

Putting Children and Families First in Dependency Case Management and Scheduling

Workbook
Modules 1-5



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES

www.ncjfcj.org



NCSC

National Center for State Courts

Purpose Statement

- ▶ The purpose of *Putting Families First in Dependency Case Management and Scheduling* is to help juvenile courts assess their adherence to principles of case management and scheduling and investigate research-supported strategies for increasing effective case management in dependency cases.
- ▶ The intended audience for *Putting Families First in Dependency Case Management and Scheduling* includes those who schedule dependency hearings, court case managers, clerks, juvenile court judges, and court administrators. The curriculum assumes that a team from a court will participate together to facilitate action planning; however, the information within the modules is beneficial to individual court professionals as well.



Contributors & Acknowledgements

- ▶ The development of this curriculum was a collaboration between the National Center for State Courts (NCSC) and the National Council of Juvenile and Family Court Judges (NCJFCJ). The project was led by Teri Deal, NCSC Principal Court Management Consultant, and Andrew Wachter, NCJFCJ Site Manager. The final project could not have been completed without the support of Heather Hull (NCJFCJ), Dexter Johnson (NCSC), Wendy Schiller (NCJFCJ), and Miguel Trujillo (NCSC).
- ▶ Special thanks to the following court professionals at the Allegheny County Juvenile Court who were invaluable contributors to the curriculum: Judge Dwayne Woodruff, Court Administrator Cindy Stoltz, Kelly Goodrich, Marsha Landers, Traci Gerlach, and John Matyasovsky.
- ▶ This curriculum was developed under grant number SJI-20-E-044 and SJI-20-E-055 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.

Module 1

The Why





Learning Objectives

- Explain how case management and scheduling are linked and can improve the court's ability to be trauma-informed
- Name best practices in case management and scheduling for dependency and related cases
- Identify how jurisdiction-specific policies and practices interface with best practices in case management and scheduling
- Assess how current practices align with best practices by using the self-assessment

Key Terms

Best Practices - Practices that are believed to lead to efficiency or better outcomes and do not yet have enough research to call the strategies evidence-based.

Court Case Management - Court case management refers to the schedule of proceedings involved in a matter. This encompasses what date, what time, and for how long hearings are held.

Key Terms continued

Trauma – Trauma occurs when an individual feels threatened by something that happens to them or they witness. Traumatic experiences can have lifelong adverse affects on an individual’s well being.

Trauma-Informed & Trauma-Responsive -- Courts that are trauma-informed are knowledgeable about the pervasiveness and impact of trauma. Trauma-responsive courts develop processes and practices to intentionally avoid retraumatizing individuals and to actively enhance their well-being.

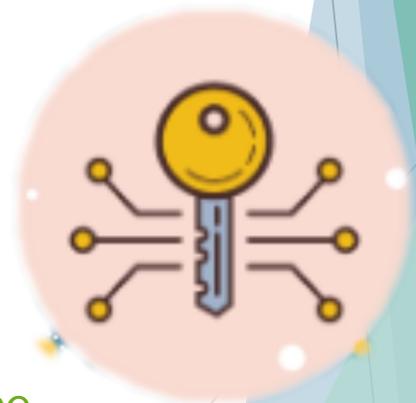
Virtual Hearings – Virtual hearings are hearings where participants appear online, often by video.

Key Resources

National Center for State Courts

www.ncsc.org

- [Trauma and Its Implication for Justice Systems](#)
- [Trauma-Responsive Practices for Children, Families and Elders](#)



Key Resources continued

National Child Traumatic Stress Network

(www.nctsn.org)

- [Birth Parents with Trauma Histories in the Child Welfare System: A Guide for Court-Based Child Advocates](#)
- [Secondary Trauma and Child Welfare Staff](#)
- [Trauma-Informed Judicial Practice](#)
- [Using Trauma-Informed Child Welfare Practice to Improve Placement Stability Breakthrough Series Collaborative](#)
- [What is a Trauma-Informed Child and Family Service System?](#)

National Council of Juvenile and Family Court Judges (www.ncjfcj.org)

- [Assessing Trauma for Juvenile and Family Court Judges: From Development to Implementation, 2013-2017](#)
- [Enhanced Resource Guidelines](#)
- [Enhanced Resource Guidelines: Child Welfare Workers' Companion Guide](#)

Substance Abuse and Mental Health Services Administration (www.samhsa.gov)

- [Essential Components of Trauma-Informed Judicial Practice](#)

How do you describe your court's approach to court case management?

How do you describe your court's approach to scheduling dependency cases?

Module 2

Case Scheduling





Learning Objectives

- Describe three best practices in case scheduling and how each can improve time to permanency, be supportive of children and families, and conserve court resources
- Compare and contrast your current calendaring process to time certain calendaring
- Examine how your thoughts on how much time is necessary for thorough and substantive hearings compares to your team members' thoughts
- Identify the potential consequences of multiple judges hearing one case

Key Terms

Adjudication Hearing - The hearing at which the court determines whether allegations of abuse or neglect are sustained by the evidence. The adjudication hearing may be referred to as the jurisdictional hearing or fact-finding hearing.

Block Calendaring – Multiple hearings are scheduled for the same time and are heard over a period of a few hours

Key Terms Continued

Dependency Case Schedule – A schedule of hearing events in dependency cases created early in the case in which hearings are scheduled in advance in accordance with permanency timeframes.

Disposition Hearing – This hearing follows the adjudication hearing to determine who shall have custody of the child and how the case will proceed to achieve permanency.

Initial/Preliminary Hearing – The first hearing in front of a judge shortly after removal to determine whether removal was necessary to prevent further child abuse or neglect. The hearing is referred to in some jurisdictions as a shelter care hearing, emergency removal hearing, or temporary custody hearing.

One Family One Judge - An approach to scheduling and case management that assigns all cases over multiple case types involving members of an immediate family to a single judge to the extent possible.

