual track approach to be used if participant does not comply
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Summary of Strategy: for the past two years, has developed a dual track system for handling dependency cases which entails:

- developing a detailed case plan early (within 60 days of the filing of the petition and within 30 days following adjudication which specifies the treatment and other services the parent requires and other conditions with which the parent must comply;
- assigning the parent initially to a “Unification Track”, clearly indicating to the parent what is expected if they hope to reunify, and then conducting a review hearing in 90 days; If the parent is doing well, he/she continues on the reunification track;
- If he/she is not doing well, the parent is assigned to the second track for alternate placements. The parent can continue on the reunification track with the services and conditions initially imposed but the case will also proceed simultaneously to explore alternate placements so that, at the second review hearing, or whenever appropriate, the court will be prepared to move to a full dual track approach.

Problem Being Addressed: The dual track system is designed to get services provided (including substance abuse and other needs assessments) as early as possible so that parent will have maximum opportunity to address needs and reunify; The judge feels that, if removing the child is not enough to get the parent’s attention, and an influx of services early on is not enough to try to make reunification possible, then “reasonable efforts” have been demonstrated to try for reunification and alternate placement is the appropriate strategy to pursue

Impact: Still terminate over 50% of the cases but, before starting this approach, only occasional case would result in parental rights not being terminated. In past, seemed like successful case was an exception – now appears that 25-35% are successful.

ADDITIONAL COMMENTS/BACKGROUND:

Has been doing dual track approach and required intervention approach in the case plan for about two years, particularly for last 1.5 years since drug court program; dual tracks consist of:

- reunification track;
- other track is for cases for which the department will explore alternate placements

He starts with unification track – sets up timeframe; if parent not in compliance, will order department to explore alternative placement as well as reunification – e.g., the dual track process

Then have review hearing in 90 days – then move into full dual track approach
Case plan comes about 60 days following filing of petition and 30 days after adjudication

Getting case plan to address parents’ treatment needs up front is critical;

He also has jurisdiction over the termination as well

Handles all dependency cases – in Minidoka Co.; and most in Cassia Co.;

Also handles juvenile cases that convert to dependency cases – where caseworker does home visit and does search in parents’ area so convert case to cps and the criminal case; then try to get parents into drug court; keep juvenile in drug court; and try treating overall problem through a family oriented approach

Most (estimates 90%) of the CPS cases involved methamphetamine use

IOWA:

SCOTT COUNTY (DAVENPORT), IOWA

Judge John G. Mullen John.mullen@jb.state.ia.us	District Court, Scott County (Davenport), Iowa	Tel: 563/326- 8778	Canter for Alcohol and Drug Services (CADS) offers a women's issues group to help women cope with parenting, domestic violence; a wide variety of personal issues to help them cope and be successful. A very nurturing, supportive, outreach program
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Summary of Strategy: Local treatment center offers special services to women to help them cope/address their special needs – dealing with domestic violence, personal needs for self esteem, skills; parenting skills, etc. These services are essential to their ability to maintain their sobriety:

Problem Being Addressed: Parent’s capability to maintain sobriety is conditioned on dealing with a wide range of personal/psychological needs. Substance abuse treatment alone is not enough.

Impact: No specific data available on impact but these holistic services are clearly critical to a parent’s ability to become/maintain sobriety. Difficult to specifically measure impact because there have been many cutbacks in services due to fiscal problems. Child protection petitions are therefore down – most likely because they are being investigated and services are being arranged without the filing of a petition in certain cases.

ADDITIONAL COMMENTS/ BACKGROUND:

Center for Alcohol and Drug Services is center for providing drug treatment; started a women’s issues ; very helpful because these women usually have many, many problems in their lives and their ability to maintain sobriety is dependent upon dealing with many other issues – male may be using drugs; finances; abuse, etc.

Many of them are in various courts at the same time so helping them be better parents and stay out of harm's way and be successful is critical to being straight and sober.

Also have housing needs; need stable housing and employment

Good support and group/individual counseling as well as aftercare, etc.

Representatives sometimes come to the court;

Handles everyone with substance abuse problems – can handle dual diagnosis as well as long as substance problems

Have wide range of services/agencies involved – Mental Health Center (Program called “Frontier”) which is outreach, skill building, can serve men and women—provide food, group and individual counseling, social skill building, case management, etc.; coordinate with juvenile court, DHS, etc. and will work with Center for Alcohol and Drug Services

280 new petitions a year average but Department of Human Services, because of budget cutbacks, has reduced filings – seem to resolve or handle some cases without filing a petition

Review hearings every six months unless needed more frequently

POLK CO. (DES MOINES), IOWA

Judge Karla J. Fultz Karla.fultz@jb.state.ia.us	5th Judicial District, Polk Co. (Des Moines), Iowa	Tel: (515) 286-3756 Fax: 515) 286-3858	(1) Developed Family Drug Court. (2) Have (House of Mercy) inpatient residential program for women and children.
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Summary of Strategy: Recognizing the impact of the frequent review hearings conducted for the juvenile drug court over which she presides, she instituted a similar process of frequent (weekly) review hearings for dependence cases involving women in the local inpatient residential program. These frequent hearings provide an opportunity to see both how the parent is doing as well as to assure that necessary services are provided to address initial needs and those which have arisen.

Problem Being Addressed The Juvenile drug court experience demonstrated the important role the court can play through frequent hearings to motivate the parent, recognize their accomplishments in the short term, as well as ensure that needed services are, in fact, provided.

Impact: no hard statistics but currently 25 women in the program (started with 11); other attorneys have asked her to provide these review hearings for their clients as well; many women are developing themselves (jobs, education, etc.)

ADDITIONAL COMMENTS/BACKGROUND:

Started juvenile drug court in November 2002 with no funding; had been doing the teen drug court which has been very successful – 80% of the youth who leave have no further problems. She does the juvenile drug court as well. They have one family/one judge approach in Iowa

So spoke with residential treatment provider (House of Mercy) to ask if they could bring the 11 -12 ladies in the dependency court to the court each day so she could apply the drug court approach for them; they agreed and 1 DHS worker also came – would send email report on special issues that had developed.

Then other attorneys with dependency cases on other dockets began to ask if she'd take their cases for the review hearings as well – ended up having their entire cases transferred to her.

Now has half of participants in inpatient and half in out patient services. Currently 25 women in the program, 14 inpatient (I have listed 11-12 on docket, but I'm not sure if that makes sense), 11 outpatient. Outpatients are in continuing care, waiting to get into House of Mercy, or have already stayed there. Meth is the primary drug of choice.

House of Mercy provides the inpatient services – also provides child care; for any age, though more difficult if teenagers involved.; also have a clinic; operate in an old, Catholic retirement home. Families can stay there for up to 2 years and all ages of children are welcome, but its really hard for the teens to be a successful part of it because the family live in one room together. HOM originally HUD funded.

Process is: Petition is filed; child may be placed in foster care; if that's the case, the parent has the opportunity to participate in substance abuse treatment (3 month waiting period for House of Mercy but may be able to expedite waiting period if enroll in outpatient services or if pregnant IV-using woman)

There are two other programs that provide residential services but they require the child to be reunited with the mother within 30 days to receive ADC payments – which may not work out with the mother's treatment needs.

No. of dependency cases: 4 full-time judges; each has around 1000(I have 800-900 in my notes) cases (she has about 100 more because of the case referrals from other dockets); 65% dependency; 35% delinquency

She's been involved with these types of cases since 1970, she devotes 2 hours a week of bench time on Wednesdays from 9-11 am; she has approximately 1000 open cases a year. She has seen grandchildren and great grandchildren of women she has previously dealt with go through the court

Currently: 8-9 women have completed their GED in the program and are beginning college

Real need for these women is to build their self confidence; housing; education; avoid replacement pregnancies.

She hears TPR as well as the review process – impractical to have another judge hear the TPR considering the voluminous files that develop

She conducted 100 termination hearings last year –important for judge to know what has occurred – hard to get it from just testimony which isn't always truthful; need to know what has actually happened; She would recuse herself if situation every came up where she thought she couldn't be impartial

ILLINOIS

COOK COUNTY (CHICAGO), ILLINOIS

Judge Sandra Otaka otakas@aol.com	Circuit Court of Cook County, Chicago, Illinois	Tel: (312) 433-6942 Fax: (312) 433-6942	Uses TASC coaches and TASC early evaluation of drug/ Alcohol problems; still need more coordinated service to address related issues- education, vocational-job skills, especially adequate housing and mental health
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Summary of Strategy: The entire juvenile court system uses TASC- refer cases for JCAP evaluation by TASC if drug involvement – based on self reports; TASC provides assessment of drug involvement and treatment needs (inpatient/outpatient and how much treatment the individual needs; TASC also then assigns a “TASC Coach” –who encourages the parent to do their treatment, makes their appointments; TASC representative comes to court regularly to report as well.

