Annual Program Assessment Report

December 31, 2009

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Appendix A

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Appendix B

Implementation Plan for CWCIP Project to Enhance Court Practices in Jurisdictions Outside New York City

1. Identify counties with the largest population of foster children in out of home placement due to abuse/neglect, voluntary placement or surrender.
    - 17 Counties Identified base upon data received from OCFS current as of 3/31/2008. Many of these counties already engaged in the work and already have a liaison assigned.
    - Assign Liaisons to counties not currently engaged in the work
2. Contact OCFS to discuss initiative and alignment with CFSR PIP in the hope that OCFS will support the initiative at the State and local levels.
    - Meeting held on Feb. 12th.
3. Draft Protocols to be adapted from the National Council of Juvenile and Family Court Judges' Model Court Protocols.
4. National Council of Juvenile and Family Court Judges conduct training for CWCIP staff on the role of the liaison as well as the NCJFCJ Resource Guidelines.
    - Held on March 3 – 4, 2009
5. Office of ADR & CIP conduct training for CWCIP staff on strategies for Large Group Facilitation
    - Held on March 24 – 25, 2009, Offered again in Syracuse, May 15 -16.
6. Develop a differential response strategy to engage each County identified.
7. Identify proposed lead Judges
8. Advisory Committee Chairperson to introduce Initiative at Administrative Judges' Meeting on June 3, 2009.
9. Advisory Committee Chairperson to speak to individual Administrative and/or Supervising Judges directly seeking approval to engage identified Lead Judges
10. Invite Local Family Court Judges identified to serve as Lead Judges per mode as agreed upon by District Administrative Judge or Supervising Judge.
11. Develop and deliver a Webinar for all lead Judges to introduce the project protocols, introduce staff of CWCIP and answer questions from the lead Judges. Webinar Topics to include:
    - NCJFCJ Model Courts Initiative Outlined
    - Work of CWCIP explained
    - Project goals explained
    - Role of the Lead Judge Outlined
    - Explanation that a County's participation is voluntary
    - Next steps discussed
        i. Webinar Steps
            1. Develop steps for Judges to access the webinar
            2. Draft letter to Judges prior to webinar with instructions/asking for questions to be submitted in advance/include a copy of Building a Better Collaboration
            3. Develop Power Point incorporating Model Court Power Point, NY Vision and goals, Role and experience of a Lead Jude, Review of local protocols, Role/Structure of CWCIP & Liaisons and nature of technical assistance and next steps including information on all-sites meeting
            4. Order Building a Better Collaboration to send to all Lead Judges
            5. Develop a one-page document of Model Court Kick Off Activities

12. Liaison staff meet personally with local Lead Judges to solidify commitments and mutual understanding.
13. Work with OCFS on drafting letter to local commissioners to be sent from Lead Judges requesting their participation and co-facilitation of the child welfare collaborative.
14. Liaison staff work with lead Judges on inviting local social services district to co-chair local stakeholder's group
15. Liaison staff work with lead Judges to identify membership of multi-disciplinary stakeholder groups and to review ongoing CWCIP activities to meet project objectives.
16. Hold kick-off meeting with teams from each project site in the spring 2010.
    - 1 ½ day Meeting. First ½ day is for Lead Judges only, and will address their role as a lead Judge. Second day they are joined by their interdisciplinary county team of approximately 10 people.

TASKS TO BE COMPLETED

1. Customize NCJFCJ Protocols for New York
2. Draft sample letter for lead judges to send to local social services' commissioners
3. Choose location for kick-off event & set dates
4. Develop webinar for lead Judges – and details as above
5. Develop curriculum for two day event

Appendix C

NEW YORK STATE CHILD WELFARE COURT IMPROVEMENT PROJECT INITIATIVE TO ENHANCE COURT PRACTICES IN CHILD WELFARE PROCEEDINGS

PROTOCOL

The Child Welfare Court Improvement Project's (CWCIP) 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.

Through a collaboration with the National Council of Juvenile and Family Court Judges ("NCJFCJ"), CWCIP is implementing a statewide expansion and enhancement of best court practice initiatives developed and learned from the NCJFCJ's Victims Act Model Courts Project (VAMC). The VAMC is comprised of more than a dozen years of feedback, evaluation and evolution of strategy and process towards improving child welfare outcomes by supporting designated Model Courts across the country. The NCJFCJ's research-supported model, coupled with the local knowledge, expertise and experience of the CWCIP staff and local court personnel, will efficiently and effectively serve to maximize the strategic establishment of best practices and systems reform in each jurisdiction in New York State.

The New York State Child Welfare Court Improvement Project Initiative to Enhance Court Practices in Child Welfare Proceedings (The Project) is, in large part, a replication of the work of the NCJFCJ VAMC. The resources that serve as the basis for the NCJFCJ reform work will also support and define the work of The Project. These publications include the *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases* (*RESOURCE GUIDELINES*), and the *ADOPTION AND PERMANENCY GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases* (*ADOPTION AND PERMANENCY GUIDELINES*).

The Project will focus on the commitment of an identified lead judge, and the local child welfare community, to improve court practices and ultimate outcomes for children and families in child welfare proceedings. Several statewide goals and objectives have been established as hallmarks of The Project that will serve to guide lead judges in their efforts to improve outcomes for children and families. They are:

1. Achieving earlier permanency for children in foster care by improving timeliness to adjudication, disposition and resolution of termination of parental rights proceedings, decreasing number and duration of adjournments and providing for continuous trials.

2. Ensuring that every appearance is meaningful by supporting thorough permanency hearings, timely reporting and ensuring practitioners are on-time and prepared for court.

3. Assisting families to engage in problem-solving by expanding the use of Alternative Dispute Resolution (ADR) options and Court Appointed Special Advocates (CASA) and enhancing participation of children and youth in permanency hearings.

4. Reducing the disproportionate representation of minorities in the foster care population.

Achieving these goals and objectives will be accomplished through:

1. convening a local multi-disciplinary stakeholder group who will engage in a process of strategic goal setting, and work toward the achievement of these goals
2. engaging in a critical analysis of local child welfare practice;
3. supporting local issue-based initiatives through intensive technical assistance; and
4. providing information and training to improve competencies of all child welfare professionals;

I. Active Participation in the Initiative To Enhance Court Practices In Child Welfare Proceedings

It is expected that NYS Family Courts participating in **The Project** will hold themselves out as a jurisdiction committed to implementing system change through implementation of *RESOURCE GUIDELINES*, and the *ADOPTION AND PERMANENCY GUIDELINES*. Courts will actively participate in the initiatives and programs supported by the CWCIP and the NCJFCJ.

Characteristics of active participation will include:

- Designation of a lead judge of The Project;
- Demonstration of judicial leadership both on and off the bench, including building, overseeing and furthering the goals of a multidisciplinary collaborative team, and advocating process improvement toward achieving CWCIP strategic goals;
- Frequent, clear, and regular communication between the Lead Judge and the assigned CWCIP Liaison;
- Strategic planning toward the local implementation of the NCJFCJ *RESOURCE GUIDELINES* and the *ADOPTION AND PERMANENCY GUIDELINES*;
- Active development, facilitation, and participation in site visits to other jurisdictions and on-site trainings;

- Attending and participating in the CWCIP All-Sites Conference and meetings/conference calls of the Lead Judges;
- Meeting CWCIP deadlines, including responding to surveys and evaluations; and
- Consistent service to the CWCIP as faculty at trainings, mentoring other judges, membership on CWCIP workgroups, and promotion and outreach on behalf of the CWCIP.

II. Appraisal of Participation

A founding philosophy of The Project is the concept of openness – for each court to be open to change, open to partnering with community stakeholders, open to working with a multidisciplinary collaborative structure, open to self-assessment, open to suggestion and feedback by CWCIP. The evidence of openness is found in the dialogue between the Lead Judge and their CWCIP Liaison. That dialogue is characterized by exchange of information, frequent contact, and flexibility.

The appraisal of active participation is part of the services provided by the CWCIP. It is a process that is necessarily flexible, and is not characterized by arbitrary decisions based on a point-in-time checklist. That process is influenced by availability of local resources, the dynamics of local politics, active involvement of the court, and the efforts of the leadership. The purpose of appraisal is not to be evaluative but for the CWCIP Liaison to gain as much information as possible in order to provide targeted technical assistance and support toward project goals.

A. CWCIP Liaisons

The CWCIP designates a CWCIP Liaison to work with and support each court. CWCIP Liaisons have been stationed in several Judicial Districts across the state to ensure that each court has frequent access to its liaison and that liaisons can have a role in furthering the goals of The Project.

The Liaisons serve as direct support and contact, and work closely with individual lead judges to develop, prioritize, and achieve local collaborative and CWCIP goals and to help facilitate systems change efforts. The Liaisons assist the lead judges by keeping in regular communication through in person meetings, telephone and email correspondence; providing technical assistance, including attendance at stakeholders' meetings, supplying publications and other reference materials; and planning and conducting trainings and new projects as appropriate. It is through provision of these services that the Liaisons will appraise a court's participation and performance.

B. Appraisal Process

Appraisal will happen informally on an ongoing basis through participation in The Project and the Liaison will provide feedback to the lead judge and, at the lead judges' request, to the stakeholder's group. The appraisal process affords the Liaisons the

opportunity to identify strengths, challenges, and technical assistance needs of their courts, and to provide a seamless continuum of analysis and critical feedback.

During the appraisal, CWCIP Liaisons will engage in some combination of the following:

- observation of court hearings;
- conducting interviews with stakeholders;
- analysis of multidisciplinary Stakeholder's group and other subcommittee meetings;
- critical assessment of court processes;
- review of court files;
- provision of constructive feedback and other forms of information-sharing; and
- research and evaluation in response to technical assistance requests.

Upon request, the CWCIP Liaison will draft a report for the Lead Judge, analyzing best practices strengths and areas for improvement of the Court. This report describes the purposes, participants, activities, meetings, work toward court goals, technical assistance, and other relevant information learned during appraisal.

III. Expectations

A. Expectations of the Lead Judge

Although the involvement of each lead judge will be influenced by unique local factors, the general expectations are the same. Being a lead judge requires direct involvement in reform efforts and openness to constructive feedback from the CWCIP Liaison and other CWCIP staff.

1. Development of a Multidisciplinary Collaborative Team

The Lead Judge in each jurisdiction must bring together a multidisciplinary collaborative team that appropriately represents the range of stakeholders. The multidisciplinary collaborative team shall have regular standing meetings to establish and monitor goals, and strategically plan for goal achievement. The Lead Judge is expected to maintain involvement in the collaborative team activities.

The CWCIP Liaison is an invaluable resource for development of a stakeholder group, strategic planning in furtherance of the groups goals, and evaluation of the multidisciplinary collaborative team's needs, configuration, and challenges. CWCIP Liaisons gather ideas from different stakeholder perspectives in order to assist the courts in developing individualized approaches to improve court practice that are based upon the unique needs of each court, child welfare system, and community.

The NCJFJC publication *Building A Better Collaboration – Facilitating Change in the Court and Child Welfare System*, Technical Assistance Bulletin, PPCD/NCJFCJ, Vol.

VIII, No. 2 (April 2004), is recommended reading to provide strategies to build, enhance, and sustain a multidisciplinary collaborative structure. Strong judicial leadership is the cornerstone of the collaborative structure.

The Lead Judge must facilitate the establishment of a multidisciplinary collaborative structure of stakeholders including, but not limited to:

- all child welfare judges and judicial officers;
- local and state child welfare administrators and staff representatives;
- court administrative personnel
- treatment court representative(s)
- IDV and other specialty court representatives
- attorneys for children;
- CASAs;
- parents' attorneys;
- child welfare agency attorneys;
- congregate care facilities representatives
- residential treatment facilities representatives
- educational resources;
- foster care alumni;
- foster parents and caregivers;
- representatives of other state and local agencies (i.e., OMH, OMRDD, OASAS);
- tribal representative
- child welfare mediation program representative
- County or State legislator(s)
- direct service providers (medical, psychological, substance abuse, domestic violence etc.); and
- Director of Housing
- Director of Mental Health
- other stakeholders appropriate to the jurisdiction.

The CWCIP Liaison is a member of the stakeholder's group in each jurisdiction where they are assigned. The Lead Judge must hold regular meetings with the team of multidisciplinary stakeholders and share information with fellow judges, team members, and other jurisdictions about best practices and CWCIP initiatives. These meetings are to further progress on identified local annual goals. In addition, the collaborative team must hold a strategic planning meeting on an annual basis to discuss goals, system reform efforts, and ongoing incorporation of best practices in court processes.

Annually, representatives of the collaborative team from each of the Enhanced Practice Courts gather for an All-Sites Conference. Each court is represented by a delegation from the multidisciplinary team, led by the Lead Judge. The All-Sites Conference provides an opportunity for all Enhanced Practices Courts to come together to assess progress and goal achievement, identify challenges, brainstorm solutions, and mentor

each other. During the All-Sites Conference, collaborative teams work with their designated Liaisons to set goals related to best practices for the coming year.

2. Communication

The Lead Judge must also maintain ongoing and regular communication with the CWCIP Liaison. The minimum amount of required contact time is one *substantive* contact every month which does not include the participation of the Liaison and Lead Judge at a collaborative team meeting.

3. Attendance at Key Conferences and Meetings

a. Lead Judges' Meetings/Conference Calls

A lead judges' meeting is held each year in conjunction with the All-Sites Conference. In addition, the lead judges will be required to participate in a series of conference calls to continue the dialogue about court improvement practice, policy, mentorship, and program issues, as well as issues unique to their leadership role.

b. CWCIP All-Sites Conference

Barring emergency circumstances, the Lead Judge must attend the entire annual All-Sites Conference to report on activities, to participate in goal-setting, and to network with other courts. As courts work to institutionalize and sustain change, lead judges serve a critical leadership role. Lead judges need a forum in which to share specific concerns, challenges, and strategies unique to their lead judge role.

c. Child Abuse and Neglect Institute (CANI)

Lead judges are given the opportunity, through joint CWCIP/NCJFCJ funding, to send a judge or judicial officer to the NCJFCJ Child Abuse and Neglect Institute (CANI). In 2010, the CWCIP and NCJFCJ will host a full CANI institute in New York State. Lead judges are expected to attend or have attended the CANI Conference. The local offering of this institute is anticipated to make the attendance easier. When lead judges have attended, the opportunity may be extended to judges and judicial officers who are new to the bench or new to child welfare practice.

B. Expectations of the Enhanced Practices Courts

To participate in The Project, each Court must demonstrate a commitment to improving court practice in the handling of child abuse and neglect cases. Each court must evidence its commitment to implement change by designating a lead judge who has the ongoing support of the District Administrative and/or Supervising Family Court Judge to

implement court improvement activities *court-wide*, rather than in a single courtroom.[1] The District Administrative and/or Supervising Family Court Judge must also be available and open to communication with the CWCIP Liaison and other CWCIP staff. The lead judges must make a commitment of time, effort, leadership, and authority to these systems change efforts.

1. Collaboration

A genuine multi-disciplinary collaboration within child welfare encourages existing community programs to come together to direct change for children and families.[2] Successful collaborations in child welfare results in raised awareness and learning by each stakeholder.[3] Each agency, not only the system, is changed in a way that better serves families and children. The keys to successful system change in child welfare are strong leadership, effective communication, involvement of stakeholders, adequate training and a clear definition of the compelling reason to change.[4]

Successful change begins by investing key stakeholders. "A stakeholder is any group or individual who can affect or is affected by the achievement of the organizations objectives.[5]" Those stakeholders who become invested early in the process can have great impact on the development of group's mission and objectives.[6] Those who are not invited to participate or reject the offer often become another barrier to change.[7] "When all stakeholders are involved in an organization's direction-setting process, the best thinking of all concerned is brought to the table.[8]"

Stakeholders are expected to represent their peers as a member of the multi-disciplinary group and not merely their own opinions and beliefs. It is imperative that the individuals understand that a crucial part of their role to act as a conduit of information for the peer group they represent. Stakeholders should regularly communicate with their peers about Enhanced Practice Court activities as well as communicate feedback from their peers to the collaborative team.[9]

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[1] While best practices may be piloted in a single courtroom for a specified period of time (e.g., to facilitate their adoption), it the expectation of The Project that those best practices be disseminated and adopted by the entire bench handling Art. 10 cases in that jurisdiction.

[2] Sid Gardner, *Failure By Fragmentation*, CALIFORNIA TOMORROW, Fall 1989 at 21-22.

[3] *For example, see* Martha A. Gephart, et. al., *Learning Organizations Come Alive,* 50 TRAINING & DEVELOPMENT 34 (December 1996).

[4] Dick Smith, *Invigorating Change Initiatives,* 87 MANAGEMENT REV. 45 (May 1998).

[5] R.E. Freeman, Strategic Management: A Stakeholder Approach, Boston:Ballinger (1984) .

[6] Donna J. Wood & Barbara Gray, *Toward a Comprehensive Theory of Collaboration,* 27 J. OF APPLIED BEHAVIORAL SCIENCE 154 (June 1991).

[7] *Id.* at 155.

[8] Charles Schwahn & William Spady, *Why Change Doesn't Happen and How to Make Sure it Does,* 55 EDUCATIONAL LEADERSHIP 45 (April 1998).

2. Draft a Mission Statement

Enhanced Practices Courts, with the assistance of the CWCIP Liaison, shall draft a Mission Statement reflecting the Court's collective vision for improved court practice. The Lead Judge will also work with the Liaison to assess current practice and establish court improvement goals, training and technical assistance needs.

3. Plan the Implementation of the *GUIDELINES*

The Enhanced Practices Court and its multi-disciplinary group should review the best practices as outlined in the *RESOURCE GUIDELINES* and *ADOPTION AND PERMANENCY GUIDELINES* and take concrete steps towards their implementation. The Court will continue to work with the CWCIP Liaison to assess practice, case processing timelines, and collaborative structure to target areas for reform, to design practice, policy, and program improvements, and to implement those improvements. Initially, the courts are expected to focus reform efforts on core CWCIP goals and then, over time, become more expansive with issue-focused programs and initiative development, while maintaining a commitment to and evidencing implementation of core best practices.

4. Enhanced Practices Court Goals

In consultation with their multi-disciplinary group, and in furtherance of the goals of the multi-disciplinary group, the court will designate at least three (3) annual goals that are realistic, attainable and measurable. The CWCIP Liaison will assist the court in designating and achieving these goals.

5. Annual Report

Due to federal grant reporting requirements, Enhanced Practice Courts are required to submit an informal annual report that will outline the progress of the Court's goal achievement, implementation of best practices, collaborative structure, and local demographic information. This informal report should also highlight any systemic challenges or barriers that need to be overcome. Each court is expected to develop and report on outcome measures to assist with their goal achievement.

C. Expectations of CWCIP

1. The CWCIP Liaison

Each Enhanced Practice Court will be designated a CWCIP Liaison. The CWCIP Liaison is the primary contact for each court to The Project. They serve as a key resource for the courts, providing substantive technical assistance and training, and will be the primary appraisers of participation in The Project.

Most support to the Enhanced Practice Court will come from the CWCIP Liaisons through onsite visits, attendance at collaborative meetings, responding to requests for Technical Assistance and providing training to the court and its key stakeholders on issues effecting child welfare outcomes. CWCIP Liaisons will make all new opportunities known to the Lead Judges as they become available.

a. Multidisciplinary Trainings

Subject to available funding and when appropriate to facilitate current, identified local and statewide project goals, the CWCIP will help develop multi-disciplinary training drawing from all relevant stakeholders within the multi-disciplinary group. It is CWCIP's goal to ensure that funding resources are used *efficiently* (e.g., affording enough planning time to ensure the most reasonable airfare for off-site faculty or to allow for exploration of training locations and to negotiate the best rates) and *appropriately* (e.g., to ensure that the topic is directly related to the goals and reform efforts, and that materials are of the highest possible quality). If CWCIP is a sponsor or co-sponsor of a training, notation on training materials must include reference to the CWCIP.

