Education Efforts for Children in Foster Care: The Pima County, Arizona Experience

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Why is a Focus on Education for Children in Foster Care Important? What is the Goal of this Technical Assistance Brief?

Courts have a unique opportunity and necessary key role in helping to improve the educational outcomes for children in foster care. Leadership provided by the courts in guiding change efforts, as well as building and communicating a shared vision for reform, is vital to creating and implementing sustained systems' change. As leaders, courts are able to:

- Use their position of power and authority to bring legitimacy to the change process and ensure that "things get done;"
- Bring multiple stakeholders from different parts of the system to the table to co-create the vision for change and engage in the process of change;
- Create a collaborative environment that encourages open communication and dialogue throughout the system, including the sharing of ideas and creative problem-solving; and
- Marshall resources to put the change vision into action.¹

This *Technical Assistance Brief* is designed to highlight the educational reform efforts implemented by the Pima County Juvenile Court (Tucson, Arizona) and offer recommendations to other jurisdictions who want to address the educational issues faced by children in foster care by designing and implementing their own reform initiatives. This document chronicles the process, key stakeholders involved, programs and policies implemented, obstacles faced and strategies used to overcome those obstacles, as well as lessons learned from Pima County. Specifically, this *Brief*:

- Outlines the need to focus on the educational needs of children and youth in foster care;
- Describes some promising approaches to address this issue;
- Provides an overview of the Pima County Juvenile Court;
- Reviews the history of educational reform efforts in Pima County;
- Discusses implementation lessons learned (including challenges faced and strategies used to overcome those challenges); and
- Identifies next steps and a vision for future reform efforts in Pima County.

It is our hope that this chronicling of Pima County's educational reform efforts, and experiences with those efforts, will serve as a "road map" for other jurisdictions as they design and implement initiatives to better address the educational needs of children and youth in foster care.²

¹ For more information on effective leadership and collaboration, see *Building A Better Collaboration: Facilitating Change in the Court and Child Welfare System* (2004). National Council of Juvenile and Family Court Judges. Reno. NV.

² A complimentary, summary publication is forthcoming from Casey Family Programs.

THE CHRONICLING METHOD

The Pima County (Tucson, Arizona) Juvenile Court participates in the National Council of Juvenile and Family Court Judges' national Model Courts Project (see subsequent sections for more information about the Pima County Juvenile Court). Because of Pima County's participation in the Model Courts Project, the National Council has obtained a wealth of practice and policy materials regarding systems' change efforts in Pima County. For the purpose of developing this chronicle, these materials were reviewed with specific attention to Pima County's educational reform initiatives. This review not only helped to identify areas where more detailed information was needed, but also helped to identify key stakeholders who had directly participated in these efforts so that they could participate in interviews about Pima County's education reforms.

The practice and policy review, as well as the interviews conducted with key stakeholders, helped to develop a rich understanding of Pima County's educational initiatives. Local judicial officers, committee chairs, caseworkers, and education specialists, in addition to a key state-level child welfare specialist, all provided critical information about the evolution of educational reform initiatives and lessons learned about engaging in this systems' change effort. Key stakeholders were interviewed about:

- The history of the Court's focus on addressing the educational needs of children in foster care;
- The first initiative or project undertaken in this effort;
- Initiatives implemented within the last year to improve educational outcomes for children in foster care;
- Steps taken and key stakeholders involved to implement these initiatives;
- Roadblocks encountered and strategies used to overcome these obstacles;
- How initiatives were evaluated to determine their effectiveness;
- Lessons learned that could be shared with other jurisdictions looking to implement similar initiatives; and
- The future vision regarding educational outcomes for Pima County's children in foster care.

While the impact of Pima County's educational reform initiatives have not been fully and comprehensively evaluated, a preliminary review of Juvenile Court records was undertaken as part of this chronicling effort. The goal of this record review was to ascertain whether or not Pima County's focused efforts on the educational needs of children and youth is reflected in court practice (i.e., judicial orders, reports to the court, motions, etc.). The record review provided a preliminary look at the effect of Pima County's educational reforms on court practice and findings from this review are summarized in this chronicle.

Overview of the Problem

Positive and appropriate educational experiences play an important role in the successful transition to adulthood. Foster children often lack successful transitions to adulthood due in

part to an unstable educational experience.³ Numerous studies indicate that children in foster care are often less likely to experience a successful outcome in education than the general population. The negative outcomes for children in foster care are seen in higher rates of repeating grade-levels, higher rates of truancy and drop out rates, multiple school changes, and the failure by school officials to identify special needs in a timely manner. Several factors which contribute to these negative outcomes are:

"The same opportunities should be offered to children in foster care that are offered to children outside of foster care."

- Judicial Officer, Pima County

- 1. Numerous placement changes which often result in school changes;
- 2. Unclear lines of responsibility and accountability for educational outcomes;
- Lack of coordination between child welfare agencies, schools, and other service providers: and
- 4. Lack of a consistent and knowledgeable education advocate.4

In Educational Outcomes for Children and Youth in Foster and Out-of-Home Care (2006), a number of studies are cited which also indicate that children in the foster care system have significantly lower educational outcomes than their counterparts:

- In a three-state study by Chapin Hall of youth aging out of care, over a third reported having experienced five or more school changes;
- A 1996 study of Chicago Public Schools found that students who had school changes of four or more times lost approximately one year of educational growth by their sixth year;
- A 2001 Washington state study found that twice as many youth in foster care repeated a grade compared with their counterparts;
- Numerous studies cite anywhere from 23% 47% of children in out-of-home care receive special education services at some time in their schooling; and
- In the Chicago Public Schools study, 15 year-old students in out-of-home care were half as likely to have graduated from high school as other students by the time they were 20 years-old.⁵

School changes have been identified as a risk factor for low-income children as these changes increase the discontinuity in their education and create a negative impact on learning. Additionally, school changes impact children's social circles, such as peer to peer relationships and relationships with teachers.⁶

³ Christian, S. *Educating Children in Foster Care*. Retrieved November 23, 2006, from http://www.ncsl.org/programs/cyf/CPleducate.htm.

⁴ Supra, note 2.

⁵ Educational Outcomes for Children and Youth in Foster and Out-of-Home Care (2006). National Working Group on Foster Care and Education.

⁶ Temple, J.A. & Reynolds, A. J. (1999). School Mobility and Achievement: Longitudinal Results From an Urban Cohort. *Journal of School Psychology*, 37(4), 355-377.