Problems Being Addressed: need for more coordinated services to address education, vocational, mental health and other needs parents have and which they can’t address themselves;

Impact: no statistical data but it is clear that the TASC services are filling a very obvious gap

ADDITIONAL COMMENTS/BACKGROUND

Between 900-1000 families – not sure whether families or children

14 judges handling dependency cases, divided up geographically

Judge Otaka’s geographic area includes some Native American population – also includes individuals with significant mental health issues

Most of the dependency cases involve some form of child abuse

Cases involving Native Americans: (Indian Child Welfare Act-ICWA Cases): Judge Otaka handles many of the court’s Native American cases because of the geographic area she covers; under BIA guidelines ICWA requires showing of serious mental/physical abuse of the child – alcohol isn’t the only issue

Tribe may indicate it wants jurisdiction over the case but then refers the case back because it lacks necessary services required

KANSAS:

LEAVENWORTH CO. (LEAVENWORTH), KANSAS

Judge Robert J. Bednar rbednar@lvcoks.com	District Court (Leavenworth District) Leavenworth, Kansas	Tel: 913/684-0715	Multi-disciplinary team to deal with individual cases. Attempts are being made to use community resources.
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Summary of Strategy: Kansas statute permits appointment of multi disciplinary teams to be appointed by court to investigate, address and plan for services in cases of youth/families in need of services in a wide range of neglect/abuse situations. These multidisciplinary teams, authorized statute, include: several representatives from school district including school psychologists, CASA representatives, several lay people who aren’t involved in court or school (e.g., post master, United Way, etc.), co attorney’s office, court services, community corrections representative. State dept of rehabilitative services also represented on team; also medical personnel; guidance team. The team’s work is coordinated by team leader. Court appoints members of team and then team determines who coordinates the team’s activities

Problems Being Addressed: The purpose of the teams is to obtain and provide referrals of juveniles in need of services before their situation reaches the point of having a case filed in court, so that, by the time the case is filed in court, if that is necessary, community resources have been exhausted and the court system

can then be in position to focus on what needs to be done in terms of potential reunification vs. permanent placement.

Impact: Has been using this team approach for several years – this is the third year; multidisciplinary teams divert some of the cases so that, generally only the hardest cases come through the system

ADDITIONAL COMMENTS/BACKGROUND:

The court has authority to appoint representatives to these teams as well. They try to have 2 representatives from each organization on the team to split up the work.

Many of the cases are referred by schools or community service workers; however a judge could also refer a case to the multidisciplinary team committee if he/she feels the team’s services can be valuable. Schools can refer some of the hardest cases that have underlying causes affecting the hygiene and truancy problems observed.

The teams are permitted by statute but not every jurisdiction uses these teams (teams are used in Topeka (Johnson Co.), Douglas Co., probably larger jurisdictions; one of the underlying issues the teams address is the complex, multidisciplinary nature of abuse and neglect situations -- is it a medical? Behavioral? Etc.

Leavenworth has approximately 60,000 population

Judge Bednar has about 100 dependency cases a year – he is the primary judge handling these cases; also handles dependency, delinquency, habeas corpus matters

Co. attorney handles Children in need of care cases; as well as criminal cases

statewide effort to use this team approach;

Kansas Statutes: KAS 38-1523.a : permits multi disciplinary team appointment and assignment as well as disclosure of information/confidentiality

LOUISIANA

TERREBONNE PARISH, TERREBONNE, LOUISIANA:

Judge Timothy Ellender ellender@cajun.net	32nd Judicial District Court Terrebonne Parish	Tel: 985-873-6560 Fax: 985/873-6562	In-court drug testing
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Summary of Strategy:

Judge Ellender is able to obtain drug tests for parents appearing on the dependency docket and immediately results. This capability, originating from the drug court program that is in place, permits an immediate validity check on the services/progress the parent has been receiving to combat their drug abuse.

Problems Being Addressed: Need to validate information being provided re parent’s progress in drug treatment

Impact: N/a

ADDITIONAL BACKGROUND INFORMATION

Judge Ellender handles a full criminal and civil docket in addition to the dependency caseload.

MISSOURI

ADAIR Co. (KIRKSVILLE), MISSOURI

<p>Judge Russell E. Steele Russell.steele@courts.mo.gov</p>	<p>Adair County Circuit Court</p>	<p>Tel: (660) 665-3145 Fax: (660) 785-3213 (</p>	<p>Use a family centered approach with the family support team, consisting of parents, foster parents, juvenile officer, children's division counselor, and counselors who meet monthly and negotiate written service agreements with the parents; also hold expedited protective custody, adjudication and disposition, and dispositional review hearings (p.c.-3 days adjudication/dispo-30 days, disp review - 90 days) which promotes more activity by the agencies and allows closer court supervision to monitor progress.</p>
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Summary of Strategy: This family centered approach is a pilot project instituted under the auspices of the State AOC and entails having a multidisciplinary team of services providers sitting down with the family early in the process to review the situation, determine what needs to be done and develop a plan to achieve these goals in a nonadversarial setting. The team includes: GAL, counselors, (judge doesn't participate) and other service providers, as necessary, to perform case management, review problems, discuss goals, etc. try to be nonadversarial, although everyone attending may have a different approach

They try to hold these meetings every 30 days and have review hearings in court every 90 days (statutorily only required to review once a year);

Family centered approach therefore entails an in-group setting review every 30 days and then at court every 90 days. The approach --entails case management and periodic staffings involving family and other support who can be their advocates

Problem Being Addressed: Traditionally, activity occurs because there is a court hearing; so this approach moves activity up front and tries to get services and other necessary action beginning much earlier in the process and being sustained because of earlier and continuous court review

Impact: result is that children being returned to home more quickly as well as permanency plans being implemented more quickly because it is easier for the court to determine whether unification is viable; Traditionally, most activity occurs right before hearing so now, with more frequent hearings, more things are happening, implementing service plans or unification plans more quickly.

ADDITIONAL BACKGROUND:

Judge Steele is the only judge handling domestic cases

Has juvenile officers – judicial arm of their welfare services – Children’s Division provides the case management functions to the family centered approach

Annual evaluations – one of two pilot projects in the state that implemented this project. AOC has evaluated the program (St. Louis group) – Norma Ronn was the administrator of the project – has the institutional history– Linda Hope has replaced her *

Predecessor judge volunteered to participate in the project – got fulltime GAL and juvenile office attorney and extra staff from the juvenile office to attend training

More frequent court hearings promote more accountability of all the agencies and participants
Implementation? Takes more time but try to squeeze it in but would depend on the caseload

AOC got approval from legislature for more money for additional courts to participate

Jefferson Co. is the other county that is participating – larger and more urban

MICHIGAN

CASS CO. (CASSOPOLIS), MICHIGAN

Judge Susan L. Dobrich SueD@cassco.org	Cass County Probate-Family Court	Tel: (269) 445-4457 Fax: (269) 445-4453	In the process of developing a drug court.
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Summary of Strategy: Judge Dobrich is trying to develop a more integrated approach to dealing with dependency cases, particularly when other dockets (criminal, juvenile), are involved and which may delay addressing the dependency issues.

Problem Being Addressed: interface of dependency cases and litigants with those on other court dockets which may take precedence in disposition)

Impact: NA

ADDITIONAL COMMENTS/BACKGROUND:

Applied for federal grant; now combining local resources: through child care fund;
Program planned will have reviews every week (rather than 91 days) and whole team will be there

She won't be involved in the weekly meeting because she is a one-judge court

Have tremendous methamphetamine problem

May have millage imposed – which will increase the number of criminal drug cases coming in

Need to coordinate with criminal case:

Problem: criminal case delays processing of CPS cases (e.g., 17 yr old arrested for selling and she is also a mother – can't deal with dependency case until criminal case is disposed of)

really need coordination of both the criminal and the CPS process – perhaps can use the resources available to the criminal side to provide services on the CPS side when the litigant is involved

MONTANA

CUSTER CO. (MILES CITY), MONTANA

Judge Gary L. Day gday@mt.gov	16th Judicial District court	Tel: (406) 874-3335	Soon will have a family treatment court in operation. However, funding is through grants and is limited in time.
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Summary of Strategy: developing family drug treatment court (Judge Hagel): families involved in dependent/neglect and co-occurring family matters (criminal, custody, juvenile matters); so will coordinate all of these efforts in one proceeding and one judge; the program will provide intensive supervision; report to court weekly; progress reports; monitor progress in treatment, and parenting

Problem Being Address: Need to Try to Keep Family Together and have adequate information for making reunification/permanency divisions: approach appears to provide a way to try to keep the family together and for the court to be in better position to make permanency decisions; have screening committee to determine which families can best participate in treatment court.

