

Child Welfare

NEW YORK STATE

Unified Court System • Division of Court Operations
Office of Alternative Dispute Resolution and Court Improvement Programs

Court Improvement Project

Annual Program Assessment Report

December 31, 2008

NEW YORK STATE
CHILD WELFARE COURT IMPROVEMENT PROJECT
ANNUAL REPORT

2008

New York State Unified Court System

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HON. ANN PFAU

Chief Administrative Judge of the State of New York

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Introduction

This report describes activities undertaken towards implementation of the child welfare court improvement project grant objectives described in the preliminary five year strategic plan submitted with the 2006 grant proposals and refined in the final strategic plan submitted in the 2007 grant proposals. Activities undertaken during 2008 are the primary focus of this report.

Much of our work during 2008 has laid the groundwork for several new projects focused on improving the timeliness of child welfare court proceedings, particularly in the New York City Family Court and the largest jurisdictions outside New York City.

Major initiatives that have begun or are in the final planning stages include:

- Support for a reform initiative in the NYC Family Court primarily focused on improving the timeliness of court proceedings in child welfare matters;
- The development and promulgation of statewide child welfare court data metrics to assess and monitor timeliness of child welfare court case management practices;
- Implementation of a child welfare judicial training program in collaboration with the National Council of Juvenile and Family Court Judges; and
- Expansion of "Model Court" best practices to additional courts outside NYC (with an emphasis on the jurisdictions with the largest child welfare caseloads and foster care populations).

We have attempted to integrate the three CIP grants into one holistic program. We recognize, however, that each grant has specific objectives. Resources are preserved in each grant to achieve those objectives. This introduction outlines the general structure of our program and steps that have been taken to ensure our work is done in collaboration with a broad array of stakeholders. Subsequent sections address the specific activities undertaken in each of the three grant programs.

Governance Structure and Action Plan

The Permanent Judicial Commission on Justice for Children ("the Commission") was established in 1988 to address the issues facing children whose lives and life chances are shaped by New York State's courts. The Commission is chaired by Chief Judge Judith Kaye and its members include judges, lawyers, advocates, physicians, legislators and state and local officials.

Chief Judge Kaye has appointed the Honorable Sharon Townsend, Administrative Judge of the 8th Judicial District to chair a CWCIP Advisory Group as a sub-committee of the Commission to provide advice, counsel and support to CWCIP staff, to oversee the development of goals and

objectives and monitor implementation. CWCIP staff work in close collaboration with Commission staff with the Commission acting as a “think tank” developing innovative programs to address emergent issues of importance to the child welfare field and the CWCIP focusing on implementation of ongoing fundamental court improvement activities. This division of functions has resulted in a synergistic partnership.

In May of 2007, the CWCIP hosted a two day Action Planning Meeting at the state Judicial Institute. The meeting, facilitated by senior staff of the Permanency Planning Department of the National Council of Juvenile and Family Court Judges brought together CWCIP and Commission staff; Judge Townsend; New York City Family Court Administrative Judge Joseph Lauria; senior administrators and staff of the Office of Court Administration’s Divisions of Court Operations and Technology and New York City Family Court; and representatives of the state Office of Children and Family Services (OCFS). This meeting provided a forum for clarification of the mission and goals, development of concrete objectives and a discussion of activities designed to achieve tangible, measurable improved outcomes for children and families in the child welfare system.

During this Action Planning meeting, the Child Welfare Court Improvement Project developed the following mission statement:

The mission of the Child Welfare Court Improvement Project is to provide resources and technical assistance to enhance, promote and coordinate innovation in court operations and practices in proceedings involving abuse and neglect, voluntary placement, termination of parental rights and adoption that lead to improved safety, permanency and well being for children and enhanced capacity of families to provide for their children’s needs.

To achieve the CWCIP mission, the following broad goals were established:

- All relevant administrative units of the Unified Court System collaborate to promote best court practices in child welfare cases;
- A broad array of statewide stakeholders engage in ongoing, meaningful inter-organizational collaboration to promote best court practices in child welfare cases throughout the state;
- In every county of the state, an array of local stakeholders engages in ongoing, meaningful collaboration to promote best court practices in child welfare cases in their respective communities;
- Every participant in child welfare court proceedings is afforded due process, procedural fairness and timely resolution;
- Courts consistently conduct the highest quality child welfare proceedings to ensure that children are kept safe, are maintained in their own homes whenever possible and

appropriate; children’s length of stay in foster care is reduced; and the health, mental health and educational needs of children are met;

- Courts consistently treat all participants in child welfare matters fairly and with consideration;
- All affected participants including but not limited to parents, children, local Departments of Social Services, current and potential relative and non-relative caregivers, and voluntary foster care agencies have ready access to quality representation and advocacy services; and
- Judicial and managerial decision making in child welfare matters is consistently supported by the highest quality data collection, analysis and automation technology.

Implementation Strategies

To achieve these goals, the CWCIP provides coordination and subject matter expertise to support reform efforts. Activities are implemented by a centrally administered team operating in offices around the state. Several staff members are co-located in key family courts to support implementation at the local level (Chart A).

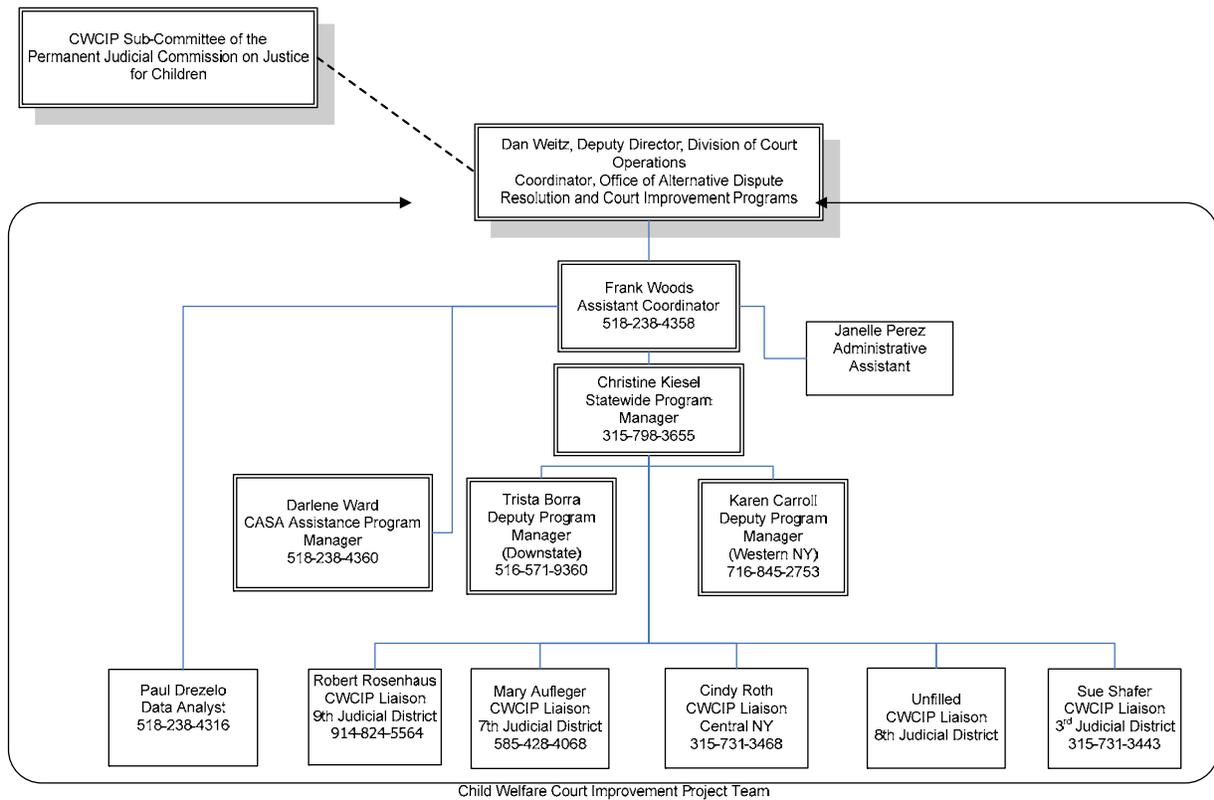


Chart A

Supporting Collaboration

A key strategy is to develop partnerships with other units within the Office of Court Administration, Counsel's office, local judicial districts, the Office of Children and Family Services (OCFS), the 58 local departments of social services and other state, local and national agencies that impact families affected by child welfare court proceedings. CWCIP staff members participate in statewide committees focused on child welfare issues including the Permanency Now Workgroup, the Statewide Permanency Planning Team, and the Partnership for Family Recovery.

CWCIP staff members provide support to local stakeholder groups formed to advise Family Courts on the implementation of a broad array of best practices. The efforts of local Family Court Judges and Supervising Judges, and the collaborative efforts of the bench, bar and local departments of social services not only result in enhanced court operations, but also frequently provide a forum for discussions that lead to reform of the child welfare and service delivery systems beyond the court. CWCIP staff provides technical assistance to ensure the effective and uniform use of non-judicial staff, child permanency mediation and CASA services, coordinate local training programs and assist judges and court managers to interpret child welfare data. To date, staff has supported initiatives in the New York City Family Court and in courts in the 3rd, 5th, 6th, 7th, 8th, 9th and 10th (Nassau) Judicial Districts.

Basic Grant Initiatives

In November 2008, the CWCIP began providing support to a major child protective reform initiative in the New York City Family Court. Under the leadership of the Chief Judge and the Chief Administrative Judge, the initiative's objectives include: earlier permanency for children, ensuring all court appearances are meaningful, fewer adjournments, continuous trials, and expanded participation of children in their permanency hearings. A committee chaired by the Chief Administrative Judge and including senior representatives of the New York City Administration for Children's Services and all groups providing legal representation will oversee the implementation of this initiative.

Family Courts will implement a broad array of "best practices" including frequent and in-depth court oversight of cases during their pendency through enhanced conferencing protocols and expanded use of mediation; the use of tools and checklists to enhance the court's inquiry into the safety, permanency, health and well-being of children, improved calendaring procedures, and the expanded use of Court Appointed Special Advocates (CASA). (See Appendix A for a statement of goals and action steps for the project).

Much of the work of the New York City Initiative will be accomplished by borough-based collaborative "stakeholder" groups chaired by the respective Supervising Family Court Judge for each jurisdiction (Kings/Richmond, Queens, New York, and Bronx Counties). CWCIP staff is assigned to provide staff support to each of these groups. In addition three citywide sub-committees: Data, Case Management, and Compliance have been formed, with CWCIP staff providing technical assistance and supporting the work of these groups as well.

CWCIP work with OCFS for the Child and Family Services Review

In 2008, the CWCIP partnered with OCFS in the NYS Child and Family Services Review (CFSR). CWCIP convened focus groups of Judges and court staff around the State, provided input on the self-assessment and participated as reviewers for the onsite review. In addition, CWCIP staff continues to work closely with OCFS on the development of the Program Improvement Plan.

In addition to the major initiative in New York City, CWCIP is working with the National Council of Juvenile and Family Court Judges to create "Model Courts" in the jurisdictions outside New York City with the largest foster care populations in an effort to implement best practices and achieve permanency more expeditiously for children.

CWCIP Work with Native American Groups

The CWCIP is actively working with Native American groups, engaging them in the child welfare process for the benefit of their children. Some of the specific initiatives within the 8th Judicial District are as follows:

Collaboration of the Eighth Judicial District and the Peacemaker Courts of the Seneca Nation of Indians

CWCIP staff participates in an ongoing collaboration between the courts of the Eighth Judicial District and the Cattaraugus and Allegany Peacemaker courts of the Seneca Nation. Examples of ongoing action items include the development of an inter-jurisdictional protocol and a tribal CASA program. Technical assistance is being provided to the Nation in the development of a program to assign attorneys to children.

Collaboration of the Niagara County Family Court and Chiefs and Clan Mothers of the Tuscarora Nation

CWCIP staff facilitates ongoing dialogue between the Judges of the Niagara County Family Court, attorneys representing children and parents and the Niagara County Family Court. This group meets to discuss their decision-making processes, facilitate communication and provide culturally competent training. An ICWA training for Niagara County attorneys for children is being planned.

Collaboration of the Genesee County Family Court and the Tonawanda Seneca Band of Indians

CWCIP staff participates in a series of meetings between the Genesee County Family Court Judge, the Chief Clerk of the Court and Chiefs for the Tonawanda Seneca Band of Indians. These meetings resulted in an informal protocol for native children at risk of out-of-home placement. CWCIP staff assisted in presenting an ICWA training for Genesee County stakeholders.

NYS Federal State Tribal Courts Forum

CWCIP staff participates in quarterly meetings of the Forum—whose purpose “is to share information about the different justice systems [NYS and Tribal] in order to minimize and prevent conflict”¹—and work with the training workgroup from the Forum to address issues concerning children in the child welfare system and the NYS courts.

Interstate Compact for the Placement of Children (ICPC) Assessment

In accordance with the requirements of the federal CIP grant, CWCIP staff assessed New York’s implementation of the ICPC. The National Council of Juvenile and Family Court Judges were hired to evaluate New York State’s statutes and coordinate information gathered regarding child welfare system practice surrounding the implementation of the ICPC. The assessment included personal stakeholder interviews, a broad-based stakeholder survey with more than 200 responses,

¹ UCS Benchmarks. New York State Unified Court System. 02 Jan 2009
<<http://www.courts.state.ny.us/publications/benchmarks/issue3/listening.shtml>>.

focus groups, and a state compact office case review. The results were compiled into a final report issued in June 2008 that included seventeen recommendations for reform.

National Adoption Day Activities

CWCIP staff participates in or organize National Adoption Day activities throughout New York State. In the 5th Judicial District, a collaborative event was hosted by the Oneida County Family Court, the Oneida County Department of Social Services, and the CWCIP. Adoptive families past and present were invited to attend a lunch reception where they heard from local public officials and a past adoptive father. In Onondaga County, 39 adoptions were finalized at a ceremony which included presentations by Hon. Judith S. Kaye, Chief Judge, and Rob and Barbara Rogers, foster parents of Olympian Lopez Lomong. In the Eighth Judicial District, CWCIP supported the execution of an Adoption Gala as well as activities surrounding finalizing adoptions on that day. In the Seventh Judicial District, National Adoption Day was celebrated, in four counties, with the planning and support of CWCIP staff.

Title IV-E Mock Reviews

Across the State, CWCIP staff partner with OCFS to conduct regular reviews of court orders in child welfare case files, for compliance with Title IV-E standards. The reviews serve to inform Judges/Judicial Officers and child welfare workers in order to ensure IV-E compliant orders. In the Eighth Judicial District, a training was developed and delivered by CWCIP in partnership with resources provided by OCFS. The three day lunchtime program titled “Ensuring IV-E Eligibility: Making the Case for Eligibility in the Court Orders and the Courtroom, “ was held on September 10, 17 and 25, 2008 and was attended by more than 75 people including Judges, Court Attorney Referees, Child Welfare Attorneys and supervisory caseworkers

Adoption Panel Reviews

Across the State, CWCIP staff participates in adoption panel reviews with OCFS and County local child welfare agencies. Reviews are held for every County twice a year to review the permanency status of all freed children within a given County. Through the review process, system gaps and barriers preventing freed children from reaching permanency in a timely manner are identified and participants work to overcome identified barriers.

Small Jurisdiction Coalition

A pilot is underway in the 7th Judicial District for possible replication statewide. Under the direction of 7th Judicial District Supervising Judge of the Family Courts, CWCIP staff are developing and implementing a new standing child welfare collaborative from four adjacent counties in the district—Ontario, Yates, Seneca and Wayne. These Counties each have one Family Court Judge and their needs are unique due to their smaller size. The group consists of The Supervising Judge of the Family Courts, the Family Court Judge in each county, additional court staff, CWCIP staff, the four county Department of Human Services (DHS) commissioners, law guardians, and respondent attorneys. The objective of the group is to identify common child

welfare issues across all four counties and implement uniform best practices to address them. The initial focus of the group is supervised visitation.

The group came together for a joint training in March of 2008. “Why Adolescents Engage In Risky Behaviors” was a cross-systems training presented by an adolescent PH.D specializing in foster care. The training addressed how to interview, talk to youth and represent the needs of children.

Court Appointed Special Advocates Assistance Program

In 2004, Chief Judge Judith S. Kaye convened a CASA Task Force chaired by the Hon. Howard A. Levine (Retired). The committee’s charge was to explore the current status of the CASA program in New York State and issue recommendations to enhance the quality and availability of CASA services. As a result of the Committee’s efforts, court rules guiding the use of CASA in Family Court proceedings, as well as CASA program structure and administration were developed. New rules of the Chief Judge and Chief Administrative Judge were promulgated in March 2006. The rules require that CASA programs comply with standards published by the National and State CASA Associations and authorize the Chief Administrative Judge to establish the CASA Assistance Program.

Subsequently, the CASA Assistance Program was created to oversee grant administration and provide programmatic support to local CASA programs. Since its inception, the CASA Assistance Program has conducted trainings for the CASA network on such topics as permanency planning, adolescent advocacy, board development, the over-representation of children of color in care, family treatment court, the needs of lesbian, gay and transgender youth in care, grant writing, individual donor cultivation, volunteer recruitment, court rules and family substance abuse.

NYS Unified Court System funding of CASA Programs has grown from the fiscal year ‘05 allocation of \$750,000 to its current level of \$918,637. Grants have been awarded to support CASA programs in 35 Counties. Ninety-one percent (91%) of the children living in foster care in New York State reside in those 35 counties. With partial support from the CWCIP grant programs, existing CASA programs have increased their capacity to serve children and new programs have been established in Ontario, Lewis, and Tioga Counties. Expansions to Clinton and Columbia Counties are being explored, and meetings have been conducted with the Seneca Nation to launch the state’s first Tribal CASA program.

Child Permanency Mediation Projects

The CWCIP partners with OCFS to collaboratively support pilot permanency mediation projects in New York City, Albany, Chemung, Erie, Niagara, Oneida, and Orange counties. The CWCIP and OCFS pool resources to provide funding, training, monitoring, data collection, and evaluation.

As judges and referees become familiar with the mediation process and the quality of justice that it provides, they are referring an increasing number and variety of cases. In addition, attorneys

are more frequently requesting mediation for their clients. New legislation authorizing the Court to refer cases to mediation at any point in a child protective proceeding has also supported an increase in referrals. To date, the mediation program has addressed a wide range of issues including:

- Service plan issues for parents and/or children;
- Custody issues with non-respondent parents or with relatives;
- Visitation issues between parents and foster parents or parents and agency;
- Sibling visitation;
- Communication between parties including foster parents and caseworkers;
- Identification and removal of barriers to the filing of adoptions;
- Permanency planning for adolescents deciding between adoption and living independently;
- Permanency plan issues at the point of TPR including issues of concurrent planning;
- Parent /child communication; and
- The decision to litigate or voluntarily surrender.

A Permanency Mediation Program is currently being developed in collaboration with the 5th Judicial District using mediators admitted to a court roster pursuant to Part 146 of the rules of the Chief Administrative Judge which articulates minimum training and experience requirements. (See Appendix B for a brochure detailing the 5th District program)

In September 2008, a Child Permanency Mediation Training was offered to mediators statewide in an effort to provide courts greater access to trained child permanency mediators due to the growing demand for this specialized type of mediation. Approximately 40 people attended the training in upstate NY.

In the fall 2008, Nancy Theonnes of The Center for Policy Research was hired to conduct an evaluation of the NYC Permanency Mediation Program. This evaluation will study the impact of the permanency mediation program operating in the New York City Family Court. The research is intended to provide information that will help to answer the question “does mediation work?” Different professionals in the child welfare system may have different ideas about what mediation needs to accomplish. The definition of “working” may also change over time, as cases progress through the dependency system. As a result, we are proposing to consider a variety of outcomes that are of interest, such as, of the percentage of the cases sent to mediation, how many are able to produce an agreement? Does participation in mediation reduce the number of contested hearings experienced during the life of a case? Or even, does mediation help cases to reach permanency in less time than traditional court interventions?

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
					<p>NYC occurred.</p> <p>Staff hired in both TCI and DoT to support CIP goals from an operational and technology perspective. All grant-supported staff have collaborated with CIP on multiple data-related projects.</p> <p>NYC Family Court Administrative Judge added as a member of the CIP executive and advisory committee, providing ongoing counsel and collaboration on CIP NYC-related initiatives.</p> <p>CIP has funded positions in the court's DoT that enable the development of software supporting CIP goals (i.e. LUC project).</p> <p>CIP staff coordinating with JI staff in implementing the CANI conference in 2009, trainings through the summer of 2008 at the JI, and judge/referee training referenced in Section 3.2 below.</p>

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	<p>4. Arrange for presentations on various topics to build the teams' skill set around common areas of responsibility such as:</p> <ul style="list-style-type: none"> i. Goal Setting Workshop ii. Coaching Workshop <p>Leadership Trainings</p>				<p>progress with partners.</p> <p>CIP staff convened at the annual Sharing Success conference in fall 2008</p> <p>3. All statewide staff provided access to a shared network drive. Potential plans for newer collaboration software being explored.</p> <p>4. Agenda created for CIP staff training on best practices.</p> <p>2007: CIP staff participated in coaching seminar to enhance collaboration and interpersonal skills.</p> <p>Based on training received by the NCJFCJ on Model Court best practices, CIP staff have worked collaboratively with judges statewide to replicate Model Court procedures.</p>
	<p>Objective 1.4: Increase awareness and understanding of child welfare court reform activities among OCA Divisions, Family Court Judges and Referees, court managers, staff and other relevant entities of the UCS.</p> <ul style="list-style-type: none"> 1. Issue annual reports summarizing the prior year's child welfare court reform activities. 2. Issue periodic "Best Practice Bulletins" (via print and e-mail). 	CIP	Ongoing		<ul style="list-style-type: none"> 1. Annual report distributed in 2007 and 2008. 2. Three "Best Practice Bulletins" created and disseminated in 2008.

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>3. Make periodic presentations at Administrative Judge’s and Family Court Supervising Judge’s meetings.</p> <p>4. Meet individually with Administrative Judges and Family Court Supervising Judges regarding CIP activities.</p> <p>5. Make periodic presentations to Chief Clerks and Deputy Chief Clerks at annual meetings.</p> <p>6. Make periodic presentations to OCA Executive Management team regarding CIP activities.</p> <p>7. Make periodic presentations to local family court Judges and staff.</p> <p>8. Make periodic presentations to the Family Court Judges Association</p> <p>Meet and make presentations to the Appellate Divisions Law Guardian Programs.</p>				<p>3. Meetings with administrative or supervising Family court judges concerning CIP goals and addressing local issues were held in all judicial districts except the 4th.</p> <p>5. Presentation made in December 2007 to annual meeting of Chief Clerks and Deputy Chief Clerks Statewide about CIP as well as upcoming CFSR and a second presentation was made in October 2008 updating them on local CIP initiatives.</p> <p>7. Presentations about CIP and best practices made by CIP staff in the 5th, 6th, 7th, 8th Judicial Districts, conversations had concerning a similar presentation in the 3rd Judicial District.</p>
<p>Goal 2: A broad array of statewide stakeholders to engage in ongoing, meaningful inter-organizational collaboration to promote best court practices in</p>	<p>Objective 2.1. CIP Staff will participate on existing committees including but not limited to the following:</p> <ul style="list-style-type: none"> • Statewide Permanency Planning Team • Adoption Now • PIP Strategy Groups • Partnership for Family Recovery (IDTA) • Family Treatment Court Advisory Committee • Family Court Advisory and Rules Committee 	<p>CIP</p>	<p>Ongoing</p>		<p>CIP staff are members of all mentioned committees.</p>

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child welfare cases throughout the state.	Workgroup to improve the educational well-being of children in foster care (McKinney-Vento)				
	Objective 2.2. Increase number and type of stakeholders involved in child welfare court reform initiatives	CIP	Ongoing		CIP staff are dramatically increasing stakeholder diversity in child welfare reform areas, i.e. the New York City Reforming Child Protective Proceedings initiative.....
	<p>Objective 2.3. CIP Staff will participate on other committees which emerge and whose purpose is consistent with the CIP's mission.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Participate in and/or present at relevant symposiums, conferences and other events sponsored by existing and potential stakeholder systems (including but not limited to): <ol style="list-style-type: none"> a. Health b. Mental Health c. Education d. Substance Abuse e. Institutional legal service providers, Bar groups (LG's and Respondent's Counsel) f. Agency Attorneys (NYPWA) g. Mental Retardation 2. Invite representatives of the aforementioned groups to participate and/or present at CIP sponsored events. 3. Identify representatives from each of the aforementioned groups and set up individual meetings to inform them of CIP mission and initiatives and learn about their missions and initiatives. 	CIP	Ongoing	Identify committees that are aligned with the CIP mission	<ol style="list-style-type: none"> 1. CIP staff became members of the "Permanency Now" committee in 2008. <p>CIP staff prepared a presentation on the IDTA initiative and collaborative process between the courts, child welfare system and substance abuse for the NYPWA conference on 1/30/09.</p> <p>CIP staff Coordinated Court based substance abuse training with a consultant. It is a seven session lunch time training series entitled Chemical Dependency: Implication for the Child Welfare System.</p> <ol style="list-style-type: none"> 2. The CIP co-sponsored Sharing Success 2008 annual conference invited presentations from

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
					the mental health and health fields.
	<p>Objective 2.4: Engaging State Legislature in Child Welfare and CIP initiatives.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Support UCS and PCJC efforts to educate Legislature concerning resource needs of the Family Courts. 2. Meet individually with legislators and staff to inform them of CIP mission and initiatives. 3. Invite representatives of the legislature to participate and/or present at CIP sponsored events. 4. Distribute Best Practices Bulletins to state legislators. 	CIP	2009-beyond	<p>Best Practice Bulletins created.</p> <p>Identify legislation impacting family court where CIP can play a role.</p>	CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.
	<p>Objective 2.5: Increase representation of small counties and jurisdictions historically underrepresented in planning activities.</p> <p>Activities:</p> <ol style="list-style-type: none"> a. Invite representatives of small and underrepresented jurisdictions to participate in CIP planning processes. b. Use distance technology (conference calls, video conferencing, and “meeting space” software) to facilitate participation from distant parts of the state. c. Develop an advisory group to focus on the special needs of small and underrepresented jurisdictions. 	CIP	Ongoing	Identify underrepresented jurisdictions	<p>a. CIP included family courts judges from the 7th JD (Ontario county) and the 6th JD (Tompkins county) in the CIP Advisory Committee.</p> <p>b. Online conferencing used to reach distant counties in CASA conferences</p>
<p>Goal 3: In every county of the state, a broad array of local stakeholders engage in ongoing, meaningful collaboration</p>	<p>Objective 3.1: Increase the number of court staff positions dedicated to coordinating child welfare court reform initiatives and supporting Family Court Judges at the local level.</p> <p>Activities:</p> <p>Work with OCA Division of Human Resources to identify an appropriate title series.</p> <p>Create additional positions in key jurisdictions</p>	CIP	2008	Work with HR to post CIP Liaison positions	<p>In 2008, CIP hired two new Liaison positions to represent the 6th, 3rd and 9th JDs.</p> <p>There are potential plans to add a liaison position for the 10th JD.</p>

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
to promote best court practices in child welfare cases in their respective communities.	in consultation with Judicial districts/NYC FC Existing CIP staff provide mentoring and training to newly hired staff.				Mentoring and training is provided though monthly liaison meetings.
	<p>Objective 3.2: Increase the number of counties with active stakeholder groups to promote system-wide implementation of best practices.</p> <p>Activities:</p> <p>a. Develop a “Child Welfare Court Improvement Plan” template for use by local courts.</p> <p>b. CIP Liaisons provide direct technical assistance to counties during the start-up phase.</p> <p>c. Provide data synopsis to counties to encourage reform (Demographics, comparison to similar counties, local numbers vs. benchmarks, etc.).</p> <p>d. Conduct “process mapping” and file reviews to identify potential areas of improvement.</p> <p>e. Conduct regional cross system trainings on the process of developing local “best practice” collaborative groups.</p> <p>f. Invite multi-disciplinary attendance at presentations of case-reviews of children who grew up in and aged out of foster care.</p> <p>g. Roll out training of piloted “Substance Abuse Basics” statewide and encourage multi-disciplinary attendance.</p>	CIP	Ongoing		<p>a. Meetings held to formulate template. Document expected to be finalized in January, 2009.</p> <p>b. CIP staff provide ongoing assistance in counties where best practices and Model Court procedures and stakeholder groups are exercised: Erie, Niagara, Monroe, Westchester, Nassau, Oneida, Onondaga, Chemung, and Albany. In addition, CIP personnel are staffing stakeholder groups in the five boroughs of NYC.</p> <p>c. CIP disseminated county-based data reports in 2008.</p> <p>d. CIP staff involved in New York City Reforming Child Protective Proceedings initiative. This project will re-engineer many of the city’s child protective proceedings.</p> <p>e. CIP staff formulating training</p>

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					<p>on judicial best practices for judges/referees scheduled for October, 2009.</p> <p>f. Sharing Success VI in November 2008 featured “Why Urgency Matters: An Illustrated Timeline of One child’s Experience in Foster Care”. This was attended by a multi-disciplinary audience—Office of Court Admin, Family Court, OCFS, several local DSS agencies, etc.</p> <p>g. CIP staff coordinated pilot for a court based substance abuse training with consultant Naomi Weinstein. The Kings County Series began on December 5th 2007 and was completed in May 2008. Video tapes are being made for a train the trainer statewide initiative.</p>
	<p>Objective 3.3: Increase number and type of stakeholders involved in local child welfare court reform initiatives.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Encourage statewide agency partners to provide information to their local partners regarding the importance of participation on local court reform groups. 2. CIP Liaisons assist local stakeholder groups to 	CIP	Ongoing	Development of an action plan that includes recommended stakeholders	<ol style="list-style-type: none"> 1. CIP Liaison work in the 6th JD in incorporating Family court best practices. 3. In the 5th JD, an attorney training sponsored by Monroe county DSS, CIP, and Monroe Family Court was held to review 2005

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>identify potential representatives and set up individual meetings to inform them of the purpose of the local court reform initiative.</p> <p>3. Conduct a local cross-disciplinary training on CIP basics and showcasing other successful collaboratives as a first step.</p> <p>4. Invite potential partners to tour the court and meet with Judges and Court Managers.</p>				<p>permanency law and Model Court procedures.</p> <p>4. 7th JD: CIP staff involved with a Court Orientation Program for foster parents/caregivers for children in placement. The program provides information about the basic permanency hearing court process.</p>
	<p>Objective 3.4: Encourage local court leadership surrounding child welfare initiatives.</p> <p>Activities:</p> <p>1. Facilitate multi-disciplinary team visits to model court jurisdictions around the state and in other states.</p> <p>2. Provide information to clarify ethics questions regarding judicial participation in cross-system reform efforts.</p> <p>3. Provide opportunities for local judges to attend the National Council on Juvenile and Family Court Judges Child Abuse and Neglect Institute and/or contract with NCJFCJ to provide a training in-state.</p>	CIP	Ongoing	Identify key jurisdictions	<p>1. CIP staff coordinated training for Nassau County Court Attorney Referee. Training included spending two days with a Court Attorney Referee in Erie County in February, 2008.</p> <p>3. CIP sent ten NYS judges to attend the CANI training in 2008.</p>
<p>Goal 4: Every participant in child welfare court proceedings is afforded due process, procedural fairness and timely resolution.</p>	<p>Objective 4.1: Increase the percentage of non-respondent parents who are personally served with any initial petition alleging abuse/neglect or petition seeking approval of a voluntary placement instrument.</p> <p>Activities:</p> <p>1. Survey Counties to determine current practice of notifying non-respondent parents of the existence of a child welfare proceeding involving their children.</p> <p>2. Perform a randomized statewide file review</p>	CIP	2009-2010		CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>to determine what percentage of non-respondent parents are notified and attend child welfare cases involving their children.</p> <p>3. Work with OCFS to determine impact on personally serving all parents via personal service/publication.</p> <p>4. Work with UCS Counsel’s office and the Family Court Advisory and Rules Committee on developing statutory and rule modification to provide for personal service of non-respondent parents in child welfare cases.</p>				
	<p>Objective 4.2: Increase compliance with requirements that permanency reports be submitted 14 days in advance of the permanency hearing.</p> <p>Activities:</p> <p>1. Work with key UCS, OCFS & ACS partners to enhance automation of case processing and interoperability between UCS and Child Welfare IT systems.</p> <p>2. Continue support of the NYC Family Court/ACS (Legal Tracking System/UCMS/Connections) data share project to allow for electronic filing and dissemination of permanency reports.</p> <p>3. Develop feasibility study regarding statewide interoperability between UCMS and OCFS systems to replicate NYC pilot statewide.</p> <p>4. Train caseworkers in the operations and dynamics of Family Court and necessity of the timely submission of information to the Court and parties.</p>	CIP, OCFS, ACS	Ongoing	<p>Draft feasibility report</p> <p>Define Business requirements for UCS/ACS data share.</p>	<p>1. CIP arranged several meetings to engage OCFS personnel on the importance of inter-agency data share. This meeting was incorporated into the periodic LUC governance meeting.</p> <p>2. CIP participating in LUC project and funding an additional project analyst for ACS.</p> <p>3. OCA/OCFS data share white paper created and disseminated in March, 2008.</p> <p>4. CIP staff have engaged in updating permanency reports generated from UCMS that are utilized by local courts to view operational information.</p>
	<p>Objective 4.3: Increase percentage of cases in which relative resources are identified and served notice of the proceedings where required.</p>	CIP, OCFS	Ongoing	Draft publications created.	2. CIP staff created the following publications:

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>Activities:</p> <ol style="list-style-type: none"> 1. Provide training to Judges and Court Attorney Referees surrounding kinship options. 2. Implement standardized checklist of preliminary inquiries from the bench surrounding relative/kinship resources. 3. Issue Best Practice Bulletin to outline statutory relative provisions and best practice principles. 4. Provide training to the bench and bar concerning relative issues in Family Court and the dynamics and interplay between them all. 5. Develop and distribute a simplified desk aid to all counties & courts explaining kinship care options. 				<ol style="list-style-type: none"> a. "Post Dispositional Review Checklist". This has been disseminated b. "Preliminary Conference Checklist". A draft has been created and waiting for finalization. 3. A Best Practice Bulletin has been created and disseminated in 2008 covering relative topics.
	<p>Objective 4.4: Increase the percentage of permanency hearings held within statutory timeframes.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Continue to Support the work of OCFS regional office staff in conducting IV-E mock audits. 2. Work with Counties to establish multi-disciplinary groups to review internally court orders for compliance with IV-E and include compliance with the statutory mandates of the permanency law. 3. Encourage the use statewide of case conferencing techniques in order to minimize contentious issues during permanency hearings, thus minimizing the need for continuances. 4. Provide training for judges and court staff surrounding elements of an effective permanency hearing and need for timeliness utilizing Freed Child Permanency Video made by OCFS. 5. Implement a continuous hearing mandate 	CIP, OCFS	Ongoing	Identify counties where permanency hearings are not held within statutory guidelines	<ol style="list-style-type: none"> 1. CIP staff participated in periodic IV-E mock audits in 2008. 2. Two examples of CIP work in statutory compliance: <ol style="list-style-type: none"> a. In the 5th JD, an attorney training sponsored by Monroe county DSS, CIP, and Monroe Family Court was held to review 2005 permanency law and Model Court procedures. b. "Best Practices Permanency - Focus on Child Protective Cases". Training held for the 7th District chief clerks. Three different sessions;

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	<p>for all permanency hearings.</p> <p>6. Assess judicial and court attorney referee caseload and effect on timely permanency hearings.</p>				<p>Permanency, Support, and Judicial a combination of best practices theory and hands on UCMS.</p> <p>3. CIP staff involved in the New York City Reforming Child Protective Proceedings initiative that includes identifying checklists, protocols, and form orders for many types of conferences.</p> <p>4. UCMS training provided in four districts. This training incorporates the Freed Child Permanency Video.</p>
	<p>Objective 4.5: Increase the number of Native American families served by a culturally competent courtroom setting and ensuring compliance with ICWA mandates.</p> <p>Activities:</p> <p>1. Support judicial training concerning Native American cultures and the Indian Child Welfare Act.</p> <p>2. Develop and distribute signs for every State courtroom asking people of Native American ancestry to advise the Court.</p> <p>3. Work with Indian Nations to identify representatives for participation in local stakeholder’s groups.</p> <p>4. Support the inclusion of Native American representatives on appropriate stakeholder’s groups.</p>	CIP, CASA	Ongoing	Identify local stakeholders	<p>1. CIP Staff participated in an ongoing collaboration between the courts of the 8th JD and the Cattaraugus and Allegany Peacemaker courts of the Seneca Nation.</p> <p>2. CIP staff have designed signs.</p> <p>3. CIP staff coordinating a collaboration of the Niagara County Family Court and Chiefs and Clan Mothers of the</p>

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	<p>5. Work with Law Guardian Programs to have ICWA as a core element of child welfare training.</p> <p>6. Work with Nations on providing information to their tribes on child welfare court practice and procedures.</p> <p>7. Work with other system partners to ensure that all systems are trained in the fundamentals of Native American cultures and ICWA.</p>				<p>Tuscarora Nation – Ongoing projects are the development of a contact list, establishment of regular meetings and ICWA training for Niagara County attorneys for children.</p> <p>7. See above training in Objective 4.5, #3.</p>
	<p>Objective 4.6: Decrease the time it takes to place children across state lines in accordance with the Interstate Compact on Placement of Children and Safe & Timely Interstate Placement of Foster Children Act.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Solicit bids and Contract to provide assessment of New York State’s statutes, court rules, and regulations surrounding the interstate placement of children. 2. Encourage frequent reviews and status reports of out of state home study requests. 3. Support the enactment of the new ICPC legislation. 4. Provide training around the new legislation once adopted. 5. Issue a Best Practice Bulletin with suggestions for moving a case forward that appears to be stuck due to an out-of-state home study. 6. Convene a meeting with New York CIP and those in Florida, Pennsylvania and New Jersey (the three states most often sought for Interstate placement of New York’s children) to discuss interstate challenges and procedures. 	CIP	2008 and ongoing	Form committee to draft NYS assessment report	<p>CIP staff submitted Federally-mandated report on interstate placement of foster care children as part of the 2008-2009 grant proposal.</p> <p>CIP staff to discuss implementing the recommendations in the above report in the Permanency Now sub-committee.</p>
	Objective 4.7: Increase the number of fathers identified and involved in the court process and	CIP, Office of Court	Ongoing	Raise involvement of	CIP to address more substantively in the

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>in service planning for their children.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Gather existing caseworker tools on identifying fathers. 2. Develop a tool that can be easily used by Judges and other Judicial Officers when facing a case where no father has been identified. 3. Work with Division of Technology and UCMS Permanency Group to establish prompts, or other highlighting features, to remind court users of the necessity of identifying fathers. 4. Develop a cross-reference checklist for use by petition processors to assist in identifying fathers from related cases. 5. Conduct multi-disciplinary training on importance of early identification of fathers. 6. Develop and distribute best practice principles surrounding the identification and engagement of non-respondent fathers. 7. Coordinate efforts with TPR Barriers Workgroup. 8. Issue Best Practice Bulletin. 	Administration (OCA)		fathers in child welfare proceedings as an issue in the court system.	<p>latter half of the 2006-2010 strategic plan.</p> <ol style="list-style-type: none"> 3. CIP partnered with the Division of Technology to incorporate a prompt in the UCMS case management system to verify a father's legal status relative to the child during the TPR process. 7. CIP staff on the TRP Barriers committee have participated in proposing legislation addressing identified barriers.
	<p>Objective 4.8: Require attorneys to prepare and sign legal pleadings in family court proceedings.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Assess impact of pro se paperwork by conducting statewide randomized file review of both attorney drawn and pro se pleadings. 2. Work with Family Court Advisory and Rules Committee to establish new Family Court Rule to require attorneys to sign pleadings filed in Article 10 and termination of parental proceedings. 3. Issue Best Practice Bulletin surrounding need for attorney drawn pleadings. 	CIP, OCA counsel's office, Trial Court Operations	2008-2009	Draft new Family Court Rule language	2. CIP staff have joined the UCMS Forms committee. If appropriate, CIP will work with the committee to incorporate attorney signature on Article 10 and TPR proceeding forms.