These statistics translate into real life problems for the most vulnerable youth being served by child welfare agencies and juvenile courts. Those exiting the foster care system have an increased risk of becoming homeless, experiencing mental and physical health problems, incarceration, pregnancy, drug use, and unemployment.⁷

It has often been said that our youth are our future. Unless, and until, we take this saying to heart and effectuate change for our nation's foster care population we will continue to provide substandard educational experiences which lead to youth who have not been provided the opportunities to reach their full potential and are unprepared to enter society as productive citizens.

A SNAPSHOT OF PIMA COUNTY JUVENILE COURT - TUCSON, ARIZONA

Judicial Officers

- The Presiding Judge maintains a caseload and manages the Juvenile Court with the assistance of the Court Administrator.
- Five judges and six judges pro tempore/commissioners rotate through the Juvenile Court with the requirement that they remain on the juvenile bench for a minimum of three years.
- The Pima County Model Court is lead by two co-lead judges the Presiding Judge and a Dependency Court Judge pro tempore.

Jurisdiction

- Exclusive jurisdiction over all dependency matters, severances, and adoption, as well as all children under the age of 18 who are referred to the court due to mental health issues, incorrigibility, and delinquency.
- On December 31, 2004, there were 2,852 abused and neglected children under the jurisdiction of the court. On that same date in 2005, a total of 3,068 abused and neglected children were under the jurisdiction of the court. In 2005, a total of 985 new abuse and neglect petitions were filed, with the average dependency caseload for the year at 143 cases. Of the children under the court's jurisdiction in 2005, permanency was achieved as follows: reunification 585; adoption 352; placement with relative 76; placement with a legal guardian 146; and another planned permanent living arrangement 22.
- Dependency Model Court The Pima County Model Court participates in the NCJFCJ Child Victims Act Model Courts Project funded by the OJJDP. The Child Victims Act Model Courts Project is a nationwide network of 31 "Model Courts" pioneering systems change and court engagement in innovative collaborations within jurisdictions.

Pima County's Road Map to Education Reform

In 2005, the National Council of Juvenile and Family Court Judges (with support from Casey Family Programs) produced and field-tested an education *Checklist*⁶ to be used by judges to make inquires, from the bench, about the educational needs of children and youth under their jurisdiction. The field-testing process was aimed at ensuring the *Checklist's* applicability as a resource for courts, ensuring its efficacy as a tool to aid in collaborations around improving educational outcomes, and ensuring that educational issues within the courtroom and beyond are prioritized. In addition, feedback was obtained from young adults who were part of the foster care system in order to strengthen the *Checklist*. The *Checklist* outlines the

⁷ Allen, M. (Updated August 2005). Teens Aging Out of Foster Care in Oregon: A Guide to Transition Planning for Caseworkers. *Judges and Advocates*. Juvenile Rights Project, Inc.

⁸ The original checklist was developed by TeamChild, with support from Casey Family Programs, in December 2002, for use by judges in Washington State.

array of questions that may be asked in a courtroom with respect to the educational needs

of children and youth in foster care.⁹ Pima County participated in the field-testing process which informed the subsequent work of the educational reforms implemented and the final *Checklist*.

In January 2003, the Pima County Juvenile Court Committee to Improve Educational Outcomes for Court-Involved Youth was established as a "We know that in general, children in foster care suffer educationally. Knowing this makes it our responsibility to look out for these children. We have an obligation to change that...We need to go to some places where people don't necessarily want to go. We must bring the issue to the attention of all stakeholders and try to do it differently."

- Judicial Officer, Pima County

subcommittee of the Dependency Model Court. The goal of this Committee was to explore ways in which educational outcomes for youth in foster care could be improved. This committee was the result of the vision of Cathleen Fitzgerald, CASA Coordinator and Community Volunteer, and Sharon Dobbin, Education Specialist at Casey Family Programs. The twelve original members of the committee included representatives from child protective services (CPS), Casey Family Programs, the Juvenile Court Dependency Unit, CASA, several school districts, the Attorney General's Office, and Pima County Judge Suzanna S. Cuneo.

At the onset, the Committee focused on accessing existing resources through the Casey Family Programs and Child Find in Washington State to organize a juvenile court-based training aimed at increasing the awareness of educational issues faced by children in foster care. A number of projects identified at this initial training included:

- 1) Creation of a minute entry order to allow CPS to obtain educational records without prior consent of a parent or guardian or the involvement of a surrogate parent.
 - $\sqrt{\text{Achieved in 2005 (and has been implemented statewide)}^{10}}$
- 2) Identify and incorporate education specific questions from Asking the Right Questions: A Judicial Checklist to Ensure that the Educational Needs of Children and Youth in Foster Care are Being Addressed into the Preliminary Protective Hearing (PPH) process.
 - √ Achieved in 2005

After an initial implementation phase, the education questions were removed from the PPH process and incorporated into the Pre-Hearing Conference instead, with questions addressed by the facilitator of the conference; however, it was determined that this was not as effective as asking the questions in the Hearing, as this change resulted in education issues not being fully addressed. As a result, the education specific questions have been re-introduced into the PPH process so that they are "judge-driven" and emphasize the importance of a focus on education. Stakeholders reported that there is a distinct difference when the judge asks these questions in the courtroom.

⁹ For a complete Judicial Checklist, see *Technical Assistance Brief: Asking the Right Questions: A Judicial Checklist to Ensure That the Educational Needs of Children and Youth in Foster Care Are Being Addressed (2005).* National Council of Juvenile and Family Court Judges, Reno, NV.

¹⁰ The Committee is also reviewing the potential of obtaining standardized testing scores when obtaining school records. The testing scores show specific areas the youth is not meeting and allows the case worker to be proactive in identifying tutoring needs.

- 3) Develop a tutor list.
 - √ A county-wide list of available tutors has been developed and is being incorporated into Pima County's Education Advocacy Manual.
- 4) Surrogate parent issues.

√ A subcommittee was formed (led by Sharon Dobbin) and has been actively working on various issues related to surrogate parents such as expanding the distribution list for surrogate parent orders to include the surrogate; identifying and creating a list of available and trained surrogate parents; and organizing and implementing a training for court staff (this training was held in 2005).

COMMITTEE GOAL:

To reach a time when every court-involved minor would be assured of the development and implementation of a specific educational plan designed for the needs of that particular minor.