CWCIP responsibilities in training activities may include:

- planning programs and agenda development. For example, identification of learning objectives, inclusion of adult learning methods, assistance to identify appropriate participants, and selection of faculty;
- contacting faculty and communicating the training objectives. Providing input on substantive content and suggestions for the most effective presentation of the material, identifying and assembling training materials for distribution;
- coordinating logistical arrangements (e.g., AV needs, travel and hotel);
- evaluating training outcomes and effectiveness;
- providing follow-up technical assistance or other materials after the training has concluded; and
- providing promotional and conference materials and handling registration.

A CWCIP Liaison or other CWCIP staff member is often, but not always, at the site to facilitate the training. As part of their leadership role, lead judges should actively participate in multidisciplinary trainings (e.g., as an MC, or providing opening remarks), should encourage participants attendance by requesting "stop court and train" permission from the District's Administrative Judge and should ask attendees to fully complete evaluation forms.

b. Technical Assistance

CWCIP Liaisons possess information about a wide range of topics related to court reform initiatives, including legal issues, policy issues, programmatic and practice issues, and resource and funding issues. CWCIP Liaisons will harness their knowledge, as well as the knowledge of other CWCIP staff, upon requests for information will research and review subject matter material and then synthesize the information for use by the requesting Court.

The importance of regular, frequent, and ongoing communication between the Lead Judge and the CWCIP Liaison is demonstrated especially with regard to technical assistance. When the Liaison is up-to-date on goal development, challenges, successes, strategies, he or she is better able to *proactively* provide technical assistance that will help the court efficiently and effectively meet its goals.

The CWCIP regularly issues a Best Practice Bulletin that addresses current topic areas toward ensuring positive outcomes for children and families in the child welfare system. CWCIP will provide this publication, as well as other relevant publications including those promulgated by the NCJFCJ to the lead judge. These publications serve as an excellent means to share information about The Project and local court progress as well as serving to build buy-in from systems' stakeholders for continued court improvement efforts.

2. Dissemination of Data

In order to strategically plan within an Enhanced Practice Court, and to further the development of relevant, attainable, measureable goals, CWCIP will promulgate court data metrics and distribute those ongoing to Enhanced Practices Courts. Additionally, CWCIP will disseminate other sources of local data that become available to CWCIP. (Ex. OCFS Annual Data Packets, NCJFCJ data regarding Disproportionate Minority Representation). It is expected that Enhanced Practice Courts will develop a plan for the dissemination and use of this data.

The CWCIP Liaison will be familiar with promulgated data metrics and other sources of data and will assist the lead judge with the consumption of the data. At the request of the Lead Judge, the CWCIP Liaison will also assist the multi-disciplinary group in consuming the data.

Appendix D

Child Welfare

NEW YORK STATE

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

Court Improvement Project

Participant's phones will be muted during the presentation until the question and answer period

Statewide Model Court Lead Judges Webinar, 9/21/09

Child Welfare Court Improvement Project

Federal initiative that supports the Family Court's mandate to promote the safety, permanence and well-being of abused and neglected children.

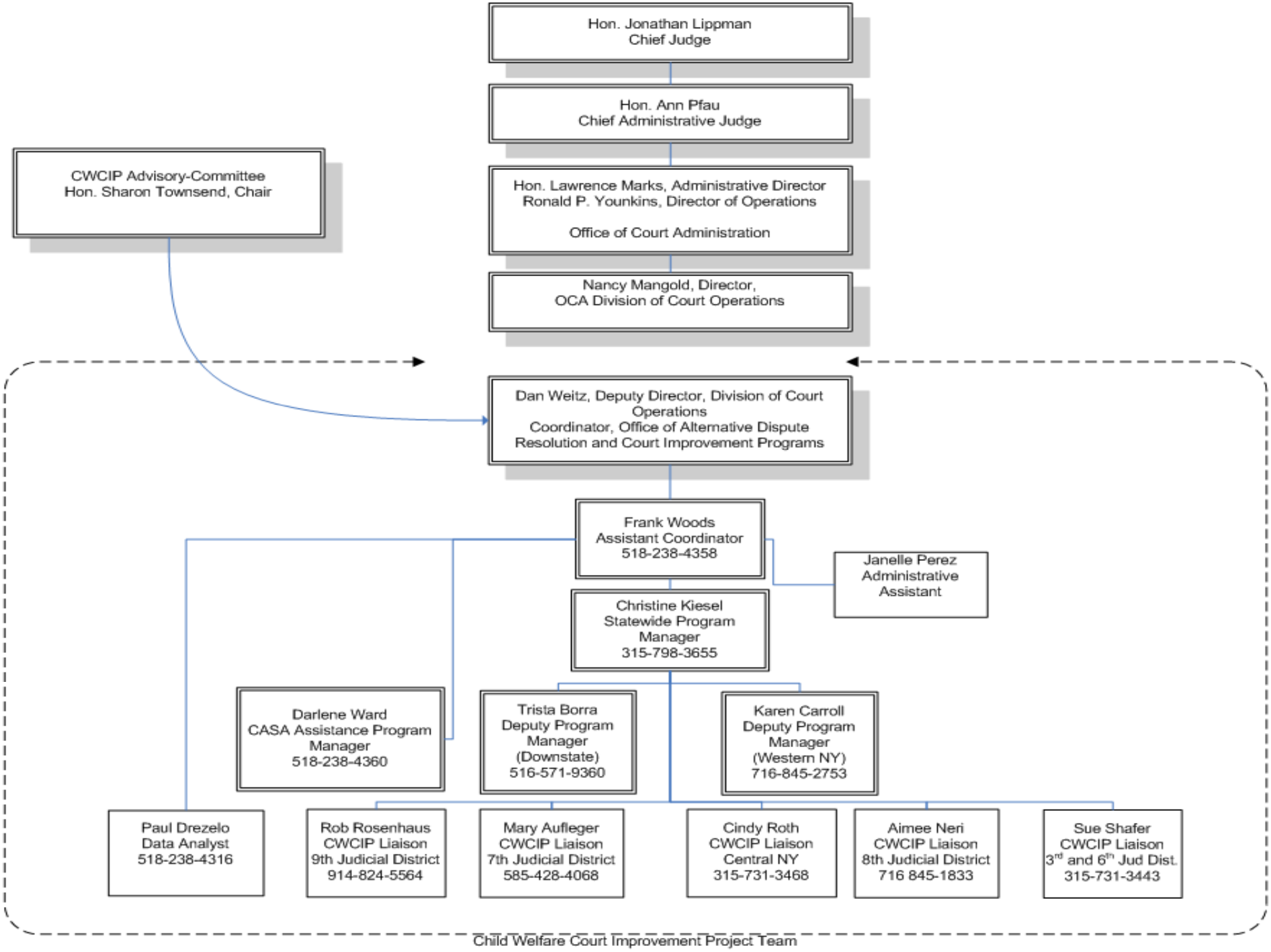
Mission Statement

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.

Governance Structure

Integrated into the Office of Court Administration's, Division of Court Operations

Federally required Statewide Advisory Group (Chaired by Judge Townsend) provides support, advice and counsel


Hon. Jonathan Lippman
Chief Judge
Hon. Ann Pfau
Chief Administrative Judge
CWCIP Advisory-Committee
Hon. Sharon Townsend, Chair
Hon. Lawrence Marks, Administrative Director
Ronald P. Younkins, Director of Operations
Office of Court Administration
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Child Welfare Court Improvement Project Team

"Enhanced Court Practices in Child Welfare" Statewide Model Court

Goal is to enhance court practices in child welfare matters starting with New York City and the 17 largest jurisdictions (based on foster care population data) outside New York City

Builds on our New York City and Erie County experience as National Council of Juvenile and Family Courts designated Model Courts

Integrates with OCA/OCFS efforts to collaborate to improve Child and Family Services Review outcomes for children

National Council
Model Courts

- **Permanency Planning for Children Department**
- **National Council of Juvenile and Family Court Judges**

NCJFCJ

NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES

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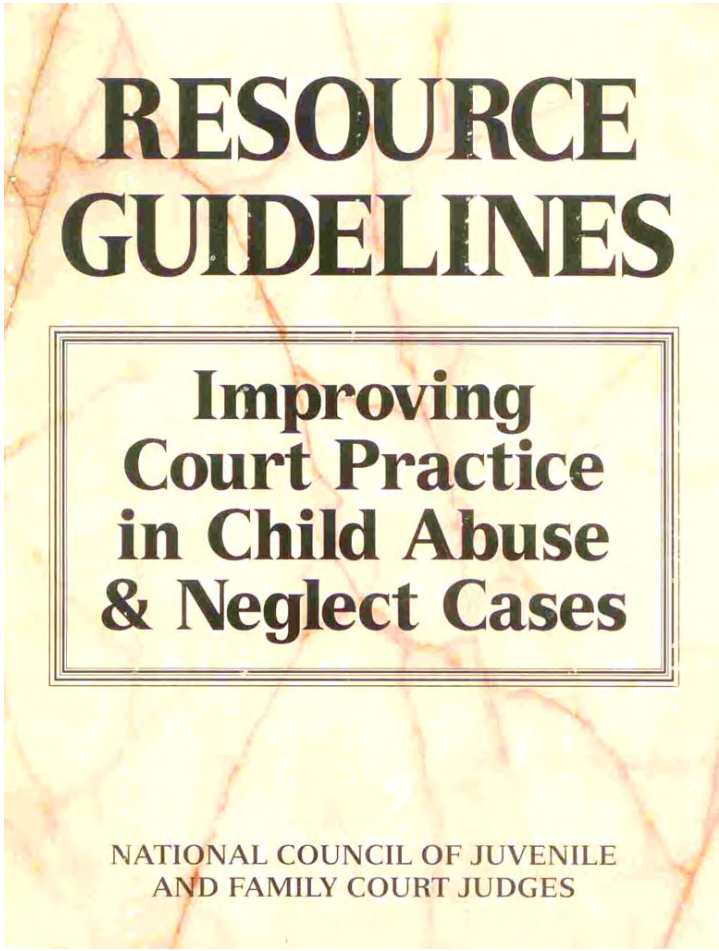
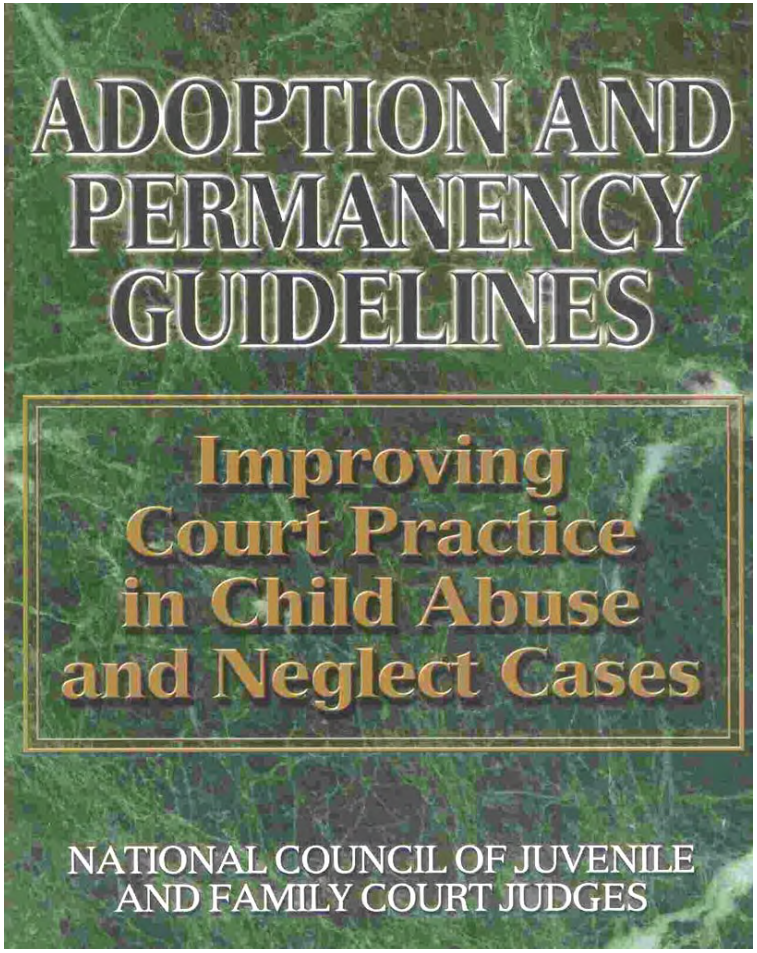
History of the Model Courts Project

RESOURCE GUIDELINES

and

ADOPTION AND PERMANENCY GUIDELINES





Key Principles

- 1. Child Health and Safety
- 2. Permanency for Children
- 3. Family Preservation
- 4. Judicial Leadership
- 5. Adequate Resources
- 6. Judicial Oversight of Children and Families
- 7. Alternative Dispute Resolution Techniques
- 8. Courtroom Civility
- 9. Cultural Sensitivity/Competence
- 10. Competent & Adequately Compensated Representation
- 11. Collaboration

What it Means to be a Model Court

- Model Courts Are:
  - Laboratories for systems change
  - Advocates for change and models for change
  - Open to review and self-assessment
  - Implement best practices

- Model Courts Are Not:
  - Reflections of Perfection

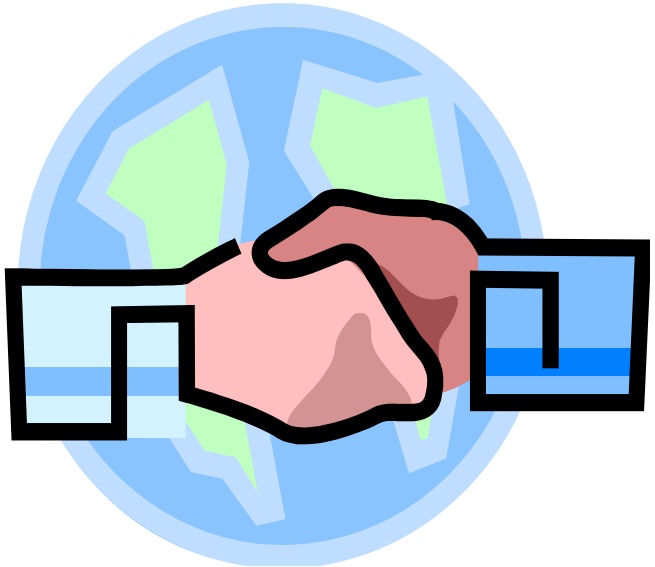
What it Means to be a Model Court Cont.

- Implementation of Best Practices
  - Lead Judge
  - Model Court Liaison
  - Multidisciplinary Collaborative Team

  - Communication, Collaboration, Commitment

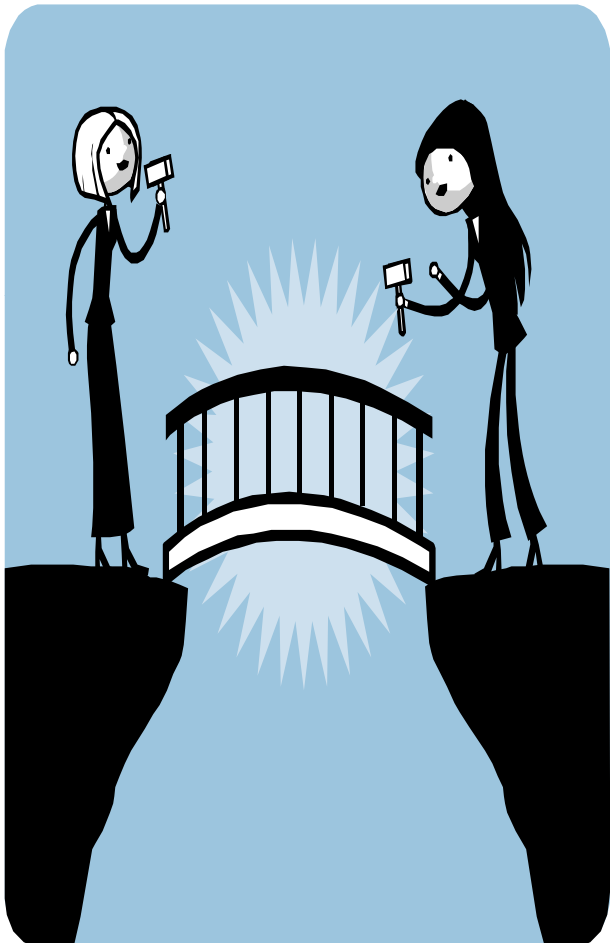
State and National Interface

- Pew Commission Recommendations
- Child and Family Service Reviews
- Program Improvement Plans
- Court Improvement Projects
- Children’s Summit State Action Plans



Model Court Strategic Planning

- Strategic Planning – critical to success
- ONE PLAN TO RULE THEM ALL!
  - Develop Collaborative Structure
  - Resource, program, initiative mapping (CFSR/PIP, CIP Reassessment, IV-E Audit, and everything else)
  - Critical Analysis and Feedback
- Training Development and Implementation
- Performance Measurement and Assessment



Judicial Performance Measurement

- “Judicial” Performance Measurement
- What gets measured gets done

Judicial Performance Measurement Cont.

Administration of Justice

Excellence in Court Practice – Public Trust and Confidence

Leadership

Transparency

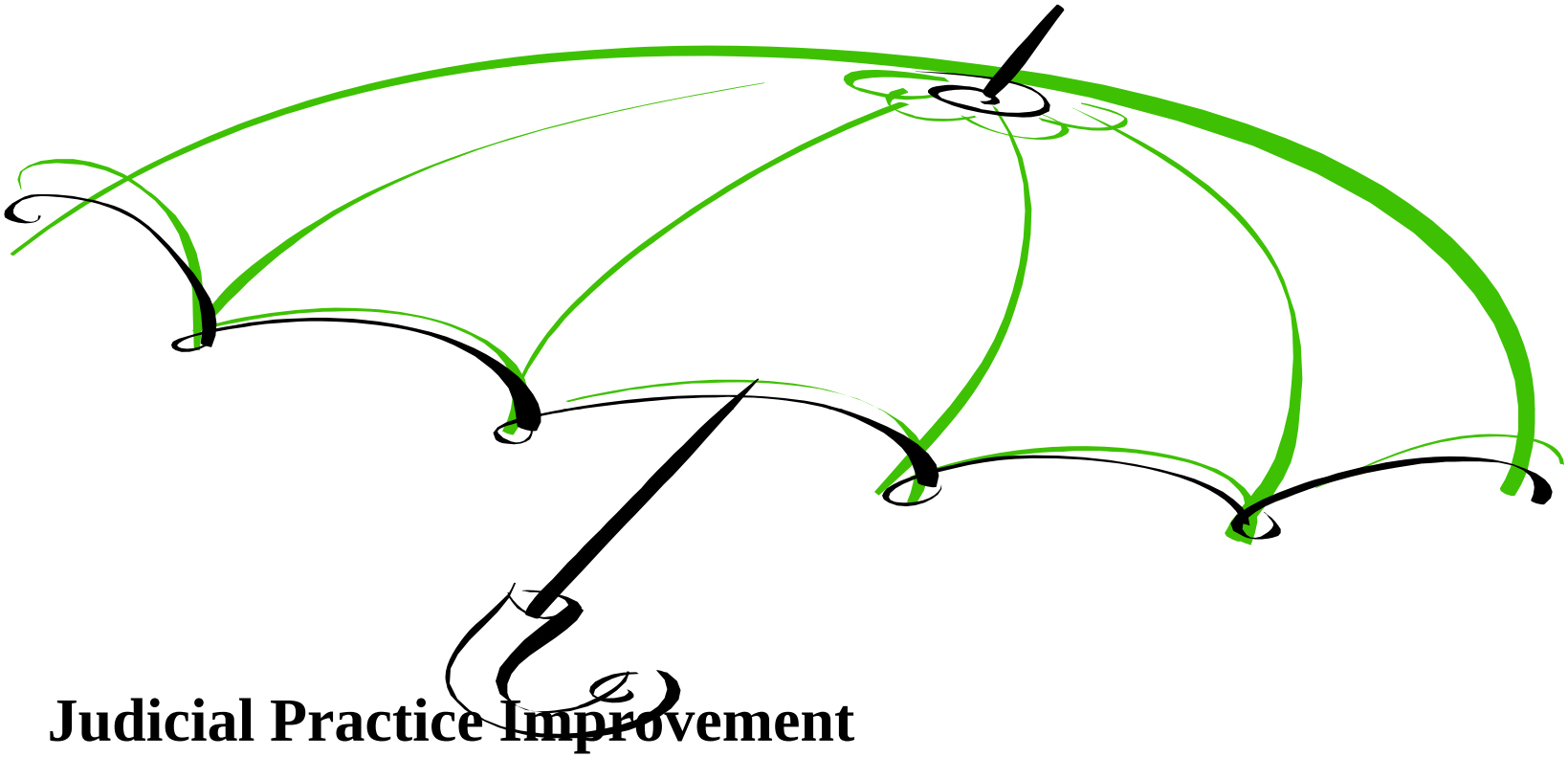
Accountability

Current National Council Model Courts

35 Courts in 27 States and D.C.

- Alexandria, Virginia
- Austin, Texas
- Baltimore, Maryland
- Charlotte, North Carolina
- Chicago, Illinois
- Cincinnati, Ohio - *Senior*
- Concord, New Hampshire
- Dallas, Georgia
- Des Moines, Iowa
- El Paso, Texas
- Hattiesburg, Mississippi
- Gila River Indian Community
- Greeley, Colorado
- Honolulu, Hawaii
- Howell, Michigan
- Indianapolis, Indiana
- Lake Charles, Louisiana
- Las Vegas, Nevada
- Los Angeles, California
- Louisville, Kentucky
- Miami, Florida
- Nashville, Tennessee
- Newark, New Jersey
- New Orleans, Louisiana
- New York City, New York
- New York Regional
- Omaha, Nebraska
- Portland, Oregon
- Reno, Nevada - *Senior*
- Salt Lake City, Utah - *Senior*
- San Jose California
- Seattle, Washington
- Toledo, Ohio
- Tucson, Arizona - *Senior*
- Washington, D.C.

