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RESEARCH BRIEF

HAWAII CCC CASE FILE REVIEW AND COURT  
OBSERVATION PRE AND POST BENCHCARD



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## **SUMMARY OF PRE- AND POST-BENCHCARD FINDINGS**

### *Court Observations (Judicial Engagement and In Court Discussions)*

- Increased judicial engagement and discussion of parties in almost all the topic areas from pre- to post-benchcard
- Increased level of discussion in the majority of the topic areas for other court stakeholders (e.g. parents' attorneys, CASA, social workers) from pre- to post-benchcard

### *Parental Engagement and Services*

- There was an increase in hearing attendance for mothers, fathers, children, GALs, and father's attorney from pre- to post-benchcard
- Case plan compliance increased for both mothers and fathers at review and permanency hearings from pre- to post-benchcard
- Post-benchcard, children were more often referred to psychological evaluations and individual counseling, however there was a decrease in educational, medical and dental service referrals
- Post-benchcard, mothers were more often ordered to drug and alcohol treatment, other services, maintain suitable house, family counseling, and job skills
- Post-benchcard, fathers were more often ordered to individual and family counseling, anger management, and drug and alcohol treatment

### *Case Outcomes and Timeliness Measures*

- Reunification rates increased from pre- to post-benchcard and was the most common post-benchcard case outcome for children
  - TPR/Adoption decreased as a case outcome for children
- Some changes are evident for the timeliness measures—the median number of days from petition to review and petition to closure, and removal to closure decreased from pre- to post-benchcard

## **INTRODUCTION**

The National Council of Juvenile and Family Court Judges' (NCJFCJ) Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care Initiative (CCC), with the partnership of the Casey Family Program and the Office of Juvenile Justice and Delinquency Prevention (OJJDP), seeks to improve outcomes for children and families in the court system, and reduce disproportionality and disparate treatment in the child welfare system. A key tool in working towards these goals is the CCC Preliminary Protective Hearing Benchcard, which contains reflection questions for judges to assist them in examining the role of biases in the decision-making process and encourages further exploration of decisions related to removal, placement and services. Previous studies found the use of benchcard improved discussion during the preliminary hearing, reduced placement in foster care and increased placement with relatives at later hearings. The current project compares the pre- and post-benchcard use in Honolulu, Hawai'i, an NCJFCJ Child Victims Act Model Court. The following is a summary of the results of case file review and court observation.

## **METHOD**

The goal of the CCC initiative is to reduce the disproportionate representation of children of color within the system. Furthermore, there is an effort to reduce the disparate treatment both children and their families can experience in the child welfare system. To work towards this goal, the CCC Preliminary Protective Hearing Benchcard was developed as a decision-making tool. This tool asks judges to reflect on their decision-making process to protect against implicit bias as well as to consider some key inquiries, analyses, and decisions relating to removal, placement, and services.

In 2009, the Honolulu Child Victims Act Model Court began implementing the CCC initiative, in conjunction with the National Council of Juvenile and Family Court Judges (NCJFCJ), to assess disproportionality in Honolulu's child welfare system as well as any potential mitigating effects from the use of the Benchcard. NCJFCJ trainings were provided to stakeholders in 2010 and 2011 to educate them on implicit bias and decision-making in child welfare and to train judicial officers on use of the Benchcard. The goal of this study is to examine court practices before and after Benchcard implementation.

From 2009 to 2010, pre-benchcard information was gathered from a random selection of approximately 50 cases that had a new petition filed in 2009 or 2010. Data included two sources: case file reviews and court observations. Standardized coding documents were utilized for both types of data collection. After implementation of the Benchcard, a new set of 50 cases was selected for review. These cases all had new dependency petitions filed *after* implementation of the

benchcard (e.g., in 2011 or early 2012). The same standardized tools were used in the pre and post assessment.

In this study, coders observed (either in person or via video recording) the Temporary Foster Custody hearings for all 50 cases, as this is the hearing in which the Benchcard was implemented. The court observation instrument included information regarding which parties were present, how judges engaged parents, and which topics were discussed at the hearing. Coders also reviewed case files, which are compiled legal documents with information on each court case; the information is then coded on a standardized form. The case files spanned the life of the case, from petition filing to case closure (if the case was closed). For case file review, variables of interest included information regarding demographics; petition allegations and presenting problems; timeliness; parties' presence at key hearings; services ordered; placement of child; and case outcomes. Descriptive analyses were run for a variety of factors and compared both pre- and post-benchcard information. Results for both court observation and case file review are reported below.

### **Measures in the study**

Within the study there are measures of quality of hearing and case processing and outcome. Two quality of hearing measures were constructed—judicial engagement and breadth of discussion. Judicial Engagement is an indicator of the engagement of parents by judges during the hearings. The five engagement measures include yes/no responses to the questions, “did the judge”: (1) speak directly to the parent(s), (2) ask if parents understand hearing process, (3) ask if parents understand the next steps, (4) Ask if parents may have questions, and (5) give the parents an opportunity to be heard. These five measures are averaged to create a scale from 0 to 1, which indicate low to high engagement level. A 0 would indicate all “no” responses to these questions, while a 5 would indicate all “yes” responses. Breadth of discussion is calculated as the percentage of relevant topic areas (e.g., safety threat to child and compliance of parents with case plans) that are discussed throughout the hearings (i.e., the number of topics discussed divided by the number of possible topics that are applicable to discuss at the hearing).

The case processing and outcome variables include timeliness (time from petition to case closure and temporary foster custody (TFC) hearing length), compliance, placement (with whom and how many), and final outcome of the case (reunification and adoption). Time from petition to case closure is a continuous measure of length of time (in days) from the date the petition was filed to the date the case was closed. TFC hearing length is a continuous measure of length of time (in minutes) from the beginning to the end the hearing. Two major outcome measures are reunification and

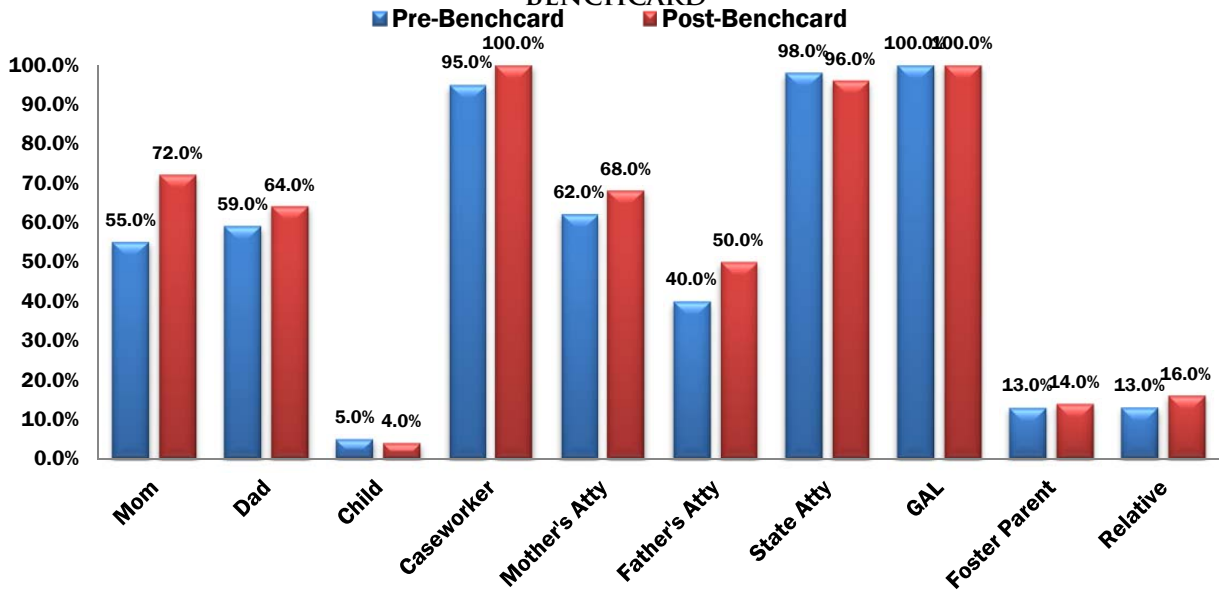
adoption. These outcomes are dichotomous measures with 1 indicating reunification with parents and 0 is all other options; similarly, for adoption, 1 indicates adoption and 0 indicates all other options.