In February 2005, the Education Committee expanded into a court-wide committee to be inclusive of all court-involved mi-

nors. The Committee's membership grew to 37 and included representatives from six school districts in Pima County, Pima Community College, Pima County Superintendents Office, CPS, CASA, juvenile probation, juvenile detention, group care facilities, the public defender, contract attorneys, the county attorney, the Attorney General's Office, and all areas of juvenile court. This Committee identified the following issues as key to address in 2005:

- Court-wide training on educational advocacy, special education issues, and the education Checklist: and
- 2. Increase collaborative efforts between CPS, probation, and the schools to include alternative schools, Pima Community College, and trade schools.

Specific projects undertaken by the court-wide committee include:

- ▶ Finalized the Education Advocacy Manual in 2006 at the time of this printing, trainings on the manual are being scheduled for CPS, probation, attorneys, and court staff.
- ▶ Implemented collaborative trainings such as: surrogate parent, special education advocacy, and McKinney Vento Act.¹¹
- ▶ Organized a career day held in Spring 2006¹² for court-involved youth held in conjunction with Pima Community College.
- ▶ CASA made a presentation to the Presiding Judge and court management to offer educational advocacy assistance to CPS workers and probation officers on difficult cases.
- ▶ Began implementation of a pilot project with detention and an identified group home in order to collaborate in developing behavioral plans for youth in detention aimed at reducing the "revolving door."

¹¹ The training series implemented in 2005 was a result of a collaborative effort with the State Department of Education and the Homeless Liaison Coordinator.

¹² This project was held in collaboration with Pima Community College and included a tour of the campus and a three-hour presentation to begin a dialogue of opportunities available. Approximately 50 court-involved minors participated.

A group of CASA volunteers, who are specially trained educational advocates, and surrogate parents, created a proposal to incorporate educational advocacy services for all court-involved youth into the formal court process. Through a collaborative effort, space was made available in the courthouse, along with access to computers and phones, for educational consultants, thereby increasing their visibility and accessibility. In the first six months, education consultants responded to 52 requests covering topics such as the McKinney Vento Act, tutoring, special education, enrollment, expulsion and long-term suspension, Charter Schools, and GED and alternative programs.

The Committee also identified issues needing to be addressed around training and the shortage of available surrogate parents for court-involved youth. In early 2005, a subcommittee was formed to address these specific issues. Through a collaborative effort with Tucson Unified School District, the Surrogate Parent Trainer, local CASA Program, and local service providers, the list of available surrogate parents expanded from 60 to 120 volunteers. In addition, the subcommittee created a protocol for surrogate parent procedures.

PIMA COUNTY EDUCATIONAL REFORM EFFORT MILESTONES

- ✓ Established a Juvenile Court "Committee to Improve Educational Outcomes for Court-Involved Youth."
- ✓ Implemented a Juvenile Court training to increase awareness of educational issues faced by children in foster care.
- ✓ Created a minute entry order to allow CPS to obtain educational records without prior consent of a parent or guardian.
- ✓ Incorporated specific education checklist questions into the preliminary protective hearing.
- ✓ Developed a tutor list.
- ✓ Developed an Education Advocacy Manual.
- ✓ Formed a subcommittee to actively work on issues related to surrogate parents.
- ✓ Expanded the Juvenile Court Education Committee beyond dependency cases to include all court-involved minors.
- ✓ Implemented a court-wide training on educational advocacy and special education.
- ✓Increased collaborative efforts between CPS, probation, and the schools.
- √ Held a career day for court-involved youth.
- ✓ Implemented a pilot project with detention in order to collaborate on educational plans for youth in detention.
- ✓ Made educational advocacy services available to all court-involved youth.
- ✓ Expanded the list of available surrogate parents and created a protocol for surrogate parent procedures.
- ✓ Reformatted the child welfare agency reports to the court to include specific sections on the educational experience of youth.
- ✓ Created an education case plan and "education planning for children in CPS Care" Tip Sheet.

HAVE PIMA COUNTY'S EFFORTS IMPACTED COURT PRACTICE?*

While the impact of Pima County's educational reform initiatives has not been fully and comprehensively evaluated, a preliminary review of Juvenile Court records was undertaken as part of this chronicling effort. This review provides a measure of the degree to which court practice is focused on educational needs and outcomes (i.e., through judicial orders, reports to the court, motions, etc.).

A review of 30 randomly selected court files and accompanying social service agency exhibits determined that:

- ✓ Educational issues are addressed as part of routine court practice in Pima County, regardless of whether there is an identified educational issue in the case, and that this occurs as early as the first hearing after removal and petition filing (the Preliminary Protective Hearing (PPH)) the judge specifically addressed the educational needs of the child at the PPH in the majority of cases reviewed (92%; n=28 of 30).
- At the PPH, judges were directly inquiring about provision of school supplies, change in placement and change in school, the mental health needs of the children and how that might impact school progress and achievement, and concerns about the division of educational responsibilities.
- Judicial minute orders, caseworker reports, CASA and Foster Care Review reports typically addressed the categories of information suggested in the Education Checklist (e.g., enrollment, attendance, transportation, supplies, performance, change in placement/change in school, health factors impacting education, extracurricular activities and talents).
- ✓ Overall, by the permanency hearing stage, 82% of the cases coded (n=25 of 30) had seen progress or resolution on educational issues identified at earlier stages of the proceedings.
- *For more detailed information about this study of Pima County's educational reform efforts, including method used, please see Appendix.

Pima County Implementation Lessons Learned

Implementation Challenges and Lessons Learned

Pima County found the following elements to be essential to effectively plan and implement educational reform efforts:

Challenges	Strategies/Next Steps
Judicial Leadership	Identify a Champion.

Stakeholders noted that it is imperative that efforts to address the educational needs of foster children are spearheaded by a judge who is interested in the issue and willing to "get into the details" – a judge who will assume the leadership role and drive the process. Judicial leadership and buy-in provides the credibility and focus on the issue needed to open doors that other stakeholders may not be able to. The judge sets the tone – if the judge believes improved educational outcomes for children in foster care are important, and educational questions are asked from the bench, then everyone else starts to fall in line.

Having a champion who will assist the judicial leader in moving issues forward is another critical component. If this person does not self-select, it will be important for the courts to identify an effective person for this role.