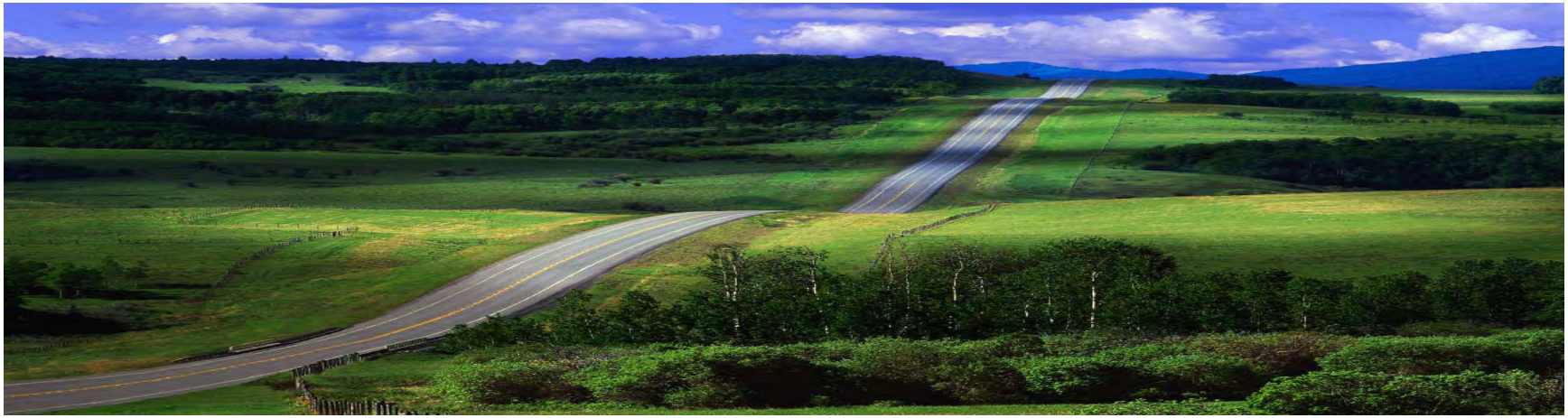
Systems Change Programs and Initiatives



Judicial Practice Improvement Components

- Lead Judge
- Multidisciplinary Collaborative Team
- Model Court Liaison

Looking Ahead …



- The Next Generation
  - Courts Catalyzing Change
  - Performance Measurement
  - Senior Model Courts
  - New Model Courts
  - Statewide Model Courts

Courts Catalyzing Change

CCC National Agenda: Key Components

I. Engage national, state and local stakeholders and community partners
II. Transform judicial practice
III. Participate in policy and law advocacy
IV. Examine and employ research and data
V. Impact service array and delivery

What Can You Do?

- *RESOURCE GUIDELINES* and *ADOPTION AND PERMANENCY GUIDELINES*
- Regular, multidisciplinary collaborative meetings
- Gather data, identify areas for improvement, set goals:
  - CFSR, PIP, State Action Plan, CIP 5-Year Strategic Plan
  - SMART Goals*
    - **S**pecific, **M**easurable, **A**ttainable, **R**ealistic, **T**ime-Bound

Adapted from Jutkins, Ray (1999). Power Direct Marketing: How to Make it Work for You. Kingbooks

Publications and Resources

www.ncjfcj.org

CWCIP STRATEGIES

- Judicial Leadership
- Collaborating with Interdependent Systems
- Educating the Bench, Bar, Court Managers and Other Stakeholders
- Support effective use of CASA programs
- Enhancing Decision Making With Data
- Promoting the Use of Alternative Dispute Resolution & Case Conferencing
- Supporting Best Practice Techniques in the Court-Room

Best Practices

- Judicial case management to ensure timeliness, safety and well-being
  - Adjudications and dispositions completed more quickly
  - Fewer and shorter adjournments
  - Everyone appearing on time and prepared
  - Every appearance meaningful
  - Continuous trials
  - Meaningful inquiry into health and educational needs of children in care

Best Practices (cont.)

- Case Conferencing to promote communication, problem solving and settlement

- Mediation to do all of the above + resolve impasses, promote family engagement and lay party “voice”.

Best Practices (cont.)

- Expanded participation of children and youth in permanency hearings

- Reducing the disproportionate representation of minorities in the foster care population

- Detailed Court Orders – IV-E Compliance

“Coming together
is a beginning,
talking together
is a process,
and working together
is a success.”

---Henry Ford

Speaking of Success……

EYES ON ERIE COUNTY

Family Court experiment is worth watching

The statistics illustrate what's at stake. There's a 600-case backlog of kids in Family Court waiting to be adopted. It takes an average of six-and-a-half years — which can seem like a lifetime to a child — for kids in the system to be adopted. There were more than 2,000 children in foster care in Erie County in 1997. And there were another 1,600 new abuse and neglect cases.

Lead Judge Experience

- Erie County – NCJFC Model Court
  - Leadership
  - Collaboration
  - Active sub-committees
  - Leverage State and Federal technical assistance resources
  - Persistence!

Strategies to Achieve Goals

- Multidisciplinary stakeholders' groups
- Strategic planning and goal setting
- Support of CWCIP Liaisons
- Analysis of local child welfare practice
- Statewide technical assistance to local initiatives (CWCIP, OCFS, NCJFCJ)
- Dissemination of information
- Training

Role of the Lead Judge

- Active participation
- Development of the multidisciplinary team
- Appraisal of participation
- Communication
- Attendance at conferences/meetings
- Submit periodic reports

Role of the Multidisciplinary Team

- Collaboration
- Participation
- Draft mission statement
- Actively involved in goal setting
- Plan implementation of the resource guidelines
- Send team to CWCIP "all-sites" conference (tentatively march 8th – 9th Albany)

Role of the CWCIP

- Statewide coordination
- Provide each site with a staff liaison
- Training
- Technical assistance
- Disseminate and support consumption of data
- Keep state and federal oversight agencies informed

QUESTIONS?????

Why We Do It…

For Further Information Contact:

Christine Kiesel, Esq.
Statewide Project Manager
(315) 798-3655
ckiesel@courts.state.ny.us

Daniel M. Weitz, Esq.
Deputy Director, Division of Court Operations
Coordinator, Office of Alternative Dispute Resolution and Court Improvement Programs

Frank Woods, M.S.W
Assistant Coordinator, Office of Alternative Dispute Resolution and Court Improvement Programs

Appendix E

January 4, 2010

Hon. Blah S. Blah
Anywhere County Family Court
123 Elm Street
Anywhere, NY 12345

Dear Judge XXXXX

The Child Welfare Court Improvement Project is pleased to invite you to ***Ready…Set…Go!: Enhancing Court Practices in Child Welfare Proceedings***. This day -long conference will be held at the Desmond Hotel and Conference Center in Albany on March 10, 2010. Each of the 5 boroughs of New York City and the 17 largest counties[i] outside New York City is invited to send a team of up to 10 participants.

On the afternoon of March 9, 2010 we will host a pre-conference seminar, facilitated by the National Council of Juvenile and Family Court Judges, for lead and supervising judges, beginning with a welcome luncheon at noon.

To coordinate team development, we are asking you to nominate a multi-disciplinary team representing the family court, ACS, the bar and other system partners. The purpose of this conference is to engage leadership; hence the team's composition should include you, as supervising judge, senior managers from ACS and other key system participants including court managers, attorneys for children, respondent parents' counsel, ACS attorneys, CASA and mediation program administrators, foster care agency staff, or other service providers. Continuing Legal Education (CLE) credits will be available to attorneys and judges.

There is no cost to participants. The costs of the conference will be paid by our federal court improvement training grant and other sponsors. Lodging will be provided on the evening of March 9, 2010 for all those travelling more than 35 miles from their home and will be paid on a central bill. Other reasonable expenses (including air or ground transportation, and meals not provided at the event) will be reimbursed at state rates directly to the individual participants by UCS.

Please complete the attached Team Designation Form and return it no later than: Friday, January 15, 2010. The forms can be e-mailed to Christine Kiesel, Esq, at ckiesel@courts.state.ny.us.

Once county team members have been identified each will receive a draft agenda, registration instructions and information regarding hotel accommodations and travel reimbursement.

If you have any questions regarding this event, please contact your CWCIP Liaison or Christine Kiesel, Esq, at ckiesel@courts.state.ny.us or (315) 798-3655.

Sincerely,

Hon. Sharon S. Townsend
Vice Dean of the NYS Judicial Institute for
Family and Matrimonial Matters, and
Chair, Child Welfare Court Improvement Project
Advisory Committee

Cc: Hon. Edwina Richardson-Mendelson
Peter Passidomo
Frank Woods
Christian Kiesel

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i As determined by foster care population statistics.

LOCAL STAKEHOLDER PARTICIPANTS

1. Lead Judge _____
2. Commissioner of DSS _____
3. Family Court Child Welfare Judges _____

   _____

   _____
4. CWCIP Liaison _____
5. OCFS Representative _____
6. Treatment Court Coordinator (and/or IDV)_____
7. Chief Clerk _____
8. DSS Director of Services _____
9. Caseworker(s) _____
10. DSS Legal Representative _____
11. Attorney for the Child Representative(s) (Institutional and panel) _____
12. Respondent's Attorney Representative(s) (Institutional and panel) _____
13. Educational Representative _____
14. CASA _____
15. Mediation (if County has Permanency Mediation) _____
16. Foster parent(s) _____
17. Youth Voice _____
18. Native American/Tribal Representative _____
19. County or State Legislature _____
20. Other State Agencies (OMH, OMRDD, OASAS) _____
21. Congregate Care Facilities Representatives _____
22. Residential Treatment Facilities representatives _____
23. Researcher (University, Hospital, Independent) _____
24. Other Stakeholders Appropriate to the Jurisdiction _____

    _____

    _____

<u>Service Providers</u>

1. Domestic Violence _____
2. Parenting Skills Class Representative _____
3. Drug Treatment Facility _____
4. Early Intervention_____
5. County Director of Mental Health/Hygiene_____

LOCAL STAKEHOLDER PARTICIPANTS

6. County Director of Health _____
7. Local pediatrician or other child development specialist_____
8. County Director of Housing _____

Appendix F

Welcome

National Adoption Day 2009

The Chosen One

Author Unknown

Not flesh of my flesh

Nor

Bone of my bone

But still miraculously

My own

Never forget

For a single minute

You didn't grow

Under my heart

But in it

Sponsored By:

Chemung County Children and Family Services

Chemung County Family Court &

New York State Office of Children and Family Services

Special Thanks:

Honorable David Brockway

NYS Office of Children and Family Services

NYS Child Welfare Court Improvement Project

Elmira YWCA

First Arena

CASA of the Southern Tier

Robbie Nichols, Elmira Jackals General Manager

Lib's Supper Club

"Southside" Pudgies Pizza Pasta and Subs

All Families That Have Adopted in 2009

National Adoption Day 2009

The Chosen One

Author Unknown

Not flesh of my flesh
Nor
Bone of my bone
But still miraculously
My own
Never forget
For a single minute
You didn't grow
Under my heart
But in it

Sponsored By:

Open your heart. Open your home.

Chemung County Children and Family Services

NEW YORK STATE

Child Welfare

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

Court Improvement Project

Chemung County Family Court &

New York State Office of Children and Family Services

Welcome

Presiding:

Honorable David Brockway

Welcome

Deretha Watterson

Director of Chemung County Department of Social Services

Guest Speaker

Mr Paul MacPherson

Finalization of Adoptions

Adoption Certificates

Dinner Reception

Social Time and Activities

NYS Unified Court System ~ Fifth Judicial District
and
Onondaga & Central New York Counties

cordially invite you to attend
the

2009 NATIONAL ADOPTION DAY CELEBRATION

held in the Ballroom of the
Onondaga County OnCenter
800 South State Street
Friday, November 20, 2009 at 9:30 am

Presiding
Hon. James C. Tormey, District Administrative Judge

GUEST SPEAKERS

Joanne M. Mahoney, Onondaga County Executive
Josh & Steve Orsino, Adoptive Family

Refreshments will be provided

NATIONAL ADOPTION DAY
Celebrating a Family for Every Child

Give your Life a Smile
Become a Foster/Adoptive Parent
Call 315-435-3827

Appendix G

RECOMMENDATIONS: Pathways to Stronger Collaboration With CASA

Part 43 of the rules of the chief judge, and Part 117 of the rules of the chief administrative judge, both in 22 NY Code of Rules and Regulations, define the role and responsibilities of Court Appointed Special Advocates programs (CASA) in New York State. Part 43.1 states:

> *"A CASA program may be appointed by Family Court in its discretion to provide assistance to the Court in cases regarding children in or at risk of out-of-home placement. The CASA program is not a party to the proceeding. To be eligible for such appointment, a program must meet regulations promulgated by the Chief Administrator of the Courts. Such regulations shall insure that each CASA program is capable of regularly providing thorough information about the health, safety and well-being and permanency plans of children and their families to the court, the parties and law guardian; monitoring Family Court orders; meeting with children in the presence of, or with the consent of, their law guardians or as directed by the Family Court; working with legal and service providers assigned to their cases to facilitate collaborative solutions; and helping to promptly secure safe, stable homes and nurturing families for children so that they may thrive."*

With the court rules as the foundation, a workgroup – *Pathways to Stronger Collaboration with CASA* – was convened in March, 2009 to identify ways in which collaboration with CASA and the parties in child abuse and neglect cases in Family Court can be strengthened. The workgroup was convened by the Hon. Sharon S. Townsend, Administrative Judge, 8th Judicial District and Chair of the Child Welfare Court Improvement Project Advisory Committee. Judge Townsend was recently appointed Vice Dean for Family and Matrimonial Law of the NYS Judicial Institute.

The workgroup was comprised of a cross-section of child welfare stakeholders, including: CASA Directors; the NYS CASA Association; local departments of social services' administrators and attorneys; the Administration for Children's Services in New York City; the NYS Office of Children and Family Services; representatives of attorneys for children and parents' attorneys; a foster care youth representing Youth in Progress; and the Unified Court System's CASA Assistance Program within the Office of Alternative Dispute Resolution and Court Improvement Programs. Representatives from additional stakeholder groups were invited but did not attend. Funding for this initiative was provided by the NYS Court Improvement Project. The workgroup was facilitated by an independent consultant with child welfare expertise.

The workgroup was not a decision-making body, but rather was charged with developing recommendations to be provided to the Office of Court Administration, CASA Directors, and others for their consideration and input. It is important to recognize that there is already strong and effective collaboration with CASA in many

counties in NYS. These recommendations are not intended in any way to compromise existing effective collaborative models that have evolved based on local needs and protocols. Rather, these recommendations are intended to help strengthen collaboration with CASA in counties where this work is in the formative phases or there have been instances of a lack of clarity about roles and communication protocols. Local stakeholder groups are encouraged to jointly review these recommendations and determine how they might best be implemented to promote the safety, permanency and well-being of children and families served by the child welfare system, as well as maximize the use of limited resources in these tough economic times.

The workgroup identified the most significant challenges to strengthening collaboration with CASA and developed recommendations to meet each of those challenges. These recommendations follow.

Recommendations:

1. Need for judicial direction/court orders for CASA

Stronger collaboration with CASA would be facilitated by:

1.a) A specific court order for each case outlining the purpose for which CASA is assigned to the case, in accordance with court rules.

1.b) Scheduling a discussion panel about CASA at an upcoming Judicial Training Seminar and identifying on-going training opportunities.

2. The Information gathering role of CASA

Stronger collaboration with CASA would be facilitated by:

2.a) CASA determining whether any of the parties are represented and notifying, per local protocol, the attorney(s) of CASA's assignment and role in the case, and that CASA may be contacting the attorney as well as the attorney's client. Included with that notification would be a copy of the court order as well as contact information for the CASA representative on the case. This courtesy is extended to parties who are not represented as well.

2.b) Clarification of CASA's role regarding allegations in the case. It is not CASA's role to gather information related to proving or disproving the allegations in the petition and at no time does CASA seek to determine the source of the report(s) made to the Statewide Central Register (SCR). It is CASA's role to gather information, including information about the child's present health care, mental health,

education, and adjustment to living situation, and that the process might inadvertently involve information relevant to the allegations. In these instances:

- If the CASA volunteer discovers new safety concerns about the child, local CASA protocols are followed to determine the volunteer's next steps. At a minimum, CASA immediately reports this to the State Central Register (if appropriate) and immediately thereafter to DSS/ACS and the attorney for the child. If appropriate, the attorney for the parent is notified as well. CASA includes the appropriate case circumstances in its written report so the court and all parties are notified.

- A CASA volunteer or staff person can be called as a witness.

2.c) CASA explaining their role to children and parents involved in the case in a way that can be understood. This can include written documents/brochures for parents and children.

- CASA to develop/refine statewide fact sheets for children, parents and service providers about CASA.

3. Information sharing by CASA

Stronger collaboration with CASA would be facilitated by:

3.a) Clear protocols regarding content and distribution of CASA reports.

- Content of CASA Reports:
  - Pre-disposition: CASA does not include information that is evidentiary in nature in a report prior to the disposition.
  - CASA may highlight concerns or outstanding issues as reported by the individual/professional contacted. CASA's reports will not include opinions or recommendations regarding the case outcome.

- Distribution of CASA Reports: Prior to the court date, CASA's reports are provided to the parties, through their attorneys if represented, simultaneously.

3.b) On-going communication. As issues/concerns arise on a case, there is immediate and on-going communication between CASA and the appropriate parties and attorneys in part so there are no surprises in court and to avoid duplication of efforts.

4. Roles and protocols when CASA is assigned to a case

Stronger collaboration with CASA would be facilitated by:

4.a) Clarity that CASA is not representing a particular party but is assigned by the judge to help refine and/or facilitate the case plan as defined by the court. CASA facilitates the progress of the case plan. The "advocate" role of CASA is to assist in overcoming obstacles to expediting permanency for the child.

4.b) Protocol development. In recognition of the need to accommodate local needs and taking into account NYS court rules and national and state guidelines, CASA collaborates with all party representatives at the local level to develop protocols to guide program operations and communication processes.

4.c) CASA serving as a facilitator of communication among the parties.

