

**BACK TO BASICS: FUNDAMENTAL
APPLICATION OF THE *RESOURCE
GUIDELINES* AND THE *ADOPTION AND
PERMANENCY GUIDELINES* IN CHILD ABUSE
AND NEGLECT CASES**

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CASES**

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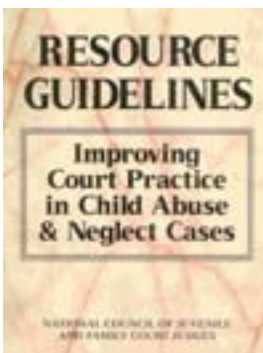
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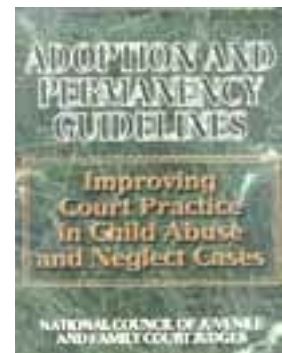
BACK TO BASICS: FUNDAMENTAL APPLICATION OF THE RESOURCE GUIDELINES AND THE ADOPTION AND PERMANENCY GUIDELINES IN CHILD ABUSE AND NEGLECT CASES

These guidelines set forth the elements of a high-quality judicial process in child abuse and neglect cases.¹

The Child Welfare and Adoption Assistance Act² and the Adoption and Safe Families Act³ (ASFA) specifically require that courts take an active role in the oversight of child abuse and neglect cases. This oversight role requires that judges ensure each child's safety and well-being, and that placement in a permanent and stable home is achieved for the child in the shortest timeframe possible. These requirements empower courts to identify and establish best practices to achieve the goals of federal law and the best interests of the child. This *Technical Assistance Brief* provides examples of practice and strategies utilized by courts to address the best practices outlined in the *RESOURCE GUIDELINES* and *ADOPTION AND PERMANENCY GUIDELINES*⁴. This *Brief* is not intended to be an exhaustive review of all practices utilized by courts for systems reform in child abuse and neglect cases. To learn more, please see www.ncjfcj.org for specific information on best practices in the National Council of Juvenile and Family Court Judges Model Courts Project.⁵



Resulting from a collaborative⁶ effort focused on ideal processing of child abuse and neglect cases, two benchbooks outlining best practices⁷ were created: the *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases*, and its companion guide, the *ADOPTION AND PERMANENCY GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases* (hereafter collectively referred to as the *GUIDELINES*).



¹ *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases*. (1995) National Council of Juvenile and Family Court Judges, Reno, Nevada, pg. 11.

² 42 U.S.C. § 620, *et seq.*

³ 42 U.S.C. § 673, *et seq.*

⁴ *ADOPTION AND PERMANENCY GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases*. (2000) National Council of Juvenile and Family Court Judges. Reno, Nevada.

⁵ The Child Victims Act Model Courts Project is funded under Section 223(a) of Public Law 101-647 (104 Stat. 4797), the Victims of Child Abuse Act of 1990, as amended in Title III, Section 1302 of the Violence Against Women Act of 2000. Please see page 13 *supra* for a list of Model Courts throughout the country, and www.ncjfcj.org for more information.

⁶ The Permanency Planning for Children Department (PPCD) of the National Council of Juvenile and Family Court Judges (NCJFCJ) convened a committee of nationally recognized experts, including judges, representatives of the American Bar Association, the National Court Appointed Special Advocate Association, and the National Center for State Courts. Please see the *RESOURCE GUIDELINES*, page 8.

⁷ For purposes of this publication, the term “best practice” refers to practice-based examples of implementation of four fundamental principles that have supported improved outcomes for children and families in the child abuse and neglect system.

The *GUIDELINES* improve each stage of the child abuse and neglect case, setting forth key components of high-quality judicial process, and highlighting the need for prioritizing cases involving child abuse and neglect. Use of the *GUIDELINES* by judges and court personnel in a jurisdiction creates a process that results in substantive and timely decisions for children, preserves the due process rights of all the parties, and articulates the roles and responsibilities of all relevant stakeholders.

