

Enhanced Resource Guidelines

Implementation Evaluation
Saginaw County, Michigan
Family Division



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FOR JUVENILE JUSTICE



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Executive Summary

With funding from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Council of Juvenile and Family Court Judges developed the Implementation Sites Project to assist juvenile and family courts to integrate the best practices as outlined in the *Enhanced Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases* (ERGs). The Implementation Sites Project provides specialized training and technical assistance to participating sites to improve court practices and outcomes for children in care by comparing current practices with the recommendations for child abuse and neglect case processing outlined in the ERGs and by establishing collaborative multi-disciplinary stakeholder teams to design and implement practice changes that align with the ERGs recommendations. This report presents findings from an evaluation of the Saginaw County, Michigan, Family Division’s (hereinafter the Family Division) implementation of the ERGs. The Family Division’s Lead Judge, Barbara Meter, completed ERGs training in January 2017 and subsequently trained her judicial officers to implement ERGs-based improvement efforts. During implementation, Judge Meter received intensive technical assistance from the NCJFCJ Implementation Sites Project. The purpose of this executive summary is to summarize the study methods and findings.

Evaluation Methods

The evaluation employed both quantitative and qualitative methods, including an ERGs implementation Fidelity Assessment stakeholder’s survey, structured observations of over 100 court hearing video recordings, and data extracted from a sample of over 100 court legal records.

The Fidelity Assessment was conducted to ensure that the key ERGs practices and principles were implemented sufficiently and consistently to warrant evaluation. A Fidelity Assessment report was provided to Judge Meter with primary findings indicating that the Family Division had achieved strong implementation of ERGs practice. The report noted areas for additional improvement but determined that the site had met the threshold to proceed to a pre- and post-ERGs implementation evaluation.

After confirming the Family Court’s ERGs fidelity, the research team worked with court administration to receive listings of those cases closed during a one-year time frame before the ERGs implementation and cases closed during one year occurring two years after the Family Court indicated that the ERGs practice was considered implemented in May 2017 (Table 1).

Table 1: Case-file and Hearing Observation Samples

	Pre-ERGs	Post-ERGs
Cases Closed Time Frame	2/1/2016 thru 1/1/2017	7/1/2019 thru 6/30/2020
Case Files Sample Size (N)	68	68
Hearing Observations Sample Size (N)	68	59

Hearings were coded using video recordings for the same pre- and post-ERGs time frames as the case-file review sample and selecting 10 of each of the primary hearing types including preliminary protective hearings (called the preliminary hearing in Saginaw); adjudication; disposition; the first review hearing (called disposition reviews in Saginaw); and the first 12-month permanency planning hearing (called permanency planning hearings in Saginaw). Standardized court observation coding protocols were followed, including check-coding to ensure inter-rater reliability. Coding of hearings focused on the presence or absence during hearings of practices recommended in the ERGs.

Case-file reviews were conducted by sampling cases closed during the pre- and post-ERGs time frames using standardized case-file review coding protocols, including the cross-checking of coded files to ensure inter-rater reliability. The case-file review instrument gathered extensive data on the presence or absence of ERGs-based practices as well as case processing measures (e.g., timeliness of court events) and permanency outcomes (e.g., case closure reasons). Much of the information coded from case files was factual, such as key dates from the child's removal through hearing dates and case closure and the record of attendance at important hearing phases (e.g., initial hearing, adjudication, or first review).

Limitations. To prevent the cases of complex sibling groups from skewing findings, only one sibling was sampled per family. As a result, nearly every family contained in the pre- and post-ERGs time frames was sampled. Given that sampling constraints resulted in no more cases available to sample from listings to increase sample sizes, some of the positive findings were not significant. To help address the limitation, the timeliness measures in the study (e.g., mean time from removal to case closure and time between key hearing events) apply a statistical bootstrap to means (averages). Statistical bootstrap procedures replicate the sampling process using the computer to re-sample from the existing means thousands of times. The process helped to increase statistical confidence in differences pre- and post-ERGs and increase the utility of the study. Where a bootstrap was applied it is noted in the report.