5. The role of CASA vis-à-vis the roles of the attorney for the child and the attorney for the parent

Stronger collaboration between CASA and the attorneys would be facilitated by:

5.a) CASA obtaining verbal or written permission from the attorney, per local protocol, to speak with the child or the parent. If the attorney objects, CASA offers to see the child or parent with the attorney. CASA only needs to seek permission from the attorney once unless there is an expressed revocation.

- If there is no local protocol, development of a local protocol process for notifying attorneys and asking for permission.

Stronger collaboration between CASA and the Attorney for the Child would be facilitated by:

5.b) CASA explaining to the child, in language appropriate to the child's developmental level, CASA's role and what CASA does with information the child gives them. Recognizing that some confusion could arise regarding attorney-client privilege and CASA's confidentiality requirements, CASA and the attorney for the child may meet with the child together to explain confidentiality.

- This recommendation includes recognition that CASA is assigned to cases involving infants and children who do not have the capacity to discuss roles, etc.

5.c) Respect for role differences. If the information gathered by the CASA volunteer differs from the position of the attorney for the child, there is respectful recognition that each has a job to do as the case proceeds through the court process.

Stronger collaboration between CASA and the Attorney for the Parent would be facilitated by:

5.d) CASA and attorney for parent(s):

- Acknowledging the assistance CASA can provide to parents' attorneys as well as their clients in identifying barriers as well as access to services.

- CASA may identify an unmet service need and a service provider but doesn't make the service referral directly. CASA talks with DSS/ACS, attorney(s), and parent(s) about accessing services and about discussions they have with the parents about services. This information may also be included in CASA's report to the Court.

6. Diversity of CASA volunteers

Stronger collaboration with CASA would be facilitated by:

6.a) Greater awareness and competence among CASA volunteers regarding the diversity of their clients including, but not limited to, ethnicity, culture, ability, etc.

6.b) Continued efforts to recruit CASA volunteers who reflect the diversity of the families served. Continue the training and support given in this regard by the State and National CASA Associations, the UCS CASA Assistance Program, as well as at the local level.

7. Confidentiality

Stronger collaboration with CASA would be facilitated by:

7.a) Role clarification by CASA with the child on a regular basis. When CASA is given permission to speak with the child by the child's attorney, the CASA representative advises the child on a regular basis, and in terms the child can understand, that: CASA's role is different than the child's attorney's; that CASA is sworn to confidentiality but is not an attorney and therefore has no attorney-client privilege; and information from the child can be shared with the parties and the court. The attorney for the child discusses confidentiality with child also, reinforcing the attorney's role.

- This recommendation includes recognition that CASA is assigned to cases involving infants and children who do not have the capacity for these discussions.

7.b) A copy of the court order provided per local protocol, notifying the attorneys of CASA's assignment to a case. After securing the attorneys' verbal or written permission, per local protocol, CASA obtains signed release forms from parents. (CASA cannot talk to any provider of services to the parents without a signed release from that parent.)

Appendix H

CASA Statewide Data Advisory Committee

Proposed Measures of CASA Advocacy

The following recommended measures are the work of the CASA Statewide Advisory Committee, comprised of representatives of local programs, NYS UCS, and the State Association. The Committee reviewed current COMET fields, proposed National CASA outcomes to date, Child Welfare Court Improvement Project Data Metrics, and other state's measures to arrive at what appears below. This is submitted to local directors for discussion and review at the fall program directors' meeting.

A. Advocated for services tailored to the individual needs of the child and family:

(Note: This measure is designed to quantify the kind of support CASA is able to provide for children and families, and its efforts to move cases toward resolution, through advocacy for appropriate service provision.)

1. Were the services for (check all that apply):
   - o Child
   - o Biological Parent(s)
   - o Foster Parent(s)
   - o Relative Resource
   - o Other:

2. What category of services was the focus of CASA's advocacy? (Check all that apply)
   - o Education
   - o Substance Abuse
   - o Mental Health
   - o Health
   - o Disabilities
   - o Legal representation
   - o Visitation
   - o Respite Care
   - o Housing
   - o Transportation
   - o Employment
   - o Clothing
   - o Financial, general
   - o Other

3. Did the CASA staff/volunteer initiate the service change request or was this part of a team request?
   - o CASA initiated
   - o Team Request

B. Voiced concerns about the progress of the case and/or safety and permanency of the child(ren). Check all that apply:

(Note: This measure is designed to quantify the methods in which CASA communicates to the court and stakeholders concerns about case progress. When asking for a report on these measures, we would need to clarify a time period during which each occurred. There is no intended hierarchy here or value of one method over another, as much of that is up to local court direction or other local protocol and not within the CASA program's control.)

- o Court report submitted including case concerns
- o CASA program representative present in court
- o If CASA program representative was present at service plan review, concerns raised at review meeting
- o If CASA program representative is part of Family Treatment Court team, concerns raised at team meeting
- o If CASA program representative was present at school meetings, concerns raised related to education needs
- o Concerns raised in other format

C. Helped maintain a child-focus in court and permanency procedures:

(Note: We have anecdotal reports of how CASA's reports and other activities help keep the court and all stakeholders focused on the child. This measure would help us quantify those efforts. We would need to clarify time frames on this, or indicate whether it was number of times per case.)

1. The CASA program reported to the court on the safety and well-being of the child in the following areas:
    - o Education
    - o Substance Abuse
    - o Mental Health
    - o Health
    - o Disabilities
    - o Legal representation
    - o Visitation
    - o Respite Care
    - o Housing
    - o Transportation
    - o Employment
    - o Clothing
    - o Financial, general
    - o Other

2. CASA provided first-hand information about the child to the court and parties
    - CASA met with the child
    - CASA was unable to meet with the child

D. Continuity of CASA volunteers (measure to be developed):

(Note: The committee considered the value of measuring continuity of CASA volunteers on cases, and struggled with not only how to frame such a measure but whether it would result in useful information. National CASA's Evaluation and Research Committee is crafting wording on this measure, which will be shared with State Directors soon. The committee will then review those measures for applicability in NYS.)

E. Specifics of court assignment to CASA:

(Note: In some courts around the state, CASA programs are not assigned to provide general CASA advocacy, but are restricted to certain aspects of the case, or asked to focus on those areas. Without data on the CASA assignment, any measure of what CASA staff/volunteers did on the case would be skewed. So we would add a checklist to indicate any specific direction in the court order/assignment. If the assignment was for general CASA advocacy, but CASA was asked to be sure to focus on health, for example, you would check both 'general' and 'health'. If you were assigned only to ICPC or health, you would check only that box.)

CASA Assignment Domains:

- General CASA Assignment
- ICPC
- Education Advocacy
- Health/Mental Health Advocacy
- APPLA/Aging Out
- FTC
- IDV
- Other (Please specify)

F. Court's response to CASA reports/concerns:

(Note: The committee considered adding a measure of how the court responded to reports from the CASA program (i.e., were concerns included in court orders or directions? Was information from the CASA report shared in open court?) This would provide data on how much value the court placed on information from the CASA program. Concerns were raised about how this information could be used, that it could result in CASA programs 'reporting' on the court, and that could create local tensions. It was decided that although not as thorough a measure, an annual survey of Family Court judges might be the better mechanism for gathering this information.)

Appendix I

NEW YORK PARTNERSHIP FOR FAMILY RECOVERY

IMPLEMENTATION AND TRAINING PLAN

INTRODUCTION

The New York Partnership for Family Recovery (the Partnership) was established to address the needs of families and children at the intersection of the child welfare, family court and chemical dependency systems. Many of these families are impacted by intergenerational issues such as substance abuse disorders, mental illness, trauma and domestic violence. In response to this, New York State has developed a holistic plan for the three systems to use when working with these families.

The priority objective of this initiative is to improve child safety, permanency and well-being by supporting sustainable family recovery. The lead systems are committed to working together in the best interests of the child, by supporting the entire family. This plan meets one of the primary objectives of this initiative; namely, to make training and technical assistance available for all system partners, individually and as a county team, in order to implement recommended policy and procedures in the "Gearing Up To Improve Outcomes for Families: NYS Collaborative Practice Guide for Managers and Supervisors in Child Welfare, Chemical Dependency Services, and Court System" (Guide). As supported by each systems' desk and bench guides, the Guide seeks to improve outcomes for children and families by improving collaborative practice at the State and local level in the key areas of:

- Screening assessment and referral
- Engagement and retention
- Information sharing and confidentiality
- Case monitoring
- Discharge planning
- Services for youth
- Case Flow

Training and implementation activities will be designed to fundamentally ensure that the lead systems utilize a shared approach to their work through adhering to the established values and principles that serve as the philosophical underpinning for this initiative and that are intended to support the goal of improving the safety, health and well-being of children and families.

To that end, all interactions with clients at the intersection of the three systems should be:

> **STRENGTHS-BASED** - SERVICE AND TREATMENT PLANS SHOULD BUILD ON THE STRENGTHS AND COMPETENCIES OF ALL FAMILY MEMBERS. THE FAMILY AND THE CHILD, WHENEVER POSSIBLE, MUST BE ACTIVE PARTICIPANTS IN THE SERVICE AND TREATMENT PLAN DESIGN BECAUSE PARTICIPATION EMPOWERS FAMILIES AND INCREASES THEIR INVESTMENT IN THE OUTCOMES.

NEEDS-DRIVEN - SERVICE AND TREATMENT PLANS SHOULD BE DESIGNED TO REFLECT THE UNIQUE NEEDS OF THE FAMILY OR INDIVIDUAL SEEKING ASSISTANCE. TREATMENT AND SERVICES MUST BE IDENTIFIED, TAILORED AND PROVIDED BY CLINICIANS AND PROFESSIONALS WHO ARE APPROPRIATELY TRAINED AND CREDENTIALED.

FAMILY-CENTERED - AS UNDERSTOOD BY THE THREE SYSTEMS, THIS 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.

CULTURALLY COMPETENT - SERVICES WILL BE DELIVERED WITH RESPECT FOR THE UNIQUE CULTURE OF THE FAMILY, AS WELL AS THE ETHNIC, CULTURAL, SOCIAL AND ENVIRONMENTAL CONTEXT WITHIN WHICH THE FAMILY LIVES. ACCOMMODATIONS TO CULTURAL VARIATION WILL NOT EXCEED INDIVIDUAL OR HUMAN RIGHTS.

COMMUNITY-BASED - THE RESOURCES OF THE COMMUNITY WILL BE UTILIZED TO THE FULLEST EXTENT POSSIBLE TO SUPPORT THE FAMILY'S RECOVERY, RECOGNIZING THAT CHILDREN AND FAMILIES ARE BEST SERVED IN THEIR OWN SCHOOLS AND COMMUNITIES.

COMPREHENSIVE - FAMILIES REQUIRE SERVICES THAT ARE COMPREHENSIVE IN NATURE, ADDRESSING THE NEEDS FOR CHEMICAL DEPENDENCY PREVENTION AND INTERVENTION, MENTAL HEALTH, FAMILY REUNIFICATION, HOUSING, VOCATIONAL AND EDUCATIONAL HABILITATION OR REHABILITATION, ETC. THESE SERVICES SHOULD BE COORDINATED BETWEEN THE THREE SYSTEMS IN ORDER TO PREVENT DUPLICATION OR OMISSION.

PURPOSE

This document details the process that the Partnership will follow to encourage local communities to strengthen their cross-systems work between child welfare, chemical dependency, and family court to best support families exposed to substance use disorders. This process has been developed with support from the National Center for Substance Abuse and Child Welfare (NCSACW)[1].

This plan is designed in phases. By working collaboratively to create this implementation and training plan, the members of this partnership seek to encourage best practices among those working with cross-systems families. The values and principles of the New York Partnership for Family Recovery, as adapted by counties, are intended to serve as a foundation for future local initiatives to achieve better outcomes for children and families. This plan incorporates:

- a public awareness campaign targeting professionals,

[1] The NCSACW serves the field of child welfare, court and substance abuse professionals with comprehensive informational resources, technical assistance provision, and knowledge dissemination about evidence-based practice and instituting policy and practice change at local, state and national levels. More information about the NCSACW (and the products that have resulted from the IDTA) is available at www.ncsacw.samhsa.gov.

- a broad-based training initiative, and
- a more targeted advanced training and technical assistance effort at the county level with a gradual implementation.

The entire process leverages the power of existing stakeholder groups, conferences, trainings and resources from all three systems to maximize communication and skill development across the State.

Project Evaluation

Methods to evaluate this project will include pre- and post-tests, satisfaction surveys, and other mechanisms to determine participation and transfer of knowledge. These methods of evaluation will focus on measuring understanding of other systems, transfer of knowledge and the effectiveness of collaboration between the three systems in each of the participating counties.

The evaluation will also measure change by ascertaining: the presence of any formal or informal agreements made between the systems, the development of new policies or procedures and the number of cross system meetings held.

Specific CFSR data measures will be identified and monitored for improved outcomes. Each system will identify key performance indicators in order to derive impact of the New York Partnership for Family Recovery on these global measures, with recognition that this project may not be the sole impact on these measures. Performance Indicators and identified outcomes are attached as Appendix "D".

Phase I - Develop Support and Interest for the Partnership

Purpose: In order to sustain the current partnership and expand its reach to the county level, leadership from each of the three systems as well as key partners, need to be informed. The goal is to promote awareness of the Partnership, and disseminate a broad based understanding of the need for local systems to collaborate.

TARGET AUDIENCE:

Court System	Child Welfare System	Chemical Dependency System
Chief Judge	OCFS Commissioner	Commissioner
Chief & Deputy Administrative Judges	Regional Office Directors	Regional Office Staff
District Administrative Judges	Local Social Services District Commissioners	State Agency Staff
Local Judges/Judicial Officers	New York Public Welfare Association (NYPWA)	NYS Conference of Local Mental Hygiene Directors
Chief Clerks	Council of Family and Child Caring Agencies (COFCCA)	Alcohol and Substance Abuse Providers of New York State (ASAP – NY
Office of Court Administration Staff	Local district and voluntary agency directors and supervisors	Program Directors, Clinical Supervisors and Front Line Workers
Family Treatment Court Coordinator	State Agency Staff	Association of Addiction Professionals - NY

Strategy:

1. Keep the Agency Commissioners, Chief Judge and Chief Administrative Judge aware of the initiative's progress through as needed reporting.
2. Inform other community partners of the initiative:
   I. Work with the Commissioners of OASAS and OCFS, and the Chief Administrative Judge to use existing communication vehicles to disseminate information in order to inform county level senior leaders (Local Social Services Commissioners, Judges and Judicial Officers, Local Mental Hygiene Directors) and other identified local senior leaders.
   II. Disseminate information to the original and existing New York Partnership for Family Recovery Advisory Group members.
   III. Present initiative at various existing conferences (see table). Core group will continue to identify ongoing opportunities to introduce the initiative.

Court System	Child Welfare System	Chemical Dependency System
Court/Agency All-sites Conference, co-sponsored by OCFS and the Court Improvement Project	OCFS and OTDA Staff Development Coordinators Conference	Recovery Conferences and Forums
Problem Solving Court Trainings and Conferences sponsored by OCA	Council of Family and Child Caring Agencies – Training Consortium Regional Conferences	Healthy Campus Communities: Looking to the Future
OCA's annual Family Court Chief Clerks' Conference	New York State Association of Counties Annual Conference	Regional Provider Conferences as appropriate (i.e. North Country Providers)
Judicial Institute New Judges Trainings & Summer Judicial Institute	New York Public Welfare Association Conferences	Association of Addiction Professionals of New York State (AAPNY) – Yearly Conference and Regional Conferences as appropriate
Judicial Institute Legal Series Updates		Alcohol and Substance Abuse Providers of New York (ASAP NY), Annual conference and Summits
Appellate Division Law Guardian Program		

PHASE II – WORKING WITH IDENTIFIED COUNTIES

The work of the Partnership for Family Recovery is supported as a foundational element in the Program Improvement Plan (PIP) Strategy of Agency/Court Collaboration as a result of the recent Child and Family Services Review. New York State's PIP is centered upon the targeted work with the top thirteen social services districts with the highest foster care population. It is from these top thirteen Social Services Districts that counties will be identified. The principal contacts of each of the local county's three systems will be approached and educated about the work of the Partnership for Family Recovery and encouraged to adopt the practices of this work.

Gaining knowledge and understanding of each system's culture, laws/regulations and practice is an essential element to meaningful collaboration. In order for systems to collaborate constructively and progressively, each needs to respect the others' values. Counties will be identified on an ongoing basis, to implement the guidance outlined in the Guide. Identified counties will work toward customization of county level process for ongoing communication, problem solving and working in a systematic way to

address the needs of families exposed to substance use disorders. The goal is the development of county protocols, geared towards overcoming barriers and achieving improved outcomes for families.

Phase II will be offered in two stages. The first stage is designed to ensure a common foundation of understanding about each of the three systems and is recognized as a primer for interdisciplinary discussions and trainings. Each identified county will be assessed to determine which of the stage 1 trainings are necessary and readiness to advance to the next stage. The counties will be asked to provide information and material on various trainings received that appear to meet the objectives of the first stage foundational trainings. Trainings will only be provided to identified counties where it is determined that a system lacks the core knowledge due to no comparable trainings being recently provided. The second stage of training is more advanced, will focus on achieving outcomes consistent with the Guide and will address specific needs as they arise in identified counties.

Stage 1- Providing foundational training

Purpose: It is expected that each system will emerge with a deeper understanding of the other systems' roles, requirements, core values and competencies.

Time Frame: Immediately upon identification and selection of initial counties and ongoing

Target Audience:

Court System Trainings	Child Welfare System Trainings	Chemical Dependency System Trainings
Basic Chemical Dependency **Advanced Child welfare**	**Basic Chemical Dependency** **Advanced Family Court**	**Basic Child Welfare** **Basic Family Court**

Basic Chemical Dependency Training

Funded by the Office of Court Administration's Child Welfare Court Improvement Project, this seven module video was developed by Center on Addiction and Families for delivery by OASAS trainers to courts or child welfare agencies. The training reviews the basics of substance abuse as it relates to families that are multi-system involved. A train-the-trainers module is also being developed .

These trainings will be delivered in person in identified counties. Additional methods of delivery are being explored.

Basic Family Court Training

Funded by the Office of Court Administration's Child Welfare Court Improvement Project, this one day or two and one-half days was developed by Margaret M. Burt, Esq. The training is a basic introduction to the family court proceedings for abused and neglected children for chemical dependency treatment providers. A "Train the Trainer" session was provided to staff of Child

Welfare Court Improvement Project, who will serve as the designated trainers in identified counties.

Advanced Family Court Training

Funded by OCFS with existing training dollars, this curriculum exists for delivery of a variety of advanced topics to improve courtroom practice. This training will be provided to local social services district personnel. Requests for this training will be made by the local social services district to the OCFS Regional office. OCFS will prioritize the request coming from identified counties.

Basic Child Welfare Training

Funded by OCFS, through Professional Development Program, for development and delivery to chemical dependency treatment providers, this basic overview of child welfare will be delivered via webinar in order to be self-paced, and widely accessible.

Advanced Child Welfare Training

This training is funded by OCFS for delivery to court staff on the key child welfare agency tasks, such as safety and risk assessment, appropriate safety interventions, family engagement, case planning and permanency planning. The training will present information designed to enhance understanding of the concept of attachment and of the impacts of trauma on child development. This training will be delivered in person or through webinars by OCFS staff or contractors.

System-Specific themes

Appendix "B" outlines specific themes that are considered foundation-level information, and are incorporated into the curricula developed to support the New York Partnership for Family Recovery. It is expected that each system has already educated its professionals in its own themes, therefore, each system is expected to gain an understanding of the themes of the other two systems. For example, child welfare professionals would be expected to learn information on AOD and the Courts, but not child welfare. Each system will be responsible for sharing the content on its own system with the other systems.