Intensive and frequent judicial review of each child’s case demands accountability on the part of all system stakeholders.⁸ The *GUIDELINES* stress the importance of collaboration and communication among stakeholders, the generation and sharing of innovative ideas, as well as the encouragement of the development of a problem-solving culture to improve outcomes for children and families involved in child abuse and neglect cases.

Jurisdictions, such as those participating in the Model Courts Project, utilize the *GUIDELINES* to improve outcomes for children in the foster care system. The Model Courts have committed to implement and refine the recommendations set forth in the *GUIDELINES*, as fundamental pieces of every day court practice, and to allow other courts to learn from their successes and failures. Model Courts have agreed to serve as models for systems change, through continuous review of the whole of the system, by identifying impediments to the timeliness of court events and delivery of services, and by creating innovations to overcome such barriers within the requirements of state and federal law.

The *GUIDELINES* are grounded in four basic concepts:

- **Judicial Leadership**
- **Efficient Management of Child Abuse and Neglect Cases**
- **Timely Decision-Making**
- **Fairness and Due Process**

The *GUIDELINES* are grounded in four basic concepts: judicial leadership; efficient management of child abuse and neglect cases; timely decision-making; and fairness and due process. These principles help courts to better translate ideas for systems change into specific practices.

Every court that hears child abuse and neglect matters can use the *GUIDELINES* to critically reflect on their system and to improve practice to reflect best practices.

⁸ For purposes of this publication, the term “system stakeholders” refers to all stakeholders and agencies that intersect with abused and neglected children and their families. These stakeholders include but are not limited to: children (direct and indirect victims), judges, court administrators, attorneys (for the parents, child, child protection agency, states), parents, court-appointed special advocates, guardians *ad litem*, child protection workers, domestic violence advocates, law enforcement personnel, educators, court security personnel, mediators, foster parents (biological, foster, adoptive), relatives, chief justices, legislators, probation and parole officers, researchers, medical providers, treatment providers (mental health, substance abuse), court personnel and Clerks, and court improvement specialists.

JUDICIAL LEADERSHIP

Judicial responsibility for impartiality does not preclude judicial leadership.⁹

The importance of judicial leadership cannot be understated. Without judicial leadership, both on and off the bench, best practices cannot be fully implemented and system reform efforts will be limited. Model Court “Lead Judges” demonstrate leadership by making a personal commitment to lend their energy, vision, time, and office to the task of improving court practice, serving as a catalyst for mobilizing others to change.

- ◆ **Leadership on the bench**
- ◆ **Leadership off the bench**

➤ ***Leadership on-the-bench***

Judicial leadership should be visible in the daily activities of the court, and judicial leaders should demonstrate their knowledge and commitment to child abuse and neglect cases through their actions on the bench.

From the bench, judges should:

- ◆ Actively monitor cases;
- ◆ Set clear expectations for all parties and stakeholders;
- ◆ Ask appropriate questions;
- ◆ Use adequate hearing time to monitor cases;
- ◆ Set, enforce, and engage in a courtroom environment of respect, cultural, and community sensitivity; and
- ◆ Hold stakeholders accountable within their roles and responsibilities in the case.

In addition to the legal framework of ASFA, the Indian Child Welfare Act (ICWA), etc., judicial leadership responsibilities encompass:

- ◆ Awareness of available services and principles of treatment;
- ◆ Understanding the importance of cultural competence and gender fairness; and
- ◆ Awareness of and applying treatment and service issue concepts such as attachment and bonding, addiction and rehabilitation, mental health, and education.

To achieve the recommended leadership on-the-bench, some courts have:

- ◆ Held stakeholder trainings to discuss what information is needed in court reports and to set clear expectations for hearings.
- ◆ Implemented systems to issue orders at the end of each hearing so that all parties are clear on what their responsibilities are as soon as possible.
- ◆ Where stakeholders have failed to perform at the standard set by the court for conduct, ordered stakeholder supervisors to appear at hearings, issued no reasonable efforts rulings or orders for sanctions.

