

Court Improvement Program Meeting
Coordinated by the Courts-Child Welfare Collaborative
October 14-15, 2008

Hyatt Regency Bethesda
7400 Wisconsin Boulevard
Bethesda, Maryland
(301) 657-1234

October 13, Monday

5:30 PM - 7:30 PM Registration

6:30 PM - 7:30 PM Networking Reception (complimentary)

October 14, Tuesday

Breakfast and Coffee on Your Own

7:30 AM Registration

8:30 AM - 8:45 AM Welcome

Christine M. Calpin
Associate Commissioner
Children's Bureau

8:45 AM - 10:30 AM Opening Plenary

**A Baby's Developing Brain: Parents' Rights, Child's Rights.
How does all this get balanced in the child welfare system?**

The first hour will examine new research coming out of Harvard University regarding how stress impacts a child's developing brain - for good and ill. Among the findings: Exposure to frequent "toxic stress" causes the release of harmful chemicals in a child's developing brain that can impair its physical growth and make it harder for neurons to form connections with each other. The weakening of the brain's architecture, in turn, impacts a child's ability to respond positively to future stresses, including normal life obstacles, and can increase a child's vulnerability to later problems, ranging from anxiety and depression to physical diseases. The second hour will discuss how the first hour presentation relates to judges and lawyers in the child welfare system.

The panel will consist of a judge, child attorney and parent attorney, moderated by a CIP director.

Speakers: Dr. Tammy Mann, Deputy Director Zero to Three

Prof. Don Duquette, University of Michigan School of Law

Honorable Peggy Walker, Douglas County Georgia Juvenile Court

Omotayo "Tayo" Alli, Director Fulton County Georgia Child Advocate Attorneys

Moderator: Timothy Travis, Director, Oregon Court Improvement Project

10:30 AM - 10:45 AM Break

10:45 AM - 12:15 PM Workshops

1. Things I Learned That I Won't Do Again: Practical Considerations in Data Exchange

This workshop is designed to encourage a conversation among state representatives who have planned or begun the implementation of data exchange between courts and child welfare agencies. Panelists will cover issues involved in determining the vision for a data exchange system, the practical problems, such as dealing with privacy and ex parte issues in designing the system, the temptation to broaden access to other criminal justice agencies implications of data exchange for current business processes, and setting priorities for implementation. Conformity with the National Information Exchange Model will also be a topic of discussion.

Moderator: Paul Embley, Chief Information Officer and Director of Technology , NCSC

Speakers: Honorable Robert R. Hofmann, Child Protection Court of the Hill Country, Texas

Diana Coffey, FAMJIS Coordinator-Judicial Policies, Programs, and Practices Unit, Colorado AOC

Ron Clark, Business Analyst, TexDECK Project, Texas

Alicia Davis, Court Programs Manager, Colorado State Court Administrator's Office.

2. Case law update

This session will provide participants with the opportunity to discuss and analyze cases on the following topics: child protection, foster care, paternity and contempt and will review termination of parental rights and adoption. This session gives you the opportunity to examine how appellate courts see the work of trial courts in child welfare cases and points out emerging trends in interpreting the law.

Speaker: Honorable Stephen Rubin, Pima County Juvenile Court, Tucson, AZ

3. Infant Brain Development from Zero to Three

The workshop will focus on the effects of poverty and other stressors on the healthy brain development in the critical years between ages zero to three. Participants will learn about strategies for public policy and practical interventions and decision making for neglected abused children who come before the court in child protection cases to mitigate the negative effects on brain development and future positive outcomes for these children.

Moderator: Eva Klain, ABA Center on Children and the Law

Speaker: Dr. Joanne Solchany, ABA Consultant, National Resource Center on Legal and Judicial Issues

4. Interstate Compact on the Placement of Children (ICPC): Current Issues

This session will provide a basic analysis of the state's interstate placement assessments including findings and recommendations. The presentation will discuss what next steps states can take to improve interstate placements and how the newly revised ICPC addresses the issues covered by the state assessments.

Speakers: Scott Trowbridge, ABA, National Resource Center on Legal and Judicial Issues

Honorable Steve Rideout, ABA Consultant, National Resource Center on Legal and Judicial Issues

12:15 PM - 1:45 PM **Lunch** (in the ballroom)

1:45 PM - 3:15 PM **Workshops**

5. Representation of Children: Hot Topics

This session will focus on "hot topics" in child representation such as the evolving role of the child attorney, moving from substitute judgment to a client centered approach. The session will cover a brief history of the representation of children and include a discussion on CAPTA, case law, and recent changes in state statutes and rules. The session will also cover other key dimensions of child representation including client contact, representing a client with diminished capacity, and caseloads. There will be discussion on when and how to make a "best interest" recommendation to the court and some ethical considerations when doing so.