Specific Audiences may include:

Direct line caseworkers – public and private
Supervisors
Judges and Judicial Officers
Court Attorneys
Chief Court Administrators
Agency/County attorneys
Attorneys for Children
Recovery Coaches/Advocates/Mentors
Case Managers
Certified Prevention Specialists
Credentialed Alcoholism and Substance Abuse Counselors (CASACs)
Respondent's and non-respondent's attorneys
Court Appointed Special Advocates (CASA)
Family Treatment Court teams
Court Social Workers
Service Providers – public and private
Facility and program managers
Child welfare stakeholders groups
Clinical Supervisors
Certified Prevention Professionals

Resources for Development and Presentation of Stage 1 Training:

Content

Themes have been established to share core competencies among systems that are consistent with the Guide. Curricula focuses on issues such as**:** a) attitudes and values (including cultural competence); b)The Guide's principles and values; c) family systems; d) ASFA time frames; e) how systems interrelate and overlap; and f) Confidentiality and information sharing.

Other trainings

Existing trainings can also be leveraged to provide additional information to support this plan. A list of currently existing, ongoing training opportunities is provided in Appendix A.

Continuing education credit hours

Approval for continuing education credits will be sought for attorneys, social workers, credentialed alcoholism and substance abuse counselors, certified prevention specialists, licensed marriage and family therapists, licensed mental health counselors and other relevant professions for participation in relevant trainings.

Stage 2– In- Depth Training/Technical Assistance

Purpose: Identified county teams will gain deeper insight into other systems and develop a county level process for ongoing communication, problem solving and working in a systematic way to address the needs of families exposed to substance use disorders. This will be accomplished using a combination of training on advanced system issues, technical assistance, and the products developed in support of the partnership for family recovery. It is expected that this combination of resources and support will promote creative interdisciplinary problem solving, integrated case planning and innovative programming. Participants will receive support developing and implementing locally-based protocols that outline information sharing across the three systems utilizing the Guide as well as system specific desk and bench guides.

Provision of technical assistance and support to the identified counties will be provided through existing resources within the Partnership for Family Recovery core group and harnessing existing system resources. Simultaneously, funding for a statewide coordinator of the project will be sought. See Appendix C: ***Duties of a Statewide Coordinator***.

Target Audience: Identified county interdisciplinary teams representing family court, child welfare and chemical dependency systems along with other relevant partners.

Approach: Support will be provided through a combination of training, technical assistance, and work with the existing Guide, desk and bench guides. Training will be interdisciplinary and focus on themes that emerge as priorities to the local county group, including:

- Cross-systems collaboration
- Understanding medication assisted treatment and management
- Addiction as a chronic disease
- Kinship care
- Reunification
- Mental health
- Child development – meaning of time, impacts of trauma and importance of attachment
- Domestic violence
- Trauma-informed services for parent and child
- Grief, loss, and ambivalence

A blended training model, will allow for training to be delivered via web, DVD, and stand-up delivery. Training will be determined at the county level, based on team consensus and grounded in a needs assessment process conducted prior to training.

Technical assistance will be provided in response to locally identified systemic issues, by a statewide coordinator or by existing resources identified within the core group. The delivery of technical assistance will require continued involvement of the core group as an advisory board.

Participant Conferences are expected to occur periodically so that county teams who complete the work outlined within this plan can be brought together to share information, resources, ideas, and to problem solve as a group. Such conferences will be a key means of supporting and sustaining local collaborations.

APPENDIX A

AVAILABLE TRAININGS

Chemical Dependency System Trainings

1. OASAS administers a comprehensive statewide education and training program for alcoholism and substance abuse professionals through its Bureau of Workforce Development's Training Unit.

2. Center for the Application of Substance Abuse Technologies (CASAT) has been working on a new project to create home study courses specific to prevention.

3. Substance Abuse Prevention Home Study Course- Accompanies the textbook: Substance Abuse Prevention: The Intersection of Science and Practice. Available in hard copy or electronically.

4. Environmental Prevention Strategies - Available on CD Rom or electronically from CSAP.

5. CSAP's Northeast CAPT offers a menu of computer-based, interactive online courses to on prevention. These facilitated on-line courses last one to three weeks.

6. Prevention Pathways Online Prevention Courses from CSAP (The Center for Substance Abuse Prevention)

7. **CSAP Prevention Pathways**, a gateway to information on prevention programs, program implementation, evaluation, technical assistance, on-line courses and a wealth of other prevention resources, is offering online prevention courses that are free to the public. Some courses are meant for professionals and other courses are designed to provide helpful information to members of the general public interested in prevention topics.

Child Welfare System Trainings

1. Professional Development Program (PDP), a statewide OCFS effort to train child welfare caseworkers and supervisors on substance abuse issues. Includes 3-day training on fundamentals of substance abuse, treatment, and family issues. Additional workshops available on special topics, such as working with teens, or co-occurring disorders. Trainings for both DSS staff and voluntary agency professionals. This is a voluntary training.

2. Bridges Leadership Institute coordinated by COAF/Phoenix House for NYC child welfare, drug treatment and family court professionals on cross-systems issues. Includes 14 monthly one-day sessions and requires participation of senior manager, supervisor and counselor/ caseworker from each agency. Fundamentals of child welfare and drug treatment are covered, along with overlapping issues such as domestic violence, family reunification, and mental health.

3. ACS Satterwhite Training, a New York City effort to train local child welfare providers on substance abuse issues.

4.OCFS Statewide and Regional Trainings

5.Local DSS Staff Development

6.ACS Training

Court System Trainings

1. Seven-session Basic Training in Nassau County Family Court for all court/DSS roles, 2006-7, funded by Court Improvement. Funds cover ninety minute modules on the Addiction Basics, Treatment Options, Family Perspective on Addiction, Treatment and Recovery, Child Perspective on Addiction and Recovery, Relapse, Perspectives of Treatment Providers, and Working with Respondents.

2. Training for new and ongoing Family Drug Treatment Court Teams is held 1 - 2 times a year and is limited to team members from a county's Family Drug Treatment Court which includes judges, court attorneys, DSS workers, and local treatment providers. The training is funded with federal funds and covers the basic operation of Family Drug Treatment Courts.

APPENDIX B

Recommended Sytem Specific Training Themes

Professionals across the state have many different opportunities for training. Training is provided through conferences and other special meetings. Training is offered by individual agencies as part of their professional development program or through broader initiatives at the city, county, or regional level. While not all professionals will access one of the Partnership for Family Recovery training options, they still need to have access to the same critical information.

The matrix below presents the core topics that should be familiar to all professionals working in these three systems. Trainings offered through venues other than the Partnership for Family Recovery should use these themes as a guidepost for curriculum development and training content.

FAMILY COURT	CHILD WELFARE	CHEMICAL DEPENDENCY TREATMENT
• Who are the people in the courtroom - what is their role, what they can and cannot do • What are the court's priorities, who is the client • Communication with the court - verbally and in writing (including decorum in the Court) • Parental and children's rights/responsibilities • Types of proceedings in child welfare cases • How Family Court differs from other courts (i.e., criminal court) • ASFA and relevant child welfare legislation (NYS Permanency Law Articles 10 and 10A, CAPTA, etc.) • TPRs - process and meaning • Permanency options - including surrender of parental rights, adoption, kinship care, etc. • Problem Solving Courts – what they are, how they work (Family Treatment Court, mediation, Best Practices protocols) • Services available to clients through the court • Legal resources in the community	• What are the child welfare system's priorities, who is the client • The child's right to safety and permanency • How a case flows through the system • Key players in the system • Types of child welfare services (investigation, protective services, preventive services, foster care, adoption) • Parent/child visiting • Adolescents in care, including special focus on permanency • Permanency options and planning • How long a case (indicated and unfounded) stays in the database. • Safety and Risk – definitions, types of related services, decision making process regarding assessment • Case management, including case conferencing • Services available through child welfare • Child development - attachment and bonding, impacts of trauma on child development • Emotional responses to abuse and neglect - separation, loss, grieving, trauma • Supporting special needs children/ youth and associated safety risks	• Addiction as a chronic disease • Neurobiology of addiction • Types of treatment (detox is not treatment) • Uses and limitations of drug testing • Recovery process and recovery services • Relapse • Impact of addiction and recovery on children and families • Perinatal substance abuse impacts • Adolescent substance abuse and treatment • Priorities of treatment system • Facilitating the change process • Medication-assisted treatment • Co-occurring disorders • Confidentiality laws and information sharing • Substance abuse prevention • Drugs of abuse – including signs and symptoms of use • Impact of treatment and reunification on children and families (treatment can be very disruptive for children and families) • Treatment providers as mandated reporters

APPENDIX C

Statewide Project Manager Job Description

The New York State Partnership for Family Recovery* seeks a Statewide Project Manager to help implement the values and principles outlined in their collaborative guide, "Gearing up to Improve Outcomes for Families: A Collaborative Initiative (2008)". The Statewide Project Manager will provide support to the Core Team by facilitating the enhancement and development of community collaborations across NY State.

Specific responsibilities include:

- Working with the Core Team to develop a plan to provide technical assistance and training to counties looking to enhance or develop their cross systems communication and collaborations that service youth and their families.
- Develop, coordinate and distribute a Request for Information (RFI) to NYS counties seeking to receive technical assistance around local implementation of the Practice Guide.
- Provide in-depth technical assistance to selected counties to include:
    - development/enhancement of communications protocols and collaborative projects;
    - helping to assess training needs; and
    - aide in the coordination of cross training activities.
- Work with the selected counties and core team to develop selected outcomes that will determine the success of the initiative, to include evaluating the effectiveness of the RFI.
- Investigate funding for sustainability.
- Develop a marketing plan to engage stakeholders across the systems.
- Coordinate the work of this project with other statewide projects looking to improve services to children and their families.

Appendix J

SEVENTH JUDICIAL DISTRICT
FAMILY COURT GUIDELINES
CHILDREN ATTENDING PERMANENCY HEARINGS

The Seventh District suggested guidelines encourage judicial leadership to engage children and youth to be a more integral part of the court process by actively participating in an age-appropriate discussion and meaningful permanency hearings. The guidelines are mere suggestions and deviations may occur depending on circumstances.

Effective December 31, 2007, FCA § 1089(d) requires the court at the permanency hearing to engage in age-appropriate consultation with the child regarding the child's permanency plan.

I. At What Age Will A Child Attend Their Permanency Hearing (PH)

Children of age seven or older should attend their permanency hearing, offering an age appropriate discussion with the Judge regarding their permanency plan.
(The age of seven is considered the "age of reason").

Approach each child's attendance on an individual basis. A child will attend unless it is determined not to be in their best interest and circumstances exist to support a waiver of the child's appearance, or they have expressed a desire not to appear. Children who wish not to appear should never be mandated to appear.

Even when a child is not old enough to express themselves, a child's appearance in court can promote a sense of urgency in achieving permanency by seeing the child in person.

Siblings shall appear together whenever possible.

Identify (acknowledge) the child's support individuals accompanying him/her to court; foster parent(s), caregiver(s), and/or important adult individual(s) to the child.

II. Judicial Leadership

The Judge will inform parties at the conclusion of the dispositional phase of the original petition that the child is expected to appear at their PH.

The Judge will encourage appropriate persons to describe to the child in an age appropriate discussion the court process and what to expect in preparation for their PH.

If a child has disabilities it shall be presumed that the attorney for the child will be aware of the disabilities prior to the PH, and request that necessary adjustments and preparations occur.

III. Child's Court Appearance

The decision on whether a child will appear in court will be handled on a case by case basis, sensitive to the individual needs of the child appearing in court, and taking into consideration the child's age, developmental and emotional well-being.

Structuring of the PH per the Judge's discretion

- Everyone comes into court for the PH
- Except when emotional harm to the child may occur when sensitive issues are being discussed.

Possible options available to the Court

- Child present in court, talks to the Judge without respondent(s) parent(s) in the courtroom.
- Child present in court, talks to the Judge without parent(s) in the courtroom, and continues to remain in court while the parent(s) appear.
- Child and parent(s) are both present in the courtroom while each address the Judge.

Siblings appear together unless inappropriate/not in their best interest

Scheduling PH Date Certain

- When possible set PH court date to accommodate the child's schedule, not to disrupt their school schedule and extracurricular activities.
- If a child's PH is scheduled in the morning, give the case priority to be heard first on the docket; minimize anxiety of waiting to go into court and if school age missing class time.

IV. Ice Breakers: Engaging the Child

Have a conversation with the child that makes him/her feel comfortable and lets him/her know that you care about what happens to him/her.

A child may feel intimidated if they have to make eye contact, continue the conversation even if they are not looking at you, but are still willing to talk. Not making eye contact may be a cultural response.

With adolescents you may have an adult style talk, but start with non-threatening topics such as things they like to do, music, sports, hobbies, movies.

If the child is placed away from their home, or freed, names they call important people in their life may overlap. Clarify who they are talking about, foster mom/dad, biological mom/dad, or caretaker.

Take a few minutes for you and the child to get to know each other, establishing a comfort level for the child to talk.

- Thank you for coming today, I'm glad you're here.
- Begin with something positive, or that they feel good about.
- What kinds of games do you like to play, what you do with your friends for fun, favorite sports, favorite class.

- Do you know what my job is as Judge?
- Do you know why you are meeting with me today?

Ask open ended questions, mindful that some children are more engaging than others. Open ended questions typically begin with words and phrases such as:

- Why and How
- Tell me about…
- How does that make you feel…

V. Conversation with the Child: Placement, Visits, Relationships, Goal, Reasonable Efforts

Keep in mind that children may be very literal and may give an answer just to respond to a question because they know they are supposed to give an answer. It does not mean that they understood the question or are interpreting it the way you intended.

Did you have enough time to speak to your attorney?
Have you been meeting with your caseworker?

Tell me about some of the services you are receiving? Are they what you want? Are there any services you would like to have that we are missing?

Parent(s) and Sibling Visits

- How often are visits?
- Where do the visits take place and transportation?
- Do you have phone calls and how often?
- If you are given a choice about visits is there anything you would like to change?
- Are there important individuals you know that can help arrange or supervise visits?

Education, Health and Emotional Well-Being

- School: remain in school of origin/changed school, attendance and grades
- Eating, sleeping, health
- Activities, socialization
- Employment

Review Transitional Plan

Address Current Permanency Goal

- If the goal is Another Planned Permanent Living Arrangement (APPLA).
  Who takes care of you?
  Who do you live with?
  What are your plans for the future?

Appendix K

Volume 2 Number 1

Child Welfare

NEW YORK STATE

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

INSIDE THIS ISSUE

2 One Child Equals One Permanency Goal

3 Findings and TImings

3 Common Title IV-E Errors—New York State's Dress Rehearsal

4 Engage in a Court Self-Review

Get the Facts on the Role of the Court in the Title IV-E Eligibility Review

Fact: NYS passed a federal review of child welfare cases in August of 2006.

In August 2006, NYS passed an initial primary review of child welfare cases with an error rate of 8.67%. "The audit reviewed cases from several counties across the state and allowed for a 10% error rate. Title IV-E of the Social Security Act (42 U.S.C. §§ 671-679b) is an important funding stream for foster care costs. It provides for federal reimbursement for a portion of the maintenance and administrative costs of foster care for children who meet specified federal eligibility requirements. In New York, the federal share is currently 56.2%. These federal funds help offset the State and local costs of providing foster care to children.

The Administration for Children and Families (ACF) of the federal Department of Health and Human Services is required to conduct Foster Care Eligibility Reviews (FCER) every three years of a random sample of cases to determine whether the foster care costs charged to the federal Title IV-E program are appropriate.[1] The standards outlined in Title IV-E fall into two major categories: eligibility determinations and documented court findings. Eligibility determinations are primarily based upon securing documentation at the time of initial placement that the child was Aid for Dependent Children eligible at the time of removal. This assessment is made by the social services district and should be maintained as necessary throughout the placement. Not all foster children are eligible for Title IV-E reimbursement.

Fact: New York State underwent a Second Primary Eligibility Review in 2009.

Due to the fact that New York passed the initial primary eligibility review in 2006, ACF conducted a second primary eligibility review of New York State in August of 2009. If at the completion of the second primary eligibility review the state is determined not to be in substantial compliance, the State will be required to submit a program improvement plan (PIP) to the federal government containing strategies for remedying the deficiencies. In addition, federal disallowances are taken for the sample cases that are found to be out-of-compliance. The PIP provisions must be implemented within one year (unless state legislation is required) at which time the State will undergo a secondary eligibility review. This review will sample a substantially larger number of cases (150) for compliance. A review determination that a state is not in substantial compliance at the completion of a secondary eligibility review may result in a disallowance related to the state's entire Title IV-E claims.[2]

The Second Primary Eligibility Review for New York was scheduled for August 31 to September 4, 2009. The random sample of cases has been drawn from the Adoption and Foster Care Analysis and Reporting system (AFCARS). There is a six month window of cases from which the cases are selected. This is called the Period under Review (PUR). For New York's second primary review, the PUR is from October 1, 2008 to March 31, 2009. What this means is that any case where a child was in care and was reported to be eligible for federal Title IV-E money from October 1, 2008 to March 31, 2009 is eligible to be selected and reviewed. The sample will consist of 80 cases, and the threshold for achieving compliance is a 5% error rate (four or fewer cases).

Continued on page 2

1. www.ocfs.state.ny.us/main/fostercare/titleiv-e/chapter3.asp;
2. Id.

 (*continued from page 1*)

Fact: Title IV-E requires family court judges to make case-specific findings.

Title IV-E requires specific documentation of court findings at the initial removal hearing as well as at permanency hearings. These requirements are also codified in State legislation in the Family Court Act and Social Services Law. Evidence of specific documentation of court findings can only be proved from two sources: 1. original, unaltered or amended, court orders; or 2. the transcript of the hearing. It's important to note that the federal government will not accept *nunc pro tunc* orders, or a reissued or amended order, to verify or document required findings.

Best practice in this area suggests the use of the OCA court forms, and a thorough review to ensure that all orders have the required language prior to signing and entry. Additionally, all required findings should be made on the record. The order is the preferred source of documentation.

Title IV-E requires specific judicial findings of "reasonable efforts" and "contrary to the welfare" at designated stages in the court process. Removal hearings, approvals of voluntary placements and permanency hearings are all judicial episodes which require specific findings. In addition, the timing of issuing these findings is statutorily prescribed.

Fact: Collaboration generates success.

The fact that New York State passed the initial primary eligibility review was due to the joint efforts of the local family courts, the Office of Court Administration, the NYS Office of Children and Family Services, and local social service districts across the state. We all worked together to review cases before they were subject to federal review, correct practice errors and participate in ongoing training and technical assistance. With the level of commitment that New York has displayed toward achieving substantial compliance, we welcome this review. ■

One Child = One Permanency Goal

Each child in foster care can only have one permanency goal in order to be eligible for Title IV-E reimbursement. However, federal and state law requires that in addition to a permanency goal, each child in foster care has a specified concurrent plan in the event that the permanency goal cannot be achieved.

This requirement may have caused some confusion around the state. Cases have been identified where orders reflect two permanency goals or alternate permanency goals. Neither of these types of orders allows for the local social service district to request and receive their share of federal reimbursement for these cases during the time that the dual or alternate goals are in place. The result is that the locality absorbs the entire foster care cost for those cases.

Concurrent planning is an important element in ensuring timely permanency for children and while there is no prescribed mandate that court orders reflect these concurrent plans, many judges openly discuss and review these plans with casework staff and families. Reviewing a child's permanency goal as well as the child's concurrent plan is a best practice and consistent with the oversight role that the Adoption and Safe Families Act (ASFA) created for Judges. Ensuring that the order properly reflects the child's one primary permanency goal is an essential judicial function. ■

Some Examples:

Ineligible	Eligible
The child's permanency goals are reunification and adoption.	The child's permanency goal is reunification and the concurrent plan for the child is adoption.
The child's dual goals are placement with a fit and willing relative and adoption.	The child's permanency goal is placement with a fit and willing relative and should that goal not be achieved, the child's concurrent plan is adoption.
The child's goal is either APPLA or adoption.	The child's permanency goal is adoption and the concurrent plan is APPLA; if adoption cannot occur there would be no other appropriate permanency goal for the child.

Common Title IV-E Errors: New York State's Dress Rehearsal

In preparation for the second primary eligibility review pursuant to Title IV-E of the Social Security Act, NYS Office of Children and Family Services (OCFS) conducted a mock review of randomly selected cases. They called this process the "Dress Rehearsal." Upon completion of the Dress Rehearsal, OCFS identified the most common issues involving court orders within the case files submitted for review. The first area identified was with the actual condition or appearance of court orders. Orders were:

- missing pages
- missing the judge's signature
- illegible due to poor quality (photocopies) or
- entirely missing.