Key Evaluation Findings

A summary of key findings is presented below:

1. *ERGs Fidelity.* The ERGs Fidelity Assessment conducted by surveying court and system stakeholders received a strong response (54% return rate) and found that the Family Division was perceived as reaching a high level of fidelity with the ERGs implementation.
2. *Study Samples.* To provide a valid assessment of the effect of the ERGs implementation on cases, the pre- and post-ERGs sample of cases studied needed to be as similar as possible, except for having had the ERGs practices applied. Overall, pre- and post-ERGs samples were similar concerning case demographics and permanency outcomes with some differences as noted:

- No significant differences were found between the pre- and post-ERGs cases for case demographics of child age, child gender, Indian Child Welfare Act (ICWA) cases, the mean number of petition allegations in the case, and the mean number of parent and child presenting problems.
 - Concerning the type of allegation and presenting problem, however, more neglect and the threat of harm were found in the post-ERGs cohort, as well as more domestic violence and parental criminal activity presenting problems in post-ERGs cases (and these differences were statistically significant).
 - Pre- and post-ERGs groups were very similar in terms of permanency outcomes including reunification, adoption, and guardianship, etc. (slight differences were found and were not statistically different).
3. *Hearing Quality.* Post-ERGs hearing observations identified important areas of strong judicial engagement and substantive discussions in hearings, though the court is encouraged to continue to pursue improvements. Key hearing observation findings demonstrated that:
- Preliminary protective hearings, adjudication hearings, review hearings, and permanency hearings all lasted longer on average post-ERGs implementation, with review hearings lasting significantly longer.
 - Compared to pre-ERGs, judicial officers were more likely to engage mothers and fathers in the post-ERGs hearings using more engagement strategies.
 - Compared to pre-ERGs, judicial officers were more likely to discuss child placement, child trauma, maintaining permanency connections, and family time with siblings in post-ERGs hearings.
 - Overall, the number of topics discussed in preliminary protective hearings increased pre-ERGs to post-ERGs, with significantly more discussion in the post-ERGs preliminary protective hearings about parents' rights, relative resources, and "what is preventing the child from returning home today."
 - Judicial officers in post-ERGs hearings made significantly more verbal findings and orders at the end of hearings in language that was understandable to all participants.
 - Orders were distributed at the end of hearings in significantly more of the post-ERGs hearings.
4. *Court Case-file Reviews.* The study found several statistically significant improvements in line with the ERGs recommendations (e.g., reduction in continuances, increased judicial continuity in cases, improved attorney representation practice) including:
- Significantly fewer continuances occurred post-ERGs. On average, continuances were reduced by over 50%.

- Significantly fewer changes in judicial officers occurred at the adjudication phase.
 - The number of review hearings required to reach permanency decreased by one-half between pre-ERGs implementation and post-ERGs. This is a contradictory finding to the ERGs, which recommend more frequent reviews, but is accompanied by a significant increase in the time duration of review hearings post-ERGs and reductions in time to case closure, which suggests the court is conducting more substantive reviews and increasing timeliness to permanency.
5. *Timeliness.* The study identified timeliness indicators that reflect significant improvements post-ERGs including:
- On average, the amount of time between the child removal and the preliminary protective hearing decreased by over five days.
 - The time between the filing of the original abuse/neglect petition and the case adjudication was reduced by 50 days pre-ERGs to post-ERGs.
 - The time required from the original petition and the first review and 12-month permanency hearings also significantly decreased.
 - The time between the termination of parental rights (TPR) petition and the first TPR hearing decreased by 50 days for fathers and 52 days for mothers.
 - The time to permanency (case closure) decreased after a TPR finding based on a finding for the mother by 112 days and the father by 134 days.
6. *Permanency.* Overall, it took significantly less time to achieve permanency and case closure (regardless of case closure reason) in post-ERGs cases, except for in-home cases. Key permanency findings included:
- For out-of-home cases, the overall time to permanency measured from a child's initial removal from the child's parents decreased by about 24 days.
 - The Family Division has a substantial number of in-home petitions and these cases remained open, on average, about 84 days longer in the post-ERGs sample compared to pre-ERGs. The ERGs are silent on in-home cases, and the reasons behind the difference may be complex and worth exploring.

Introduction

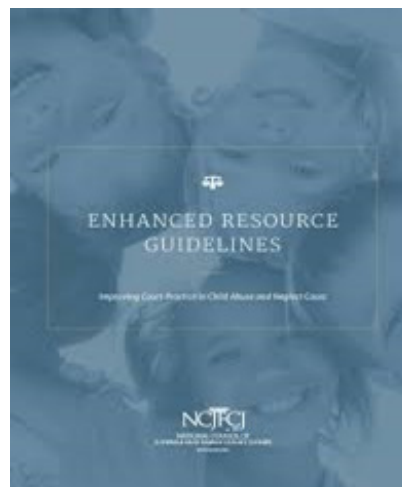
The Enhanced Resource Guidelines and Implementation Sites Project

Developed by judges, child welfare court practitioners, and child welfare system researchers, the National Council of Juvenile and Family Court Judges' (NCJFCJ) *Enhanced Resource Guidelines*¹ (ERGs) outline best practice principles that should guide judges' handling of child abuse and neglect cases. The ERGs cover all stages of the court process, from the initial or preliminary protective hearing until juvenile or family court jurisdiction has ended. The ERGs assume that the court will remain involved in a case until after the child has been safely returned home; placed in a new, secure, and legally permanent home (either through adoption or legal custody); or the court's jurisdiction has otherwise ended.