⁹ RESOURCE GUIDELINES, page 18.

Judges order what is expected of parties, when things are supposed to happen, and the timeframe for completion of activities and services. Judges should also accept responsibility for their actions and demand that all system professionals and private parties do the same. Judges must have an understanding of the case in front of them and engage in comprehensive reviews - not “rubber-stamping” the recommendations of the agency or of an attorney. In short, through leadership on-the-bench, judges set the expectation for systems change in the courtroom.

➤ **Leadership off-the-bench**

“Judges can provide leadership and the organization of court-systems and the community around the needs of children and families”¹⁰ using the following strategies to engage in leadership off the bench:

- ◆ Forming a local collaborative team of stakeholders to engage in systems reform.
- ◆ Initiating a review and comparison of court rules using the *GUIDELINES* as benchmarks of how the court compares to the processes outlined in the *GUIDELINES*.
- ◆ Promoting and modeling self-evaluation in the handling of child abuse and neglect cases.
- ◆ Being a leader at the community, state, and national levels.
 - Partnering with the state Court Improvement Project to effect systems reform at the state level, including the establishment of best practices throughout a state.
- ◆ Being active in the development of policies, standards, rules, and laws in support of system reform efforts.
 - Working with the state child welfare agency to assist with Child and Family Service Reviews, and the development and implementation of the Program Improvement Plan.
 - Working with the state Administrative Office of the Courts on reform efforts.
 - Participating in the training of all judicial levels, including Supreme Court and appellate judges, on best practices in child abuse and neglect cases.
 - Being instrumental in legislative changes making the recommendations of the *GUIDELINES* statutorily mandated.
- ◆ Serving as a source of information to the community about the needs of children and families.
 - Serving as local, state, and national speakers and faculty on issues of system reform efforts.

A Word on Judicial Ethics

When reviewing the *GUIDELINES* for the first time, some judges express concern about ethical restraints and *ex parte* communication. Systems reform efforts as defined by the *GUIDELINES* align with judicial ethics and do not compromise them. Judges can demonstrate leadership outside of the courtroom to improve practice inside the courtroom without implicating ethical issues, and while retaining and maintaining impartiality. Stakeholder outreach shows the court’s support and provides guidance for system reform, not to exert undue influence on behalf of one judge. Collaborative meetings are to discuss case processes and patterns of problems, not the details or outcomes of individual cases. It is up to each judge to make sure these boundaries are maintained.

¹⁰ Edwards, Leonard Hon., “The Juvenile Court and the Role of the Juvenile Court Judge,” *Juvenile and Family Court Journal*, Vol. 43, No. 2. National Council of Juvenile and Family Court Judges, Reno, Nevada, pg. 45.

- ◆ Encouraging the continuing education of the judiciary, stakeholders, and the community on issues that affect child abuse and neglect cases.
 - Spearheading local multidisciplinary trainings, both to educate stakeholders and the community, and engage in collaborative system reform efforts.

From the local to the national level, judicial leadership in system reform efforts, both on and off the bench, is essential to improve outcomes for children and their families.

EFFICIENT MANAGEMENT OF CHILD ABUSE AND NEGLECT CASES

The nation’s juvenile and family courts need a clear description of ways to fulfill their responsibilities in child abuse and neglect cases.”

- | | |
|--|--|
| <ul style="list-style-type: none"> ◆ Performance assessment and measurement, and marshalling available resources ◆ A strict or no continuance policy, and time-certain calendaring ◆ Good courtroom time management ◆ One family-one judge | <p>Fully meeting the needs of abused and neglected children requires efficient case management. Understanding case management processes, and tracking required state and federal standards and outcomes is a must for courts engaged in system reform.</p> |
|--|--|

➤ ***Performance assessment and measurement, and marshalling available resources***

Part of efficient case processing is performance assessment and measurement. Examples of what courts have evaluated in their measurement of court performance¹² include:

- ◆ Examining what key decisions must be made at each hearing.
- ◆ Scrutinizing the substance and timing of hearings.
- ◆ Making realistic determinations of how much time is necessary to hold a thorough hearing.
- ◆ Working collaboratively with stakeholders to examine their current caseloads.
- ◆ Crafting the court calendar to better coordinate scheduled hearings.