Each of these could create a payment issue if Title IV-E was claimed.

The second area identified with respect to court orders was content-specific. According to John Stupp, Chief Attorney of the NYS OCFS Legal Division, the following are examples of errors noted to Court orders in the dress rehearsal:

- Orders to Show Cause executed directing removal of a child from the home without a contrary to the welfare (best interest) finding in the order.
- A voluntary Placement Agreement ordered without approval of the Department of Social Services.
- Late finding of reasonable efforts to finalize a permanency goal.
- Orders directing removal from a relative with legal custody of the child under FCA § 1017 without a finding of contrary to the welfare (best interests) or reasonable efforts to prevent the removal.
- Approving voluntary placement agreements from non-parent custodians (must be a parent or legal guardian).
- Dual or alternative permanency goals.

Stupp stated, however, that progress is being made. "I am finding that the 2005 changes in State law dealing with ongoing court jurisdiction in Article 10 cases and the mandate for more frequent permanency hearings are aiding compliance," he said. "As usual, those counties that use the OCA forms are in [a] better position to comply." ■

Findings and Timings

Initial Removal

The first order that places a child in out of home care must contain a finding that remaining in the child's home is "contrary to the welfare of the child" or that "continuing in the child's home is not in the child's best interest." In addition, a reasonable efforts determination regarding the efforts made to prevent the removal must be made within 60 days of a child's removal from his or her home. This finding can be made at the initial removal, and best practices suggest this procedure will help to ensure this step is not missed.

Approval of a Voluntary Placement Agreement

When approving a voluntary placement agreement, a judicial finding needs to be made that the placement of the child into foster care is in the child's best interest. This finding must be made 180 days after the execution of the voluntary placement agreement. Best practice dictates making that finding upon the approval. If that approval goes on beyond one court appearance, it is recommended the court track the 180 days in order to not miss the deadline. It should be additionally noted that voluntary placement agreements that are approved from non-parent custodians will not be Title IV-E eligible. Title IV-E only allows voluntary placements agreements to be reimbursed if taken from a parent or legal guardian.

Permanency Hearings

At the Permanency Hearing, a determination that reasonable efforts to finalize the permanency plan must be made and documented in a court order. Title IV-E states that a judicial determination that reasonable efforts have occurred in furtherance of the child's permanency plan must be made within 12 months of the child's entry into care (either the date of the court's finding of abuse or neglect or 60 days after the removal of the child from his or her home – whichever comes first) and every 12 months thereafter. New York State law requires that the initial permanency hearing be commenced no later than 8 months from the date or removal and that subsequent hearings be held within 6 months of the completion of the prior permanency hearing. Careful compliance with NYS law will ensure that no case ever exceeds the 12-month Title IV-E mandate. However, if no finding is made within 12 months of the prior finding, Title IV-E eligibility is suspended until such finding is made. ■

Best Practice Efforts to Improve Compliance

Engage in a Court Self-Review

Improved practices in the 7th Judicial District are the result of annual IV-E self-review. These were initiated well before the 2006 federal audit, under the direction of the Honorable Craig J. Doran, Supervising Judge of the Family Courts of the 7th Judicial District, and supported by the work of Mary Aufleger, Child Welfare Court Improvement Project Liaison to the 7th District. These annual reviews also have resulted in collaborative discussions with human services agencies in the counties that comprise the 7th JD to ensure that findings are made and documented in each case.

Below is the Review Procedure followed in the 7th JD:

1. Family Court Supervising Judge appoints a court team to review files at each of the District Family Courts. The team will assist the chief clerk in preparing for the review process.
2. Supervising Judge sends a letter out to chief clerks informing them of the upcoming review and to extend full cooperation to the members of the team.
3. The team sends out a letter to the chief clerks with a scheduled date for their county review. The letter includes the requested files to pull for the review; case types, number of cases and time periods. Equal numbers of files are pulled for each judge who is hearing remand/permanency cases where the child has been placed out of the home.
4. The team completes data forms designed to document case specific findings for each case reviewed. The review team's goal is to collect information identifying requisite case-specific Best Interest, Reasonable Efforts findings and the timeline for Articles 10, 3, and 7 case types.
5. The team visits each Family Court to conduct the review process, documenting the findings for each requested file.
6. Following the team's review and documentation of court order compliance with IV-E eligibility requirements and ASFA, the team then meets with the chief clerk, county law representative, department of social services, and others to discuss the findings.

Initiate a Multidisciplinary Case Review

As part of ongoing collaborative work in Erie County, the Child Welfare Court Improvement Project (CWCIP) partnered with the Buffalo Regional Office of the NYS Office of Children and Family Services (OCFS) to conduct monthly case file reviews in Erie County for compliance with Title IV-E standards. Cases pulled for these reviews were identified by random selection by OCFS or by Erie County Department of Social Services (DSS) IV-E analysts who identified specific types of cases more prone to a specific type of error; for example, cases for children who entered care prior to 2007 or cases with concurrent PINS petitions. In these instances, the group is not only charged with rooting out any error cases but also looking at practice across a case segment and making recommendations to ensure that IV-E issues are not overlooked. The group includes the OCFS IV-E Specialist, CWCIP liaison, and various DSS administrative staff and uses the federal audit tool as the basis for their review.

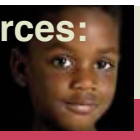
This group has facilitated "group reviews" of cases in order to train DSS unit supervisors to perform self-reviews of cases within their unit and to improve their individual capacity for fixing errors before they become permanent.

Sponsor Multidisciplinary Training Provided by Child Welfare Court Improvement Project

Utilizing the excellent tools developed and disseminated by the NYS OCFS legal staff, CWCIP has planned and presented training entitled Ensuring IV-E Eligibility: making the case for eligibility in the court orders and the courtroom for more than 75 Judges, Court Attorney Referees, Child Welfare Attorneys and supervisory caseworkers in the 8th Judicial District. This training outlines the compliance areas highlighted in this article and shares the tips and examples prepared by OCFS to ensure good practice.

For more information, please contact your CWCIP liaison or Christine Kiesel at ckiesel@courts.state.ny.us

Resources:



Children's Bureau Publication Provides Timely News on Child Welfare Issues

Children's Bureau Express is an online newsletter designed for professionals concerned with child abuse and neglect, child welfare, and adoption. *Children's Bureau Express* is supported by the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services and published by Child Welfare Information Gateway **FULL PUBLICATION**

http://cbexpress.acf.hhs.gov/

How Courts Can Help Keep Foster Youth in Care Beyond Age 18

The role that courts can play in keeping youth in foster care beyond age 18 is the focus of a new brief from the Chapin Hall Center for Children. The study examined practices in Illinois, one of the few states that extend care to age 21. Findings indicate that strong advocacy within the family court on behalf of foster youth plays a primary role in retention rates, and is associated with a greater availability of placements and services for older foster youth, more involvement by caseworkers and other adults, more positive attitudes about remaining in care beyond age 18, and a greater awareness that, by law, youth may remain in care beyond age 18. **FULL ARTICLE:**

http://www.chapinhall.org/research/brief/continuing-foster-care-beyond-age-18

Journal Addresses Children and Procedural Justice

Court Review, the journal of the American Judges Association, includes an overview of the role of children in the courtroom and procedural justice. The article includes progress data on a current study indicating that like adults, children view their participation in legal proceedings that affect them as an important component of their judgment of procedural fairness. The issue also includes a general call for courts to treat people in ways that promote the experience of fairness. **FULL ARTICLE:**

http://aja.ncsc.dni.us/courtrv/cr44-1/CR44-1-2.pdf

2008 Kids Count Data Book Available Online

The annual *Data Book* from the Annie E. Casey Foundation is a national and state-by-state profile of the well-being of America's children that seeks to enrich discussions concerning ways to secure better futures for all kids. It ranks states on 10 key measures and provides data on the economic, health, education, and social conditions of America's children and families. **FULL PUBLICATION:**

http://www.ccf.state.ny.us/Initiatives/KidsCountRelate/kcResources/2008DataBookPDFS/2008DataBookFull.pdf

Information Sheet Produced on Mediation in Child Welfare

This information sheet, authored by Della Knoke and published by the Centre of Excellence for Children's Well-Being, describes the use of mediation in child welfare and summarizes key findings of evaluations that have been conducted in a number of areas across Canada and the United States. **FULL PUBLICATION:**

http://www.cecw-cepb.ca/sites/default/files/publications/en/Mediation74E.pdf

Website Presents Overview of Child and Family Services Review on New York State

The NYS Office of Children and Family Services has posted comprehensive information about the recent Child and Family Services Review of New York State. The CFSR is a Federal-State collaborative effort that identifies strengths and areas needing improvement in State programs and systems, focusing on outcomes for children and families in the areas of safety, permanency, and child and family well-being. The website includes a video summarizing the findings and next steps, including the state's Performance Improvement Plan. For more information, go to:

http://www.ocfs.state.ny.us/main/cfsr/

Child Safety Manual Provides Decision-Making Too

The newly released American Bar Association Child Safety Manual describes a decision-making framework and process to help legal professionals "make decisions about child safety using logic and analysis, rather than a form or formula." Written with Judges and Attorneys in mind, the manual is a useful tool for anyone participating in, or making, decisions about child safety. **FULL ARTICLE:**

http://nysccc.org/wp-content/uploads/ABA_Child_Safety_Manual_june32009.pdf

Manual Available to Help Protect Children Affected by Substance Abuse

The Children's Bureau released the latest in its Child Abuse and Neglect User Manual Series: *Protecting Children in Families Affected by Substance Use Disorders.* The manual examines: the nature of substance abuse disorders (SUDs); the impact of parental SUDs on child development; and screening, assessment and treatment approaches. It explores the roles of the child protective system and treatment providers, as well as collaborative techniques to help all of the systems involved with substance abusing families to work more effectively together. **FULL MANUAL:**

http://www.childwelfare.gov/pubs/usermanuals/substanceuse

Appendix L

Child Mental Health Across Developmental Stages

Training Sessions for Legal and Child Welfare Professionals

NASSAU COUNTY FAMILY COURT, 1200 OLD COUNTRY ROAD
WESTBURY, NEW YORK (2ND FLOOR WAITING ROOM)

REGISTER FOR ONE OR ALL:

SESSION 1:

Early Childhood Mental Health, Children 0-5 years old

June 4th, 1:00-2:15 PM, 1.5 CLE Credits

This session will provide a basic understanding of early childhood mental health issues, including social emotional development and the impact of stressful life events on infants and toddlers' emotional and behavioral functioning. Dr. Chinitz will discuss ways to address the emotional needs of the youngest children in the child welfare system.

Presenter: Susan Chinitz, *Psy.D Director, Early Childhood Center, Albert Einstein College of Medicine*

SESSION 2:

Mental Health Issues for Children 6-11 years old

June 11th, 1:00 - 2:15 PM, 1.5 CLE Credits

This session will provide a basic understanding of latency stage trauma related mental health issues commonly experienced by children in the child welfare system. Information will include symptoms, diagnoses, prognosis and treatment options.

Presenter: Sascha Griffing, *PhD, Assistant Professor, Dept. of Psychiatry Mount Sinai School of Medicine Senior Project Manager*

SESSION 3:

Mental Health Issues in Early Adolescence 12-14 years old (Part I)

June 18th 1:00- 2:15 PM, 1.5 CLE Credits

This session will provide a basic understanding of early adolescent mental health issues commonly seen in youth in the child welfare system. The discussion will include information about symptoms, diagnosis, treatment and prognosis, as well as aggravating factors and court related issues.

Presenter: Keith Ditkowsky, *MD, Child and Adolescent Psychiatrist, Nassau University Medical Center*

SESSION 4:

Mental Health Issues in Late Adolescence 15-18 years old (Part II)

June 25th 1:00-2:15 PM, 1.5 CLE Credits

This session will continue the discussion of adolescent mental health issues for children in the child welfare system into late adolescence.

Presenter: Keith Ditkowsky, *MD, Child and Adolescent Psychiatrist, Nassau University Medical Center*

NEW YORK STATE

Child Welfare Court Improvement Project

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

TO REGISTER ONLINE: http://app.formassembly.com/forms/view/91487

FOR FURTHER INFORMATION CONTACT:

Trista Borra, Deputy Statewide Project Manager
516-571-9437 or tborra@courts.state.ny.us

CO-SPONSORED BY: NASSAU COUNTY FAMILY COURT'S CONTINUING EDUCATION SUBCOMMITTEE

APPROVAL FOR CLE CREDIT IS PENDING, LUNCH IS "ON YOUR OWN"

Appendix M

The Race for Relatives, Addressing Relative Resources

Friday, October 2, 2009

Featuring:

Margaret Burt, Esq.

Seminar Topics:

- Placement Options
- Permanency Planning with Relatives
- Engaging Fathers

Attorneys will be awarded a total of 5 CLE credit hours for attending the seminar.

9:30 am – 3:30 pm

Holiday Inn
411 Electronics Parkway
Liverpool, NY

To Register Online:

https://survey.nycourts.gov/TakeSurvey.aspx?SurveyID=n2LK982

Or Contact:

Cindy Roth, Child Welfare Court Improvement Project Liaison
croth@courts.state.ny.us or 315 731-3468

Sponsored in Partnership By:

NYS Office of Children and Family Services, NYS Child Welfare Court Improvement Project, and the Law Guardian Program Fourth Department

Complimentary Continental Breakfast
Wraps, Chips and Soda can be purchased on site for $6.00. Cash Only.
OUTSIDE FOOD ITEMS ARE NOT ALLOWED.

Registration will be on a first come basis as seating is limited.

Appendix N

Achieving Indian Child Welfare Act (ICWA) Competence for Child Welfare Matters

Niagara County Family Court, Lockport, NY
Jury Assembly Room, 3rd Floor
175 Hawley Street, Lockport, NY 14094

Wednesday, April 29, 2009

1:00 – 1:10	Traditional Welcome from the Tuscarora Nation
1:10 – 1:15	Introduction of presenters (The Honorable John Batt)
1:15 - 1:45	Native American cultural competencies (Jamie Gilbert, Native American Coordinator)
1:45 - 3:00	Legal overview of ICWA (Margaret Burt, Esq.)
3:00 – 3:15	Break
3:15 - 3:45	Native American services available in the community to support Native families (Kim Thomas, NYS OCFS - Native American Affairs Specialist)
3:45 - 4:30	Indian Expert Witness (Margaret Burt, Esq.)

PLEASE RSVP to
Karen Carroll at kcarroll@courts.state.ny.us
by Monday, April 27th to register.

CLE Credit has been approved for this training at 3.5 hours of professional practice.

Appendix O

Education Matters!

McKinney-Vento and Fostering Connections: Providing Educational Stability for Vulnerable Students

Wednesday, November 18, 2009

Featuring:

Jennifer Pringle, Esq.
Project Director, NYS-TEACHS, Advocates for Children

Kathleen DeCataldo, Esq.
Executive Director, NYS Permanent Judicial Commission on Justice for Children

Karen Carroll, Esq.
Deputy Statewide Project Manager, NYS Child Welfare Court Improvement Project

9:00 am – 12:30 pm

Buffalo & Erie County Public Library Auditorium
1 Lafayette Square, Buffalo, NY 14203

To Register Online:

https://survey.nycourts.gov/TakeSurvey.aspx?SurveyID=n2LL382

For More Info Contact:

Karen Carroll at kcarroll@courts.state.ny.us

Sponsored in Partnership By:

NYS Child Welfare Court Improvement Project
NYS-TEACHS, Advocates for Children
NYS Permanent Judicial Commission on Justice for Children
City of Buffalo Public Schools
Erie County Permanency for Children Collaborative Education Commission

Approval for NYS CLE credit is pending

WHEN: WEDNESDAY, FEBRUARY 11, 2009

9:00 am to 4:00 pm

Basic Court Information

Everything the Service Provider Always Wanted to Know About the Child Welfare Legal System

WHERE: CHEMUNG COUNTY
STEELE MEMORIAL LIBRARY AUDITORIUM
101 EAST CHURCH STREET
ELMIRA NY

TO REGISTER CONTACT:

BRIAN HART
607-737-5343
BHart@co.chemung.ny.us

Child Welfare

NEW YORK STATE

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

Court Improvement Project

BEST PRACTICES FOR ACHIEVING TIMELY PERMANENCY

A Model Court Training for Attorneys and Caseworkers

PLEASE REGISTER FOR ONE SESSION:

March 27, 2009	9:30 AM – 12:30 PM	SUNY Oswego State Education Center 70 County Route 59, Phoenix, NY
April 21, 2009	9:30 AM – 12:30 PM	SUNY Oswego State Education Center 70 County Route 59, Phoenix, NY

FEATURING:

Overview of State and National Child Welfare Court Reform and Best Practices; What to Expect from Case Conferencing

Presenter: ***Christine Sabino Kiesel, Esq.***
Statewide Project Manger Child Welfare Court Improvement Project

Evidentiary Issues in Article 10 Cases

Presenter: ***John Herbowy, Esq.***
Chief Attorney, Oneida County Department of Social Services

Panel Discussion Question and Answer

Presenters: ***Oneida County Family Court's Model Court Team***
Moderator: ***Cindy Roth***, NYS Child Welfare Court Improvement Project Liaison 5th District

3 CLE Credits

TO REGISTER CONTACT:

Cindy Roth
315 731-3468 or croth@courts.state.ny.us

Child Welfare

NEW YORK STATE

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

Court Improvement Project

PRESENTED BY: NEW YORK STATE CHILD WELFARE COURT IMPROVEMENT PROJECT

TUESDAY, JUNE 30, 2009 • 12:00 – 1:45 PM

TOOLS FOR ENGAGING CHILDREN IN THEIR COURT PROCEEDINGS

BEVARD STUDIO ON-CENTER COMPLEX
800 S. STATE ST., SYRACUSE NY

FEATURING:

HEAR ME! HEAR ME! HEAR ME!

Voices of Youth in Foster Care Regarding Their Court Proceedings

TO REGISTER ONLINE: https://survey.nycourts.gov/TakeSurvey.aspx?SurveyID=72K1ml2

FOR FURTHER INFORMATION CONTACT:

Cindy Roth
Child Welfare Court Improvement Project 5th Judicial District Liaison
315-731-3468 or croth@courts.state.ny.us

Child Welfare

NEW YORK STATE

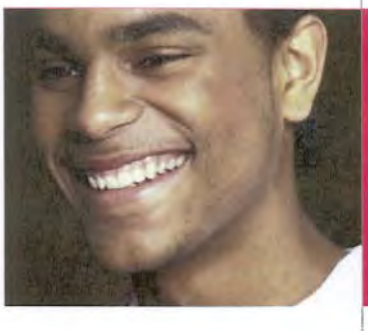
Unified Court System • Division of Court Operations
Office of Alternative Dispute Resolution and Court Improvement Programs

Court Improvement Project

CO-SPONSORED BY: ONONDAGA COUNTY FAMILY COURT'S MODEL COURT STAKEHOLDERS

Approved for 2 CLE Credits

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

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

Court Improvement Project

CO-SPONSORED BY: ONEIDA COUNTY FAMILY COURT AND
ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES

Child Welfare

NEW YORK STATE

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

Court Improvement Project

Child Permanency Mediation Program

BROWN BAG LUNCH INFORMATIONAL SESSION

JUNE 17, 2009

12:15 p.m. – 1:15 p.m.

For Attorneys and Child Welfare System Professionals appearing in Family Court on Article 10 Cases

Administered by The Child Welfare Court Improvement Project

In collaboration with The Fifth Judicial District

Promoting the safety, permanency and well-being of children

KATHLEEN BLAKE, *CHIEF CLERK, GENESEE COUNTY FAMILY COURT*

INVITES THE MEMBERS OF THE BAR AND THEIR STAFF TO:

ADOPTION SEMINAR

(OR, IN HONOR OF HALLOWEEN:

EVERYTHING YOU WANTED TO KNOW ABOUT ADOPTIONS, AND COMPLETING THE FORMS — PRIVATE AND AGENCY —

BUT WERE AFRAID TO ASK...)