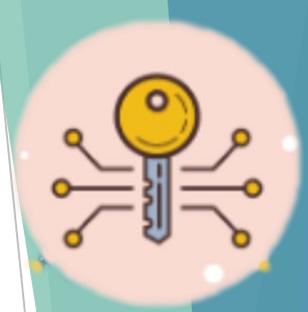
Key Terms Continued

Permanency Hearing – The hearing where the judge establishes a permanency goal and plan for the child. A Permanency Hearing is required by federal law within 12 months of the date the child was removed from the home

Review Hearing – Hearings that take place after the disposition so the court can review the status of the case and examine the progress made by parties.

Time-Certain Calendaring – Each hearing is scheduled for a specific date and individual time

Termination of Parental Rights Hearing (TPR) – A hearing held after a termination of parental rights petition has been filed to sever legal rights between parent and child. A TPR petition and hearing is required for any child adjudicated dependent who has been in out-of-home care for 15 of the most recent 22 months.



Key Resources

American Bar Association (www.americanbar.org)

- [Judicial Excellence in Child Abuse and Neglect Proceedings](#)

National Center for State Courts (www.ncsc.org)

- [Model Time Standards for State Trial Courts](#)

National Council of Juvenile and Family Court Judges (www.ncjfcj.org)

- [Assessing Time-Certain Calendaring Dockets](#)
- [Enhanced Resource Guidelines](#)

Research Articles

- Shdaimah, C. & Summers, A. (2013). One family, one judge practice effects on children: Permanency outcomes on case closure and beyond. *OJJDP Journal of Juvenile Justice*, 2(2).
- Summers, A. & Shdaimah, C. (2013). Improving juvenile dependency case timeliness through use of the One Family, One Judge Model. *Juvenile and Family Court Journal*, 64(1), p. 23-34.

With your team, reflect on how much time you think is necessary to ensure a thorough and quality hearing for each of the following hearing types. Then, indicate how much time the hearings are currently scheduled for in your jurisdiction.

Hearing Type	Suggested Time Necessary	Current Amount of Time
Initial/ Permanency		
Adjudication		
Disposition		
Permanency		
Review		
Termination of Parental Rights		

How do you decide how much time should be set aside for each hearing?



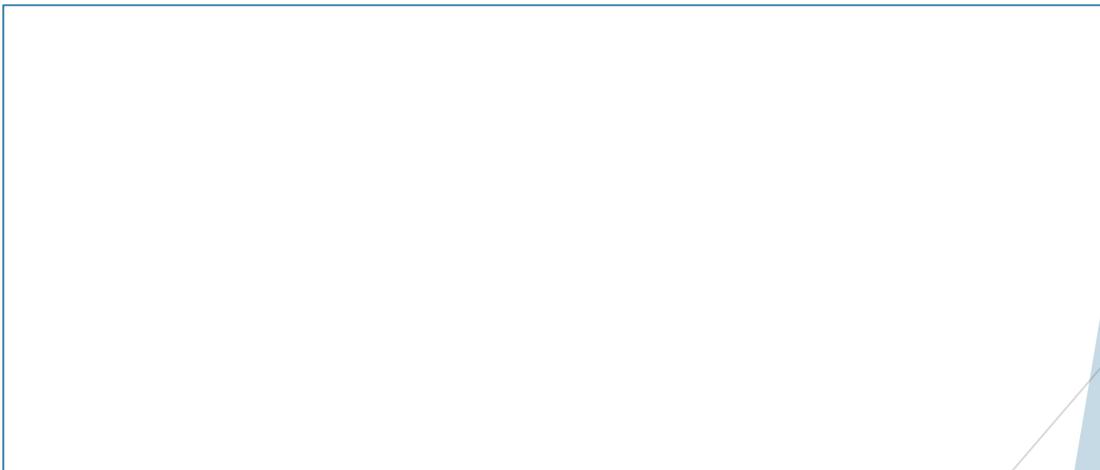
On average, how long do children and families wait for dependency hearings to start?

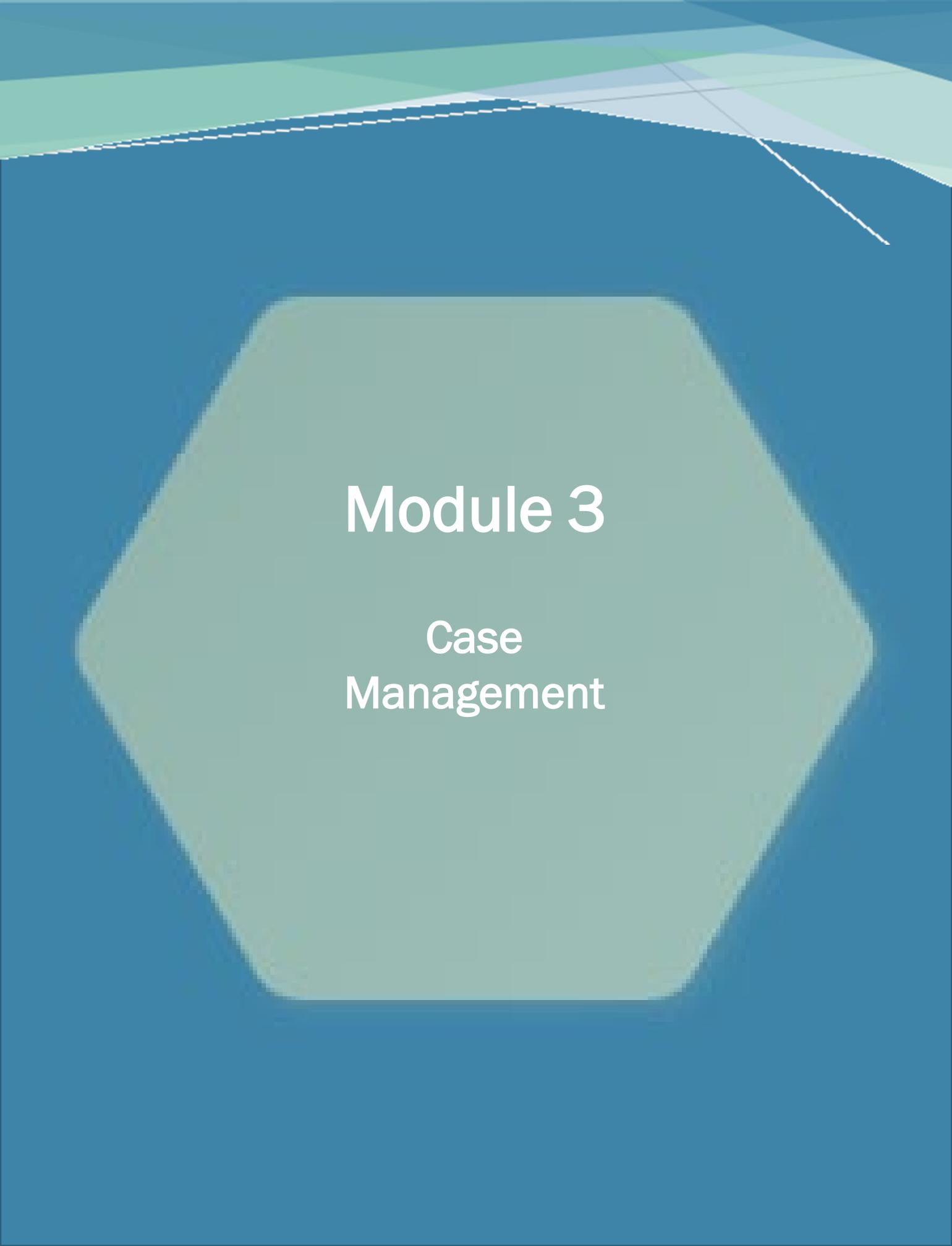
- A. 0-20 minutes
- B. 20-40 minutes
- C. 40-60 minutes
- D. Over 60 minutes