Compliance indicates whether parents completed case plans ordered by the court (case plans are court ordered services, such as parent skills/mentoring class or psychological evaluation, that parents should complete in order to be reunified with their children). Compliance is a dichotomous measure with 0 indicating non-compliance with the case plan and 1 indicating compliance with the case plan. Total placement is a count of the number of times a child moved to a new residence. This measure ranges from 0 to 8. A score of 0 indicates no removal from the home, while a score of 8 indicates moves to 8 different placement settings. Placement indicates who the child resides with at a specific stage in the judicial process. Court ordered changes in placement were coded at removal, as well as the temporary foster care, adjudication, review, and permanency hearings of the case. During these hearings, three options for placement are parent, relative, or foster care (including congregate care). These options for placement are categorical measures—1 indicates placement with parent; 2 indicates placement with relative; and 3 indicates placement in foster care.

### **COURT OBSERVATION RESULTS**

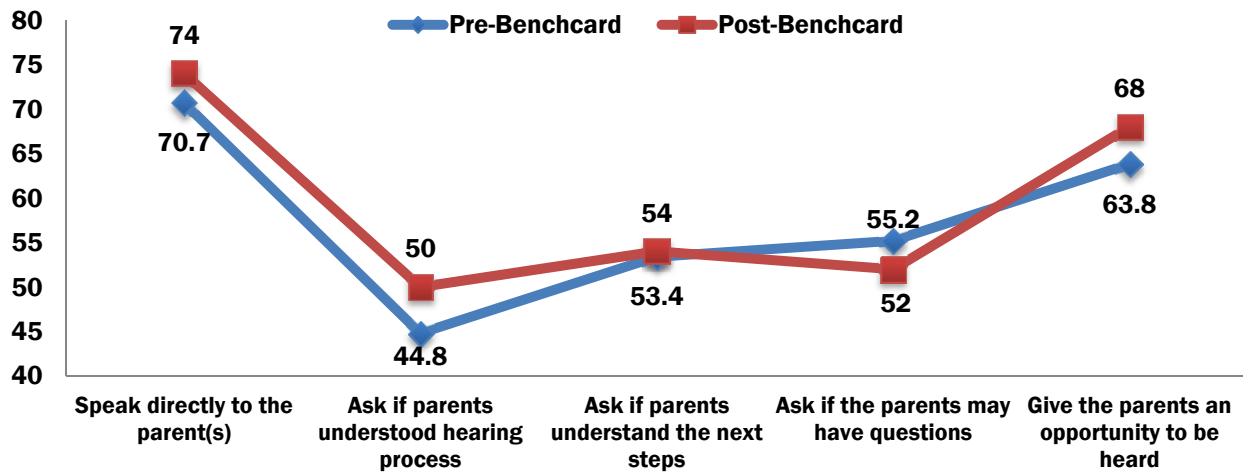
***Parties Presence.*** Data were collected on the frequency of party's presence at the TFC hearings before and after the implementation of the benchcard to determine the percentage of hearings each party was present. Pre- and post-benchcard court observations revealed an increase among parties who were present at the TFC hearing. Mothers and fathers were present more often from pre- to post-benchcard, as were caseworkers, parents' attorneys, foster parents and relatives. See Figure 1 for all other parties. Both case file reviews and court observations revealed that children generally do not attend the TFC hearing at high rates.

FIG. 1 - PERCENTAGE OF PARTIES PRESENT PRE AND POST BENCHCARD



**Judicial Engagement.** The study assesses pre- and post-benchcard changes in individual and average measures of judicial engagement of parties. Post-benchcard, judicial officers increased their engagement of parties in four out of five topic areas that were measured during court observations. Judicial officers increased how often they spoke directly to parents and gave them an opportunity to be heard. In addition, judges increased how often they asked parents if they understood the hearing process and the next steps. There was a slight decrease in the frequency of judges asking parents if they had any questions. See Figure 2. There were no statistically significant pre- and post-benchcard differences in average judicial engagement.

FIG. 2 - JUDICIAL ENGAGEMENT OF PARTIES PRE AND POST BENCHCARD



**Discussion.** The court observation instrument included 21 topical areas that are potentially applicable at the TFC hearing. These discussion topics were taken directly from the CCC Benchcard and included items such as discussion of the petition, paternity, relative resources, removal, placement, and visitation. For each topic, there were several sub-topics. For example, the topic of removal included discussion of probable cause for removal; current safety threat to the child, cultural considerations, and what is preventing the child from returning home today. Discussion was measured in terms of the percentage of hearings in which discussion occurred. Discussion was also broken down in two ways during court observations. The first category “In Court” identifies the level of discussion in the court hearing. This level of discussion is by all parties (i.e. social workers, parents’ attorneys, CASA, etc.). The second category for level of discussion pertains to the role of the judge during the hearing. This examines if the judge made direct inquiry about various discussion topics.

For “In Court” discussions, there was an increase among 16 of the 21 topic areas from pre- to post-benchcard (See Figure 3). Pre-benchcard “In Court” level of discussion ranges from 3.1% to 56.3% (that is, 3.1% of hearings discussed the topic area titled—“cultural consideration taken into account” and 56.3% of hearings discussed “reviewing the petition with parties.” Post-benchcard “In Court” discussion ranges from 0% (no hearing discussed cultural considerations and culturally/linguistically appropriate placements) to 78% of hearings discussed “probable cause for removal.”

For Judicial discussion, there was an increase among 15 of the 21 topic areas from pre- to post-benchcard (See Figure 4). For pre-benchcard judicial discussion, the discussion level percentages range from 1.8% of hearings discussed “safety plan to allow child to remain in home” to 51.8% of hearings discussed the topic of “reviewing the petition with parties.” The post-benchcard judicial discussion ranges from 0% of hearings considered culture and placement that was culturally/linguistically appropriate to 54.2% for post-benchcard judicial discussion hearing focused on “services allowing child to return home.” Most significantly, for “In Court” discussion, there was a major increase for the topic of “services allowing child to remain home” ( $p=.00$ ) and judges increased their discussion of “how is the family engaging in services.”

We also examined breadth of discussion, exploring the percentage of items discussed. Pre-Benchcard 28% of applicable topics were discussed compared 49% of topics post-Benchcard. These differences were statistically significant ( $p=.00$ ), indicating enhanced discussion following Benchcard implementation.