Impact: NA

NEBRASKA

PHELPS CO. (HOLDREGE), NEBRASKA

Judge Robert A. Ide Laura.tobiassen@courts.ne.gov	County Court-10th District	Tel: (308) 995-6561 Fax: (308) 995-6562	Drug court in district court looks promising, however, no present coordination with any juvenile proceedings.
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Summary of Strategy: Hopes to develop/adapt drug court approach. Nebraska is also considering developing juvenile judicial districts to assist in implementing ASFA requirements

Problems to Address: Need improved framework for complying with ASFA requirements

Impact: N/a

Additional Background Information: N/A

NORTH CAROLINA

HALIFAX CO. (HALIFAX), NORTH CAROLINA

Judge H. Paul McCoy h.paul.mccoy@nccourts.org	District Court for Halifax County	Tel: 252-583-2910	Day one/child planning conferences held shortly after child comes into custody of DSS-attended by parents and parents' attorneys (who will be appointed at filing of petition) GAL and attorney advocate, DSS attorney and social worker, mental health rep., school officials, and is facilitated by the family court administrator. Relative placement is discussed and considered along with issues regarding parental visitation-appointments for substance abuse or mental health evaluations are scheduled. If paternity is an issue it is addressed -a memo of agreement is signed
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Summary of Strategy: The strategy combines techniques of early conferencing, meaningful and continuous court supervision, and panoply of special services many other jurisdictions have noted needed, as well as other special features, including sheriff's office support through personal service of summons; and AOC support through special resources and evaluation effort currently underway.

Activities include: conducting child planning conferences shortly after child comes into custody of DSS. Summons and petition are served with priority by sheriff—same priority as DV protective order. Conference is attended by parents and parents' attorneys (who are appointed at time of filing of petition); attendees include GAL and attorney advocate, DSS attorney and social worker, mental health rep., school officials, and is facilitated by the family court administrator. Relative placement is discussed and considered along with issues regarding parental visitation; appointments are also scheduled at this time for substance abuse or mental health evaluation and treatment. If paternity is an issue, it is addressed at this time. A memo of agreement is signed regarding issues agreed to and plan for further treatment and other conditions; Signed agreements also include provisions re confidentiality; understanding that nothing said in conference can be used against them; result is that people start talking – promotes facilitated dispositions and avoids contested matter; promotes development of rapport with social services etc. Generally two weeks after planning conference, hearing held for adjudication stage (local rules require 40 days – ASFA requires 60 days); court keeps reviewing case progress to make sure things are moving along; if case comes back in two weeks, DSS will report what's happening; informal pretrial conferences are also conducted during which a great deal of agreement can occur; the has review hearings every 90 days unless someone asks sooner.

This is a pilot project implemented in 8 counties of different population sizes. Additional resources have also been provided: case manager employed by Court; access and visitation coordinator for fathers who are paying for support and don't have funds to get access to child for visitation; custody mediator

Problem Being Addressed: Has been doing this process for five years, both as a response to ASFA but also to improve the way the court system handles these cases and his perceived need to front load the system to move the cases in a meaningful way. Children may be in foster care – but wants case heard early to try to move child into kinship care

Impact: The program is in its first year of this reform change so don't have enough time to evaluate; The program is now used in 8 pilot family court sites of varying population sizes (Halifax co (rural-60k); Durham; Cumberland (Fayetteville/Ft. Bragg); New Hanover, Charlotte, Goldsborough, Union/ Anniston/ Stanley Cos. Catawba and Lenore Co.); exit surveys have been very positive; through court improvement project, have contracted with Dr. Ray Kirke at UNC-Chapel Hill, School of Social work – did evaluation of court improvement project several years ago – now doing two year evaluation to look at adaptation of best practices

ADDITIONAL COMMENTS/BACKGROUND INFORMATION

Statute requires hearing within 7 days –long before ASFA; Child taken into custody and the hearing heard immediately

Dept. of Social Services: files the petition; at the time the summons is issued – clerk assigns attorney for hearing – parents' attorneys are present;

Conference facilitated by family court administrator – can bring family members with them – potential resources; also rep from mental health, gal and GAL advocate; maybe school system representatives Also address issue of paternity, visitation with parents, set up appointments for visitation and rest of scheduling; while permanency planning 11 months after case initiation – try to begin permanency planning from beginning;

Family court administrator: coordinates all domestic relations cases; Also juvenile court coordinator will be taking this over; now automating juvenile record keeping so will be easier to monitor

Attorneys: indigent services from state available for each parent

Judge for 25 years – half time in dependency; Caseload is solely family (he is chairman of many committees relating to dependency matters and court improvement); only judge in District that handles these cases –generally run 100 children in placement – fourth largest in areas but third poorest – poverty and

drugs; No other court/judge is involved – he has full jurisdiction over both the dependency, placement and termination/permanency decisions

Treatment services provided by Mental Health Department: now planning for family drug court;

Transportation is a major issue – treatment providers provide satellite locations – also a transportation system that serves some people

Had developed video “The Choice is Yours” – to inform litigants and what parent needs to know if reunification is to be the primary goal – is an educational tool that is shown at beginning of the conference; from parents’ perspectives; also stresses time begins to run the day the sheriff left you the paper – also a Spanish version (he has sent a copy of the video which can be reproduced and sent to other interested court officials.

ROWAN CO. (SALISBURY), NORTH CAROLINA

Judge Beth Dixon Beth.s.@nccourts.org	District Court 19C	Tel: (704) 639-7509 Fax: (704) 639-7726	if I suspect substance abuse is the predominant problem, I have been ordering TASC (Treatment Alternatives for Safer Communities - a statewide program) assessment and treatment. It gives me accountability, random screens, and access to local supervisor to testify in court. I find it more effective than just ordering "any state approved agency".
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Summary of Strategy: Was able to secure services from TASC, which traditionally services criminal defendants, to conduct a substance abuse assessment/evaluation of any litigants in dependency cases for which it appears substance abuse may be the primary problem. TASC will also provide drug testing, case management and supervision so as to provide the Court with more accountability re both services being provided and participant’s progress.

Problem Being Addressed: need for regular, random drug screens to detect recurring use; Saw people under influence in court – used probation to do quick screens but couldn’t use these resources for dependency cases so called TASC area coordinator and said they would do any court ordered case. She previously would order service by “any state approved agency” but, since no specific agency was designated, accountability was difficult to ensure.

Impact: Been doing this for about a year – hasn’t had enough time to document impact but observes much greater accountability, both in terms of services provided, participant’s compliance, and court’s ability to exert “reasonable efforts” in achieving reunification.

ADDITIONAL COMMENTS/BACKGROUND :

Tries to have people get assessment and services on their own – and refers to TASC those people who have problems; Refers those parents to TASC whose primary problem is substance abuse

TASC: isn’t solely criminal cases – she thought they were at first, too; Always thought TASC focused on criminal matters but just called them one day and asked if they could help with random drug screens – they got approval I TASC will do the assessment, screens, and referral and case management

She also has jurisdiction over juvenile delinquency so combines cases involving the same family whenever she can

If parent doesn't show interest, then they aren't making reasonable efforts to give up their drugs, and won't force them into a treatment program

Four district court judges – all split – around 10 families per week on her docket (no figures for total dependency caseload) but 145 children in foster care in the county

OHIO

GEAUGA CO. (CHARDIN), OHIO

Judge Charles E. Henry judgehenry@yahoo.com	Probate/Juvenile Court for Geauga County	Tel: (440) 285-2222 Fax (440) 285-5025	Uses standard orders attached to each disposition order.
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Summary of Strategy: entails effort by court to hold service providers and parties accountable and clarify expectations in writing – particularly for persons who may be under the influence of drugs at the time of the hearing.

Court has developed special Order that details requirements and conditions of Court's ruling so that all parties and service providers clearly understand what is required. While the case plan usually requires mental health exams, etc., the provisions of this order puts time frames in place as well. Order is issued when court hearing is held, which must be within 90 days of petition being filed. Job and Family Services monitors compliance; Order attempted to address what he saw as frequent problems occurring; can look at who is responsible for what and when it needs to be done by – address responsibilities

Problem Being Addressed: People weren't complying with court orders

Impact: no statistics but definitely more accountability and more clear-cut delineation of everyone's respective responsibilities

ADDITIONAL COMMENTS/BACKGROUND

Order is being used – added to Local Rules

Review hearings are every 90 days – 1 hour for each hearing

Also monitoring AA/NA attendance

Only judge handling dependency cases

FRANKLIN CO. COLUMBUS), OHIO

Hon. William Kirby (magistrate) William_kirby@fccourts.org	Franklin Co. Juvenile Court	Tel: (614) 462-4477 Fax: (614) 462-4499	Family Drug court Initiative
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Summary of Strategy: County has implemented family drug court for parents; One magistrate and one judge handle the family drug court – so if case comes to him and he identifies parents amenable for Family Drug Court Services. he'll refer them to the Family Drug Court

Problem Being Addressed: trying to expedite process at front end and provide additional supervision of cases so as to better meet ASFA time standards

Impact: First graduation is today – people seem to think its effective – even if you save one mother, it’s important; They are getting cases resolved sooner but very difficult to implement mandates that expedite case process at the front end – also need to balance all of the timeframes that are applicable. (e.g., Ohio law requires cases involving certain abuse cases resolved within 90 days so, when balanced against a TPR action where child is not in danger so delaying won’t have a significant impact; But practicality of meeting competing timeframes is difficult – visiting judges help but no space to add new judges to handle these cases.