DATE

FRIDAY OCTOBER 30, 2009
9:30 A.M. TO NOON
GENESEE COUNTY FAMILY COURT

SPEAKERS

KATHLEEN BLAKE, CHIEF CLERK, GENESEE COUNTY FAMILY COURT
ROBERT J. CROYLE, COURT ATTORNEY
KATHIE BROWN, GENESEE COUNTY DEPARTMENT OF SOCIAL SERVICES

RSVP

Please RSVP **Ms. Blake** by October 23, 2009
Please include in your RSVP any questions you wished answered

Child Welfare

NEW YORK STATE

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

Court Improvement Project

CLE's are pending

THE CHILD WELFARE COURT IMPROVEMENT PROJECT AND MONROE COUNTY FAMILY COURT PRESENT:

The 2009-2010

BABIES CAN'T WAIT ~ TEENS WON'T WAIT

Training Series

A monthly court-based training series focusing on the well-being of infants, children and adolescents in the child welfare system. Sessions enhance cross-systems collaboration to meet the multiple needs of children and families. Presenters offer best practice, research, resources and practical applications for decision making in the courtroom emphasizing health, emotional well-being, permanency and better outcomes for youth.

FALL TRAINING DATES

THURSDAY, OCTOBER 8TH:

Trauma Informed Decisions in Child Welfare

Jody Manly, *PhD Clinical Director, Mt. Hope Family Center*

Dr. Kathleen Plum, *Director, Office of Mental Health*
Monroe County Department of Human Services

TUESDAY, NOVEMBER 10TH:

Kinship Care: Policy and Legislative Activity on Family Issues

Gerard Wallace, Esq. *NYS Kinship Navigator Program*

Linda James, *NYS Kinship Navigator Program*

THURSDAY, DECEMBER 10TH

Court Ordered Post Termination Visitation

Margaret Burt, Esq

SAVE THE DATES FOR 2010

Babies Can't Wait ~ Teens Won't Wait will be offered on:
January 14 • February 11 • March 11 • April 8 • May 13

LOCATION

All sessions will be held from 12:30 to 2 p.m. at:
Hall of Justice, Room 303
99 Exchange Boulevard, Rochester, NY

FOR MORE INFORMATION CONTACT:

MARY AUFLEGER, CWCIP Liaison
mauflege@courts.state.ny.us
No registration required

CLE CREDITS

1½ CLE hours offered

Child Welfare

NEW YORK STATE

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

Court Improvement Project

FRIDAY, JUNE 19, 2009

TWO SESSIONS:

9:00 AM - 12:30 PM or 1:00 PM - 4:30 PM

The Case for Using Best Practice Hearings to Achieve Timely Permanency

BUFFALO AND ERIE COUNTY PUBLIC LIBRARY AUDITORIUM,
1 LAFAYETTE SQUARE, BUFFALO, NY

FEATURING:

Christine Sabino Kiesel, Esq.
Statewide Project Manager, Child Welfare Court Improvement Project
"Making a Case for NYS's "Best Practice" Initiatives in Child Welfare"

Margaret Burt, Esq.
Solo Practitioner; National Lecturer and Child Welfare Training Consultant
"Building Your Best Case"

A Panel of Local Attorneys
Moderated by Margaret Burt, Esq.
"In Case You Thought It Didn't Apply to You...Best Practices Across Professional Roles"

TO REGISTER ONLINE:

https://app.formassembly.com/forms/view/75918

FOR FURTHER INFORMATION CONTACT:

Karen Carroll
Deputy Statewide Project Manager
716-845-2753 or kcarroll@courts.state.ny.us

Child Welfare

NEW YORK STATE

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

Court Improvement Project

CO-SPONSORED BY: ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES

APPROVAL FOR CLE CREDIT IS PENDING, LUNCH IS "ON YOUR OWN"

Appendix P

NEW YORK STATE UNIFIED COURT SYSTEM • DIVISION OF COURT OPERATIONS
CASA ASSISTANCE PROGRAM
OFFICE OF ALTERNATIVE DISPUTE RESOLUTION AND COURT IMPROVEMENT PROGRAMS

MONDAY MORNING MEMO

Monday, December 14, 2009 ❧ Volume 4, Issue 5

CASA Programs Complete First Statewide RFP Process

CASA Programs around the state participated in the first Request for Proposals for state court funding this year. The applications reflected a great deal of work on the part of local directors and boards, and provided comprehensive information about the agencies providing CASA services. It is always inspiring to see how much the local programs and their volunteers do, often with such limited resources.

The RFP was posted at the end of July, with applications due September 10th. All decisions on awards were made by the end of October, and contracts commencing January 1st. There was no competition for awards around the state, but a minimum score was required in order for a grant to be awarded.

There will be few changes around the state regarding CASA contracts. One program, serving Albany and Rensselaer Counties, will be transferred to a new administering agency, the Center for Community Justice, which now provides CASA services in Schenectady County. Mediation Matters in Albany has provided a supportive home for CASA since 1990, and quality services to the courts. The program was expanded in 2004 to serve Rensselaer County. Mediation Matters opted to not apply for continued funding from NYS UCS in this application process. ***Special thanks to Mediation Matters' talented staff for all they have done on behalf of Capital District children over the years.***

Some trends emerged in the RFP's, such as the need to clarify the role of advisory committees, provide more opportunities for in-services in cultural competence, and explore new methods of board development. We will be meeting with local programs over the next few months to provide support and technical assistance in any areas identified in local grants, and to finalize contract deliverables moving forward.

Monday Morning Memo Resumes Publication

We took a break from the *Monday Morning Memo* during the CASA RFP Process, but hope to resume regular publication in the New Year. In between newsletters, we will continue the one-page *Topic Talk* bulletins, which are summaries of answers to questions posed by local directors. For both publications, contributions and suggestions for issues to be covered are always appreciated.

Supporting and Cultivating Donors: Ask Well, Thank Much

As many local CASA programs complete their annual appeals to individual donors, it's a good time to review the importance of how you subsequently connect with those who contribute to your program. It's always easier to keep your current donors than to find new ones, so this outreach is key. According to Adrian Sargeant in *Managing Donor Defection* (www.campbellrinker.com), "small increases in donor loyalty can have a dramatic impact on an organization's future revenue streams." If revenue continues to be expended to recruit new donors who then fall by the wayside, then a program is working very hard to merely break even. The solution is to encourage current donors to make second and future gifts.

Non-profits in general don't have a great track record in this area. In the year following an initial donation, a typical non-profit will lose between 40 and 50% of its new cash donor, and an additional 30% each year following. In Sargeant's study, 13% of donors stopped giving because the organization did not acknowledge their gift. A total of 8% reported that they were never informed how their money was used.

While 54% of donors stated they could no longer afford to support a particular organization, 36% reported they found other causes more deserving.

So to reverse those numbers, the focus needs to be on relationships not transactions. In *The Number One Reason Donors Stop Giving* by Rebecca Ruby, (www.fundraising123.org), donors say too much attention or too little is cause to stop their connection to the agency. Ruby states that donors need a thank you note, promptly, that communicates the idea that they matter, and that you would like to begin or continue a conversation with them about the good work that you do.

Thank your donors three times as often as you appeal for donations.

Ideally, Ruby says, **t**hank your donors three times as often as you appeal for donations. Highlight a program, person or other aspect of your organization that their donation supported. Make the thank you personal: donors can tell the difference between a canned thank you letter and something designed for them alone. One former Executive Director I worked with swore by hand-written notes, and had the success record to prove that worked. Ideally, communicate throughout the year, if possible, giving donors the choice of frequency and of their preferred form communication.

To offset some of the concerns donors have about charities, be transparent and accountable, letting donors know how you spend their money. Especially in a tight economy, donors are even more mindful that their donations are going to good use. Show them that you are using funds wisely, even that you have tightened belts to maximize the amount of their donation that goes directly to service.

In the end, it comes down to mother's advice: the first thing you do when you get a gift is write the thank you note.

CASA Performance Measures to be Piloted in 2010

A Statewide Data Advisory Committee comprised of representatives from NYS UCS, local CASA programs, and the State Association has developed draft Performance Measures to standardize and quantify CASA's work around the state. The measures were distributed to local CASA programs at the fall Program Directors' meeting, and two webinars held following that meeting to review progress on data collection efforts. In 2010, New York City CASA and CASA of Westchester County, and an Upstate program to be identified, will begin piloting the measures and bring feedback to the Committee for possible revisions. The goal is to adopt consistent measurement across the state by year's end.

In crafting the draft measures, the Committee reviewed those developed by other state CASA programs, National CASA, and federal and state court and child welfare entities, as well as other funders such as United Way. Committee members felt that as a collaborative player in the child welfare system, CASA should focus its data collection on the efforts CASA programs specifically put forth on cases to which they are assigned. So while the measures focus more on activities rather than the ultimate outcome of the case, they will provide valuable data on how CASA resources are used.

The draft measures include service advocacy, submission of court reports, and attendance at hearings, service plan reviews, Family Treatment Court team meetings, and other meetings with schools or service providers. Measures explore how CASA assists in maintaining a focus on the child, including how CASA helps with well-being issues such as education, health, and mental health. Data will be tracked on specificity of case assignment, such as whether CASA was asked to focus on Interstate Compact or aging-out issues. For a copy of the proposed measures, email daward@courts.state.ny.us.

The development of the measures is part of the overall mission of the Committee to standardize data collection around the state, and eventually to move toward a web-based data collection system. Currently, most programs in the state track case, program and volunteer information on COMET (CASA Outcomes Management and Evaluation Tool), the desk-top data collection system developed by National CASA. Last year, the Committee put forward standardized List Maintenance Tables for COMET in an attempt to create uniform terminology in fields. This consistency will be critical in moving to a web-based system in the future.

Continued feedback from local programs and other stakeholders on the measures and data collection process is welcomed.

Save the Dates

January 22: Indian Child Welfare Act Training in Batavia

A video on "Achieving Indian Child Welfare Act (ICWA) Competence for Child Welfare Matters" will be presented at the Genesee County Family Court on January 22nd. A recording of an earlier training in Niagara County, the presentation features Margaret Burt, Esq, Jamie Gilbert, and Kim Thomas. The training is co-sponsored by Genesee County Family Court and the NYS Child Welfare Court Improvement Project. For more information, contact Aimee Neri at aneri@courts.state.ny.us.

Regional Resource Development Planning Seminars Offered

Raising money in today's economic climate requires more coordination and better planning than ever before. Effective resource development plans provide a framework for board and staff members for the maintenance and development of all programs within an agency.

To support that goal, NYS UCS is offering regional one-day trainings on "Developing and Implementing an Effective Resource Development Plan." Trainings will be from 8:30 to 5 p.m. each day on:

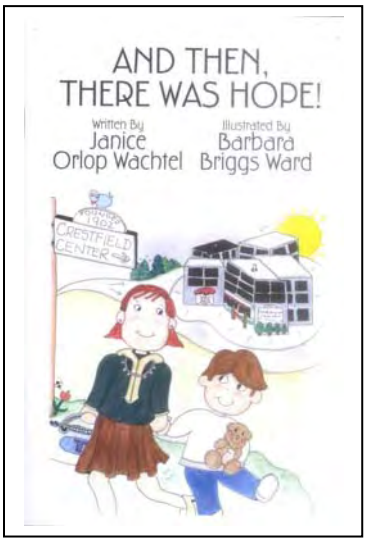
- **February 26, 2010 in White Plains**
- **March 23, 2010 in Albany**
- **April 30, 2010 in Rochester**

The agenda for the seminars, open to CASA programs, Community Dispute Resolution Centers, and Children's Centers, will be the same at each location. Trainers Dan Kos and Darlene Ward from the NYS UCS Office of Alternative Dispute Resolution and Court Improvement Programs will cover the elements of an effective resource development plan, avoiding common pitfalls, implementing a plan, and measuring success. Details and registration information will be coming to an email box near you.

Developing an effective plan requires input from all levels of the agency from board members to program staff. Particularly if creating and sustaining solid and effective RD plans has been a challenge for your agency, we strongly encourage you to assemble a team of Board members and staff to attend one of the regional trainings.

Resources

(Please note: Links to third party sites do not imply any affiliation between the UCS CASA Assistance Program and the site owner, or an endorsement, approval, or verification of any content available on such third party sites.)



Booklet for Children with Mental Health Needs

Written by Janice Orlop Wachtel, the booklet "And Then, There Was Hope!" was created by the NYS Office of Mental Health (NYS OMH) specifically for children entering NYS-run psychiatric centers.

Its message and illustrations by Barbara Briggs Ward help create an accessible message for all children struggling with mental health issues. To request copies, contact the Director of Community Outreach and Public Education at NYS OMH at 518-474-2338.

Structural Strategies to Help Nonprofits in a Tight Economy

This article addresses some of the organizational changes that can assist nonprofits cope with restricted revenue, such as analyzing efficiency, reviewing mission fit, and, somewhat ironically, thinking bigger. Go to: www.fieldstonealliance.org/client/tools_you_can_use/05-06-09_structural_strategies.cfm

Children of Incarcerated Parents: An Action Plan for Federal Policymakers

This action plan reviews both federal and state barriers to identifying and serving children of incarcerated parents, and offers policy recommendations for the U.S. Congress and the Administration. The action plan is designed to help federal leaders improve policies for children of incarcerated parents, but also includes recommendations of value to states and local governments that can facilitate and complement federal initiatives and result in better responses to this population. For the full report, go to: www.reentrypolicy.org/jc_publications/federa_action_plan_?version_id=55173&return_url=/admin/jc_publications/36

Report Details Strengths of Families Living in Poverty

To many, poor families equal problem families, and they fail to recognize both the strengths that many poor families have and the characteristics that they may share with more affluent families. This *Research Brief* by Child Trends highlights data for more than 100,000 families. To read the study, go to: www.childtrends.org/Files//Child_Trends-2009_5_14_RB_poorfamstrengths.pdf

Literature Review of Grandparents Raising their Grandchildren

An increasingly prevalent family constellation is a home headed by a grandparent who is raising grandchildren. A review of the literature, published in the *Gerontology Journal*, explores the knowledge base in this area and its implications for service providers and researchers. Go to: http://gerontologist.gerontologyjournals.org/cgi/content/full/45/2/262

Particularly in what has been a challenging year for many of you, we extend our appreciation for all the good work you do – the services you provide to the family courts of this state and the support and hope you offer to abused, neglected and at-risk children.

Happy Holidays, and every wish for a New Year filled with peace and prosperity.

Quotable

"Each one has to find peace from within. And peace – to be real – must be unaffected by outside circumstances."

- Mahatma Gandhi

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NEW YORK STATE UNIFIED COURT SYSTEM • DIVISION OF COURT OPERATIONS
CASA ASSISTANCE PROGRAM
OFFICE OF ALTERNATIVE DISPUTE RESOLUTION AND COURT IMPROVEMENT PROGRAMS

MONDAY MORNING MEMO

Monday, February 23, 2009 ❧ Volume 4, Issue 2

Self-Assessments A Way to Begin Conversations About Culture

A number of tools exist for organizations to assess their cultural competence and to begin conversations about changing their organizational culture, according to trainer Cathy Cave. Cave, formerly Director of Cultural Competence at the NYS Office of Mental Health and now Founding Partner of Unlimited Mindfulness Consulting, has worked with a number of government and private agencies to help them move toward a more inclusive environment and more culturally appropriate services. She recently presented a training in Albany on "Empowering Strategies for Families in Transition," sponsored by the St. Paul's Center, a homeless shelter for mothers and their children.

Culture is "anything that unifies a group of people," Cave said. It is critical to understand an individual's culture particularly at times of transition, as they still have connections to what they may have lost.

A good guide to promoting cultural competence is: assume nothing.

The first step of any self-assessment is to ask: What is the makeup of the community as a whole? What is the makeup of the people who use our services? Then you can begin to identify what groups are served well by your organization, and where there are service gaps. Engage the community in creating appropriate outreach and in restructuring how you do business. "If you are not listening to folks," Cave said, "you're missing a lot."

A common gap, Cave said, is in barriers to communication. This can be as obvious as not offering information in an individual's native language, or just minimizing the complexity of the information you are trying to impart to a family that is under stress. One suggestion is to provide an extra copy of your brochure, so if individuals you are meeting with don't understand or can't read, they can bring the copy to a friend or family member to review it with them. That may be less stressful than asking what might feel like basic or embarrassing questions.

A good guide for CASA programs and other agencies serving families is to "assume nothing," Cave said. Always seek first to understand, exploring all the cultural influences impacting this person and their family. Turn "facts" into questions, searching to identify strengths. Some suggested questions include: How do you describe yourself? Tell me about your family. What language do you speak at home, at work, or with friends? Is spirituality or religion important in your life? Do you have a religious or spiritual practice now? Who or where do you go for comfort?

Turn "facts" into questions, searching to identify strengths.

Every agency should have a Cultural Competence Plan, guiding recruitment, training and program services. Examine all aspects of what you do for practices that inhibit or prohibit engagement, Cave suggests. Continually seek information from the families you serve, using that feedback to make necessary changes. Utilize "cultural brokers," individuals in the community who can help connect you with different cultural groups, in order to continue to diversify your staff and volunteer pool.

Cave often quotes an old movie line: "If you give a man a label, you don't really have to get to know him." Make it standard program practice to gain knowledge rather than place people in compartments.

Further information can be found at The National Center for Cultural Competence, http://www11.georgetown.edu/research/gucchd/nccc/. Another good resource, geared for health care providers, is Diversity Rx at www.diversityrx.org.

Free Teleconference Presented on Fostering Connections to Success Act

The American Bar Association's Section of Litigation, Young Lawyers Division, and the Commission on Youth at Risk will present a free, 90-minute Live Webcast and Audio Teleconference on "The Fostering Connections to Success Act: Moving from Act to Action" on Tuesday, March 17th from 1 to 2:30 p.m. Faculty for the training include Howard Davidson, Director, ABA Center on Children and the Law; Marisol Garcia, attorney; Honorable Michael Nash, Presiding Judge, Los Angeles Juvenile Court; and Jenny Weisz (Moderator), Tufts University, Department of Child Development and Urban Policy.

To register for the teleconference (free for the first 300 registrants), go to: www.abanet.org/cle/programs/t09fcs1.html or phone 800.285.2221 and Select Option "2."

The Fostering Connections to Success Act, H.R. 6893, signed into law in October, puts into place some of the most sweeping federal foster care reforms in over a decade. For a comprehensive review of the Act, see the Child Welfare Court Improvement Project's Best Practice Bulletin at: www.nycourts.gov/ip/cwcip/Publications/BPB_V1N3.pdf

Resources

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PBS Offers Online Tools and Resources for Parents

On the Public Broadcasting Systems' website, there is a section of on-line resources for families titled "PBS Parents." The site includes information about child development, nutrition, education, games and activities, even planning of birthday parties. You also can sign up for a weekly newsletter. Go to: www.pbs.org/parents/

A workshop on the PBS tools and resources for parents will be offered at the Prevent Child Abuse-New York annual conference in Albany April 20-22. For more information on the conference, "Transformations," go to: www.preventchildabuseny.org/conf09/index.shtml

Information on Siblings Available on Citizen's Coalition Website

An overview of "Overcoming Barriers to Keeping Siblings Together" in foster care and adoption is available on the NYS Citizen's Coalition for Children's website. The article, by Linda Glover from "Connections," Michigan Foster Care Program Review Board, examines common barriers to sibling placements and discusses challenges with the "parentified sibling." Go to: :http://nysccc.org/adoption/waiting-children/keeping-siblings-together/overcomingbarrier/

Report Issued on Domestic Violence Fatalities in New York State

Fifty-five percent of female homicide victims in New York State last year were murdered as a result of a domestic incident, according to a report by researchers at the NYS Division of Criminal Justice Services (NYS DCJS), in comparison to seven percent of male homicide victims being killed by a family member.The report, "Domestic Homicide in New York State: 2007," is a comprehensive statewide analysis of homicides in which the victim was either an intimate partner or child of the alleged assailant, or involved in some other type of family relationship. Statewide, of the 36 child victims of domestic homicide, 22 of them were under the age of one.