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	4. Work with Trial Court Operations Office to establish conforming protocols for Family Court back office staff.				
	<p>Objective 4.9: Support UCS Counsel’s Office in continuing to make improvements to the timeliness of the appeal process for child welfare proceedings.</p> <p>Activities:</p> <p>1. Undertake a study to determine length of time to decision on appeal.</p> <p>2. Support development of protocols between trial courts and appellate divisions to improve appeal procedures</p>				
<p>Goal 5: Courts consistently conduct the highest quality child welfare proceedings to ensure that: 1) children are kept safe, are maintained in their own homes whenever possible and appropriate; 2) children’s length of stay in foster care is reduced; and 3) the health, mental health and educational needs of children are met.</p>	<p>Objective 5.1: Increase compliance with state and federal child welfare requirements through active engagement with the statewide Office of Children and Family Services.</p> <p>Activities:</p> <p>1. Participate as consultant reviewers in other states when and if opportunities arise.</p> <p>2. Participate in federal Title IV-E reviews of New York State and the development and implementation of any resulting program improvement plans giving priority to any legal or judicial issues identified in the review.</p> <p>3. Participate in federal CFSR reviews of New York State including development of the state’s self-assessment, active participation in the on-site review and the development and implementation of any resulting program improvement plans giving priority to any legal or judicial issues identified as a result of the review.</p> <p>4. Issue a Best Practice Bulletin for Judicial Officers and Court Managers educating them on their role in federal reviews.</p>	CIP, OCFS	2008, ongoing	Engage OCFS in discussions for CIP involvement in IV-E process.	<p>2. In the 7th JD, Title IVE Case Reviews – CIP partners with the BRO of OCFS to conduct monthly case file reviews for compliance with Title IVE standards in Erie County to prepare for the upcoming federal review.</p> <p>3. CIP staff participated in training program for onsite reviewers for the CFSR onsite review.</p> <p>CIP staff participated in Federal CFSR onsite review in May, 2008.</p> <p>CIP staff facilitated focus groups of Judges and Judicial Officers around the state to inform the self-assessment as</p>

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					<p>well as authored a portion of the assessment. CIP staff have been working closely with OCFS on PIP development and have had meetings where alignment of PIP and CIP goals were discussed.</p> <p>4. Best Practice Bulletin disseminated. (See Attachment D)</p>
	<p>Objective 5.2: Increase knowledge and skill of judicial officers (Judges and Referees) on child welfare related issues.</p> <p>Activities:</p> <p>1. Underwrite Judicial Officer participation in the National Council of Juvenile and Family Court Judge’s Child Abuse and Neglect Institute or have the program brought to New York State.</p> <p>2. Develop a basic child welfare training program for all judicial officers who will hear child welfare matters and determine feasibility of mandating such training. The training to include but not be limited to:</p> <p>a. Best Practices and CIP Initiatives; b. Child Development; c. Having children present in the courtroom; d. Child welfare basics; e. The court’s role in promoting child well being using existing PJCJC curriculum (education, healthy development and special developmental needs of infants); ICWA; f. Elements of case planning and role of the caseworker and corresponding regulations; and g. Needs of children aging out of the foster care system.</p> <p>3. Develop a child welfare bench book to augment the child welfare training program.</p>	CIP, PJCJC	Ongoing	<p>Develop training programs</p> <p>Engage the JI for program arrangements</p>	<p>1. CIP funded ten Family court judges/referees to attend CANI seminar in 2008 and 9 in 2007.</p> <p>CIP staff in planning stages to hold a NCJFCJ training in New York in October, 2009.</p> <p>2. CIP is in ongoing discussions with the NYS Judicial Institute concerning a new judge training as well as beginning stages of developing a training for child welfare referees.</p> <p>4. October 2008 a contract was signed with retired NYC Family Court Judge Sarah Schecter to develop a Judicial mentorship program..</p>

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>4. Develop a Judicial mentorship program.</p> <p>5. Develop a case review protocol for children who have aged out of the system as a self-assessment tool for improvement.</p>				
	<p>Objective 5.5: Improve the communication between Referees and Judges on their child welfare caseloads to solidify a team approach.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Work with UCS Counsel’s Office and Family Court Advisory and Rules Committee to establish clearer guidelines for referee activity. 2. Train judges and referees on the team model concept. 3. Provide training for referees in conjunction with the Judicial Institute specific to their caseloads. 4. Provide for regular meetings of child welfare referees statewide and consult judges and referees on issues to address. 	CIP	2008-2009	Prepare agenda for NYS CANI conference	<ol style="list-style-type: none"> 2. CIP funded ten Family court judges/referees to attend CANI seminar in 2008 and 9 in 2007. CIP will host a NCJFCJ co-sponsored CANI training in NYS in 2009. 3. CIP is in ongoing discussions with the NYS Judicial Institute concerning a new judge training as well as beginning stages of developing a training for child welfare referees. 4. CIP staff involved in New York City Reforming Child Protective Proceedings initiative. See Report Introduction for background information in the initiative.
	<p>Objective 5.6: Increase availability of Alternative Dispute Resolution services</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Maintain support for current child welfare mediation projects. 2. Expand child welfare mediation to additional counties. 3. Provide statewide training opportunities for additional child welfare mediators. 	CIP, OCA	Ongoing	Identify ADR trainers	<ol style="list-style-type: none"> 1. Currently fund four out of five original pilot permanency mediation programs. 2. Currently being developed and implemented by April 2009 is the CWCIP Permanency Mediation Program in collaboration

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	<p>4. Participate in the national “Conflict Resolution in Child Welfare: Collecting the Wisdom of 25 Years of Experience” Symposium.</p> <p>5. Provide training for Judges and Referees and child welfare attorneys on the applicability of mediation to child welfare matters.</p>				<p>with the 5th Judicial District which will expand mediation from one county in the 5th District to 6 counties.</p> <p>3. September 2008 a Child Welfare Permanency Mediation training was offered statewide to advanced mediators.</p> <p>4. Assistant Coordinator attended in 2007. CIP liaison attended in May 2008.</p> <p>5. Statewide Manager and liaisons presented at the 5th Judicial District Judges Meeting. CIP liaisons scheduled to meet with 5th District Judges individually to ensure for a smooth implementation and correct utilization of the program.</p>
	<p>Objective 5.7: Increase the number of Counties utilizing conferencing models in their courtrooms.</p> <p>Activities:</p> <p>1. Develop a “Child Welfare Court Improvement Plan” template for use by local courts.</p> <p>2. CIP Liaisons provide direct technical assistance to counties during the start-up phase.</p> <p>3. Provide data synopsis to counties to encourage reform (Demographics, comparison to similar counties, local numbers vs.</p>	CIP	Ongoing	Identify best practice conference models.	<p>1. Meetings held to formulate template. Document expected to be finalized in January, 2009.</p> <p>2. CIP staff provide ongoing assistance in counties where best practices and Model Court procedures and stakeholder groups are exercised (including conferencing models): Erie,</p>

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	<p>benchmarks, etc.).</p> <p>4. Conduct “process mapping” and file reviews to identify potential areas of improvement.</p> <p>5. Conduct regional cross-system trainings on the various conferencing models utilized statewide and nationally and the benefits to each.</p> <p>6. Facilitate site visits between county teams who are interested in conferencing techniques and those who are successfully engaged in such techniques – both statewide and nationally.</p> <p>7. Provide file reviews and courtroom assessments for interested counties to assess their child welfare practices and provide suggestions for improvement.</p>				<p>Niagara, Monroe, Westchester, Nassau, Oneida, Onondaga, Chemung, and Albany. In addition, CIP personnel are staffing stakeholder groups in the five boroughs of NYC.</p> <p>3. CIP staff disseminated county-based child welfare statistics to Family courts statewide based on OCFS-provided data.</p> <p>4. CIP staff involved in New York City Reforming Child Protective Proceedings initiative. This project will re-engineer many of the city’s child protective proceedings.</p> <p>5. CIP funded ten Family court judges/referees to attend CANI seminar in 2008 and 9 in 2007.</p> <p>6. 5th JD, CIP sponsors a Model Court For Abused and Neglected Children: Monthly meeting with court personnel and local DSS for best practice permanency part for all child welfare cases including front</p>

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					<p>end case conferencing, disposition, permanency hearings, and post dispositional reviews until permanency is reached.</p> <p>7. CIP has planned a CANI conference in NYS for Oct, 2009. CIP staff will be trained in file reviews and courtroom assessments as part of this.</p>
<p>Goal 6: Courts consistently treat all participants in child welfare matters fairly and with consideration.</p>	<p>Objective 6.1: Maintain a culture of patience, dignity and courtesy in all aspects of court operations.</p> <p>Activities:</p> <ol style="list-style-type: none"> 1. Conduct focus groups of court users including parents, youth and professionals. 2. Conduct multi-disciplinary trainings on topics to promote the objective (including but not limited to): Vicarious Trauma; Fostering meaningful participation in court proceedings; Cultural diversity; and Awareness of parties' perspective of court experience. 3. Develop a written guide and training module for court security personnel on the special nature of child welfare matters (calendar privacy, the role of foster/adoptive parents, etc.). 4. Work with Court Interpreters Unit to ensure frequently used documents are translated and available to local courts for distribution. 5. Explore availability of interpreters for attorney/client interaction outside of court. 	<p>CIP, OCA</p>	<p>Ongoing</p>	<p>Identify cross-disciplinary topics and training documentation</p>	<ol style="list-style-type: none"> 2. Presentation completed in the 9th JD by CIP staff on Vicarious Trama. CIP included a presentation on cultural competency as part of the Sharing Success conference in 2008. 6. CIP staff working with a Family court judge in the 9th JD on a local pilot to ensure racial and ethnic fairness in court proceedings. This pilot is based upon the NCJFCJ Courts Catalyzing Change Initiative. 7. CIP Staff are facilitating an ongoing dialogue between the Judges of the Niagara

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>6. Develop publications and conduct in-service trainings to raise awareness of issues relating to the overrepresentation of children of color in care.</p> <p>7. Support judicial training concerning Native American cultures and the Indian Child Welfare Act.</p> <p>8. Collaborate with Office of Deputy Chief Administrative Judge for Justice Initiatives Juanita Bing-Newton on her advocacy efforts in ensuring racial and ethnic fairness in the Court System.</p>				<p>County Family Court, attorneys representing children and parents and the Niagara County Family Court. The group has met to discuss the development of a contact list, establishment of regular meetings and ICWA training for Niagara County attorneys for children.</p>
	<p>Objective 6.2: Increase the number of children who are present in the courtroom.</p> <p>Activities:</p> <p>1. Support PJCJC’s lead on project and actively participate in workgroup to be formed by PJCJC.</p> <p>2. Work with OCA Counsel’s Office and Family Court Advisory and Rules Committee to implement statute or court rule.</p> <p>3. Provide training for all system users on child participation in court proceedings to include:</p> <ul style="list-style-type: none"> a. Explanation of the benefits to the court and other stakeholders of youth presence and participation in permanency hearings; b. Explanation of the benefit to the children of youth participation in and presence at their permanency hearings; c. Behavioral expectations of children and youth based upon cognitive developmental stage; d. Age-appropriate questions and expectations for input from children and youth; e. Strategies to deal with emotional issues 	CIP, PJCJC	Ongoing	??	<p>1. See the progress note for Objective 1.2.</p> <p>5. The CIP funded the PJCJC’s publication for engaging children in their court proceedings.</p> <p>6. As part of Sharing Success in 2007 and 2008, CIP had the voice of children present through youth who are a part of the statewide group Youth in Progress.</p> <p>7. CIP staff supported Teen Days in NYC established and was modified and named “Empowering youth day” in Oneida County.</p> <p>8. 8th JD: Erie County Adolescent Subcommittee – CIP</p>

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>and outbursts;</p> <p>f. Restructuring or bifurcation of permanency hearings to permit younger children to participate;</p> <p>g. Judicial role in encouraging active and meaningful children and youth participation in permanency hearings;</p> <p>h. Use of creative, time-specific scheduling to permit children and youth to attend without significant disruption of school attendance;</p> <p>i. Strategies to prepare a child or youth for effective participation; and</p> <p>j. Age appropriate expectations for input for children and youth.</p> <p>4. Provide follow up forums for Judges to discuss concerns regarding youth participation in Court proceedings.</p> <p>5. Develop a Judicial Handbook of age appropriate or developmental stage appropriate questions.</p> <p>6. Include foster youth panels at relevant trainings/seminars/conferences.</p> <p>7. Expand New York City’s “Teen Days” project to assist foster youth in transitioning to adulthood.</p> <p>8. Expand and refine “Benchmark Permanency Hearings” at critical stages of adolescent development.</p> <p>9. Issue Best Practice Bulletin encouraging youth attendance at permanency hearings.</p>				<p>staff works with Erie County collaborative committee dedicated to improving outcomes and process for adolescents in out-of-home placement. Committee has developed an Adolescent Checklist to be used with specialized adolescent reviews??</p> <p>9. CIP staff have begun work on a fourth Best Practice Bulletin which addresses youth participation in permanency hearings among other topics.</p>
	<p>Objective 6.3: Decrease the length of time from filing to completion of various child welfare proceedings.</p> <p>Activities:</p> <p>1. Evaluate and assess current length of time to completion of various child welfare</p>	CIP, OCA, DoT	Ongoing	Gather data reports that detail court proceeding statistics	1. CIP staff involved in New York City Reforming Child Protective Proceedings initiative. See Report Introduction for background

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>proceedings, number of trial appearances and length of time between trial days.</p> <p>2. Execute a feasibility study of conducting consecutive hearing days with statewide participation.</p> <p>3. Select pilot sites for roll out of consecutive hearing dates.</p> <p>4. Develop a best practice timeline for each type of child welfare proceeding with descriptions supporting each appearance.</p> <p>5. Work with UCS Counsel’s Office and the Family Court Advisory and Rules Committee on implementing statutory and rule changes.</p> <p>6. Work with Supervising Judges and District Administrative Judges on understanding the necessity of timely resolution of child welfare proceedings.</p>				<p>information in the initiative.</p> <p>3. CIP staff have begun discussions in the 5th JD with Oneida Family Court for the roll out of consecutive hearing dates.</p> <p>4. CIP staff involved in New York City Reforming Child Protective Proceedings initiative which is implementing a best practice process flow for child welfare proceedings.</p> <p>6. As part of the expanded Model Court rollout planned in 2008 and beginning in 2009 and, best practices resulting in the timely resolution of child welfare proceedings will be emphasized.</p>
	<p>Objective 6.4: Increase the number of Family Courts using calendar management techniques to ensure appropriate attention to child welfare caseloads.</p> <p>Activities:</p> <p>1. Convene a workgroup to identify within child welfare proceedings and specific appearance types, elements of the particular proceeding in order to determine a suggested length time for the court appearance.</p> <p>2. Select pilot sites for implementation.</p> <p>3. Develop benchmarks to reach by</p>	CIP, Trial Court Operations	Ongoing	Identify work group participants	<p>1. CIP staff involved in New York City Reforming Child Protective Proceedings initiative. See report Introduction section for background information on the initiative.</p> <p>5. CIP staff are available in almost every judicial district in the state to support court</p>

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>implementing date/time certain and varying durations of appearances.</p> <p>4. Deliver training in conjunction with Trial Court Operations Unit to introduce date/time certain calendaring.</p> <p>5. Provide CIP liaison staff to support court initiatives.</p>				initiatives.
<p>Goal 7: All affected participants including but not limited to parents, children, local Departments of Social Services, current and potential relative and non-relative caregivers, and voluntary foster care agencies have ready access to quality representation and advocacy services.</p>	<p>Objective 7.1: Adopt standards for representation for parents, agency/social services district attorneys and review standards for law guardians.</p> <p>Activities:</p> <p>Work in partnership with State Bar Association to explore adoption/revision of Standards of Practice in child welfare matters:</p> <p>Survey other states standards; review ABA model standards; Propose standards; and Determine proper procedure for formal adoption of standards.</p>	CIP	2010	Gather information on non-NYS state ABA model standards	CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.
	<p>Objective 7.2: Increase knowledge and skills of attorneys engaged in child welfare practice.</p> <p>Activities:</p> <p>Develop basic training curriculum for child welfare attorneys.</p> <p>Conduct periodic training sessions for attorneys in the basics of child welfare practice.</p> <p>Conduct periodic training sessions for attorneys on ethics in CW practice.</p> <p>Explore requiring attorney mentoring/second chairing.</p> <p>Develop pilot locations for the implementation of attorney mentoring.</p>	CIP	2010	Identify attorneys for participation in curriculum development	CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>Integrate mandatory training requirements into contracts with institutional legal service providers.</p> <p>Conduct Law Guardian training on how to talk to children at varying developmental stages.</p>				
	<p>Objective 7.3: Increase relatives, caregivers & potential caregivers access to advocates at the earliest possible point in the process.</p> <p>Activities:</p> <p>Convene focus groups to determine unmet needs of relatives/caregivers & potential caregivers.</p> <p>Convene an informational session with various advocacy groups to determine resources for advocacy and local initiatives.</p> <p>Develop a caregivers manual to outline relevant child welfare law, court process and various support services.</p> <p>Work with OCFS to develop advocacy positions in the largest districts.</p> <p>Provide training or access to training, regionally or nationally, for local project advocates.</p> <p>Encourage local stakeholder's groups to add this issue to their agendas.</p>	CIP	2010	Identify materials for focus groups and caregiver manual.	CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.
	<p>Objective 7.4: Increase number of judges who are appointing counsel to relatives/caregivers in child welfare cases.</p> <p>Activities:</p> <p>Perform feasibility study on impact of assigning counsel both on County finances and attorney workload.</p> <p>Meet with various groups of legal aide, public defenders, 18B attorneys to explore with them representation of these groups of people.</p> <p>Educate the Judges, attorneys and caseworkers surrounding the need for these individuals to</p>	CIP	2010	Gather statistical reports to determine areas of the state where relative placement is low.	CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>be represented in child welfare proceeding including the publication of a Best Practice Bulletin.</p> <p>Work with established stakeholder's groups to add the topic to their agenda.</p> <p>Identify Counties who have regular representation for relatives/caregivers to determine if a model can emerge.</p>				
	<p>Objective 7.5: Increase the number of parties receiving continuous representation in child welfare proceedings where the representation is undertaken by an institutional provider.</p> <p>Activities:</p> <p>a. Evaluate the feasibility of continuous representation by a single attorney throughout the life of a case with various institutional providers (Legal Aide, Public Defenders, Conflict Defenders and Law Guardian Offices).</p> <p>b. Disseminate information about dedicated child welfare teams (Judge, DSS Attorney, Law Guardian(s), Respondent's counsel(s)).</p> <p>c. Work with FCARC to establish a rule that requires notice be given to Law Guardians for all agency adoption petitions filed.</p> <p>d. Educate law guardians about their role during the adoption proceeding.</p>	CIP	2008-2010	<p>Identify representatives for institutional provider groups.</p> <p>Develop presentation or educational material for institutional provider groups.</p>	<p>CIP to address based on priority and as time permits in the latter half of the 2006-2010 strategic plan.</p> <p>b. CIP staff involved in New York City Reforming Child Protective Proceedings initiative. As part of this effort, cross-disciplinary child welfare committees have been established to address continuous representation among other topics. Committees have....</p>
	<p>Objective 7.6: Increase the frequency and availability, and improve the quality of CASA advocacy services for children.</p> <p>Activities:</p> <p>1. Develop new CASA programs (three new counties by 2010).</p> <p>2. Work with the Seneca Nation to develop the state's first Tribal CASA program.</p> <p>3. Enhance capacity of existing CASA Programs.</p> <p>4. Educate Judges and Referees on the appropriate use of CASAs.</p>	CIP	Ongoing	<p>Identify new areas for CASA expansion</p> <p>Develop fund raising training for CASA agencies</p>	<p>1. CIP staff met with Family Court Judges and agencies in three counties to discuss new CASA programs—although available financial resources limit expansion at this time.</p>

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
	<p>5. Perform site visits to all CASA programs in the state to review case files as well as program and volunteer management.</p> <p>6. Conduct annual trainings of all CASA directors on child welfare and court issues, such as substance abuse, developmental issues, and the impact of trauma.</p> <p>7. Improve effective use of CASA Programs by Family Court Judges:</p> <p>a. Conduct survey of Family Court judges regarding quality of CASA reports and effectiveness in assisting prompt and stable placements of children.</p> <p>b. Conduct meetings with local Family Court judges to assess their awareness of CASA, its roles, and appropriate case assignment.</p> <p>c. Conduct presentation at fall 2007 Family Court Judges Association statewide meeting on the CASA program and its use.</p> <p>8. Conduct trainings on cultural competence.</p> <p>9. Retain services of diversity consultant to develop intervention strategies for network.</p>				<p>2. CIP staff have worked with the Seneca Nation to consider a CASA program.</p> <p>3. CIP staff effort on enhancing program effectiveness:</p> <p>a. Establish workgroups to continue to develop a standardized CASA Program Manual.</p> <p>b. Standardized data collection terms were distributed, and a workgroup is moving state network toward a web-based data collection mechanism in collaboration.</p> <p>c. Standardized court and program forms are being developed for CASA programs.</p> <p>d. CIP has provided regular information to CASA network about court-related initiatives through a newsletter.</p> <p>4. See # 7 below.</p> <p>5. CIP staff conducting regular site visits.</p> <p>6. CIP staff organized two program directors' meetings held in 2008, a cross-systems training on children impacted by familial substance abuse, and trainings on permanency planning, resource development and collaborative advocacy.</p>

Issue to be Addressed	Strategy / Activity	Responsibility	Timeline	Interim Benchmark	Progress to Date
					<p>7. a. CIP staff met with local judges as part of CASA program site visits.</p> <p>c. 2007: Conducted presentation at fall 2007 Family Court Judges Association statewide meeting on the CASA program and its use.</p> <p>8. CIP staff have conducted two cultural competency trainings: Sullivan and Fulton/Montgomery Counties.</p> <p>9. CIP have worked to develop a 90-minute training for CASA staff and volunteers. The training will be piloted in 2009 and rolled out to the remaining network following the pilot.</p>

Training Grant Initiatives

The CWCIP training grant supports training for judges, referees, court attorneys, court managers and staff and cross-system training for child welfare and legal professionals to improve court practice and legal representation in child welfare cases.

CWCIP staff is involved in the coordination of statewide and local training programs and is actively involved in a number of planning groups and committees related to the court and child welfare system's efforts to improve our capacity to provide quality training. Curriculum development and training presentations are implemented by staff and through contracts with consultants. CWCIP funding supports the Permanent Judicial Commission on Justice for Children (PJCJC) in development of training curriculum on the issue of encouraging youth participation in court proceedings.

Sharing Success

In each of the last six years, CWCIP co-sponsored with the executive branch OCFS, the annual "Sharing Success" conference. This important conference has become the cornerstone of the Unified Court System's collaboration with the OCFS. "Sharing Success VI: Embracing a Culture of Urgency: Achieving Permanency for New York State's children" was held in Albany on November 20 & 21, 2008 and was attended by nearly 400 participants. Over fifty counties from New York State attended Sharing Success VI with opportunities for breakout sessions by role and again by county team to discuss collaboration and to formulate a county plan to address urgency and achieving permanency for foster youth in a more judicious manner.

(See Appendix C for an agenda for the Sharing Success IV conference in 2008)

National Council of Juvenile and Family Courts Child Abuse and Neglect Institute

The CWCIP and the Model Courts Project of the National Council of Juvenile and Family Courts pool resources to underwrite the participation of a number of New York Judges at the "The Role of the Judge" Institute held each year in Reno, Nevada. The Institute is a premiere training for judicial officers interested in learning about innovative and creative court practices that result in improved outcomes for children and families. Judges are selected in consultation with Administrative and Family Court Supervising Judges. In June of 2008, ten Judicial Officers (Family Court Judges and Referees) from across New York State attended the Institute. We are currently working with the National Council of Juvenile and Family Court Judges and the New York State Judicial Institute to bring the Child Abuse and Neglect Institute to New York State in October 2009. Inclusion of neighboring states is being considered for the October 2009 conference making the Conference regional in scope.

Summer Judicial Seminars

The CWCIP sponsored the participation of Hon. Len Edwards (Ret.) at the Summer Judicial Seminar held in June. Judge Edwards conducted two presentations: Achieving Timely Permanency for Children in Foster Care: The Role of the Judge, and Judicial Leadership and

Interdisciplinary Collaboration: Essential Tools for Achieving Timely Permanency. (See Appendix D for a description of the workshops in the training). These presentations were replicated by Eighth Judicial District Administrative Judge Sharon Townsend, and retired New York City Family Court Judge Sara Schechter at the July and August Judicial Seminars.

Children in Court

CWCIP staff is working with the PJJC to develop and deliver curriculum surrounding the inclusion of children in court. With CWCIP funding, PJJC continues to lead on curriculum development in 3 phases: Phase 1: Developmental Issues – what to expect from children in court; Phase 2: Hearing Youth Voices; Phase 3: A Panel of Experts to discuss the benefits of having children participate in their court proceedings and allow a forum for discussion about concerns. A truncated training was delivered at the Summer Judicial Seminars in all three sessions.

“Hear Me! Hear Me! Hear Me!: Voices of Youth in Foster care Regarding their Court Proceedings” is a video created and produced to highlight New York State’s children’s experiences with Family Court. The video was a part of the Summer Judicial Seminars and was shown at Sharing Success VI to a multidisciplinary statewide group of approximately 400 attendees. In addition, “Tools for Engaging Children in Their Court Proceedings: A Guide for Judges, Advocates and Child Welfare Professionals” was created, produced and distributed and is now available to support Judges and Judicial Officers throughout the State.

On October 2, 2008, CWCIP staff planned and facilitated a conference for more than 200 western New York child welfare professionals on overcoming barriers to finding permanency for older youth. The conference: *Words of Permanency: Challenging Child Welfare Professionals to Find Permanency for Older Youth* included presentations from former foster youth, nationally known author and speaker Ashley Rhodes-Courter and Barry Chaffkin, LCSW from *Changing the World One Child at a Time*. (See Appendix E for a brochure on the above “Words of Permanency” conference).

On October 1, 2008, The Monroe County Family Court piloted a court orientation program for youth prior to attending their first Court Appearance. The orientation is designed to provide information concerning the court process, both in the courtroom and in the courthouse. Professionals are utilized to discuss their roles and responsibilities in the court proceeding. Children who have not yet experienced their first permanency hearing, and their foster parents or other caregivers are invited to attend. The orientation is held in a courtroom. This pilot is being developed for possible statewide replication.

CWCIP staff in Nassau County piloted a case file review of a child’s timeline in foster care from the time the child entered care until the time the child aged out. The timeline was presented to the local Family Court Judges and the ensuing discussion was facilitated by CWCIP staff. The purpose of the presentation was to allow the group to identify system barriers and develop a plan to overcome those barriers. The pilot was expanded and presented to a statewide

multidisciplinary audience at Sharing Success VI in November 2008 and was titled: “Why Urgency Matters: An Illustrated Timeline of One child’s Experience in Foster Care.”

CWCIP staff in partnership with Monroe and Seneca counties’ advisory groups is drafting guidelines to engage children in the permanency hearing court process. The “Seventh District Children in Court Judiciary Guidelines” are being drafted to support The “Enhanced Permanency Hearing” pilot that began in Monroe County in September.

Empowering Youth Day

CWCIP staff in partnership with the Oneida County Family Court and the Oneida County Department of Social Services hosted Empowering Youth Day: “Life After Foster Care”: on September 8, 2008 (See Appendix F for Program Announcement). This ½ day event targeted youth ages fifteen to twenty-one who were freed for adoption and lack an adoptive resource. Informal court appearances were scheduled to allow the youth to discuss issues of importance to the youth. A diverse ethnic lunch was provided to the participants. There were three facilitated workshops for the youth to attend to allow them to discuss with their peers life in foster care. The youth attended an Independent Life Skills Expo, and a “Dress for Success” closet where interview appropriate clothing were offered to the youth at no cost. Additionally, a workshop for system professionals on adolescent permanency resources by Pat O’Brien of “You Gotta Believe” was offered. Each youth received a bookbag with information in it regarding community services available to them and the book “What Color is Your Parachute for Teens”.

Best Practice Bulletin

The CWCIP “Best Practice Bulletin” was launched with an inaugural edition in January 2008. This issue focused on the role of the office and the staff as well as the partnership between CWCIP and the PJCJC. The publication was distributed to all Judges, Referees, Court Managers as well as other identified partners. The goal of these Best Practice Bulletins is to disseminate best practice principles to target audiences as well as to inform readers of the availability of technical assistance through the CWCIP.

(See Appendix G for the first three editions of this publication)

Basics of Substance Abuse and Addiction

The CWCIP is currently replicating the “Basics of Substance Abuse and Addiction” training program, first piloted in Nassau County and then repeated in Kings County Family Court. This is a seven session lunch time training series entitled Chemical Dependency: Implication for the Child Welfare System. This program is designed to increase the knowledge of judges, court staff, attorneys and social services casework staff on the fundamentals of addiction, treatment, and relapse. The CWCIP has contracted with the Center on Addiction and the Family, consultant Naomi Weinstein, to refine the curriculum, develop a train-the-trainer program, produce video training modules, and create a facilitator’s guide that will enable faithful replication of the training throughout the state using local substance abuse experts.

New York State Partnership for Family Recovery

The Partnership for Family Recovery is an inter-branch collaborative whose membership includes the Unified Court System, OCFS, the New York City Children's Services (NYCCS), The Office of Temporary Disability Assistance (OTDA) and The Office of Alcoholism and Substance Abuse Services (OASAS). The Group's purpose is to develop guidelines for communication between the three systems and recommended practices to better address the needs of families involved with all three systems. With technical assistance provided by the National Resource Center on Substance Abuse and Child Welfare the group is in the process of implementing several tools developed during this collaborative as well as rolling out Guidelines to local jurisdictions in order to actualize county-level partnerships.

The group developed a comprehensive training plan. The plan identified a need for systems to understand each other's roles, cultures, and language before coming together as a collaborative. To this end, the CWCIP is developing a curriculum and will deliver trainings designed to increase the understanding of the court process among professionals within the substance abuse system. In July 2008, "Everything the Substance Abuse Professional Always Wanted to Know about the Child Welfare Legal System" was piloted to a group of substance abuse professionals in Onondaga County.

The Basics of Substance Abuse and Addiction as described above, is an additional training developed to support this initiative and is funded by CWCIP.

CWCIP staff worked to develop several tools to support the New York State Partnership for Family Recovery. "Gearing Up to Improve Outcomes for Families: New York State Collaborative Practice Guide for Managers and Supervisors in Child Welfare, Chemical Dependency Services, and Court Systems" ("the Guide") was developed, printed with CWCIP and OCFS funds and is available for distribution. Additionally, each system developed individualized desk guides for system professionals with salient highlights of the Guide. CWCIP staff created a bench guide for use by judicial officers and a desk guide for other Family Court staff and practitioners.

(See Appendix H for the Guide; Appendix H for materials developed for this project).

Unified Case Management System (UCMS) Training

CWCIP staff developed and presented training for court staff users of UCMS in the 3rd, 5th, and 8th Judicial Districts. The goal of the training is increase the accuracy of data collection to support the work of developing court performance measures. The method by which this goal is being achieved is to provide a basic level of understanding of child welfare laws and the relationship of the role of the data enterer and the use of the data to the lives of children within their communities and across the State. A blended learning method of lecture and actual data entry, using a county's own caseload as examples, promotes interactive discussion of both policy, and procedure. The training will continue to rollout statewide.

Two regional trainings were delivered for CASA staff and volunteers on the use of active listening, problem solving, and facilitating skills to advocate for children in collaboration with colleagues in child welfare. “Collaborative Advocacy: It’s a Plan Not an Argument,” was arranged and facilitated by CWCIP staff on August 1st and September 15th.

Local Multidisciplinary Trainings to address Best Practice Topics

An attorney training titled “Best Practices for Achieving Timely Permanency” was held in two sessions in June of 2008. The training was presented by Oneida County Family Court’s Model Court in collaboration with the local social services district and the CWCIP. The agenda highlighted the 2005 Permanency Law, Procedures and Protocols specific to Oneida County’s Model Court, and Evidentiary Issues in Article 10 Cases.

CWCIP staff developed and facilitated several trainings in a series entitled “Babies Can’t Wait ~ Teens Won’t Wait.” These court based educational sessions raise awareness, educate, promote professional development and identify community resources for a multi-disciplinary audience. Topics address best practices, healthy development, well-being, and improved permanency outcomes for children and youth. This program maintains and strengthens a court generated multi-systemic collaboration. Presentations are live, via V-Brick or video conference to Family Courts the in the 7th and 8th Districts The Monroe Family Court Babies Can’t Wait web page provides all sessions on video and accompanying handouts. 2008 session topics that have been delivered include: Teen-age Substance Abuse (January 10); Foster Care Parent Panel (February 14); Permanency and Best Practices (March 13); Kinship Care – Grandparents Panel (April 10); Youth Mental Health and Medications (May 8).

CWCIP staff planned and facilitated a training series for a multi-disciplinary audience at the Genesee County Family Court entitled, “Improving Child Welfare Practice and Advocacy” by Dr. Barbara Rittner, Ph.D. Topics covered in the three session series included Addressing mental health needs of youth in foster care (June 6), Improving outcomes in child welfare cases impacted by parental mental health concerns (July 18), and Visitation: Addressing parent-child relationships through visitation (August 15).

In the Eighth Judicial District, a training was developed and delivered by CWCIP in partnership with resources provided by OCFS to support Title IV-E compliance. The three day lunchtime program titled “Ensuring IV-E Eligibility: Making the Case for Eligibility in the Court Orders and the Courtroom, “ was held on September 10, 17 and 25, 2008 and was attended by more than 75 people including Judges, Court Attorney Referees, Child Welfare Attorneys and supervisory caseworkers.

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
<p>Increase knowledge and skill of judicial officers (Judges and Referees) on child welfare related issues.</p>	<ol style="list-style-type: none"> 1) Underwrite Judicial Officer participation in the National Council of Juvenile and Family Court Judge's Child Abuse and Neglect Institute. 2) Develop a basic child welfare training program for all judicial officers who hear child welfare matters and determine feasibility of mandating such training. Such training to include but not be limited to: <ol style="list-style-type: none"> a) Best Practices and CIP Initiatives; b) Child Development; c) Having children present in the courtroom; d) Child welfare basics; e) The court's role in promoting child well being using existing PJCJC curriculum (education, healthy development and special developmental needs of infants); f) ICWA; g) Elements of case planning and role of the caseworker and corresponding regulations; and h) Needs of children aging out of the foster care system. 3) Develop a child welfare bench book to augment the child welfare training program. 4) Develop a Judicial mentorship program. 	<p>CIP in consultation with Supervising Judges</p> <p>CIP staff in collaboration with PJCJC</p>	<p>Ongoing</p> <p>2007-2010</p>	<p>8-10 Judges Participate in CANI seminar each year</p> <p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum Developed</p> <p>Trainers identified and recruited</p> <p>Training conducted annually</p> <p>Bench book published</p> <p>Mentoring program established</p>	<p>Quality of judicial decision making improved to support improvements in CFSR outcome measures:</p> <p>Children are, first and foremost, protected from abuse and neglect</p> <p>Children are safely maintained in their homes whenever possible and appropriate.</p> <p>Children have permanency and stability in their living situation; and</p> <p>The continuity of family relationships and connections is preserved for children.</p> <p>Families have enhanced capacity to provide for their children's needs;</p> <p>Children receive appropriate services to meet their educational needs</p> <p>Children receive adequate services to meet their physical and mental health needs.</p>	<p>Improvements in CFSR and court performance indicators</p>	<ol style="list-style-type: none"> 1) Sent 10 Judicial officers (Judges and Referees) in June, 2008. Sent 9 in 2007. Planning underway to bring CANI to New York in October of 2009 2) Established a working relationship with NYS Judicial Institute to develop collaborative trainings to deliver to Judges and Judicial Officers. Had input on Child welfare presentations at Summer 2008 Judicial Seminars. Currently working with the national Council of Juvenile and Family Court Judges and the NYS Judicial Institute on bringing the Child Abuse and Neglect Institute to New York State in October 2009. 2) a) Best practices and CIP Initiatives presentation was given to 5th Judicial District Judges' Meeting, 7th Judicial District Judges' Meeting. b) & e) Healthy Development of Children in Foster Care Curriculum in development. c) PJCJC lead on curriculum development. 3 phases: Phase 1: Developmental Issues – what to expect from children in court; Phase 2: Hearing Youth

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>Voices; Phase 3: A Panel of Experts to discuss the pros and cons of children in the courtroom. "Hear Me! Hear Me! Hear Me!: Voices of Youth in Foster care Regarding their Court Proceedings" video created, produced and shared statewide at conferences including Sharing Success VI. "Tools for Engaging Children in Their Court Proceedings: A Guide for Judges, Advocates and Child Welfare Professionals" was created, produced and distributed. CIP staff is currently working with the PJJC to develop curriculum for a children in court training and is anticipated to deliver the training.</p> <p>f) ICWA Conference November of 2007 held.</p> <p>h) Teen Days in NYC established and was modified and named "Empowering youth day" in Oneida County.</p> <p>3) Established a relationship with the Judicial Institute to assist with curriculum development of child welfare matters. Established a working relationship with NYS Judicial</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>Institute to develop collaborative trainings to deliver to Judges and Judicial Officers. Had input on Child welfare presentations at Summer 2008 Judicial Seminars. Currently working with the national Council of Juvenile and Family Court Judges and the Judicial Institute on bringing the Child Abuse and Neglect Institute to New York State in October 2009.</p> <p>4) October 2008 a contract was signed with retired NYC Family Court Judge Sarah Schecter to develop and implement a Judicial mentorship program.</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
Encourage active participation of children and youth in court proceeding.	<ol style="list-style-type: none"> 1) Provide training for all system users on child participation in court proceedings to include: <ol style="list-style-type: none"> a) Explanation of the benefits to the court and other stakeholders of youth presence and participation in permanency hearings; b) Explanation of the benefit to the children of youth participation in and presence at their permanency hearings; c) Behavioral expectations of children and youth based upon cognitive developmental stage; d) Age-appropriate questions and expectations for input from children and youth; e) Strategies to deal with emotional issues and outbursts; f) Restructuring or bifurcation of permanency hearings to permit younger children to participate; g) Judicial role in encouraging active and meaningful children and youth participation in permanency hearings; h) Use of creative, time-specific scheduling to permit children and youth to attend without significant disruption of school attendance; i) Strategies to prepare a child or youth for effective participation; and j) Age appropriate expectations for input for children and youth. 2) Develop a Judicial Handbook of age appropriate or developmental stage appropriate questions. 3) Include foster youth panels at relevant trainings/seminars/conferences. 	PJCJC and senior CIP staff and consultants	2008	<p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Training conducted</p>	Increased participation of youth in court proceedings	UCMS data indicator on youth attendance	<p>1) "Hear Me! Hear Me! Hear Me!: Voices of Youth in Foster care Regarding their Court Proceedings" video created, produced and shared statewide at conferences including Sharing Success VI. "Tools for Engaging Children in Their Court Proceedings: A Guide for Judges, Advocates and Child Welfare Professionals" was created, produced and distributed. PJCJC continues to lead on curriculum development in 3 phases: Phase 1: Developmental Issues – what to expect from children in court; 1 c) d) e) j)Phase 2: Hearing Youth Voices; 1 b) h)Phase 3: A Panel of Experts to discuss the benefits of having children participate in their court proceedings and allow a forum for discussion about concerns. 1 a) b) g) h) i) CIP staff is currently working with the PJCJC to develop curriculum for a children in court training and is anticipated to deliver the training. 1)CIP staff planned and facilitated a conference for child welfare professionals in Erie Co. on overcoming</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>barriers to finding permanency for older youth entitled "The Words of Permanency: Challenging Child Welfare Professionals to Find Permanency for Older Youth"</p> <p>1 b) i) Monroe Co. created a Court Orientation Program offered every six months to youth in care due to neglect/abuse explaining the court process, roles and responsibilities of professionals in the court room and permanency hearings.</p> <p>2) "Hear Me! Hear Me! Hear Me! Voices of Youth in Foster care Regarding their Court Proceedings" video created, produced and shared statewide at conferences including Sharing Success VI. "Tools for Engaging Children in Their Court Proceedings: A Guide for Judges, Advocates and Child Welfare Professionals" was created, produced and distributed.</p> <p>3)NYS OCFS YIP (Youth in Progress) have been presenting at various law guardian training programs and were featured in the "Hear Me! Hear</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							Me! Hear Me!" video. Youth were also featured at Sharing Success VI in November 2008 as the voices in "Why Urgency Matters: An Illustrated Timeline of One child's Experience in Foster Care".
Increase judicial oversight of child and family service planning.	<ol style="list-style-type: none"> 1) Collaborate with OCFS to provide training to Judicial Officers on the elements of case planning. 2) Conduct training for CASAs to enhance the court's ability to monitor child and family service plan implementation. 3) Conduct training for Law Guardians on existing well-being indicators and child development. 4) Educate Judicial Officers on the need to be informed regarding community services beyond those under contract with the local social service agency. 5) Provide technical assistance statewide to Judicial Officers regarding conducting meaningful permanency hearings and exploring all permanency options prior to approving an APPLA goal. 6) Utilize a case review of children who have aged out of the system after entering at a young age as a self-assessment/training tool. 	CIP staff	Ongoing	<p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Training conducted</p>	Improved service plans lead to enhanced family capacity, and improved CFSR outcomes	Formal evaluation of impact of judicial oversight in child and family service planning	<ol style="list-style-type: none"> 1) Through the work with the In Depth Technical Assistance provided by the National Center on Substance Abuse and Child Welfare a Training Plan emerged with this element as part of the training initiative. In response, OCFS developed a training for the courts with elements of case planning and will begin piloting in 2009. 2) "Collaborative Advocacy: It's a Plan Not an Argument" training offered regionally in