Challenges	Strategies/Next Steps
Identify and involve all key stakeholders	Identify natural allies. Ensure membership is inclusive; ask yourself "Who is Missing?"

Practice Tip: Remember that collaboration is more than just bringing stakeholders to the table - collaboration is more than cooperation - give collaborators a meaningful role, a strong voice, and a real opportunity to make a contribution - the inclusion of stakeholders from throughout the system, and from different levels of the system facilitates the development of comprehensive, creative, and systems-focused reforms.

Identify key stakeholders and analyze who are natural allies and those who support or do not support the cause. Develop a strategy to engage those stakeholders who are not supportive without placing blame on any particular organization or agency. Ensure all levels are involved, both line workers and policy or decision-makers.

An effective strategy employed by the Committee was to ensure membership was inclusive. Members would consistently ask themselves who was missing and then develop a recruitment plan to increase involvement and the success of buy-in. Consumers (including foster parents and foster youth) were welcomed as valuable members who could provide input as to the educational needs and experiences of children in foster care. One potential pitfall to remain aware of, is the need to be

proactive in creating an environment that does not lend itself to foster care alumni feeling that they are merely there as a "token" member. While alumni can bring valuable experience to the group, they cannot and should not be asked to speak for all foster youth. Therefore, it may be helpful to have more than one alumnus on the Committee so their voice is heard while not having the pressure of being a representative of all foster youth.

Challenges	Strategies/Next Steps
Active and consistent involvement of Committee Members	Develop annual goals with concrete timelines and responsible parties. Shared chair responsibilities. Identify issues and barriers. Develop strategies to increase the awareness of the need. Establish smaller work groups. Review and highlight accomplishments.

Deliberate interventions must be planned and implemented in order to have a positive impact on the educational experiences of children in foster care. Tackling educational reform is a big task and can be difficult to get a handle on as there are often several issues and possible implementation strategies percolating on different levels. One of the most difficult aspects of collaboration is ensuring active and consistent involvement by all key stakeholders. Often, the key players are well meaning and supportive of addressing the issues in a collaborative and innovative way; however, they may be unable to consistently participate in all meetings due to their everyday work and caseload demands. Another struggle is the management of a large committee given the ebb and flow of members. Pima County's Committee experienced the departure of some members due to the perception that their immediate needs were not being met by the work of the Committee.

Practice Tip:

- Ensure multidisciplinary representation on subcommittees
- Identify a chair or co-chairs for subcommittees as a way to provide an opportunity for shared leadership
- Make sure the roles and responsibilities of subcommittees or workgroups are clearly defined
- Establish clear goals
- Establish clear lines of communication between subcommittees or workgroups and the larger committee
- Review and highlight accomplishments to keep members motivated

Sharing responsibilities for chairing the committee has proven to be a very successful tool for managing the work of the collaborative. Pima County had the advantage of sharing this responsibility between three core members which has allowed movement in and out of the role as chair (bringing a fresh perspective and focus) while ensuring the long range goals and vision continue to move forward.¹³

It is imperative to the life of the Committee, that all potential (real or perceived) issues and barriers to achieving goals are identified. One method implemented to achieve this goal is to develop a strategy to increase awareness of the need to improve educational outcomes for children in care including, but not limited to, cross-training of disciplines working with children and families on educational needs.

One of the strategies implemented by the Committee to ensure momentum continued to move forward was to develop annual goals with concrete timelines and responsible parties. The Committee also decided to limit goals to be accomplished in the upcoming year to

¹³ Pima County has maximized having three core members who not only share leadership but are also actively involved in various subcommittees and other community collaboratives. This ensures overlap is addressed and larger goals are kept in focus.

"By approaching the schools with a 'how can we help you support these children,' it was much easier to achieve buy-in."

- Pima County Stakeholder

three, ensuring tasks were manageable and successes more likely. As a result, the Committee is operating at its strongest and has been able to capitalize on the momentum generated by its members.

Another strategy implemented by Pima County to prevent stakeholders from being overwhelmed with collaborative projects and meetings was to break the larger Committee into several work groups to address "special issues" and include additional experts in the field to assist in working on those issues. This allowed the larger issue of educational reform to be broken into several smaller more manageable pieces. It also provided the opportunity for each member to actively contribute, stay motivated, and feel valued as a contributing team member. In addition, the work and issues undertaken by the smaller work groups was reported back on a regular basis to the full Committee which helped minimize overlap and ensured the larger picture always remained in focus. For those subcommittees that are time limited, informing new members may increase their willingness to participate if they know up front that the time commitment is limited.

Challenges	Strategies/Next Steps
Collaboration of various committees addressing	Identify one "umbrella" committee to oversee
similar issues	and coordinate ongoing efforts.

At the time of this printing, Pima County is home to three distinct system improvement initiatives: 1) Model Dependency Court, 2) Model Delinquency Court, and 3) Juvenile Detention Alternatives Disproportionate Minority Contact Initiative. Each group identified education reform as an area needing attention and improvement. In order to ensure communication, collaboration, coordination, and to minimize overlap between each group it was important that the "Committee to Improve Educational Outcomes for Court-Involved Youth" serve as an "umbrella" Committee, and that it be clearly established that this Committee guides the overall mission of each system improvement initiative as they relate to educational issues.

Challenges	Strategies/Next Steps
School district involvement and buy-in	Educate school districts about the needs of children in foster care. Make the connection between behavior of children in foster care and the environment they were removed from.

There was consensus among the Pima County key stakeholders interviewed that achieving buy-in and involvement from the school districts was a barrier that needed to be strategically addressed. Long-standing distrust and misunderstandings between the school and other systems contributed to active disengagement of the school districts in the court's and CPS's reform efforts. Additionally, each system has its own language, laws, and regulations which may not be understood by the other system and may, in fact, be in contradiction to their goals and outcomes.

However, as the school is an important member of the collaborative, Committee members identified ways to educate the education community about the importance of improving educational outcomes for foster children as well as ways to outline the benefits to the schools of their involvement in collaborative efforts designed to improve educational outcomes. Committee members also stressed educating the school community about the connection between foster children's behavior and the environment they were removed from, and the impact removal has on their behaviors. Another strategy identified to effectively draw the various school districts into the collaborative, was to identify Committee members with strengths in working with individual school principals to establish a more effective working relationship. When the Committee ensured educational reform efforts were targeted for *all* children involved in the dependency system as well as the delinquency system it also became easier for school districts to see the benefit of becoming part of the collaborative.