ADDITIONAL BACKGROUND

Most cases falling under AFSA are handled by magistrates in Franklin County.
 Handles all aspects of case, including TPR
 Has been hearing these cases since 1986

Visiting judges have taken some of the cases – several days a month – primarily for the TPR aspect; Magistrates also do them; Ohio requires permanency plan after 12 out of 22 months in placement (compared with federal which is 12/24?); supposed to then file for termination of parental rights –

LUCAS CO. (TOLEDO), OHIO

Judge James Ray jray@co.lucas.oh.us	Lucas Co. Juvenile Court	(419) 213-6717 (419) 213-6898	This Court is a NCJFCJ Model Court, has implemented a range of relevant initiatives and therefore constantly working to improve practices
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Summary of Strategy: This court is one of 25 NCJFCJ model juvenile/family courts in the country and has implemented a wide range of procedures and services, including: a family drug court which takes in deeper end people; will take people who have lost children to permanency (some family drug courts won’t do this); he also uses mediation and has a wide range of ancillary (e.g., housing, vocational, etc.) services in addition to treatment services;

Problems Being Addressed: Need for wide range of support services for substance addicted parents whose children are in out-of-home placement; need to begin meaningful service delivery to support reunification planning as soon as possible after petition is filed;

Impact: feels program has been very successful anecdotally but now working with evaluator from University of Toledo to look at it more stringently; difficult to measure improvements in quality of life, etc. but working on cost/benefit analysis – e.g., days in foster care, extent of case management, etc.; mediation has resulted in settling approximately 60% of the cases, as well as significantly reducing appeals

ADDITIONAL COMMENTS/BACKGROUND:

Judge Ray has been hearing these cases over 15 years; also hears juvenile delinquency and family related matters, including child protection;

Use family drug treatment docket for most parents who are addicted; Family Drug Court has SAMSHA grant funding

40-60 participants (120 children)—a fairly large caseload for a family drug court

Parents come 2 x week during first 12 weeks; then move to every other week, ten to less frequently

His is a Model Court for NCJFCJ: 25 in country; no specific requirements except willingness to adopt best practices and latest developments; Must also have system to meet all local and federal requirements re handling of child protection cases

Review hearings: vary relating to the needs of the case but, by statute, as soon as case comes in; once during first 6 months and once again during 12 month period; after that, agency can decide whether to ask for permanency or to request extension of time;

Drafted MOU with TASC- found them able to shift from criminal supervision orientation to more nurturing, therapeutic approach of the family drug court

Also has caseworkers from Child Protection Agency and a range of additional services* including:

- 2 providers for Substance Abuse Treatment: PURPOSE and SASSI
- 3 Housing (residential) programs – one allows children to stay with their parent
- has mental health services (dual diagnoses): UNISON;
- has parenting program (skills development in visitation setting)
- University of Toledo provides career guidance/job skills

*Chief Magistrate has developed MOUs with many different providers

Uses Matrix Model that permits participants to identify needs as long as they fit into program and focus on drug treatment – feels timing and identification of needs is critical

(his court is site for Drug Court training as well)

*also uses mediation as part of the court services; parents go to mediation in termination proceedings; able to settle 60% of these cases (Brenda Rutledge is Magistrate); provides permanency more quickly since cases aren't appealed; also more respectful of parents

Judge Ray has served as President of the National Council of Juvenile and Family Court Judges

FAIRFIELD CO. (LANCASTER), OHIO

Judge Steven O. Williams cshaw@co.fairfield.oh.us	Fairfield County Probate & Juvenile Court	Tel: (740) 687-7135 Fax: (740) 681-7202	We basically follow the drug court model with regular reviews with parents, treatment providers, children services, their attorneys, and GAL and require drug and alcohol regular and random screening
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Summary of Strategy: Implemented drug court model without any additional funding, primarily through better coordination with and of local service providers; follows the drug court model except for using jail as sanction for non compliance (see attached “Frequently Asked Question” relating to use of jail sanctions in family treatment courts prepared by the Bureau of Justice Assistance (BJA) Drug Court Clearinghouse).

Problems Being Addressed Need for provision of case management services, follow through on case plans, etc. for dependency cases

Impact: Judge Williams feels quasi-drug court approach is very powerful but has no statistical data.

ADDITIONAL COMMENTS/BACKGROUND INFORMATION

He is the drug court judge for the juvenile drug court (started in 1997), and seeing the success of the drug court in conducting frequent reviews and providing case management services and accountability (presence of drug testing and drug counselors), he decided to apply it to dependency cases.

Judge Williams got two main stakeholders involved in this approach: children’s services (he got them to drug screen weekly/biweekly, to use a breathalyzer, and to utilize 2 different types of drug screens) and the treatment people (they were resistant, but he got them to attend the frequent reviews, and they get to face the clients.) Review hearing frequency can vary, mostly monthly, sometimes weekly.

OKLAHOMA

PAYNE CO. (STILLWATER), OKLAHOMA

Judge Robert M. Murphy, Jr. Robert.murphy@oscn.net	District Court for Payne Co.	(405) 372-3999	Develop individualized case plans to address problems resulting in child’s removal from home; also (1) use of mediation; (2) very active, helpful CASA group; (3) homemaker services; and (4) early and ongoing court review hearings; average time in and out of home placement is 13.6 months
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Summary of Strategy: Develop individualized case plans within first 30 days to address problems generating child’s removal; bring in a wide range of multidisciplinary services, including attorney representation and mediation; try for kinship placements if at all possible so that child remains in family situation and retains family relationships; schedules hearings weekly if necessary to review case progress and address issues that emerge; and has a very comprehensive family-based service delivery system that actually sends homemakers into the home to teach/work with the parent on basic home management functions

Problems Being Addressed: need to provide intensive services, case management, support, and supervision for dependency cases during first six months; if parent isn’t well on their way to addressing the problems generating the child’s removal by that time, unlikely there will be any change in the next six months. Therefore need to provide all of the support and services possible as soon as possible after the child’s removal.

Impact: 13.6 months average for out of home placements: then child either goes home or is placed for adoption

ADDITIONAL COMMENTS/BACKGROUND:

also has review hearings every Wednesday; will set cases that are difficult in for a another review in a week or two;

CASA group has lunch every Mondays with DA to review cases coming up for Wednesday hearing; try to work out issues then.

handles general criminal and civil docket; adjudication of “deprived” cases; usually by stipulation; attorneys work together; not many trials; then set case for disposition in 30 days; then come up with individual service plan which is supposed to correct conditions that led to situation;

Oklahoma provides right to jury trial for TPR cases

90 day review hearings: focuses on how are things going?

Also appoint attorneys early who can work with the parties and try to resolve issues

six month hearing is critical point: looks to see if parties making progress or not doing anything? Then may start expanded visitation as a prelude to reunification; otherwise, may move toward termination

very active CASA group; advice court of progress; possibility for kinship placements:

also use mediation ; went to Landlord Tenant mediators, saw how successful they were, and asked if they could help; gave him the best mediators; use them for more difficult cases

”C.H.B.S.” (Community Home Based Services” program: provides in home services; person comes to home a few times a week; provides life skills; spends time with parent trying to help them develop capability to address issues;

OREGON

MARION CO. (SALEM), OREGON

Judge Pamela Abernethy Pamela.l.abernethy@ojd.state.or.us	Marion Co. Juvenile Court	Tel: (503) 566-2974	Developed child-centered assessment plan for each child involved; Family drug court being developed
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Summary of Strategy: Development of a child-centered assessment plan for each child involved in the dependency process; Judge Abernethy appears to have introduced, with no additional resources, a number of very innovative programs in her community to deal with abuse/neglected children, and appears to be Very knowledgeable about developmental, substance abuse, and mental health issues as they affect the handling of dependency cases.

Problems Being Addressed: Judge Abernathy feels it is very important to conduct a developmental assessment of each child from the start of the case and to build the results of this assessment into the case plan. She is very concerned about the lack of adequate screening of children, both those in dependency cases and in the juvenile court, for developmental and cognitive problems, fetal alcohol issues, as well as the frequent lack of integrated substance abuse and mental health services. She now requires a child centered assessment plan for each child involved in the dependency caseload as a result of seeing social workers frequently focusing on the parent rather than the child. (She will send us a copy – not yet received).

ADDITIONAL COMMENTS/BACKGROUND:

Judge Abernethy currently serves as the juvenile drug court judge and was planning to develop a family drug court in July 2004 which would focus on parents with very young children. Got SAMSHA grant for juvenile program, big emphasis on co-occurring disorders.