The ERGs identify best practices and outline the necessary procedural steps for each child abuse and neglect hearing type, identify the key decisions that must be made, specify when each hearing should occur, and describe the judge's role at each hearing. The ERGs also include a judicial bench card for each hearing in the court process with recommendations for preparing for the hearing, case management during the hearing, and preparation for the next hearing. Although written primarily for a judicial audience, the ERGs have relevance for, and are valuable to, lawyers, caseworkers, and others involved in child abuse and neglect cases.

Key principles for child abuse and neglect practice outlined in the ERGs are:

- Keeping families together
- Ensuring access to justice
- Cultivating cultural responsiveness
- Engaging families through alternative dispute resolution techniques
- Ensuring child safety, permanency, and well-being
- Ensuring adequate and appropriate family time
- Providing judicial oversight
- Ensuring competent and adequately compensated representation
- Advancing the development of adequate resources



1. Gatowski, S.I., Miller, N., Rubin, S., Escher, P. & Maze, C. (2016). *The Enhanced Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*. Reno, NV: National Council of Juvenile and Family Court Judges.

ERGs Implementation Sites²

Thirty-five child abuse and neglect court jurisdictions are currently participating in the NCJFCJ's ERGs Implementation Sites Project. Funded by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), implementation sites use judicially-led, multi-disciplinary collaborative teams who aim to improve the court's handling of child abuse and neglect cases (e.g., improving due process, fairness, and timeliness outcomes) as well as to improve outcomes for the children and families involved in the child abuse and neglect court system (e.g., improved safety, permanency, and well-being outcomes). Sites agree to select and prioritize best practice recommendations for conducting child abuse and neglect hearings outlined in the *Enhanced Resource Guidelines* (ERGs) that fit their jurisdiction and project timeframe.

The ERGs are disseminated through a 1.5 day multi-disciplinary training convened in each implementation site. The trainings are conducted by NCJFCJ judicial faculty, NCJFCJ implementation site managers, and other subject matter experts. The training covers the core ERGs principles and recommended best practices for handling child abuse and neglect cases. In addition, an annual all-sites meeting is held during which implementation sites receive additional training on ERGs-related topics, learn about promising court improvement interventions, and share their ERGs implementation successes and challenges with the other project sites.

In addition to multidisciplinary training on the ERGs best practices, a critical component of the ERGs implementation change model is the provision of ongoing technical assistance from an NCJFCJ implementation site manager. NCJFCJ implementation site managers conduct site visits and help sites compare current practices with the recommendations of the ERGs and use that information to identify areas of practice strength and weakness. That information is then used in a strategic action-planning process where sites outline strategies for implementing ERGs practices, including timelines for achieving practice changes. Site managers maintain regular contact with their sites to monitor the implementation of change efforts and provide ongoing technical assistance to facilitate those efforts as needed.

2. For more detailed information about the ERGs Implementation Sites Project, see *Implementation Sites Project: Improving court practice in child abuse and neglect cases*. 2019. Online. https://www.ncjfcj.org/wp-content/uploads/2015/03/NCJFCJ_Implementation-Sites_Brochure_2019_Final.pdf.

The Enhanced Resource Guidelines Implementation Change Model

The ERGs are based upon the hypothesis that judicial leadership, an effective forum for collaborative systems change, and a high-quality child abuse and neglect hearing process (i.e., hearings that are conducted timely, include a substantive discussion of relevant issues, and engage parties in the court process) will likely contribute to improved due process, timeliness, safety, permanency, and child and family well-being case outcomes. Rather than a prescribed intervention program with highly defined program elements, the ERGs implementation theory of change model is based on general principles for affecting child abuse and neglect case processing and outcomes (e.g., One Family/One Judge case assignment practice, conducting substantive court hearings, judicial leadership both on and off the bench, and family engagement throughout the case). The ERGs principles, when implemented, are intended to enable child abuse and neglect jurisdictions to institute a child abuse and neglect case process that improves due process, fairness, timeliness, safety, permanency, and well-being outcomes for children and families that come under the court's jurisdiction.

Because of different operating statutory frameworks, different court organizational or structural arrangements, different judicial assignment practices, and different implementation challenges (e.g., judicial rotation, caseloads, or resource challenges), each ERGs implementation site can implement the primary ERGs change model in different ways.