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>August and September 2008 for CASA staff and volunteers on the use of active listening, problem solving and facilitating skills to advocate for children in collaboration with colleagues in child welfare.</p> <p>3) Healthy Development Curriculum in development. Pilot of one module on incorporating healthy development into permanency hearings being piloted in March and April of 2008. Monroe County offers a monthly "Babies Can't Wait-Teens Won't Wait" court based educational series that CIP staff develops and is responsible for implementation.</p> <p>5) Relationship established with NYS Judicial Institute to discuss judicial training in the area of child welfare. CIP was consulted regarding Child Welfare presentations at the 2008 Judicial Summer Seminars. Additionally, CIP Liaison staff work to improve the quality of permanency hearings in each of the jurisdictions they serve.</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>6) Nassau County piloted a case file review of a child's timeline in foster care from the time they entered until they aged out and presented the results to the local Family Court Judges. This pilot was expanded and presented to a statewide multidisciplinary audience, "Why Urgency Matters: An Illustrated Timeline of One child's Experience in Foster Care" was presented at Sharing Success VI in November 2008. Next steps to engage OCFS in initiative to support local agency opening files for the review.</p>
<p>Improve the communication between Referees and Judges</p>	<ol style="list-style-type: none"> 1) Train judges and referees on the team model concept. 2) Provide training for referees in conjunction with the Judicial Institute specific to their caseloads. 	<p>Judicial Training Consultant</p>	<p>2009</p>	<p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Training conducted</p>	<p>Increase judicial oversight of cases managed by referees</p>	<p>Formal evaluation of Judge/Referee team model</p>	<p>1) Ongoing work of the CIP Liaisons where the jurisdiction they serve utilizes referees. Continue to send Judges to the Child Abuse and Neglect Institute, 10 referees and judges sent in June 2008. 9 were sent in 2007. A workshop on collaboration and the role of the Judge was offered at the 2008 Summer Judicial Seminars and presented by Honorable Len Edwards. CIP is currently working with the National</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>Council of Juvenile and Family Court Judges and the Judicial Institute on bringing the Child Abuse and Neglect Institute to New York State in October 2009 to be opened to Judges and Referees handling child welfare cases.</p> <p>2) Relationship established with NYS Judicial Institute to discuss judicial officer training in the area of child welfare during the annual update trainings provided to legal series employees that includes referees. CIP is currently working with the National Council of Juvenile and Family Court Judges and the Judicial Institute on bringing the Child Abuse and Neglect Institute to New York State in October 2009 to be opened to Judges and Referees handling child welfare cases. Conferencing checklists are being developed by CIP staff to serve as a basis for a future training of child welfare Referees.</p>
<p>Increase awareness and understanding of child welfare court reform activities among OCA Divisions, Family Court Judges and</p>	<ol style="list-style-type: none"> 1) Issue periodic "Best Practice Bulletins" (via print and e-mail). 2) Make periodic presentations at Administrative Judge's and Family Court Supervising Judge's meetings. 3) Meet individually with 	<p>CIP Staff</p>	<p>Ongoing</p>	<p>Requests for technical assistance increased</p> <p>Judicial leadership cultivated</p>	<p>Court reform efforts more broadly deployed leading to increase in the number of counties with active stakeholder groups</p>	<p>Number of active stakeholder groups</p>	<p>1) Inaugural issue distributed January 2008, subsequent issues, Vol 1, Issue 2 & 3 were distributed in 2008.</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
Referees, court managers, staff and other relevant entities of the UCS	<p>Administrative Judges and Family Court Supervising Judges regarding CIP activities.</p> <p>4) Make periodic presentations to Chief Clerks and Deputy Chief Clerks at annual meetings.</p> <p>5) Make periodic presentations to OCA Executive Management team regarding CIP activities.</p> <p>6) Make periodic presentations to local family court Judges and staff.</p> <p>7) Make periodic presentations to the Family Court Judges Association</p> <p>8) Meet and make presentations to the Appellate Divisions Law Guardian Programs.</p>			<p>Participation in statewide and local planning efforts increased</p> <p>Traditionally underrepresented jurisdictions engaged</p>	to promote system-wide implementation of best practices		<p>2) Coordinator and Assistant Coordinator of CIP Office presented to annual meeting of Administrative Judges of the Judicial District and the Supervising Judges of the Family Courts January 2008.</p> <p>3) Assistant Coordinator and Statewide Project Manager met with 5th, 7th, & 9th Judicial District Supervising Judges of the Family Courts individually. In 2008, additional meetings with the 10th, 5th, 6th, 8th and NYC occurred.</p> <p>4) Presentation made in December 2007 to annual meeting of Chief Clerks and Deputy Chief Clerks Statewide about CIP as well as upcoming CFSR and a second presentation was made in October 2008 updating them on local CIP initiatives. Presentation made in May 2008 at the 6th District Managers Meeting.</p> <p>5) Ongoing on a regular basis</p> <p>6) Presentations about CIP and best practices made by CIP staff in the 5th, 6th, 7th, 8th Judicial Districts,</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>conversations had concerning a similar presentation in the 3rd Judicial District. CIP created, developed and has provided a UCMS permanency module training for family court staff in the 3rd, 5th and 8th Judicial district</p> <p>7) Conversation occurred between Statewide Project Manager and President of Association.</p> <p>8) Fourth Department Panel familiar and allows for regular presentations on the CIP and best practices at regional seminars. Statewide Project Manager meeting with other Law Guardian Program Directors at a meeting which convenes all Directors and is establishing relationships.</p>
<p>Improve the quality of representation and advocacy in CW proceedings</p>	<ol style="list-style-type: none"> 1) Develop basic training curriculum for child welfare attorneys. 2) Conduct periodic training sessions for attorneys in the basics of child welfare practice. 3) Conduct periodic training sessions for attorneys on ethics in CW practice. 4) Explore feasibility of mandated training programs. 	<p>CIP and PJCJC in consultation with State Bar and Appellate Division Law Guardian programs</p>	<p>2009-Ongoing</p>	<p>Planning Group convened</p> <p>Needs assessment conducted</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Trainings conducted</p>	<p>Increase knowledge and skills of attorneys engaged in CW practice</p>	<p>Pre and post tests required for CLE credit</p>	<p>3) Preliminary conversations had with OCFS Counsel's Office who provide non-mandated training as well as counsel to The New York Public Welfare Association. 1)& 2) Attorney training offered at two locations in 5th district in June 2008.</p>

Data Collection and Analysis Projects

The CWCIP data collection and analysis grant supports several projects through its funding of two positions in the Office of Court Administration's Division of Technology, a position in the Division of Court Operations, a position at the OCFS and thorough contracts with technical assistance organizations. Additionally, CWCIP staff is actively involved in a number of planning groups and committees related to the court system's efforts to improve our capacity to collect and analyze child welfare data.

Sharing data between the courts and child welfare system has specific potential benefits:

1. System interoperability: Interoperability means direct communication between individual agencies' electronic case management systems in a way that is mutually beneficial. System interoperability supports enhanced operational efficiency, decreased data entry, faster service delivery, improved communication, standardized practice and improved data validity.
2. Increased capacity for evidence-based evaluation and enhanced decision making: Data sharing will benefit both the courts and child welfare agencies in their efforts to evaluate performance and monitor improvement efforts. With combined data, agencies can adopt a common outcome-oriented focus.
3. Reinforced partnerships between the courts and child welfare agencies: Through the interagency collaboration necessary to implement a data share, enhanced agency partnerships can emerge. Oftentimes, agencies work at cross-purposes unaware of the other's activities. Through the process of collaborating on data-share projects, agencies will be more likely to align resources and develop a sense of shared responsibility for the safety, permanency and well-being of New York State's children in foster care.

System Interoperability

LUC Project. A promising pilot project has been initiated in New York City known as the "Legal Tracking System/Universal Case Management System/CONNECTIONS" or "LUC" data share project. This interagency system interoperability project has the goal of streamlining the process of filing child protective petitions and permanency hearing reports, and synchronizing the legal case information between the court and child welfare agency data systems. Achieving these objectives will both improve efficiency and enhance the reliability and validity of the respective data sets. To date, the project workgroup has defined the business requirements and developed a multi-phased project plan to implement the project in four stages or "builds" throughout 2008-2010. (Please see Appendix I for a November 2008 status on this initiative and Appendix J for a statistical study for measuring the effectiveness of the project)

It is envisioned that implementation of the New York City phase of the project will provide a model for the development of statewide interoperability. The LUC Governance group, which includes management from the UCS, OCFS and ACS, will provide a forum to explore the feasibility of creating similar interoperability between UCMS and CONNECTIONS to extend

the benefits statewide. A joint OCFS/OCA working group has already engaged in several prerequisite tasks including: 1) development of a descriptive analysis of the UCS and OCFS data sets; 2) comparative analysis of UCS and OCFS data from several pilot counties; 3) documenting the challenges that inhibit interoperability, and; 4) exploring solutions to overcome identified challenges.

(Please see Appendix K for a white paper describing the benefits of data share between the courts and child welfare agency)

Evidence-Based Evaluation and Enhanced Decision Making

The CHILD in Child Welfare and the Courts. As the LUC project has worked to develop true interoperability between systems, the UCS and the OCFS have simultaneously explored ways of manually exchanging data to support decision making and evaluation of improvement efforts. In 2006, the Commission published the first edition of *The CHILD in Child Welfare and the Courts* in collaboration with the OCFS and the New York State Council on Children and Families. The data book includes statewide and county specific data profiles that presented court and child welfare data related to the federal Child and Family Services Review within the context of child well-being indicators to inform local and state policy development, planning and accountability as a means to improve outcomes for children, youth and families.

Foster Care Profile. The OCFS has developed a robust outcome framework published in the Foster Care Profile, a report developed by Chapin Hall Center for Children². The Foster Care Profile provides state, regional and county staff with longitudinal data on the rate of placement into foster care and information on the core outcomes of county foster care systems: length of stay, permanency, placement stability and re-entry. The Foster Care Profile provides a longitudinal analysis to help administrators recognize trends in child welfare services and core outcomes, a process begun several years ago in response to the Federal Child and Family Service Reviews. In 2007, the CWCIP recognized the potential value of this data to the court system. In partnership with the OCFS this data was distributed to family court managers statewide. The objective of the parallel dissemination effort is twofold: to provide a single child welfare data set emphasizing local data to all county-based DSS agencies and family courts throughout New York State; and to foster local court-child welfare agency discussions based on data to improve the outcomes for children in each given region.

Statewide Child Welfare Court Performance Measures. The CWCIP is developing child welfare court performance measures to report information regarding child welfare court operations within a child outcomes framework to New York State Family Courts. Since 2002, the Center for Court Innovation (CCI) and New York City Family Court have been working together to develop such benchmark measures for abuse and neglect cases using UCMS data.

² New York State Data Packet Fall 2007. New York State Office of Children and Family Services, Fall 2007.

Based on emerging national standards designed to assess court performance in child welfare cases the CWCIP will compile and disseminate a comprehensive report that integrates child welfare court metrics with the OCFS Foster Care Profile data measures. Using metrics from both court and agency data sets will provide an up-to-date, comprehensive view of the status of New York State's child welfare system from removal to permanency.

Eventually this data will be promulgated via a web-accessible, "executive dashboard" user interface. This will provide a user-friendly method of retrieving and displaying critical child welfare data in an organized fashion. This interface will provide significant insight into both short term operational effectiveness and long term trends to serve as the basis of policy development.

Kids' Well-Being Indicators Clearinghouse (KWIC). CWCIP staff collaborated with the NYS Council on Children and Families to provide court statistical data and analysis for the KWIC project's statewide child welfare indicators website. The court indicators, along with indicators from several other NYS agencies involved with the welfare of NYS children, are compiled on an annual basis and are promulgated by the council on its website for a comprehensive look at child wellbeing—i.e. education, health, family, economic security, citizenship, and community. The resulting indicator profiles are then used collectively to help assess areas of need, design and improve programs, and sharpen the focus of the state on outcomes for children and their families³.

Conclusion

In the last fifteen years the Court Improvement Project has made significant contributions towards improving the court's capacity to ensure the safety, permanency and well-being of children in the child welfare system. Quality improvement, however, is a continuous process. The additional CWCIP funding provides an opportunity to sustain momentum for improvement efforts already underway and to reinforce the already strong partnership between the courts and the child welfare system. The additional funding and a carefully developed strategic plan will certainly lead to innovative approaches that improve our capacity to monitor performance and implement necessary reforms. As detailed herein, efforts undertaken by CWCIP staff in 2008 built significantly on the existing 2006-2010 strategic plan and past CWCIP legacy. In addition, funds were utilized to aid several local child welfare initiatives outside the scope of the strategic plan that allow local courts and corresponding agencies to address the unique child welfare challenges in their specific areas.

³ *Kids' Well-Being Indicators Clearinghouse*. New York State Council on Children and Families. 05 Jan 2009 <<http://www.nyskwic.org/>>.

Data Grant Strategic Plan

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
<p>Improve efficiency of child welfare court case management practices</p>	<p>1. Support NYC Family Court/ACS (Legal Tracking System/UCMS/Connections) data share project to allow:</p> <ul style="list-style-type: none"> a. Real Time data exchange of key fields b. Electronic filing and dissemination of petitions, permanency reports and Orders c. Development of "portals" and electronic notifications of events <p>2. Develop feasibility study regarding statewide interoperability between UCMS and OCFS systems to replicate NYC pilot statewide.</p>	<p>Division of Technology (DoT) in collaboration with NYC FC and ACS team with CIP data analyst support</p> <p>CIP Data Analyst/ OCFS Data Analyst</p>	<p>2008-2010</p> <p>March 2009</p>	<p>Build 0: March 2009</p> <p>Build 1: December 2009</p> <p>Build 2: June 2010</p> <p>Build 3: December 2010</p> <p>Report Published</p>	<p>Reduced delays</p> <p>Increased compliance with requirement that permanency reports be submitted 14 days in advance of the permanency hearing</p> <p>Increased communication among professionals</p>	<p>Court statistics reflect permanency reports submitted on time.</p>	<p>1. 2008: UCS / ACS technical design has begun on nine inter-agency messages supporting the data share.</p> <p>Outreach delivered to five audiences garnering project support.</p> <p>2. 2008: Final report published in March, 2008</p>

Data Grant Strategic Plan

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
Increase the capacity of the court system to disseminate data to court managers and judicial decision makers	1. Develop enhanced reporting functionality in UCMS Permanency Module	Division of Technology	Ongoing	Determine requirements. Deploy updates.	Improved access to data.	Reports available in UCMS statewide.	1. 2007: several new reports promulgated.
	2. Conduct a train-the-trainer to inform child welfare (CIP, PJCJC) staff about existing UCMS reports to prepare them to train court managers on accessing and interpreting reports.	DoT/Trial Court Operations	2007	Training Completed			2. 2007: Training of CIP Staff conducted Fall 2007
	3. Train court managers on accessing and interpreting child welfare data.	CIP Liaisons/Trial Court Operations	2007-2008				3. 2007: CIP Staff trained to provide TA to court managers.
	4. Develop a data warehouse/data store based on UCMS data to provide court users with ad hoc reporting capability.	DoT	2009	Data facility platform identified. Design initiated.	Increase access to data at the local level	Local courts generating reports.	4. 2008: Initial data facility technical planning underway.
	5. Provide county-by-county "Data Snapshots" based on OCFS data to court managers on a regular basis.	CIP Data Analyst/OCFS Data Analyst	2007				5. 2007 and 2008: OCFS Data packets disseminated annually.
	6. Establish protocols for data access and authorization for external publication	DoT/Trial Court Operations	2007				6. 2007: AD Hoc report request forms promulgated and training of CIP staff completed.
	7. Publish period updates to the Child in Child Welfare data book	PJCJC staff/Research and Stats Unit	2009				7. As priority dictates, possible update in 2009.
Improve consistency,	1. Review and prioritize current permanency module enhancement	DoT/Trial Court Operations	Ongoing				1. Ongoing:

Data Grant Strategic Plan

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
reliability and validity of UCMS data	<p>requests and implement enhancements</p> <p>2. Review and update end-user documentation for UCMS permanency module</p> <p>3. Provide training to court end-users</p>	<p>DoT/Trial Court Operations</p> <p>CIP Liaisons/Trial Court Operations</p>	<p>2007-2008</p> <p>Ongoing</p>	<p>Writer identified; documentation created.</p>	<p>Improved training ability for end-users; more consistent data entry.</p>	<p>Decrease in identified data quality issues.</p>	<p>UCMS enhancements identified through and prioritized by UCMS Permanency Planning committee.</p> <p>2. 2008: Contracted with technical writer to create UCMS end-user documentation. Documentation has begun.</p> <p>3. 2008: CIP Liaisons conducted UCMS end-user training in 4 districts.</p>

Appendix A

New York City Child Protective Proceedings: Shared Goals and Action Steps

Shared Goals:

- **Earlier permanency for children**
 - ✓ **Faster time to disposition**
 - ✓ **Fact-finding completed well before permanency hearing**
 - ✓ **Faster resolution of termination of parental rights proceedings**
- **Every appearance meaningful**
- **Fewer and shorter adjournments**
- **Everyone appearing on time, prepared to go forward**
- **Continuous trials**
- **Expanded participation of children and youth in their permanency hearings**

Action Steps:

PROCEDURAL

1. Absent exceptional circumstances, there shall be no adjournments of scheduled fact finding hearings or continuances once hearings have commenced.

2. There shall be times certain and times ending for all conferences and trials.

3. Teaming

- a) All Stakeholders, including attorneys, Children's Services and Agency caseworkers, will be dedicated to judge/court attorney/referee teams.
- b) 18-b attorneys will be dedicated both to child protective specialty and to judge/court attorney/referee teams.
- c) Children's Services attorneys will be assigned to specific Children's Services caseworker teams, extending the caseworker zone system to the attorneys.
- d) Agency attorneys will work with courts to permit continuous calendaring of termination of parental rights trials.
- e) The Supervising Judge of the Family Court in each borough will establish a multi-disciplinary workgroup to collaboratively address issues regarding teams on an ongoing basis, including, among other issues, turnover of team members.

4. The Court will promptly address failures to submit timely reports, appear for scheduled times certain or appear ready to proceed. The Court will, where appropriate, impose monetary or other sanctions.

5. To minimize last minute adjournments and continuances, court staff will ascertain 24-48 hours in advance of hearings or appearances whether reports are ready and all witnesses are available.

6. Steps will be taken by Children's Services and foster care agencies to assure better compliance with the submission and distribution of permanency hearing reports 14 days in advance of scheduled permanency hearings, including use of available technology for the electronic filing and distribution of the reports. OCFS, Children's Services and Office of Court Administration staff will work to revise and streamline the permanency hearing report.

7. To minimize court waiting-time for cases not ready to go forward, calendar calls will be held prior to the commencement of morning and/or afternoon calendars.

8. Court calendars will be organized so that similar types of hearings are batched, such as non-emergency motions, returns of process or youth permanency hearings, and so that hearings involving the same attorneys or agencies are heard close together in time.

INTAKE/INITIAL PROCEEDINGS

9. Intake of non-removal and/or non-emergency Article 10 petitions will be scheduled for dates and times certain.

10. The Kings County Emergency Removal FCA 1027/1028 Part will be continued and its effectiveness assessed.

11. The Queens County Protocol for Court Ordered Supervision/Adjournment in Contemplation of Dismissal will be considered for adaptation by other boroughs.

CASE MANAGEMENT

12. Mandatory conferences will be held in every proceeding by the Court team of judge/court attorney/referee. Court attorneys and referees will be specifically trained in mediation and conferencing techniques. Conferences will use uniform protocols and forms. Where sworn testimony is not required, scheduled telephone conferences may be used. Attorneys will include the parties in all conferences unless the parties' participation is excused by the Court.

a) Article 10 Proceedings

- i) Initial pre-hearing conferences will be held prior to commencement of any Article 10 1027/1028 hearing to negotiate possible settlement, identify contested issues and, to the extent possible, identify relatives and other resources to be explored and services and visiting issues to be resolved.
- ii) Preliminary conferences will be held no later than 25 days post-arraignment to confirm identification of relative placement resources, establish services needed, visiting plans, and schedules for fact-finding and discovery. Agreements and dates must be reduced to scheduling orders.
- iii) Compliance conferences (which in most cases can be held by telephone) will be held prior to settlement

conferences to monitor discovery and consider sanctions for failure to comply.

- iv) Settlement conferences will be held within 14 days of scheduled trial dates. If settlement is not reached, the projected length of time scheduled for trial will be confirmed and uncontested issues, including expert witness status, will be stipulated.
- v) Pre-disposition conferences will be held after completion of fact-finding hearings and before scheduled dispositional hearings to monitor progress toward dispositional hearings (investigation and report).
- vi) Back-end tracking post-disposition conferences will be held to monitor access to and appropriateness of services and compliance with Article 10 dispositional orders and, as indicated, with permanency hearing orders.

b) Termination of Parental Rights Proceedings

- i) Preliminary conferences will be held within one week of filing of petitions to identify notice and service of process issues.
- ii) Pre-hearing conferences will be held once service has been completed to establish schedules for fact finding

and discovery. Agreements and dates must be reduced to scheduling orders.

- iii) Compliance conferences (which in most cases can be held by telephone) will be held prior to settlement conferences to monitor discovery and consider sanctions for failure to comply.
- iv) Settlement conferences will be held within 14 days of scheduled trial dates. If settlement is not reached, the time scheduled for trial will be confirmed and uncontested issues, including expert witness status, will be stipulated.
- v) Back-end tracking post-disposition conferences will be held to monitor compliance with suspended judgment orders in permanent neglect proceedings or with permanency planning for children who have been freed for adoption.

APPEALS

13. The Appellate Division, First Department will move forward with an initiative to expedite appeals similar to the liaison and case management system developed in the Second Department. Compliance in both Departments with the 2005 legislative requirements to expedite children's appeals will be rigorously monitored.

GENERAL

14. The Office of Court Administration will develop a system of computer-aided scheduling of next appearances, conferences, continued hearing dates, blocks of time for trials and permanency hearing dates.

15. To the extent possible, courtrooms and conference rooms for each team of judges, court attorneys and referees will be located close together.

16. To reach the shared goals, a plan will be developed to phase these initiatives in prospectively.

17. A system of metrics will be developed and reports generated and distributed frequently to ensure accountability and continued success of the initiatives.

18. Periodic collaborative meetings among all stakeholders on a city-wide and borough level will continue in order to assess the metrics reports and the effectiveness of these action steps in meeting the project goals and to recommend any necessary changes or enhancements.

Appendix B



NEW YORK
STATE



Child Welfare

Unified Court System • Division of Court Operations
Office of Alternative Dispute Resolution and Court Improvement Programs

Court Improvement Project

Child Permanency Mediation Program

Mission of the Child Welfare Court Improvement Project

The Child Welfare Court Improvement Project's mission is to provide resources and technical assistance to enhance, promote and coordinate innovation in court operations and practices in proceedings involving abuse and neglect, voluntary placement, termination of parental rights and adoption that lead to improved safety, permanency and well-being for children and enhanced capacity of families to provide for their children's needs.

Administered by
The Child Welfare Court Improvement Project

In collaboration with
The Fifth Judicial District

For further information regarding the Child Permanency Mediation Program, contact the Program Administrator:
Suzanne Chafer, (315) 731-3443, or SSHAFER@courts.state.ny.us

Promoting the safety, permanency and well-being of children

Mediation Helps Children

What is Mediation?

Mediation is a consensual dispute resolution process in which a specially trained impartial mediator helps parties to identify issues, clarify perceptions and explore options for mutually acceptable outcomes. Mediators do not offer opinions regarding likely court outcomes or the merits of the case. Instead, mediators facilitate constructive communication that provides the opportunity to develop creative solutions which emphasize the parties' practical concerns.



What are the Benefits of Mediation in Child Welfare Matters?

- The mediation process provides an opportunity for family members and professionals to come together in an informal yet structured setting.
- Mediation promotes constructive communication between parents, older children, family members, case workers, foster parents, attorneys and service providers.
- The mediation process can be less intimidating than the formal court process. This makes it more likely that lay parties such as parents, caregivers and youth will feel comfortable expressing themselves.
- The mediation process allows the participants to jointly develop a plan that will promote the child's health, safety and well-being and move the case towards a timely resolution.
- Proposals that emerge in mediation can be reviewed by the Court and become a part of the formal plan for permanency.
- Mediation can address major issues in a case that sometimes result in a contested hearing or trial and can also address common, day-to-day practical issues that can cause delays or barriers to effective implementation of the case plan. Service and visiting plans can be tailored to the parties' individual needs.
- When parties are fully informed and included in the planning process they are more likely to understand what is expected of them and may be more motivated to follow through.

How does the process work?

The Family Court Act (Article 10, §1018) specifically authorizes the Court to refer permanency matters to mediation. The procedures for referral and program operations are governed by local court rules and practices. Anyone can suggest mediation, but the decision whether to refer the matter rests with the Court.

The Court will schedule an initial mediation session and inform the Program Administrator. The Program Administrator will assign a mediator from the Court's roster. The mediator will make an effort to contact each party prior to the initial session to answer questions and to gather preliminary information about the case that will help the mediator to facilitate the process.

During these preliminary contacts, and at the initial session, the parties will be given information about the mediation process to help them decide whether or not the process is right for them. If one or more of the parties chooses not to participate, the mediation will not proceed. The Program Administrator will inform the Court that the

mediation did not proceed, but will not disclose to the Court which party declined to participate. This ensures that no one is penalized for their decision.

If the parties decide to proceed in mediation, the mediator will actively facilitate the discussion to ensure that everyone has an opportunity to present their views and to ensure constructive conversation. A mediation session is generally scheduled for a two hour period. The group may decide to schedule additional sessions to ensure adequate time is devoted to the discussion or to allow for interim action steps to be implemented.

With certain narrow exceptions, information disclosed during mediation is confidential and may not be used in any judicial or administrative proceeding without the consent of all parties. If an agreement is reached it will be submitted to the Court for review. The mediator and Program Administrator will ensure that legal counsel have an opportunity to review and approve the draft prior to submission to the Court.

Who are the Mediators?

Mediators are admitted to the court roster pursuant to Part 146 of the Rules of the Chief Administrative Judge. Part 146 articulates minimum training and experience requirements for mediators. Child Permanency Mediation Program roster mediators are experienced mediators who have participated in training in advanced family mediation techniques, child welfare laws and regulations, domestic violence issues and group facilitation techniques.



Appendix C

Sharing Success VI

Embracing a Culture of Urgency: Achieving Permanency for New York State's Children

November 20–21, 2008

Agenda

Wednesday, November 19, 2008

4:00 p.m. – 7:00 p.m. **Evening Arrivals/Registration**

Thursday, November 20, 2008

8:00 a.m. – 9:00 a.m. **Registration and Continental Breakfast**

9:00 a.m. – 9:30 a.m. **Welcome Address**

Conference Facilitator

Honorable Craig Doran, *Supervising Family Court Judge*
7th Judicial District—New York State Unified Court System

Opening Remarks

New York State Government Representatives

Honorable Judith S. Kaye, *Chief Judge*
State of New York

Gladys Carrión, Esq., *Commissioner*
New York State Office of Children and Family Services

Honorable Sharon S. Townsend, *Administrative Judge*
8th Judicial District—New York State Unified Court System
Chair, Permanent Judicial Commission on Justice for Children

9:30 a.m. – 10:20 a.m. **Plenary Session I**

Destination: Urgency

New Rules of the Road and Tips for the Trip

Honorable Nancy Sidote Salyers, *Judge (Retired)*
Cook County Circuit Court, State of Illinois

10:20 a.m. – 10:35 a.m. **Break**

10:35 a.m. – 12:00 p.m. **Plenary Session II**

State and County Practices Related to Creating a Culture of Urgency

Panel Moderator

Sheila Poole, *Associate Commissioner*
Child Welfare and Community Services Regional Operations
New York State Office of Children and Family Services

Panel

Margaret Bishop, *Director*
New Hampshire Division for Children, Youth, and Families

Jeffrey Carpenter, Esq., *Principal Court Attorney*
Nassau County Family Court

Sherri Hale, *Northeast Region Administrator*
Tennessee Department of Children's Services

Jennifer Hull-Braun, *Permanency Planning Specialist*
Niagara County Department of Social Services

Judy Cole, *Executive Director*
Regional Support-East
Tennessee Department of Children's Services

Janine D. Lounsbery, *Director of Family Involvement and Education*
Families Together in New York State, Inc.

12:00 p.m. – 1:00 p.m.

Working Lunch

**Using the Federal Child and Family Services Review
to Improve Outcomes for Children**

Introduction

Junius Scott, *Regional Program Manager*
Children's Bureau, United States Department of Health and Human Services

Additional Presenters

Kathleen DeCataldo, *Executive Director*
Permanent Judicial Commission on Justice for Children

Laura M. Velez, *Acting Deputy Commissioner*
Division of Child Welfare and Community Services
New York State Office of Children and Family Services

1:00 p.m. – 2:15 p.m.

Plenary Session III

Trauma-Informed Decision-Making in Permanency Planning

Claude Chemtob, Ph.D.
Clinical Professor of Psychiatry and Pediatrics
Mt. Sinai School of Medicine

2:15 p.m. – 3:05 p.m.

Plenary Session IV

**Why Urgency Matters: An Illustrated Timeline
of One Child's Experience in Foster Care**

Trista L. Borra, *Deputy Project Manager*
Child Welfare Court Improvement Project
New York State Unified Court System

Erika Leveillec, *Program Coordinator*
Youth in Progress
New York State Adolescent Services Resource Network

Zhai-Yeng
Youth in Progress Panel Member

3:05 p.m. – 3:15 p.m.

Move to Breakout Rooms

3:15 p.m. – 4:30 p.m.

Breakout Session I

Judicial Officers Breakout Group

(judges, court attorneys, court attorney referees, court managers)

Facilitator

Honorable Nancy Sidote Salyers

Co-Facilitator

Claude Chemtob, Ph.D

Service Providers Breakout Group

(caseworkers, directors of services, commissioners, court-appointed special advocates, contract workers, mediation personnel)

Facilitator

Michael Weiner, *Commissioner*
Erie County Department of Social Services

Co-Facilitator

Rohini Luthra, Ph.D., *Project Director*
Administration for Children's Services Program
Mt. Sinai School of Medicine

Attorneys Breakout Group

(children's lawyers, parents' counsels, agency attorneys)

Facilitator

Margaret Burt, Esq.
Attorney and Legal Consultant

Co-Facilitator

Sascha Griffing, Ph.D., *Assistant Professor*
Department of Psychiatry
Mt. Sinai School of Medicine

4:30 p.m. – 4:40 p.m.

Return to Plenary Room

4:40 p.m. – 4:55 p.m.

Reports by Breakout Session I Facilitators

4:55 p.m. – 5:30 p.m.

Break

5:30 p.m. – 6:30 p.m.

Reception

Cultural Competency Resource Displays

Cathy Cave, *Coordinator*
Unlimited Mindfulness Consulting, L.L.C.

6:30 p.m. – 9:00 p.m.

Dinner and Socializing

Friday, November 21, 2008

- 8:00 a.m. – 9:00 a.m. **Continental Breakfast**
- 9:00 a.m. – 10:15 a.m. **Plenary Session V**
**Keeping Focus and Building Relationships:
Effective Collaboration as a Catalyst for Positive Outcomes**
Honorable Michael Nash, *Presiding Judge*
Juvenile Court of the Superior Court of Los Angeles County
Patricia Ploehn, *Director*
Los Angeles County Department of Children and Family Services
- 10:15 a.m. – 10:25 a.m. **Move to Breakout Rooms**
- 10:25 a.m. – 11:40 a.m. **Breakout Session II**
Facilitators
Melissa Bahmer, *Model Court Liaison*
National Council of Juvenile and Family Court Judges
Crystal Soderman, *Model Court Liaison*
National Council of Juvenile and Family Court Judges
- 11:40 a.m. – 11:50 p.m. **Return to Plenary Room**
- 11:50 a.m. – 12:20 p.m. **Multimedia Presentation**
Digital Stories of Children's Experiences with the Court Process
- 12:20 p.m. – 1:55 p.m. **Working Lunch**
Securing Permanency Resources for Adolescents
Pat O'Brien, *Executive Director*
You Gotta Believe!
- 1:55 p.m. **Closing Remarks: Go Forth!**
Laura M. Velez, *Acting Deputy Commissioner*
Division of Child Welfare and Community Services
New York State Office of Children and Family Services
- Conference Adjournment**

With Appreciation

Sharing Success VI, the latest in a series of statewide trainings for court and local departments of social services personnel, is one aspect of an established cooperative relationship between the courts and the social services system in New York State. This working partnership is led by the Honorable Judith S. Kaye, Chief Judge of the State of New York, and Gladys Carrión, Commissioner of the New York State Office of Children and Family Services (OCFS).

Sharing Success VI is made possible through Program Improvement Plan funds from OCFS and Child Welfare Court Improvement Project funds administered by the New York State Unified Court System Office of Court Administration (OCA). We are also honored this year to have the continued sponsorship of the Permanent Judicial Commission on Justice for Children (PJCJC). Once again, the *Sharing Success VI* conference is being conducted through a training and administrative services agreement between OCFS and the Center for Development of Human Services, part of the Research Foundation of SUNY at Buffalo State College.

We are especially proud of the many collaborative county-level initiatives that have resulted from the previous *Sharing Success* conferences. These successful collaborations have included continuing efforts on the part of family court judges, social services administrators, and other key stakeholders across the state. This year we are happy to have representatives of voluntary agencies joining us, as they also play a key role in promoting safety, permanency, and well-being for the children and youth entrusted to their care.

We are confident that this year's conference will continue to strengthen existing collaborations and lead to the formation of more new partnerships as the courts, local districts, voluntary agencies, and other stakeholders work together to improve outcomes for children and families.

Sharing Success Committee

Co-Chairs

Renee Hallock, OCFS
Christine Kiesel, OCA
Betsy Stevens, OCFS

Committee Members

Mary Aufleger, OCA	Toni Lang, PJCJC
Trista Borra, OCA	Cheryl Larrier, OCFS
Karen Carroll, OCA	Joan Richardson, OCFS
Kathleen DeCataldo, PJCJC	Cindy Roth, OCA
Barbara DeMayo, New York City Family Court	Sue Shafer, OCA
Christa Foschio-Bebak, OCA	Darlene Ward, OCA
Sharon Kollar, OCFS	Margo Velez-Lemmerman, OCFS

Sharing Success VI Speakers

November 20–21, 2008

Melissa D. Bahmer

Model Court Liaison

Victims Act Model Court Project

National Council of Juvenile and Family Court Judges

As Model Court liaison in the Permanency Planning for Children Department of the National Council of Juvenile and Family Court Judges (NCJFCJ), Melissa Bahmer works closely with courts that handle child abuse and neglect cases across the country. Her role as liaison entails provision of technical assistance, consultation, research, and evaluation. Through her work as an advocate for domestic violence victims and their children she has gained an in-depth knowledge of family violence issues, gaining valuable expertise from her work as a victim advocate at both the local and systems level. Ms. Bahmer has extensive knowledge of juvenile delinquency and mental health issues of both children and adults garnered from years of working with runaway and homeless youth and chronically mentally ill adults involved in the criminal justice system. She also works at a local domestic violence shelter, where she serves as a consultant on program development and training issues.

Ms. Bahmer was born in Redlands, California, grew up in suburban Los Angeles, and most recently has lived in Reno, Nevada, for the past seven years. She earned her undergraduate degree in human services and nonprofit management from the University of Phoenix and is working toward a M.S. degree in human behavior, with an emphasis on organizational behavior.

Margaret Bishop

Director, Division for Children, Youth, and Families

New Hampshire Department of Health and Human Services

In the course of her diverse, thirty-year career in child welfare, Maggie Bishop has proven to be a skilled visionary and an expert in implementing public welfare practices. Her work has ranged from providing direct child welfare services to supervising and administering programs within the New Hampshire Department of Health and Human Services (NHDHSS) Division for Children, Families, and Youth. She has also served for five years as the administrator in charge of the NHDHSS child protection staff, during which time she led numerous program initiatives focusing on enhancing New Hampshire's capacity to help children and families achieve positive outcomes.

Ms. Bishop is known for her interest in promoting best practice in the field and seeking to implement sound practice models. She has participated in many local, state, and national projects—all focused on providing improved practices, enhancing community partnerships, and delivering timely services.



Ms. Bishop leads the Division with a strong commitment to provide for the safety, permanency, and well-being of children through consistent leadership, support for services, and productive partnerships with New Hampshire communities. She earned her undergraduate degree in psychology and holds an M.S. degree in organizational management.

Trista L. Borra

*Deputy Project Manager
Child Welfare Court Improvement Project
New York State Unified Court System*

Trista L. Borra, L.M.S.W., has many years of experience working on the Child Welfare Court Improvement Project, beginning in 1997. After working for two years on the project, she left to serve as clinical coordinator for New York State's first Family Drug Treatment Court. After a four-year hiatus, she returned to the project in 2003, serving as project coordinator for New York City and Long Island. Over the past years she has been instrumental in coordinating several Family Court reform issues, notably the Babies Can't Wait (BCW) Project, which serves to educate judges, attorneys, caseworkers, and Court Appointed Special Advocates (CASA) staff and volunteers with regard to the medical, developmental, and emotional needs of infants. The BCW project also works collaboratively to provide assistance to the court in providing protocols for processing infant cases.

Ms. Borra assumed her current position as statewide deputy project manager for the Child Welfare Court Improvement Project in January 2007, and in that capacity she works to develop and provide vital training and technical assistance statewide. Among the projects she has spearheaded is the development of an educational toolkit that will be used across the state to implement local training offerings with the goal of promoting children's healthy development.

Ms. Borra received her B.A. degree from the State University of New York at Cortland in 1994 and her M.S.W. degree from the State University of New York at Albany in 1997. In 1997 she was a Fellow for The Center for Women in Government, where she worked for the New York State Office of Children and Family Services (OCFS) in the Bureau of Policy and Planning.



Margaret A. Burt, Esq.