Planning is underway for the family drug court with New Step, a Catholic Charities Community Service, which will provide co-certified counselors in both mental health and substance abuse. She also thinks FAS (fetal alcohol syndrome) is underdiagnosed and results in ADD in children later in life due to cognitive dysfunction cause by FAS

Judge Abernathy feels it is very important to conduct a developmental assessment of each child from the start of the case and to build the results of this assessment into the case plan. She now requires a child centered assessment plan for each child involved in the dependency caseload as a result of seeing social workers frequently focusing on the parent rather than the child.

She has also started a number of other programs for parents, including: Project BOND (Building Our Capability for Nurturing and Development) which provides parenting classes and other services and skill development for parents arrested on misdemeanors if parent has a child under 24 months.

She also started a program, Ten on Tuesdays (TOT) for pregnant women who have a child in the dependency case system; they come to court weekly and when they give birth, if the baby is drug free, they get special recognition – she’s already had 4-5 babies born drug free, currently 5 or 6 Moms in program. Both juveniles and parents exhibit very high meth use, marijuana/alcohol second most used drugs.

Sent materials on: Project Bond and sample Judgment of Jurisdiction/Disposition, with form for additional findings re ICWA cases

UMATILLA CO. (PENDLETON), OREGON

Judge Rudy M. Murgo (retired and replaced by Judge Ronald J. Pahl): Ronald.J.pahl@ojd.state.or.us	Circuit Court for Umatilla County	Tel:(541) 278-0341 ext. 225 Fax: (541) 278-0541	Mandatory mediation very early in the process
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Summary of Strategy: uses mandatory mediation for all cases involving children – has been doing this for about four years. Schedules the mediation at the time of the shelter care; (modeled after the mediation for divorce cases he put in when presiding judge; mediation takes place 30 days out – gives agency time to develop a plan; may also have a follow up mediation if the mediators think it appropriate. All issues are mediated – jurisdiction; placement; treatment, conditions, services, anything parties want.

Problems Being Addressed: Many people coming into the dependency court process are distrustful of the court system so the mediation provides a nonthreatening and constructive opportunity for participants and others (relatives, etc.) to participate in a constructive way for addressing the issues;

Impact: has been getting very positive feedback from family members and from the community

ADDITIONAL COMMENTS/ BACKGROUND :

Mediators are very well trained in dependency issues – doesn’t just use a divorce mediator; they need to understand the dynamics and issues of these types of cases;

They all grew up in the system; he started the mediation in the domestic relations court for divorce cases – bar was very opposed but gradually came to appreciate its value and that it permitted lawyers to focus on legal issues rather than the emotional ones; Building on bar support for the domestic relations mediation, he then introduced mediation for the dependency cases.

Everyone gets the information regarding how the process will work and the mediation sessions at the start of the process. Judge writes in specific conditions, e.g., parenting, drug treatment, etc.)

SOUTH CAROLINA

BEAUFORT CO. (BEAUFORT), SOUTH CAROLINA

Judge Robert S. Armstrong rarmstrong@sccourts.org	Beaufort Co. Family Court	Tel: (843) 726-5571 Fax: (843) 726-8032	We have a drug court for adult and juvenile offenders to which juveniles can be referred as a condition of their probation and which can also provide services to their families
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Summary of Strategy: County has juvenile drug court to which juveniles can be referred as a condition of their probation and families may also need to participate

Problems Being Addressed: Need for more intensive treatment and other services for youth as well as their families

Impact: NA

ADDITIONAL COMMENTS/BACKGROUND:

Has jurisdiction over adult and juveniles under 17 – and can put them on probation
 child protection cases – would order services – could only refer to drug court if they had a criminal charge
 Drug court judge is a specially appointed judge
 5 counties in circuit – sits in any one of the five counties – travels throughout the state

SOUTH DAKOTA

MEADE CO. (STURGIS), SOUTH DAKOTA

Judge Jerome A. Eckrich Judge Merton Tice merton.tice@ujs.state.sd.us	4th Circuit Court	Tel: (605) 347-4413 Fax: (605) 347-3526	Stepping Stone Program in Rapid City, S.D. for mothers/in house fairly intensive structured program help with housing, jobs, Medicare, treatment
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Summary of Strategy: This Court has instituted a procedure for developing a comprehensive plan for each parent very shortly after petition is filed; it is able to utilize the resources of a local residential treatment program, Stepping Stones, which provides residential and other services for young mothers with substance abuse problems and also takes substance using youth in delinquency cases; the Stepping Stone program provides treatment services as well as various life skill services, including budgeting, etc. Allegations in petition are usually cut and dried – so the focus is upon getting to an adjudication right away; Judge Eckrich feels there is really no reason why one can't get an adjudication within a month or six weeks after service of petition. So he tries to get to adjudication at the front end;-- six weeks after child has been taken from home so that there are 10.5 months left before ASFA timeframe to work things out; tries to have review hearings every 60 days; after several review hearings he can usually tell where they need to go; sometimes surprised; real problems with ASFA is where there is some improvement and then things collapse; then state has to make a decision as to whether to go for reunification or permanent placement; this is a real problem when child is 3-5 years.

Problems Being Addressed:

One year placement requirement is artificial: if parent doesn't have their act together within a year, the reasons in most instances are apparent well before the year is up. Have therefore instituted mechanisms to identify needs and develop/implement case plan early in process so that court can monitor progress and be in a much better position at end of 12 months to assess realistic likelihood for reunification or permanent planning.

Lack of adequate foster care is a chronic problem which constrains placement options for the court. A child 1-5 years adoptable/adaptable. For every year over 5 the chances a child will spend the rest of his/her minority in foster care

increases. Termination of parents' rights is supposed to happen no later than 12-15 months. Parents cannot get reliably sober in that time.

Impact: doesn't currently handle many of these cases; call Judge Kern (see below)

ADDITIONAL COMMENTS/BACKGROUND:

This is a very rural jurisdiction – 25 miles north of the second largest city in S. Dak (Rapid City which is 60k in population)- generally pretty limited resources for addiction, particularly meth

Also have a facility run by the sheriff and some private places that can be accessed by various agencies

Real meth problem – takes time to get sober not always consistent with ASFA timelines—even with kids

Judge Jeanne Kern: Meade Co., South Dakota

Judge Kern: dependency cases rotate each year; she isn't handling dependency cases now;

Judge Merton Tice is handling dependency cases now: he also is a proponent of mediation; he's handling about 100 abuse and neglect cases—over half involve ICWA – they have three reservations within the court's jurisdiction

June 23: Judge Merton Tice (suggested by Judge Kern and Judge Eckridge)

Summary of Strategy: Trying to develop mediation but hard to get Department to be more receptive to mediation; has identified a few cases that were resolved before the mediation – so, perhaps, holding out the possibility of mediation was important

Problems Being Addressed: Feels mediation is important – to take adversarial nature out of proceedings and focus on what's best for kids and for parents – approach situation in a problem solving manner

Impact: N/A. Trying to use before adjudication but could probably be good anytime – doesn't have enough experience to know when it is best

OTHER COMMENTS/BACKGROUND:

Stepping Stones: great foresight in developing programs to adapt to individual participants; Brokering and other resources to develop full range of services; expensive so can't use too often but gives great program to help prepare participants to real world needs

Tribal Cases: instituted a meeting of state and tribal judges at Pine Ridge, where the bulk of the tribal cases come from (50% of cases have tribal connections)? Worked to get CASA, attorneys, workers, judges, etc., together to talk about how to coordinate handling and service delivery.

Have also been working with Judge Marshall Young, former president of the National Council of Juvenile and Family Court Judges, who has adapted use of mediation in civil cases for application to dependency and custody cases; has offered to adapt mediation now for Abuse and neglect cases in conjunction with the participation of a psychologist

TEXAS

BOWIE CO. (NEW BOSTON), TEXAS

Judge William C. Martin III w3martjbg@sbcglobal.net	District Court For Bowie County	Tel: (903) 576-0112 Fax: (903) 753-9490	Uses "order Maker" to provide immediate orders at conclusion of hearing (Judge travels circuit and uses this "order maker" in all court locations) At the Kirkpatrick Center in Longview, parents are allowed to have their children with them at certain points.
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Summary of Strategy: This is a rural area in which the senior judge travels a circuit, sitting in 8 different counties over a 10 day period; Texas Department of Court Administration provided him with an "order maker" who makes sure the orders he issues are signed and distributed to all parties at the end of each hearing so that everyone is clear on what is expected and the timeframes for performance and supervision and compliance can begin immediately; also Kirkpatrick Treatment Center permits children to be with mother after she is detoxed;

Problems being addressed: (1) He has had situation where orders pile up and aren't signed and issued for weeks or months – orders need to be specific as to what everyone's responsibility is; (2) *program introduced by Texas Office of Court Administration to relieve general jurisdiction court judges of having to oversee these cases, particularly with ASFA time lines and volume being filed; state AOC is also developing new court administration software (Note: he is one of few judges able to tell us how many cases and children he had); and (3) need for service providers to promote parental relationship during period of out of home placement

Impact No data available but can observe that orders and requisite case plans/timeframes are clarified and communicated to parties and others immediately following hearing; and that dependency cases are coming to the court's attention much earlier in the process