How are judges assigned to dependency cases in your court?

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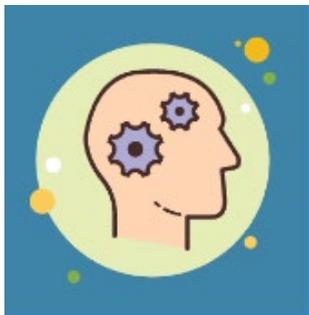
How might you increase judicial continuity in dependency cases in your court?

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Module 3

Case Management



Learning Objectives

- Describe three ways that timely orders and settlement conferences support trauma-informed and efficient court processes
- List acceptable reasons for continuances in dependency court
- As a group, identify characteristics of complex dependency cases
- Identify barriers to early appointment of counsel and attorney continuity in dependency cases

Key Terms

Adjudication Hearing - The hearing at which the court determines whether allegations of abuse or neglect are sustained by the evidence. The adjudication hearing may be referred to as the jurisdictional hearing or fact-finding hearing.

Dependency Mediation – An informal, confidential process moderated by a neutral and impartial mediator to see if parties can voluntarily reach an agreement outside of the courtroom.

Key Terms Continued

Disposition Hearing – This hearing follows the adjudication hearing to determine who shall have custody of the child and how the case will proceed to achieve permanency.

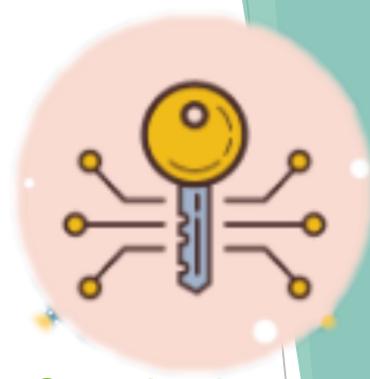
Permanency Hearing – The hearing where the judge establishes a permanency goal and plan for the child. A Permanency Hearing is required by federal law within 12 months of the date the child was removed from the home

Review Hearing – Hearings that take place after the disposition so the court can review the status of the case and examine the progress made by parties.

Settlement Conferences – A settlement conference takes place before a hearing or trial to resolve contested issues in a non-adversarial setting, empower families, and conserve valuable court resources.

Termination of Parental Rights Hearing (TPR) – A hearing held after a termination of parental rights petition has been filed to sever legal rights between parent and child. A TPR petition and hearing is required for any child adjudicated dependent who has been in out-of-home care for 15 of the most recent 22 months.

Key Resources



Center for Children and Family Futures

- [Family Treatment Court Best Practice Standards](#)

Child Welfare Information Gateway

- [Family-Centered Case Planning and Case Management](#)

Family Justice Initiative

(www.familyjusticeinitiative.org)

- [Implementing FJI System Attributes; Attribute 4: Timing of Appointment](#)

National Association for Court Management

- [Plain Language Guide: How to Incorporate Plain Language into Court Forms, Websites, and Other Materials](#)

National Center for State Courts (www.ncsc.org)

- [Child Welfare: Addressing Backlog and New Filings](#)
- [Creative Conflict Resolution Approaches for Dependency Cases](#)
- [Examining Oregon's Juvenile Dependency Differentiated Case Management Pilot](#)
- [Model Time Standards for State Trial Courts](#)
- [Principles for Family Justice Reform](#)

Key Resources Continued



National Council of Juvenile and Family Court Judges (www.ncjfcj.org)

- [Enhanced Resource Guidelines](#)
- [Mediation in Child Protection Cases: An Evaluation of the Washington, D.C. Family Court Child Protection Mediation Program](#)

Research Articles

- Antle, B. F., Barbee, A. P., Christensen, D. N., & Martin, M.H. (2008). Solution-based casework in child welfare: Preliminary evaluation research. *Journal of Public Welfare* 2(2), 197-227.
- Barsky, A. E. (1996). Mediation and empowerment in child protection cases. *Mediation Quarterly*, 14(2), 111-134; Thoennes, supra note 29.
- ▶ Lohrbach, S., & Sawyer, R. (2004). Creating a constructive practice: Family and professional partnership in high-risk child protection case conferences. *Protecting Children*, 19(2).

State Examples

- [Colorado's Dependency and Neglect System Reform \(DANSR\)](#)

What are some reasons why dependency cases may take more time than anticipated?