Challenges	Strategies/Next Steps
Data Collection	Informal survey to determine amount of time dedicated to addressing educational issues. Gather data on the <i>Checklist</i> questions asked at the PPH. Modify existing data system to collect data relevant to educational outcomes. Follow youth who attend Career Day 2007 to determine educational outcomes.

Pima County stakeholders stressed the importance of researching what educational initiatives or programs have been implemented in other communities and evaluate the potential of replication. In addition, it is important to ensure evaluation measures are in place prior to implementation to ensure effectiveness of initiatives can be measured.

Moreover, in order to garner the support of key stakeholders it is helpful to gather data (i.e., identify the number of children in common and what happens to them educationally once they become involved in the dependency and/or delinquency system), and share these data with stakeholders so that they understand the issue and their stake in it.

Practice Tip: One issue identified by numerous stakeholders as a barrier was the school's reluctance to share educational records due to confidentiality laws. Pima County was able to resolve the confidentiality issue and the delay in enrolling children in school by creacting a separate Minute Entry Form which is signed by the judge at the time of the PPH allowing CPS to access school records.

Pima County stakeholders also identified the need to evaluate current educational reform initiatives in order to determine their effectiveness. Educational reform efforts were launched in the hope of making a difference for the children whose lives the court touched. While an evaluation component was not put into place prior to implementing educational initiatives, intuitively Committee members believe the educational reform efforts underway are having a positive impact.

Because Committee members recognized the need for research regarding the impact of educational reform efforts, an initial step towards evaluation was implemented approximately one year after the Committee formed. Specifically, an informal survey of attorneys, social work-

Practice Tip: Pay attention to evaluation at the design stage of your reform initiative - that way you can institutionalize data collection procedures as part of the program implementation, and, as a result, build a capacity for process and outcome evaluation of your reform effort. Also, consider at the design stage whether you can incorporate comparison groups into your program - the use of comparison groups (individuals who do not receive the new program or protocol but who are in every other way similar to individuals in the program) will permit you to draw conclusions about the impact of your efforts. ers, and judges was conducted to determine how much time was spent in court addressing educational issues.¹⁴

In September 2004, the Data Collection Subcommittee was formed to gather data on the *Checklist* questions asked at the PPH. The goal was to enter the data into the juvenile court's data system (JOLTS); however, by December 2004 it became evident that there was some inconsistency regarding the education questions being asked and documented at the PPH. Shortly after this discovery the education questions were removed from the PPH and included in the Pre-Conference Hearing process instead (see previous discussion for more information about this decision, and the decision to return to asking the questions at the PPH).

While the Committee has not implemented any formal evaluations, in 2006 members began to document the number of trainings they conducted and count the specific efforts of the educational liaisons as a first step.¹⁵ In addition, Pima County is working towards modifying its data collection system in order to effectively gather

Questions asked from the Checklist include: Is the child in school or early intervention? Does the child have special needs? How will educational responsibilities be divided to ensure that the child's educational needs are being met?

education data that have not been captured in the past. The Committee has identified Career Day as another education initiative that will have an evaluation component in 2007. All youth participating in Career Day will be required to complete an evaluation form. These children will then be followed to determine if their participation had any impact on future decisions and educational outcomes.

Challenges	Strategies/Next Steps
Youth's voice being heard at court	Examine as a committee the benefits of youth attending court hearings.

The Committee is evaluating the benefits of having youth attend their dependency hearings to have a more active role in the outcome of their case. One benefit identified by the Committee is that when educational issues are addressed in court, the youth see that their educational success is important to the adults making decisions in their life.

Challenges	Strategies/Next Steps
· · ·	Investigate alternatives to ensure educational continuity.

¹⁴ For information on the results of this survey, please contact the PPCD via caninfo@ncjfcj.org.

¹⁵ With support provided by Casey Family Programs, the preliminary evaluation of the Education *Checklist* presented herien was conducted.

One of the biggest undertakings for the Committee in the coming year is to investigate alternatives for youth who are subject to suspensions or expulsions. A subcommittee has been formed and there is a lot of interest in strategizing and implementing creative initiatives to address this issue.

Summary of Challenges and Strategies

Critical issues to be considered when implementing initiatives to ensure foster youth experience successful educational outcomes:

- School placement stability allow children to remain in their home schools after a
 risk assessment determines it is safe to do so and that it is in the student's best interest.
- Ensure school records follow a student and prompt enrollment students should not be denied enrollment due to a delay in records being transferred to their new school (i.e., immunization records, birth certificate).
- Confidentiality agencies will need to collaborate to ensure appropriate information is shared and agreements are developed that meet federal and state standards.

Challenges	Strategies/Next Steps
Judicial Leadership	Identify a champion.
Identify and involve all key stakeholders	Identify natural allies.
	Ensure membership is inclusive; ask yourself "Who is Missing?"
Active and consistent involvement of committee members	Develop annual goals with concrete timelines and responsible parties.
	Shared chair responsibilities.
	Identify issues and barriers.
	Develop strategies to increase the awareness of the need.
	Establish smaller work groups.
	Review and highlight accomplishments.
Collaboration of various committees addressing similar issues	Identify one "umbrella" committee to oversee and coordinate ongoing efforts.
School district involvement and buy-in	Educate school districts about the needs of children in foster care.
	Make the connection between behavior of children in foster care and the environment they were removed from.

Data collection	Informal survey to determine amount of time dedicated to addressing educational issues.
	Gather data on the Checklist questions asked at the PPH.
	Modify existing data system to collect data relevant to educational outcomes.
	Follow youth who attend Career Day 2007 to determine educational outcomes.
Youth's voice being heard at court	Examine as a committee the benefits of youth attending court hearings.
Suspension and expulsion of students	Investigate alternatives to ensure educational continuity.

Next Steps/Vision for Future

"It is important to realize that improving educational outcomes for youth in care is not just about education; it is about improving life outcomes."

- Arizona Stakeholder

"The number one thing is that educational issues will be addressed in every case. The court, the agency, and the schools will take every action possible to ensure each child receives the education they need so we improve outcomes. We reduce the number of foster care children who don't graduate. We increase the number of foster care children who go to college."