ADDITIONAL COMMENTS/BACKGROUND:

Judge Martin is Senior judge – comes back to sit 10 days a month in 8 different counties hearing family dependency cases only. (Cass, Red River, Kipsher, Titus, Marion, Camps, Morris)

Hearing schedules is mandatory: First hearing: 14 days, then 60 days, then 120 days and every 120 days until 12 months and then subject to 6 months extension

He can only be in each county once a month so sometimes will hear cases that have just been filed even before service has been had on all parties and then schedule them again the next month after service is obtained

Kirkpatrick Center: serves all counties in northeast Texas; provides residential treatment; permits mothers to have children with them after they are detoxed; (part of Sabine Valley Substance Abuse and Mental Health Service Center: Executive Director: 903/237-2376 – (doesn't know name but they can refer us to the Kirkpatrick Center

Center doesn't appear to have long waiting lists though screening is required

He has 117 cases (165 children) which he is overseeing

Having child with mother doesn't totally disrupt mother/child relationship; and also helps maintain parental/child relationship; judges will try to place child with relative while mother is in treatment

If parent won't participate in Kirkpatrick Center, then he tells them the court will be moving to terminate parental rights

GREGG CO. (LONGVIEW), TEXAS

Judge Robin D. Sage	307th Family District Court	Tel: (903) 237-2534 Fax: (903) 234-3150	Treatment teams are comprised of the attorneys, CASA, caseworkers and psychologists that meet regularly thru the pendency of the case
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Summary of Strategy: Court uses early intervention and assessment with very early assessment/ evaluation and case planning, with much more frequent court review hearings, at least early on. Treatment teams have been created, comprised of attorneys (provided by County CPS), case workers, CASA volunteers, and psychologists, meet regularly during the pendency of the case, with the first meeting within the first 2 weeks after the child is removed.. She started this when she visited the El Paso Family Drug Court.

Problems Being Addressed: Long delays in obtaining assessments, services, etc., which are detrimental to these types of cases in which thing need to happen immediately.

Impact: No statistics but clearly having immediate assessment and more frequent review hearings help court get a handle on situation in each case early and be able to take appropriate action.

ADDITIONAL COMMENTS/BACKGROUND:

Hearing scheduled within first 14 days; then another hearing at 60 days and another hearing at 120 days

Finds more frequent review hearings help, particularly initially; important to get handle on situation early; that's when things need to happen; can then schedule them for longer intervals if things going well

Before: CPS took 2 months to begin assessment, services, etc;

CASA: very helpful; provide another set of eyes and ears for the court; meet regularly with case workers, will investigate with counselors and schools and make recommendations to the court – sometimes gets more valuable information from CASA worker than from case worker;

Has a CASA volunteer for 2/3 of cases; would love to have more

TARRANT CO. (FORT WORTH), TEXAS

Judge Jean. Boyd jboyd@tarrantcounty.com	Tarrant County District Court	Tel: (817) 838-4620	Family Group Conferencing. Teams require resolution of CPS cases within 12 months with our extension of 6 months. Parents' response to treatment normally have an opportunity to participate in patient treatment. Some of our treatment facilities allow children to stay on campus.
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Summary of Strategy: Started Family Group Conferencing Project; Began in Tarrant Co. with a group of people from different perspectives who got together, had heard of family group conferencing, and developed a grant – asked Child Advocates (CASA) to administer the program – has been so successful, State Child

Welfare Department is taking it over, going to continue the program in Tarrant County and pilot test it in several other counties and then implement it statewide if success continues.

Originally applied for grant and supervised by child Advocates (CASA); taken over several months ago by Child Welfare Agency

Family Group Conferencing provides opportunity to get all family members and others from community who have any contact with the family to meeting together and determine what help they may provide; Facilitator (independent person) brings in child welfare worker (but child welfare worker shouldn't be the facilitator) and others identified as family members and others (church, education, neighbors, etc.) who can help; Provides opportunity to explain situation and process and why child has come in the child protection system; benefit is this may give an objective view to what's happened as opposed to what the family member may have said;

Try to set up inviting atmosphere – serve food – try to make everyone feel at ease and process is informal.

Problem Being Addressed: lack of meaningful resources to address parent's problems; also failure to tap into strengths of family and nontraditional resources

Impact: no statistical data but everyone gets together to try to develop a plan for the child/children; often can find one person who can do one thing (have child live with them) but can't do everything – may not be able to take the child to the doctor, or may need help with cooking or laundry. So can engage whole family in working out what needs to be done, empowers family;

ADDITIONAL COMMENTS/BACKGROUND:

Looking into developing a family drug court

Child welfare system is overwhelmed and underfunded;

Dealing with a population of 1.6 million; she hears 85-90% of dependency cases where there is no divorce involved (in which case the matter would be handled by the court handling the divorce)

Family Group Conference: sometimes used prior to removal –and get situation resolved without having to develop a petition***May use it at any time --best up front but may take time in order to identify family/other members to involve

Attorneys not involved; increased referrals due to word of mouth so attorney will know of resource and ask for it, now trying to educate everyone esp. attorneys about program

Texas also has law mandating case resolution by 12 months, with one request for six month extension possible to extend it to 18 months – if not resolved then, case is dismissed

Impact: Very successful results; state taking over program for potential statewide replication; When program started, had a little resistance from Child Welfare so didn't really refer ma y to the program; now, with state taking it over, anticipates use fill grow

Family dynamics make plan work so the family group conference and plans developed can result in families putting pressure on parent that court couldn't do

Also have program "Neglect Hurts" focuses on children neglected in homes but don't qualify for state intervention; got \$ 2 million grant from a local foundation to hire social workers to visit families identified as having neglect situations; tell them about services and connect them with services; sometimes also found situations that really did need state intervention; but most families are very grateful for the assistance – which is nonadversarial; simply designed to connect people with services.

VIRGINIA

CHESTERFIELD CO. (CHESTERFIELD), VIRGINIA

Judge J. Hendrick jhendrick@courts.state.va.us	12 th District Juvenile and Domestic Relations Court	Tel: (804) 748-1878 Fax: (804) 706-2500	Utilizing resources of criminal and other dockets to apply, as appropriate, to dependency case needs. We have an adult drug court. I am sure that these cases overlap. There is also a day reporting system-an intense daily program for misdemeanants who usually have SA problems, and sometimes are dependency cases. This program is fabulous. The typical comment at graduation is "All my life judges have told me what I had to do, this is the first program that told me how!"
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Summary of Strategy: Trying to informally utilize resources available to the criminal docket, particularly an excellent day reporting center and the adult drug court. Family Assessments have been started by local social services agencies to deal with less serious cases, for example

Problem being addressed: Need for early assessment of family needs; need for services; and need to be able to address less serious cases without resort to the court's limited resources

Impact: Family Assessment process has reduced dependency caseload by working out a contract outside of the court process – has worked well

ADDITIONAL COMMENTS/BACKGROUND:

Adult drug court (circuit court level) can provide support to people in the dependency cases; will follow up with judge in adult drug court

Day reporting center: refer adult clients, primarily for domestic violence cases; very successful program; attends graduations; very impressive; generally people who have been spending short terms in jail their entire life due to their jail and alcoholism; a lot of group interaction; cognitive interaction

Can't be referred from the dependency court directly because they must be referred from criminal but handle overlap

Big push now to incorporate divorce into court's jurisdiction so they will be true family

Terminations: done but appealable de novo to circuit court – about half cases are appealed so greatly extends timeline for ASFA purposes

Use mediation for civil family cases but not yet for dependency/abuse and neglect

CITY OF ROANOKE, VIRGINIA

Judge Philip Trompeter ptrompeter@roanokecountyva.gov	Juvenile and Domestic Relations District Court	Tel: (540) 387-6126 Fax: (540) 387-6231	We have a domestic violence court program in which children who are exposed to domestic violence between adults receive a child risk assessment for services, including child protective orders.
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Summary of Strategy: has developed special assessment component of the Court's comprehensive domestic violence program to assess potential impact of domestic abuse on child living in the situation, even if not actually physically abused; They now have a comprehensive program for reaching the children exposed to DV violence – now in the second year; has referred over 2000 children

Problem being addressed: has noted that many of the DV cases involve couples not married, with woman living with boyfriend who then brings child into the home who is exposed to abusive situation; in addition to worrying about the woman being the victim of violence, also worries about the child who may not be a victim of the violence but has been exposed to it.

Got together with the chief of police, DA, shelter people, probation, and Department of Social Services and other public agencies to design comprehensive program for everyone involved, including children who were exposed.

Impact: Having the Child Risk assessment rather than immediate issuance of a child protection order, gives the agency and court more flexibility to provide services and determine what's needed; Under Va. Law, judge can issue a child protection order; criminal prosecution is irrelevant; even if case is dismissed, the court can still refer the child for the risk assessment.