Child Welfare Attorney and Legal Consultant

An attorney in private practice in Rochester, N.Y., Margaret A. Burt has specialized in the representation of children, adults, and child welfare agencies in tribal court and appellate practice. A substantial amount of her legal practice, which spans over twenty-five years, involves providing training for lawyers, judges, caseworkers, and service providers all around the country. She lectures and provides legal expertise in the areas of child abuse and neglect, permanency for foster children, the termination of parental rights, adoptions, and trial techniques. She also provides national and local training on such issues as the *Adoption and Safe Families Act (ASFA)*, the *Indian Child Welfare Act (ICWA)*, and the *Multi-Ethnic Placement Act (MEPA)*. Additionally, she addresses other key issues including confidentiality, the representation of children, and trial techniques. Ms. Burt also consults on legislation connected to child welfare issues for agencies such as the American Bar Association, the New York Public Welfare Association, the New York State Office of Court Administration, and the Research Foundation of SUNY.

Ms. Burt is one of the most widely recognized child advocates in New York State and has been the recipient of many awards in recognition of her longstanding and devoted efforts on behalf of children and families. Her awards include the prestigious *Juvenile Justice Award* from the Women's Bar Association of the State of New York (WBASNY) in 2007, the *Child Advocate of the Year Award* from the Children Awaiting Parents Organization in 2007, and the *Howard A. Levine Award for Excellence in Juvenile Justice and Child Welfare* from the New York State Bar Association (NYSBA) Committee on Children and the Law in 2008.

Jeffrey M. Carpenter, Esq.

Principal Court Attorney

Nassau County Family Court

Jeffrey M. Carpenter, Esq., began working for the Nassau County Family Court in 2003, after having served the previous ten years as the principal law clerk to the Honorable John Capertino in the Appellate Division, Second Department, and Supreme Court of Suffolk County. Mr. Carpenter was the court attorney assigned to the Nassau County Family Court's Permanency Planning Best Practices program when it was implemented on a pilot basis under the supervision of the Honorable Carnell T. Foskey in 2005, and he continues to actively participate in the Best Practices Protocol Committee and Stakeholders' Group. He now serves as the Chief Court Attorney for the Nassau County Family Court and is the court attorney assigned to assist Judge Foskey. He also sits on the Advisory Committees for the Nassau County Law Guardian panel and the Nassau County Family Court Children's Center.

Gladys Carrión, Esq.

Commissioner

New York State Office of Children and Family Services

Upon being appointed Commissioner of the New York State Office of Children and Family Services (OCFS) in January 2007, Gladys Carrión assumed responsibility for administration of key functions, including oversight of foster care, adoption, and adoption assistance; child protective services; preventive services for children and families; services for pregnant adolescents; child care services; and protective programs for vulnerable adults. Commissioner Carrión is also responsible for directing the oversight, administration, and management of specialized programs for juvenile delinquents and juvenile offenders and residential facilities for youth placed in the custody of OCFS by the family and criminal courts. Additionally, she is responsible for directing the functions performed by the Commission for the Blind and Visually Handicapped (CBVH), as well as for state government responses to the needs of Native Americans on reservations and in local communities.

Previous to her current role, Commissioner Carrión served as senior vice president for community investment with the United Way of New York City, where she was chiefly responsible for implementing United Way's Community Action strategy. Prior to joining the United Way, she was executive director of Inwood House, one of the oldest youth-serving organizations in the city. At Inwood House, teens develop the skills and knowledge necessary to make healthy choices and become active members of their community. It also serves pregnant and parenting teens in foster care.

Ms. Carrión also served for three years as commissioner of the New York City Community Development Agency, where she directed a budget of \$48 million, developed citywide policy and programs designed to address the human services needs of the city's most vulnerable citizens, and ensured the quality performance of more than 300 city-funded community-based organizations. Until her appointment, Commissioner Carrión was chair of the board of the New York Foundation and also served on the advisory board of Child Welfare Watch. She has served on numerous boards, including the Executive Committee of Legal Services of New York, the Puerto Rican Policy Institute, and Youth Ministries for Peace and Justice. She served as the chair of the Latino Child Welfare Collaborative, a project of the Committee for Hispanic Children and Families; was a member of the Children's Defense Fund's New York Advisory Board; and served as co-chair of Agenda for Children Tomorrow (ACT).

Born and raised in the Bronx, Commissioner Gladys Carrión is a graduate of Fordham University and New York University School of Law. She began her legal career as an attorney with the Bronx Legal Services Corporation, where she rose to become managing attorney for the South Bronx Office. From her work on behalf of poor Bronx residents in a wide range of issues including housing, welfare, education, and family law, she developed an intimate understanding of how to effectively negotiate the state, city, and federal government and legal systems.

Cathy Cave

*Coordinator and Founding Partner
Unlimited Mindfulness Consulting, L.L.C.*

As one of the founding partners of Unlimited Mindfulness Consulting (UMC), Cathy Cave has twenty-five years of experience as a service provider and consultant in the areas of mental health, disaster response, child welfare, developmental disabilities, and juvenile justice. She is committed to mentoring organizations in the areas of supervision, leadership development, strengths-based approaches, navigating relationships, understanding oppression, developing community collaboration, and promoting linguistic competence. A survivor as well as a parent of and sibling to family members who struggle with mental health issues, Ms. Cave has partnered with survivors, consumers, families, and providers to coordinate collaborative, respectful, community-based mental health initiatives for families, survivors of sexual trauma, and parents with psychiatric disabilities. Formerly the Director for Cultural Competence at the New York State Office of Mental Health (OMH), she contributes at the national level to bring the principles of cultural competence to the practice level, offering consulting services and presenting at conferences and consortiums across the country.

Claude Chemtob, Ph.D.

*Clinical Professor of Psychiatry and Pediatrics
Mt. Sinai School of Medicine*

Claude M. Chemtob, Ph.D., is a clinical psychologist and researcher specializing in trauma in adults and children. He received his Ph.D. from the University of Michigan in 1980. In addition to his position at the Mount Sinai School of Medicine, he currently serves as the Saul Z. Cohen Chair in Child and Family Mental Health at the Jewish Board for Family and Children's Services (JBFCS) in New York City. He is the principal investigator of a large, National Institute of Mental Health-funded collaboration between Mount Sinai and JBFCS that is aimed at translating evidence-based approaches to child trauma assessment and intervention to community-service settings. He has published widely on culture and trauma and is also a pioneer in the development of information processing approaches to understanding trauma and post-traumatic stress disorder (PTSD), including a hemispheric lateralization theory of PTSD that has received early empirical confirmation.

His work focuses on public health approaches to the identification and treatment of children who have experienced terrorism attacks and disaster, as well as the impact of domestic violence on children. He has been a pioneer in using community-based interventions following disasters and terrorist attacks. Dr. Chemtob has published the only randomized controlled studies of the treatment of children for disaster-related trauma symptoms and disaster-related PTSD. He is currently working on a number of child recovery projects in New York City, participating in state and city advisory groups in New York, and directing the Ground Zero Infant and Toddlers screening and treatment initiative in Manhattan, a collaboration of JBFCS and Mount Sinai School of Medicine. He is also directing a planning grant to provide long-term services to the bereaved children of the 9/11 attack on the World Trade Center.



Dr. Chemtob served as consultant to the Presidential Commission of the French Republic that established that nation's post-terrorism recovery system. He currently consults on terrorism response in Israel in the context of a US-Israel bi-national initiative established by the UJA Federation, and he recently served as consultant to the National Advisory Committee on Children and Terrorism. Presently Dr. Chemtob lives a bi-coastal life shuttling between NYC and Hawaii, where he continues to direct a research laboratory at the Pacific Islands Division of the National Center for PTSD in Honolulu.

Judy S. Cole

Executive Director

Regional Support – East Region

Tennessee Department of Children's Services

With over ten years of experience working for the Tennessee Department of Children's Services (TDCSS) and many years of experience in a variety of other posts, Judy Cole now oversees child welfare operations in the seven easternmost counties of Tennessee. Prior to assuming her current post as Executive Director of Regional Support in 2004, she served as regional administrator for an eight-county region in Tennessee and was responsible for oversight of child protective services, foster care, adoption, juvenile justice, residential and nonresidential contracts, volunteer and foster home recruitment, and family crisis intervention. Previous to joining the TDCSS she worked as superintendent for the Mountain View Youth Development Center, served as a director for the Johnson City Girls Group Home, and was director at the LIFT Academy. Earlier in her career she taught in public schools for four years, worked as a juvenile services probation counselor for the Tennessee Department of Correction, and was a counselor in the Elizabethtown Group Home. Ms. Cole earned her B.S. degree in education at the Tennessee Technological University and her M.A. degree in Education and Educational Psychology at Ball State University.

Kathleen DeCataldo, Esq.

Executive Director

Permanent Judicial Commission on Justice for Children

The mission of the Permanent Judicial Commission on Justice for Children (PJCJC) under the leadership of its chair, Chief Judge Judith Kaye, is to improve the lives and life chances of children involved in the court system. Under the executive directorship of Ms. Kathleen DeCataldo, the Commission is currently focusing on issues relating to older children and youth. Current projects include encouraging the active participation of youth in family court hearings, minimizing the potential adverse effects of foster care placement on education outcomes for children and youth removed from home, promoting the development of teen-friendly areas in court waiting rooms, and examining the intersection of the child welfare and juvenile justice systems.

Prior to coming to the Commission, Ms. DeCataldo served as Assistant Deputy Counsel and Director of Legislation and Special Projects for the New York State Office of Children and Family Services (OCFS). Ms. DeCataldo also served as the state-appointed representative for the Nicholson Review Committee and was co-chair of the statewide collaborative Adoption Now Workgroup. While at OCFS, Ms. DeCataldo was instrumental in the passage of the Permanency Bill, Chapter 3 of the Laws of 2005, and the PLVS Diversion Law, Chapter 57 of the Laws of 2005. Ms. DeCataldo conducted numerous statewide trainings of court, legal, and social services district staff.

Ms. DeCataldo served as Schenectady County Family Court Judge in 2000, previous to joining OCFS. Prior to her appointment to the bench, she was engaged in private practice for over ten years, with concentration in family court, matrimonial, and public sector labor relations. As a private practitioner, Ms. DeCataldo's family court experience included representation of parents, grandparents, adoptive parents, and children, and she also served as a law guardian in neglect/abuse, termination of parental rights, PINS, JD, custody, visitation, adoption, and support proceedings.

Ms. DeCataldo is a graduate of the State University of New York at Stony Brook and received her law degree from Albany Law School.

Honorable Craig J. Doran

Supervising Family Court Judge

7th Judicial District – New York State Unified Court System

Craig J. Doran was elected Ontario County Court Judge in 1999. In his capacity as a Superior Court Judge, Doran presides over County Court (hearing criminal felony and civil cases) and Family Court (hearing juvenile delinquency, PLVS, custody, and visitation issues, as well as adoption, guardianship, and a number of other family-related issues). Judge Doran has also been designated by the New York State Chief Administrative Judge as a full-time Acting Supreme Court Justice, where he presides over a variety of civil matters.

In 2006, Judge Doran was appointed Supervising Judge of the Family Courts in the 7th Judicial District. In that capacity, Judge Doran oversees Family Court operations serving approximately 1.5 million people in the eight counties of that district. In 2007 he was named by Chief Judge Kaye to the New York State Permanent Judicial Commission on Justice for Children (PJJC), and he is also a member of the Child Welfare Court Improvement Advisory Committee. The founder and first presiding judge of the Ontario County Felony Drug Treatment Court, Judge Doran is now presiding judge of the Ontario County Juvenile Drug Treatment Court. He is also currently Legislative Chair for the Association of County Judges of the State of New York. In a special election in 1994, he was elected to represent New York State's 129th Assembly District in the State Legislature at the age of 19. During his tenure in the Assembly, he was Chairman of the Assembly Minority Steering Committee.

In addition to his judicial duties, Judge Doran serves as an associate professor at Keuka College. He teaches upper-level criminal justice classes in the adult studies undergraduate and graduate degree programs, and he also serves as an instructor expert for the Center for Professional Studies and International Programs. Active on numerous committees, Judge Doran has taken on a leadership role in key initiatives in his own constituency and statewide. He has been recognized with many awards for his unstinting efforts and contributions, including being named a Paul Harris Fellow by the Rotary Club, receiving the *Honored Peacemaker Award* from the Center for Dispute Settlement, and being honored with the *Distinguished Service of Youth Award* from the Boy Scouts of America.

Sascha Griffing, Ph.D.

Assistant Professor

Department of Psychiatry

Mt. Sinai School of Medicine

In 2008 Sascha Griffing, Ph.D., joined the staff of the Mt. Sinai School of Medicine Department of Psychiatry, where she also serves as senior project manager for the Children's Trauma Institute (CTI), a Substance Abuse and Mental Health Services Administration (SAMHSA) National Child Traumatic Stress Network and Service Adaptation Center focusing on developing, evaluating, and then disseminating evidence-based interventions for children and families served by the child welfare system. Her responsibilities include coordination of CTI initiatives in collaboration with the New York City Administration for Children's Services (ACS), including conducting outreach to mental health and child welfare providers; designing and providing clinical interventions; and conducting focus groups with families, youth, and staff members to inform interventions and policy.

Dr. Griffing also serves as an evaluation consultant for the Urban Resource Institute in Brooklyn, where since 1997 she evaluated the efficacy of interventions in four shelters for abused women and children and, in many instances, provided therapeutic services. Previously she served as director of the Heritage School Health and Wellness Center at Teachers College of Columbia University, where she also served as adjunct assistant professor, supervised fieldwork, provided consultation and training, conducted research, and delivered therapeutic services from 2004 to 2008. She also served as a staff psychologist at The Children's Village in Dobbs Ferry and was senior psychologist at Elmhurst Hospital Center in Queens. Dr. Griffing graduated from the University of Michigan with a B.A. in psychology in 1990 and received her Ph.D. in clinical psychology from the University of Massachusetts in 1997.

Sherri Hale

*Northeast Region Administrator
Tennessee Department of Children's Services*

Sherri Hale began her social work career with the State of Tennessee twenty-five years ago, beginning as a child protective services caseworker. Presently she is currently one of thirteen Regional Administrators for the Tennessee Department of Children's Services (TDCS). In that capacity she oversees foster care and adoption, child protective services, prevention, and juvenile justice services provided by the TDCS in the Northeast Region, which encompasses eight rural counties in the northeastern tip of Tennessee and those bordering on North Carolina and Virginia. She manages a staff of 260 case managers, supervisors, and support workers. Since assuming her current position in 2002 Ms. Hale has taken great pride in her region's success in reducing the number of children entering care, its notable increase in the number of children gaining permanency within twelve months, and the increased number of youth who are placed in kinship care situations.

Ms. Hale received her B.S. in social work from East Tennessee State University in 1982 and is now enrolled in the M.S.W. program at that institution.

Jennifer Hull-Braun

*Permanency Planning Specialist
Niagara County Department of Social Services*

Jennifer Hull-Braun joined the Niagara County Department of Social Services (NCDSS) as a child protection caseworker shortly after receiving her B.A. degree in psychology from the State University of New York at Albany. In 1999 she assumed her current post as permanency planning specialist for NCDSS. In this position she has worked to assist NCDSS child welfare units in developing and successfully maintaining department best practices so that children in care achieve permanency. She also works in close concert with a full-time attorney so that any changes in child welfare legislation are communicated to all Niagara County child welfare staff and so that any necessary changes that may be required in their work are addressed appropriately and on a timely basis. As a member of the Niagara County Court Collaboration Team, she also serves as liaison between NCDSS and Niagara County Family Court.

Honorable Judith S. Kaye

*Chief Judge of the State of New York
New York State Unified Court System*

Judith S. Kaye became the first woman to serve on New York State's highest court after Governor Mario M. Cuomo appointed her Associate Judge of the Court of Appeals on September 12, 1983. She was appointed Chief Judge of the State of New York by Governor Cuomo in 1993, and she is the first woman to occupy that position. In addition to serving as chief executive of the state's Unified Court System, which handles some four million cases each year at 363 courthouses across New York State, the Chief Judge also presides over the New York State Court of Appeals, which handles criminal and civil appeals from lower courts, resolving constitutional questions and establishing case law in the course of doing so.



Born in Monticello, New York, she holds a B.A. degree from Barnard College and an L.L.B. from New York University School of Law (cum laude). She was admitted to the New York State Bar in 1963 and engaged in private practice in New York City until her appointment to the Court of Appeals. Her current posts also include Chair of the Permanent Judicial Commission on Justice for Children (PJCJC); Founding Member and Honorary Chair, Judges and Lawyers Breast Cancer Alert (JALBCA); Member of the Board of Editors, *New York State Bar Journal*; and Trustee, The William Nelson Cromwell Foundation. She served as President of the Conference of Chief Justices and Chair of the Board of Directors, National Center for State Courts (2002–03).

Judge Kaye is the author of numerous publications—particularly articles dealing with legal process, state constitutional law, women in law, professional ethics, and problem-solving courts. She is also the recipient of many awards, including the first *John Jay Medal for Justice* in 2008; the American Bar Association Justice Center *John Marshall Award*; the North American Council on Adoptable Children's *Adoption Activist Award*; the Justice Management Institute's *Earnest C. Friesen Award of Excellence*; the American Bar Association Commission on Women in the Profession's *Margaret Brent Women Lawyers of Achievement Award*; the National Center for State Courts' *William H. Rehnquist Award for Judicial Excellence*; the New York County Lawyers Association's *William Nelson Cromwell Award*; New York University Law School's Vanderbilt Medal; the Barnard College President's Medal; the Gold Medal of the New York State Bar Association; and the Fordham-Stein Prize. She also holds several honorary degrees.

Judge Kaye has been a strong advocate of innovation in the courts and has promoted numerous initiatives that have served as models for other states around the country. She continues work toward problem-solving courts, mental health courts, and integrated courts. Addressing the proliferation of domestic violence and the need to provide foster care are among her top priorities. When Judge Kaye retires from her post at the end of this year, she will have served nearly sixteen years at the helm of the State Judiciary's highest office. At the close of her long and distinguished career, she will have left a memorable and significant legacy in the administration and reform of the court system.

Erika Leveillee

Program Coordinator

Youth in Progress

New York State Adolescent Services Resource Network

Erika Leveillee is the Team Leader of the Albany Adolescent Services Resource Network (ASRN) and the contact for Youth in Progress, New York State's Foster Care Youth Leadership Advisory Team. She holds a M.S. degree in social policy and continues to strive for excellence in the child welfare field by utilizing the most current trends and best practices in the field. Her professional experience includes service in direct care as well as in local departments of social service. She has been an active member of the New York State Office of Children and Family Services (OCFS) Adolescent Strategy Workgroup and is a member of the Youth in Progress Support Team.

Janine Lounsbery

*Director of Family Support and Education
Families Together in New York State, Inc.*

Janine Lounsbery is responsible for oversight of several key statewide initiatives. The function of her department is to provide support and technical assistance to families, service providers, advocates, and *Families Together* chapters across the state. Mrs. Lounsbery actively promotes the principles of family support and strength-based services in New York State, and she and her departmental staff address areas such as special education, family support, systems advocacy, and parent empowerment in their work. Herself the parent of a child with Asperger's Syndrome, she has been actively involved in the advocacy field for more than a decade. Before taking on her current post, she previously served as executive director for the Family Resources Network, Inc. She is also the founder of the NYADVOCATES group, which provides information to families and advocates across the state. Mrs. Lounsbery earned her B.S. degree in sociology from The College of New Rochelle.

Rohini Luthra, Ph.D.

*Project Director
Administration for Children's Services Program
Mt. Sinai School of Medicine*

Rohini Luthra, Ph.D., is a licensed clinical psychologist at the Mount Sinai School of Medicine. She received her B.S. degree in psychology from Smith College and her Ph.D. from Ohio University. Dr. Luthra completed her pre-doctoral training at the Boston University School of Medicine and her post-doctoral training at the Boston Consortium. Her professional specialty is the area of trauma and resilience, and she is currently the project director for an initiative at the Administration for Children's Services (ACS) designed to build resilience among ACS staff. Dr. Luthra has presented at regional and national meetings on the subject of prevention of secondary traumatic stress and has published several articles in conjunction with her research projects.

Honorable Michael Nash

*Presiding Judge
Juvenile Court of the Superior Court of Los Angeles County*

Judge Michael Nash received his B.A. in political science from the University of California at Los Angeles (UCLA) and his J.D. from Loyola Law School in Los Angeles. Prior to being appointed as a Municipal Court Judge in 1985, he served as a Deputy Attorney General in the criminal division of the California Attorney General's Office, where he handled criminal appeals and trials for over ten years. Judge Nash was elevated to the Superior Court in 1989 and has served in the Juvenile Court since 1990. Since 1995 he has served as either Presiding Judge of the Juvenile Court or Supervising Judge of the Juvenile Dependency Court in Los Angeles. Before his appointment to the bench in 1985, he was a deputy assistant general in the state Attorney General's office (1974), and was a co-prosecutor in the notorious Hillside Strangler trial in Los Angeles.



Judge Nash has been recognized for his innovative vision and leadership, which has led to major improvements benefitting Children's Court and the Los Angeles child welfare system. He has overseen the creation of Los Angeles' first juvenile mental health court and first juvenile drug court, as well as other notable improvements in services to at-risk youth and their families. Since Judge Nash implemented Adoption Saturdays, more than 9,000 foster children have been adopted at the Edelman Children's Court.

He is a member of the California Judicial Council, serves as Chair of the Juvenile Court Judges of California (JCJC) and is a member of the Board of Trustees of the National Council of Juvenile and Family Court Judges (NCJFCJ), serving as Lead Judge in the NCJFCJ Child Victims Act Model Court Project. The Los Angeles Juvenile Court is one of 31 Model Courts nationwide that is implementing strategies designed to improve the courts' handling of child abuse and neglect cases. He is also a member of the California Judicial Council's Family and Juvenile Advisory Committee and a member of California's Blue Ribbon Commission on Children in Foster Care. The recipient of numerous awards over the course of his career, Judge Nash is active in the National NCJFCJ and was the Judicial Council's representative to a task force of the California Attorney General on the Child Abuse and Neglect Reporting Act. He was named "Juvenile Court Judge of the Year" by the Juvenile Court Judges of California in 1997, and in 2003 he was honored with the *Professional Achievement Award* given by UCLA. In 2006 he was named "Judge of the Year" by the National Court Appointed Special Advocates Association (CASA).

Pat O'Brien

Executive Director

You Gotta Believe

A popular and widely renowned keynote presenter, Pat O'Brien also provides consultant services and delivers workshops and trainings across the country. His work focuses on the connection between foster care and homelessness; prevention of homelessness through recruitment of permanent homes for teens and pre-teens; the role of unconditional commitment as the essential ingredient in preventing both placement disruption and foster care drift; and ways of using laughter and humor to reduce the stress, tension, and pain of everyday life. Pat also produces, and often hosts, a weekly radio show and a cable access television show.

You Gotta Believe (YGB), founded and directed by Pat O'Brien, is one of the few placement agencies in the country that limits its practice to finding permanent parents who will legally or morally adopt teens, pre-teens, or young adults in foster care without regard to whether the youth is freed for adoption. YGB has a major contract with the City of New York to find permanent families for teens and young adults in New York City and a five-year federal grant to recruit families for Suffolk County teens that attempts to find homes for youth despite the fact that they continue to have ties with their birth families. YGB was also awarded a generous award from the Dave Thomas Foundation for Adoption to do specialized intensive child-focused recruitment for the longest waiting children. YGB also received a national *Adoption Excellence Award* in 2007 from the United States Department of Health and Human Service's Children's Bureau in the area of Media/Public Awareness of Adoption from Foster Care for its work producing its own radio and television program.

Pat received his M.S.W. from Columbia University School of Social Work. In 2007 he was honored by the Congressional Coalition on Adoption Institute for his twenty years of work in the field of older child adoption.

Patricia Ploehn

Director

Los Angeles County Department of Children and Family Services

As principal administrator for the Los Angeles County Department of Children and Family Services (DCFS), Patricia Ploehn directs an agency with an annual budget of more than \$1.7 billion and over 7300 staff members. She oversees all aspects of the administration of protective services, foster and out-of-home care, adoption, and treatment for children in the Los Angeles County child welfare system. Appointed in September 2006, she is the first director to be selected from within DCFS since its inception in 1984. Prior to her appointment she had served as DCFS Deputy Director. She brings nearly thirty years of experience in the field of public child welfare to her present post, beginning her career as a treatment counselor and later serving as a social worker and supervisor. She has served in various child welfare administrative positions, including training and education, emancipation services, strategic planning, and adoptions and permanency services.

Ms. Ploehn earned her B.A. degree in sociology at California State University at Los Angeles and her M.S.W. degree from California State University at Long Beach. She was recently honored with the 2008 *Distinguished Alumna Award*, which was presented to her by the College of Health and Human Services of the University at Long Beach. Ms. Ploehn, a licensed clinical social worker in the State of California, currently serves on the California Child Welfare Council, the Executive Committee of the National Association of Public Child Welfare Administrators, and the Annie E. Casey Foundation's Urban Child Welfare Leaders.

Sheila J. Poole

Associate Commissioner

Child Welfare and Community Services Regional Operations

New York State Department of Children and Family Services

Sheila Poole joined the New York State Office of Children and Family Services (OCFS) in 2007. As Associate Commissioner of Child Welfare and Community Services Regional Operations, she brings many years of experience and leadership in promoting child welfare and community-level activism to her office. In her present capacity she works to provide support for the six regional offices of OCFS and to facilitate implementation of New York State's priority child welfare initiatives, including differential response (dual track) and the ongoing transformation of the statewide CONNECTIONS child welfare information tracking system.

Prior to assuming her post, Ms. Poole served as Commissioner for the Albany County Department for Children, Youth, and Families (DCYF) from 2003 to 2007. During those years she oversaw New York State's first integrated county department combining its child welfare, early intervention, children with special needs, youth bureau, and children's mental health programs to achieve successful outcomes for children. Under her leadership, Albany County engaged in many successful initiatives, including spearheading a \$9.4 million award through the United States Substance Abuse and Mental Health Services Administration (SAMHSA) as well as a neighborhood-based child protective services initiative in Albany's crime-ridden South End neighborhood. In the area of collaborative efforts, the DCF partnered with Albany County Family Court to implement permanency mediation, family team conferencing, and juvenile and family treatment courts. As part of Ms. Poole's work to employ probation as a prevention measure, the Albany County Family Court and Albany County Probation Department also worked together to develop a juvenile justice reform agenda.

Ms. Poole's early career began in the non-for-profit mental health sector, where she focused on creating community-based housing and rehabilitative services for consumers leaving institutional settings. She also spent five years working within the child welfare system in Tennessee prior to returning to begin her work in Albany County.

Honorable Nancy Sidote Salyers

Judge (retired)

Cook County Circuit Court, State of Illinois

Co-Director, Fostering Results

Judge Nancy Sidote Salyers has spent a twenty-five-year legal career working on behalf of children and families, including serving as Presiding Judge of the Cook County Juvenile Court's Child Protection Division, which was widely regarded as a model court for collaborations forged with agencies, academics, child advocates, and the community. Through reforms launched during Salyers' tenure, for the first time in the hundred-year history of the court more child cases were closed than opened on a consistent basis, significantly decreasing previous backlogs.

Judge Salyers has spent her entire legal career working on behalf of children and families in crisis. During her five years as Presiding Judge of the Child Protection Division in Cook County, she initiated and led an unprecedented model of collaboration and innovation with the Illinois Department of Children and Family Services (IDCFS), resulting in the court's dependency caseload being reduced from over 58,000 to less than 19,000 cases. Her passion and hands-on style are still evident in her work as a nationally recognized presenter on system reform to improve the court process for children and families. She was the moving force behind the development of the National Curriculum on Caseload Management in Dependency Cases and remains active in its presentations around the country.

Judge Salyers has been recognized nationally for her work, with awards from the U.S. Department of Health and Human Services, the National Association of Public Child Welfare administrators, the National Child Support Enforcement Association and the National Association of Court Appointed Special Advocates. Judge Salyers holds B.A. and M.A. degrees (cum laude) from Rosary College of Arts and Sciences at Dominican University. She received her J.D. from DePaul University College of Law.

Although she has retired from the bench, she continues to be active as co-director of *Fostering Results*, a national, nonpartisan project with the overarching goal of raising awareness of issues facing children in foster care. This project is supported by a grant from The Pew Charitable Trusts to the Children and Family Research Center at the School of Social Work, University of Illinois at Urbana-Champaign.

Junius Scott

Regional Program Manager

Children's Bureau

United States Department of Health and Human Services

As the Regional Program Manager for the Children's Bureau Regional Program Division in Region II for the Administration for Children, Youth, and Families (ACYF) within the Administration for Children and Families (ACF), Junius Scott reports directly to the Associate Commissioner of the Children's Bureau. Region II includes New Jersey, New York State, Puerto Rico, and the Virgin Islands. In his position, Mr. Scott provides leadership, program and technical administration on Children's Bureau formula, entitlement, block grant, and discretionary programs related to child welfare.

The Regional Program Division, in collaboration with the ACF Central Office and individual states, grantees, and other partners, provides technical assistance and assures that appropriate procedures and practices are adopted. The Division works with state and local officials to develop and implement outcome-based performance measures and monitors programs to ensure their efficiency, effectiveness, and conformity to Federal laws, regulations, policies, and procedures.

Mr. Scott previously served as the Region II Program Manager for the Youth and Family Services Division, Office of State and Youth Programs in Region II for the New York City Administration for Children and Families. In that capacity, Mr. Scott provided leadership and oversight for child welfare services programs; runaway and homeless youth programs; U.S. *Freedom of Information Act* (FOIA) activities; and other initiatives affecting children, youth, and families. The work of the Youth and Family Services Division, under his leadership, focused on programs and activities in partnership with state and local agencies, community- and faith-based organizations, and other private sector groups to achieve better outcomes for children and families. Prior to holding that post he served as Director of Coordination and Planning for the New York City ACF.

Mr. Scott holds a B.A. degree from Virginia Union University and an M.S. degree in Human Services Administration from the University of Utah. He has also pursued additional postgraduate studies and training at Columbia University School of Social Work and Yeshiva University. With more than three decades of service in his field, Mr. Scott is the recipient of many awards, including recognition by the Rutgers University School of Social Work and Fordham University for his work on behalf of children and families. He is also the recipient of the ACF Assistant Secretary's *Honor Award for Exemplary Leadership*.

Crystal Soderman

Model Court Liaison

Victims Act Model Court Project

National Council of Juvenile and Family Court Judges

As Model Court liaison for the Permanency Planning for Children Department of the National Council of Juvenile and Family Court Judges (NCJFCJ), Crystal Soderman serves jurisdictions across the country in implementing and sustaining systems change and promoting best practices related to the child welfare system. Ms. Soderman came to the NCJFCJ after working in the office of Nevada senator John Ensign, where she was responsible for handling constituent inquiries and spoke on the senator's behalf when he was unable to attend scheduled community events. Her previous experience also includes working as a lobbyist at the Nevada state legislature, where she worked on behalf of a charter school for students interested in pursuing careers in the building trades, as well as for the Nevada Chapter of the Associated General Contractors of America.

A native Nevadan, Ms. Soderman is currently working toward a graduate degree in public administration at the University of Nevada in Reno. She obtained her B.A. degree (cum laude) in communication studies from the University of San Francisco.

Honorable Sharon S. Townsend

Administrative Judge

8th Judicial District – New York State Unified Court System

The Honorable Sharon S. Townsend was appointed Administrative Judge of the 8th Judicial District in 2003 and is the first woman to be named to this position in this district and the first Family Court Judge in the State to be appointed Administrative Judge. She was elected to the New York State Supreme Court in November, 2003. Judge Townsend was previously elected to the Family Court in 1991 and was re-elected to a second 10-year term in November 2001. In 1996, Judge Townsend was named Supervising Judge of the Family Court of the 8th Judicial District. Prior to her election to the Family Court bench, Judge Townsend was a Village Justice in the Village of Williamsville for seven years. A native of Connecticut, she is a graduate of the University of Rochester and the University of Connecticut School of Law. Judge Townsend serves on the Board of Trustees and was a Model Court Lead Judge for the National Council of Juvenile and Family Court Judges (NCJFCJ). A member of the Permanent Judicial Commission on Justice for Children (PJCJC), she also served as Chair of the Family Court Advisory and Rules Committee for the New York State Office of Court Administration for four years.

Judge Townsend has been recognized for her work on behalf of children and families by receiving the Erie County Court-appointed *Special Advocates Light of Hope Award* and the *Outstanding Jurist of the Year Award* from the Erie County Judges and Police Conference. The Erie County Bar Association named her “Jurist of the Year” in 2001, and in 2004 she was recognized by Erie County as one of the “Women Making History.” In 2005, Judge Townsend was the recipient of the *Lady Justice Award* from the Women’s Bar Association of the State of New York (WBASNY), Western New York Chapter. In 2006, Judge Townsend received the *Susan B. Anthony Award* from the Officers and Board of Directors of the Interclub Council of Western New York and was also honored with the *Howard A. Levine Award for Excellence in Juvenile Justice and Child Welfare* from the New York State Bar Association (NYSBA) Committee on Children and the Law.

Laura M. Velez

*Acting Deputy Commissioner
Division of Child Welfare and Community Services
New York State Office of Children and Family Services*

Laura Velez, M.S.W., brings twenty-five years of human services experience in a variety of management capacities to her current post. Her background includes a wide variety of challenging professional responsibilities, ranging from working with runaway and homeless youth in New York City to directing an outpatient substance abuse treatment program. In addition she has held local government positions in both mental health and child welfare. She served as Director of Children and Family Services in Schenectady County for over six years, during which time she was responsible for overseeing the agency’s child protective, foster care, adoption, and child care services. More recently, Ms. Velez has served at the New York State Department of Children and Family Services (OCFS) as the Executive Assistant to Commissioner Gladys Carrión before taking on her present role as Acting Deputy Commissioner of the newly created Division of Child Welfare and Community Services.

Michael Weiner

Commissioner

Erie County Department of Social Services

Michael Weiner assumed the responsibilities of his current position as Commissioner of the Erie County Department of Social Services in August 2004, and since that time he has been responsible for the overall administration of a public agency with a budget of over \$500 million and a workforce of over 1600 staff members. Previously he had served as Commissioner for the Erie County Department of Mental Health from February of 2000 until a new Commissioner was appointed in January 2004.

Commissioner Weiner has also held the positions of Director, Deputy Director, and Mental Health Program Specialist for the New York State Western New York Regional Office of Mental Health (OMH). Earlier in his career he had a succession of posts in the field of mental health, having worked as Program Manager for Inpatient Psychiatry at the Erie County Medical Center, Program Director for the New York State Office of Alcohol and Substance Abuse Services (OASAS), and Coordinator of Clinical Services for Catholic Charities of Western New York.

In addition to holding an M.B.A. degree, Commissioner Weiner holds an M.S. degree in rehabilitation counseling from the State University of New York at Buffalo, where he also serves as a clinical instructor for the Department of Psychiatry of the School of Medicine and Biomedical Sciences. Commissioner Weiner is a member of the Governor's Children's Cabinet Advisory Board, the Permanent Judicial Commission on Justice for Children (PJCJC), the Buffalo and Erie County Workforce Investment Board, and the New York State Public Welfare Association.

Zhai-Yeng White

Youth in Progress Panelist

Nineteen-year-old Zhai-Yeng White has been in foster care for almost eight years. Zhai is currently participating in an independent living program where during the past three years she has learned "what it means to become an adult." Despite the fact that she has encountered many difficulties in her young life, she has earned an A.A. degree in liberal arts from Hudson Valley Community College and is now a hopeful young lady who is ready for whatever the future may hold for her. Grateful to all who have helped her over the past years, she looks forward to the opportunity to give back and make a positive change in the world. Zhai is currently enrolled in the School of Social Welfare at the State University of New York at Albany, and her chief aspiration is to become a social worker—and possibly even move on to working in politics. She has vowed to herself that she will work to become a role model for other young people and, once she is employed in the field, to make sure that social work practice is what it should be: caring for and supporting those who need it most.

Appendix D

Workshop 1 (for new judges)

Achieving Timely Permanency for Children in Foster Care: The Role of the Judge

The Adoption and Safe Families Act of 1997 (ASFA) clearly and unequivocally establishes three national goals for children in foster care: safety, permanency, and well being.

“Permanency” means a return to a parent, adoption, guardianship, or placement with a relative. “Timely” in the best case means within one year or, in some cases, within six months.

The role of the judge involves:

- Ensuring that parents and child receive due process of law;
- Reviewing all of the child welfare agency’s actions and decisions;
- Monitoring the provision of services that ensure the child’s well being (health, mental health and education) while in care; and
- Ensuring that all decisions are made in a timely fashion – e.g., treat each case as an emergency, review a child’s case more frequently than the statutes require, restrict continuance requests by all parties.

This workshop, designed specifically for newly elected or appointed judges will discuss judicial case management practices that support the achievement of timely permanency.

Workshop 2 (for all judges)

Judicial Leadership and Interdisciplinary Collaboration: Essential Tools for Achieving Timely Permanency

Timely permanency for foster children has been an unrealized goal in our nation’s family courts. The goal of timely permanency is a legal mandate, it serves the needs of families, it is consistent with evolving case management standards, it is required by the Canons of Judicial Ethics, and it serves the best interests of children. Judges must take a leadership role, both within their courts and in broader collaborative system improvement efforts to reduce delays. Through a series of changes including legislation, court rules, case management techniques, and judicial control, the goal of timely permanency for foster children can be achieved.

This workshop will discuss the leadership role of judge in interdisciplinary collaborations (including ethical considerations) and judicial case management innovations that have proven to be potent tools in improving outcomes for children.

Appendix E

FRIDAY, OCTOBER 3, 2008 • 8:30 AM - 4:00 PM



The Words of Permanency: *Challenging Child Welfare Professionals to Find Permanency for Older Youth*

HSBC ARENA, HARBOUR CLUB, BUFFALO, NY

FEATURING:

Ashley Rhodes-Courter

Author of “Three Little Words” and national advocate for permanency and adoption for older youth in foster care

AND

Barry Chaffkin, LCSW

CEO and co-founder of “Changing the World One Child at a Time”

**TO REGISTER
CONTACT:**

Karen Carroll

Deputy Statewide Project Manager

716-845-2753 or kcarroll@courts.state.ny.us

**TO REGISTER
ONLINE:**

<https://app.formassembly.com/forms/view/32762>



Child Welfare

**NEW YORK
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Office of Alternative Dispute Resolution and Court Improvement Programs



Court Improvement Project

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NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Appendix F

MONDAY, SEPTEMBER 8, 2008



Empowering Youth Day : *Life After Foster Care*

ONEIDA COUNTY FAMILY COURT, UTICA NY

FEATURING:

“Achieving Permanency Resources for Adolescents”

Pat O'Brien, Founder & Executive Director of "You Gotta Believe!" and nationally recognized advocate for permanency for older youth. Mr. O'Brien will present a 1.5 hrs session for attorneys, caseworkers, therapists, and child welfare system professionals. CLE's provided (session to be held twice at 1:00 and 2:45)

**TO REGISTER
ONLINE:**

<https://app.formassembly.com/forms/view/32999>

**FOR FURTHER
INFORMATION
CONTACT:**

Cindy Roth

Child Welfare Court Improvement Project Liaison to the Fifth Judicial District
315 731-3468 or croth@courts.state.ny.us



Child Welfare

**NEW YORK
STATE**



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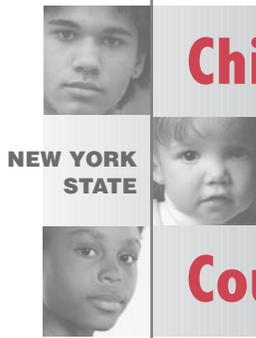


Court Improvement Project

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ONEIDA COUNTY FAMILY COURT AND
ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES

Appendix G



Child Welfare

Unified Court System • Division of Court Operations
Office of Alternative Dispute Resolution and Court Improvement Programs

Court Improvement Project

THE CHILD WELFARE COURT IMPROVEMENT PROJECT (CIP) supports the Family Court's mandate to promote the safety, permanence and well being of children who are the subject of abuse, neglect, foster care, termination of parental rights and adoption proceedings.

Best Practices Bulletin

Welcome to the inaugural issue of the Best Practices Bulletin, the quarterly newsletter of the New York State Child Welfare Court Improvement Project. This publication seeks to keep you informed of the accomplishments, activities and ongoing projects implemented by the New York State Unified Court System to support the court's mandate to ensure the safety, permanency and well being of children.