Speakers: Andrea Khoury, ABA, National Resource Center on Legal and Judicial Issues

Jennifer Renne, ABA, National Resource Center on Legal and Judicial Issues

Kathleen DeCataldo, Executive Director, New York State Permanent Judicial Commission on Justice for Children

6. Why CIP Directors Should Care About Data Exchange

This workshop is designed to introduce the benefits of data exchange to CIP managers. Children and families deserve safety, permanency, well-being and due process, and data exchange between courts and child welfare agencies expedites service provision, party notification, and court orders. It also reduces redundant data entry, improves data accuracy, and provides for performance measurement. Best of all, no court or child welfare agency needs a new management information system to exchange critical information. A set of data exchange standards is being developed that would enable states to build upon the experience of others and to encourage technology vendors to include a standard set of data elements in the case management systems they provide to the states.

Moderator: David Baker, Children's Bureau

Speakers: Felice Hamilton, Oklahoma CIP

Sheryl Overstreet, Nevada CIP

7. Current Issues in Termination of Parental Rights

This panel will discuss several current issues in termination of parental rights cases, including the impact of TPR appeals on timeliness of permanency, the "legal orphan" situation whereby children are free for adoption but are not placed in an adoptive home, and alternatives and outcomes after TPR has been denied.

Moderator: Gene Flango, National Center for State Courts

Speakers: Honorable Stephen Rubin, Pima County Juvenile Court, Tucson, AZ

Honorable Robert R. Hofmann, Child Protection Court of the Hill Country, Texas

Lelia Hopper, Virginia CIP

8. Family Engagement

Many states are seeing low percentage scores in the CFSR on Well Being Outcome One. Engaging families is a key component of this outcome measure. But what does "family engagement" mean and how is it best accomplished? How does the court ensure it is truly happening? Panel members will provide tangible strategies for

ensuring the child/family voice in the dependency process. Presenters will describe specific changes being made in one state and nationally, in both child welfare and dependency court processes which support and enhance the voice of families resulting in better outcomes for children. Specifically panel members will discuss the combined implementation of Family Group Decision Making, Family Finding and Family Development Credentialing with judicial best practices including expedited reviews (1-3 months), local judicial oversight teams and a comprehensive statewide court data collection/case management system.

Speakers: Sonya West, parent

Brianna Sports, youth

Honorable Mark Mascara, Dependency Court Judge in Washington County, PA

Honorable Charles Saylor, Dependency/Orphan's Court Judge in Northumberland County, PA (CFSR Site)

Cynthia Stoltz, Esq., Allegheny County Family Court Administrator (CFSR Site)

Helen Spence, MSW, foster parent/adoptive parent/community facilitator in Dauphin County, PA

Karen Jenkins, MJJ, Project Director for the National Fatherhood Initiative -American Humane Association, Denver Colorado

3:15 PM - 3:30 PM Break

3:30 PM - 5:00 PM Workshops

9. Legal Representation: Parents' Attorneys

This workshop will focus on what CIP's can do to improve representation for parents in their states as well as on a national level. A panel will discuss:

- What high quality parent representation looks like
- Strategies for CIPs on using training grant dollars to improve parent representation
- ABA parent attorney project
- Standards of Representation for Attorneys Representing Parents and steps for implementing local standards
- Ways to incorporate performance measurement into the local discussion
- Using data and information to improve parent representation

Panelists: Honorable Lowenbach, Colorado

Mimi Laver, ABA, National Resource Center on Legal and Judicial Issues

Leah Wilson, Manager, Center for Families, Children and the Courts, California

10. Blueprint for Change: Improving Educational Outcomes for Children

This workshop will introduce the *Blueprint For Change: Education Success for Children in Foster Care*, a tool created by the Legal Center for Foster Care and Education as a framework for system reform and direct advocacy to improve the education outcomes for children in out-of-home care. Presentation will present the framework *Goals and Benchmarks* and also give examples from the national and state level how these changes have been implemented to make a difference in the lives of children.

Speaker: Kathleen McNaught, ABA, National Resource Center on Legal and Judicial Issues

11. Serving Children and Youth Known to Both the Child Welfare and Juvenile Justice Systems: Working Across Systems of Care

This session will explore the connection between child maltreatment and juvenile delinquency. It will provide an overview of recent research examining factors such as age, placement stability, type of placement, race and gender as they relate to this issue. The panel will also provide examples of the policy and practice responses that can enhance service delivery and better meet the needs of children and youth who become known to both systems.