FIG. 3 - LEVEL OF DISCUSSION IN COURT HEARING PRE AND POST BENCHCARD SORTED FROM GREATEST TO LEAST AMOUNT OF CHANGE

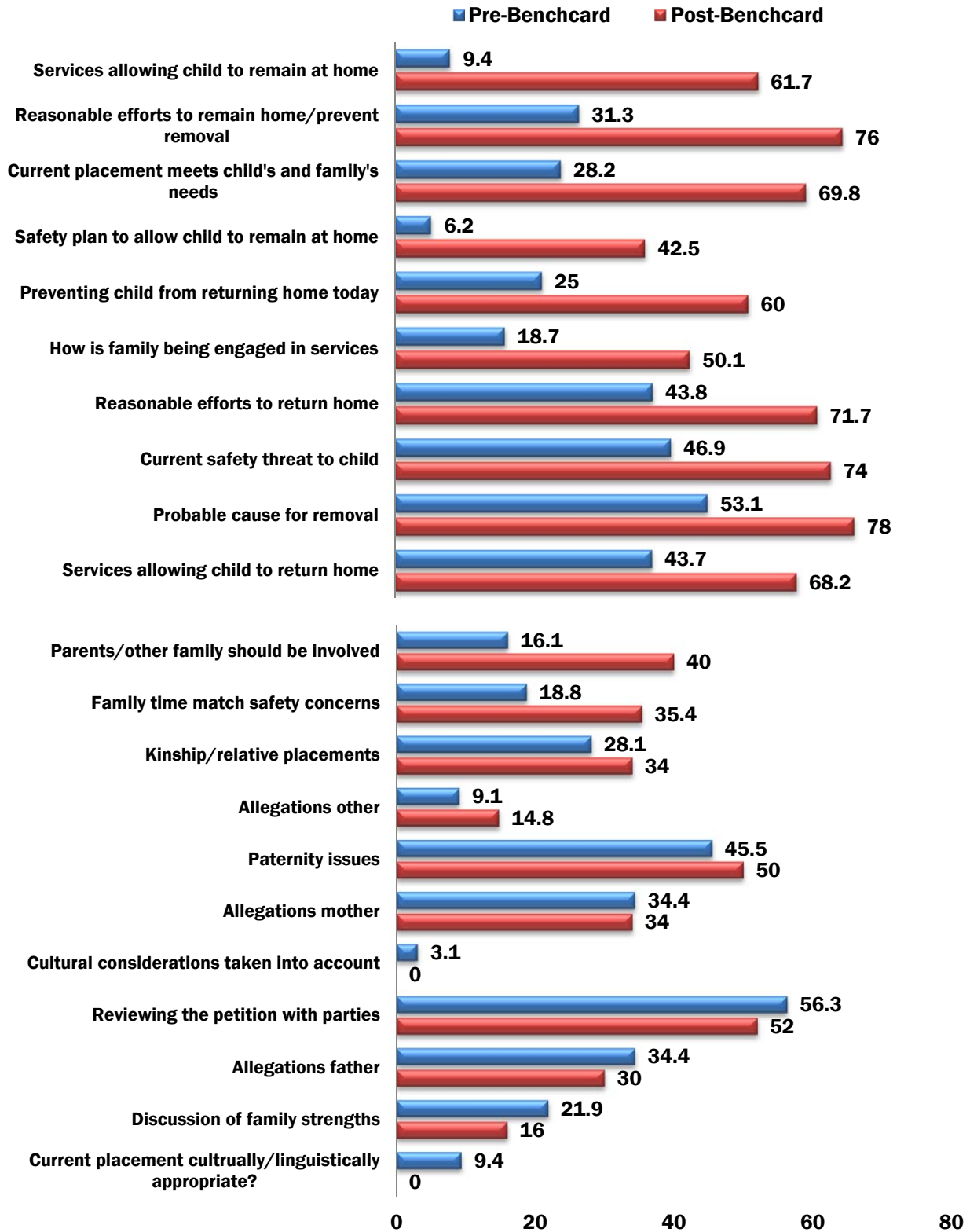
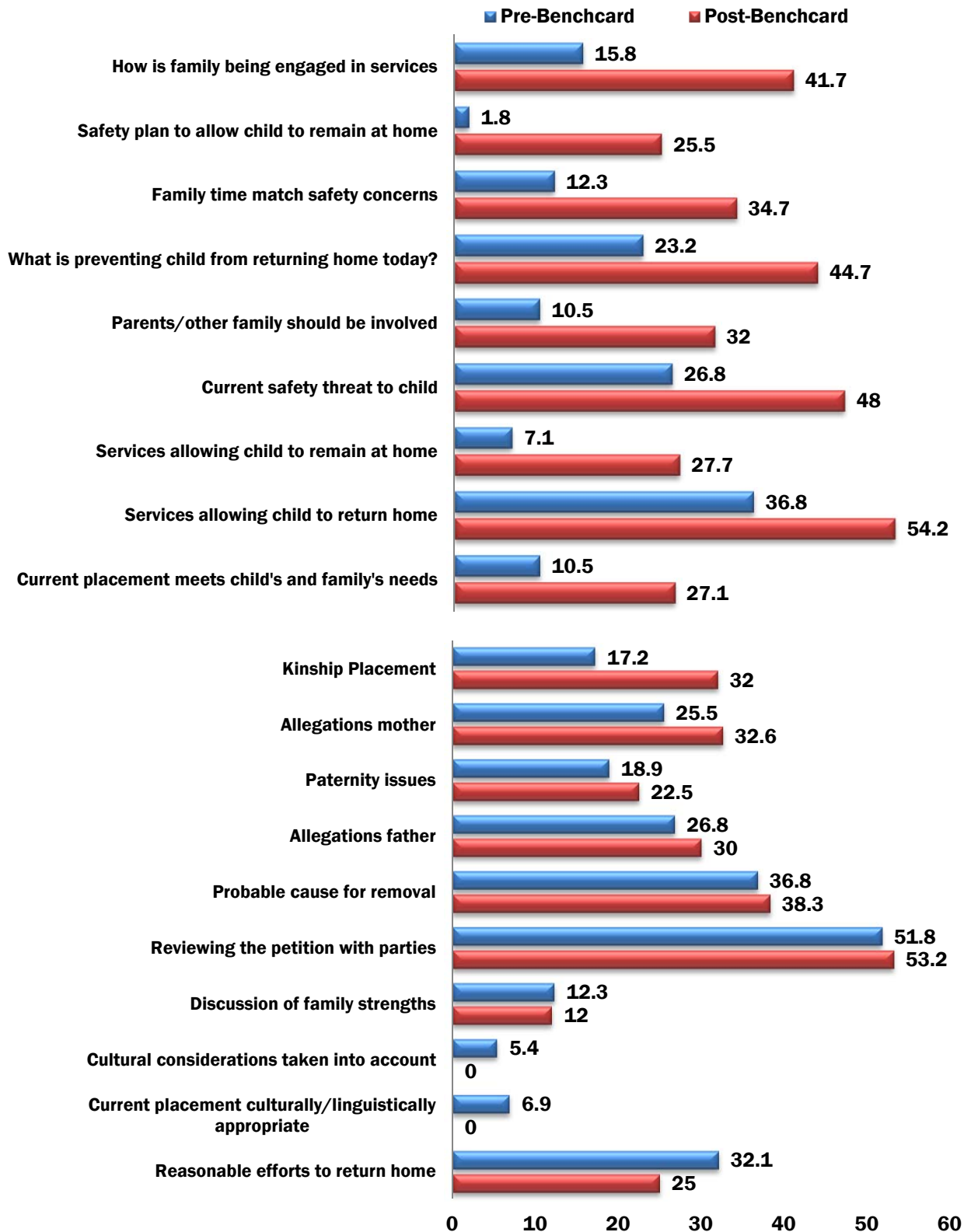


FIG. 4 - JUDICIAL LEVEL OF DISCUSSION PRE AND POST BENCHCARD SORTED BY GREATEST TO LEAST AMOUNT OF CHANGE



## CASE FILE REVIEW RESULTS

### Sample Demographics

Table 1 gives the gender, race and age breakdown of the child sample. Within both the pre- and post-benchcard group there are higher percentages of females. In regards to race, a higher percentage of the sample reported belonging to more than one racial category. At the time of removal, a majority of the sample were three years old or younger.

A majority of the children in the sample are identified as having more than one race. The next highest percentage is Native Hawaiian, followed by Pacific Islander, and White.

Table 1. Characteristics of the Sample		
	Pre-Benchcard	Post-Benchcard
<b>Gender</b>		
Male	42.9%	33.3%
Female	53.1%	66.7%
<b>Race children in exclusive categories</b>		
Native Hawaiian	14.3%	13.3%
Pacific Islander	8.2%	8.9%
Asian	8.2%	2.2%
Black	4.1%	2.2%
Hispanic	4.1%	0.0%
White	6.1%	4.4%
More than one race	46.9%	66.7%
Undetermined	8.2%	2.2%
<b>Age Range</b>		
3 or under	32.7%	31.1%
3.1 through 9	18.4%	22.2%
9.1 through 13	18.4%	8.9%
13.1 through 18	28.6%	22.2%
18 and older	0.0%	0.0%
Undetermined	2.0%	15.6%

### Petition Allegations and Presenting Problems

We examined both petition allegations and any concerns identified (e.g., domestic violence in the home, substance abuse by a parent). On average, mothers had more allegations than fathers pre- and post-benchcard. Post-benchcard mothers had fewer total allegations, while fathers had more (See Figure 5). The pre- and post-benchcard differences in total allegations, for both mothers and fathers, were not statistically significant. For both pre- and post-benchcard, mothers had more allegations for threat to harm, negligence, physical abuse, and “other” allegations, in comparison to fathers (See Figure 6). On average, total presenting problems increased for mothers from pre- to post-benchcard, while total presenting problems decreased for fathers (See Figure 7). The mean differences between pre- and post-benchcard total presenting problems for mothers ( $p=.63$ ) and fathers ( $p=.16$ ) were not statistically significant. This indicates that the families coming into the system were similar between pre and post samples.