“There must be adequate resources for the court hearing abuse and neglect cases. These resources include adequate judicial officers, court staff, attorneys and guardians *ad litem*, technological support and space. In addition, there must be sufficient supportive services for families, including mental health services, counseling, educational/parenting programs, and domestic violence and substance abuse services.”

Performance measurement and assessment, and marshalling of resources require several levels of appraisal:

- ◆ Data reflecting the number of cases, the duration of hearings, and the timeframes within which the cases are heard and completed;

Excerpted from the “Key Principles for Permanency Planning for Children.” (1999). *Technical Assistance Brief*. National Council of Juvenile and Family Court Judges, Reno, Nevada.

¹¹ *RESOURCE GUIDELINES*, page 10.

¹² See Annooshepoor, H., et al. “Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases,” (2004) National Council of Juvenile and Family Court Judges, Reno, Nevada.

- ◆ The current level of oversight by the court;
- ◆ The desired level of oversight by the court;
- ◆ The number and quality of available resources; and
- ◆ Identification of necessary collaborative partners (child welfare agency and party attorneys, for example).

Contained in the back pocket of each *GUIDELINES* publication are benchcards with specific recommendations with regard to the depth of inquiry needed at each hearing in a child abuse and neglect case. To make this information available to the court in a timely manner before and during each hearing, the court must clearly communicate its information needs to all stakeholders. Haphazard reform efforts initiated without understanding the court's needs are neither efficient nor enduring.

The marshalling of resources requires an understanding of what the court needs, and the means at the court's disposal to achieve it. The most common resources available to a court are an ongoing commitment to children and families, time, and motivated stakeholders. Examples of how courts have marshaled their resources include:

- ◆ Reorganizing the calendar.
- ◆ Clarifying stakeholder roles and responsibilities.
- ◆ Regular collaborative meetings of key stakeholder decision-makers.
- ◆ Inviting new stakeholders to participate in collaborative efforts.

➤ ***A strict or no continuance policy, and time-certain calendaring***

Because time is of the essence for children in child abuse and neglect cases, allowing for no continuances of hearings and trials, or only under very limited circumstances, is crucial. The *GUIDELINES* recommends:

- ◆ That continuances never be allowed for inconvenience, be made on stipulation, or be made by administrative personnel; and
- ◆ That continuances should only be in circumstances of illness, unlocated witnesses, or incomplete service of process.

Courts which have adopted a no-continuance policy have done so by:

- ◆ Establishing the policy throughout the bench to ensure consistency across courtrooms and cases;
- ◆ Denying motions to continue;
- ◆ Discouraging the filing of motions to continue;
- ◆ Refusing to accept or acknowledge stipulations for continuance; and
- ◆ Issuing sanctions against parties and counsel who have failed to appear or fully prepare for hearings without good cause.

Time-certain calendaring means that when the court sets a hearing, it sets it for a specific date and time, rather than "cattle call" calendaring (e.g., half a day of cases being set for 8:30 a.m.). The value of this calendaring method is that it allows the court to focus on one case at a time, discourages interruptions and delays of hearings, and respects the valuable time of the court, stakeholders, and families.

➤ **Good courtroom time management**

Good courtroom time management starts with a clear understanding of each hearing’s goals, clear expectations of the participants in the hearing, and clearly defined roles and responsibilities of stakeholders. It requires sufficient court staffing for maximum efficiency, and the timely receipt of substantive reports.