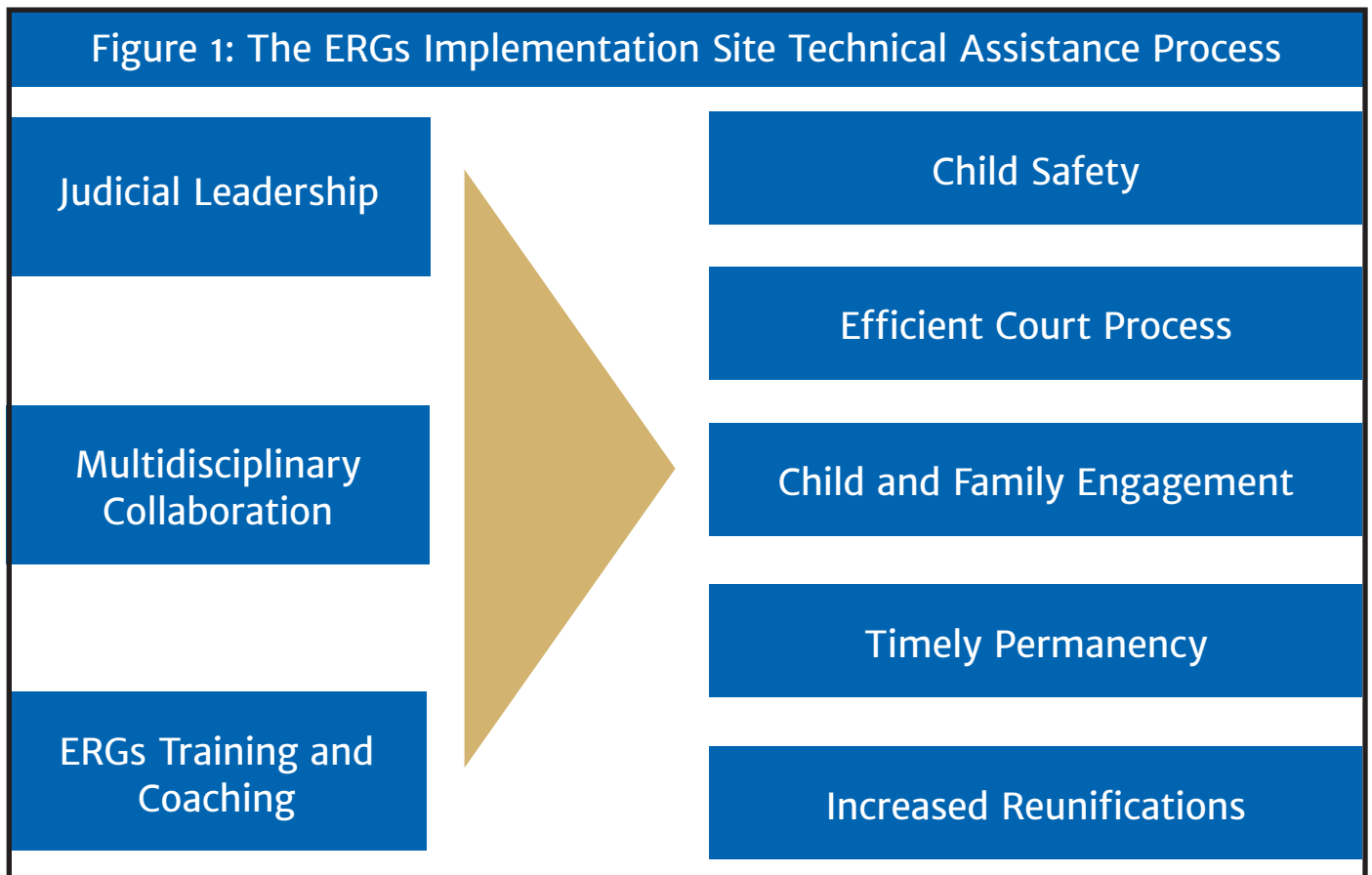
Some of the practice improvements recommended in the ERGs include:

- Substantive and thorough child abuse and neglect hearings.
- One Family/One Judge case assignment and calendaring.
- Individual time-certain calendaring.
- Implementation of strict, no-continuance policies.
- Early appointment of counsel for all parties.
- Dissemination of copies of orders to all parties at the end of the hearing.
- Frequent court review with enforcement of established timeframes.
- Judicial leadership both on and off the bench to improve case processing and child welfare outcomes.
- Strong and effective collaborative relationships and collaborative action among all aspects of the court and child welfare system.