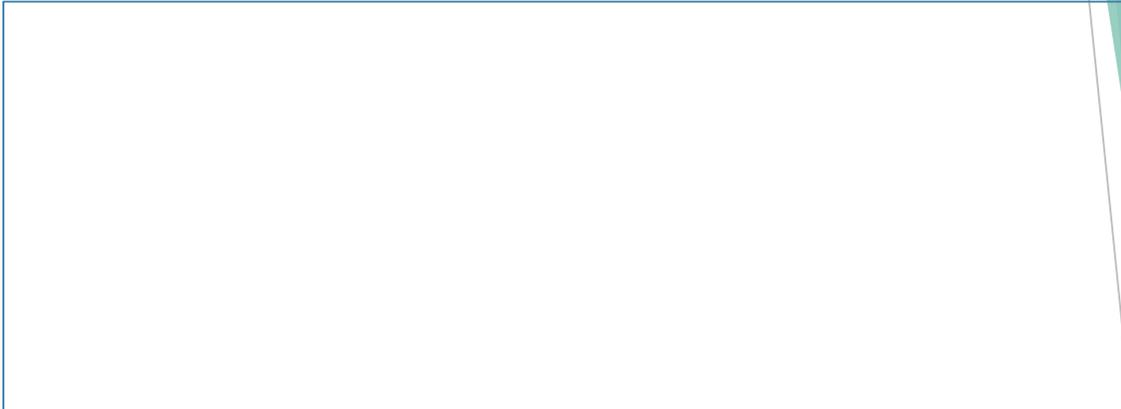
List three common reasons for continuances in your jurisdiction and identify strategies to reduce the need for the continuance.

Reason for Continuance	Strategy to Reduce Continuances

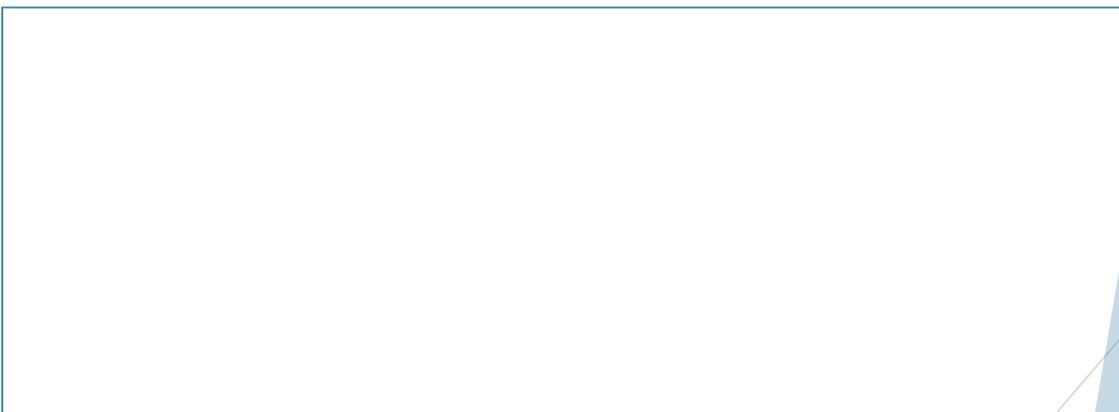
List three acceptable reasons for continuances in dependency court.

List three characteristics of a dependency case that may make it complex and require more time on the schedule.

When does your court typically appoint parent attorneys? Are there opportunities to appoint attorneys earlier in the case?



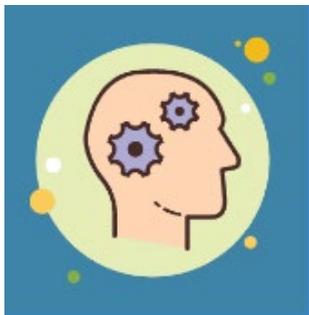
What barriers exist to appointment attorneys earlier in the case? What barriers exist to ensuring the same attorney represents their client throughout the case?



Module 4

Using Data to Learn
About Your Court's
Current Case
Processing





Learning Objectives

- Explain the difference between using data at a point in time, for a specific case, and in the aggregate
- Establish case processing expectations with time benchmarks

Key Terms

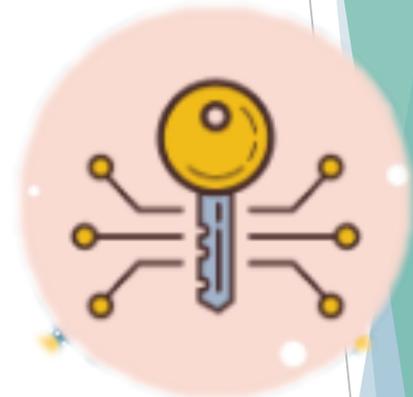
Continuous Quality Improvement (CQI) – CQI is a cyclical process to assessing performance, implement improvement plans, and reassess results. The intention of CQI is to consistently strive for the best possible outcomes through collaboration, communication, and data-informed decision making.

Aggregate Data – Aggregate data refers to information that is collected on multiple individuals and compiled into data summaries, typically for the purposes of public reporting or revealing insights that would not be observable when data elements are viewed in isolation.

Key Terms continued

Point-in-Time Data - Point-in-time data provides a snapshot of how an indicator looked at a specific time. For example, on January 10, 2019, there were 400 open dependency cases. Point-in-time data can describe a current situation, but it does not provide context to help understand the data.

Key Resources



Actional Intelligence for Social Policy
(www.aisp.upenn.edu)

- [Data Sharing: Courts and Child Welfare](#)

Casey Family Programs (www.casey.org)

- [Best Practices in Juvenile Court Caseloads](#)
- [Meaningful Continuous Quality Improvement](#)

Rutgers [NJ Data Hub](#)

Key Resources continued

National Center for State Courts (www.ncsc.org)

- [Child Welfare Measures for the Judiciary](#)
- [Ensuring Justice in Child Welfare: Racial Justice Data Change Collaborative](#)
- [Model Time Standards for State Trial Courts](#)
- [Reflecting on the Intersection of Racial Justice and Data](#)

National Council of Juvenile and Family Court Judges (www.ncjfcj.org)

- [A Closer Look at the CQI Process](#)
- [Preparing for Continuous Quality Improvement](#)
- [What is Continuous Quality Improvement](#)

Office of Juvenile Justice and Delinquency Prevention (www.ojjdp.ojp.gov)