Examples of good courtroom management include:

The *GUIDELINES* recommend how much time should be allocated for each hearing type. This recommendation assumes that a court unaccustomed to holding hearings as described by the *GUIDELINES* would need the recommended amount of time to fully complete a substantive and productive hearing as defined by the *GUIDELINES*. Since the publication of the *GUIDELINES*, courts have discovered that after *GUIDELINES*-based hearings were implemented, and the best practices were employed by the court, the stakeholder culture changed, needed information was automatically provided to the court, and the full-time allocations were no longer necessary for a thorough and comprehensive review as defined by best practices.

- ◆ Communicating the level of oversight exerted by the court through collaborative meetings;
- ◆ Distribution of checklists and form orders to stakeholders and training on their use;
- ◆ Establishing set formats, timeframes and distribution for substantive and timely court reports;
- ◆ Integrating recording systems into the courtroom and reallocating court reporting staff; and
- ◆ Hiring additional court staff to maximize the efficiency of hearings

➤ **One Family-One Judge**

Under the one family-one judge approach, a single judge handles all aspects of a child’s case and, if possible, other cases involving members of the same family or household. The goal of a one family-one judge approach is to ensure consistency in judicial decision-making, improve services to families, and outcomes for children. In some jurisdictions where the authority of judicial officers is limited by statute (e.g., judge-supervised judicial officers may be unable to hear a termination of parental rights trial), the court has established a one family-one judge model in which the family comes before one judicial officer for all hearings until the termination of parental rights trial.

TIMELY DECISION-MAKING

When litigation proceeds at what attorneys and judges regard as normal, children often perceive the proceedings as extending for vast and infinite periods.¹³

- ◆ **Provision of applicable services as early as possible**
- ◆ **Frequent, comprehensive review of the case in court**
- ◆ **Parties have a clear understanding of the expectations of the court**
- ◆ **Alternative dispute resolution processes**

Timely permanency requires that services be provided to the child and family as soon as possible, and frequent and comprehensive court review of the case. Parties must understand the expectations placed on them, why the expectations are

¹³ *RESOURCE GUIDELINES*, page 14.

in place, the timelines for fulfilling expectations, and the consequences for failure to meet expectations.

➤ ***Provision of applicable services as early as possible***

The most common strategies utilized by courts to achieve this best practice include:

- ◆ Discouraged use of *pro forma* or boilerplate language in the case plan which provides the same services for all families regardless of the circumstances.
- ◆ Court orders that highlight key aspects of case plan requirements and not just make reference to the case plan as an attachment.
- ◆ Front-loading of services and information which generates momentum to timely permanency.
- ◆ After an initial immediate removal hearing, setting facilitated meetings at which the family, case worker, service providers, and other stakeholders meet to discuss the needs and best interests of the child and family.
- ◆ Setting meetings with family members and service providers to identify needs and appropriate services before court intervention is requested.

➤ ***Frequent, comprehensive review of the case in court***

The *GUIDELINES* were ahead of their time in recommending frequent, comprehensive review of child abuse and neglect cases. Because hearings are the crux of the child abuse and neglect case, they must be purposeful and substantive.

A thorough hearing can help simplify and shorten subsequent hearings and can move the case more quickly to permanency. This not only preserves court resources, but it reduces the cost and harm of unnecessary, prolonged out-of-home placement for children.

Excerpted from the *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases*. (1995). National Council of Juvenile and Family Court Judges, Reno, Nevada.

To maintain the frequency of hearings courts have:

- ◆ Enforced a no-continuance policy and established time-certain calendaring.
- ◆ Set the date and time of the next hearing at the end of the last hearing.
- ◆ Set review hearings for shorter timeframes as needed, or coordinated with foster care review organizations to alternate reviews to maximize the time in which the case is overseen.
- ◆ Set special hearings for specific cases to track adoption efforts, or oversee living strategies for children in alternative planned permanent living arrangements.

➤ ***Parties have a clear understanding of the expectations of the court***

To ensure clear understanding of expectations, courts can:

- ◆ Thoroughly review all issues in the case during the hearing.
- ◆ Draft orders that are detailed and in easily understood language.
- ◆ Provide a copy of the order to all parties at the conclusion of the hearing.
- ◆ Ask parents and age-appropriate children open-ended questions about their understanding of the order, and if they have any concerns.