ADDITIONAL COMMENTS/BACKGROUND:

Department of Social Services has two fulltime workers who do risk assessments for these children; if parent is not cooperative, the Department can petition the court for a Child Protective Orders –he may even remove the child

He has an automated order that indicates if there has been abuse in the home and a child in the home, referral for assessment and services; if the parties are not cooperative, he will issue court orders and can even remove the child

DV offenders are put on probation for 2 years; go to batterers program, etc., violation of DV order is misdemeanor;

DA interviews all of the women who come into court; may result in removal temporarily or permanently of child, or placement with a relative

WASHINGTON

BENTON CO. (PROSSER), WASHINGTON

Judge Lonna K. Malone lonna_malone@co.benton.wa.us	Superior Court - Juvenile Division	Tel: (509) 736-2725	Pilot Parent's Representation program funded through the State Office of Public Defense has provided addl. Resources to assist parents in correcting parental deficiencies.
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Summary of Strategy: pilot project designed to put on equal par the parent's representation with the state's representation - more panel attorneys, more caseworkers, more people in general on the side of the parent have been hired to assist parents, so that they can have the same resources as the state.

Problem Being Addressed: Program ensures that parents meet regularly with their attorney and caseworker; makes them aware of services and make sure they are receiving adequate services, additional contact

prevents delays, cases are better prepared, and resolution is reached sooner. Would be happy to speak further with us more regarding the subject.

Impact: Program has been reviewed by NCJFCJ “Improving Parent’s Representation in Dependency Cases: A Washington State ...”, August 2003, TA Brief, has a hard copy, would be happy to send it to us – on website of Public Defender Office: Successful, has sped up timeframe of cases, better compliance with ASFA results, state uses federal ASFA guidelines.;2 courts in WA currently have this pilot program, Benton County, and Pierce County, Tacoma

LEWIS CO. (CHEHALIS), WASHINGTON

<p>Judge Tracey Mitchell tlimitche@co.lewis.wa.us</p>	<p>Superior Court for Lewis Co.</p>	<p>Tel: (360) 740-2733 Fax: (360) 740-2603</p>	<p>We have a social worker designated to meet with parents immediately after a hearing to review services; makes the appointments directly; gives written directions; inquires into transportation issues to services and provides bus passes or gas vouchers. Started this approach 9/03-big improvement in getting into tx sooner. Also, on the spot random u/a's w/our alternative sanctions of county jail.</p>
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Summary of Strategy: social worker designated to meet with parents immediately after a hearing to review services; makes the appointments directly; gives written directions; inquires into transportation issues to services and provides bus passes or gas vouchers. Started this approach 9/03 (participated in state AOC grant that permitted local courts to submit requests for innovative ideas; they asked for \$ 10,000 to provide a one-stop shopping service for parents in the dependency process to promptly link them with services and make arrangements for their delivery.)- Division of Child and Family Services conducts regional “reasonable efforts” symposium each year with GALS, children and Family Service staff, defense, etc.

Problem Being Addressed: people don’t have phones and/or don’t have persistence to arrange for services; she heard frequently from litigants at review hearings about problems in trying to arrange services; Thought it would be good idea to designate office in courthouse that litigants could immediately go to arrange for services and provide other assistance (transportation – gas, etc.) to promote their attendance; right now use conference rooms in courthouse but hopes to have a special office.

Impact Big improvement in getting into tx sooner. Also, on the spot random u/a's w/our alternative sanctions of county jail.; also complaints from litigants re services have ceased to exist

This approach also removes a big issue at the TPR hearing – did court actually make services available? May TPR dismissals because no documentation re services provided so this process documents the services provided for everyone; copies of services sent to defense, court, GAL, service providers, etc.)

Project has been so successful, Children and family Services are taking over the program

ADDITIONAL COMMENTS/BACKGROUND:

Use part-time social worker but didn’t necessarily intend that it be a social worker – could be anyone that knows the dependency court system, is good with people, knows the service providers in the community and able to arrange for them.

Social worker has a cell phone, laptop, forms, etc.

Project is also a way of documenting efforts made to provide services; client signs acknowledgement of services when he/she meets with social worker

Social worker sets up meetings, transportation, gas vouchers; then, if court finds at review hearing in three months that the person is not doing the services, then needs to know why;
Also can get ua's done immediately across street at community corrections center

Also:

Filings have gone down: (always go down in summer when schools aren't open so not reporting abuse; also hot line was centralized so calls put on hold 20 minutes or more and responder had no idea where caller was calling from, so reports decreased; now putting hot lines back in local community; also trying to front load services before filing abuse and neglect petition;

State law requires public defense services be provided

PART THREE: FOLLOW UP WITH OTHER NOTEWORTHY PROGRAMS

CALIFORNIA

SUPERIOR COURT, SAN DIEGO, CALIFORNIA

Summary of Initiatives

San Diego has developed a system for countywide assessment and recovery case management (SARMS) system for dependency cases that entails: (1) triaging the dependency cases and service delivery to reflect the nature and extent of services deemed appropriate for each case, using a graduated, prioritized structure for service delivery; and (2) reserving the most intensive court and support services (e.g., the family drug court) for those noncompliant with dependency court orders issued.

Special task committees have been established to address specific topics relating to the dependency case process and service delivery process. A SARMS Implementation committee also meets monthly to address issues relating to the program's implementation.

All parents in San Diego's dependency court system who abuse substances are part of the SARMS program. In keeping with the graduated structure for service delivery, parents can enter the SARMS program voluntarily, prior to a court finding of abuse and neglect; or be court ordered into the SARMS program following a court finding of abuse and neglect. Individuals cannot be using methadone to participate; if they are at time of court intervention, they must eliminate its use before being eligible to participate. Assessment of the child's and family's needs is conducted by SARMS recovery specialists assigned to the program. Case management is provided by the social workers assigned to handle the SARMS cases. Services to children include: conducting developmental assessments and follow up for children under 6 years; and specially trained foster parents for AOD exposed children 6 and under.

The program was initiated by Judge James Milliken, Presiding Judge of the San Diego Juvenile Court. Judge Millikan has recently retired. (JMilliken@SSHBCLaw.com)

The current contact, at least initially, is Janice Dame, Coordinator for Drug Courts in San Diego County, who has worked closely with the development of the San Diego family dependency court programs.

For Further information contact: Judge James Milliken: JMilliken@SSHBCLaw.com or Janice Dame
janice.dame@sdcourt.ca.gov

SUPERIOR COURT, SANTA CLARA (SAN JOSE), CALIFORNIA

Summary of Initiatives:

Santa Clara County developed a family drug court in October 1998, under the leadership of Judge Leonard Edwards. The program is a voluntary program for parents with abuse/neglect cases and who have no concurrent criminal cases. Situations of severe mental illness are excluded from eligibility. Assessment of children and parents is conducted by specially assigned assessors on site at the courthouse. Case management services are provided by dedicated masters level social workers who work as part of the FDTC team. Services to children include: development assessment of children performed by public health nurses; and special programs for children in abuse/neglect situations (e.g., "Kid's Magic", "Kids are Special"). A Mentor MOMS program provides support to parents. The FDTC team meets weekly prior to the court calendar and a consolidated service plan meeting is also held weekly. A video has been developed describing the program.

Contact: Judge Len Edwards, Santa Clara Co. Superior Court
Tel : 408/491-4748; 491-4740
Fax: 408/491-4797
ledwards@SCT.CO.Santa-Clara.CA.US, LEdwards@scscourt.org

DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA SUPERIOR COURT, WASHINGTON D.C.

Summary of Strategy: did many things before the reorganization to lay foundation for ASFA compliance: Integrated court system in family court to store data electronically and be able to provide performance outcomes, including ASFA timeline compliance; have also designated two attorney advisors in Family court to help maintain compliance with ASFA and provide training, keep everyone abreast of new developments; review cases; and identifies needs in terms of compliance; Family Drug Court: also big help but just beginning (only one year old); also uses mediation for every case, beginning early in the process; environment of family court is also very family oriented, not like a traditional court (opening new floor in August)

Problems Being Addressed: Had numerous problems prior to reorganization re dedicated services and supervision for family cases;

Impact: Family drug court has already served 36 mothers (over 100 children) in first year; take parents with up to 4 children; Have already achieved permanency for 2-3 parents; all in program are monitored weekly; 50% of the cases are settling at mediation in terms of the legal issues; very few appeals; NCJFCJ is currently evaluating the mediation program (to be published in the Fall of 2004)

ADDITIONAL COMMENTS/ BACKGROUND:

The Family Drug Court is very effective: Have served 36 mothers (over 100 children) in first year; take parents with up to 4 children; Have already achieved permanency for 2-3 parents; all in program are monitored weekly

Mediation: Before Family Drug Court Act, had child Protection Mediation Unit just did a small percentage of cases; Now ever case goes to meditation – even though probably not appropriate for mediation (e.g., parent abandoned child): National Council of Juvenile and Family Court Judges is doing an evaluation of

the program – will determine what type of cases are appropriate for mediation; evaluation will come out in Fall 2004

DC: has stricter requirements than ASFA: permanency plan required within 105 days after child removed;

Tries to do mediation 30-45 days after removal but sometimes cases don't settle at that point but settle later – the mediation, however, has set the process in motion and gotten people to begin to think about resolving the case

**Mediation makes it impossible to move to permanency quicker since the legal issues are resolved. They have 3 full-time mediators that have been provided from the MultiDoor Project (which provides ADR services throughout the court). These mediators have undergone extensive training; Mediation goes on every day: Contact: Janice Bouie: 202/8799-1962 and tell her Judge Satterfield referred us.