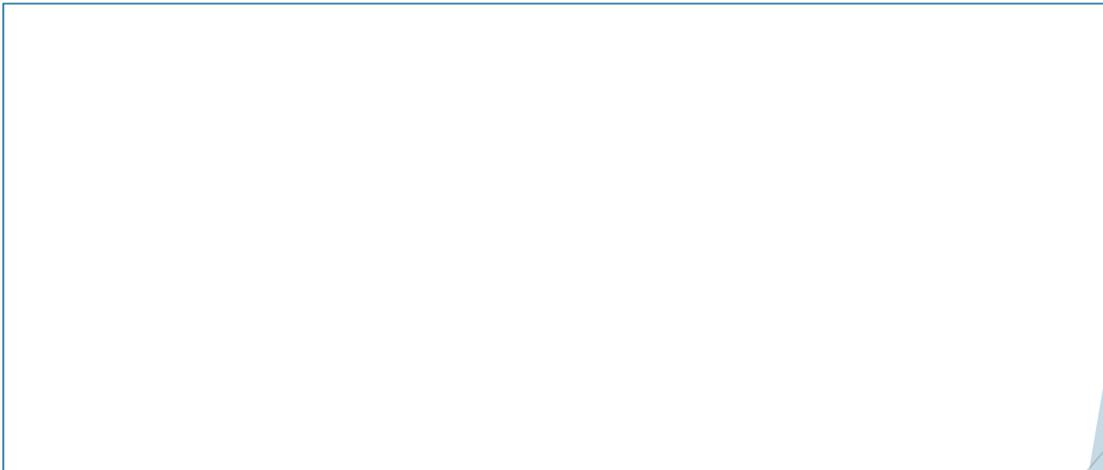
- [Toolkit for Court Performance Measures in Child Abuse and Neglect Cases](#)

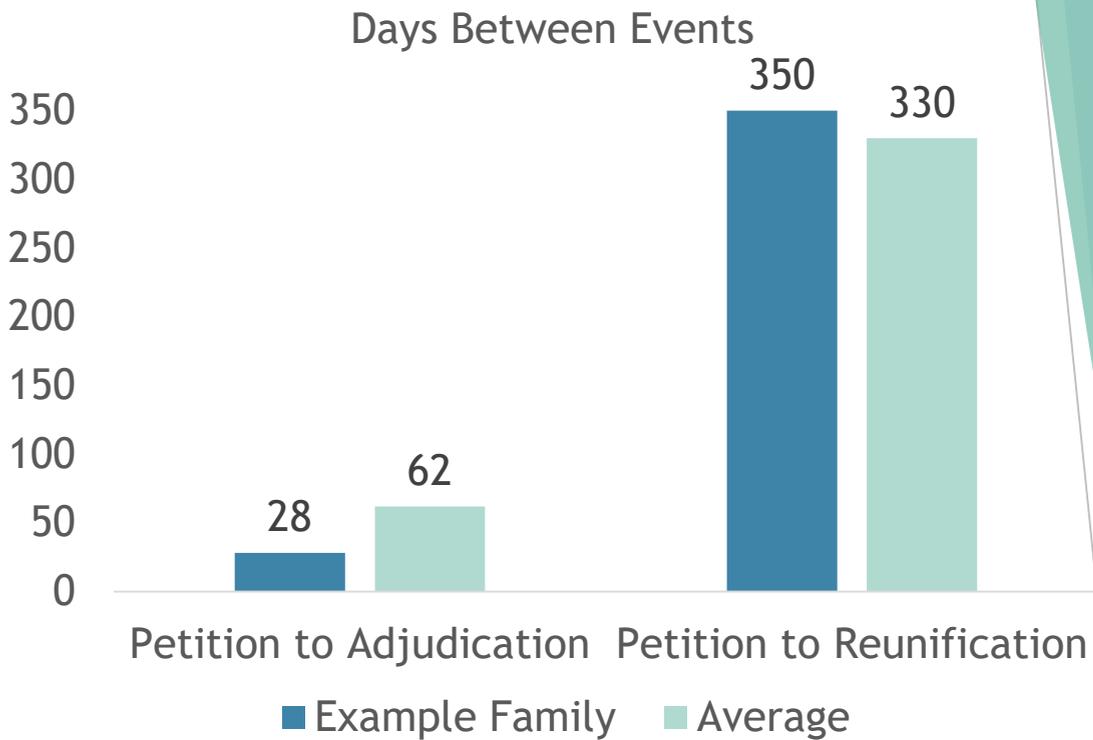
State Examples

- [IN Child Welfare Court Performance Measures](#)
- [NJ Child Welfare Data Hub](#)

The Example Family was petitioned to the court on by the child welfare agency on 3/1/2019, the children were adjudicated dependent on 3/29/2019, and the family was reunified on 2/14/2020.

What conclusions can you draw from this point-in-time information?



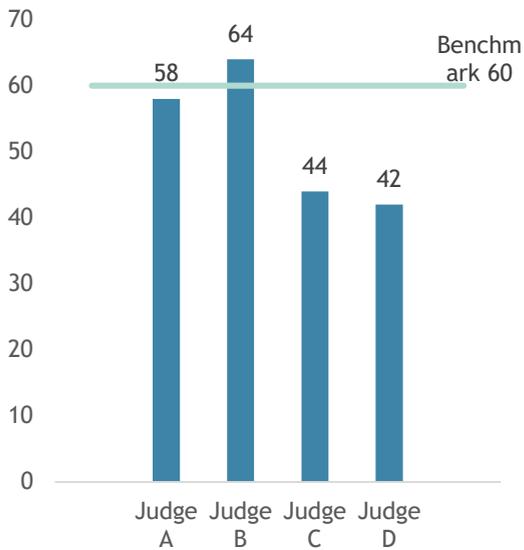


What conclusions can you draw from data on all of these cases? What does this tell you about how the court operates?