Examples of practices established in jurisdictions include:

- ◆ Utilization of form orders based on the *GUIDELINES* to direct the flow and substance of each hearing.
- ◆ Making form orders available to stakeholders prior to hearings to inform them of the expectations of the court.

➤ ***Alternative dispute resolution (ADR) processes***

Instead of an adversarial proceeding which can aggravate already existing tensions between the parties, ADR allows the parties to attack problems rather than each other. Methods of alternative dispute resolution may take form in family group conferencing programs, mediation programs, or family team meetings. Safety considerations for all parties should also be considered prior to instituting ADR in particular cases.

All juvenile and family court systems should have alternative dispute resolution processes available to the parties. These include family group conferencing, mediation and settlement conferences.

Excerpted from the “Key Principles for Permanency Planning for Children.” (1999). Technical Assistance Brief. National Council of Juvenile and Family Court Judges, Reno, Nevada.

Some courts utilize ADR programs:

- ◆ At the initiation of the case for parties to focus on the best interests of the child, and to be able to come to court with a mutually agreed upon case plan.
- ◆ After adjudication, as a means to plot the fastest route to permanency for the child.
- ◆ Prior to termination of parental rights trials, as a means of resolving the case, if possible, before the time and resource expenditures of a trial.

FAIRNESS AND DUE PROCESS

The legal rights of interested parties are affected ... and they therefore are entitled to notice as a matter of constitutional law.¹⁴

To ensure fairness and due process, provision of competent and diligent representation for all parties, and provision of proper notice at the beginning of the case and throughout the life of the case, should occur.

- ◆ **Proper notice at the beginning of the case and throughout the life of the case**
- ◆ **Competent and diligent representation of all parties**

➤ ***Competent and diligent representation of all parties***

All parents and children in child abuse and neglect cases should be represented by attorneys or guardians *ad litem* that are well-trained, appointed early in the process, culturally competent, have manageable caseloads, and are adequately compensated.

¹⁴ Id. at page 46.

To positively influence the quality of counsel, courts have:

- Set prerequisites for appointments, including requirements for experience and training.
- Held attorneys accountable for their responsibilities, and required zealous advocacy in the courtroom.
- Provided parents the opportunity to meet their attorneys prior to their first appearance in court.
- Advocated for adequate compensation and caseload limits for attorneys in child abuse and neglect cases.
- Worked with local law schools to develop mentorship programs and provide experience opportunities to young attorneys.

➤ *Proper notice at the beginning of the case and throughout the life of the case*

Provision of proper notice requires that parties are adequately informed regarding hearings, orders, expectations, and possible outcomes of child abuse and neglect proceedings.

The most common strategies employed by courts to address this practice include:

- ◆ Implementing computer data systems which allow access to all cases related to a child or parent.
- ◆ Teaming with stakeholders, law enforcement, and other related organizations to locate parents or relatives.
- ◆ Working with stakeholders and local governments to provide database access to all stakeholder systems.
- ◆ Regularly reminding and admonishing parents to provide any new address information to their attorneys and case worker.
- ◆ Encouraging continued communication between attorneys and caseworkers.

Included in the court's evaluation of notice should be inquiry into the parents' or child's affiliation with a recognized Native American tribe, and whether notice to the tribe is needed, as required by the Indian Child Welfare Act. See the "Indian Child Welfare Act Checklists," (2003), *Technical Assistance Brief*, National Council of Juvenile and Family Court Judges, Reno, Nevada for more information.

CONCLUSION

The GUIDELINES provide the "big picture" framework for systems change, recognized by the working experience of many courts.

To ensure that the needs of abused and neglected children are being met quickly and effectively, courts and stakeholders must open their processes to assessment and evaluation, be willing to seek and implement improvements to the usual way of doing business, and focus on best practices and improved outcomes for children.

Efforts toward systemic change should be viewed as a multi-year, multi-phase, multi-system process, evolving through leadership, legislation, policy, and clearly identified roles and responsibilities for each stakeholder. The *GUIDELINES* are key to this process and are central to system reform success.