The continuous improvement of child welfare court operations is the result of the leadership provided by Chief Judge Judith S. Kaye (both in her role as Chief Judge and as Chair of the Permanent Judicial Commission on Justice for Children), Chief Administrative Judge Ann Pfau

and the contribution of time, talent and energy of judicial and non judicial staff of the family courts, the Office of Court Administration, the bar and our partners in government.

Future issues of this publication will focus on specific innovations and 'best practices' implemented by our family courts including frequent and in-depth court oversight of pending cases; the use of tools and checklists to enhance the court's inquiry into the safety, permanency, health and well-being of children, use of Court Appointed Special Advocates (CASA), and use of alternative dispute resolution processes such as mediation and case conferencing.

The inspiration for specific

projects often flows from the bottom up rather than from the top down. Much of the work of court reform is accomplished by local collaborative 'stakeholder' groups convened by family courts and their government partners. These groups provide a forum for discussions that lead to enhanced court operations and improvements in the child welfare and service delivery systems beyond the court. We welcome and encourage contributions of articles for future issues of this newsletter. ■



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CIP: A Strong Past; A Secure Future

New York State's Child Welfare Court Improvement Project (CIP) began in 1994 and was administered from its inception through the Fall of 2006 by the Permanent Judicial Commission on Justice for Children (The Commission), chaired by Chief Judge Kaye. The Project is partially supported by a federal grant from the Administration for Children and Families of the US Department of Health and Human Services. Court

Improvement Project grants are awarded to the highest court in each state in recognition of the integral role state courts play in charting the course for abused and neglected children. The project, which focuses on proceedings involving abuse and neglect, foster care, termination of parental rights, and adoption, provides resources and technical assistance to enhance and promote innovation in court operations and practices.

Major initiatives include

interdisciplinary training programs such as the "Sharing Success" annual statewide conference, co-sponsored with the New York State Office of Children and Family Services (OCFS); support of efforts to collect, share and distribute child welfare data to court managers and judicial decision makers; and initiatives to improve the quality of court proceedings, court operations, representation and advocacy.

During 2006, federal funding

Continued on Page 3

For more information visit: www.nycourts.gov/ip/cwcip

Teen Day in Queens Family Court

The first annual Teen Day was held in Queens Family Court in April, providing encouragement and information to youth preparing to live on their own. Six months in the planning, the event brought youth together with court and community agency personnel to inform the young adults of available programs, services, personal connections and jobs.

Invitations were extended to over 100 youth by law guardians, court referees and caseworkers.

Helen Muskus, Supervising Court Attorney in Queens, organized the effort, along with court attorney Tye Mosaku; Kim McLauren and Carolyn Silvers of Legal Aid; Lauren Meller and Dorien Gottlieb of ACS; Jennifer Goldstein and Samira Ali from CASA; Stephanie Pearl, Donna Erez and Regina Ritcey of the Permanency Mediation staff; and, of course, Referees Wanda Matthews, Amy Rood, Craig Ramseur and Kay Anixiadis, who every day hear the cases of adolescents about to age out of care. Together, they, as well as the practitioners, are concerned about whether these young adults will be able to cope with an uncertain future unless necessary services are put in place before they leave foster care.

The day began with welcoming remarks by Referee Matthews. Lauren Meller introduced Keema Davis and Richard Wilkerson from the (ACS) Administration for Children's Services Speaker's Bureau. Keema is also the coordinator for Wednesday's Child, the weekly series that highlights foster children looking for a home. These two young adults shared personal stories of their time in care, their struggles, and their eventual successful outcomes. Their most important lesson for the young adults in the audience was to try to connect with adults, to open themselves to the possibility of family.

Other speakers included Winsome McDermott; Donna Marie Antoine; Ronnel Walker-Johnson and Kim Dennis. Represented agencies included the Administration for Children's Services (ACS) Office of Youth

Development; ACS Housing; ACS Placement Services; You Gotta Believe; CUNY; The Door—A Center of Alternatives, Inc.; Child Permanency Mediation Program; Planned Parenthood of New York



“Teen Days are an excellent opportunity for us to come together as a community and engage youth in the Family Court process.”

—HON. JOSEPH LAURIA

City, Inc.; Queens Public Library; Jamaica Center for Arts and Learning; City Year; Brooklyn Job Corps Academy; The Child Center of New York, Inc.; Covenant House—Queens Community Resource Center; Goodwill; and Dress for Success.

Youth were encouraged to attend their own service plan reviews to become resources to themselves in planning for their own future. ACS youth-focused programs were discussed, including funding for education and special educational programs that allow youth to earn college credit at Bard College over the summer. Erick Hallgren of Bronx Community College discussed how important education is to their future and discussed the opportunities available throughout the CUNY system.

Paul Snellgrove of “You Gotta Believe” discussed the need for family. “You Gotta Believe” works with adolescents and foster families to create permanent families for adolescents in care.

After years of failed attempts at bonding with a family, many adolescents reach a point where they stop trying. Paul encouraged those in the audience to heed the words of Mr. Wilkerson, who told the group that he had to overcome negative advice from those around him to take a chance on

a family who seemed genuine about their interest in him.

The referees held hearings regarding the status of each adolescent and discussed their progress in school and with housing, counseling and relationships with their foster families. Each courtroom had the services of a Court Appointed Special Advocate (CASA) who stood by, ready to be appointed in those cases where certain issues seemed to need further attention. Cases were adjourned to short dates so that ordered services could be reviewed prior to the youth's being discharged from care.

Lunch was provided by Ezekiel's Catering, a specialized training program developed by Covenant House to teach New York City youth culinary arts and the skills necessary to run a business.

Attendees found the program helpful and had useful suggestions on how more youth could be encouraged to come to court. The information tables with the most interest were ones that offered information about college, housing, youth programs and jobs. With the program such a success, plans are already underway for the next Queens Teen Day. ■

Excerpted from the New York City Family Court Chronicle

National Summit on Children's Welfare

Over 200 judges and child welfare experts from 46 jurisdictions convened in New York this past March for a summit aimed at devising ways to improve the care and protection of vulnerable children across the nation.

"A Summit on Children: It's Their Future— Ours Too!" was co-sponsored by the Conference of Chief Justices and the Conference of State Court Administrators in partnership with the National Center for State Courts and the New York State Unified Court System. The meeting is a follow-up to the first National Judicial Leadership Summit on the Protection of Children held two years ago in Minneapolis.

Each state represented at the summit was asked to participate as a team of three or more, a group to ideally include the chief judge, state court administrator and either the governor's director of human services or a senior administrator of the human services agency responsible for the state's child welfare system.

As you know, today and every single day, we have an enormous amount of work to do to improve the lives and the life chances of our nation's needy children, our children," said Chief Judge Judith S. Kaye, who welcomed partici-

pants to the summit.

"It is unethical and immoral for your life's circumstances to be predicated on your zip code," said keynote speaker Geoffrey Canada, executive director of Harlem Children's Zone, a non-profit, community-based organization that works to enhance the quality of life for children and families in some of New York City's most devastated neighborhoods. Some children are forced to live in horrible conditions and to attend schools where students have failed for years, he added.

Canada also said that though people question how much it costs to fund programs that enrich children's lives, they rarely if ever think about what we as a society are willing to spend down the line, when many of these broken youngsters wind up in prison. Canada's organization spends \$3,500 annually per family to provide educational and other support services, a fraction of the more than \$30,000 it costs per year to incarcerate an individual in New York state. The Harlem Children's Zone serves more than 12,500 children and adults through a variety of programs designed to rebuild the community.

Gov. Eliot Spitzer told the audience that refocusing state dollars to intervene



earlier in the life of a child to address education, health care and other issues is clearly where social policy should head, while Mayor Michael Bloomberg discussed steps that New York City is taking to provide better training and other support to its child protective agency personnel.

A group of young adults gave conference attendees a view of what it's like growing up in foster care. They told participants that every child deserves and needs caring adults and permanency in order to connect well with others and feel hopeful about the future.

Retired New York Family Court Judge Joan Cooney encouraged child welfare workers and others at the conference to do all they can to keep children transferred to a new foster home in their current schools. Foster children are more apt to become dropouts, she said, when they're constantly being moved from school to school. ■

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History *continued from page 1*

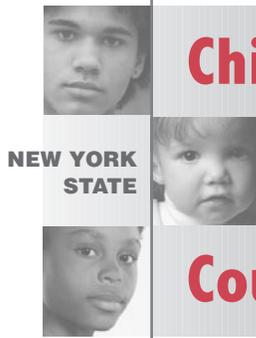
for the program increased to support additional training and data analysis efforts. The additional resources will support replication of successful activities more broadly across the state and with greater depth at the local level. The increased focus on court operational issues prompted the transition of the administration of the project to the Office of Court Administration's Division of Court Operations. The CIP continues to operate with the support, advice and counsel of the Commission whose interdisciplinary membership includes leaders from government and non-governmental systems that impact children and families.

Chief Judge Kaye appointed the Honorable Sharon Townsend, Administrative Judge of the 8th Judicial

District (and a former family court judge) to chair a CIP working group as a subcommittee of the Commission. This group will provide a "hands on" leadership team to steer the development of goals and objectives, monitor the implementation of CIP objectives, keep the full Commission membership informed of CIP activities and provide advice, counsel and support to CIP staff.

The "Office of Alternative Dispute Resolution and Court Improvement Programs" was created by integrating the former Office of ADR Programs with staff from around the state engaged in CIP activities. Dan Weitz was appointed Deputy Director of the Division of Court Operations and continues in his role as Coordinator of the Office of Alternative Dispute Resolution and Court

Improvement Programs. Frank Woods was appointed Assistant Coordinator with direct programmatic responsibility for the operation of the CIP program. Christine Kiesel, formerly a court attorney referee in Oneida County where she presided over a child welfare "best practice" part, has joined the staff as Statewide Project Manager. Trista Borra, formerly of the Commission and Karen Carroll, formerly of the Erie County Court Improvement Project joined the staff as Deputy Statewide Project Managers. In addition, over the course of the next year, the CIP will create liaison positions, co-located in other additional family courts, to implement the goals of the statewide project at the local level. This administrative team will support the reform of family courts' efforts throughout the state. ■



NEW YORK STATE

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Court Improvement Project

Best Practices Bulletin

THE CHILD WELFARE COURT IMPROVEMENT PROJECT (CIP) supports the Family Court's mandate to promote the safety, permanence and well being of children who are the subject of abuse, neglect, foster care, termination of parental rights and adoption proceedings.

Participating in The 2008 Child And Family Services Review: The Role of the Court System

This spring, **New York State** is participating in the second round of the Child and Family Services Review (CFSR), the federal review of the state's child welfare system conducted by the Department of Health and Human Services, Administration for Children and Families (ACF). The Child Welfare Court Improvement Project (CIP) has worked closely with the New York State Office of Children and Family Services (OCFS) to prepare for the upcoming review and to advocate for court system involvement in every aspect of the review. The CIP Subcommittee of the Permanent Judicial Commission on Justice for Children oversees this effort.

The purpose of the CFSR is to ensure New York's conformity with the requirements in Titles IV-B and IV-E of the Social Security Act and to help states identify strengths and areas needing improvement. In 2000, ACF established this results-oriented approach to measure states' performance in seven (7) outcomes related to safety, permanence and well-being (see sidebar) for families and children who receive services and seven (7) systemic factors related to the state's child welfare agency performance.

Since the CFSR is primarily a review of the child welfare system, it prompts the question: Why does the court system need to be involved in the CFSR?

First, the federal CFSR holds states accountable not only for the performance of the state child welfare agency, but also for the performance of the state as a whole. The CFSR examines the state's success in achieving safety, permanency and well being of abused and neglected children, not just the state agency responsible for oversight of child welfare services. The achievement of these outcomes depends on the performance of local departments of social services, the quality and availability of family support services in the community and the performance of the legal/judicial system.

How a state fares in its CFSR depends in part on how well its legal system performs. If courts make sound decisions concerning the safety of abused and neglected children, the CFSR will reflect the fact that children are safer. Similarly, if courts make timely decisions in child welfare cases, the CFSR will reflect that foster children achieve earlier permanent placements. Where courts help agen-

cies focus on the well being of the children and their families,

Continued on page 2



CFSR OUTCOMES

SAFETY

- Children are, first and foremost, protected from abuse and neglect
- Children are safely maintained in their homes whenever possible and appropriate

PERMANENCY

- Children have permanency and stability in their living situations
- The continuity of family relationships and connections is preserved for families

WELL-BEING

- Families have enhanced capacity to provide for their children's needs
- Children receive appropriate services to meet their educational needs
- Children receive adequate services to meet their physical and mental health needs ■

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For more information visit: www.nycourts.gov/ip/cwqip

Fostering Recovery: Grant Funds Collaborative Approach to Helping Children in Substance Abusing Families

New funding from the federal government is supporting work in Monroe County to assist young children exposed to parental substance abuse and their families.

“Fostering Recovery” is the product of a regional partnership among the University of Rochester’s Department of Psychiatry and Mt. Hope Family Center, the Monroe County Department of Human Services and the Monroe County Family Court. A three-year \$1.8 million grant supporting the project was received in October of 2007 by the University of Rochester from the U.S. Department of Health and Human Services, Administration for Children and Families’ Children’s Bureau. The project’s goal is to address the complex relational needs of families dealing with chemical dependency, especially those that have infants and toddlers (birth through age 2) in Monroe County.

“This grant is a wonderful opportunity for the courts, social services and academia to come together to foster recovery and well-being in child welfare-involved families,” said Wendy Nilsen, Ph.D., Assistant Professor of Psychiatry & Psychology and Director

of the Monroe County Hall of Justice Children’s Center. Dr. Nilsen serves as administrator of the grant.

Research is clear that young children in the child welfare system rarely receive mental health services, even though past work has shown irregularities in infants and toddler’s biological, emotional, and behavioral regulation. Using the available empirical evidence, Fostering Recovery employs multiple evidenced-based, relational interventions: Child Parent-Psychotherapy, Attachment and Bio-Behavioral Catch-Up, and Relational Recovery Group. In addition, there is a Rapid Referral program for substance abuse treatment and mechanisms to enhance Early Intervention utilization that are designed to enhance children’s well-being.

Specific goals of the program are to:

- Enhance the parent-child relationship and support emotional security in young children living at home or in foster care;
- Increase the social, emotional and cognitive development of young children in the child welfare system;
- Reduce out-of-home placements in



children who remain at home and to decrease the time until permanency for children in foster care; and

- Enhance parental participation and success in conventional chemical dependency treatment.

More specifically, Fostering Recovery supports parental recovery in four ways: 1) by providing rapid referrals to treatment providers; 2) by allowing individuals to see themselves as healthy parents for their children; 3) by linking success in recovery to children’s positive outcomes; and 4) by improving the parent-child attachment relationship, which reinforces parental responsibility and sobriety.

The treatment design is developed for substance abusing parents with

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the children are better off and the parents are better equipped to care for their children.

The CFSR is organized into four discrete stages:

- a. Statewide assessment;
- b. Onsite review;
- c. Final report; and
- d. The development of a Program Improvement Plan (PIP).

OCFS prepared and transmitted to each local department of social services data profiles containing county specific and statewide information. The CIP distributed these packets to each of the respective family courts to help them prepare for the upcoming CFSR process. The data profiles allow counties to com-

pare their performance on child safety and permanency data indicators with the state median and with other counties. Courts and local departments of social services were encouraged to jointly interpret the data and to involve the courts in an active role in the development of local continuous quality improvement plans.

As part of the required assessment, OCFS recently conducted focus groups to obtain input from a wide variety of stakeholders. The CIP arranged for a number of focus groups of court personnel to provide input into the assessment. The groups included Family Court Judges in New York City and in the Fifth and Eighth Judicial Districts, Family Court Chief Clerks and CASA Program Directors.

The week of May 5, an onsite review

was conducted by a joint federal/state team in New York City, Rockland and Onondaga Counties. The onsite portion of the review included: (1) case record reviews; (2) interviews with children and families engaged in services; and (3) interviews with community stakeholders, such as the courts and community agencies, foster families, caseworkers and service providers. CIP staff and other key court system personnel were part of the review teams.

At the end of the onsite review, states that are deemed to be “not in substantial conformity” in each area assessed are required to develop and implement a Program Improvement Plan (PIP) addressing areas identified as needing improvement. This happened after the

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infants and toddlers (birth through age 2) who are involved with child welfare system who have children in foster care or whose children remain in-home. There are no restrictions on the number of previous children or the type of child protective report (i.e., type of abuse or neglect). Mothers under age 18 will not be invited to participate as there are other programs specifically designed for this population. To test the effectiveness of these approaches and provide valid outcome data, both programs are balanced by a control group.

The Child Welfare Court Improvement Project will play a role in training for the project, providing a training kickoff for judges, legal professionals, caseworkers, substance abuse, and service providers. Ongoing training through the three-year period will be offered to include:

1. Credentialed Alcoholism and Substance Abuse Counselor (CASAC) training on child welfare and court (CASAC person will be located at the Department of Human Services);
2. Caseworker training on substance

abuse and family court;

3. Court training for therapeutic visitation therapists and for Mt. Hope Family Center; and
4. The court-based Babies Can't Wait series designed to inform family court professionals, Department of Human Services (DHS), and service providers about the needs of young children in care. The series will use the Babies Can't Wait training to present program benchmarks and preliminary results to influence systems changes necessary to implement best practices. ■

COMMUNITY COLLABORATIONS: KEEPING CHILDREN FIRST

Monroe County Family Court uses a community collaboration model to ensure the courts and child welfare systems keep kids first in the often frenetic Family Court environment. The Child Welfare Collaborative was formed by the Hon. Craig J. Doran, Supervising Judge of the Family Courts for the Seventh Judicial District last year to foster a spirit of collaboration between the court and its key stakeholders.

The committee is chaired by Monroe County Family Court Judge Gail A. Donofrio. The collaborative meets to share new ideas, address areas of concern, and ensure that child welfare agencies and the courts remain committed to timely permanency for children.

The meeting on March 21, 2008, was facilitated by Mary Aufleger, OCA's Child Welfare Court Improvement Project

Liaison for the Seventh Judicial District, and attended by representatives from the judiciary, non-judicial staff, Monroe County Attorneys, Public Defenders, Conflict Defenders, Department of Human Services, Rochester City School District, and the private bar. The meeting centered on continuing efforts to improve court practices and outcomes for children such as the local district's Title IV-E foster care eligibility review, Adoption Panel Reviews, Fostering Recovery grant, procedures for tracking Article 10 Orders and the successful Babies Can't Wait/Teens Won't Wait cross-disciplinary training program.

Newer initiatives include efforts to maintain continuity in children's lives by keeping them in the same school district when they enter foster care, and encouraging active participation of youth in court proceedings. ■

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first CFSR review and it is a virtual certainty that New York will be required to develop another PIP after this review given the high bar set by the national standards and a preliminary review of the New York data.

For example, the federal composite measure Timeliness and Permanency of Reunification requires a score of 122.6 or higher for the state to be found in substantial conformity. New York's score for the 12-month period ending March 31, 2007 was 96.3, ranking us 40th out of the 47 jurisdictions for which data was available. However, we consistently improved performance over the last three years. In Federal Fiscal Year 2005, NY's score was 80.5, in FFY 2006, 90.8, and

for 12-month period ending March 31, 2007, 96.3.

We have also improved on individual measures within the composite. We have increased our performance on exits to reunification in less than 12 months: FFY2005 - 46.3%, FFY2006 - 51.8%, year ending March 31, 2007 - 55.3%. We have also reduced the median length of stay for children that exit to reunification: in FFY 2005 median length of stay was 13.2 months, in FFY 2006, median length of stay was 11.8 months, and in year ending March 31, 2007 median length of stay was 10.9 months.

Similarly, although we are currently ranked 44 out of 47 for the composite measure Timeliness of Adoptions, we consistently improved performance over the last three years on several individual

measures. We increased our performance on the exits to adoption in less than 24 months: FFY2005 - 7.9%, FFY2006 - 9.3%, year ending 3/31/07 - 10.4%. We have reduced the median length of stay for children that exit to adoption: FFY 2005 median length of stay was 52.7 months, FFY 2006 median length of stay was 49.8 months, and year ending March 31, 2007 median length of stay was 49.7 months.

While progress is being made, additional improvements are needed. The development and implementation of the federally required Program Improvement Plan should be viewed as an opportunity to sustain momentum for improvement efforts that are underway and to reinforce the already strong partnership between the courts and the child welfare system. ■

Resources:

How Judges Can Build Multidisciplinary Collaborations to Benefit Children and Families

This article by the Honorable Sharon S. Townsend, Administrative Judge of the Eighth Judicial District and Chair of the Child Welfare Court Improvement Project Sub-Committee of the Permanent Judicial Commission on Justice for Children, discusses how successful systemic change has resulted from court-led multidisciplinary collaborations. **FULL ARTICLE:** http://www.nycourts.gov/ip/cwcip/Publications/judges_build_multi_disciplinary_collaborations.pdf

Building Bridges: The Case for Sharing Data between the Court and Child Welfare Systems

Achieving safety, permanency, well-being and due process goals in the child welfare system requires the efficient flow of information between and among multiple organizations and professionals. Monitoring performance requires reliable and accurate data. This report discusses the potential benefits for both the court system and the child welfare system in moving toward the appropriate statewide interoperability of the respective organization's management information systems and expanded sharing of data to support decision making.

FULL ARTICLE:

<http://www.nycourts.gov/ip/cwcip/Publications/BuildingBridges-TheCaseForDataShare.pdf>

Report of the Family Court Advisory and Rules Committee to the Chief Administrative Judge

The Committee annually recommends to the Chief Administrative Judge proposals in the areas of Family Court procedure and family law that may be incorporated into the Chief Administrative Judge's legislative program. The report outlines measures enacted during 2007, previously endorsed measures, and future measures. **FULL ARTICLE:**

http://www.courts.state.ny.us/ip/judiciary/legislative/FamilyCourtAdv_08.pdf

New Court Rules Regarding the Attorney for the Child

Two new court rules were promulgated in recent months defining the role and caseload of the attorney for child. Section 7.2 of the Rules of the Chief Judge defines the functions of attorneys representing children. **FULL ARTICLE:**

<http://www.nycourts.gov/rules/chiefjudge/07.shtml#02>

Section 127.5 of the **Rules of The Chief Administrator** establishes workload guidelines for attorneys representing children. **FULL ARTICLE:**

<http://www.nycourts.gov/rules/chiefadmin/127.shtml#05>

The Courts: Keeping Young People Involved and Aware

This issue of Connections Count, a Casey Family Services web newsletter devoted to connecting foster teens with families, discusses ways to keep young people aware of the status of their legal case and involved in strategically planning for their future. **AVAILABLE ON-LINE:**

http://www.caseyfamilyservices.org/enewsletter/october/featured3_october.html

Foster Youths' Views of Adoption and Permanency

This Urban Institute study, conducted in Washington, D.C. and New York City, examined foster youth's views of adoption, permanency, and adoption recruitment. The study identifies how foster care experiences influence youths' perceptions of adoption, as well as youth's desire for autonomy and empowerment. **FULL REPORT:**

http://www.urban.org/UploadedPDF/411609_adoption_permanency.pdf

Children of Incarcerated Parents

CW360° is a new periodical by the University of Minnesota Center for Advanced Studies in Child Welfare. This inaugural issue focuses on the needs of children of incarcerated parents who are involved in the child welfare system. **AVAILABLE ON-LINE:**

<http://cehd.umn.edu/ssw/cascw/attributes/PDF/publications/CW360.pdf>

'Culture of Urgency' is Topic for Sharing Success VI

The New York State Office of Children and Family Services (OCFS) and the New York State Unified Court System (UCS) are pleased to announce their joint sponsorship of Sharing Success VI, Embracing a Culture of Urgency: Achieving Permanency for New York State's Children. The Conference will be held at the Desmond Hotel and Conference Center in Albany on November 20-21, 2008, with sign-in available beginning on the afternoon of Wednesday, November 19.

In an effort to more effectively coordinate team attendance at the conference, each county's Family Court and local Department of Social Service (DSS) will be asked to jointly nominate a multi-disciplinary team representing the court, DSS, and other system partners to attend the conference. The number of team members from each county invited to attend is based upon the number of children in foster care per county. Every county will receive between four (4) and ten (10) individuals to attend the conference.

Questions can be directed to Christine Kiesel, 315 798-3655 or ckiesel@courts.state.ny.us

NEW YORK
STATE

Child Welfare

 Unified Court System • Division of Court Operations
 Office of Alternative Dispute Resolution and Court Improvement Programs

Court Improvement Project

Best Practices Bulletin

THE CHILD WELFARE COURT IMPROVEMENT PROJECT (CIP) supports the Family Court's mandate to promote the safety, permanence and well being of children who are the subject of abuse, neglect, foster care, termination of parental rights and adoption proceedings.

New Federal Law Promotes Permanency for Families

The Fostering Connections to Success and Increasing Adoptions Act (H.R. 6893) will provide mechanisms to facilitate safe and permanent homes for hundreds of thousands of children and youth in foster care. Key elements of the bill include:

- Enhanced provisions for relative guardianship and adoption;
- Improved education and health care;
- Extension of federal support for youth to age 21; and
- Federal protections and supports for American Indian Children.

The bill had bipartisan support and has been fully funded at the federal level. Because the bill was signed into law October 7th, after the start of the new federal fiscal year Oct. 1, many provisions will apply to payments made to states January 1, 2009, the start of the second fiscal quarter. Some sections also have delayed or phased-in effective dates (see below).

The full text of the bill is available at:

www.govtrack.us/congress/billtext.xpd?bill=h110-6893

The legislation's major provisions include:

Promoting Permanent Families for Children in Foster Care:

■ Support for Relatives.

The Fostering Connections Act contains several elements to facilitate and expedite permanent placement with relatives. There are provisions to assist states with subsidized guardianship payments for relatives when children cannot be returned home or adopted. Increased opportunities for notice to relatives when children enter care will enhance the possibility of placements with families. The Act also seeks to reduce licensing barriers that are not related to safety, in order to allow more relatives to be eligible for federal support.

■ Support for Adoption.

The Act increases incentives to states to find adoptive families for children in foster care, especially those with disabilities or other special needs and older youth. One key provision would increase opportunities for more children with special needs to



receive federally-supported adoption assistance without regard to the income of the birth families from whom they were originally removed (effective October 1, 2009 for children 16 and older; age of coverage reduced by two years each subsequent fiscal year). States also must inform all individuals considering adoption of their potential eligibility for the federal Adoption Tax Credit.

■ Support for Birth Families.

The Act authorizes \$15 million annually in new Family Connection Grants to facilitate family group decision-making meetings with special attention to children exposed to domestic violence; intensive family finding efforts; and residential family-based substance abuse treatment, all designed to help children stay safely with or return to family members. These grants

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For more information visit: www.nycourts.gov/ip/cwcip

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also guarantee funds for Kinship Navigator programs to help connect children living with relatives, both in and out of foster care, to supports and assistance they need. The New York State Kinship Navigator Program, www.nynavigator.org, is a program of Catholic Family Center's Aging & Adult Services located in Rochester.

■ **Support for Siblings.**

Unless deemed harmful, the Act requires states to make reasonable efforts to place siblings together or provide for frequent visitation or other ongoing interaction if siblings must be placed separately.

**Improving Outcomes
for Children and Youth in
Foster Care:**

■ **Support for Older Youth in Care
(effective October 1, 2010).**

Federal IV-E funding would be available under the Act to extend foster care maintenance for youth who turn 18 in care without permanent families. At state option, these youth can remain in care to age 19, 20, or 21 in order to increase their opportunities for success as they transition to adulthood. The youth may be living in a foster family, group home or supervised independent living situation. At least 90 days prior to emancipation, child welfare agencies must work with youth to develop a personal transition plan that includes housing, health insurance, education, mentoring opportunities, continuing support services, and employment services and support.

■ **Educational Stability.**

The Act requires that states ensure that when children are placed in foster care, they remain in their same school where appropriate, or when a move is necessary, get help transferring records promptly to a new school. Funds are provided under the Act to assist with school-related transportation costs.

■ **Health Care Coordination.**

State child welfare agencies are required to develop a plan to better coordinate health care for every child in foster care. Elements of the plan include appropriate screenings and assessments; follow-up treatment; oversight of prescription medications; and mechanisms to ensure the sharing of critical information with appropriate providers.

**Increasing Support for
American Indian and Alaska
Native Children**

(effective October 1, 2009):

■ **Direct Access to Federal Support
for Indian Tribes.**

Currently, Indian tribes are denied direct access to Title IV-E funds to administer their own foster care or adoption assistance programs. Those funds are only available through an approved agreement with a state government, which more than half of federally recognized tribes do not have. The Act provides for existing agreements to continue, but also creates the options for tribal direct access to administer IV-E funds. This will allow many American Indian and Alaska Native children first-time access to federal foster

care and adoption assistance programs. Tribes also will be allowed to access a proportionate amount of Chafee Foster Care Independence Program funds.

■ **Technical Assistance and
Implementation Services.**

Technical Assistance Grants in the amount of \$300,000 will be available to tribes to develop federal foster care plans, including assistance with necessary data collection systems and cost allocations, and agency and tribal court procedures for case review.

**Improving Competencies
for Individuals Working
with Children in the Child
Welfare System:**

■ **Available Federal Training Dollars.**

Title IV-E funding will be available at an increasing, phased-in rate to provide for workforce development for more of those caring for and working with children in the child welfare system, including relative guardians, staff of private child welfare agencies, court personnel, attorneys, guardian ad litem, and court appointed special advocates. ■

*I think the new law has
the potential to do great good,
and its passage was by far the
best news in a bleak month.*

—Hon. Sara Schechter



Commentary

Law supports best practice in helping youth thrive after foster care



New York State has been a leader in permitting youth to remain in foster care until age 21. Research shows youth leaving foster care at age 18 are more likely to become homeless, unemployed or incarcerated

The Midwest Evaluation of Former Foster Youth (Midwest Study),ⁱ a longitudinal study conducted of foster youth and former foster youth, has found that youth who remain in foster care at least a year after reaching age 18 are more likely to still be continuing their education, receiving medical and mental health services, and living in stable housing.

Each year, 1500ⁱⁱ New York State youth are discharged from foster care to another planned permanent living arrangement. That number includes 18 to 21 year olds. With federal contribution to what had been solely a state cost, additional supportive housing options and programs targeted toward older youth in foster care should proliferate in New York, allowing us to provide the support and stability these youth need to become successful adults.

School mobility - changing schools for reasons other than promotion - is linked to repeating grades, dropping out of school, and a greater likelihood of not graduating. School mobility is also linked to lower scores on standardized tests. A single move between schools can have an immediate impact on achievement and it can take months to recover and resume previous patterns of academic growth. Students with four or more moves can be approximately one full year of educational growth behind their stable peers.

With the new federal requirement to consider a child's educational stability upon placement into foster care, educational outcomes for foster children can improve dramatically.ⁱⁱⁱ Having a clear funding stream for a portion of transportation costs should encourage local social services districts to take the steps necessary to allow a child to stay in his or her school of origin when it is in that child's best interests to do so.

— Kathleen DeCataldo, Executive Director, Permanent Judicial Commission on Justice for Children

ⁱ M. Courtney and A. Dworsky. 2005. Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19: Executive Summary. Chicago, Illinois. Chapin Hall Center for Children at the University of Chicago.

ⁱⁱ New York State Office of Children and Family Services. 2007(forthcoming). 2006 Monitoring and Analysis Profiles with Selected Trend Data: 2001-2006. Rensselaer, NY: author.

ⁱⁱⁱ Wood, D., N. Halfon, D. Scarlata, P. Newacheck, and S. Nessim. 1993. "Impact of family relocation on children's growth, development, school function, and behavior." *Journal of American Medical Association* 270(11): 1134-1338. Rumberger, R.W., K. A. Larson, R. K. Ream and G.J. Polardy. 1999. The educational consequences of mobility for California students and schools (No.1, Vol. 1). Berkeley, CA: University of California. Rumberger, R. W. and K. A. Larson. 1998. "Student mobility and increased risk of high school dropout." *American Journal of Education* 10 (1): 1-35. Audette, R., R. Algozzine and M. Warden. 1993. "Mobility and student achievement." *Psychological Reports* 72(2): 701-702.; Benson, G. P., J. L. Haycraft, J. P. Steyaert and D. J. Weigel. 1979. "Mobility in sixth graders as related to achievement, adjustment, and socioeconomic status." *Psychology in the Schools* 16: 444-447.; Mao, M. X., M. D. Whitset and L. T. Mellor. 1997. Student mobility, academic performance, and school accountability (Report No. TM 026 966). Austin, TX: (ERIC Document Reproduction Service No. ED409380.) Kerbow, David. 1996. "Patterns of Urban Student Mobility and Local School Reform." *Journal of Education for Students Placed At Risk* 1(2):149-171.

It is my experience that one of the significant ways of fostering success has been to assure that youngsters in foster care receive good educational evaluations early on and consistent educational support as they progress through school. I have been fortunate in having an OCA legal fellow assist me so we were able to highlight this issue in a number of cases which led to early stability for the child and ultimately a more successful adoption process.

— Hon. Monica Drinane



Resources:

Kids Well-being Indicators Clearinghouse:
www.nyskwic.org

This site by the NY State Council on Children and Families presents data on children's health, education and well-being indicators.

Information on Legislation and Court Rules:
www.nycourts.gov/ip/judiciary/legislative/fcarcrep.007.pdf

This link to the Family Court Advisory and Rules Committee's Report to the Chief Administrative Judge of the Courts of New York (January 2007) provides information regarding legislation and court rules effecting child welfare proceedings.

Child Welfare Information Gateway:
www.childwelfare.gov

Formerly the National Clearinghouse on Child Abuse and Neglect Information and the National Adoption Information Clearinghouse, the Child Welfare Information Gateway provides access to information and resources to help protect children and strengthen families. The site is a service of the Children's Bureau, Administration for Children and Families, and the U.S. Department of Health and Human Services.

Nassau Pilots 'Basic of Substance Abuse' Training

Substance abuse impacts the vast majority of families involved in the child welfare system. To assist judges, court and child welfare professionals in meeting the needs of those families, the NYS Child Welfare Court Improvement Project (CIP) and Nassau County Family Court conducted a pilot series of trainings on the basics of substance abuse and addiction. Begun in November 2006, the training was provided by the Center on Addiction and the Family, the policy and program development arm of Phoenix House. The goal of the pilot is to refine the training format and curriculum for possible replication statewide. The training is structured as seven 90-minute modules. This format allows the training to be delivered with minimal impact on court operations. Each session combines didactic instruction and conversation with a focus on practical information grounded in theory. The audience includes Judges, Court Attorneys, Referees, Law Guardians, respondent parents' counsel and CASAs. The Nassau pilot sessions conducted to date were attended by an average of 40 participants.

Modules include:

- **Session 1:** Basics on Drugs and Addiction. Motivations for drug involvement; the continuum of experimentation through addiction and into recovery; short- and long-term effects of alcohol and drugs on the body and brain; and drug testing protocols.
- **Session 2:** Treatment Options. Treatment options available to adolescent and adult substance abusers and the various modalities that make them appropriate for different clients.
- **Session 3:** Relapse. Description of relapse and triggers; relationship to brain chemistry; identification of relapse process and responses; impact on visitation, reunification efforts and permanency decision-making.
- **Session 4:** Family Perspective on Addiction, Treatment, and Recovery. How families are affected by addiction, treatment and recovery; family dynamics; options for post-treatment living arrangements; challenges of reunification; trust; second-generation prevention; and family recovery.
- **Session 5:** Child Perspective on Addiction and Recovery. The ways in which children of different ages are affected by a parent's substance abuse; the impact of treatment; the child's perspective on the reunification process; the impact of prenatal exposure on children and teens; and implications for parent-child visits and permanency planning.
- **Session 6:** Treatment Perspective. Concerns and perspectives of treatment providers; confidentiality; coping with multiple client mandates; challenges working with other systems; and how providers experience working with the courts.
- **Session 7:** Moving Towards Change. The Stages of Change theory; basics of motivational interviewing; techniques that can be used to help encourage clients to consider changing their behavior and seeking help for substance abuse; relapse – signs and symptoms, triggers, the actual relapse process and the conflicting timelines of child welfare and recovery (which anticipates relapse as part of recovery). ■

Planning for the Future

In May of 2007, the CIP hosted a two day Action Planning Meeting at the State Judicial Institute. The meeting, facilitated by the National Council of Juvenile and Family Court Judges, brought together CIP staff; Kathleen DeCataldo, the new Executive Director of the Commission; Justice Sharon Townsend; New York City Family Court Administrative Judge Joseph Lauria; senior administrators and staff of the Office of Court Administration's Divisions of Court Operations and Technology and New York City Family Court; and representatives of the state Office of Children and Family Services. This meeting provided a forum for clarification of the mission and goals and development of concrete objectives and planned activities for the next four years and a discussion of how the selected activities will lead to tangible, measurable, and time-specific improved outcomes

for children and families in the child welfare system. A copy of the Mission, Goals and Objectives document is available on the Child Welfare Court Improvement Project web site: www.nycourts.gov/ip/cwcip.

The values at the heart of alternative dispute resolution processes – collaboration, inclusion, creativity, and respect for diverse views – are prerequisites for successful child welfare court reform efforts. The former Office of Alternative Dispute Resolution always strived to exemplify these values not only as theoretical unpinning of the processes it promotes as tools for case resolution, but also in its approach to program development. The new Office of Alternative Dispute Resolution and Court Improvement Programs will strive to continue that legacy and expand that approach into the child welfare court reform arena. ■

Appendix H

Gearing Up To Improve Outcomes for Families:



**New York State Collaborative
Practice Guide for Managers
and Supervisors in Child Welfare,
Chemical Dependency Services,
and Court Systems**

This Collaborative Practice Guide has been developed through the hard work of many professionals from the court, child welfare and chemical dependency systems in New York. This work occurred under the auspices of the In-Depth Technical Assistance (IDTA) Project sponsored by the National Center for Substance Abuse and Child Welfare (NCSACW) which was sponsored by the Substance Abuse and Mental Health Services Administration's Center for Substance Abuse Treatment and the Administration on Children, Youth and Families' Children's Bureau, Office on Child Abuse and Neglect. As part of New York's participation in this IDTA Project, NCSACW provided a lead consultant, Kari Earle. The IDTA Core Team extends sincere gratitude and thanks for the wisdom, perseverance, and guidance that Kari Earle provided as she facilitated, lead and, occasionally, prodded our work.

This product is the result of two year's work of this partnership. As with all collaborative work of this nature, leadership is critical. Thanks are due to the previous and current Commissioners of the NYS Office of Children and Family Services (OCFS) and the NYS Office of Alcoholism and Substance Abuse Services (OASAS) and the Chief Judge Judith S. Kaye of the New York State Unified Court System for promoting and supporting this work. Essential to the completion of this Guide, and the accompanying work, is the dedication and time of the Core Team for this IDTA Project. As with many interagency partnerships, the composition of our group changed over time. The strength of any collaborative effort is its ability to continue through transition in its membership-kudos is due to this group whose membership evolved over the duration of this work. Special thanks are made to the members of the Core Team who committed themselves and their time amidst busy schedules to complete this work. Core Team members through the completion of this document include OASAS: Lureen McNeil, Sheila Roach, Maria Morris-Groves; OCA: Frank Jordan, Frank Woods, Christine Kiesel; Permanent Judicial Commission on Justice for Children: Azra Farrell; OCFS: Larry Pasti, Mary Ellen Ange, Shelley Murphy, Betsy Stevens; New York Public Welfare Administrators: Sheila Poole; New York City Administration for Children's Services: Monette Sachs, Andrea Reid, Nancy Chapman, Erika Tullberg; and New York State Association of Substance Abuse Providers: John Coppola.

It was important to the value of this document to include input from the broad spectrum of stakeholders in these three systems. Through both a statewide advisory group and workgroup committees many professionals committed time, energy and insights. Please see Appendix III for a complete list of those that contributed and for who thanks are due. Consumer input is valuable and this work included the voices of youth and parents who experienced these systems obtained through four focus groups. While anonymous, the Core Team expresses a special gratitude to those citizens who shared their experiences, recommendations and advice. Administrative support is necessary to compile and complete this guide. For that, the patience and skill of Pam Wood and Arden Blesser are appreciated, and without whose dedication, this would not have been possible.

