



# Seen, Heard, and Engaged:

A Process  
Evaluation for  
Children in  
Court Programs

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**Seen, Heard, and Engaged:**

**A Process Evaluation Guide for Children in Court Programs**

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## Introduction to Children in Court<sup>1</sup>

In child welfare cases, there are no bystanders. All of the parties to a case affect that child's future, most especially, the child in question. So when a judge empowers a child to have a voice in his or her future, it's important not just to create the process that grants a child to be engaged in court, but to examine and evaluate it so that the process in fact does what it is intended to do.

Thoughtful program planning determines what your program will, or should, accomplish. Program planning should include a logic model with identified goals, objectives, and activities that will accomplish the mission of the program.

A process evaluation can determine if a program is working and provide information on what steps might be necessary to adjust the program if it is not having the intended effect. Some people may wonder why not just look at the outcomes of the program and measure success that way?

You could just look at the outcomes, but you want to ensure more than just results. You want to understand if the processes in place are functioning to the degree in which you intended. This is what separates process evaluation from outcome evaluation. Before outcomes can be evaluated, it is necessary to examine the processes in place to determine what is needed to reach the desired goals and to look to the future for improving the current practice.

**Conducting a thorough process evaluation can answer questions about current or planned children in court protocols such as:**

- Is it successful?
- Is it achieving the desired goals?
- Was it implemented in the way it was intended?
- What are its strengths and weaknesses?



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National CASA Blog

<sup>1</sup> This topic is fully discussed in the NCJFCJ technical assistance bulletin titled *Seen, Heard, and Engaged: Children in Dependency Court Hearings*.

## Importance of Process Evaluation

Anytime a program is implemented, it is crucial to create an evaluation plan, which includes process evaluation. A good process evaluation can help to ensure important aspects of good program planning, which include: 1) *fidelity*, 2) *results-based accountability*, 3) *quality data* and 4) *Continuous Quality Improvement (CQI)*.

### **Implement with fidelity**

Ensuring fidelity means that a program or protocol stays true to the original design. Without process evaluation, it is virtually impossible to determine program fidelity. If you are adopting a program from another state or tribe, it is important to create and implement as close as possible to the original model design to achieve the same results and maintain fidelity.

### **Results-based accountability**

Any implemented program will produce results, but are they the results that were originally intended? Providing results from the project or protocol will provide feedback to its users. Start by developing performance measures related to your program processes with appropriate data to be collected and reported. If your program is funded with federal or state funds, you will most likely have to report to funders the results after implementation. Even if your program is self-funded, it is still important to keep the program accountable to stakeholders who are “invested” in the program. Creating quarterly or yearly reports for dissemination will keep people informed about the program and how it is working.