At the heart of the *GUIDELINES* is a philosophy that emphasizes a problem-solving approach to improving court practice - an approach that focuses on judicial leadership and oversight, as well as collaboration among key players in the dependency system.

Excerpted from “**Building a Better Collaboration: Facilitating Change in the Court and Child Welfare System.**” Dobbin, S.A., Gatowski, S.I., Maxwell, D.M. (2004). *Technical Assistance Bulletin*, Vol. 8(2). National Council of Juvenile and Family Court Judges, Reno, Nevada.

NATIONAL COUNCIL MODEL COURTS

Believing that it is in the child’s best interest to be raised in a safe, permanent, and loving family, the Model Courts have rejected “business as usual” and open themselves up to critical review of how their court structures and practices are meeting the needs of their most vulnerable charges.

The Model Courts, working with the *GUIDELINES*, identify impediments to the timeliness of court events and delivery of services for families with children in care, and then design and implement court and agency based changes to address these barriers. With technical assistance and training from PPCD, dependency practices and innovations are pilot-tested and refined as part of ongoing court and multi-agency systems change efforts. PPCD staff collaborates with the Model Courts to identify key stakeholders; include them in the strategic planning processes; begin assessing systems’ functioning; target specific, attainable goals; provide the information, materials, faculty, and mentors necessary to reach these goals; and support ongoing efforts to effect substantive, sustainable change. For more information, please see www.ncjfcj.org.

As of the date of this publication, the jurisdictions currently participating in the National Council Model Courts Project are:

Alexandria, Virginia	El Paso, Texas	Omaha, Nebraska
Baltimore, Maryland	Honolulu, Hawai’i	Portland, Oregon
Brighton, Colorado	Indianapolis, Indiana	Reno, Nevada
Buffalo, New York	La Plata, Maryland	Salt Lake City, Utah
Charlotte, North Carolina	Los Angeles, California	San Jose, California
Chicago, Illinois	Louisville, Kentucky	Seattle, Washington
Cincinnati, Ohio	Miami, Florida	Toledo, Ohio
Cleveland, Ohio	Nashville, Tennessee	Tucson, Arizona
Colorado Springs, Colorado	Newark, New Jersey	Washington, D.C.
Denver, Colorado	New Orleans, Louisiana	Zuni Pueblo - former
Des Moines, Iowa	New York City, New York	

PUBLICATIONS SUPPORTING BEST PRACTICES

The following is a partial list of publications related to the best practices highlighted herein which are available through the National Council of Juvenile and Family Court Judges. These and other publications are available to download or purchase through www.ncjfcj.org.

Regarding the Victims Act Model Courts Project:

Model Courts: Improving Outcomes for Abused and Neglected Children and Their Families

Model Courts Status Report 2005

Chronicles the work of the PPCD Child Victims Act Model Courts for 2005. Provides a brief summary of reform initiatives in each Model Court and the successes, challenges and barriers overcome to achieve best practices.

Regarding performance assessment measurement, and marshalling available resources:

Thinking About Program Evaluation: What Is It and Why Should You Do It?

Provides basic tools necessary to plan and conduct an effective program evaluation.

Information Management: A Critical Component of Good Practice in Child Abuse and Neglect Cases

Examines challenges and lessons learned from jurisdictions and Model Courts around the country. Presents a model for evaluating and enhancing information management capabilities.

Judicial Workload Estimates: Redefining the Concept of “Judicial Work”

Presents findings from the pilot research on expanding judicial workload theory and methods.

Model Court Approaches to Information Technology: A Dependency Court Data System Implementation Guide

Step-by-step information for developing a court-based dependency information system. Included are highlights of seven court systems, vendors’ survey and a resource and contact list.

Courts, Agencies and Communities Working Together: A Strategy for Systems Change / National Judicial Curricula Series – Court, Agency and Community Collaboration

Focuses on judicial participation in collaborative community efforts. Included are discussions of judicial leadership and ethical restraints. Written curricula, training video, PowerPoint presentations and overheads.