They have very few appeals; if parent admits to neglect, there is little basis for appeal

The court is very family oriented – building a special floor that is very oriented to families and children – will open in August.

Judge Lee Satterfield
Superior Court of the District of Columbia
Satterfieldlf3@dcsc.gov
Tel: 202/879-1918

FLORIDA

DADE COUNTY (MIAMI), FLORIDA CIRCUIT COURT:

Summary of Relevant Initiatives :

This Court has undertaken major initiatives relating to the handling of dependency cases, including (1) the establishment of a family drug court with extensive substance abuse, medical, psychological, and other support services and has received substantial funding from both the Florida legislature and SAMHSA; and (2) other initiatives to address neglect and abuse, including: PREVENT (Prevention and Evaluation of Early Neglect and Trauma) initiative of the Dependency Court Intervention Program for Family Violence in the Miami-Dade Juvenile Court, funded by USDOJ, Violence Against Women Act Grants; and development of a protocol and procedure to evaluate infants, toddlers and preschoolers adjudicated dependent. Judge Jeri Cohen had overseen the development of the family drug court and Judge Cindy Lederman has overseen the Dependency Court Intervention Program for Family Violence project. This latter project, designated by the Florida Legislature designated Miami-Dade Juvenile court as an “infant and Young Children’s Mental Health Pilot Site, provides various therapeutic services for parents (primarily mothers) in the dependency system, and has a reputed reunification rate of 86%.

For further information contact: Judge Jeri Cohen, Tel: 305/638-6879 jcohen@jud11.flcourts.org

Judge Cindy Lederman: Tel: 305/638-6087 cllederman@jud11.flcourts.org

ESCAMBIA COUNTY (PENSACOLA), FLORIDA CIRCUIT COURT

Summary of Strategy: Developing process to obtain more meaningful assessments and individualized case plans to really address parent's – and family's -- needs – entails changing the whole system; getting staff to change their orientation and approach and then have them train the rest of the field. Beginning with interdisciplinary training on process, cultural orientations, etc., in an effort to try to change attitudes of everyone involved in the process;

Problems Being Addressed: Need for more meaningful assessments to provide the foundation for the case plan to be meaningful (now: go to parenting: but what did you learn? And did it make you a better parent? and did you need this in the first place? Maybe you are a drug addict but a perfectly good parent when not addicted – so what services do you need?); Also: so many things can come up that cause delays in complying with case plans, which are often boiler plate documents and are often not related to the real needs of the parent/child/family, so evaluating compliance with the case plan (completed, attended etc.) can be more of a quantitative than a qualitative analysis of whether the person benefited from the classes and/or services; Also often as a result of delays, etc, caseworker and client become adversaries; Because of review process, not uncommon to go 3- 6 months without a review hearing and issues may surface during that time period that may be positive or negative but, unless they are true emergencies don't get the court's attention until the next review hearing. Case plan and compliances drives the case and is what is measured when making decisions.

If case plan is not developed, based on the needs of the parent , the needs of the child and the needs of the family, runs the risk of not having much meaning; if the problems that arise with compliance – often referrals, resource problems, or just mechanics – causes delays and aren't brought to Court's attention to the next review time, may lose several months under ASFA and Department makes decision to go to permanency when delays are not fault of client; When relationship between client and case worker becomes adversarial and antagonistic, result is not much compliance because not a lot of support being provided;

So approach is to renovate process from ground up to give more opportunities to client and families and more effective evaluation of the outcomes everyone is trying to achieve.

Impact: Anticipated: Hope to achieve earlier reunifications or identify earlier that reunify isn't viable option. Hopefully will eliminate negative aspects of the process that result in negative outcomes. Will also have benefits for system, workers, etc.; Will have comparison group which will be tracked for several years.

ADDITIONAL COMMENTS/ BACKGROUND

Also trying to get Phd student to help assess mental health needs of parents and guide court

50 people in the program

got Medicaid to agree to do more extensive assessments and they agreed

also going to escalate time for doing Medicaid eligibility screening;

also going to do whole family assessments – parents and children

planned to have full day training July 27th: will do 1-2 hours on process; then local consultant will do training on logic model for evaluation; remaining time will be for cultural issues: getting everyone on the same page;

people invited from every level to attend the training (attorneys, case workers, assessors)

If they want to enhance visitation, for example, may not occur until the next review.

Target date for implementation: August 15th

Changes in attitude as well as procedures – particularly assessment

Assessments: will contract with independent assessor, rather than having provider do assessment

Now: do comprehensive assessment for children removed from home – but no comprehensive assessment of parents and/or family;

Talked with Medicaid which agreed to expand the coverage of assessment to include family and parent

Delays for ASFA: many causes including just applying for Medicaid – so will have Medicaid application official on site where children are removed.- comprehensive assessment will identify family needs including housing, vocational, etc. so court can determine the services family needs to get family back together

Will give appointments for assessment to parties at the case planning conference; will have assessor at case planning conference (not presently)

*Will require “0-5” assessment with specified 0-5 therapy – which involves a lot of contact between parent and child to help develop bonds

Program limited to 55 cases and Judge P’s division

Cases will be randomly assigned – Judge P will also be available in the afternoon of shelter hearing docket so that if questions arise he will be available.

Judge John Parnham
First Judicial Circuit Court
Judge_Parnham@co.escambia.fl.us
Tel: 850/595-3715)

MISSOURI

FAMILY COURT/CIRCUIT COURT FOR JACKSON CO (KANSAS CITY), MISSOURI

Summary of Initiatives:

The Family Drug Court in Jackson County focuses on prenatally exposed infants – a focus which appears to be unusual for most dependency programs, and is designed to address potential neglect and abuse issues as soon as the infant is born. A “crisis assessment” of the newborn is done by the Department of Social Services at birth, with further assessment of the infant’s and family situation conducted subsequently by the treatment provider. Cases eligible for the program must be court ordered as a result of a finding of abuse/neglect and criminal endangerment and excludes individuals for whom more than 3 substantiated hotline reports have been made for neglect. Case management is provided by dedicated DFS case managers housed at the court who make referrals for a wide range of services, including developmental assessments and day care services. A Child Development Coordinator at the treatment provider conducts developmental screens. Additional services to children can include: public health nursing, which can also conduct developmental assessments for children, relevant countywide programs; and other services and support with the goal of providing wraparound services to address the child and the family’s situation. The FDCT team meets two times a week to discuss cases heard that week.

For further information contact:

Hon. Molly Merrigan
Circuit Court for Jackson County
Molly.Merrigan@courts.mo.gov
Tel: 816/435-8033, 435-8034

NEW YORK

FAMILY COURT, SUFFOLK CO. (CENTRAL ISLIP), NEW YORK

Summary of Initiatives:

Suffolk County instituted a Family Drug Court in December 1997 under the leadership of Judge Nicolette Pach, who has since retired. FDTC team meeting three days per week prior to each court calendar. The program focuses on cases involving neglect only, and excludes situations entailing severe mental illness of a parent and /or high a probability of violence. Initial assessment of the child and parent is conducted by a psychiatric social worker who is part of FDCT team and funded by Suffolk County Health Department. Case management is provided by DSS senior level caseworkers, assigned to work with the FDTC. County AOD case managers are also assigned to the court. Services to children include: a CASA worker assigned to each child; development assessments conducted by public health nurses for children 3 and under.

For further information: contact: Judge Nicolette Pach (Ret.) Tel: 831/462-5950 nicolettep@optonline.net>.

NEVADA

DISTRICT COURT, WASHOE CO. (RENO), NEVADA:

Summary of Initiative

A Family Drug Court has been established since 1994 – one of the earliest family drug courts -- under the leadership of Judge Charles McGee. The FDTC team meets weekly prior to the court hearing. Program participation is voluntary and excludes situation involving severe mental illness, a high probability of violence, and/or clients using methadone. Assessments are conducted by an assessor working under contract with the Washoe County CPS . Case management services include a wide range of services, including assistance with employment issues. A dedicated social workers is assigned to the program.

Services to children include: CPS Children's Resource Bureau staffed with Mental Health specialists; child development and sexual abuse and violence specialists; Charter School services for at-risk children including those of FDTC participants. A Foster Grandparent program has also been established to provide mentoring and other support for parents re parenting functions.

For further information contact: Judge Charles McGee (Ret.)

Tel: 775/825-5050

jackie.tucker@washoecourts.us