Speakers: Shay Bilchik, Georgetown Center for Juvenile Justice Reform

Honorable Steven C. Teske, Clayton County, Georgia

John Tuell, Child Welfare League of America

12. Developing a holistic program from three categorical funding streams

This workshop will provide an opportunity for CIP coordinators and staff to discuss how they have navigated the expansion of programs since the inception of the additional data and training grants. A “braided funding” approach has the potential to produce greater efficiency and effectiveness, however the approach requires significant attention be paid to administrative and accounting issues to ensure that resources are allocated to the purposes intended by the funder. The presenters will share their own experience and encourage the group to explore questions such as:

How can states create a unified, integrated program initiative from three funding streams each with separate goals and objectives?

How are grant funds being used? What are some innovative examples of resource allocation strategies?

How are states using CIP funding to leverage system-wide change and bring court reform efforts "to scale"?

How are states managing the accelerated time frame of the 2008-2009 allocations?

Speakers: Frank Woods, M.S.W., New York State CIP

Christine Kiesel, Esq., New York State CIP

5:30 PM - 7:00 PM **Evening reception** (cash bar)

October 15, Wednesday

Breakfast and Coffee on Your Own

8:30 AM - 10:00 AM **Workshops**

13. Youth in Court

"All I ever wanted was to be heard and not just dismissed." This quote from a youth in foster care is common. Youth have rarely been allowed to participate in their dependency court proceedings. The 2006 amendments to the Promoting Safe and Stable Families Program now require the court to consult with the child, in an age-appropriate manner, about the child's permanency plan. As a result, many courts are starting to implement policies and procedures to involve youth in their dependency hearings. This session will discuss the advantages for youth and courts of involving youth; present strategies for successfully encouraging youth participation; and share systemic changes that can be easily made to make the court process more inviting and meaningful to youth.

Speakers: Andrea Khoury, ABA, National Resource Center on Legal and Judicial Issues

Jennifer Renne, ABA, National Resource Center on Legal and Judicial Issues

Kathleen DeCataldo, Executive Director, New York State Permanent Judicial Commission on Justice for Children

14. Basic CP Performance Measurement 101

The ABA, NCSC, and NCJFCJ collaborated in the development of 30 performance measures, specifically developed for courts hearing child abuse and neglect cases. These measures cover four basic performance areas and outcome; and were designed as corollaries to the AFCARS performance measures and the CFSR standards in

recognition that coordination between courts and child welfare agencies is essential. In 2006, the ABA, NCSC, and NCJFCJ further identified nine performance measures as “key” for courts to begin to assess progress towards achieving the goals of safety, permanency and well being for children. During this session, the presenters will review the court performance areas, the 30 performance measures, overlap with CFSRs and AFCARS, and the Nine Core Measures.

Speakers: Dawn Marie Rubio, J.D., Principal Court Management Consultant,
National Center for State Courts

Bill Stanton, ACF, CTR

15. Systems Change

We all know that no one sector of the child welfare community is "to blame" for the system's shortcomings, and that no one sector, alone, can improve our outcomes. How can we (bring ourselves out of our silos and) engage with one another so as to enhance the (consciousness/sense of our) interconnectedness necessary to move forward as a system? Oregon has developed a model of inclusive, collaborative local teams that plan and implement both mandated and community-originated reform. Supporting, encouraging and holding one another accountable, these local teams are proving to be an effective vehicle for change around the state.

Speakers: Leola McKenzie, Assistant Director, Court Programs and Services
Division, Oregon Judicial Department

Timothy Travis, Staff Counsel, Juvenile and Treatment Courts,
Oregon Judicial Department

16. Courts Catalyzing Change: A National Movement to Achieve Equity and Fairness in Foster Care

NCJFCJ and the Victims Act Model Courts, in collaboration with Casey Family Programs have adopted a national goal to reduce racial disproportionality and disparate treatment in foster care. This session will highlight the goal of this bold and exciting initiative and progress to date.

Speakers: Honorable Anita Josey-Herring, The Family Court of the Superior
Court of the District of Columbia

Honorable Katherine Delgado, 17th Judicial District, Juvenile
Division, Brighton, Colorado

10:00 AM - 10:15 AM Break

10:15AM - 11:45 PM Workshops

17. Impact of visitation on permanency

This session will focus on the importance of visitation for children and their parents during reunification and family maintenance. From a national perspective, panelists will highlight model visitation practices that focus on strength-based approaches for family preservation and strengthening, as well as the court's role and responsibility. Participants will learn about the Supervised Visitation Network (SVN), a multi-national non-profit membership organization that provides communities with education and support that promotes opportunities for children to have safe, conflict-free access to both parents with whom they do not reside through a continuum of child access services. Information about the SVN Standards of Practice that outlines minimum best practice standards for professional supervised visitation and exchanges, as well as training and technical assistance will be shared.