Building a Better Collaboration: Facilitating Change in the Court and Child Welfare System

Offers a framework for thinking about facilitating change in the child welfare system. Uses the experiences of Project Sites to illustrate ways in which these theoretical concepts can be implemented in the real world of child welfare reform.

Community and Cultural Considerations in Child Abuse and Neglect Cases/National Judicial Curricula Series – Court, Agency and Community Collaboration

Focuses on judicial leadership in community and cultural awareness. Format is highly interactive and includes practical suggestions and training tools, as well as training videos, PowerPoint presentations and overheads, and a self-study guide.

Regarding good courtroom time management:

Judge's Reference Guide to Managing Juvenile Cases

Guides improvement of the court environment and how courts manage cases.

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

This *Guide* and its companion *Toolkit* outline a process that courts can use to measure court performance and judicial workload.

Regarding judicial leadership:

Judicial Leadership and Judicial Practice in Child Abuse and Neglect Cases

Presents an overview of effective leaders and effective leadership.

Regarding provision of applicable services as early as possible:

The Portland Model Court Expanded Second Shelter Hearing Process: Evaluating Best Practice Components of Front-Loading

Summarizes research conducted between April 2000 and August 2001 regarding the Multnomah County Juvenile Court's second shelter hearing process.

Protocol for Making Reasonable Efforts to Preserve Families in Drug-Related Dependency Cases

Provides model questions to guide risk assessment and identify the family preservation service needs of drug exposed families.

Regarding frequent comprehensive review of the case in court:

Judge's Deskbook on the Basic Philosophies and Methods of Science

Aids in identifying issues and clarifying questions relevant to admissibility rulings, such as the relevance, reliability, and methodology of scientific evidence.

Asking the Right Questions: A Judicial Checklist to Ensure that the Educational Needs of Children and Youth in Foster Care Are Being Addressed

Provides a field-tested checklist that judges can use to make inquiries regarding the educational needs of children and youth under their jurisdiction with the goal of positively impacting their educational outcomes and preparing them for adulthood.

Questions Every Judge and Lawyer Should Ask About Infants and Toddlers in the Child Welfare System

Provides a checklist for use by judges and other child welfare professionals in meeting the health care needs of this growing population.

The Foster Care Independence Act of 1999 and the John H. Chafee Foster Care Independence Program

Provides an overview of legislation enacted to assist children likely to "age out" of the foster care system.

Regarding alternative dispute resolution processes:

Diversion Project Matrix: A Report from Four Sites Examining the Court's Role in Diverting Families from Traditional Child Welfare Services into Community-Based Programs

Describes initial efforts led by juvenile and family court judges faced with complex child abuse issues, who meet this challenge with collaborative, innovative new methods.

The Essex County Child Welfare Mediation Program: Evaluation Results and Recommendations
Interim evaluation based on the 129 mediations completed in calendar year 2000.

The Miami Model Court Family Decision-Making Conference Program: Evaluation Results
Presents findings based on data collected from a sample of 87 family decision-making conferences held between 1999 and 2000.

Empowering Families in Child Protection Cases: An Implementation Evaluation of Hawai'i's 'Ohana Conferencing Program
Summarizes a process and outcome evaluation of the 'Ohana Model of family group decision-making, a conferencing project in operation since 1996.

Mediation in Child Protection Cases: An Evaluation of the Washington, D.C. Family Court Child Protection Mediation Program
Presents evaluation results of case outcomes for child abuse and neglect cases that were randomly assigned to mediation and a comparison group of cases that were handled through the traditional hearing process.

Regarding competent and diligent representation of all parties:

Child Abuse and Neglect Cases: Representation as a Critical Component of Effective Practice
Presents strengths and challenges of effective representation, identifies some major barriers, and presents recommendations.

Improving Parents' Representation in Dependency Cases: A Washington State Pilot Program Evaluation
Presents findings of a process and outcome evaluation for this innovative program.

For more information about this or other publications please contact:

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