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This guidebook, developed by the New York Partnership for Family Recovery with technical assistance provided by the National Center on Substance Abuse and Child Welfare (NCSACW), is based on the premise that when parents have substance use disorders, children can suffer from abuse and/or neglect. When this occurs, it is essential that the chemical dependency, child welfare and family court systems work together with families to achieve child safety, sustained parental recovery, and family well-being. This tool was created to serve as a desk reference for staff to assist in maximizing their effectiveness in working with families, and each other. It is only through collaboration and communication across systems as well as with families being served that we can offer families an opportunity to achieve long-term recovery.

This guide is designed specifically for the State of New York, and is modeled after a protocol developed by the Administration for Children's Services (ACS) together with the NYS Office of Alcoholism and Substance Abuse Services (OASAS) as well as the national SAFERR (Screening and Assessment for Family Engagement, Retention and Recovery) model, which was released by the U.S. Department of Health and Human Services in May 2007*. Like SAFERR, this guide is based on three overarching principles:

- The co-occurrence of child maltreatment and substance use disorders demands urgency, and the highest standards of practice from everyone charged with assuring child safety and promoting family well-being.
- Success is possible and feasible. Staff in each system has the desire and potential to change individual lives and create responsible public policies.
- Family members must be active partners and participants in addressing these problems.

This guide highlights the opportunities for the caseworkers, chemical dependency counselors, and court personnel that work with families to coordinate their efforts in order to —

- Establish local cross-system teams to share information and coordinate case planning and service delivery to improve the ability of families to succeed;
- Develop tools and strategies to incorporate into daily practice protocols;
- Provide courts with information to facilitate timely and informed decisions regarding child safety and permanency; and
- Employ jointly defined mechanisms for problem-solving and success-sharing.

As the three systems worked to develop this guide, the shared language became an issue that took our time and energy so we could understand each other. One of the important areas where shared language is important is how to describe those families and individuals whose use of alcohol or other drugs/illegal substances has created problems or a need for treatment or intervention/prevention. We use the term substance use disorder (SUD) to refer to individuals whose use of alcohol or drugs require treatment. This term, underscores the understanding that a substance use disorder is a condition that requires treatment with other interventions rather than an act of volition by the individuals. Other terms used in this document include chemical dependency provider, treatment provider, addiction, substance abuse and alcohol and other drugs (AOD).

**Young, N. K., Nakashian, M., Yeh, S., & Amatetti, S. Screening and Assessment for Family Engagement, Retention, and Recovery (SAFERR). DHHS Pub. No. (SMA) 07-4261. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2007. This publication can be accessed electronically through the following Internet World Wide Web connection <http://www.ncsacw.samhsa.gov>. For additional free copies of this document, please call SAMHSA's National Clearinghouse for Alcohol and Drug Information at 1-800-729-6686 or the National Clearinghouse on Child Abuse and Neglect at 1-800-394-3366.*

Purpose

The priority outcome of this initiative is to achieve child safety, permanency and well-being by supporting sustainable family recovery and reducing the need for court intervention. New York State has undertaken to create a holistic approach to working with families by bringing key systems into collaboration. Each of these systems and their partners recognize the need to work more effectively with families; to treat the parent for multiple problems, to foster long-term recovery and create comprehensive service plans with the family’s input. These systems and their representatives are committed to work together in the best interest of the child by supporting the entire family in a strength-based manner that promotes success.

The Adoption and Safe Families Act (ASFA) has heightened the urgency of achieving successful collaboration among systems working with families, particularly when children are placed outside the home due to child neglect. ASFA creates a presumption that if children are not able to be safely returned to their home after placement outside the child’s home for 15 months out of the past 22 months, DSS must petition to terminate the parent’s rights. ASFA requires that children achieve permanency swiftly. Parents whose children have entered the child welfare system as a result of their substance use disorder have unique challenges requiring prompt assessment, engagement and treatment. Treatment providers, child welfare workers and the courts must work collaboratively and with a clear understanding of the other systems in order to effectively support families.

The New York Partnership for Family Recovery seeks to provide guidelines and best practices to assist child welfare agencies, treatment providers and court officials working with families at the intersection of these three systems. These guidelines are designed to help parents and families engage in services to obtain treatment and maintain long-term recovery, while keeping their children safe. As adapted by various counties and cities, this document will be recommended for use in all future initiatives to improve outcomes for children and families by providing a model for cross-systems collaboration.

Goals & Objectives

- To establish a set of core values and principles that will guide the implementation of collaborative policies and practices.
- To provide practice guidance for local jurisdictions in the areas of: family engagement, screening and assessment, cross-system referrals, information sharing and service coordination, discharge planning and aftercare.
- To work with families affected by substance use disorders to support long-term recovery, reach better outcomes, reduce recidivism and break the cycle of multigenerational involvement in the child welfare, family court and treatment systems.
- To identify opportunities throughout the course of a family’s multisystem involvement to improve engagement, assessment, referral and service coordination and to identify and respond to any alcohol and other drug issues that may arise after the abuse/neglect petitions are filed with the court.
- To address the service needs of children impacted by parental substance use disorders as an essential part of a family’s comprehensive service plan.

Priority Populations

This initiative focuses on families affected with substance use disorders that are involved with child welfare, chemical dependency and court systems. These families often have histories of repeated involvement in one or more systems and may be the most extensive and expensive users of system resources.

“Family” in this context is defined broadly to include, for instance, adolescents in congregate care, multigenerational households, and other less traditional constellations.

Many of these families present with a history of intergenerational issues including substance use disorders, mental health diagnoses, physical disabilities, domestic violence and parenting deficits that are rooted in the parents own childhood experiences. It is recognized that all families fall on a continuum of need, development, and progress, and that services must be targeted to all family members, no matter what point they fall along that complex continuum.

Lead Systems

New York State’s

- Office of Alcoholism, Substance Abuse Services (OASAS),
- Office of Children and Family Services (OCFS)*,
- Office of Court Administration (OCA).

Key Collaborative Partners

- New York City’s Administration for Children’s Services (ACS)
- New York State Office of Temporary and Disability Assistance (OTDA)
- New York Public Welfare Association (represents county departments of social services)
- Association of Substance Abuse Providers (ASAP)
- State and local agencies involved in the provision of services to families, including but not limited to: mental health, domestic violence, education, maternal and child health, child care, domestic violence, parenting, corrections, welfare, housing, etc.

Family & Youth Input

Focus groups with parents and youth that had been involved in all three systems were conducted in April 2007 to obtain their perspective on how current delivery of services in New York State can be improved. A summary of these focus groups can be found at <http://www.oasas.state.ny.us/special/index.cfm#>.

What Worked?

- Being treated with respect and compassion
- Peer support and mentoring
- Increased contact with and accountability to the courts, coupled with positive support
- Integrating treatment with wraparound support services
- Structure and consistency

* New York has a state supervised county administered child welfare system. Child welfare services are provided by the county Departments of Social Services, St. Regis Mohawk Tribe, and, in New York City, the Administration for Children’s Services.

- Case Management and Advocacy that helps families and youth navigate and understand the system, as well as access resources
- The Family Treatment Court approach (multi-agency team, increased judicial oversight, increased support)

What Needs Improvement?

- Need more of the following services and support:
 - Recovery mentors and family advocates
 - Integrated case planning
 - Case management
 - Family-centered treatment
 - Marriage and family counseling
- Treating families with dignity - including children
- Giving youth a voice throughout the process
- Supporting children in maintaining family connections during out-of-home placement
- Consistent staffing of counselors and caseworkers
- Training caseworkers and service providers on motivational techniques, the use of proven engagement and retention strategies, and best practices for handling relapse.

Goals & Objectives

- To deliver prevention, treatment, and recovery services to SUD – affected families as a part of a comprehensive service plan that may include trauma-informed services, parenting skills classes; mental and physical health assessments and services, interventions for domestic violence victims and child witnesses, housing and education assistance, employment readiness and advocacy in responding to criminal justice issues.
- To ensure that appropriate resources are available to support families in their recovery from the effects of substance use disorders and other identified challenges. This can be accomplished through providing immediate and effective engagement, assessment, referrals to treatment, service delivery and coordination.

Joint Accountability for Shared Outcomes

Prioritizing the safety and well-being of children in each system’s policies and practices.

Supporting the safety and well-being of children by providing parents with comprehensive service plans that include treatment and support for recovery from substance use disorders, as well as address any other issues that might interfere with parenting.

Partnering to uphold the safety of the child(ren) in the event of parental relapse, by educating child welfare staff about the dynamics of relapse and providing information to assist in timely and appropriate interventions with the families that promote child safety and well-being.

Learning the dynamics of each system, how to work within each system’s established parameters and how to utilize those structures to ensure that children are safe and that the parent’s treatment needs are fully met. (While each system is an equal partner with respect to the expertise and knowledge it contributes to the family’s treatment, case management and discharge plan, we acknowledge that the relative power and authority of each system is not equal.)

Information Sharing & Service Coordination

All systems agree to communicate and share pertinent and reliable information about family members in a purposeful and respectful manner that complies with Social Services Law, CASAC regulations, 42 CFR Part 2 (the federal law regarding confidentiality of alcohol and drug use patients), Health Insurance Portability and Accountability Act (HIPAA) and relevant court rules.

Each system will maintain updated key contact information to facilitate timely referrals, ongoing communication, service coordination, changes in case status and discharge planning across systems and between state, city, county, and local entities and providers throughout the life of a case.

Counselors and caseworkers will collaborate to work with and support the family by coordinating appointment schedules and developing service plan/treatment plan goals, to avoid creating unnecessary barriers to the family’s success.

Family-Centered Service Delivery

All systems will:

1. Support and facilitate family visits, if appropriate, when the parent/caretaker is incarcerated or in residential treatment. Visiting fosters and sustains the parent-child relationship, which is critical to a child's physical, emotional and psychological development and can also enhance the recovery of the parent. (If a parent or child expresses reservations about visiting, these issues will be explored separately with the parent, child and the appropriate service agencies.)
2. Work together to provide safety and permanency for children that have been neglected or abused and advocate that they receive timely and appropriate therapeutic interventions of sufficient quality and duration to facilitate healing.
3. Coordinate services for families with co-occurring substance use disorders and domestic violence problems so that all necessary precautions are taken to protect the survivor. Treatment for the traumatic effects of domestic violence on survivors, including child witnesses, must be sufficient to maximize recovery. Abusive partners will be held accountable for their actions.

Cross-System Training

Cross-systems training will be provided for staff from the lead systems and their partners that:

- Teaches these shared values and supports their integration into policy and practice;
- Builds respect and operational knowledge that fosters a seamless system of care for families;
- Imparts practical guidance for dealing with differences of opinion without damaging the collaborative process.

Interactions With The Families We Mutually Serve Will Be:

Strength-based – services and interventions should build on the strengths and competencies of all family members, who must be empowered to actively participate in the service and treatment plan design.

Needs-driven—service and treatment plans should reflect the unique needs identified by the family seeking assistance and those working with them.

Family-centered – as understood by the three systems is a term wherein the family, as defined by its own members, is consistently regarded as having primary responsibility for nurturing and protecting its children unless child safety concerns require outside intervention.

Culturally competent – services will be delivered with an understanding of and respect for the individual culture of the family, as well as the family's ethnic, cultural, social and environmental context.

Community-based – recognizing that families are best served in their own communities, both traditional and non-traditional resources of the community will be utilized to fully support the family's recovery.

Comprehensive – families require coordinated services that address multiple and complex needs related to substance use disorders, mental health, family reunification housing, employment, education, health, and other challenges.

Once a person’s appropriate level of care has been identified, a referral to an appropriate service provider should be made in a timely manner.

All families should be screened for a SUD by the child welfare worker. This screening can be conducted informally, through informal observation or discussion with family members, or formally using a screening tool, with consent. Whenever possible, this screening should be done before a petition is filed in family court.

Upon determination that a family member is likely to have a SUD, a referral should be made to an OASAS-certified program for a comprehensive assessment and level of care determination. (In the case of co-located CASACs at DSS offices, the on-site CASAC can conduct an in-depth exploration of chemical dependency issues and then make a referral to an OASAS-certified program for a level of care determination.) At the same time, a safety plan for the child should be made.

CASACs are mandated child abuse reporters *and* must report any suspected child abuse or maltreatment to the New State Central Register of Child Abuse and Maltreatment (SCR). Specifically, when a child, parent, or other person legally responsible for a child is before a mandated reporter acting in his or her professional capacity and the mandated reporter is presented with a reasonable cause to suspect child abuse or maltreatment, that information must be reported to the SCR.

Because the focus is on family well-being, caseworkers should not limit their screenings to the identified parent, but should also explore substance use by other household members. When appropriate, other family members who indicate a possible SUD should be encouraged to also participate in an assessment process with a treatment provider that can provide culturally and developmentally appropriate treatment and supportive services.

The child welfare worker and the treatment provider should invite the parent to sign release forms authorizing the disclosure of information among systems (in accordance with 42 CFR Part 2 and HIPAA) as early as possible in the process, to allow for sharing of information and case coordination.

Based on the results of the assessment and level of care determination, a referral will be made to an appropriate program, taking into concern existing family issues and child welfare mandates.

Upon admission to a program, an individualized treatment plan will be developed that addresses the clinical needs of the client, along with family and child issues, and requirements from child welfare, family court, and other involved systems.

Child welfare workers, treatment providers, and family court should work collaboratively to share information about screening and assessments, clinical diagnoses, recommendations for care, and other relevant facts utilizing release of information forms that conform with HIPAA and 42 CFR Part 2.

Families involved in the Temporary Assistance program must have screenings and assessment conducted by a CASAC through the county Department of Social Services (or the Human Resources Administration in New York City). This assessment is mandatory for adults to remain eligible for temporary assistance benefits.

Family Court Guidelines

After the filing of a neglect petition, where alcohol and drug use is alleged and/or subsequently identified, the court may order or attempt to persuade the respondent or other household member to participate in a screening and assessment for a substance use disorder, in order to assist the family in accessing and engaging in treatment.

When families and agencies appear before the court, judges or magistrates should ensure that appropriate screening and assessments have been conducted to include diagnosis and level of care determination and next scheduled visits in their deliberations. Attorneys for parents play a key role in advocating for timely assessments and in encouraging their clients to participate in the assessment process. The assessment results and their implications for services should be discussed in the courtroom or by a court conference with all interested parties expeditiously as soon as possible after the assessment results are available. A separate calendared appearance may be necessary.

Family Treatment Court Guidelines

Historically, there has been a lack of coordination among the courts, treatment providers and child welfare systems when dealing with substance use disorders in families. With the implementation of Family Treatment Courts (FTC) and Model Courts, these systems have begun to work collaboratively resulting in earlier linkages to treatment and better retention rates. Family Treatment Court Resource Coordinator/Case Managers are Credentialed Alcoholism and Substance Abuse Counselors (CASACs) who may conduct screening upon the filing of a neglect or abuse petition and with the consent of the parties or upon order of the court. The Family Treatment Court Resource Coordinator, DSS caseworker and treatment provider should not share specific information with one another unless they are authorized to do so by the client through a signed release or a court order. To do so without proper authority may result in the violation of the confidentiality requirements of Social Services Law, HIPPA or 42 CFR Part 2.

Special Considerations

- Since communication is key to successful collaboration, the case plan must include the authority to exchange information between systems via releases or a court order. Therefore, if a client fails to engage in treatment for a Substance Use Disorder, the provider can promptly notify the child welfare worker and family court.
- All three systems need to ensure that the appropriate releases are signed so that information can be shared regarding the families' progress.
- Referral to a child welfare agency (Family Rehabilitative Program (FRP) with ACS) must take place when working with families with children in order to ensure that child safety is maintained.
- Substance use disorders need to be viewed in the context of how addiction affects the ability of parents to care for their children or poses specific risks for child maltreatment. It is important to note that pursuant to Social Services Law §422 and 422-a, DSS may not disclose information regarding unfounded child abuse and maltreatment reports to the State Central Registry or reports that are still under investigation unless ordered to do so by a court.

Key Guiding Principles

Child welfare services, chemical dependency treatment providers and the court system need to collaborate to develop a comprehensive plan to help the families. Localities should form collaborations that include all three systems, along with community-based providers, to engage family members in prevention, treatment, and recovery services —particularly when substance use is suspected but not indicated in the court case. The ability to leverage opportunities that exist in other systems is an important tool in engaging family members in chemical dependency services. This multisystem collaboration can result in several benefits, including:

- Ensuring that a broad range of knowledge and expertise is available to address problems, thereby increasing the likelihood that services will be comprehensive and that families will engage and remain in them.
- Increasing the exchange of accurate information (if authorized to do so by the client or a court order) and timely coordination of services, as a result of increased understanding of one another's services and procedures.
- Developing a broader understanding of the needs of the family in regards to substance use disorder prevention, treatment and recovery services, as well as other preventive services, thus enhancing the team's ability to match services to family needs.

Individual system goals, mandates, and services should be woven into a single and comprehensive services plan that is clear to families and service providers. If unified case plans are not feasible, it is important that plans be developed in a coordinated manner that give clear and consistent guidance and direction to families.

Family members should be actively engaged in creating their plans. Families often have resources in the form of relatives, friends, churches, or other support networks that can participate in creating plans and in ensuring that families are able to comply with their plans. Families should be welcomed as full participants in multidisciplinary team meetings during which decisions about case plans will be made, and should have opportunities to express the needs of their family throughout the process.

Child Welfare Worker Guidelines

Factors of importance to Local Social Service District case plans include:

- A permanency plan for the child(ren)
- Child safety
- Reunification services to be provided to the family as part of helping parents retain or regain custody, including chemical dependency services
- A visitation schedule for the parent(s) and child(ren)

Department of Social Services case plans should outline all individual and family goals and services that will be provided to assist parents and children. The Department of Social Services will conduct statutorily required Family Assessment and Service Plans (FASPs) reviews that include family members and all service providers involved with the family. At these meetings families should have an active voice in the development of their service plans and should feel comfortable expressing their needs and the needs of their family. All involved agencies should share information regarding the family's progress and treatment goals and objectives.

Treatment Provider Guidelines

A referral to Chemical Dependency Services may come from a child welfare agency or the family court. Chemical Dependency Prevention and Treatment providers should be mindful of the Adoption and Safe Family Act (see Appendices, I. Glossary of Terms for additional information) timetables. Treatment planning should include a discussion of those timetables when possible.

Treatment plans should be based on prior screening and assessment, as well as information obtained, from the Court and Child Welfare System. All information should be obtained with the appropriately signed releases or by court order and should include the following:

- Problems Areas to be addressed, includes but not limited to substance use, family relationships, medical care, and educational and employment needs;
- Goals of the treatment process (e.g., abstinence from the use of alcohol or drugs and improved parenting skills);
- Objectives and strategies to reach the treatment goals (e.g., develop social network with individuals who do not use substances and successfully complete evidence-based parenting classes);
- People responsible for actions such as making referrals, attending treatment sessions, and preparing follow-up reports;
- Timeframe within which certain activities should occur; and,
- Expected benefits for the individual participating in the treatment experience.

Treatment plans are to be developed and reviewed with each client, on a regular basis. As the treatment plan is reviewed and revised, the chemical dependency providers must be current with updated information from the child welfare and court system.

Family Court Guidelines

Family Court orders typically incorporate the service plan designed by the child welfare services agency, turning the child welfare case plan into a court order that complies with ASFA requirements and reflects the needs of both the respondent and the family. AOD treatment provisions in Family Court orders typically require the respondent to comply with treatment recommendations. All the agencies involved with a family should review the court order with the respondent to ensure that the Family Court's expectations of the respondent(s) are clear. In addition to the above, **Family Treatment Court** contracts should be thoroughly explained and reviewed with each respondent and his or her counsel to make sure that they fully understand all the service plan requirements.

Special Considerations

Caseworkers and service providers should receive training on Chemical Dependency and its effect on families, the Stages of Change model of recovery as well as motivational interviewing or client engagement. This training should be part of cross systems training that also includes sensitivity training regarding parental privacy rights.

Treatment providers should receive training on the Adoption and Safe Families timeframes and the child's need for permanency.

Personnel in all three systems need training related to collaboration, confidentiality and parental rights, as well as knowledge of evidence-based practices for working with families at the intersection of the three systems.

Background & Key Guiding Principles

Cross-system communication and the exchange of privileged client information often presents a challenge to collaborative practice, and is typically seen as a significant barrier, due to myriad federal and state confidentiality regulations.

Systems should work together to develop consensus regarding the nature and type of information required to support informed decision-making and make agreements about how shared information will be used. It is important to note that no agreement may overrule the statutory – mandated roles of an agency or court. For example, DSS cannot agree to disregard information pertaining to child safety. Child welfare staff and the courts legitimately need information about family members’ participation in services in order to make informed decisions about child safety and permanency. This needs to be balanced with a family’s privacy rights, and the treatment provider’s responsibility to guard against the unauthorized release of sensitive information regarding their clients. Finally, no agency should share information with another unless authorized to do so by a release from the client, a court order or as required by state or federal law.

Accessing information systems offers opportunities for service providers to reduce the duplication of reporting requirements. This is an important area for the collaboration to explore and support.

General Practice Guidelines

When developing collaborative guidelines, confidentiality regulations and privacy rights should be taken into account early in the process, leaving ample time to develop forms that comply with regulations and respond to the needs of families and of each collaborative partner.

Counselors and caseworkers should work collaboratively with family members to obtain the necessary consents to exchange information about screening, assessments, and service provision as early in the life of the case as possible in order to facilitate timely referrals to treatment and supportive services, so that child permanency can be achieved sooner rather than later. Court staff should also be included in these releases. If a client refuses to consent to information sharing, a court order may be sought.

Multi-agency release of information and consent forms should be used (or developed if not already in existence) and approved by the lead systems that enable the sharing of information about a parent/caretaker or adolescent in a purposeful and respective manner that maintains compliance with Social Services Law, CASAC Regulations, 42 CFR Part 2, HIPAA and relevant court rules.

As soon as appropriate releases and confidentiality forms are signed, the systems can work together to ensure that all family members receive the help they need.

Child Welfare & the Courts Need to Know:

After a referral is made:

- Referral status: e.g. referral accepted; appointment kept or missed; admission approved, pending or denied; next scheduled appointment
- Assessment summary or recommendations
- Diagnosis
- Level of care determination
- Services to be provided
- Urinalysis results

During the course of treatment:

- Progress and attendance in treatment
- Compliance with program, including urinalysis results
- Identification of co-occurring issues

- Significant changes: address, level of care, diagnosis, household composition, etc.
- Observations of parent-child relationship
- Discharge status and aftercare plans/needs

Treatment Providers Need to Know:

Upon referral of a parent or child from CPS:

- Reason for the referral and whether SUD issues were indicated in the petition
- Results of screening and assessments done previously
- Case plan goals for all family members
- Confirmation that release of information forms are signed or court order obtained
- Previous history regarding alcohol and other drugs use
- Previous history of child welfare involvement
- Composition of family/household, including children that might have been permanently removed
- Client identifying information for benefits (SSN, Medicaid)
- Status of children and visiting schedule
- Contact information of caseworker/planner/supervisor

Throughout the treatment process:

- Parent/Respondent court dates
- Service Plan Review (SPR) dates
- Information on child custody issues
- Results of any Court or CPS-conducted urine tests
- Ongoing status related to child or visiting arrangements as well as schedules
- Status of court case, including closing of court case

In order to improve communication and information sharing, it is crucial that localities assess their information system resources and improve structures for sharing information across systems in ways that will not be detrimental to the client/respondent. The process of information sharing should be reviewed by all parties to be sure that each system is collaboratively meeting the needs of the family.

Forms must be designed to be used for both parents and youth with child welfare and substance use disorder issues.

Obtaining a parent's or guardian ad litem's consent is an important and necessary step to engage the youth and family in chemical dependency treatment.

Special Considerations

Key Guiding Principles

Nationally, parental substance abuse has been identified as an underlying factor in as high as 80 percent of child abuse/neglect cases. However, Family Court judges note that in many cases, it is not included in the allegations contained in the neglect petition. Even if there is a strong suspicion of parental substance abuse, the parent(s) attorney will often advise against making any admission of alcohol or drug abuse, due to a concern that this information may be used against the respondent in a proceeding to terminate parental rights. This has the effect of impeding the ability to expediently identify the underlying issues that bring these families to the attention of the court and the child welfare system. Left unidentified, these problems will most likely be unresolved, and may lead to repeat neglect, causing a profoundly negative trajectory in the developmental life of the child(ren).

Timely and coordinated prevention and treatment services will foster family stability and self-sufficiency, and promote long-term recovery. Families involved with the Family Court, child welfare and chemical dependency systems have complex needs that require a coordinated response. Children from families impacted by a substance use disorder have a higher risk for attachment disruptions, psychological trauma and medical issues such as ADD, ADHD, Fetal Alcohol Spectrum Disorder - all of which may significantly affect academic and social adjustment.

Once a local collaborative has agreed on their mutual values, goals and principles, and developed a mechanism for sharing information they must determine if the community has the necessary resources to support the collaborative. They also should always be open to adding the necessary community-based organizations and other systems to improve the services to the families that they serve. It is within these networks that training between the systems; collaborative agreements and the pooling of resources should take place. It is important that localities collaborate to engage every entity working with each family member, including treatment providers, law guardians, attorneys and case managers.

New York estimates that up to 70 percent of clients/respondents within the court and chemical dependency systems are also receiving temporary assistance. This creates an opportunity to utilize the leverage that local DSS possesses through temporary assistance to engage parents for treatment.

There are several points of intersection where families can be engaged in services. Community collaborations networks should work to develop agreements to engage client/respondents at these points:

Referral for preventive services: When the child has not been removed and the client/respondent cooperates voluntarily with preventive services, there is an opportunity to address other issues (such as, chemical dependency, mental health, domestic violence) in a holistic way without court intervention.

Child removal or placement outside of the home: If a child has been placed outside of the care of his or her parents as a result of abuse or neglect, both the family court and the local DSS will be a part of the collaboration network.

Ongoing family reassessment, service provision, and court permanency hearings throughout the child welfare case: Parents or caretakers who are suspected but have not had substance abuse identified can be engaged through community service providers who are part of the collaboration or by the judicial officer or attorney for parent or child.

Case closure and treatment completion: Families with chemical dependency issues should be referred for aftercare services and family support services, which allows them to be supported and re-engaged, if needed, in the event of relapse.

Practice Guidelines

Localities should seek to form collaborations that include DSS, Court, chemical dependency systems, treatment providers, legal professionals, CASA and community-based providers for the purpose of engaging clients in treatment particularly when substance abuse is suspected but not indicated in the court case. In each locality where systems are coming together to collaborate around child welfare and substance abuse issues, there should be a focused effort to identify how cases flow through each system, and where cases intersect between the systems to identify points where the clients can be engaged and encouraged to be assessed for chemical dependency treatment if appropriate.

Key Guiding Principles

A coordinated service plan that includes ongoing connection to community-based service providers is essential to sustainable family recovery. These connections can offer long term support to parents and children after official system requirements end. All systems involved need to develop and implement policies that support the transition from the completion of treatment to self-sufficiency. Cross systems discharge planning should focus on the family members in recovery, family dynamics, and family values. It should help families identify and build upon their unique strengths, successfully face their challenges and make positive choices. Discharge planning must be a joint effort with defined expectations that are made clear to parents and child(ren) by the systems involved.

Practice Guidelines

Discharge Planning begins from the moment the family enters one of the three systems and should include the following types of supports to long-term recovery;

- A plan for family reunification or child permanency with child safety a key component;
- Connection to a recovery community to provide sober supports;
- Connection to all necessary community-based services;
- Supportive and safe parenting skills training;
- Alcohol and other drugs education and prevention services for children;
- Services to promote healthy development of the family throughout the reunification process, including ongoing case management services for children;
- Linkage of child(ren) to necessary medical ,mental health and social services, as well as evidence-based prevention/early intervention programs to address identifiable risk and protective factors.

Cross-system discharge planning should begin early in the treatment/Intervention/judicial process, and be continually reviewed and updated until treatment is completed or the case is closed. It is recommended that:

- Family intervention services are considered a priority in the discharge process within the cross-systems collaboration;
- After treatment completion, the family's status is closely monitored to assure that the appropriate aftercare/recovery services needed to sustain parental recovery and child safety and well-being are provided;
- A plan to provide community-based supportive services is established that can meet the ongoing medical, mental health and social service needs of the family;
- Cross-system training is provided to enhance the skills of the staff involved in the discharge planning process.

Special Considerations

Cross-training and collaborative network and resource development support a well designed discharge planning process, so that continuity of care is maintained, family bonds are strengthened, and recidivism is reduced.

Background & Guiding Principles

Families affected by substance use disorders present a multitude of risk factors that need to be addressed as part of the plan for long-term recovery. Youth from families affected by substance use disorders frequently have serious emotional and behavioral problems which manifest as a range of high risk behaviors including alcohol and other drug use. In 2003-04, 1.4 million children aged 12 -17 in foster care were classified as needing drug treatment; yet 87 percent of these youngsters did not receive it (*NSDUH Report 24, 2006*).

Children of substance abusers require early and sustained interventions to avoid high lifetime rates of substance use disorders and related health problems (NSDUH Report 24, 2005). These problems must be identified before they can be addressed. The lack of understanding of the clinical effects that result from parental substance use disorders, disrupted attachments and environmental instability contributes to of the failure to provide services to children.

Screening & Assessment

Children and adolescents from families affected by a substance use disorder should receive a comprehensive assessment to include;

- Physical Health
- Emotional Health
- Behavioral Health (Mental Health and Chemical Use)
- Educational

Young children should be referred to Early Intervention programs for screening assessment and treatment. Adolescents should be referred for comprehensive assessments to an appropriate professional who can make referrals for services. Pre-teens and adolescents should also be referred to evidence-based alcohol and other drugs prevention or treatment programs to help them identify, express and cope with feelings regarding parental substance use disorder use and assist them in cultivating healthy relationships and life skills.

Case Management

Collaboration should include mechanisms to ensure ongoing case management for youth who have identified prevention, intervention, treatment or other service needs, to ensure referral, engagement and appropriate duration of service is achieved.

AOD Prevention & Treatment

Extensive efforts have focused on addressing parental substance use disorders within the families that we serve. However, in spite of research which clearly shows that children of parents with SUDs are at greater risk for delinquency, teen pregnancy, school drop out and violence, little has been done to address these risks until problem behaviors emerge. Efforts to decrease chemical dependency and improve outcomes for youth must focus on ensuring the integration of existing community and school-based resources, and ensure that each child of parents with SUDs receives prevention and treatment services.

The OASAS prevention framework supports safe and healthy environments. In OASAS, prevention is seen as a proactive, researched based, data driven process utilizing proven strategies and programs to reduce or prevent alcohol and other drug abuse among individuals, families, and communities. The risk and protective focused framework is grounded in a public health approach, using evidence-based predictors of problem behaviors to achieve positive outcomes. Research has shown that if certain risk and protective factors are present, a predictable outcome will result. Understanding and identifying risk and protective factors helps providers and communities prevent problem behaviors and promote healthy development

AOD Prevention & Treatment

among children, adolescents, and young adults. This approach allows providers to select the most appropriate evidence-based programs and strategies to help their populations effectively reduce or avoid substance use and abuse, by focusing their resources on reducing those risk factors specific to their community.

Collaboration between the systems should include identification of mechanisms to ensure ongoing case management for youth who have a significant need for prevention/intervention services to ensure continuity as well as appropriate ongoing services to address their identified risk and protective factors as well as the need for interventions if appropriate.

Local collaborations can be strengthened by each system being clear about language and identifying which programs or services are effective to achieve which outcomes. For example, “prevention services” means something different to the chemical dependency system than “preventive services” means to the child welfare system. Yet, some practices or evidence-based programs have been identified that work in each system to achieve its outcomes.

OASAS certifies treatment programs in three levels of care which are Chemical Dependency Outpatient Services, Chemical Dependency Inpatient Services and Chemical Dependency Residential Services. In addition, OASAS is in the process of implementing Residential Rehabilitation Services for Youth (RRSY) as a foundation for our system of care for adolescents.

Within the Chemical Dependency Residential Services are Intensive Residential Services (long term/traditional therapeutic community model) and Community Residence (halfway house model). Both of these service models have programs that allow young children to enter treatment with their parents.

In order for an individual to receive treatment services they must have a DSM IV Diagnosis for Substance Use Disorder. If an individual does not meet this diagnostic criterion but has experienced problems related to the use of alcohol or other drugs, the individual or family should be referred to OASAS Prevention Services.

Additional Resources

A listing of prevention providers in each region can be found at <http://www.oasas.state.ny.us/prevention/index.cfm#>. In addition, providers and system representatives can use the following links to find women and children treatment program and adolescent treatment programs <http://www.oasas.state.ny.us/special/index.cfm#> and other treatment programs <http://www.oasas.state.ny.us/treatment/index.cfm#> throughout New York. Assistance in finding and selecting appropriate evidence-based programs is available at OCFS’ Effective Practices website at http://www.ocfs.state.ny.us/main/sppd/eff_practices/.

Background

Nationally, parental substance abuse has been identified as an underlying factor in as high as 80 percent of child abuse/neglect cases. However, Family Court judges note that in many cases, it is not included in the allegations contained in the neglect petition. Even if there is an allegation of parental substance abuse, the parent(s) attorney will often advise against making any admission of alcohol or drug abuse, due to a concern that this information may be used against the respondent in a later proceeding to terminate parental rights. This has the effect of impeding the identification and treatment of the underlying issues that bring families to the attention of the court and the child welfare system. Left unidentified, these problems will most likely remain unresolved, may lead to additional acts of neglect and may cause a profoundly negative trajectory in the developmental life of the child(ren).

Points of Intersection & Opportunities

There are several points of intersection where families can be engaged in services. Community collaborations should work to engage the client/respondents at these points:

Temporary Assistance: There are estimates that up to 70 percent of clients/respondents within the court and chemical dependency systems are also receiving temporary assistance. This creates an opportunity to utilize the leverage that temporary assistance services possess to engage parents for treatment.

Child removal from the home: If it is ascertained that the client is receiving temporary assistance payments and, if the county Departments of Social Services and NYC Human Resource Administration are part of the collaboration with agreements and processes are in place, then the client can be assessed and referred to treatment if appropriate.

Referral for Preventive Services: When the child has not been removed and the client/respondent is referred to Preventive Services, there is an opportunity to address issues such as substance use disorders, mental health, domestic violence and other issues in a holistic way.

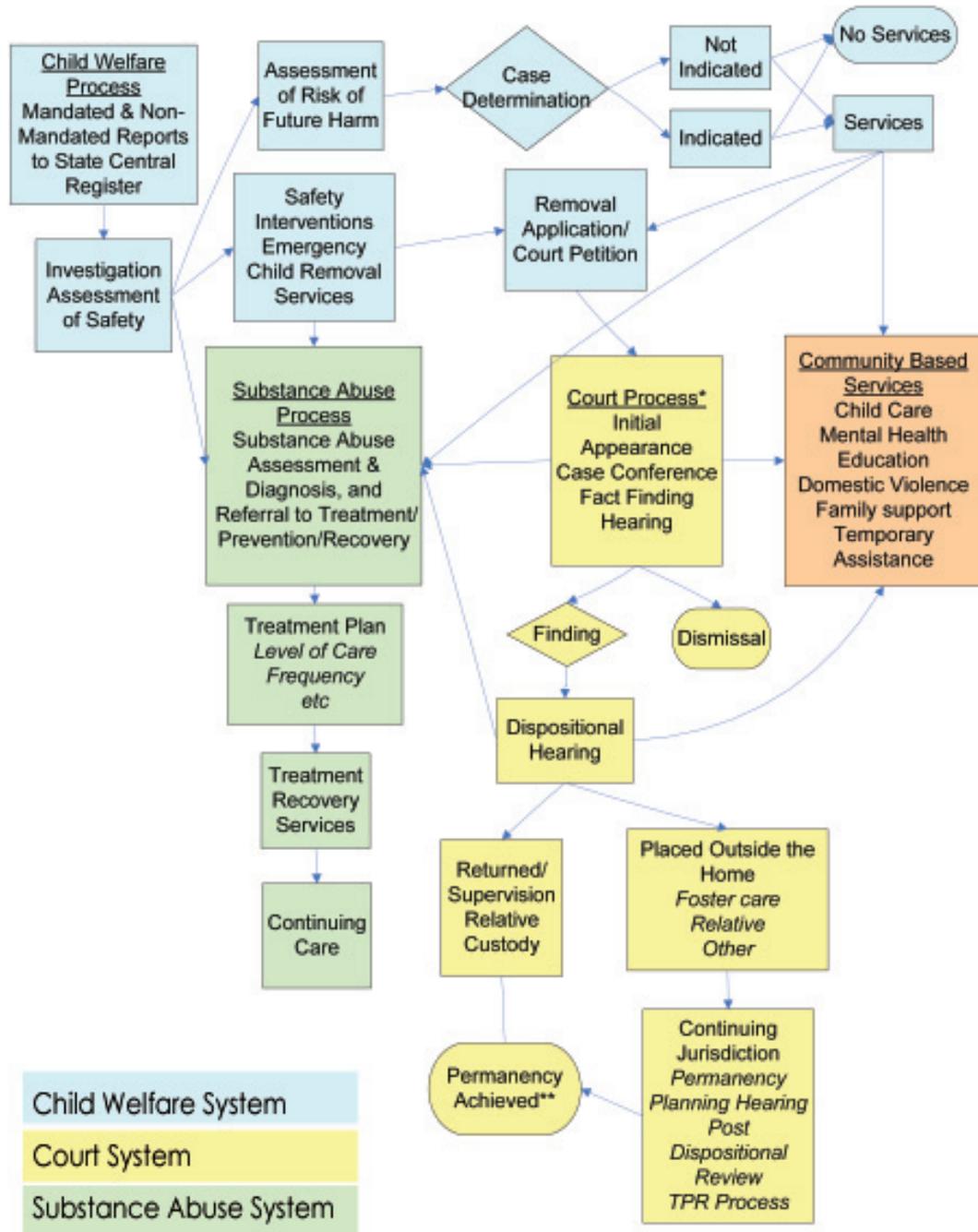
Ongoing family reassessment, service provision, and court permanency hearings throughout the child welfare case: Parents or caretakers who have not had substance use disorders identified early in the case may be referred for assessment at any time by service providers who learn new information.

Case Closure and Treatment Completion: Families with substance use disorders should be referred for aftercare services and family support services, which allow them to be supported and re-engaged, if needed, in the event of relapse.

Practice Guidelines

Localities should seek to form collaborations that include DSS, Court, Chemical Dependency systems, and community-based providers for the purpose of engaging clients in treatment particularly when substance abuse is suspected but not indicated in the court case. In each locality where systems are coming together to collaborate around child welfare and substance abuse issues, there should be a focused effort to identify how cases flow through each system, and where cases intersect between the systems to identify points where the clients can be engaged and encouraged to be assessed for chemical dependency treatment if appropriate.

The chart below visually represents how the three systems and other providers intersect and how referrals are made across systems. It is designed to help agencies develop a comprehensive and collaborative process that will provide the most effective services for the families we serve.



* Family Treatment Courts are being established in the Family Courts to address cases where a substance abuse disorder is a factor in a neglect proceeding. Please see the full report for additional information.

** Permanency may be achieved by: reunification, permanent custody with a relative, guardianship, adoption or another alternate permanent planned living arrangement.

APPENDICES

ACS – New York City’s Administration for Children’s Services

Alcohol and drug services – includes the broad continuum of programs and strategies designed to prevent and treat substance abuse and dependence and to ameliorate adverse consequences associated with substance use.

AOD - Alcohol and other Drugs.

ASFA - Adoption and Safe Family Act is federal law, enacted in 1997. ASFA made changes in a wide range of policies established under the Adoption Assistance and Child Welfare Act to improve the safety of children, to promote adoption and other permanent homes for children, and to support families, including a presumption that a child in foster care for 15 months out of the past 22 months must be safely returned home or freed for adoption by filing to terminate the parent’s rights. NYS enacted a statute implementing the federal ASFA, which was further amended in 2000. A comprehensive “permanency bill” was signed into law in NYS in 2005.