Speakers: Honorable R. Michael Key, Troup County Juvenile Court, Georgia
Honorable Len Edwards (Ret.), California AOC Judge in Residence
Nadine Blaschak-Brown, Senior Court Services Analyst, California CIP
Jody Bittrich, President of the Supervised Visitation Network Board of Directors

18. Advanced-CP Performance Measurement

As a follow up to the earlier session "Basic Performance Measures", this session will focus on the experience of four states [California, New Jersey, West Virginia, and Wisconsin] and their work to implement and adapt the performance measures in child abuse and neglect cases in their states. This include manual and automated approaches to data and information collection; challenges in statewide implementation and lessons learned; additions to or modifications of the existing performance measures; and utilization of performance measure data and information to make changes to improve court processes and thus outcomes for children and families.

Moderator: Dawn Marie Rubio, J.D., Principal Court Management Consultant, National Center for State Courts

Speakers: Bridget Bauman, J.D., WI CCIP Coordinator
Autumn Johnson, Statistical Analyst, Division of Court Services, WV Supreme Court of Appeals
Angela Saunders, Director, Division of Court Services, WV Supreme Court of Appeals
John Shutack, Assistant Chief, New Jersey Family Practice Division, Research & Statistics

Don Will, Manager, Center for Families, Children, and the Courts,
California Administrative Office of the Courts

19. Involving foster youth in court: What alumni of foster care want you to know

Judges are the most powerful people in the lives of youth in foster care, yet too often don't hear directly from the children on whose behalf they must make decisions. Many barriers stand in the way including questions about whether court is an appropriate place for foster youth, whether youth *want* to be involved in their hearings, whether court will be too emotionally difficult or intellectually challenging for youth, and whether the logistics and processes of juvenile court are 'youth friendly'. Alumni of foster care (adults who lived in placement during our youth) are committed to supporting judges in ensuring that the voices of the young people they serve are being heard. In this session, you'll hear from alumni about their own court experiences and recommendations for overcoming barriers to meaningful youth involvement. In addition, the panel will host an interactive question and answer session with the audience to address specific questions that judges and court personnel face in their work everyday.

Speakers: Foster Care Alumni, Alumni Panel

20. Training Minds/Changing Outcomes: Curriculum Development for Court Practice Change

The workshop will inform participants about the essential skills needed by court staff, judges and others to effectively improve outcomes for children. Key components of curriculum development, adult learning techniques, including in person and distance learning, and how to assess acquisition of knowledge and practice changes will be discussed. The emphasis on curriculum development is on improving skills and behaviors as well as imparting information.

Speakers: Nancy Miller, NCJFCJ

Kay Yorty, Colorado CIP

11:45 PM - 1:30 PM Working Lunch

Honorable Nancy Salyers
Co-Director, Fostering Results

1:30 PM - 3:00 PM Workshops

21. Permanency Hearings; case reviews

This session will focus on what is required to be in substantial conformity with the CFSR case review systematic factors. The presentation will include the importance of utilizing the state assessment as a barometer to evaluate how the state and court is doing prior to the CFSR on site review. In addition, presenters will discuss how the Children's Bureau determines if a state is in substantial conformity with the case review factors,

and specific suggestions about how court-related efforts affect compliance with the Case Review elements.

The session will conclude by providing information on Texas' recent development of a Functional Requirements Survey project, which is a very detailed and comprehensive blue print/guide for a child protection case management system. The Texas Functional Requirements Survey is able to track information necessary to evaluate the states progress on substantial conformity with the CFSR case review systematic factors.

Speakers: Will Hornsby, Children's Bureau

Bill Stanton, Children's Bureau

Tina Amberboy, Texas CIP

22. Conducting A Statewide Summit – What Goes Into It? What Comes Out?

Key Questions for the Panel

- Why conduct a State Summit?
- Who to invite?
- What are the three most important things you did/you wished you had done to prepare for your Summit?
- What are the three most important results from your Summit?
- Should there be regional meetings with a State as well?
- What advice would you give to States that have not yet held a Summit?

Moderator: Richard Van Duizend, NCSC, moderator

Speakers: Steve Hanson, Ohio CIP

Sherri Rafter, Montana CIP

Sandy Moore, Pennsylvania CIP

23. Conflict Resolution in Child Welfare Cases: Lessons Learned from 25 years of Practice

The workshop participants will learn about the "Conflict Resolution in Child Welfare Think Tank" proceedings that have taken place in the past 18 months. The session will provide information on lessons learned from around the country, present various models that can be used within a state with culturally and geographically diverse populations, and engage in a discussion about future needs of programs and courts.

Speakers: Marilou Giovannucci, Connecticut CIP

Frank Woods, New York State CIP

Teresa Berry New Mexico AOC