The report was written by Adriana Fernandez-Lanier, Ph.D. and James A. Gilmer, both of the NYS DCJS Office of Justice Research and Performance. It is available on the DCJS website at: www.criminaljustice.state.ny.us/pio/domestichomicidereport_120808.pdf. For more information on domestic violence, visit the OPDV website (www.opdv.state.ny.us).

Newsweek Article Discusses Credit Ratings of Children in Foster Care

The February 16th issue of *Newsweek* magazine featured an article about a youth who experienced identity theft while in foster care. To view the article, go to: www.newsweek.com/id/183711

Save the Dates

"Spring" CASA Program Directors' Meeting to be Held March 23-24

CASA Program Directors' spring meeting, coordinated by the UCS CASA Assistance Program in collaboration with CASA: Advocates for Children of NYS, will be held in the Albany area Monday, March 23rd, from 2 to 6 p.m. and continue Tuesday, March 24th, from 8:30 a.m. to 5 p.m. To register, go to: www.surveymonkey.com/s.aspx?sm=Wquvs9Yblhc1zuIxzLIZGQ_3d_3d

The meeting will take place at The Comfort Inn, Glenmont. A block of overnight rooms is available for Monday, March 23rd at $99/room. To reserve, call 518-465-8811 and ask for the Unified Court System room block. For more information, go to: www.comfortinn.com/hotel-glenmont-new_york-NY219

Quotable

"With the gift of listening comes the gift of healing."

- Catherine de Hueck Doherty

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NEW YORK STATE UNIFIED COURT SYSTEM • DIVISION OF COURT OPERATIONS
CASA ASSISTANCE PROGRAM
OFFICE OF ALTERNATIVE DISPUTE RESOLUTION AND COURT IMPROVEMENT PROGRAMS

MONDAY MORNING MEMO

Monday, June 29, 2009 ❧ Volume 4, Issue 4

Training Highlights Strategies for Building Financial Base

Think big, form collaborations, and build relationships. Those were three of the main themes at a training on "Money for Mission" held June 23rd in Albany to provide expertise and inspiration to not-for-profits about fundraising.

> ***"There isn't a city in America that does not owe its lifeblood to what not-for-profits do every day."***
>
> ***Robert Egger***

The training is an annual offering of the New York Council of Nonprofits (formerly the Council of Community Services of NYS) and drew participants from around the state including representatives of CASA programs in Schenectady, Dutchess, Ulster and Oneida Counties.

Keynote presenter Robert Egger, founder of the V3 Campaign (www.v3campaign.org) stressed that the not-for-profit sector is the seventh biggest economy in the world, with more than 14 million staff and 800 million volunteers, receiving $300 billion in donations annually. As such, it has the potential to be a powerful political and financial force. What gets in the way of that is the historic silo mentality of not-for-profits, advocating for their own cause rather than working together to develop a coherent and common voice. "There is only one way forward, and that is together," Egger said. Agencies can join forces in small ways such as sharing computer support or office buildings, or work to develop major collaborative programs providing services and revitalizing communities.

Not-for-profits, Egger said, were begun in the post-war era by women who may have been edged out of the work force by returning servicemen. There was an attitude of submissiveness in their requests for funding that has lingered to the present day. He said with the combined wealth and influence of not for profits, it is time to act as equals to the business world.

Nick Fellers, President of the Suddes Group (www.forimpact.org) presented a two-part workshop on "Making the Million Dollar 'Ask'". Key to the Group's theory for raising funds is to "think and ask big." Fellers encouraged participants to visualize success, "give yourself permission to dream and to risk."

> ***"It's not what you say to funders that matters; it's what they hear."***
>
> ***-Nick Fellers***

Much of the language used by not-for-profits in fundraising reflects a focus on lack, he said, asking for funds to plug a deficit or maintain an existing program. This doesn't inspire donations. Philanthropists are visionaries, so the key to engaging them is to communicate vision "at 30,000 feet," Fellers said. Rather than describe the day-to-day workings of your organization, discuss how you are changing your community and improving the lives of families and individuals. This message should be powerful – and short, not a six-page brochure or 30-slide Power Point, "It should fit on the back of a cocktail napkin." An example came from a participant from Habitat for Humanity. His three-word, 30,000 feet description of their vision is to "eliminate substandard housing"; this allows the broadest connection to mission before describing how the agency accomplishes that goal. "If you can't get a common ground around the vision, the details don't matter," Fellers said. *Anyone have a great three-word message for CASA?*

Fellers urged not-for-profits to look carefully at the language they use. Involve rather than inform; seek investors and not donors; present opportunities instead of asking for money; and think in terms not of transactions but relationships.

Building relationships was also the theme presented by luncheon speaker Marshall Howard, author of *Let's Have Lunch Together: Four Proven Ways to Build Relationships That Easily Raise Money* (www.marshallhoward.com), who also presented a workshop on his method. He said not-for-profit leaders, particularly the Executive Director, need to develop relationships with their board and potential funders and community partners. This is not about being friends, social colleagues or about being liked, Howard clarified, it's a "positive emotional connection between two people that builds trust."

"People decide emotionally and justify logically" when making decisions about funding, Howard said. "If you don't trust the messenger, the message doesn't matter."

"Funders are people, not walking wallets; spend more time learning about them than you do asking for what you need." – Marshall Howard

Fundamental to the process of building relationships is putting the other person first and your needs second. To be successful, you must make a conscious and significant time commitment. "Become human interest detectives," Howard said, and look for mutual values and goals.

When you shift the focus to relationship building, you are more likely to have board members offer up their community connections, Howard added. They know you are not going to just ask their friends and colleagues for money, but are going to be genuinely interested in developing a connection with them. That connection might involve financial contributions, and it might not. Never underestimate the potential to your organization of individuals who may not have deep pockets, but are well regarded and connected in the community and might have energy and creative ideas to share. "Transform supporters into relationship ambassadors," Howard said.

Howard emphasizes his "Win/Win Commandments" that include "You must deliver at least one win before you make an ask to get your own win." Key stakeholders need at least two wins per year. "A thank you letter, no matter how well drafted, does not constitute a win," Howard said. Wins must be meaningful to the personal and professional values and goals of the supporter, be appropriate and well-timed. "If you don't continuously uncover and deliver a supporter's wins, someone else will," he said.

Materials from the Money for Mission training will be posted on the council's website, www.ccsnys.org .

Not Such Little Losses: Grief & Loss Experiences of Children

Children in the foster care system don't advertise their experiences of grief and loss in ways that all can recognize, according to Dr. Jodi Mullen, co-author of *Counseling Children & Adolescents through Grief and Loss*. Mullen presented a webinar June 11th, sponsored by the Child Welfare Court Improvement Project, that was viewed by CASA program staff and volunteers and Parent Education programs around the state.

Our culture tends to view grief as a private matter and provide little opportunity to process feelings of loss in a healthy manner, said Mullen, who is on the faculty at SUNY Oswego and a credentialed play therapist and play therapist supervisor. Societal myths such as "time heals all wounds" and "be strong" serve to stifle the expression of grief. Children in particular have limited ability to verbalize their feelings and limited capacity to tolerate emotional pain. "Any child who is mature enough to love is mature enough to grieve," Mullen said.

How children handle grief varies depending on their age, emotional health, the number of losses they have experienced and the significance of those losses, as well as the supports they have available to them.

Children not allowed the time and space to grieve can experience difficulties managing change – a vital capacity for children entering or leaving foster care -- and have trouble forming and maintaining attachments.

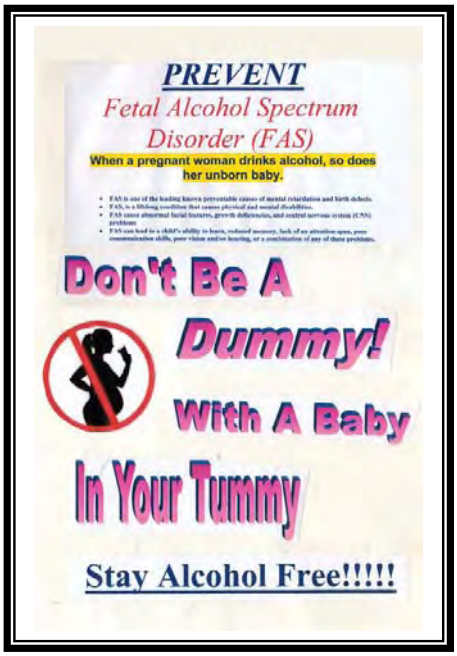
Mullen urged those involved in family court proceedings to watch for signs of unresolved grief in children, such as depression, anxiety, relationship conflicts, boundary confusion, guilt and a child's refusal to talk. Referrals to therapy, particularly alternative therapies such as play and art therapy, can be particularly helpful and necessary if the child's grief has become disabling, and is manifesting in suicidal ideation, regressive behaviors, or physical ailments.

The webinar was a pilot use of Meeting Place technology to present training to the network and colleagues in child welfare in the most accessible and cost-effective way. While there were some challenges with the technology, the evaluations of the training were overwhelmingly positive and provided great feedback to inform our training series moving forward. An audio recording of the training will be available soon.

FASD Awareness Day 2009 and new FASD posters available

September 9th will mark the tenth annual Awareness Day devoted to helping to prevent Fetal Alcohol Spectrum Disorders (FASD), according to Margo Singer, FASD State Coordinator with the NYS Office of Alcoholism and Substance Abuse Services (NYS OASAS).

FASD refers to a range of birth defects which can include abnormal facial features, growth retardation, nervous system problems and other physical problems. It can occur if a woman drinks alcohol during pregnancy. Children with FASD may have physical disabilities and problems with learning, memory, attention, problem solving, and social/behavioral problems. "When a pregnant woman drinks alcohol, so does her baby," Singer said. There is no known safe amount of alcohol to drink while pregnant and there also does not appear to be a safe time to drink during pregnancy. Therefore, it is recommended that women abstain from drinking alcohol at any time during pregnancy.



NYS OASAS recently concluded its first FASD Prevention Poster Contest. The Contest was designed to help educate students in grades 6-12 from across the state, and to raise awareness among the general public about the dangers of alcohol consumption during pregnancy. The culmination of the contest coincided with the annual observance of Alcohol and other Drug-related Birth Defects Awareness Week in May. Copies of the FASD prevention poster will be distributed to CASA programs in the coming weeks; a sample of one appears at right.

Events on the September 9th FASD Awareness Day are usually held at 9:09, the 9th minute of the 9th hour of the 9th day of the 9th month of the year. This date and time is used to remind women not to drink during the 9 months of pregnancy. The www.FASDay.com website provides information on previous FASD Awareness Day events and suggests activities that can be held in your community. "Displaying the OASAS poster is also another way to highlight the importance of FASD prevention," Singer said. More information on FASD can be found at www.oasas.state.ny.us/fasd.

ABA Seeks Nominations for Spirit of Excellence Awards

The American Bar Association Commission on Racial and Ethnic Diversity in the Profession is accepting nominations for the 2010 Spirit of Excellence Awards. These celebrate the efforts and accomplishments of lawyers who excel in their professional settings; personify excellence on the national, state, or local level; and who have demonstrated a commitment to racial and ethnic diversity in the legal profession. Nominations are due July 15, 2009.

For more information, go to: www.abanet.org/minorities/spirit/home.html

Resources

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Site Offers Research and Analysis of Child Trends

Child Trends (www.childtrends.org) is a nonprofit, nonpartisan research center that studies children at all stages of development. Its mission is to improve outcomes for children by providing research, data, and analysis to the people and institutions whose decisions and actions affect children, including program providers, the policy community, researchers and educators, and the media.

Child Trends researches child poverty, child welfare and well-being, early child development and school readiness, education, parenting, health, marriage and family, teen sex and pregnancy, youth development and children of immigrants. The site includes a number of articles and fact sheets that could provide support to grant requests.

Quotable

"Man is most nearly himself when he achieves the seriousness of a child at play."

- Heraclitus

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MONDAY MORNING MEMO

Monday, March 30, 2009 ❧ Volume 4, Issue 3

CASA Spring Directors' Meeting

Directors met in Albany this month and heard presentations on collaboration, children in the courtroom, data collection, and "Points of Pride," success stories from area programs. The meeting, which included interactive learning activities (right), was coordinated by UCS in collaboration with CASANYS. Local directors Kathy McGowan (above left) and Katie Montague (with paper, right) greatly contributed to the planning and facilitation. Speakers included Lee Lounsbury (below left), child welfare consultant; and Karen Carroll, (above center), deputy statewide project manager for the Child Welfare Court Improvement Project.

Two New Chapters of CASA Program Manual Distributed

At their March meeting, CASA directors received two new chapters of the CASA statewide program manual, *How CASA Works in New York State: Solving the Program Proficiency Puzzle.* Chapter 8, *Technology and Performance Management*, covers the hardware and software needs of local programs, email protocols, and data collection and management. Chapter 9, *Program Development*, reviews the procedures for expanding CASA to new counties. The manual is a joint project of the UCS CASA Assistance Program and CASA: Advocates for Children of NYS (CASANYS). The chapters will be posted with previous chapters on the UCS CASA website, www.nycourts.gov/ip/casa and the CASANYS site, www.casanys.org.

The manual committee includes local directors Grace Thompson, Ulster County, who drafted the technology chapter, and William Lamb, Ontario County. Work continues on the remaining chapters, and additional committee members are welcome!

CASA Successes

CASA Volunteer Assists Youth in Obtaining Dental Services

The issue of the unmet dental needs of children in care has been raised in many arenas. A CASA volunteer's commitment and creativity in Westchester County recently overcame challenges in this area, and helped a young girl obtain corrective dental work.

The case involved an immigrant child from South America who was sexually abused, became pregnant and delivered a son at the age of 11. She is cognitively delayed, has a number of learning disabilities, and has required extensive treatment. She has come a long way emotionally, and has even begun to socialize as a regular teenager would. However, one issue remained. This young lady had extensive orthodontic needs. She constantly referred to it, and it impacted her self-esteem. No one working on the case had a solution, though, because she was not eligible for services.

The CASA advocate, who is known for thinking outside the box, did an internet search on "pro-bono orthodontia." She found an orthodontist and his wife who had established a foundation for children in need of orthodontia. The CASA volunteer contacted the foundation, explained the general situation and her role as a CASA, and facilitated their discussing the case specifics with the local department of social services. In a very short time, free services were obtained, and the young woman now proudly displays her new braces.

Resources

(Please note: Links to third party sites do not imply any affiliation between the UCS CASA Assistance Program and the site owner, or an endorsement, approval, or verification of any content available on such third party sites.)

Joint Report Addresses Issues Facing Parents with Mental Illnesses

The Center for New York City Affairs at The New School and the Center for an Urban Future have issued a joint report documenting the issues facing poor and working class parents with mental illnesses and their children. *Child Welfare Watch*, Vol. 17, "Hard Choices: Caring for the children of mentally ill parents," looks at challenges facing parents with psychiatric problems who come in contact with the city's

child welfare system. While the report is New York City-focused, many of the issues documented occur across the country.

In New York City, as many as one-fifth of parents who come in contact with the foster care system have a diagnosis of mental illness and are much more likely to have children enter foster care than parents without psychiatric disabilities. The report summarizes the challenges courts encounter making decisions on cases involving parents with mental illnesses, and profiles some of these families and their struggles. Programs offering supports to parents with psychiatric disabilities to enable them to safely care for their children are highlighted in the report, as well as what is determined to be a critical lack of services for foster children with severe mental illnesses. The report also contains policy recommendations drafted by the Child Welfare Watch advisory board aimed at helping policymakers address issues of mental illness and parenting. The full report is available at the Center for New York City Affairs Web site, www.newschool.edu/milano/nycaffairs/cww_winter_2009.html

Save the Dates

April 7th Teleconference on Child Welfare Agency and Court Collaborations

The National Child Welfare Resource Center for Organizational Improvement will present a teleconference on April 7th on Improving Agency/Court Collaboration: Strategies for Success. Co-sponsored by the National Child Welfare Resource Center on Legal and Judicial Issues, the 90-minute program begins at 2:30 pm. It will explore overcoming barriers to collaboration, and present reports from sites around the country that have developed successful agency/court partnerships.

For more information and to register, go to: http://tatis.muskie.usm.maine.edu/pubs/TeleReg.asp

Prevent Child Abuse New York Conference in Albany April 20-22

The 14th Annual New York State Child Abuse Prevention Conference, "Transformations," will be held in Albany April 20-22, 2009. Featured speakers include Dr. Martin Maldonado, *The Why and How-to of Infant Mental Health*; Angela Shelton, *Removing the Sword of Trauma*; and Craig Zablocki, *Time Out for Parents*. For more information and to register, go to: www.preventchildabuseny.org/conf09/index.shtml

Quotable

"The true measure of a man is how he treats someone who can do him absolutely no good."

- Samuel Johnson

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Appendix Q

Child Welfare Court Improvement Project Proposed Data Metrics

1. Permanency Outcomes: For children entering out of home placement for the first time in a given year, percentage who achieves permanency by reunification, adoption, permanent custody, guardianship, or through APPLA. *

2. Time from Entry into Out of Home Placement to Permanency Achieved: Among children who enter out of home placement for the first time in a given year, the length of time to reach permanency. *

    a. Note: This measure will be disaggregated by outcome.

3. Time from Abuse/Neglect Petition Filing to Adjudication: Among children for whom an original abuse or neglect petition is filed during a given year, the time from petition filing to adjudication.

    a. Note: This measure will be disaggregated by adjudication and case type.

4. Time from Abuse/Neglect Petition Filing to Disposition: Among children for whom an original abuse or neglect petition is filed during a given year, the time from petition filing to disposition.

    a. Note: This measure will be disaggregated by disposition and case type.

5. Time from Abuse/Neglect Adjudication to Disposition: Among children for whom an original abuse or neglect petition is filed in a given year, the time from the adjudication to disposition.

    a. Note: This measure will be disaggregated by case type and time to removal for removal cases.

6. Time from Removal to Initial Permanency Hearing: Among children who remain in out-of-home care 8 months after removal, the time from removal to the first Permanency Hearing.

7. Time from TPR Petition Filing to Adjudication: Among children for whom a TPR petition is filed in a given year, the time from petition filing to adjudication of the TPR.

    a. Note: This measure will be disaggregated by adjudication type and grounds (permanent neglect, abandonment, mental retardation, or mental Illness).

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* Data to be obtained from OCFS.

8. Time from TPR Petition Filing to Disposition: Among children for whom a TPR petition is filed in a given year, the time from the filing of the petition filing to disposition.

    a. Note: This measure will be disaggregated by disposition type and grounds (permanent neglect, abandonment, mental retardation, or mental Illness).

9. Time from TPR Adjudication to Disposition: Among children for whom a TPR petition is filed in a given year, the time from the adjudication to disposition.

    a. Note: This measure will be disaggregated by grounds (permanent neglect, abandonment, mental retardation, or mental Illness)..

10. Time from Legally Freed to Permanency Achieved: Among children legally freed for adoption during a given year, the time to achieve permanency. *

    a. Note: This measure will be disaggregated by outcome

11. Consistency of Judicial Assignment: Among all cases initiated in a given year, percentage of cases in which all hearings are heard by one Judge (including hearings heard before a CA Referee who works under the direction of the assigned appearance Judge.)

12. Consistency in Child Representation: Among all cases initiated in a given year the percentage of cases in which the child's legal representation remained consistent until the time when the case was no longer under the court's jurisdiction.

13. Consistency in Respondent Representation: Among all cases initiated in a given year the percentage of cases in which the respondent's legal representation remained consistent until the time when the respondent was no longer under the court's jurisdiction.

14. Recurrence of Maltreatment: Among children who were the victims of an indicated report of abuse or maltreatment in a given six month period, percent who were victims of another indicated report within the next six months. *

15. Safety While in Care: Percentage of children in out-of-home placement in a given year who are victims of an indicated report of child abuse or neglect by foster parent or facility staff member. *

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* Data to be obtained from OCFS.