Aftercare or continuing care – the immediate period after an intensive period of substance abuse treatment designed to support an individual’s recovery through provision of formal supports such as relapse prevention services. These supports are combined with informal community-based recovery supports, such as participation in 12-Step programs, church, or other activities that support the recovery process.

Assessment in child welfare – broadly refers to gathering information that affects a child’s immediate safety, potential risk of future harm, and a family’s level of functioning and well-being based on its strengths and needs. The types of assessment in child welfare are:

Safety Assessment – evaluates immediate threats to the life or wellbeing of a child.

Risk Assessment – evaluates potential future threats to the life or wellbeing of a child in the context of existing protective factors.

Family Assessment – evaluates how well a family is functioning in several domains that affect child and family wellbeing, including needs and strengths of the family.

Assessment for Substance Use Disorder – broadly refers to a comprehensive bio-psycho-social interview conducted by an OASAS-certified treatment provider, CASAC or QHP

Best Practice Part - The courtroom practice of a Family Court Judge or Court Attorney Referee that implements procedures and practices toward achieving better outcomes and changing behaviors in child welfare cases; usually tied to the implementation of the NCJFCJ’s Resource Guidelines and is frequently the result of collaborative design among the key child welfare stakeholders in that jurisdiction.

CASA – Court Appointed Special Advocate

CASAC - Credentialed Alcohol and Substance Abuse Counselor

Case plan – an individualized plan of action based on a comprehensive assessment, with measurable goals and outcomes developed by a family and child welfare services worker to ameliorate risk to children and ensure their safety, permanency, and wellbeing.

Child abuse – to cause substantial physical injury to a child or place the child at risk of substantial physical injury that is likely to cause death or protracted impairment of the child’s physical or emotional health.

Child neglect – to cause impairment or risk of impairment to a child’s physical, mental or emotional condition by failing to provide a minimum degree of care.

Glossary of Terms

Examples of neglect are failing to meet a child’s basic needs, failing to supervise a child, inflicting harm to a child, and/or the misuse of drugs or alcohol to the extent that the person loses control of his or her actions when caring for a child.

Child protective services (CPS) – the division within child welfare services that is responsible for investigating reports of child abuse and neglect and who determine whether a child is in need of protection.

Child welfare services (CWS) –the broad continuum of programs and strategies designed to protect children from child abuse and neglect and to strengthen families.

Community-based recovery support – informal support available to an individual that helps that individual to maintain recovery from a substance use disorder. This support frequently involves participation in 12 Step programs, but may also include supportive friends, family, church, sports activities, hobbies, or other activities that reinforce the individual’s recovery either directly or indirectly.

DSS – County Department of Social Services

Diagnosis of a substance use disorder – using criteria established by the American Psychological Association, Diagnostic and Statistical Manual of Mental Disorders, 4th Edition (DSM-IV), to determine whether a person is classified as a substance user, substance abuser, or is substance dependent.

Dispositional hearing – the stage of the family court process in which, after finding that a child is abused or neglected, the court determines whether the child should remain at home, or be placed outside of the home and whether to order the respondent(s) to engage in specific services under the supervision of DSS. The standard for this determination is what is in the best interest of the child.

Drug Testing - Tests conducted by agencies or the Court to determine if there is a physical presence of alcohol or other drugs in the bloodstream.

Family Court - Family Court, present in every county in New York State, hears cases involving children and families including adoption, child custody, visitation and support, neglect and abuse, persons in need of supervision (PINS), juvenile delinquency, family offenses (domestic violence) and paternity. The Family Court does not decide divorce, annulment or separation proceedings.

Family Treatment Court - FTC is a specialized court that hears child neglect and abuse cases involving parents with substance abuse problems. The Court is designed to not only break the cycle of addiction and neglect through monitored service delivery, but strives to shorten out of home placement through ongoing case monitoring and expedited, informed permanency planning.

Fact-finding hearing – in child welfare proceedings, the trial stage at which the court determines whether allegations of child abuse or neglect are sustained by the evidence and, if so, are legally sufficient to support intervention on behalf of the child. This is followed by a dispositional hearing that defines the nature of such intervention.

Model Court - Originally a designation that was attached to the pilot courts in New York City and Erie County through the National Council of Juvenile and Family Court Judges (NCJFCJ) Victim’s Act Model Court program. By accepting this designation, the courts agreed to implement the recommendations of the NCJFCJ’s Resource Guidelines outlining best court practice for child welfare cases and become a pilot site for other initiatives designed to achieve positive outcomes for children and families. Over time, this term has come to represent a part of court in other jurisdictions engaged in the same work and is often interchangeable with the term “best practice part” (see definition above) or “permanency part”.

Network- Grouping of community service providers comprised of representatives from the child welfare, court, chemical dependency, DSS, medical, mental health, domestic violence, educational/vocational and other human service systems.

Glossary of Terms

Permanency Goal – Required for every child placed outside of his or her home in order to plan for the child’s stability, safety and well-being. A permanency goal may only be one of the following: return to parent; placement for adoption with the local DSS filing a petition for Termination of Parental Rights; legal guardianship; placement with a fit and willing relative; or placement in another planned permanent living arrangement that includes a significant connection to an adult who is willing to be a permanency resource for the child, including documentation of the compelling reason for determining that it would not be in the best interests of the child to have one of the other permanency goals.

Permanency planning hearing – Required by ASFA and the New York State’s Permanency Law of 2005 for all children removed from their homes. The permanency hearing must be commenced initially within 8 months after a child is removed from his or her home and subsequent permanency hearings are held every 6 months from the completion of the last permanency hearing. Every permanency hearing must be completed within 30 days of the date certain scheduled for a permanency hearing. When a child is freed for adoption, or a determination has been made that aggravated circumstances exist or that reasonable efforts are not required in a case, a permanency hearing is held within 30 days of the child being freed and completed again within 30 days.

QHP- Qualified Health Professional (As defined in statute this refers to one of the following NYS licensed or credentialed professionals: physician, psychiatrist, psychologist, nurse, certified social worker, CASAC, nurse aid or physician assistant.

Reasonable efforts – the reasonable efforts requirement of the federal law is designed so that families are provided with services to prevent child abuse and neglect and to reduce unnecessary disruption of families. Once children are placed outside the home, federal law requires reasonable efforts to be made toward a designated permanency goal. (See definition of permanency goal above.) The family court must determine whether the agency has made the required reasonable efforts. ASFA expanded reasonable efforts provisions by requiring that when a court determines that reasonable efforts to reunify are not required, a permanency planning hearing must be held within 30 days of such determination. Reasonable efforts also must be made to place the child in a timely manner in accordance with the permanency plan and to complete whatever steps are necessary to finalize the plan. Reasonable efforts have been determined to be equivalent to DSS’s diligent efforts required to prove permanent neglect.

Recovery – the process by which an individual has learned to develop and maintain a lifestyle that is free from substance use which enables individuals with substance abuse and dependency problems to return to full functioning.

Relapse – to fall back into a previous problem behavior pattern; a return of a disease or illness after partial recovery from it.

Removal hearing – the first court hearing in a child abuse or neglect case that occurs either immediately before or immediately after the child is removed from home on an emergency basis. It may be preceded by an ex parte order directing placement of the child and in emergency cases may constitute the first judicial review of a child placed without prior court approval.

Respondent – the person against whom a petition is filed in family court, and who responds to the petition. In a child abuse or neglect case, the respondent is a parent, guardian or person who is regularly in the home providing care for the child who causes or allows the abuse or neglect of a child. The Respondent is known as the defendant in other types of courts.

Screening for child abuse or neglect, or both – observations and questions leading to a determination that a child may have been the victim of abuse or neglect, or both. These observations or questions are centered on issues of physical or sexual abuse, deprivation, and neglect of child’s basic needs or well-being.

Glossary of Terms

Screening for substance use disorders – a set of routinely administered observations and questions leading to a determination that a person has a potential substance use disorder. Screening is conducted by child welfare service staff as well as community-based providers, hospital staff, other health or local DSS eligibility staff, or may be a specialized service conducted by an alcohol or drug counselor.

Substance use disorders – include the spectrums of substance abuse and dependence as defined by the diagnostic criteria of the American Psychological Association, Diagnostic and Statistical Manual of Mental Disorders, 4th Edition (DSM-IV):

Substance use – the consumption of legal or illegal, or both, psychoactive substances.

Substance abuse – a pattern of substance use that results in at least one of four consequences: (1) failure to fulfill role obligations, (2) use placing one in danger (e.g., driving under the influence), (3) legal consequences, or (4) interpersonal/social problems.

Substance dependence – a pattern of use resulting in at least three of seven dependence criteria as specified in the DSM-IV: (1) tolerance, (2) withdrawal, (3) unplanned use, (4) persistent desire or failure to reduce use, (5) spending a great deal of time using, (6) sacrificing activities to use, or (7) physical/ psychological problems related to use.

Termination of parental rights (TPR) hearing – a hearing or trial which may result in severance of all legal ties between child and parent. The burden of proof must be by clear and convincing evidence. ASFA requires that a termination of parental rights petition be filed, except in certain cases, when a child is in foster care for 15 months out of the most recent 22 months. There are several grounds for terminating parental rights. They include: 1) permanent neglect – when a parent fails to plan for the future of the child or maintain contact with the child for at least 12 consecutive months of the child’s placement or 15 out of 22 months despite the diligent efforts of DSS to assist the family; 2) abandonment – when a parent fails to have significant communication or contact with the child or agency, although able to do so, for a period of 6 months or more; 3) mental retardation or mental health – when a parent is significantly impaired and unable to safely care for a child now and in the foreseeable future due to mental retardation or mental health diagnosis; 4) severe and repeated abuse – when a parent commits one of a list of certain crimes against a child, or when a parent is found to have committed more than one act of child abuse in a five-year period. A petition seeking termination of parental rights must be based upon one of the following grounds (SSL §384-b): abandonment; permanent neglect (also FCA §614); mental illness; mental retardation; or severe or repeated abuse (also FCA §1012(j)).

Treatment plan – an individualized plan of action based on a comprehensive assessment, with measurable goals and outcomes developed by a participant and substance abuse specialist to reduce or eliminate substance use and related adverse consequences.

Preventive services - those supportive and rehabilitative services provided to children and families for the purpose of averting disruption of a family via placement of a child in foster care; or services enabling a child who has been placed in foster care to return to his family at an earlier time would otherwise be possible; or reducing the likelihood that a child who has been discharged from foster care would return to such care.

Every county must have these Core Services available, which consist of:

1. *Day care* includes day care centers, family day care, group family day care, and school-age childcare activities.
2. *Homemaker Services* includes assessing the need for, arranging for, providing and evaluating the provision of personal care, home management and incidental household tasks through the services of a trained homemaker.
3. *Parent training* as group instruction in parent skills development and the developmental needs of the child and adolescent for the purpose of strengthening parental functioning and parent/child relationships in order to avert a disruption in a family or help a child in foster care return home sooner than otherwise possible.
4. *Parent aide services* are those services provided in the home and community that focus on the need of the parent for instruction and guidance and are designed to maintain and enhance parental functioning and family/parent role performance.
5. *Transportation services* including providing or arranging for transportation of the child and/or his family to and/or from services arranged as part of the child's service plan except that transportation may not be provided as a preventive service for visitation of children in foster care with their parents and may only be provided if such transportation can not be arranged or provided by the child's family.
6. *Clinical services* includes assessment, diagnosis, testing, psychotherapy, and specialized therapies provided by a person who has received a master's degree in social work, a licensed psychologist, a licensed psychiatrist or other recognized therapist in human services.
7. *Respite care* and services for families in which a parent, legal guardian, caretaker or child has Acquired Immune Deficiency Syndrome (AIDS), HIV infection or HIV-related illness.
8. *Twenty-four hour access to emergency services* which means developing a plan for, arranging for or providing emergency services, including cash or the equivalent thereto, goods and shelter when a child is at risk of foster care and such services may prevent placement. The plan may include coordination with income maintenance staff or identification of service agencies within the social services district that provide 24-hour services such as a privately administered telephone hotline.
 - Emergency cash or goods as money or the equivalent thereto, food, clothing or other essential items that are provided to a child and his family in an emergency or acute problem situation in order to avert foster care placement.
 - Emergency shelter as providing or arranging for shelter where a child and his family who are in an emergency or acute problem situation reside in a site other than their own home in order to avert foster care placement.

Appendix II

Preventive Services

Other Services (Not required to be available but can be considered preventive services)

1. Housekeeper/chore services includes assessing the need for, arranging for, providing and evaluating the provision of light work or household tasks (including such activities as help in shopping, lawn care, simple household repairs and running errands) which families and individuals in their own homes are unable to perform because of illness, incapacity or absence of a caretaker relative, and which do not require the services of a trained homemaker.
2. Family planning services includes arranging for and providing social and educational services which include the distribution of printed material, group discussions and individual sessions to discuss family planning, educational and medical resources available in the community and or medical services, which include diagnosis, treatment, drugs, supplies and related counseling furnished or prescribed by or under the supervision of a physician.
3. Home management services assessing the need for, arranging for, providing and evaluating the provision of formal or informal instruction and training in management of household budgets, maintenance and care of the home, preparation of food, nutrition, consumer education, child rearing and health maintenance.
4. Day services to children include programs offering a combination of services including at least: social services, psychiatric, psychological, education and/or vocational services and health supervision and also including, as appropriate, recreational and transportation services.
5. Housing services defined as rent subsidies, including payment of rent arrears, or any other assistance necessary to obtain adequate housing will be considered preventive services but will only be available to families of children already in foster care if such families satisfy the requirements.
6. Intensive, home-based, family preservation services are casework services and direct therapeutic services provided to families in order to reduce or avoid the need for foster care placements of children who are in imminent danger of such placements. Intensive, home-based, family preservation services may include arranging, on behalf of the families, housing assistance, child care, job training, education services, emergency cash grants and basic support needs
7. Outreach activities are those activities designed to publicize the existence and availability of preventive services for parents, caretakers, and children who meet the criteria for the provision of preventive services and to advise such parents, caretakers and children of the availability of such services to meet their needs, alleviate the cause or condition that creates the risk of foster care placement and to assist the family to stay together.

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Appendix III

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GUIDING PRINCIPLES

Interactions with Families Should Be:

- ◆Strengths-based ◆Needs-driven ◆Family-centered ◆Culturally competent

SCREENING ASSESSMENT AND REFERRAL

- ✓ After the filing of a neglect petition, where AOD use is alleged or subsequently identified, the court can attempt to persuade the respondent or other household member to voluntarily participate in an alcohol and substance abuse assessment/treatment process, in order to assist parents in accessing and engaging in treatment as early as possible during the case flow.
- ✓ When families and agencies appear before the court, judges or magistrates should ensure that appropriate assessments were conducted and that the court has information regarding assessment results and diagnoses. The court should encourage the respondent to engage in any recommended treatment. Attorneys for parents play a key role in advocating for timely assessments and in encouraging their clients to participate in the assessment process.
- ✓ With the implementation of Family Drug Treatment Courts (FTC) and Model Courts, agencies have begun to work collaboratively toward identification of alcohol and substance abuse issues much earlier in the process, resulting in earlier linkages to treatment and better retention rates. FTC Resource Coordinator/Case Managers can conduct screening upon the filing of a petition and with the consent of the parties.

ENGAGEMENT AND RETENTION

- ✓ **Family Court** orders typically incorporate the information provided by the child welfare services agency, turning the case plan into a court order that complies with ASFA requirements and reflects the needs of both the respondent and the family. All agencies involved with a family will share information with each other to reinforce agency collaboration and to ensure that the Family Court’s expectations of the respondent(s) remain clear.
- ✓ In addition to the above, **Family Treatment Court** contracts should be thoroughly explained and reviewed with each respondent and counsel to make them aware of program expectations.

INFORMATION SHARING

Localities need to work together to develop consensus regarding the nature and type of information that is needed to support informed decision-making regarding child safety, wellbeing, and permanency, and establish collaborative agreements about how shared information will be used. Child welfare staff and the Courts legitimately need information about family members receiving services in order to make informed decisions about child safety and permanency. This needs to be balanced with a family’s privacy rights, and the treatment provider’s responsibility to guard against the unauthorized release of sensitive information regarding their clients.

When developing collaborative guidelines, confidentiality regulations and privacy rights should be taken into account early in the process, leaving ample time to develop forms that comply with regulations and respond to the needs of families and of each collaborative partner.

CASE PLANNING AND MONITORING

The questions of whether there are demonstrable changes and whether these changes are sufficient to warrant family reunification or closing the case can be answered only if all staff work closely with families to monitor their progress and adjust plans as needed, and if there is effective communication between the AOD treatment, child welfare, and court systems. **Child Welfare workers** and **AOD treatment providers**, with facilitation from the **Court**, should collaborate to develop the most comprehensive and flexible plan possible to help the family succeed.

Family Treatment Court Coordinators and Case Managers can work closely with AOD Treatment Providers and Child Welfare Workers by sharing observations and concerns relative to behaviors exhibited during visits to the court.

DISCHARGE PLANNING

Cross systems discharge planning should focus on the family members in recovery, family dynamics, and family values to help families identify and build upon their unique strengths, successfully face their challenges and make positive choices. Discharge planning must be a joint effort with defined/shared expectations of the caretaker and child(ren) by the systems involved.

Cross-system communication about the family's discharge planning needs should begin early in the treatment/Intervention/ judicial process, and be continually reviewed and updated until treatment is completed or the case is closed. It is recommended that:

- ✓ Family intervention services are considered a priority in the discharge process within the cross systems collaboration;
- ✓ After treatment completion, the family's status is closely monitored to assure that the appropriate aftercare/recovery services needed to sustain parental recovery and child safety and wellbeing are being provided;
- ✓ A means to provide community-based supportive services is established that can meet the medical, mental health and social service needs of the caretaker and child(ren);
- ✓ Cross-system training is provided to enhance the skills of the staff involved in the discharge planning process.

Families involved with child welfare may be more at risk for relapse at certain points during their case involvement. Vulnerable points include:

- ✓ Before court hearings,
- ✓ After family visits,
- ✓ Shortly before regaining custody of children,
- ✓ Shortly before being discharged from residential treatment, and
- ✓ Shortly before exiting from the child welfare system.

Counselors and case workers can work together to use relapse episodes to help parents learn what factors trigger their cravings to use substances, and help them to accept the fact that relapse does not equal failure, so that they can be re-engaged in treatment immediately. Child welfare workers can also help parents anticipate the possibility of lapses or relapses by creating safety plans for their children. Parents who learn their triggers can become empowered to plan for the safety of their children and seek healthy ways to neutralize or mitigate triggers.

A listing of prevention providers in each region can be found at www.oasas.state.ny.us/prevention/index.cfm#. In addition, providers and system representatives can use the following links to find women and children treatment program and adolescent treatment programs www.oasas.state.ny.us/special/index.cfm# and other treatment programs www.oasas.state.ny.us/treatment/index.cfm# throughout New York. Information on the science of drug abuse and addiction can be found at <http://www.drugabuse.gov>

ADDITIONAL RESOURCES



Appendix I



nyc ACS Administration for
Children's Services

The NYC Administration for Children's Services is the City's child welfare agency, dedicated to protecting children, strengthening families and providing childcare and Head Start programs

LUC Data Project

Real Time Exchange of Case Information

Governance Committee Meeting

November 18, 2008

LUC Data Project

- Overview
- Progress Report
- Resources
- Roll-out plan
- Outreach
- OCFS Connection
- Training
- Closing

Build Zero – What does it do?

- Enables new Neglect & Abuse petitions to be filed electronically
- Provides electronically signed petitions to the court
- Provides intake hearing information to ACS
- Provides future hearing dates on all ACS cases
- Provides UCMS with electronically submitted permanency reports on all children in out of home care under ACS jurisdiction.

Build Zero – the work involved

- Pre-match of all Court/ACS cases
- Application and work flow changes, to prepare each system to send and receive messages.
- Creation of 6 discrete messages to:
 - request and complete the electronic filing,
 - send and receive documents,
 - update appearances and
 - keep the systems in sync.
- Transmission of these messages via DoITT.
- Testing, Training, Implementing, Monitoring

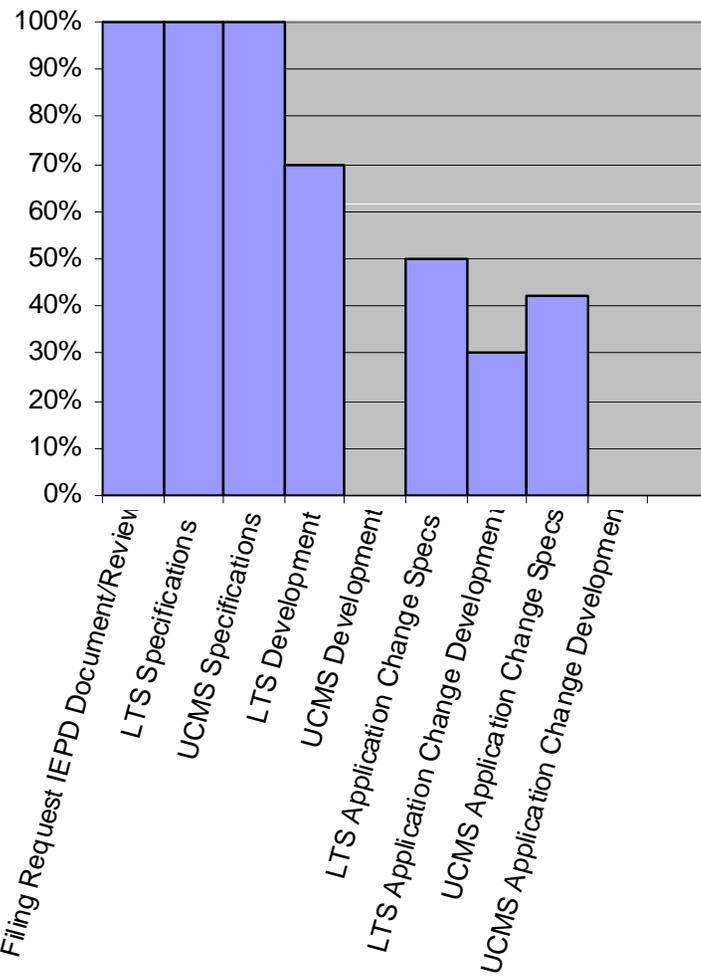
Steps for Each Message:

- IEPD Documentation and Review
- Write the technical specifications
- Program/develop the specifications
- Make changes to UCMS/LTS applications to enable receipt or transmission of the information contained in each message

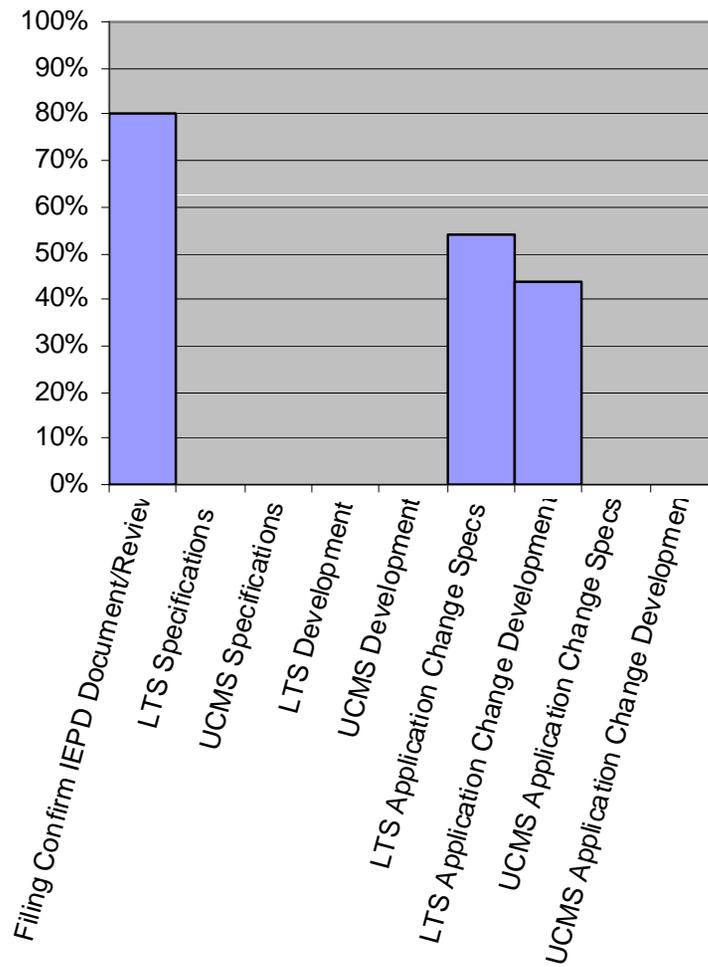
....begin testing

Build Zero – Two Primary Messages

Preliminary Filing Request

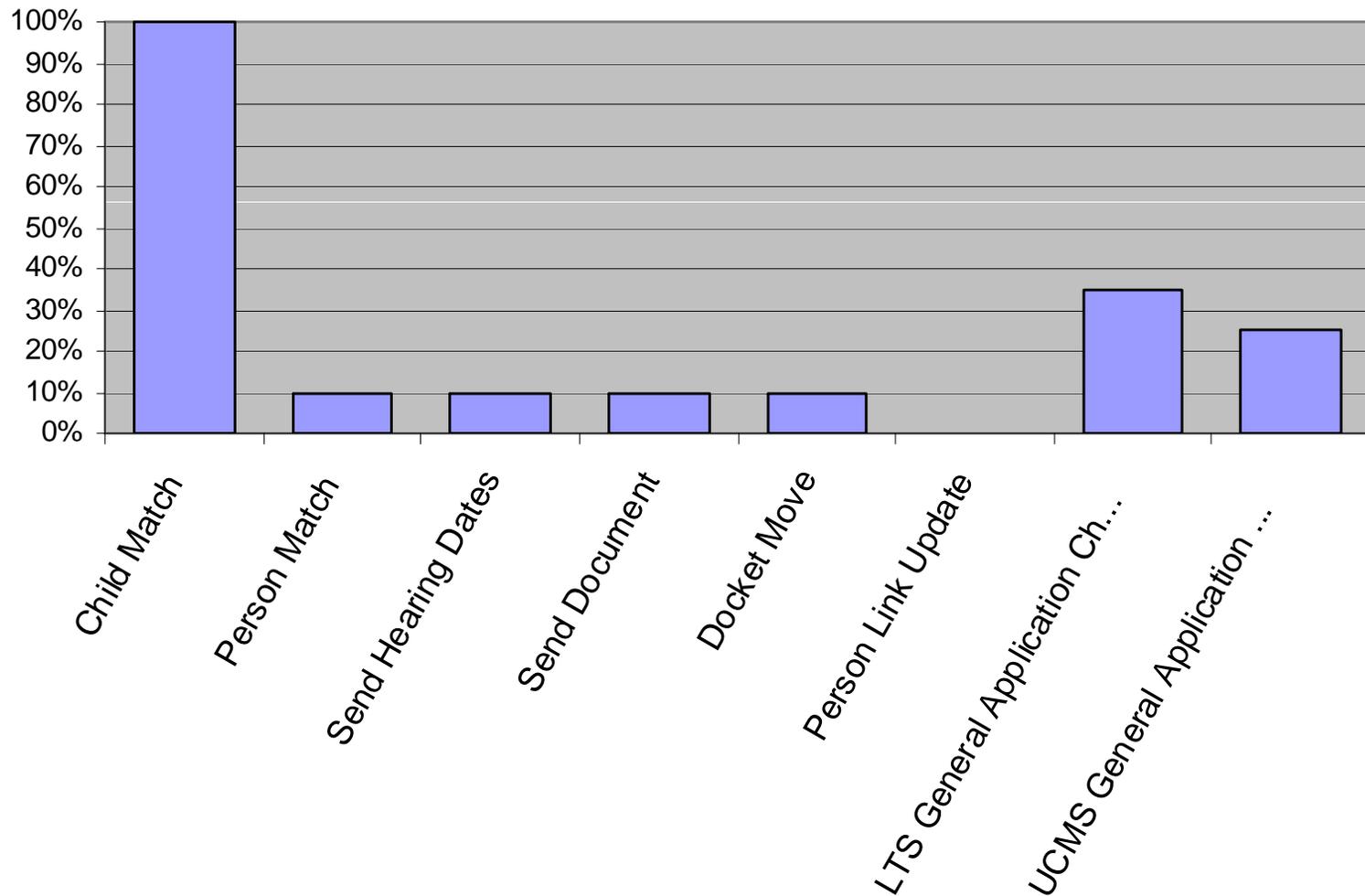


Filing Confirm

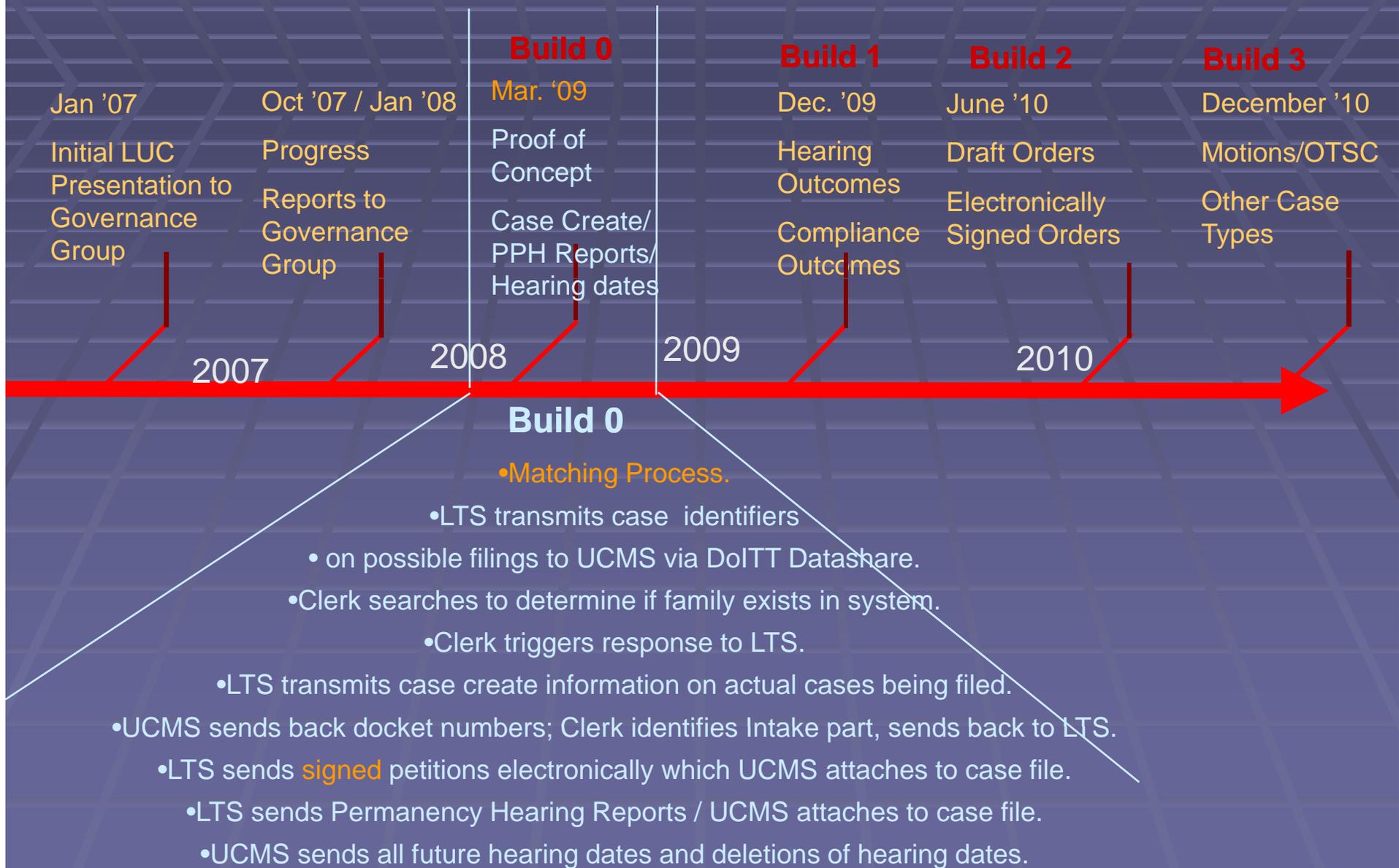


Build Zero – Ancillary Messages

Preliminary Match and Ancillary Messages



Implementation Timeline – March '09



Resources

- ACS – Fully staffed
- OCA – Fully staffed
- Allocation of staff will continue to be dependent on other factors: legislative changes, audits, system builds, emerging situations, etc.

Roll-out

- *Manhattan – testing for about one month*
- *Roll-out to other counties around one every two to three weeks*
 - *Queens*
 - *Bronx*
 - *Kings*
 - *Richmond*

Outreach

- Progress
 - Clerk's Conference presentation
 - Saratoga presentation to NYPWA
 - Presentation to Legal Aid
 - Meetings with Permanency Deputies
 - Meetings with FCLS attorneys
- *Going Forward*
 - *Meet with Center for Family Representation*
 - *Meet with 18b Panel Representatives*

OCFS Connection

- Permanency Hearing Reports
 - Discussions on how electronic filing of Permanency Reports, and possibly petitions, might work statewide
- Hearing Dates
 - Interest in receiving “date certain” permanency hearing dates.
- Freed Child notification

Training

- In-house training.
- Training with both court and ACS staff together, with representatives from all five counties.
- Train the trainer model
- Timing: around one month prior to roll-out

End

Appendix J

LUC Project: Baseline Study Report

Executive Summary

Abstract

The Baseline Study for the LUC (LTS, UCMS, and Connections) datashare project has been conducted in all five New York City counties to serve as a measure of the current process of the Administration for Children's Service's (ACS) Abuse and Neglect petition filing in Family Court, starting from the time that ACS prepares the petition, through the court's processing of that petition, and ending with the resulting court appearance.

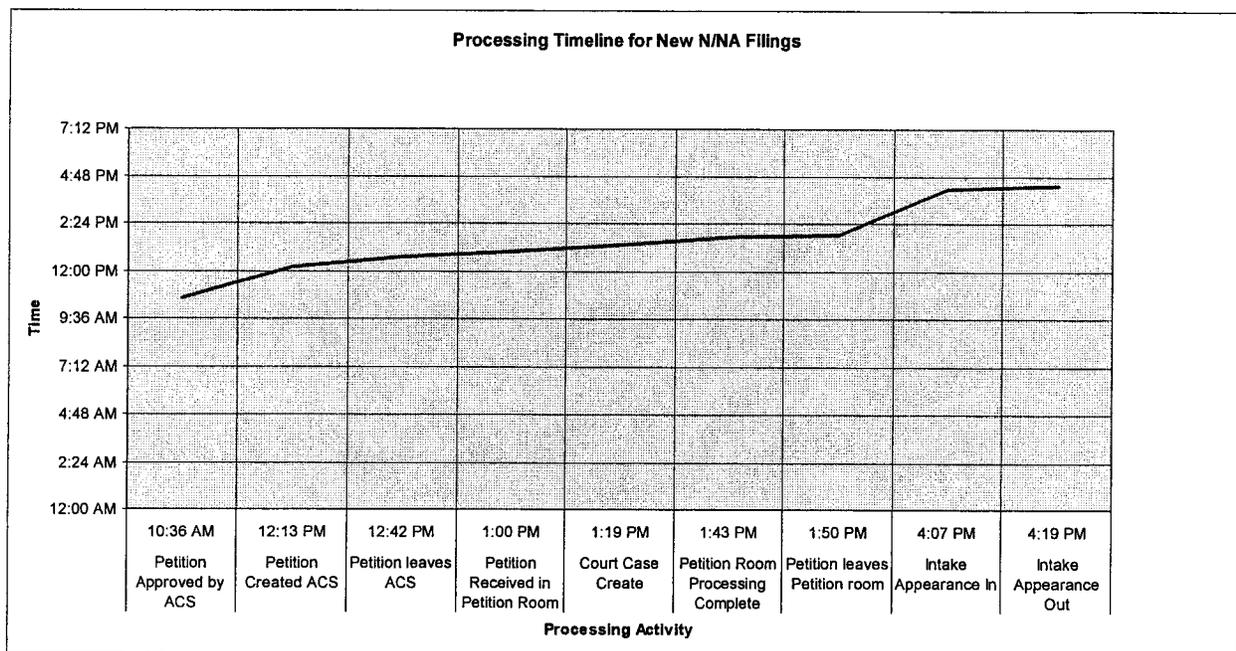
As with any baseline study, the purpose of conducting this inquiry is to obtain a reading of the current state of ACS and family court operation that can be used for comparison purposes post-LUC implementation. Essentially, the study serves as a form of quality control, allowing the LUC team to assess the success of LUC implementation as well as determine if there are any possibly unintended effects of the electronic interface that may need to be accounted for and taken into consideration as a new part of the operational process.

Another important benefit of conducting this baseline study and eventually a post-implementation study is to gain insight into the LUC process that will undoubtedly be very valuable in the future during the planning and development phase of a potential statewide version of LUC's electronic petition filing interface between local Departments of Social Services and the rest of New York State's family courts. Having baseline and post-implementation data to guide the process of planning for a such a statewide version of LUC will allow for an evidence-based model of development that will certainly help to smoothen the process of tailoring a version of the LUC interface for upstate.

Results

The baseline study took place during a week-long period, starting on March 31, 2008 through April 4, 2008, using an assessment tool referred to as the “Blue Card” that was designed and tested by LUC project team members. Information gleaned from the Family Court’s Universal Case Management System and ACS’ Legal Tracking System was also used to supplement the Blue Card data. The study encompassed all new Abuse and Neglect petitions filed during this period, yielding a sample of 223 petitions.

The results of the baseline study indicate that the filing of the average Abuse and Neglect



petitions in New York City, from the minute that the petition is approved for filing by ACS to the conclusion of the case’s initial intake appearance in front of a Family Court judge, takes 5 hours and 45 minutes. This length of time varied in average across the five counties, ranging from an average of 3 hours in Richmond County to 6 hours and 26 minutes in Bronx County.

Each “step” in the petition filing process was measured individually for the purposes of completing a chronological timeline of events to represent the aggregate petition filing process.

These “steps” or events are as follows: Petition approved by ACS, Petition Created by ACS, Petition Leaves ACS, Petition Received in Court’s Petition Room, Court Creates Case, Petition Room Processing Done, Petition Leaves Petition Room, Intake Appearance Begins, and Intake Appearance Ends.

Generally speaking, the timeline can be split into two distinct processes; the ACS process starting at petition approval and ending at the delivery of the petition to court, and the Court process, starting at the receipt of the petition in the petition room and ending with the completion of the intake court appearance.

ACS’ initial process of petition approval, generation, and delivery to court takes an average of 2 hours and 24 minutes, approximately 42% of the total petition filing process. This average varied across the counties from 1 hour and 4 minutes in Richmond County to 3 hours and 12 minutes in New York County. The approximate percent of the total ACS filing time varied amongst the counties, from 31% in Bronx County to 55% in both Kings and New York Counties.

The Family Court side of the processing took an average of 3 hours and 18 minutes across the 5 counties, comprising approximately 58% of the total petition filing process. The approximate percent of the total Court processing time varied amongst the counties, from 44% in Kings and New York Counties to 69% in Bronx County.

The court process can essentially be divided into three process stages: the petition room processing, the pre-intake hearing stage, and the intake hearing itself. The average times for these processes are 50 minutes in the permanency planning unit, 2 hours and 17 minutes pre-intake, and 12 minutes for the intake hearing.

The petition room process includes work such as case inquiry for prior history and a domestic violence look-up, the case being reviewed for appropriateness for Family Treatment

Court, case create in UCMS, docketing and scheduling, and the manual creation of the physical case file. Once processing is completed in the petition room, the case is sent to the intake part where some pre-intake work takes place.

The lion's share of the entire process as it plays out in court is spent waiting for the parties to the case to come together and prepare for the hearing. Law guardians, who in this study were present in 87% of the cases, must be given a chance to review the petition. Sometimes they get to look at the petition when the court receives it; sometimes not. Parents, who appeared in 41% of the study cases, need to have checked in with the bridge officer, and speak with an attorney. Parent's attorneys, who usually get assigned and pick up the case minutes before the hearing, need to interview their clients. The ACS attorneys themselves need to finish up whatever cases they have been working on, insure that their client - the caseworker - is prepped, and get ready to present the case in court.