### **Maintain quality data**

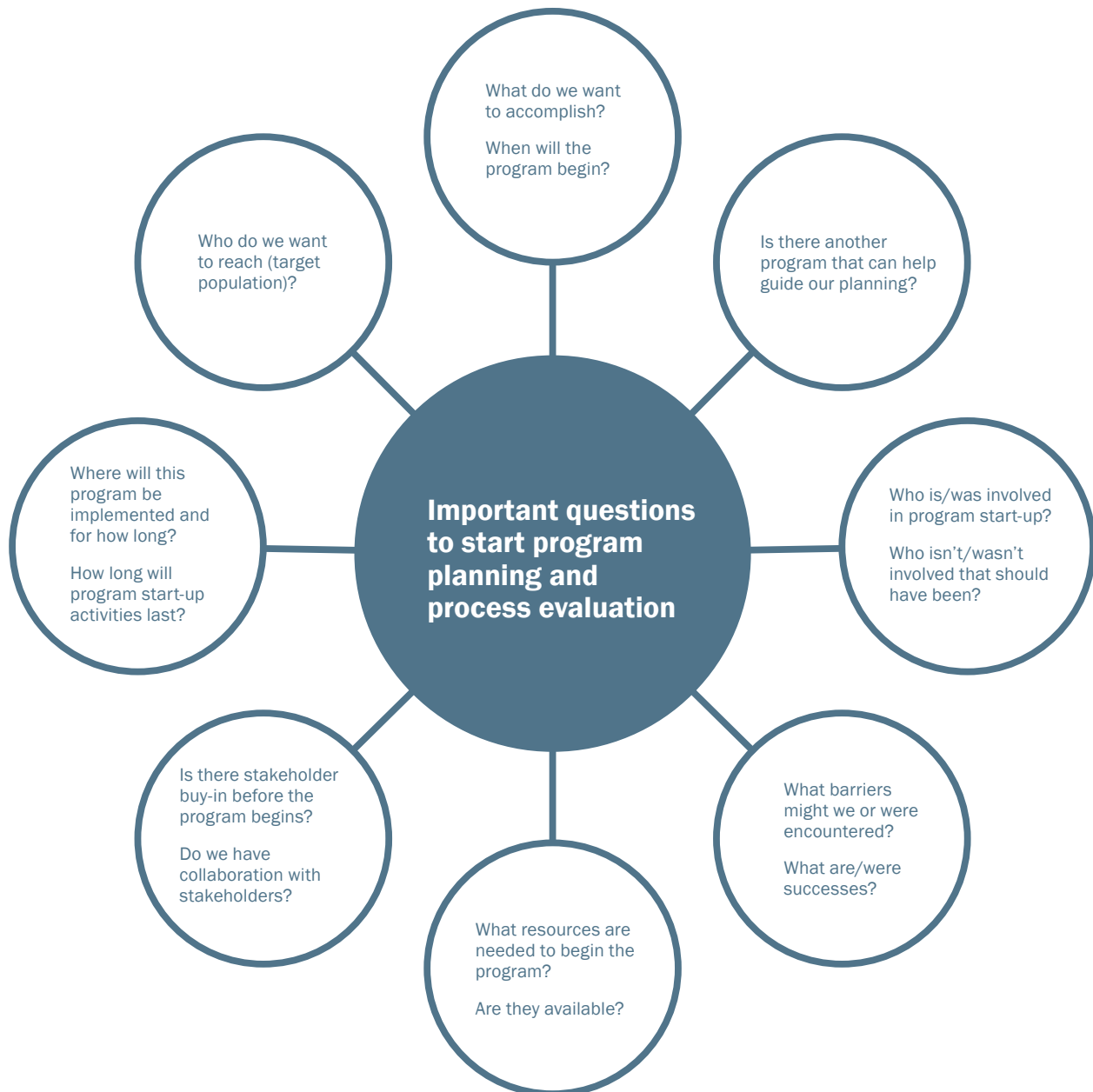
Data-driven decisions will only be as good as the data. Collecting data is essential to evaluation of any kind, but unless the data are valid and reliable it can be useless to the program. Accurate and reliable data are key to understanding your program strengths and weaknesses. Making sure your data collection and entry practices are consistent will help to maintain quality. This may take some technical assistance from an outside group or partnering with a local university.

### **Continuous Quality Improvement (CQI)**

Conducting a thorough process evaluation can help provide feedback to make continuous quality improvements. Process evaluation is consistent with the principles of CQI. As states and tribes are working on their CQI plans for their corresponding Court Improvement Program (CIP), process evaluations can help find places in programs or protocols that need improvement.

## Components of Process Evaluation

It is advantageous to start program planning with an evaluation plan, but often this is an afterthought. However, you can still conduct a process evaluation with some careful planning. Identify key staff that will be conducting the process evaluation and start with some basic questions. *What do we want to do and how will we do it?*



## Components of Process Evaluation *(continued)*

### **Mission statements, goals, and objectives**

Does your program have a mission statement, goals, and objectives? Creating a mission for your program will establish the over-arching purpose and know what you are working towards. Creating an effective mission statement takes time, input from many people, and may need several revisions. After you have established your mission, you can create some long term goals for your program that you would like to accomplish. It is important not to have too many goals as your program starts out because it may drive the program in many different directions or set itself up for failure. Start with one to three goals that are attainable in the time period set. After you create goals, then within each goal you should develop objectives. Objectives should be written as **SMART** objectives (**S**pecific, **M**easurable, **A**ttainable/Achievable, **R**elevant, and **T**imed). Setting SMART objectives will assist in process evaluation because you can use these objectives to determine if the program is on track and what to measure.