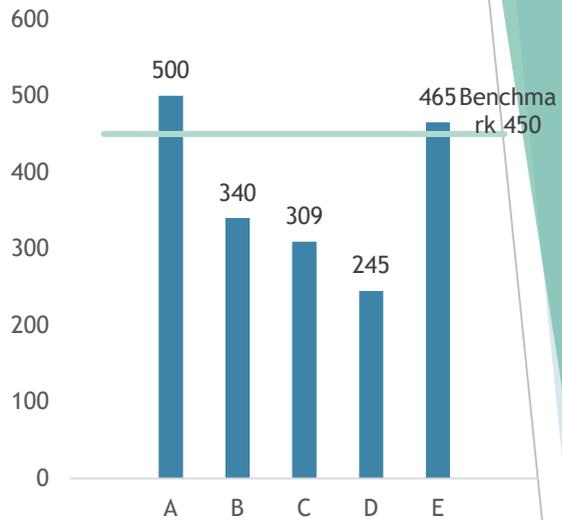
	Court Performance	Standard
% of cases with adjudication hearing within 60 days	95%	98%

What does this information tell you about court performance? What other pieces of information might be useful in understanding this data?

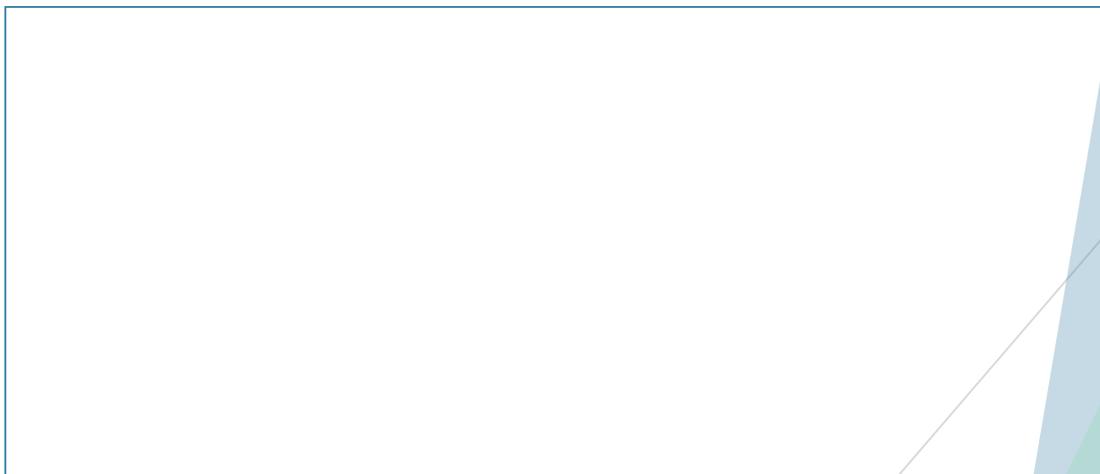
Days from Petition to Adjudication by Judge



Days from Petition to Permanency



What might be contributing difference in timeliness between Judge B and Judge D? Between neighborhood A and Neighborhood D?



Fill out the information for your court in the space below. If some data points are not available, talk with your team about why and what data point might be a suitable replacement.

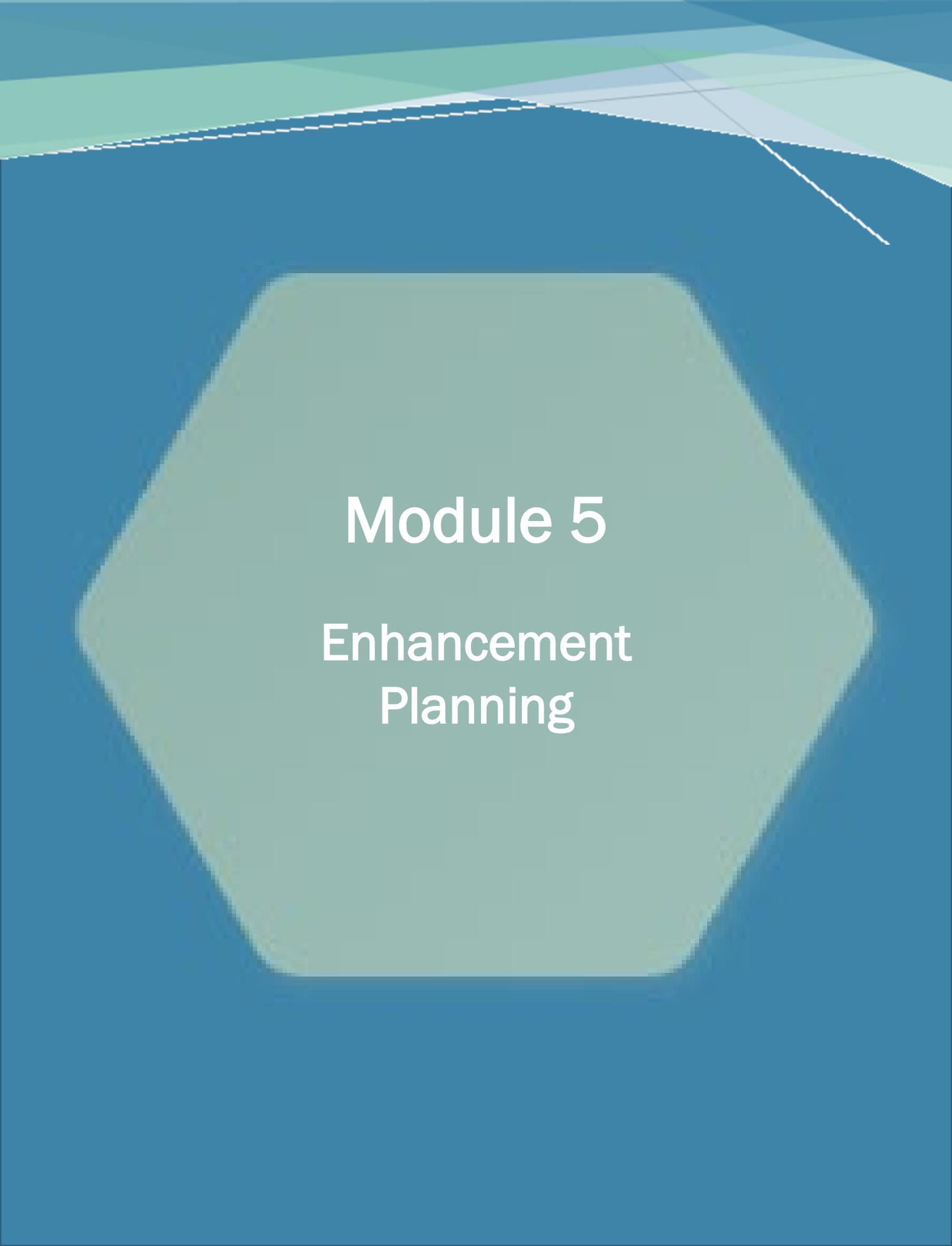
Average number of days between petition and adjudication _____