FIG. 5 - AVERAGE NUMBER OF ALLEGATIONS BY PARTY PRE AND POST BENCHCARD

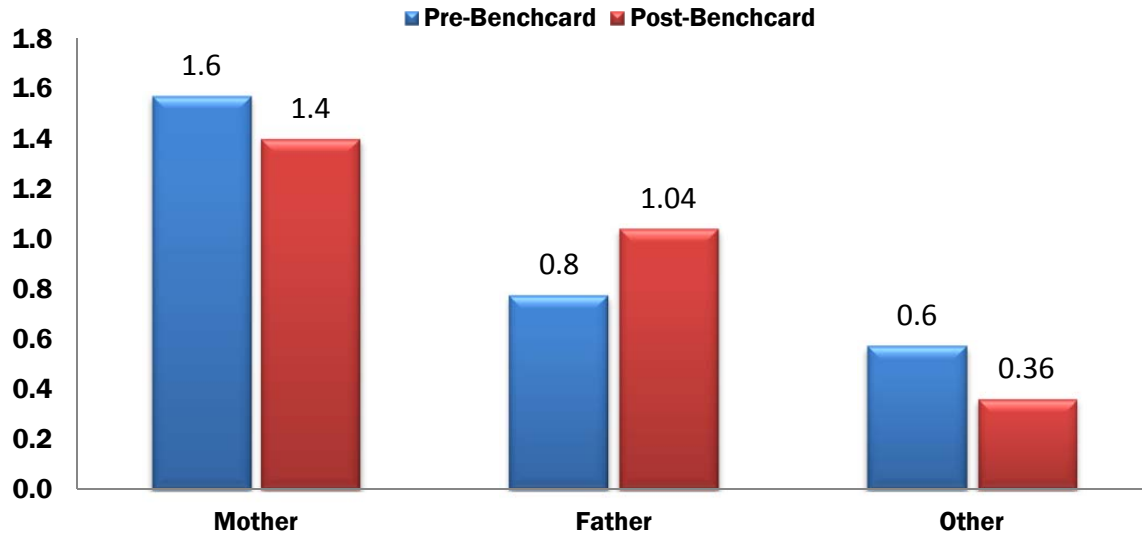


FIG. 6 - FREQUENCY OF ALLEGATION TYPE PRE AND POST BENCHCARD

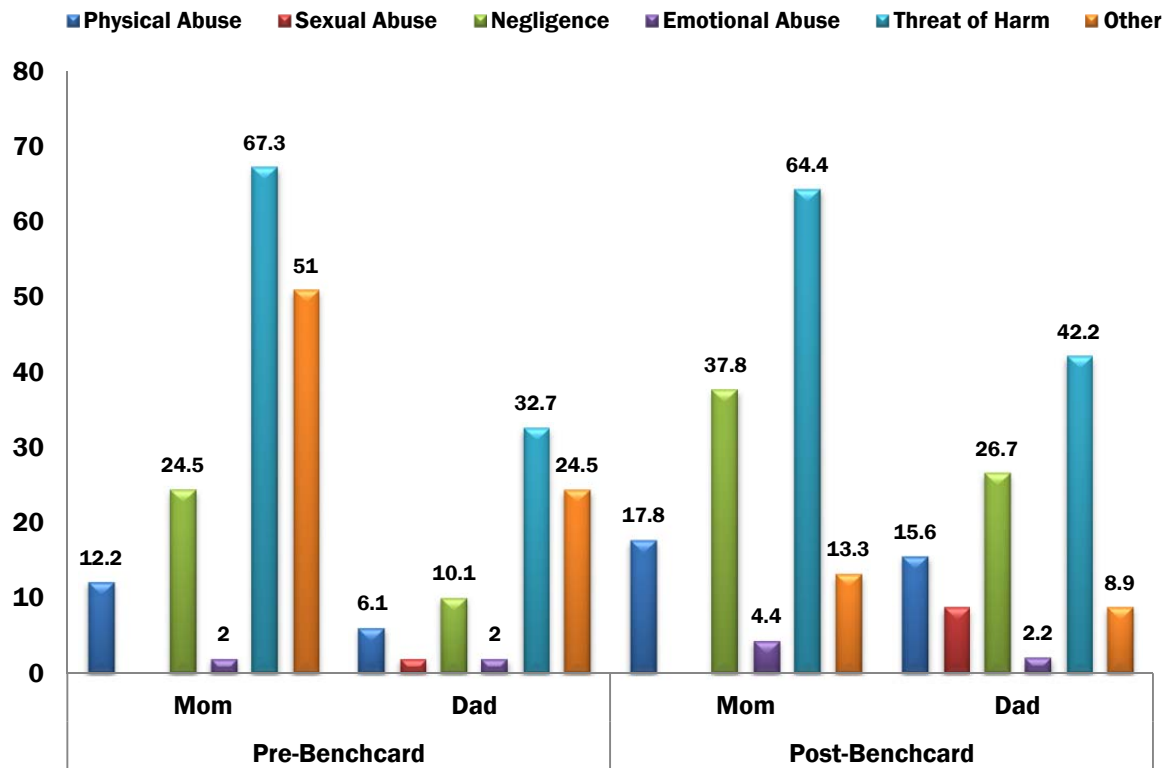
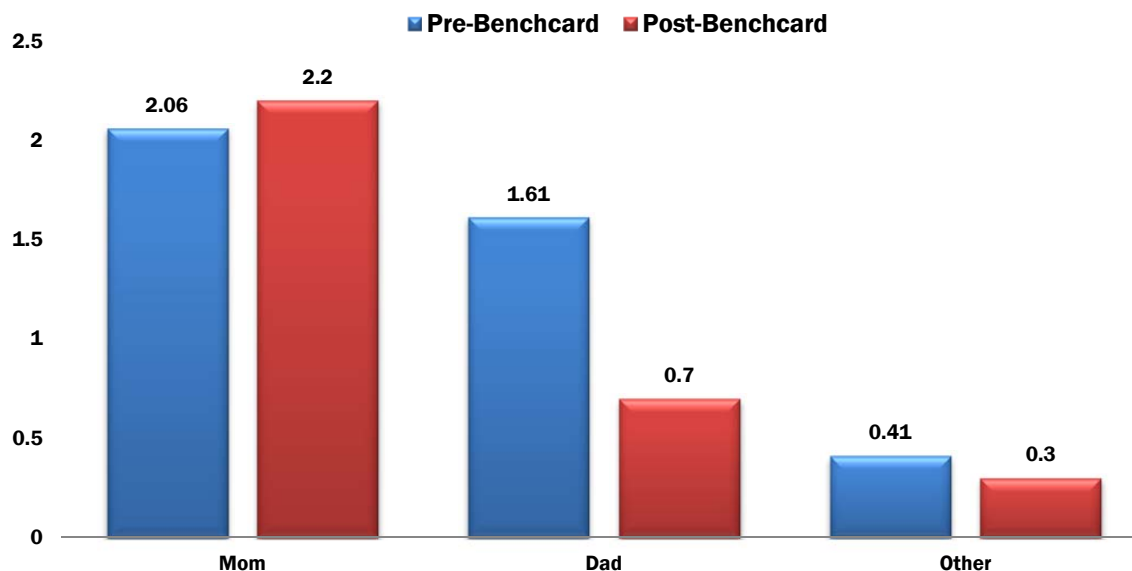


FIG. 7 - AVERAGE TOTAL PRESENTING PROBLEMS PRE AND POST BENCHCARD



### Timeliness

Case processing timeliness, continuances per case, and judicial officers per case are measures of court performance. Timeliness is measured as the median number of days from the petition filing date to each specific case event (adjudication, review,

Table 3. Timeliness measures		
	Pre-Benchcard	Post-Benchcard
<b>Median Days</b>		
Petition to Adjudication	22	25
Petition to Review	180	170
Petition to Permanency	363	384
Petition to Closure	928	575
Removal to Closure	932	627
<b>Average Number</b>		
Continuances per Case	1.6	1.14
Judicial Officers per Case	2	1.27

permanency, closure). Averages are calculated for continuances per case and judicial officers per case. The median number of days is slightly longer from petition to adjudication and to permanency for post-benchcard when compared to pre-benchcard. Time from petition to review, petition to closure, and removal to closure decreased dramatically for the post-benchcard group. The pre- to post-benchcard time from petition to closure is significantly different ( $p=.00$ ). The average number of hearings per case is similar post- and pre-benchcard. There was a decrease in continuances and number of judicial officers per case post-benchcard (See Table 3).