### **Logic models**

Does your program have a logic model in place? If it does, start with your inputs, activities, and outputs for beginning your process evaluation. If you are still in the planning phase of your program, developing a logic model will assist your program to answer the questions of who, what, when and how by identifying activities necessary for the program to get started. Even if your program has begun and has not developed a logic model, it might be helpful to develop one now to better frame what your program is and what you would like see to it accomplish. A good logic model will help you identify what to evaluate, determine what is success, and hopefully how to measure it.

### **Tools**

There are a variety of tools available to assist with process evaluation. Surveys, focus groups, primary and secondary data collection, case file reviews, and court observations can all assist in process evaluation. Your program does not need to use all these tools, but could choose which ones seems most appropriate and are relevant to your program at its given stage of implementation and piloting. These tools will be discussed in further detail.

### **Reports**

Good program planning will include a reporting and dissemination plan to inform courts. Determine who your audience is and create reports and dissemination strategies based on that. If you know that your main audience will be court officers, attorneys, and caseworkers, then you will want to tailor reports to that audience. You may find that your audience is the general public; therefore, you will want to make sure that reports are written so they can be easily understood and not filled with language that is confusing to the layperson. When data are analyzed, it will be helpful to write a report on the findings. Reports should be used not only to inform the court, but also to continuously improve its current practice.

## Purpose of Process Evaluation<sup>2</sup>

### Monitoring your children in court program

If you have developed a logic model, then look to your activities and outputs to decide what data are critical to evaluation. What questions do you have about the activities and inputs into your program? For example, you may be interested in how you built stakeholder buy-in for the program or what activities took place in order to get children into court. Developing a set of questions in order to provide characteristics about your program will help establish a baseline assessment of the current program. At this time, you may recognize a need to build a data collection system, which would include instruments for data collection and a system to warehouse your data. The questions that you would like to answer will dictate what tools and systems you choose.

### Improving your children in court program

You may consider conducting focus groups with stakeholders to gather a sense of what could be improved in the current model. You may also consider passing out surveys to children to find out how they feel about coming to court. For example, you may want to know how your jurisdiction could improve its orientation to court for children or how to improve their experience in the courtroom. Feedback from users will help continuously improve the quality of your program.

### Building an effective children in court program model

Careful documentation of all your program activities will assist in not only determining how to improve the program, but also identifying what lead to better outcomes. This documentation will also assist in determining if there was fidelity to the model and if there is not, where activities need to be adjusted. In addition, documentation of program processes will help in interpreting any findings from your data. This will assist you in determining why something worked or did not.

## Tools for Evaluation (Qualitative)

### Surveys

Most evaluation plans include surveys to gain the perspective of those who are most involved in the program. Designing a survey will take some careful planning and will need to consider several factors. For example, you may be interested in what children's experiences are while they are in court. When doing this it will be important to keep children's age in mind and designing surveys that will capture data for different age groups. You may want to survey children attorneys, CASA, or guardians *ad litem* (GAL) to see what their opinions are about your program. You may want to survey parents and foster parents about how they perceive the program. All these people will help you gain an inside knowledge into how people view your program and will help you address any weaknesses. In addition, positive findings from surveys help to create more buy-in for your program and demonstrate to users its importance.

<sup>2</sup>

This information was extracted from the Centers for Disease Control and Prevention's *Introduction to Process Evaluation in Tobacco Use Prevention and Control*.