- Pima County Judicial Stakeholder

Educational reform efforts implemented in Arizona were approached with the understanding that, at the very least, youth in foster care should be provided the opportunity to graduate on time and at the same rate as their peers. However, it is imperative to recognize that our responsibility to our foster youth does not stop here. In addition to educational stability, our nation's foster youth require and deserve placement stability, successful relationships with supportive adults and peers, improved physical and mental health, employment experiences, and social stability to successfully move into adulthood. Furthermore, educational goals for these youth do not stop at a sound educational background and graduation from high school.

"My hope is that in the future systems can work closely together...so we have a community who will keep the child in the same district or someone in the child's community will care for them so the child can stay in the community they are most comfortable with."

- Pima County Education Specialist Stakeholder

These vulnerable youth should be provided the opportunity and support to pursue and graduate from post-secondary settings.

As efforts to improve educational outcomes for youth in care continue to move forward, the Committee has identified the need to ensure the process as well as the strategies implemented become institutionalized. In

order for the Committee and initiatives implemented to exist beyond the life of the personalities that have very effectively brought the issue to the forefront, it is imperative for the process to be well ingrained and embedded in the system and agencies themselves in order that changes in leadership do not stop the forward movement. Pima County has been successful in developing transition plans, including a formalized annual process to review and establish goals for the upcoming year.

In order to ensure progress on identified goals and to keep the momentum moving forward, the Committee continues to meet regularly. The following goals for 2006-2007 were established:

- ▶ Spring Stakeholders' Forum to be held in Spring 2007 to discuss system collaboration between the court and schools
- ▶ Career Day will be expanded to include Middle and High School students
- ► Support the Development of the PCJCC Community Advisory Board Volunteer Training
- ▶ Recruit and Train Additional Education Consultants
- ▶ Develop a Resource Guide for Early Education Resources
- ▶ Participate in Casey Breakthrough Series Beginning January 2007
- ▶ Assist in making "Endless Dreams" video available to teachers online
- ▶ Develop ongoing subcommittee to develop strategies and goals for alternatives to suspension and expulsion
- ▶ Develop Resource Manual on available Charter Schools, alternative vocational programs, Community College programs, and GED programs
- provide training for CPS and probation on the available services and how to access them
- ► Data collection projects to include JDAI and performance measures report card

Appendix A: Preliminary Evaluation of Pima County's Education Checklist Implementation

While the impact of Pima County's educational reform initiatives has not been fully and comprehensively evaluated, a preliminary review of Juvenile Court records was undertaken as part of this chronicling effort to determine if Pima County's focused efforts on the educational needs of children and youth is reflected in court practice (i.e., judicial orders, reports to the court, motions, etc.). While this review is not intended to provide a formal evaluation of Pima County's educational efforts (i.e., no causal statements can be made about the impact of these reforms on educational outcomes from this study), it does, however, provide a measure of the degree to which court practice is focused on educational needs and outcomes.

A total of 30 case files and accompanying social service agency exhibits (evidence files) were reviewed for this analysis. Cases were randomly selected from dependency court petitions filed after the implementation of the Education *Checklist* into the PPH process. Cases selected for inclusion in the review were also closed cases in order to facilitate an examination of the entire case process; to determine the extent to which educational issues are resolved in a case; and to ascertain whether education remains a focus throughout the life of a dependency case in Pima County. Each file was reviewed with a code sheet that had been pre-tested on a small sample of cases from another jurisdiction. A summary of the findings from this file review are presented in this Appendix.¹⁶



Case File Demographics

The case files reviewed were evenly divided between male and female children (53.3% of the primary children named in the petition were male (n=16 of 30) and 46.7% of the primary children named in the petition were female (n=14 of 30). The average age of the child at the time of petition filing was 10.7 years of age, with a range from 5 years-old (n=2) to 17 years-old (n=1). Among the cases re-

viewed, most of the cases had a prior history with the agency (66.7%, n=20 of 30). Similarly, most of the cases in the review sample (62.5%, n=19 of 30), had a prior history with the court. Only four of the cases reviewed listed specific educational concerns in the original petition.



Educational Efforts and Specific Hearing Practice – the Preliminary Protective Hearing

The case file review revealed that educational issues are addressed as part of routine court practice in Pima County (i.e., regardless of whether there is an identified educational issue in the case); and that this occurs as early as the Preliminary Protective Hearing – the first hearing after removal and petition filing.

For example, the judge specifically addressed the educational needs of the child in the majority (92%, n=28 of 30) of initial or Preliminary Protective Hearings (PPH), as measured by an examination of the judges' minute orders for these hearings. In half of these cases, judges specifically addressed the need for school records.

The following issues were addressed by the judge at the PPH:

- ✓ School Records (50%, n=15 of 28)
- ✓ School Attendance (38%, n=11 of 28)
- ✓ Special Education Needs (38%, n=11 of 28)
- ✓ Enrollment (25%, n=7 of 28)
- ✓ Performance Level (25%, n=7 of 28)
- ✓ Physical Health Needs (25%, n=7 of 28)
- ✓ Emotional Health Needs (25%, n=7 of 28)
- ✓ Need for an Educational Advocate (13%, n=4 of 28)
- ✓ Provision of Supplies (13%, n=4 of 28)
- Change in Placement/School (13%, n=4 of 28)

¹⁶ In addition to the descriptive frequencies noted, we conducted tests of group differences over variables of interest (e.g., whether there were any differences in the distribution of educational issues across children's age and sex). No statistically different differences were found.

- ✓ Mental Health Needs (13%, n=4 of 28)
- ✓ Concerns with the Division of Educational Responsibilities (13%, n=4 of 28)

Information pertaining to whether other stakeholders in the court process specifically addressed the educational needs of children at the PPH was also coded in the file review. This information was obtained by examining both the exhibit files accompanying the court record as well as the court file itself. Other stakeholders were found to have raised educational issues in 78% (n=23 of 30) of the cases reviewed. In each of these cases (100%) it was the child welfare agency caseworker who brought the issue to the attention of the court at the PPH or provided information about the educational needs of the children at this early stage of case proceedings. In more than half of these cases (63%, n=14 of 23), the caseworkers specifically raised issues related to the physical health needs of the child which may impact educational progress and achievement.