Average number of days between petition and disposition _____

Percent of cases with adjudication hearing within 90 days of removal _____

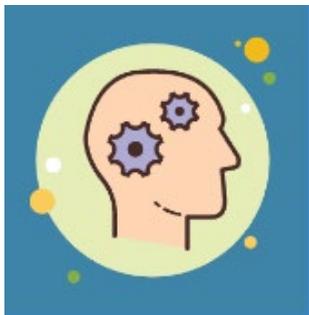
Percent of cases with permanency hearing within 270 days of removal _____

Percent of cases with termination of parental rights within 120 of termination of parent rights petition _____



Module 5

Enhancement Planning



Learning Objectives

- Describe four dimensions of change management style in court culture
- Describe three drivers of implementation
- Assess how current practices align with best practices by using the self-assessment
- Apply lessons to make an improvement plan for your jurisdiction

Key Terms

Autonomous Court Culture – The court values allowing each judge to have discretion to conduct business as they see fit.

Change Management – A structured approach to successfully implementing change in an organization.

Communal Court Culture – Judges and court managers value working collectively through negotiation and trust.

Key Terms Continued

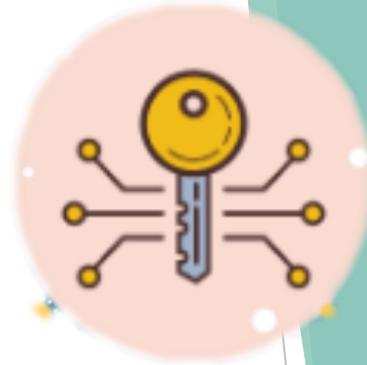
Court Culture – The beliefs and behaviors shaping “the way things get done” by the individuals – judges and court administrators – who have the responsibility of ensuring cases are resolved fairly and expeditiously (Ostrom & Hanson, 2009).

Hierarchical Court Culture – The court emphasizes established rules and procedures.

Implementation Drivers – The core components needed to initiate, support, and sustain program or policy changes.

Networked Court Culture – The court values consensus and regularly includes the entire bench and stakeholders in decisions about court operations.

Key Resources



National Center for State Courts

(www.ncsc.org)

- [Leadership/Change Management Resource Guide](#)

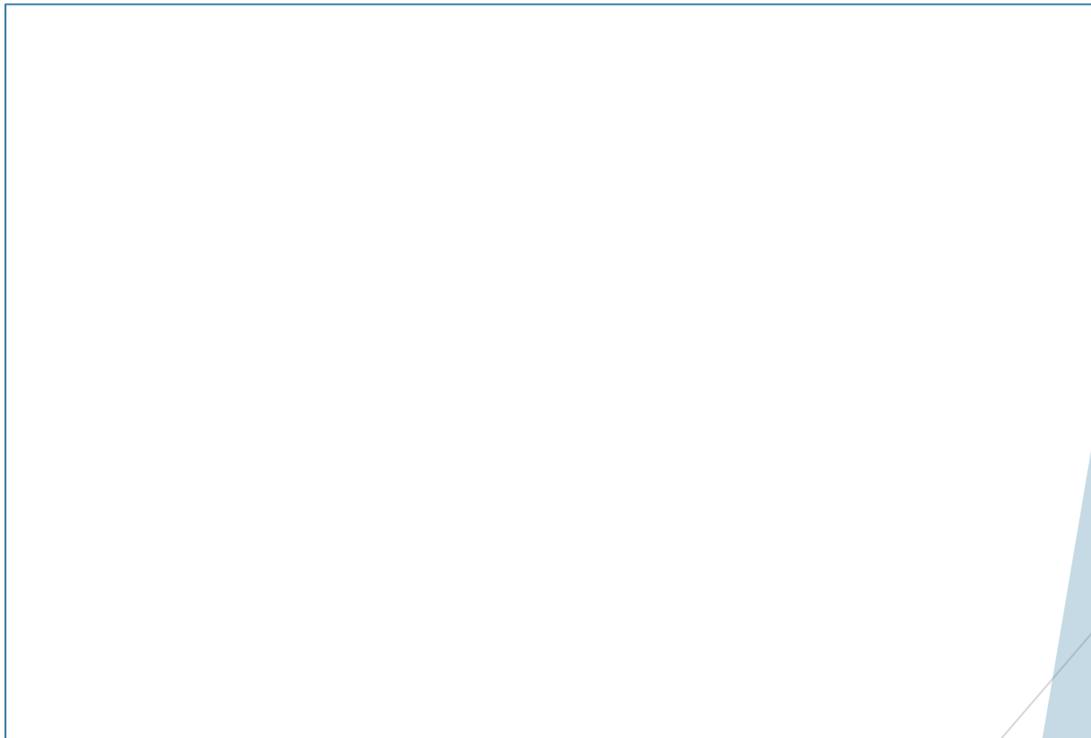
National Implementation Research Network

(nirn.fpg.unc.edu)

Research Articles

- Fixsen, D., Blasé, K.A., Naoom, S., & Duda, M.A. (2013). Implementation Drivers: Assessing Best Practices.
- Ostrom, B.J. & Hanson, R.A. (2009). Understanding and diagnosing court culture. *Court Review: The Journal of the American Judges Association*, 305.

Now that you've learned about the four different types of court culture, which one do you think best describes your court? How does your court leadership support change? Share your response with your team.



Instructions for Self-Assessment

- ▶ The Self-Assessment goes through several best practices in court case management and scheduling of dependency cases. These practices were compiled from many of the resources listed in the workbook. The Self-Assessment asks you to consider the extent to which your court currently implements each practice and rate the level of implementation on a scale from 0 to 3, where 0 is no implementation and 3 is full implementation.
- ▶ Complete the Self-Assessment on your own and record your answers by filling in the 'your score' column. It should take you about 10 minutes.