## Tools for Evaluation (Qualitative) *(continued)*

### Example questions for children's survey

- How were you invited or notified to come to court? Did you understand it?
- How did you feel about coming to court? Did you feel comfortable?
- Did you get to talk in court? Did you talk to the judge?
- Did you feel like you were listened to in court?
- Did court help solve your problems?
- When you were court, did you hear things about your parents that you did not know? How did that make you feel?
- If you did not come to court, did you write a letter, file a court report, or draw a picture for the judge?

### Focus groups

Focus groups are another option for process evaluation of your program; this may be especially true during the implementation phase. You will want to invite key stakeholders to a focus group to gauge what is working and what is not. You may find out during focus groups if all the right partners are at the table for effective implementation. You will need to employ the help of a skilled facilitator to help guide the group. During the focus group, it will be helpful to discuss what outcome evaluation will look like and discuss what questions should be answered. Having the right people at the table will help determine what you want to know about your program.

### Example questions for a focus group

- Is the program working as it intended?
- Are stakeholders satisfied with the program?
- To those who work with the children more closely, can they provide some insight into how the children feel about the program?
- What are barriers and successes?
- What kinds of improvements can be made to the program?

### Measuring collaboration with stakeholders

Your program may want to examine the level of collaboration with all appropriate stakeholders (e.g., child welfare agency, GAL, attorneys for children and parents, foster parents, and placement agencies, etc.). It will be vital to your program planning phase to identify the role that each stakeholder will play in getting youth to court. As you develop your logic model, collaboration with stakeholders should be included in your resources and/or inputs. If you carefully plan your program, but do not collaborate with stakeholders, this could hinder your program.

Stakeholder collaboration could be something you point to in your process evaluation as a strength or weakness. The use of surveys, in-depth interviews, and/or focus groups could be possible instruments used for measuring collaboration.

## Tools for Evaluation (Qualitative) *(continued)*

### Example measures for collaboration with stakeholders

- All appropriate stakeholders are/were part of program planning phase?
- Stakeholders are/were supportive of youth in court program?
- Child(ren) are provided transportation to court by child welfare (as a % of time)?
- Stakeholders were engaged in youth in court program?
  - If not, what are the barriers that exist?
  - What can be done to mitigate those barriers?

## Tools for Evaluation (Quantitative)

### Case file review

In order to understand how the intervention is working, it may be necessary to conduct case file reviews. When a program is established, you could compare case outcomes of those who attend court compared to those that do not. Your jurisdiction may decide to conduct a baseline assessment to establish how many children are attending court currently. If you are still developing a logic model this will help establish short-term goals or outputs for what you would like to achieve for your program. To determine cases to review, you will need to establish a time period (e.g. one year, 6 months, etc.) and create a list of available cases. From that list, it will be necessary to randomly select the cases to review. You can use computer software to randomly select cases or you could select every  $n^{\text{th}}$  case depending on how many you want to review. As an example, you would like 100 cases from a list 500; you could select every 5<sup>th</sup> case. Random selection helps create more even distribution among your cases and reduce bias.

### Example of data that can be collected from a case file review

- Child's date of birth and demographics (race and gender)
  - Persons present (e.g. Child, GAL/child's attorney) by hearing type
- This data can be used to answer basic questions, such as:*
- How often are children present in court (% of cases, % of hearings)?
  - Are children more likely to be present at certain types of hearings?
  - Did children consistently have an attorney, GAL, or CASA present?

### Court observation

Observing court cases is another technique to evaluate your program. Observing how the judge interacts with children will assist in improving the program. Your program evaluator will need to develop a court observation tool or checklist. You may want to know if the judge makes eye contact with the child during a hearing, the child's response to seeing their parents in court, and/or assess if children remain through the whole hearing. Time and resources may be limited for court observations; however if you can, you should randomly select a sample of cases to observe. Possible

## Tools for Evaluation (Quantitative) *(continued)*

variables used to randomly select court observations could include: the number of judges in your jurisdiction, days of the week for hearings, hearing type, and number of hearings on a docket.

### Example of data that can be collected from a case file review

- Scheduled time of hearing, start time, and end time
- Child(ren) present in court and whether they spoke at hearing
- Judicial engagement of children, did the court do the following:
  - Explain the hearing process and role as an impartial decision maker?
  - Directly question the child(ren)?
  - Provide an opportunity to speak/ask questions?
  - Inquire about the child's well-being or current needs?