The culminating event, the intake hearing itself, takes about 10 minutes, but ranged from less than a minute in the case of a petition on an infant in an existing case (an afterborn) to a forty minute hearing to determine the placement of the child.

These figures provide general insight on an aggregate basis regarding the ACS petition filing process of Abuse and Neglect petitions in Family Court. The second segment of this baseline study report (p.7) provides more in-depth process details on a county-by-county basis.

Key Factors

A review of the results of the baseline study yield interesting inferences that can be drawn from the analysis of the timeline data. Specifically, three key factors that potentially affect the expediency of case intake have been identified through this data:

- Whether the petition is received in the petition room before or after lunch
- The number of parties in attendance at the court appearance
- The general practice of parties not arriving at court prior to 2pm

The data gleaned from this baseline study suggests that these overall broad trends in the petition filing process may have an affect on how quickly the events in the timeline take place. The receipt of a petition prior to the lunch hour generally seems to pose less of a delay to the eventual court appearance than a petition that comes in after the lunch hour, accounting for the hour of lunch.

The number of parties in attendance at the court appearance generally seems to have a positive relationship with the length of time the appearance takes, so that the more parties present, the more time is spent at the intake appearance. This is not necessarily a factor causing undue delay, however; when all parties are present for appearances, more substantial reviews of case issues can take place. Interestingly, the number of parties is not correlated to the overall length of the petition filing process.

Finally, the general practice of parties being advised not to arrive at court for new Abuse and Neglect petition filings until after 2 pm may have the greatest impact on when the case is called into court. For a case to be called, not only do the parties need to be present, but they also need to have already met with their legal representatives and completed interviews with necessary casework staff and/or treatment court staff. Discussion with both court and ACS employees that took place during the course of the baseline study indicated that both sides agree that parties arriving to court later in the day can delay the calling of a case before the judge.

This information is especially pertinent when coupled with the finding that there seems to be no correlation between how soon the petition arrives at the court and when the appearance before the judge begins. In New York County, where case creation in UCMS takes place prior to the arrival of the physical petition due to the practice of ACS sending the court a case intake sheet with demographic information regarding the day's expected filings, the findings still indicate that the court appearance time is not greatly impacted by this early information exchange.

Hence, the results of the baseline study provide not only a timeline of petition processing events, but also an indication that the method of information sharing, either through the current physical process, or through a new electronic interface, can have the greatest impact on processing times only when conflated with process change, or a change in the practice of handling these cases. The results of this study suggest that a potential practice change that may most acutely maximize on the efficiency of the electronic interface is to change the practice of generally beginning case appearances for these abuse and neglect filings after 2pm. Setting specific intake times such as 12 pm and 2:30 pm might encourage a change in practice where parties would be ready for intake earlier in the day. Otherwise, the benefits of the LUC project may not greatly impact the second half of the processing timeline, the time between when the case is created in UCMS and when the case is called.

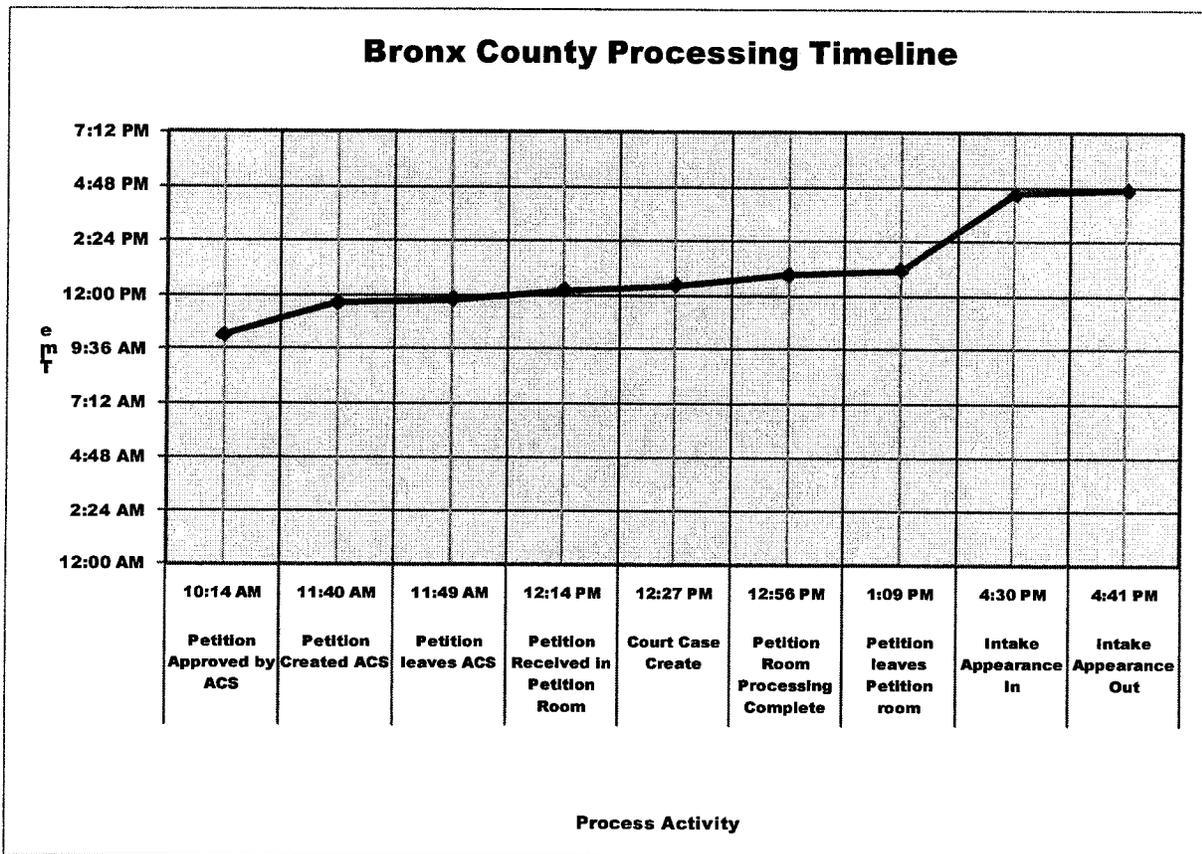
County Profiles

Bronx County

Bronx County’s individual timeline shows the longest petition filing process from start to finish, lasting an average of 6 hours and 26 minutes, however it is important to note that Bronx County also received the highest number of filings at 77 petitions, or an average of 15.4 petitions a day. Certainly, higher volumes of cases can have a cumulative effect on the expediency of petition processing. The entire petition filing process ranged from 1 hour and 48 minutes to 10 hours and 30 minutes.

Of these 77 petitions, there were a total of 39 families. There were 29 removals, at a rate of 38%. On average, 4 parties were present for each proceeding, and a respondent mother or father was present in more than half (42) of the appearances.

In the Bronx, the longest step in the petition filing process was, by far, the time between



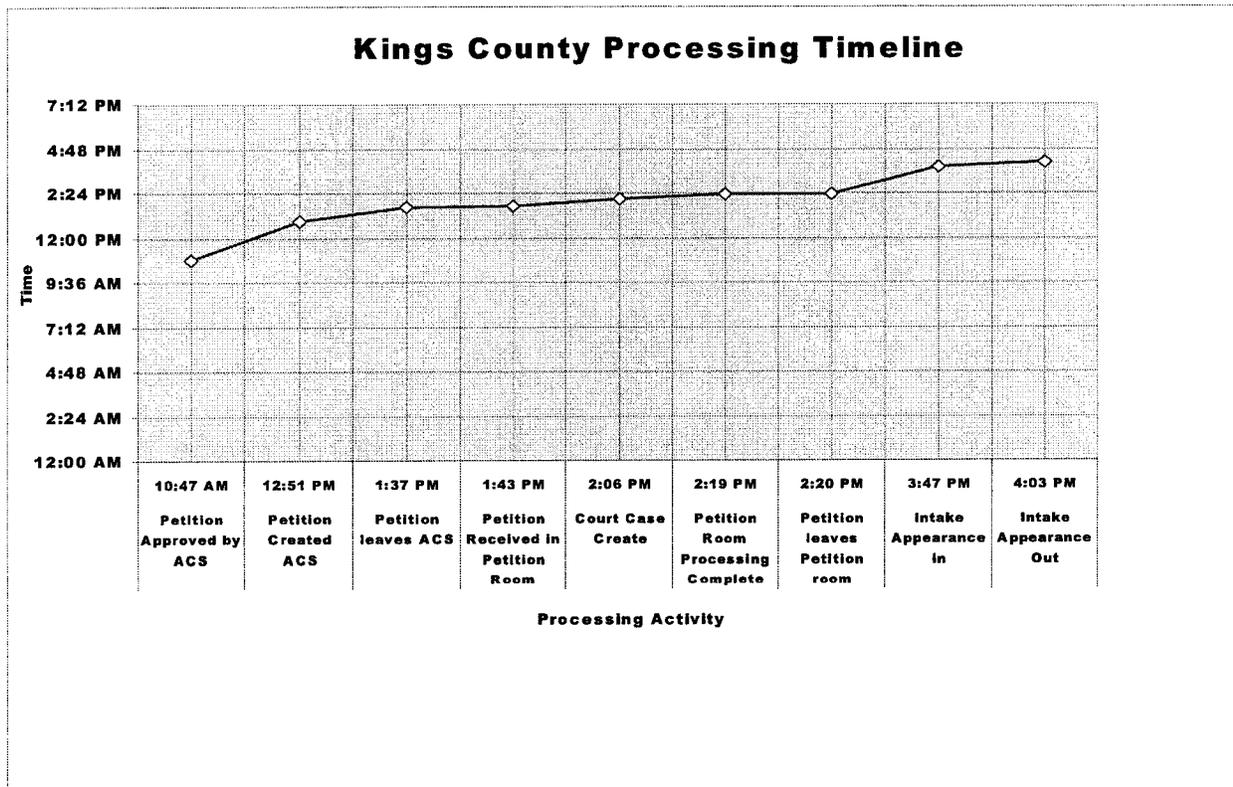
when the petition leaves the petition room to go up to the court and the time the case is called, at

an average of 3 hours and 21 minutes. This is also the longest step for any of the counties for any step throughout the baseline study.

The shortest step in the process in Bronx, and also the shortest step for this event across all the counties, is the time between ACS’ petition creation to when the petition leaves ACS for delivery, at 9 minutes, arriving at the petition room on an average of 25 minutes later.

Kings County

Kings County’s individual timeline was the closest to the overall NYC average of 5 hours and 14 minutes at 5 hours and 19 minutes. Kings received 54 petitions during the baseline week, or 10.8 cases a day, closes to the overall NYC average of 8.92 cases per day, per county.

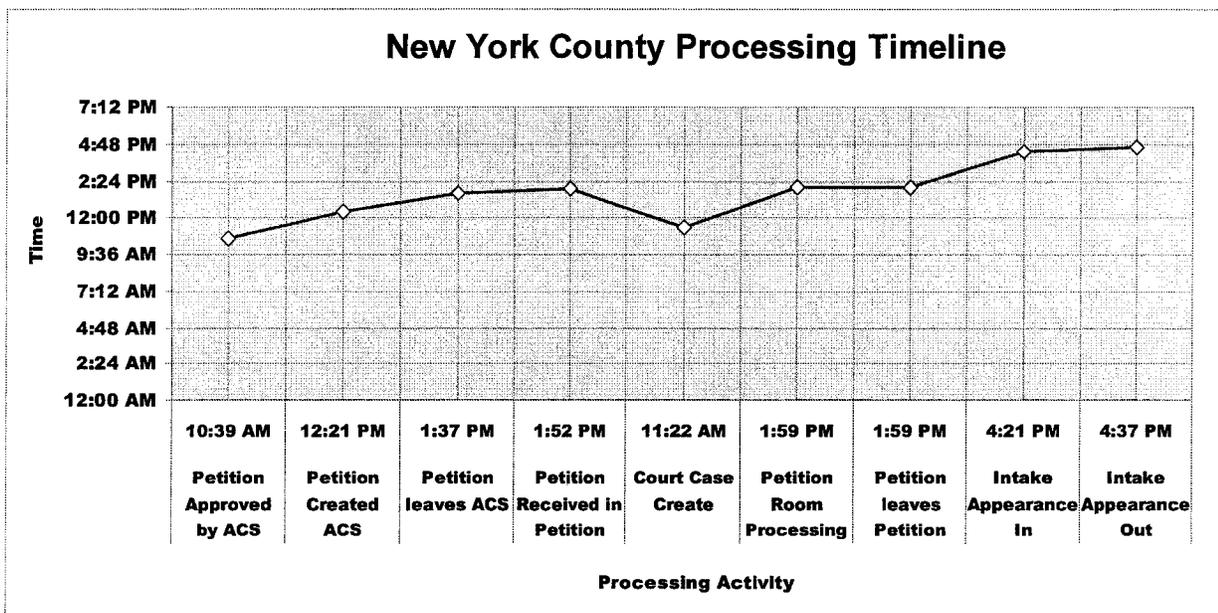


Of these 54 petitions, there were a total of 24 families. There were 27 removals, at a rate of 50%. On average, 5 parties were present for each proceeding, and a respondent mother or father was present in slightly less than half (24) of the appearances

The longest step in the Kings petition filing process was the time between ACS approving the petition to the time the petition was generated, lasting an average of 2 hours and 3 minutes. Subsequent steps in the process generally take less than half an hour per step, excluding the time between the petition leaving the petition room and the case being called in court. The quick turnaround time between events may be partially attributed to the location of a satellite ACS office within the Kings County Family Court building.

New York

New York County’s individual timeline encompassed an average of 5 hours and 58 minutes, close to the overall NYC average of 5 hours and 14 minutes. New York received 27 petitions, with an average of 5.4 petitions per day, much less than the overall NYC average of 8.92 cases per day, per county.



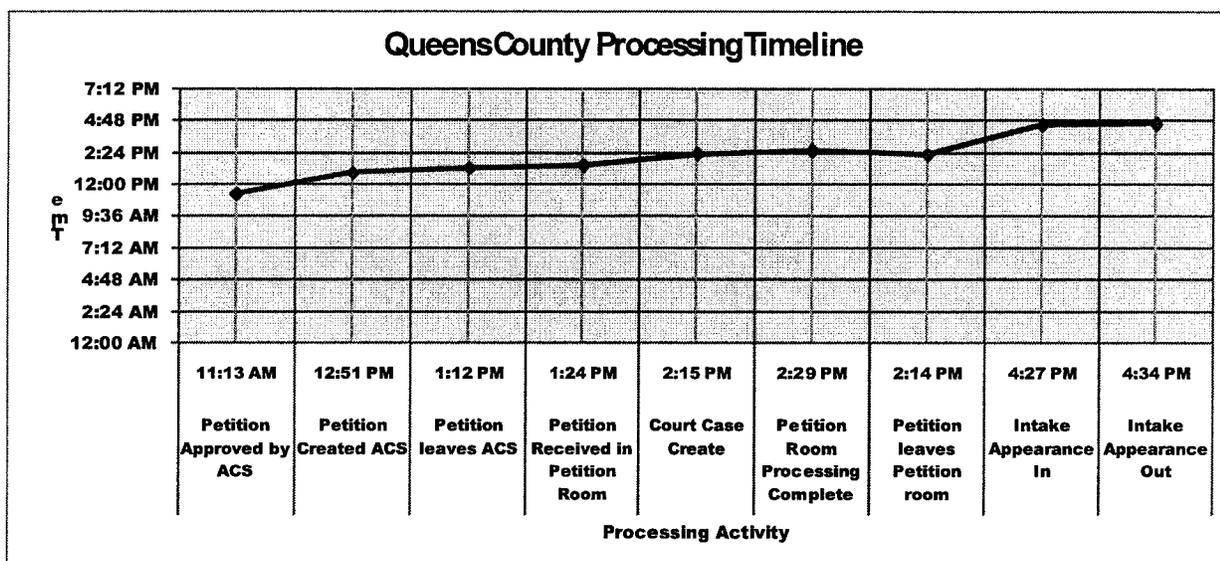
Of these 27 petitions, there were a total of 19 families, including 14 removals, with a removal in 52% of the petitions. On average, 3 parties were present for each proceeding, and respondent mother or father was present in just 12 of the appearance, less than half.

The longest step in the New York petition filing process is the time between ACS approving the petition to the petition being generated, with the delivery to the petition room

being the second longest step. However, it is important to note that a parallel process takes place in New York County, with the petition room’s activities being performed while ACS is drafting their petition. This occurs due to ACS faxing the court an intake sheet with information regarding all of the expected filings for the day. The petition room clerks can thus create the case in UCMS and the physical file while ACS completes the petition. Once the physical petition arrives, the petition room clerks have essentially already completed their processing and can send the petition up to this courtroom.

Queens County

Queens County’s individual timeline lasted an average of 5 hours and 27 minutes, close to the overall NYC average of 5 hours and 14 minutes. Queens received 52 petitions, with an average of 10.4 petitions a day, close to the overall NYC average of 8.92 cases per day, per county, closest of all the county’s to the overall NYC average.



Of these 52 petitions, there were a total of 30 families, including 5 removals, with a removal rate of just 10% of the petitions. On average, 4 parties were present for each proceeding, and a respondent mother or father was present in just 11 of the appearances, less than 20 percent.

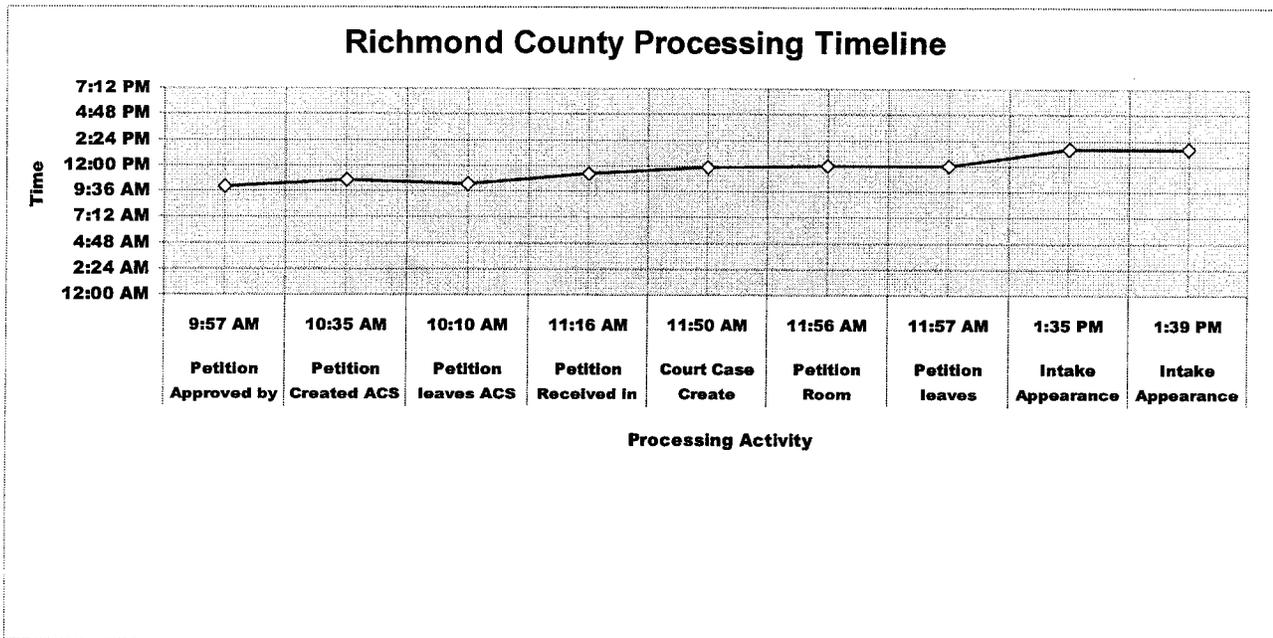
The longest step in the Queens petition filing process is the time between the petition leaving the petition room and being called into the courtroom for the intake appearance, which

took on average 2 hours and 12 minutes. Besides the Bronx this was the longest average wait for the case to be called of all the counties. The shortest step in the Queens petition filing process is the ACS delivery time, which took on average 3 minutes for a petition to arrive in court. Again, proximity of the ACS office to the petition room is a critical factor in how long this step takes.

Richmond County

Richmond County’s individual timeline lasted an average of 3 hours, far below the overall NYC average of 5 hours and 14 minutes and the shortest overall timeline of any of the counties. Richmond received 13 petitions, with an average of 2.6 petitions a day, the lowest volume of any of the NYC counties. The relatively lower volume of petition filing can be a possible contributing factor to the quick petition processing time in Richmond.

Of these 13 petitions, there were a total of 6 families, including 5 removals, with zero removals. On average, 2 parties were present for each proceeding, and a respondent mother or



father was present in just 2 of the appearances, less than 20% percent.

The longest step in the Richmond petition filing process is the time between the petition leaving the petition room and being called into the courtroom for the intake appearance, which took on average 1 hour and 11 minutes.

Appendix A

Methodology

The baseline study sought to study two specific categories of petition data: volume and time spent. Volume gives an assessment of what level of system capacity can be expected for the first build, and also will help the implementation team to plan accordingly for subsequent builds. This type of data was harvested through reports of filings from the Family Court's Universal Case Management System and ACS' Legal Tracking System.

The data collected involving time spent, in terms of how long each step of the petition filing and appearance scheduling process takes, is presented in the form of a timeline of the average case from ACS approval of the petition to the time the appearance begins. The collection of this data took the form of a time assessment survey called a Blue Card which was a document that traveled from ACS to the court attached to each petition, and was stamped by the workers who completed each step of the process.

The Blue Card was developed and tested by the LUC project team. Testing took place city-wide over a two day period, from March 12, 2008 through March 13, 2008, after which feedback was received from the users and slight adjustments made to the Blue Cards.

An example Blue Card and the instructions sent to the workers are attached in the following appendices.

Appendix B

*** example: blue card***

LUC Project Pre-Pilot: KINGS County

Docket # _____

Child Name _____

Date ____ / ____ / 0 8

Intake Start Time: _____ Intake End Time: _____

1. Petition leaves ACS

2. Petition is received in petition room

3. Processing in petition room complete

4. Petition leaves petition room

Time Stamp Here

Time Stamp Here

Time Stamp Here

Time Stamp Here

Appendix B

Baseline Study Blue Card Instructions

Practice Run: March 12

Collection Period: March 31- April 4

Thank you for participating in the Baseline Study!

This study will examine the filing and scheduling process for new abuse and neglect petitions, starting at ACS and ending with the court appearance. The data will be collected in the form of time stamps on Blue Cards.

Please follow these instructions for stamping the Blue Cards:

1. When the physical petition is received in the petition room, there will be a Blue Card attached to it. Please time stamp the second box on the Blue Card as soon as it comes in (ACS has already stamped the first box).
2. When you have completed processing the petition in the petition room (all jackets have been made, UCMS inquiry and case create are done, DV look-up is complete), please stamp the third box on the Blue Card.
3. When you are delivering the petitions to the courtroom, please note the time you arrive at the courtroom in the last box on the Blue Card.

*****Things to Remember*****

There should be one blue card for each petition filed.

Don't forget to make sure your time stampers have fresh ink.

If you have a question, just ask!

Your participation is greatly appreciated!!!

Appendix K

White Paper
February 2008



Building Bridges:

The Case for Sharing Data between the Court and Child Welfare Systems

Paul Drezelo
SENIOR COURT ANALYST

Amelia Lepore
SENIOR COURT ANALYST



Child Welfare

**NEW YORK
STATE**



Unified Court System • Division of Court Operations
Office of Alternative Dispute Resolution and Court Improvement Programs



Court Improvement Project

Introduction

Courts and child welfare agencies share responsibility for the state's most vulnerable children. Local Departments of Social Services (LDSS), under the supervision of the executive branch Office of Children and Family Services (OCFS), are responsible for investigating reports of abuse or neglect and deciding if children must be removed from their home when warranted by safety concerns. When children are removed, the LDSS must provide services to families and children to facilitate permanency goals and ensure the well-being needs of children are met while they remain in the state's care. Family Courts must protect the due process rights of parents and balance the rights of families to keep their children against the needs of children for safe, stable and permanent homes. Courts make the formal determination on whether a child's removal from the home was warranted and whether abuse or neglect has occurred. Courts then periodically review cases to decide if parents and child welfare agencies are meeting their obligations to the child.

In recognition of the negative impact that temporary foster care can have on children, the federal Adoption and Safe Families Act (1997) placed new obligations on the courts and child welfare agencies by creating statutory timeframes to expedite the achievement of safe and permanent homes for children in the foster care system. The federal government periodically reviews the state's performance in assuring the safety, permanency and well being of children in the child welfare system and defines that system to include the state courts. The state's success in the review process depends on both child welfare agency and court performance.

Achieving safety, permanency, well-being and due process goals in this complex system requires the efficient flow of information between and among multiple organizations and professionals. Monitoring performance requires reliable and accurate data. The dual priorities of efficiency and effectiveness have driven efforts by both the courts and child welfare agencies to develop robust data information systems to streamline operations, develop efficiencies and evaluation system performance. Research shows that significant outcome improvements can be achieved when courts and child welfare agencies develop interoperability between their respective data systems and share data¹.

There is considerable national activity around the issue of court/agency data sharing. In 2002 the federal government funded pilot projects designed to demonstrate the benefits of enhancing state court systems' capacity to implement automated data collection and case-tracking systems and to use such systems to evaluate court performance. The Strengthening Abuse and Neglect Courts Act (SANCA) initiative was implemented in six sites selected by the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention: Colorado, Georgia, Florida, Idaho, New Jersey, and Virginia. These pilots illustrated the potential benefits of enhanced case tracking capabilities and the use of data to measure court performance².

The American Bar Association Center on Children and the Law (ABA), the National Center for State Courts (NCSC), and the National Council of Juvenile and Family Court Judges (NCJFCJ) -- three of the nation's largest and most influential judicial and legal organizations focused on child abuse and neglect issues -- provided technical assistance to these pilot projects and jointly developed a document entitled "Building a Better Court" as a guide to help courts develop their capacity to measure performance and increase accountability in abuse and neglect matters³.

In 2004, the Pew Commission on Children in Foster Care issued an influential report⁴ which recommended strengthening court oversight of children in foster care. Noting the importance of data, the report stated: “To fulfill this responsibility, they [courts] must be able to track children’s progress, identify groups of children in need of attention, and identify sources of delay in court proceedings”. The report went on to recommend the following:

1. Every court handling abuse and neglect matters should adopt the court performance measures developed by the nation’s leading legal associations and use this information to improve their oversight of children in foster care⁵;
2. State judicial leadership should use these data to ensure accountability by every court for improved outcomes for children and to inform decisions about allocating resources across the court system; and
3. Congress should appropriate \$10 million in start-up funds and such sums as necessary in later years, to build capacity to track and analyze caseloads.

This third recommendation was implemented in The Deficit Reduction Act of 2005 which authorized and appropriated funds for a new grant program under the federal Court Improvement Program. The new grant program provided the New York State Unified Court System with an annual grant of approximately \$475,000 specifically for the purpose of improving collection and analysis of child welfare data. The CIP funding requires state court systems to implement grant funded activities with “meaningful and ongoing collaboration with the state child welfare agency,” and articulates the need for courts and child welfare agencies to collaboratively engage in tracking and monitoring outcomes through shared data analysis.

New York State has not been idle in pursuing the elusive and technically daunting task of sharing data between systems. Under the leadership of Chief Judge Judith Kaye, the New York State Unified Court System (UCS) has actively engaged with the OCFS and other government partners in a number of data-related projects described in depth below.

This report will discuss progress that has been made to date, the potential benefits for both the court system and the child welfare system and the opportunities and challenges inherent in moving forward toward the development of appropriate statewide interoperability of the respective organization’s management information systems and expanded sharing of data to support decision making.

Potential Benefits

Sharing data between the courts and child welfare system has specific potential benefits:

1. **System interoperability**: Interoperability means direct communication between individual agencies’ electronic case management systems in a way that is mutually beneficial. System interoperability supports enhanced operational efficiency, decreased data entry, faster service delivery, improved communication, standardized practice and improved data validity.

2. Increased capacity for evidence-based evaluation and enhanced decision making: Data sharing will benefit both the courts and child welfare agencies in their efforts to evaluate performance and monitor improvement efforts. With combined data, agencies can adopt a common outcome-oriented focus.
3. Reinforced partnerships between the courts and child welfare agencies: Through the interagency collaboration necessary to implement a data share, enhanced agency partnerships can emerge. Oftentimes, agencies work at cross-purposes unaware of the other's activities. Through the process of collaborating on data-share projects, agencies will be more likely to align resources and develop a sense of shared responsibility for the safety, permanency and well-being of New York State's children in foster care.

Progress to Date

The UCS, OCFS, and the New York City Administration for Children's Services (ACS) have all made progress in developing and implementing systems to collect and analyze data and to automate operations. Each of the respective organizations has developed automated management information systems.

The UCS has developed a robust state of the art case management system for the Family Courts: the Universal Case Management System (UCMS). The UCMS enforces the standardization of data, court processes and business rules and makes information available to judges, clerks and outside agencies.

UCMS allows users to create a case, assign a judge, schedule the case for an appearance and ultimately record the disposition of the case. UCMS includes a host of modules including: Case Create, Attorney Assignment, Inquiry, Court Activity, Inter-court Transfers, Permanency Planning, Forms, Reports, and Scanning. It also interfaces with the statewide Domestic Violence Registry which contains orders of protection issued for all Family, Criminal (family offense) and Supreme Matrimonial cases since 1995.

The OCFS maintains several data sources, but chief among them is the CONNECTIONS system which includes child demographic, family assessment and service plan data. CONNECTIONS, used by the New York City ACS and the fifty-seven Local Departments of Social Services outside New York City, is designed to support child-centered and family-focused case practice and to guide and document worker efforts to achieve these outcomes for children and families .

CONNECTIONS was developed with federal financial incentives provided to states to encourage the development of a Statewide Automated Child Welfare Information System (SACWIS) to provide a more efficient and effective administration of child welfare programs and to meet the federal mandate for state collection of standardized foster care and adoption data [the Adoption and Foster Care Analysis and Reporting System (AFCARS)]. CONNECTIONS, in accordance with these mandates, was designed to create a single, statewide, integrated system for the collection and recording of child protective services, preventive services, foster care and adoption services information⁶.

Recently the OCFS announced a comprehensive plan to update the CONNECTIONS system. The 2008-09 executive budget contains funding to support the first-year cost of modernizing the system. This will

reportedly entail a migration to an updated architecture and a comprehensive top to bottom review to enhance the end-user experience.

In New York City, ACS uses the Legal Tracking System (LTS), an automated legal tracking and workflow support system. LTS is used by ACS staff including those in the legal division, caseworkers, IV-E reimbursement auditors, and managers. LTS is also used by foster care provider agencies to track their legal and permanency hearing report status. The LTS system includes significant tracking and document production, and management support functions.

—LTS/UCMS/CONNECTIONS (LUC) Project—

A promising pilot project has been initiated in New York City. The catalyst for the project, known as the “Legal Tracking System/Universal Case Management System/CONNECTIONS” or “LUC” data share project, was a grant from the Pew Charitable Trust. This grant enabled the New York City Family Court and ACS to embark on an ambitious project to design and implement an interagency system interoperability project with the goal of streamlining the process of filing child protective petitions, synchronize the legal case information between the court and child welfare agency data systems and to enhance the reliability and validity of the respective data sets.

The LTS/UCMS stage of the project will be implemented using an existing data share architecture hosted by New York City’s Department of Information Technology and Telecommunications (DoITT). This will allow both systems to automate processes such as petition filing and submission of permanency reports to the court and on-line distribution of reports and Orders to parties. The court will use information submitted by ACS to initiate a case in the UCMS system and send information regarding the docket number and scheduled appearance information to the agency. ACS will use the court information to update their records concerning the outcome of hearings, next hearing dates, and reports due. The DoITT data share architecture will provide a mechanism to allow court data to be shared not only between the court and ACS, but eventually, subject to appropriate safeguards, with other entities as well (such as law guardians or respondent parents’ counsel.) When everyone has access to the same information, inefficiencies caused by misinformation and miscommunication will be minimized. In a city with thousands of cases, the benefits will be substantial.

To date, the project workgroup has defined the business requirements and developed a multi-phased project plan to implement the project objectives over four “builds” throughout 2008-2010. The next steps are to continue work on the interagency architecture and to begin system requirements and coding for the phase one build.

To measure the impact of the LUC project on court operations and inform the design process, a study was conducted by the OCA Office of Trial Court Operations to document the current process of manual petition filing in child welfare matters in the New York City Family Court. This study established an operational baseline that will be used as a reference point for comparison purposes in post-LUC implementation studies.

It is envisioned that implementation of the New York City phase of the project will provide a model for the development of statewide interoperability. The LUC Governance group, which includes

management from the UCS, OCFS and ACS, will provide a forum to explore the feasibility of creating similar interoperability between UCMS and CONNECTIONS to extend the benefits statewide. A joint OCFS/OCA working group has already engaged in several pre-requisite tasks including: 1) development of a descriptive analysis of the UCS and OCFS data sets; 2) comparative analysis of UCS and OCFS data from several pilot counties; 3) documenting the challenges that inhibit interoperability, and; 4) exploring solutions to overcome identified challenges.

—Evidence-Based Evaluation and Enhanced Decision Making —

As the LUC project has worked to develop true interoperability between systems, the UCS and the OCFS have simultaneously explored ways of manually exchanging data to support decision making and evaluation of improvement efforts. In 2006, the Permanent Judicial Commission on Justice for Children published the first edition of *The CHILD in Child Welfare and the Courts* in collaboration with the OCFS and the New York State Council on Children and Families. The data book includes statewide and county specific data profiles that presented court and child welfare data related to the federal Child and Family Services Review within the context of child well-being indicators to inform local and state policy development, planning and accountability as a means to improve outcomes for children, youth and families.

The OCFS has developed a robust outcome framework published in the Foster Care Profile, a report developed by Chapin Hall Center for Children⁷. The Foster Care Profile provides state, regional and county staff with longitudinal data on the rate of placement into foster care and information on the core outcomes of county foster care systems: length of stay, permanency, placement stability and re-entry. The Foster Care Profile provides a longitudinal analysis to help administrators recognize trends in child welfare services and core outcomes, a process begun several years ago in response to the Federal Child and Family Service Reviews.

In 2007, the Child Welfare Court Improvement Project recognized the potential value of this data to the court system. In partnership with the OCFS this data was distributed to family court managers statewide. The objective of the parallel dissemination effort is twofold: to provide a single child welfare data set emphasizing local data to all county-based DSS agencies and family courts throughout New York State; and to foster local court-child welfare agency discussions based on data to improve the outcomes for children in each given region. Plans to expand upon this effort are outlined below.

Going Forward

The existing technology infrastructure and history of collaborative projects described above provide fertile ground from which to cultivate a comprehensive, coordinated plan to develop appropriate statewide interoperability of the respective organization's management information systems and expanded sharing of data to support decision making and system improvement efforts. To succeed, clear goals for data sharing must be articulated by the senior management of both the court system and the child welfare system. Concrete interagency plans must be developed as to how best achieve the project's objectives.

The UCS and OCFS must work collaboratively to plan and prioritize data sharing initiatives. The creation of LUC Governance Group is a significant first step in ensuring ongoing coordination in planning the scope, schedules, and resource allocations necessary to achieve project goals.

—System Interoperability—

The pilot project in New York City to share data between the New York City Children’s Services Legal Tracking System and the Family Court UCMS can be considered a first step toward developing statewide interoperability. However, significant challenges exist.

First, the functionality engineered in UCMS as a result of the LUC project could be applied to counties outside of New York City, however the Legal Tracking System is only used in New York City and the current version of CONNECTIONS does not have the capability to store certain legal-related data. For example, the current version of CONNECTIONS does not contain the final version of the Permanency Report submitted by the agency to the court prior to the permanency hearing. Caseworkers prepare the report in CONNECTIONS, but it is subsequently exported from the system so that the document can undergo legal review prior to submission. If the Permanency Report could be submitted electronically directly from the CONNECTIONS case management system, UCMS could electronically promulgate the report to the attorneys of record and other parties entitled to a copy of the report. This would allow thorough review of the report by the judicial reviewer and all interested parties well in advance of the permanency hearing, ostensibly the intent of the legislature in requiring the report be submitted 14 days prior to the hearing. To maximize the potential benefits of court and agency data system interoperability, this, and other process issues must be rectified. Presumably the current CONNECTIONS modernization planning process will provide the opportunity to do so.

Another challenge is matching data records between organizations. The UCS and OCFS maintain distinct child identifiers in their respective systems—the Entity ID in UCMS, the Person Identification (PID) in CONNECTIONS. Consequently, to identify children between systems, the use of demographic information (i.e. first/last names, date of birth, etc.) must be employed, which presents identification challenges due to spelling/data variations. To avoid the pitfalls of data-matching on the basis of demographic characteristics, a more accurate, standardized way of identifying children across systems must be developed. The use of a linking mechanism between separate agency ID numbers for children can eventually lead to the evolution of a uniform statewide cross-system child identifier.

Lastly, improved statewide operational standards to ensure consistent data from court-to-court and from LDSS-to-LDSS must be developed. Discrepancies are due in part to the division of state and county responsibilities in the NYS child welfare system; and to the need to allow for local flexibility in each county-level family court within the statewide court system. Uniform practices will enhance the syncing of data between systems. To improve the reliability and validity of data elements the UCS and OCFS must jointly identify business rules and definitional standards and support training of end users to promote consistency. Such steps will greatly enhance our ability to share data in a meaningful way.

—Evidence-Based Evaluation and Enhanced Decision Making—

The Child Welfare Court Improvement Project (CIP) has established a goal to develop child welfare court data measures to report information regarding child welfare court operations within a child

outcomes framework to New York State Family Courts. Since 2002, the Center for Court Innovation (CCI) and New York City Family Court have been working together to develop such benchmark measures for abuse and neglect cases using UCMS data.

Based on emerging national standards designed to assess court performance in child welfare cases the CIP will compile and disseminate a comprehensive report that integrates child welfare court metrics with the OCFS Foster Care Profile data measures. Using metrics from both court and agency data sets will provide an up-to-date, comprehensive view of the status of New York State's child welfare system from removal to permanency.

These county-by-county data indicators will provide benchmarks in the following categories:

1. Child safety
2. Timeliness of permanency
3. Child well-being
4. Due process

In partnership with the OCFS this data will be distributed to all family courts statewide and all fifty-seven LDSS. The data will provide a longitudinal view for the purpose of tracking trends over time as well as comparative analysis across counties. This combined data set will provide a foundation to better monitor the impact of court reform initiatives and will assist local counties to focus on identified issues that emerge from an analysis of the data. Preliminary discussions are underway with both Chapin Hall and CCI to harness the expertise of their respective organizations in this project.

Eventually this data will be promulgated via a web-accessible, "executive dashboard" user interface. This will provide a user-friendly, comprehensible method of retrieving and displaying critical child welfare data in an organized fashion. This interface will provide significant insight into both short term operational effectiveness and long term trends to serve as the basis of policy development.

Conclusion

Overcoming the complex challenges to achieve data share goals will require continued, sustained interagency collaboration among the courts, the OCFS and local partners. There are substantial potential benefits for both the court system and the child welfare system that weigh in favor of moving forward toward the development of statewide interoperability of the respective organization's management information systems and expanded sharing of data to support decision making. The commitment to achieving these goals is the result of an increased sense of shared responsibility among the leadership of both systems for New York State's children in the foster care system.

¹ www.fosteringcourtimprovement.org

² Strengthening Abuse and Neglect Courts in America: Management Information Systems (SANCA MIS) Project, Office of Juvenile Justice and Delinquency Prevention

³ Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases

⁴ Fostering the Future: Safety, Permanence and Well-Being for Children in Foster Care: The final report of the Pew Commission on Children in Foster Care, May 2004

⁵ These court performance metrics are under final federal review and will reportedly be published soon.

⁶ OCFS Administrative Directive: Case Management Changes Associated with CONNECTIONS Build 18 (February 2005)

⁷ New York State Data Packet Fall 2007. New York State Office of Children and Family Services: 2007.