Self-Assessment of Case Management and Scheduling of Dependency Cases

Scheduling					
Best Practice	None	Minimal	Moderate	Maximum	Your Score
Time Certain Calendaring	0	1 Multiple cases are scheduled at a specific time on the calendar (i.e., 2 cases scheduled for 9:00 AM)	2 Each case is scheduled for a specific time and each hearing type gets the same amount of time on the calendar (i.e., Review hearings are 30 min)	3 Each case is scheduled at one time with sufficient time to address case-specific issues	
Case Schedule Early in the Case	0	1 Provide non-specific timeline	2 At initial hearing, parties receive a case schedule with estimated dates aligned with benchmarks	3 At initial hearing, parties receive a case schedule with scheduled dates of hearings aligned with benchmarks	
Date and Time Confirmed at Conclusion of Hearing	0	1 Date and time of next hearing confirmed verbally	2 Date and time of next hearing documented and handed to parties	3 Date and time of next hearing on orders at the end of hearing	
Text/electronic reminders to parties	0	1 Hearing notices are sent by mail	2 Hearing notices are emailed if we have the addresses	3 Hearing notices are texted or emailed to all parties	
Scheduling adjudication and disposition together	0	1 Adjudication and disposition are allowed to happen on the same day but it is not common practice	2 Court practice is for adjudication and disposition to occur at the same time or as close as possible	3 Court policy supports scheduling adjudication and disposition together	
One Family One Judge	0	1 In dependency matters, one judge hears a family's cases from beginning to end	2 OFOJ extends across two case types	3 OFOJ extends over dependency, delinquency, and family	
Length of hearings	0	1 All hearing types have a set amount of time	2 Hearings are often continued because they take too long	3 Hearings are scheduled for a sufficient length of time to fully address all issues required under Court rules.	

Case Management					
Best Practice	None	Minimal	Moderate	Maximum	Your Score
Orders at Conclusion of Hearing	0	1 All parties received signed orders within one week of the hearing	2 All parties receive unsigned documentation of orders at the conclusion of hearing	3 All parties have documentation of signed orders at conclusion of hearing	
Adhere to continuance policy	0	1 Continuance policy allows for liberal use of continuances	2 Judges adhere to continuance policy inconsistently	3 All judges adhere to a continuance policy with 90% compliance	
Assessing case complexity	0	1 Complexity is determined informally or by judicial discretion	2 Cases are triaged early and assigned to a complexity driven pathway	3 A court wide policy documents triage process and pathway assignment	
Early appointment of counsel	0	1 Counsel is appointed before the adjudicatory hearing.	2 Counsel is appointed when petition is filed but does not communicate with client prior to preliminary protective hearing.	3 Counsel is appointed in advance of the preliminary protective hearing, and most of the time has prepared client for hearing.	
Attorney continuity	0	1 There are often substitutes for or changes in counsel.	2 The same state's, parents, and child attorneys handle 80% of the hearings for the case.	3 The same state's, parents and children attorneys handle the case from beginning through permanency.	
Settlement conferences	0	1 Settlement conferences are possible, but not routinely scheduled	2 Settlement conferences are encouraged, but used less than 50% of the time	3 Settlement conferences are used 80% of the time to resolve issues and cases prior to pretrial hearing	

Data					
Best Practice	None	Minimal	Moderate	Maximum	Your Score
Process mapping	0	1 Case processing expectations are described narratively in a policy or bench book	2 There is a visual depiction of case processing steps, but there are not related time expectations or benchmarks	3 There is a visual depiction of case processing expectations with time benchmarks	
Data on Timelines and Timeliness	0	1 Data for performance measures exists, but is not easily accessible (requires significant data cleaning and analysis)	2 Most performance measures are easily accessible but unable to be disaggregated by judge	3 Performance measures are easily accessible, and judges are able to see their performance compared to benchmarks	
Data Informed Case Management	0	1 Judges and/or court staff use a manual, case by case process to identify cases that are behind in timelines	2 The case management system includes a standard report that flags when specific cases are behind in timelines	3 There are automated dashboards to alert judges when specific cases are behind in timelines	
Continuous Quality Improvement	0	1 As needed, judges and court staff meeting to discuss performance and opportunities for improvement	2 An internal team meets regularly to review performance and identify opportunities for improvement	3 A multi-disciplinary team reviews performance and implements and monitors improvement plans regularly	

Reviewing the Self Assessment

With your team, compare your scores for each item in the Self Assessment. Answer the following questions for each item and make notes in the space below.

- If the item scored less than a 3, what would you need to do to achieve the next higher score?
- What could be different if you were able to move the score one number higher?
- What are the next steps for your court to increase the score by one point?

Action Planning Instructions

Step 1. Identify Priorities

Turn back to the Revisiting the Self-Assessment page in Modules 2, 3, and 4. Of all of the changes you and your team identified, determine what your priorities are. These might be activities that require the least effort, or those that will have the greatest impact.

Step 2. Consider Implementation Drivers

For each of the priorities that you and your team identified, complete the questions on the following pages to help you think about what implementation drivers you have in place and which implementation drivers need to be strengthened.

Step 3. Develop an Action Plan

As a team, document the tasks required to complete the goal, the person responsible for making progress, resources needed, and a reasonable timeline.

Priority 1

What is the priority?

Specifically what will be different once this task is complete?

What specifically needs to happen for this task to be complete?

Who in the court needs to be involved?

Who outside of the court needs to be involved?

What training for coaching needs to occur?

What data or information will help monitor the implementation?

Priority 2

What is the priority?

Specifically what will be different once this task is complete?

What specifically needs to happen for this task to be complete?

Who in the court needs to be involved?

Who outside of the court needs to be involved?

What training for coaching needs to occur?

What data or information will help monitor the implementation?

Priority 3

What is the priority?

Specifically what will be different once this task is complete?

What specifically needs to happen for this task to be complete?

Who in the court needs to be involved?

Who outside of the court needs to be involved?

What training for coaching needs to occur?

What data or information will help monitor the implementation?

Action Planning Template

Goal			
Action Steps	Individuals Responsible	Timeframe	Resources Needed