The following issues were raised, or information was provided by caseworkers at the PPH:

- ✓ Physical Health Needs (63%, n=14 of 23)
- ✓ Enrollment (50%, n=12 of 23)
- ✓ Special Education Needs (38%, n=9 of 23)
- ✓ Emotional Health Needs (25%, n=6 of 23)
- ✓ School Attendance (13%, n=3 of 23)
- ✓ Performance Level (13%, n=3 of 23)
- ✓ Need for an Educational Advocate (13%, n=3 of 23)

At the PPH stage of the case, at least for the cases reviewed, judges were more likely to directly address the provision of supplies, change in placement and change in school, the mental health needs of the children and how that might impact school progress and achievement, and concerns with the division of educational responsibilities – as none of these issues were raised by other stakeholders at the PPH.¹⁷



Educational Efforts and Specific Hearing Practice – the Adjudication/ Disposition Hearing¹⁸

Judges were less likely to focus on educational issues at the adjudication stage of the hearing process, although educational issues were raised by the judge in 38% (n=11 of 30) of adjudication hearings coded. As noted above, educational

issues were raised in the vast majority of PPHs. Recall that Pima County has implemented a court-wide practice of asking specific education questions (adapted from the Judicial Education *Checklist*) at the PPH. By the adjudication and disposition stage of proceedings, however, fewer specific education questions were raised. This may be the result, of course, of the need for a judicial focus on fact-finding or jurisdictional issues at this stage of the case or the result of the early assessment work addressed at the preliminary protective hearing stage. It could also be the result of other stakeholders in the process raising and discussing

¹⁷ It is important to keep in mind that not all of the child welfare agency's caseworker notes comprise the exhibit files which accompany the court record. These educational issues may also have been discussed orally in the hearing and that discussion may not have been incorporated into the case file. However, the files reviewed were very detailed with respect to the hearing process, testimony received, and information obtained from reports to the court. Exhibit files, as well, were quite detailed and afforded a lot of information pertaining to the issues in each case, the activity of parties, and service delivery.

¹⁸ The Court can move immediately to disposition if all parties agree – therefore, adjudications and dispositions are often combined in one hearing, as they were for all 30 of the cases coded in this sample.

educational issues (e.g., reporting on progress) without the need for too much direct inquiry from the bench (see the activity of the other stakeholders outlined below). Nevertheless, during the adjudication/disposition hearings coded, school attendance and special education needs were the most frequently addressed educational issues, with each issue being raised by judges in 50% (n=6 of 11) of the adjudications.

The following issues were raised by the judges at the Adjudication Hearing:

- ✓ Attendance (50%, n=6 of 11)
- ✓ Special Education (50%, n=6 of 11)
- ✓ Enrollment (33%, n=4 of 11)
- ✓ Performance Level (33%, n=4 of 11)
- ✓ Physical Health Needs (33%, n=4 of 11)
- ✓ Emotional Health Needs (33%, n=4 of 11)
- ✓ Mental Health Needs (17%, n=2 of 11)
- ✓ Need for an Educational Advocate (17%, n=2 of 11)
- ✓ Provision of Supplies (17%, n=2 of 11)
- ✓ Change in Placement/School (17%, n=2 of 11)
- ✓ Extra-Curricular Activities (17%, n=2 of 11)

Other stakeholders were more likely to raise educational issues at the adjudication stage of the proceedings, with 63% (n=19 of 30) of adjudication hearings having a stakeholder other than the judge address the child's educational needs. Specifically, educational issues were raised by caseworkers in 80% of the adjudication hearings (n=15 of 19) and by the CASA in 20% of the hearings (n=4 of 19).

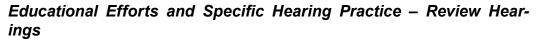
The following issues were raised by other stakeholders at the Adjudication Hearing:

- ✓ Performance Level (50%, n=10 of 19; 9 caseworkers and 1 CASA)
- ✓ Special Education (50%, n=10 of 19; 5 caseworkers and 5 CASA)
- ✓ Attendance (30%, n=6 of 19; raised by caseworkers only)
- ✓ Physical Health Needs (40%, n=8 of 19; raised by caseworkers only)
- ✓ Emotional Health Needs (40%, n=8 of 19; 7 caseworkers and 1 CASA)
- ✓ Need for an Educational Advocate (20%, n=4 of 19; 2 caseworkers and 2 CASA)

AN EARLY FOCUS ON EDUCATIONAL NEEDS LEADS TO AN EARLY RESOLUTION OF ISSUES

Case files were examined to determine if there was resolution, by the adjudication stage of proceedings, on any of the issues orginally identified at the PPH.

- School records were obtained by the adjudication hearing in 35% of the cases for which they were previously unavailable (n=11 of 30).
- Children were enrolled in school by the adjudication hearing in 35% of the cases where they had previously not been enrolled (n=11 of 30).
- Evaluations were obtained by the adjudication in 23% of the cases (n=7 of 30).
- In one case, dental work was completed which had been identified as interfering with a child's school performance.
- In one case, an adult education surrogate was appointed by the adjudication hearing, after first identifying a need at the PPH.
- In one case, counseling was obtained for a child whose mental health concerns had been identified at the PPH as interfering with school performance.



By the review hearing stage of proceedings, judges appeared to increase their focus on educational issues (as measured by minute orders). While judges only raised educational concerns in 38% of adjudication hearings, in just over half of the review hearings coded the judge specifically addressed educational issues (57%, n=17 of 30). In over half of the cases for which the judge raised educational concerns,

the judge specifically addressed the child's performance level in school (57%, n=10 of 17).

The following issues were raised by the judges at the first review hearing:

- Performance Level (57%, n=10 of 17)
- ✓ Attendance (33%, n=10 of 17)
- Special Education (33%, n=10 of 17)
- Enrollment (22%, n=4 of 17)
- Physical Health Needs (22%, n=4 of 17)
- Provision of Supplies (11%, n=2 of 17)
- Transportation (11%, n=2 of 17)
- Need for an Educational Advocate (11%, n=2 of 17)
- Emotional Health Needs (11%, n=2 of 17)
- Extra-Curricular Activities (11%, n=2 of 17)

Other stakeholders raised educational issues in the majority of first review hearings coded (75%, n=23 of 30). Most frequently, these issues were raised and addressed by caseworkers (47%, n=10 of 23), followed by the foster care review board (33%, n=8 of 23), and CASA (20%, n=5 of 23).