## Parental Engagement

Two measures of parental engagement are case plan compliance and attendance of parties at key hearings. Parents' case plan compliance is assessed at the review and permanency hearings. Case plan compliance is a measure of parents' mean level of compliance with the case plan (level of compliance ranges from 1 to 4—from noncompliance to substantial compliance). Hearing attendance is a measure of the percentage of hearings each party was present the measure is constructed by. Case plan compliance increased among both mothers and fathers at review and permanency hearings post-benchcard (See Figure 8). For both mothers and fathers, the compliance at review changes from pre- to post-benchcard are strongly statistically significant ( $p=.00$ ;  $p=.00$ ). A statistically significant difference exists for mothers ( $p=.09$ ); however, though nearing significance, fathers did not have a statistically significant difference between pre- and post-benchcard compliance ( $p=.16$ ). There was an increase in hearing participation among mothers, fathers, children, GALs, and fathers' attorney from pre- to post-benchcard along the life of the case (See Figure 9). The increase in hearing participation for fathers ( $p=.08$ ), GALs ( $p=.00$ ), and fathers' attorney ( $p=.01$ ) are statistically significant. There was a decrease in participation among mothers' attorneys.

FIG. 8 - AVERAGE CASE PLAN COMPLIANCE AMONG MOMS AND DADS AT REVIEW AND PERMANENCY HEARINGS PRE AND POST BENCHCARD

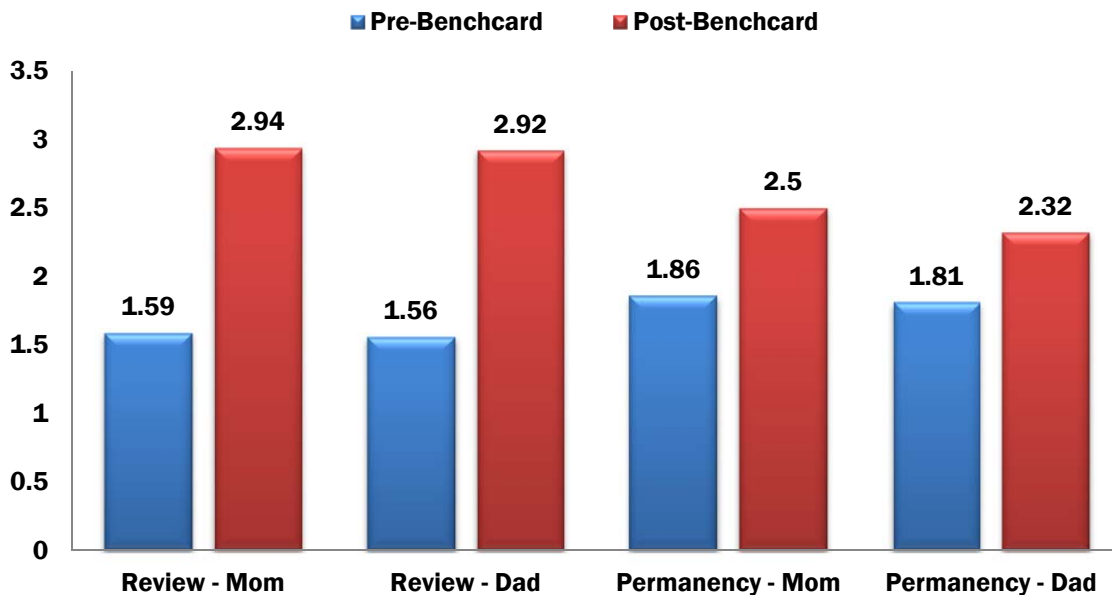
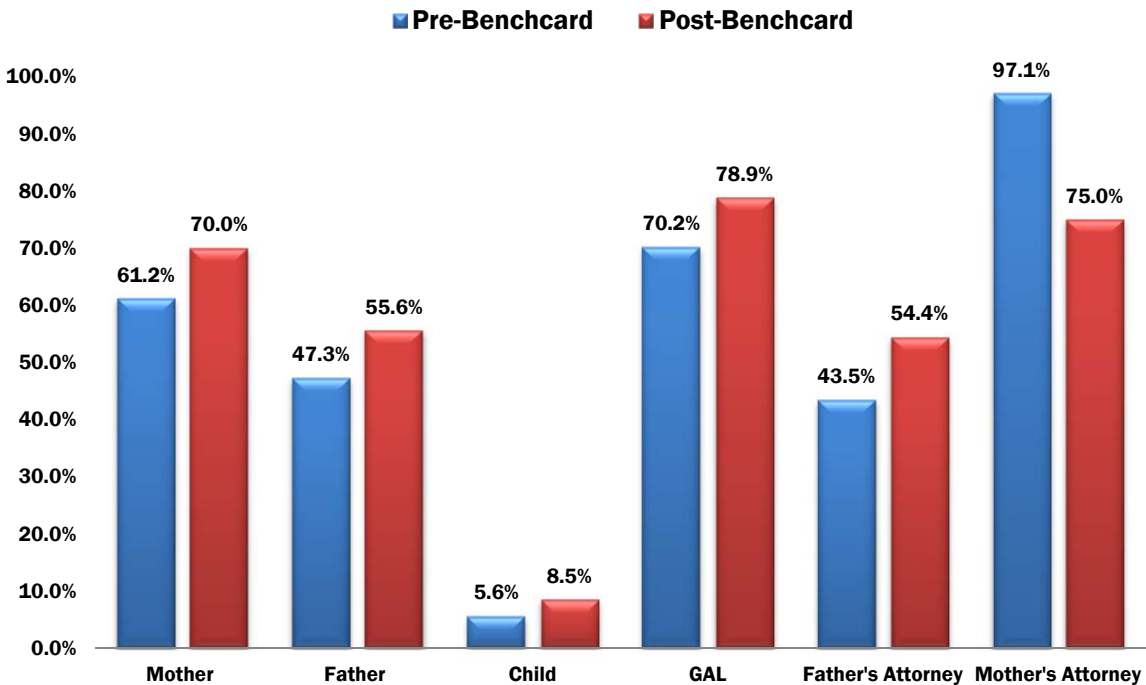


FIG. 9 - PERCENTAGE OF HEARING ATTENDANCE



### Services

Information was collected on the number and type of court ordered services for children and parents. Drug/Alcohol assessment, parenting skills/mentoring, psychological evaluation, and/or individual counseling are examples of the type of services ordered for parents and children. There were no differences in the total number of services ordered for parents or children after Benchcard implementation. Mothers were ordered to 5.7 total services pre-benchcard; while post-benchcard they were ordered to 5.8. Fathers were ordered to 3.8 total services pre-benchcard, while post- they were ordered to 3.9. Pre-benchcard children were ordered to 0.33 total services and post-benchcard they were ordered to 0.5.

There were differences in the types of services ordered most often. For children, there were statistically significant increases in number of psychological evaluations ( $p=.00$ ), individual counseling ( $p=.01$ ), and "other" services ( $p=.00$ ) ordered post-benchcard. However, there was a decrease in the number of family counseling, educational and medical services ordered (See Figure 10). For mothers, there was an increase in the number of drug and alcohol treatment ( $p=.00$ ), suitable housing ( $p=.00$ ), anger management ( $p=.00$ ), family counseling ( $p=.00$ ), job skills ( $p=.02$ ), random urine analysis ( $p=.00$ ), and other services

(p=.00) from pre- to post-benchcard (See Figure 12). For fathers, there was an increase in individual (p=.00) and family counseling (p=.00), anger management (p=.00), drug and alcohol treatment (p=.00), job skills (p=.02), parenting skills (p=.00) and other services (p=.00) from pre- to post-benchcard (See Figure 11).