## How to Use Information

### Data collection and synthesis

Once data are collected from a process evaluation, analysis should be conducted to determine trends and inform the court. Since there may be a mixture of qualitative and quantitative data to analyze, it may be helpful to employ a skilled data analyst. If this is not available, there are resources offered to determine appropriate data analysis methods. Examples of measures are provided below that can be used to report findings from the evaluation. These findings should demonstrate areas of strengths and weaknesses, which can be used to measure objectives. In other words, is your program meeting its goals and SMART objectives? This will be helpful in determining the best strategy for resource allocation and future needs.

### Linking process evaluation with outcome evaluation (next steps)

The ultimate goal is to engage children in court and this can be accomplished with an outcome evaluation of the program. Examining outcomes of children who attend court compared to those that do not can help determine if the intervention is effective. It is essential to establish a sample size and randomly select cases and controls. Just like process evaluation, outcome evaluation should begin with questions that need answers. You will need to determine which outcomes will help answer those questions and how to measure the outcomes of interest.

## How to Use Information *(continued)*

### Process evaluation measure/reporting examples

- Duration of program start-up activities (# of months, weeks)
- Number of people involved in start-up and currently involved
- Who are the key stakeholders involved by role/number?
- Number of meetings held regarding program and qualitative assessment of meeting minutes
- What are successes? What are barriers? What are areas for improvement?
- Did the court provide child friendly notices/invitations?
- Percentage of children who attend court (# of children who attend/all cases)
  - Percent by hearing type
  - Percent of children who talked to judge
  - Percent of children attendance by age, race, gender
- Qualitative assessment of children's survey and response rates
  - What are children's perceptions of court?
  - Do they feel heard?
  - Do they feel it is important?
  - Did they understand the written notice?
  - Do they feel the judge listens to them?
  - Are their problems being solved in court?
- Qualitative assessment of stakeholder's survey and response rates
  - Is there buy-in for the program?
  - What are areas that need improvement?
- Qualitative assessment of focus groups
  - What trends emerged from the focus group?
- Quantitative assessment from court observation
  - Do some judges engage the children more often?
- Quantitative assessment of questionnaire provided to children before court
  - Percent of children satisfied with their placement
  - Percent that are attending school and therapy

## Site Examples

### **New Hampshire Circuit Courts, Franklin and Concord Model Court Project**

New Hampshire has conducted a process evaluation related to children in court protocols implemented first by the Model Court in Franklin and Concord and later by courts around the state. In 2010, the Franklin and Concord Model Court in New Hampshire implemented protocols that encouraged courts to provide children and youth an opportunity to participate in post-adjudicatory court hearings. In 2011, drafted protocols were piloted in Franklin and Concord courts and these protocols were evaluated for a six-month period. The results of this process evaluation were incorporated into their 2012 *Children and Children in Court Protocols*.

## Site Examples *(continued)*

The results of the process evaluation were broken down by protocols and goals set by their Children and Youth Protocol Committee. The committee developed protocols that included the following goals:

- “Youth attend hearings appropriate for their level of development”
- “To increase participation of youth at hearing”
- “At the outset of the hearing Judge observes and/or engages with youth”
- “For the courts to establish a welcoming environment for youth”

Their protocol included the following steps and their process evaluation helped to identify areas for improvement related to these steps:

- “Court gives letter to CASA at Adjudicatory Hearing and CASA presents letter to youth prior to Dispositional Hearing”
- “Judge encourages youth to continue involvement; asks CASA to remind youth of the ongoing opportunity to attend”
- “Court to provide notice to Foster Parents, Relative Caregivers, and Pre-adoptive parents of all hearings (review, permanency, post-permanency, and dispositional)”
- “Court to order that the Department of Children, Youth and Families will ensure that transportation will be provided for youth”
- “Ensure youth receives and understands invitation and opportunity to participate by attending hearings or by other means”
- “Inform and prepare parties for youth’s participation in hearing”
- “Court to ask parties to leave courtroom if youth is unable to speak in presence of parties”

Data related to these goals and the steps professionals took to implement the protocols were collected to provide feedback on how the courts were performing after implementation the protocol and to inform statewide implementation. Surveys were given to CASA/GAL, children/youth, and foster parents/relative caregivers/pre-adoptive parents.