The following issues were raised by other stakeholders at the first review hearing:

- Performance Level (59%, n=14 of 23; 5 CASA, 5 caseworkers, 4 FCRB)
- ✓ Attendance (33%, n=8 of 23; 4 caseworkers, 3 FCRB, 1 CASA)
- Enrollment (25%, n=6 of 23; 5 caseworkers; 1 FCRB)
- Special Education Needs (25%, n=6 of 23; raised only by FCRB)
- Physical Health Needs (17%, 4 of 23: raised only by caseworkers)
- Extra-Curricular Activities (17%, n=4 of 23; 3 FCRB, 1 CASA)
- Provision of Supplies (8%, n=2 of 23; raised only by caseworkers)
- Emotional Health Needs (8%, n=2 of 23; raised only by caseworkers)
- Transportation (8%, n=2 of 23; raised only by caseworkers)

A CONTINUED FOCUS ON EDUCATION AND RESOLUTION OF IDENTIFIED ISSUES

Case files were examined to determine if there was resolution, by the review hearing stage of proceedings, on any of the issues originally identified at the PPH or the adjudication/disposition stage.

- Counseling was obtained in two cases for which mental health or emotional issues were identified at earlier stages of the case process.
- An adult surrogate was appointed and obtained in two cases.
- In two cases, enrollment in a new school was confirmed as a result of a change in placement and all educational records were obtained.
- In one case, a child for whom extra-curricular activities were a concern was enrolled in music and soccer by the first review hearing.
- Supplies for school were provided in one case by the first review hearing.
- School transportation was assured in one case by the first review hearing.
- In one case, the visitation schedule was adjusted by the first review hearing so as not
 to interfere with school attendance an issue identified at the adjudication/disposition
 hearing.
- Dental work was completed in a case for which dental issues had been identified as impeding school progress.



Educational Efforts and Specific Hearing Practice – Permanency Hearings

By the permanency hearing, there was a slight decrease in the frequency which judges specifically addressed educational issues. Judges specifically addressed the educational needs of children in 44% of the permanency hearings coded (n=13 of 30). In over half of these cases, judges focused on

performance levels (58%, n=8 of 13).

The following issues were raised by the judges at the permanency hearing:

- ✓ Performance Level (58%, n=8 of 13)
- ✓ Need for an Educational Advocate (43%, n=3 of 13)
- ✓ Special Education (33%, n=4 of 13)
- ✓ Attendance (14%, n=2 of 13)
- ✓ Emotional Health Needs (14%, n=2 of 13)
- ✓ Extra-Curricular Activities (14%, n=2 of 13)

In contrast to the judges, other stakeholders raised educational issues in the majority of permanency hearings reviewed (94%, n=28 of 30). By the permanency hearing stage, a variety of stakeholders raised educational issues: Caseworkers (n=13); GAL (n=7); CASA (n=4); FCRB (n=3); and a Foster Parent (n=1).

The following issues were raised by other stakeholders at the permanency hearing:

- ✓ Performance Level (89%, n=25 of 28; 11 caseworkers, 7 GAL, 4 CASA, 3 FCRB)
- ✓ Attendance (33%, n=9 of 28; 7 caseworkers, 1 CASA)
- ✓ Enrollment (22%, n=6 of 28; 3 caseworkers, 3 FCRB)
- ✓ Physical Health Needs (22%, n=6 of 28; 3 CASA, 3 GAL)
- Extra-Curricular Activities (22%, n=6 of 28; 3 CASA, 1 Foster Parent; 2 GAL)
- ✓ Need for an Educational Advocate (11%, n=3 of 28; raised only by caseworkers)
- ✓ Change in Placement/Change in School (11%, n=3 of 28; raised only by caseworkers)

FURTHER RESOLUTION OF IDENTIFIED ISSUES

Case files were examined to determine if there was resolution, by the permanency hearing stage of proceedings, on any of the issues orginally identified at the PPH, the adjudication/disposition stage, or first review hearing. In addition to the achievements previously identified by the adjudication/disposition and first review hearing stages, the following additional progress was achieved at the permanency hearings:

- In five cases, performance issues and attendance problems were addressed through transportation and tutoring.
- A surrogate parent was appointed for educational needs in 2 cases.
- A child received glasses and dental work issues which had been identified at the review hearing as impediments to school progress.

Overall, by the permanency hearing stage, 82% of the cases coded (n=25 or 30) had seen progress or resolution on educational issues identified at earlier stages of the proceedings.

Education Resource List

http://www.ncjfcj.org/images/stories/dept/ppcd/pdf/ResourceandReferenceLists/educationresourcelist.pdf

Education Reference List

http://www.ncjfcj.org/images/stories/dept/ppcd/pdf/ResourceandReferenceLists/educationreferencelistfinal.pdf

Appendix B: Brief History of Tucson Model Court Initiatives

The Tucson Model Court in Pima County has developed nationally recognized programs focused on front-loading of services and speedy permanency for abused and neglected children since becoming a Model Court in 2002 through the NCJFCJ Child Victims Act Model Courts Project. The Court's preliminary Protective Hearing Conference model has been observed and duplicated by courts all over the country. In this model the conference and susequent Preliminary Protective Hearing take place within five to seven days of removal. A total of 90 minutes is scheduled, 45 minutes for the conference and 45 minutes for the hearing. A facilitator is present at the conference and works with the parents, attorneys, social service worker and other interested parties. The purpose of the conference is to resolve issues of visitation, placement and services for the family prior to the hearing to speed the process.

Other innovative undertakings of the Court include its all-day "Summit Meeting" and "Brainstorming Session" which contributes to the collaborative nature of the Tucson Model Court Program. Attendees at these sessions include Juvenile Court Judges, Pima County Juvenile Court management, Child Protective Services management, representatives from the Attorney General's Office, Foster Care Review Board, contract attorneys and other stakeholders. With support from PPCD Model Court Liaisons, broad approaches to training and systems improvement have been developed for all stakeholders in the Model Court. These collaborative processes have continued in the Tucson Model Court's strategic planning to establish a cohesive structure that incorporates the needs of both the dependency and delinquency cases to better coordinate the needs of the entire Juvenile Court. The collaborative is governed by a "steering committee" of decision-makers who meet quarterly and oversee the activities of the committees and subcommittees effecting system reform efforts throughout the Juvenile Court.

The Pima County Juvenile Court's Family Drug Court is also providing voluntary drug court enrollment to nearly all parents in the dependency process with substance abuse probelms and has established strong relationships with the adult RBHA network provders and Adult Recovery Teams (ARTs). The Model Court's initiatives reflect its continued drive to move forward in systems change and timely permanency for children.