FIG. 10 - SERVICES ORDERED FOR CHILDREN PRE AND POST BENCHCARD

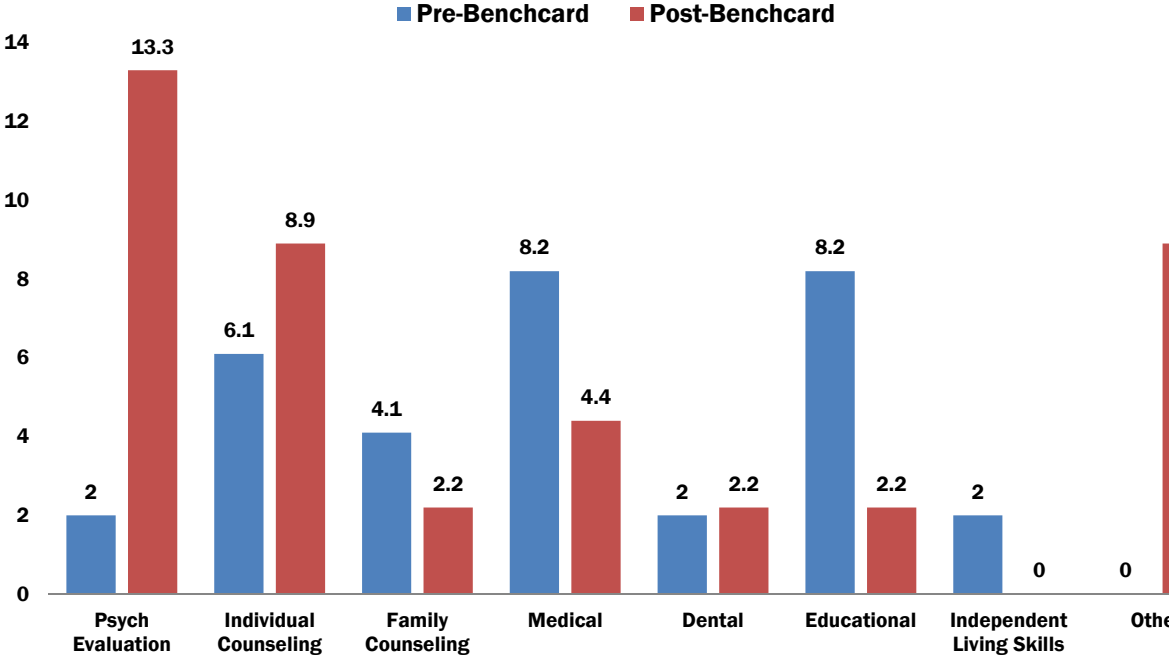




FIG. 11 - SERVICES ORDERED FOR DADS PRE AND POST BENCHCARD

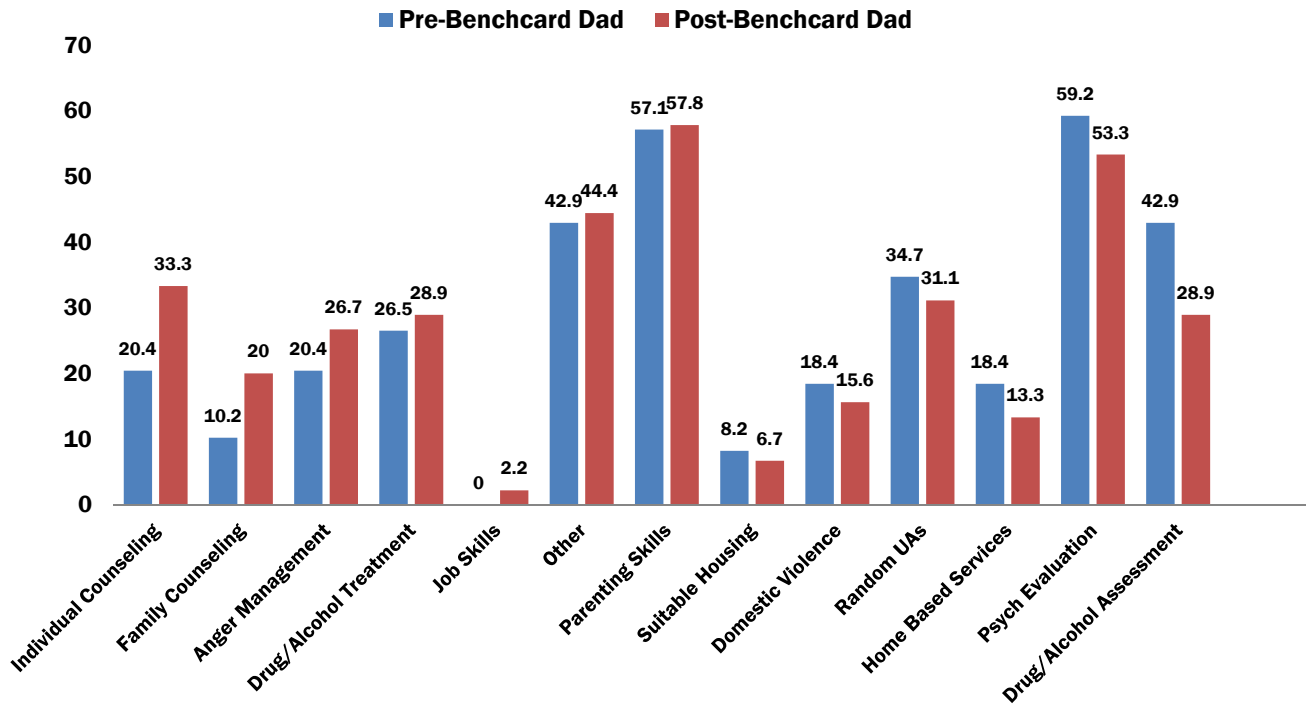
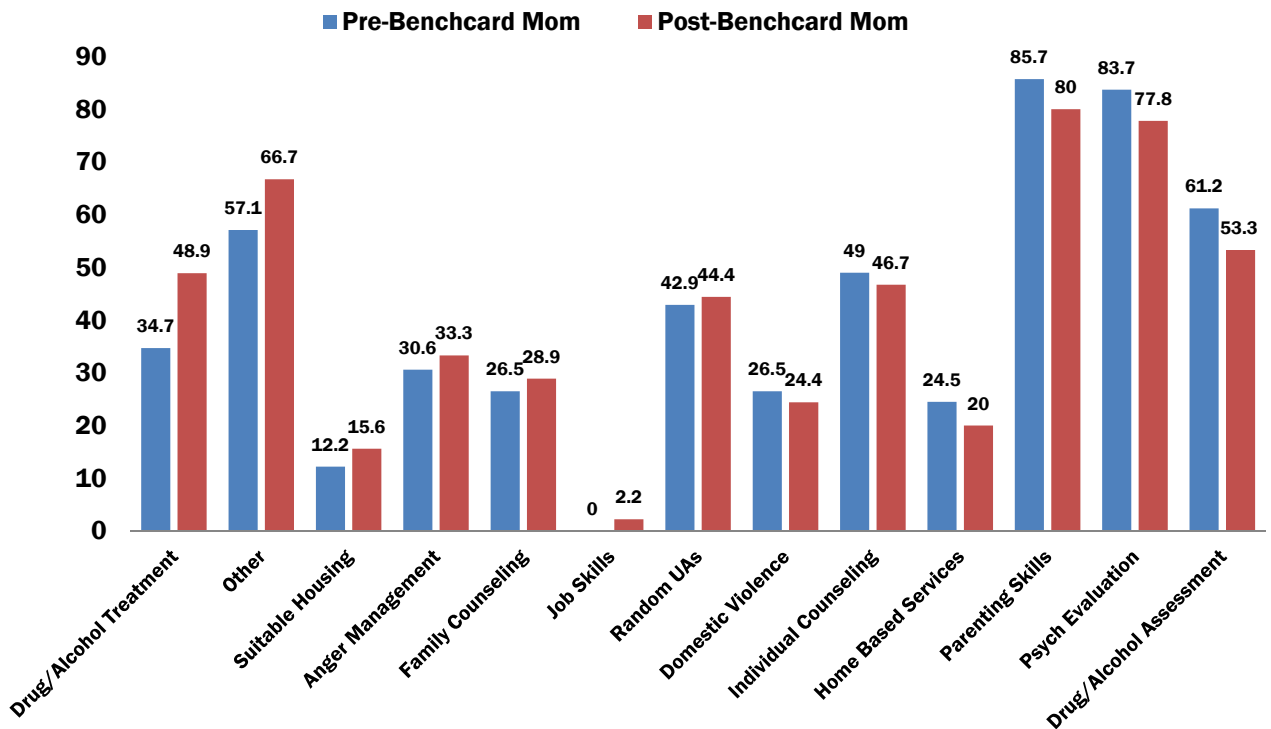