New Hampshire’s Model Court is an example of how to develop practices and protocols with evaluation in mind. This careful process evaluation assisted in identifying strengths, weaknesses, and challenges encountered. All these were used to adapt and help the courts change to ensure that more children and youth are involved in court.

### **Kansas Juvenile Courts, Engaging Older Youth Project**

Kansas implemented a project in May 2013 to improve the engagement of all youth 12 and older in court in Allen, Finney, and Wyandotte counties. The project seeks to measure whether “Youth have a better understanding of court proceedings and decisions made about their lives” and whether “Youth feel empowered to participate in their court experience.” From the beginning, the CIP intended the project to include process and outcome evaluation. The project sought assistance from Casey Family Programs and the National Resource Center on Legal and Judicial Issues. The project has similar goals as the New Hampshire example above.

The project includes the following activities:

- Youth will receive a youth friendly notice before their hearings;
- Judges in these three jurisdictions will communicate to youth that they will be expected to

## Site Examples *(continued)*

attend court; if they are unwilling or unable to attend, the guardian GAL will provide a report from the youth to the court;

- GALs will help prepare youth for court;
- Kansas Youth Advisory Council, a group of young adults currently or formerly in foster care, will prepare youth (Peer-to-Peer training) for court by providing an overview of the court process, reasons to attend, and what to expect at a hearing;
- Youth will be provided a copy of the Foster Youth Bill of Rights and a Youth Informational Calendar; and
- Judges will use benchcards to engage youth if input from the youth was not otherwise elicited during hearings.

The American Bar Association (ABA) attorneys and the CIP provided training to GALs and agency stakeholders on the project. ABA and CIP staff facilitated the Peer-to-Peer trainings. This project will evaluate implementation fidelity and youth perceptions of engagement. The next steps of the project will include an examination of short and long term outcomes in the cases. Overall the team hopes to find that the interventions lead to the judges receiving more and deeper information about the youth in order to make better decisions in each case.

The following methods will evaluate the processes and outcomes:

- Training evaluations
- Youth surveys (pre and post) of the activities
- Judicial surveys (pre and post) after each hearing where youth were present
- Journal entries recording whether youth attended and, if not, whether a youth court report was received, and received notice
- Court observations with a structured form by CASA volunteers (pre and post)
- Data on permanency, well-being, and education from the Department of Children and Families

After completion of the process evaluation, baseline data will be shared with the courts and agency leadership. Baseline data results may indicate a need for additional training. Data will be shared with all stakeholders and may be expanded to additional counties.

Next steps of the evaluation include an outcome evaluation, in which data will be analyzed after the project has been running a year (May 2014). At that point, the youth engagement data (due process) will be explored and linked to case outcomes. An objective of this exploration is to examine any association between youth engagement and judicial decision making. The goal is to demonstrate that improved decision making leads to better well-being and permanency outcomes.

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## Resources

- American Bar Association, Center on Children and the Law, Bar-Youth Empowerment. Website: [http://www.americanbar.org/groups/child\\_law/what\\_we\\_do/projects/empowerment/youthincourt.html](http://www.americanbar.org/groups/child_law/what_we_do/projects/empowerment/youthincourt.html)
- Centers for Disease Control and Prevention, Office of the Associate Director for Program – Program Evaluation. Website: <http://www.cdc.gov/eval/resources/#stepbystep>
- W.K. Kellogg Foundation Evaluation Handbook. Website: <http://www.wkcf.org/knowledge-center/resources/2010/W-K-Kellogg-Foundation-Evaluation-Handbook.aspx>