FIG. 12 - SERVICES ORDERED FOR MOMS PRE AND POST-BENCHCARD

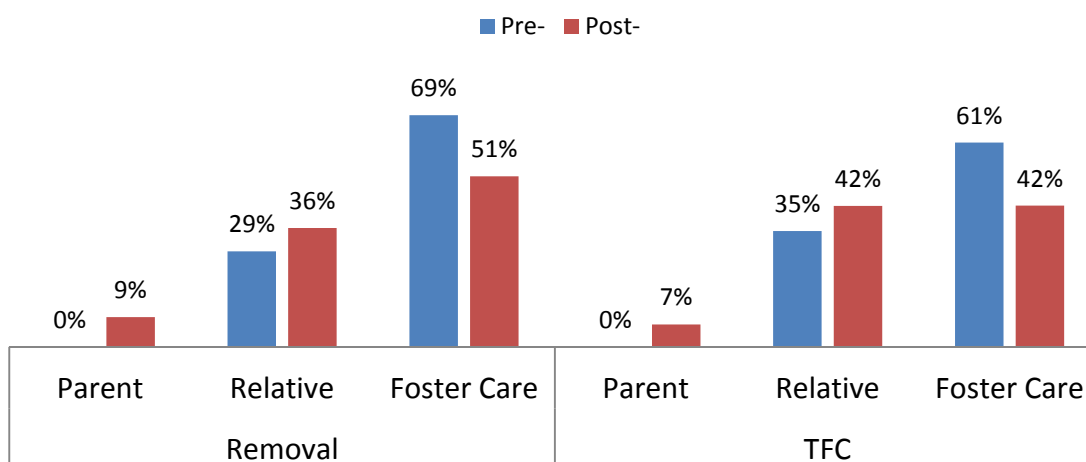


## Placement

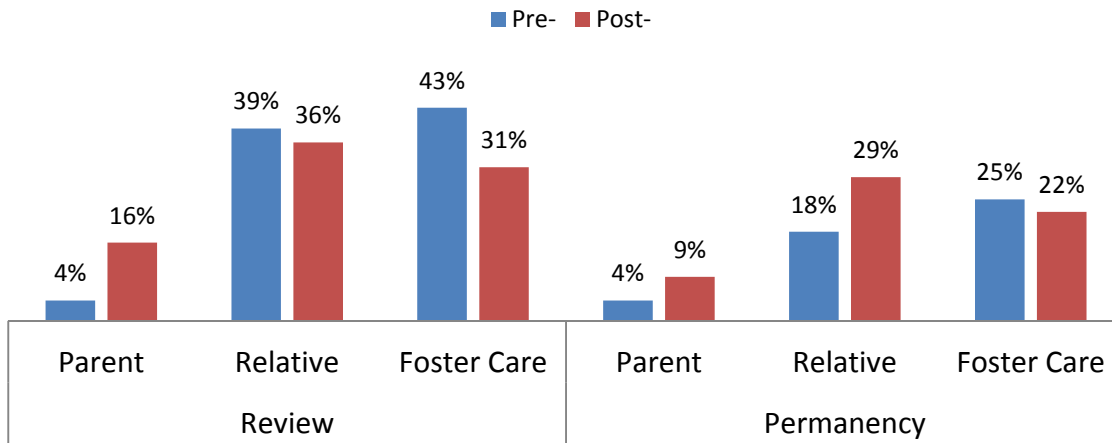
At different stages in the case proceedings (removal, TFC hearing, review hearing, permanency hearing) children are placed with parents, relatives, or foster/congregate care. From pre- to post-benchcard there was a decrease in the number of children placed in foster or congregate care at both removal and preliminary protective/TFC hearing (See Figure 13). The pre- and post-benchcard changes for foster or congregate care at the removal ( $p=.05$ ) and preliminary protective/TFC hearing ( $p=.05$ ) are significant. There was an increase in the number of children placed with relatives and parents from pre- to post-benchcard. The changes in the number of children placed with parents at the removal ( $p=.02$ ) and preliminary protective/TFC hearing ( $p=.04$ ) are statistically significant.

When pre- and post-benchcard results are compared for placement at the review and permanency hearings, there are increases in the number of children placed with parents and decreases in foster care/congregate placement (See Figure 14). Placement with parents at the review hearing significantly changed from pre- to post-benchcard ( $p=.02$ )—that is, following the benchcard implementation there was a significant increase in placement with parents. The decrease observed in post-benchcard foster care placement was not statistically significant ( $p=.20$ ) but there does appear to be a positive trend with more children placed with parents or relatives and fewer children placed in stranger foster care after implementation of the Benchcard.

FIG. 13 - CHILD PLACEMENT AT REMOVAL AND TFC HEARING PRE AND POST BENCHCARD



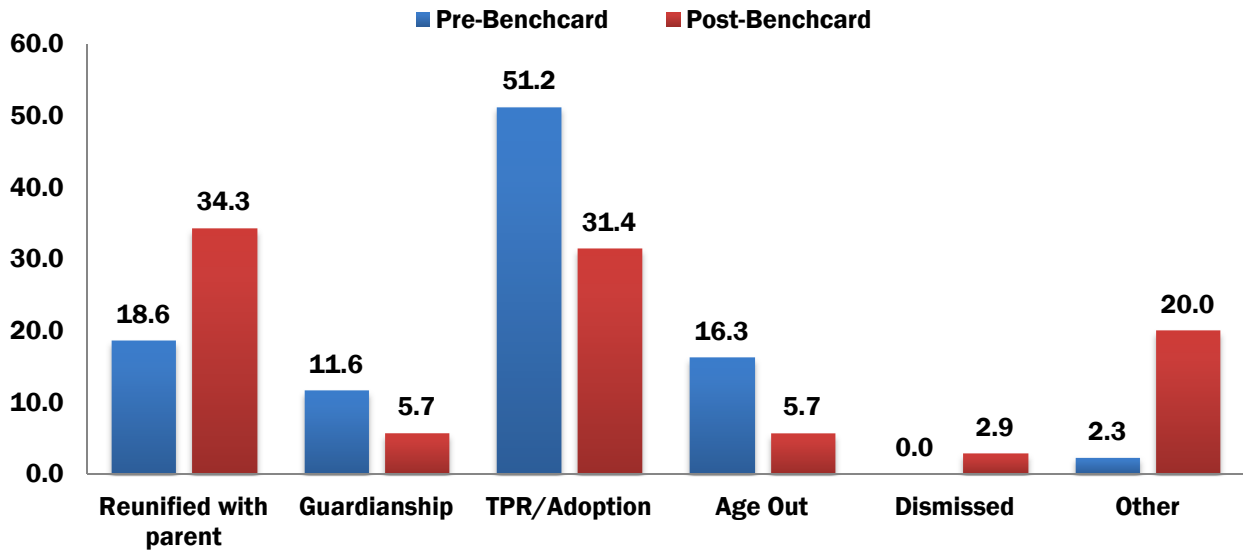
**FIG. 14- CHILD PLACEMENT AT REVIEW AND PERMANENCY HEARINGS PRE AND POST BENCHCARD**



**Case Outcomes**

Data were collected on whether cases were open or closed—for the closed cases, there are six final outcomes: (1) reunified with parent, (2) guardianship, (3) TPR/adoption, (4) age out, (5) dismissed, and (6) other. There was an increase in the number of children who were reunified with their parents from pre- to post-benchcard and a decrease in TPR/adoptions (See Figure 15). This increase approached but did not reach statistical significance ( $p = .11$ ), indicating a positive trend toward higher rates of reunification post-Benchcard.

**FIG. 15 - CASE OUTCOMES PRE AND POST BENCHCARD**



## PREDICTIVE ANALYSIS

After examining the descriptive information and comparing pre- to post-benchcard results, we wanted to determine whether court practice and presence of parties predicted specific case outcomes. This required conducting several predictive regression analyses (linear, logistic, and nominal) for the case file review and court observation datasets. The study explored these six research questions:

1. Are there differences in breadth of discussion, engagement of parties and/or TFC hearing length following Benchcard implementation?
2. Does presence of parent (whether or not mother or father was present) at the hearings increase breadth of discussion at the TFC hearing?
3. Does hearing quality (breadth of discussion and average engagement), and presence of parents (whether or not mothers or fathers were present) decrease length of time from petition to case closure?
4. Does parents' presence (percentage of hearings mother and father was present and whether or not mothers and fathers were present) and hearing quality (breadth of discussion and average engagement) influence the likelihood of reunification and adoption outcomes?
5. Does hearing quality (breadth of discussion and average engagement) and presence of parents (whether or not mother or father was present) influence TFC, adjudication, review, and permanency placement decisions.
6. Does hearing quality (breadth of discussion and average engagement) and presence of parents (whether or not mother or father was present) influence total placement.

*Pre-Post Changes in Hearing Practice.* In regards to the first research question, the pre- to post-benchcard changes in breadth of discussion is statistically significant—that is, breadth of discussion significantly increased post-benchcard ( $p=.00$ ). There were no statistically significant changes from pre- to post-benchcard for average engagement. Therefore, the implementation of the benchcard did not significantly influence average level of engagement of parents by judges during the hearings. This could be because judicial officers already had fairly high levels of engagement of parents pre-Benchcard. There were statistically significant changes from pre- to post-benchcard in preliminary protective/TFC hearing length (in minutes) ( $p=.09$ ). Post-benchcard preliminary protective/TFC hearing length was slightly longer ( $M=12.3$  minutes) than pre-benchcard preliminary protective/TFC hearing length ( $M=9.7$  minutes).

*Hearing Practice when Parents are Present.* For the second research question, the finding on the relationship between breadth of discussion and parents' presence at the hearings is that when mothers were present the breadth of discussion increased significantly ( $p=.00$ ). Similarly, when fathers were present the breadth of discussion increased significantly ( $p=.05$ ).

*Hearing Quality and Timeliness.* The third research question, examining how hearing quality is related to timeliness, reveals that average engagement did not predict time from petition to case closure; however, breadth of discussion was a statistically significant predictor of time from petition to case closure ( $p=.04$ ). Therefore, as breadth of discussion increases, the time from petition to case closure decreases. In addition, the presence of fathers was a predictor of time from petition to case closure ( $p=.05$ ). Specifically, the presence of fathers is related to decreased length of time from petition to cases closure. The presence of mothers was not a predictor of time from petition to case closure.

*Parent's Presence, Hearing Quality and Case Outcomes.* The results for the fourth research question reveal that an increase in the percentage of hearings that mothers were present significantly increased the likelihood of reunification ( $p=.00$ ). The presence of fathers across the life of the cases decreased the likelihood of adoption ( $p=.03$ ). Neither hearing quality indicator –breadth of discussion and average engagement– significantly predicted the likelihood of reunification and adoption.

*Hearing Quality, Parent's Presence, and Placement.* One of results for the fifth research question finds that average engagement at TFC hearing is significantly associated with the likelihood of placement at review with parent ( $p=.06$ ). None of the other predictors –discussion at the TFC hearing, mother or father's presence – were related to placement decisions.

## CONCLUSION

This evaluation of the benchcard implementation relationship to court practices and outcomes revealed a number of encouraging results. Hearing practice changed following the implementation of the benchcard. There were noticeable differences in the amount of judicial inquiry and overall hearing discussion around the majority of relevant topics at the TFC hearing. This difference was statistically significant, indicating a fairly large change in what is discussed in the hearings. Further, post-Benchcard implementation there was an increase the percentage of time that key parties –, mothers, fathers, mother's attorneys and fathers attorneys—were present at the TFC hearing. Judges did not change much on judicial engagement, however, this may be because judicial officers already spoke directly to the parents and gave parents an opportunity to be heard in the majority of hearings.

Findings also suggest that when parents are present for hearings, discussion increases. This indicates that judicial officers are taking advantage of the fact that parents are present to engage them in meaningful discussion about the case. The findings also suggest that both having the father present at the TFC hearing and having higher levels of discussion were related to an decrease in the time it takes for cases to close. That is, increased discussion at the TFC hearing and ensuring fathers are present may result in faster achievement of permanency for youth.

In addition to changes in practice, post-Benchcard, there were some positive changes in placement decisions, timeliness of case processing and case outcomes. Post-Benchcard there was a trend toward fewer stranger foster care placements and more parent or relative placements across all hearings. Parents were also more likely to be in compliance with the case plan in the post-Benchcard sample and were more likely to attend hearings across the life of the case. This could be a result of enhanced discussion at the TFC hearing. Results indicate when discussion is higher mothers are more likely to be present across the life of the case and there is also a trend for fathers to be more likely to be present. This highlights the need for enhanced discussion early on in the case to ensure parents are properly engaged in the process.

Cases were also processed more quickly post-Benchcard. The time from petition filing until achievement of permanency (i.e., case closure) was 353 days (almost 1 year) quicker than pre-Benchcard. This indicates significant improvements in case processing. Part of this may have been related to a change in judicial oversight. Pre-Benchcard there were an average of 2 judicial officers per case, post-Benchcard there were 1.27 judicial officers per case, indicating more cases followed a one family, one judge model. Prior research has demonstrated that this can help reduce timeliness to permanency. The predictive analysis also showed that enhanced discussion and presence of the father reduced time to permanency, demonstrating the importance of the early case hearings.

Finally, the results indicated that there was a higher percentage of cases that reunified in the post-Benchcard sample (34% compared to 19%). It is important to consider this finding within the limitations of the data. The pre-Benchcard sample included cases that opened in 2009 and 2010, while the post-Benchcard sample included cases that opened in 2011 and 2012. The cases in the pre-sample, therefore were much more likely to have reached case closure at the time of data collection. After all the cases are closed in the post-Benchcard sample, it might reveal a different trend. It is also important to note that the presence of the mother across the life of the case was a significant predictor of reunification. The more that she was present, the more likely she is to reunify. While this might be somewhat intuitive, it does provide further support for the need to engage parents in the process and ensure they are active participants in their hearings.

## Recommendations

Based on the findings of the study, there are a couple recommendations that can be made to further improve practice in Oahu.

- *Make efforts to ensure both parents are present at the TFC hearings.* It is clear that presence of both the mother and the father are important for improving case outcomes. Talking with parents to identify barriers to attendance may be helpful.
- *Increase engagement of parents at hearing.* The judges did an excellent job of speaking directly to the parents and giving them an opportunity to be heard. There are additionally opportunities to engage parents. For example, asking parents if they have questions or asking if they understand the next steps (both of which occurred only approximately 50% of the time) may help them to feel engaged and understand what is occurring in the case.
- *Increase discussion of relative placements and family members/persons who should be involved in the case.* These topics were rarely discussed in hearings. Identifying relatives and support persons for both parents and youth can serve two purposes. First, this can help to identify potential relative or kinship placement options for the child. This is important even if the child has not been removed from the home because it allows the agency to identify potential sources if needed. Relatives and kin can serve in other roles (beyond placement) in the case, such as being a support person or potentially supervising visitation.
- *Ensure discussion is strengths focused.* It is easy to discuss what the problems in the case are. Discussing what the parents are doing well or any improvements they have made may make the parents more engaged in the process and shift the focus from negative to positive.

Overall, practice in the First Circuit Court of Hawaii showed positive improvements from pre-Benchcard (2009-2010) to post-Benchcard (2011-2012) implementation. It is impossible to determine if the Benchcard caused these changes or the changes occurred naturally over time. The data reported herein do illustrate some positive changes in practice in the TFC consistent with Benchcard implementation. The enhancement of discussion and presence of key parties improved over time. These changes were related to positive case outcomes, such as reduced timeliness to permanency and higher likelihood of reunification. It is important to think about how these changes might be made in all hearings, to better engage parents in the process, enhance discussion, and potentially improve outcomes for the children and families involved.