Case outcomes and system impacts, anticipated as a result of the ERGs Implementation, are summarized in Figure 1 and include:

- Improved due process
 - Timely appointment of counsel for all parties; timely notice of hearings and service; continuity of counsel.

- Improved safety
 - Reduction in the number of cases with substantiated allegations of abuse and neglect while the case is under the court’s jurisdiction; reduction in the number of cases with substantiated allegations of abuse and neglect after the court’s jurisdiction has ended.
- Timely case process
 - Improved case processing timelines to each major court event (e.g., improved time to adjudication, disposition, permanency review, termination of parental rights, and case closure).
- Improved permanency outcomes
 - Improved timeliness for achieving permanency in cases (e.g., improved time to reunification, adoption, and guardianship); fewer placements experienced by children in cases; reduction in the number of cases concluding without permanency (e.g., fewer cases with an aged-out outcome).
- Increased number of cases maintaining a tribal connection
 - Improved ICWA case processing outcomes (e.g., earlier eligibility determinations, earlier identification, and involvement of tribes in the case process).
- Increased use of relative care
 - Early identification and involvement of relative resources for placements.



- Improved working relationships between the court and child welfare agency
 - Multi-disciplinary collaborative team structure that meets regularly and engages in an effective continuous quality improvement process.
- Improved child and family well-being
 - Improved health, education, and mental health outcomes for children and families.

Goals and Purpose of the ERGs Implementation Evaluation

Prior research has found connections between several of the recommended practices in the ERGs and child welfare outcomes. For example, the use of a One Family/One Judge case assignment model has been linked to reductions in continuances, more timely permanency, and a higher likelihood of reunification.³ Moreover, research examining the primary recommendation of the ERGs, that the court implement a high-quality child abuse and neglect hearing process, has associated elements of ERGs recommendations for quality hearings with positive case outcomes. For example, the presence of parents at child abuse and neglect hearings has been linked to timelier reunification,⁴ and engagement of parents in the hearing process has been linked to higher likelihoods of relative placements as opposed to foster care placements.⁵ Research has found that courts with more youth present in hearings⁶ and more discussion in hearings had improved timeliness and permanency outcomes.⁷ Finally, research has shown a link between the breadth of discussion topics at hearings and more relative placements, increased reunification rates, and timely permanency.⁸ While not being able to directly illustrate a causal connection between holding a high-quality hearing and case outcomes, the research demonstrates a significant connection.

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3. See for example, Beal, S. J., Wingrove, T., & Weisz, V. (2014). Judicial case management in predicting length of stay in foster care. *Children and Youth Services Review*, 44, 16–19; Ellett, A.J. & Steib, S.D. (2005). Child welfare and the courts: A statewide study with implications for professional development, practice and change. *Research on Social Work Practice*, 15, 339–352; Gatowski, S.I. (2018). *Illinois Child Protection Data Courts Report of Findings 2010–2017: Judicial Continuity and Case Outcomes*. Springfield, IL: Administrative Office of the Illinois Courts; Summers, A. (2017). *Exploring the Relationship Between Hearing Quality and Case Outcomes in New York*. New York, NY: New York State Unified Court System Child Welfare Improvement Project; and Summers, A. and Shadajmah, C. (2013). Improving juvenile dependency case timeliness through the use of the one judge one family model. *Juvenile and Family Court Journal*, Vol. 64(1), 23–24.
 4. Russell, J. and Summers, A. (2013). Reflective decision-making and foster care placements. *Psychology, Public Policy and the Law*, Vol. 19, 127–136; *Supra* note 3 Summers, A. (2017).
 5. Macgill, S. and Summers, A. (2014). Assessing the relationship between the quality of juvenile dependency hearings and foster care placements. *Family Court Review*, Vol. 52, 678–685.
 6. *Supra* note 3 Summers, A. (2017).
 7. Summers, A. and Darnell, A. (2015). What does court observation tell us about judicial practice and the courts in child welfare? *Journal of Public Child Welfare*, 9, 341–361; Summers, A., Gatowski, S.I., and Gueller, M. (2017). Examining hearing quality in child abuse and neglect cases: The relationship between breadth of discussion and case outcomes. *Children and Youth Services Review*, 82, 490–498.
 8. *Supra* note 7 Summers, A. et al. (2017); Bohanon, T., Nevers, K. and Summers A. (2015). *Hawaii courts catalyzing case-file review and court observation pre and post benchcard*. Reno, NV: National Council of Juvenile and Family Court Judges; Summers, A. and Gatowski, S.I. (2018). *Nevada Hearing Quality Study: Examining the Quality of Child Welfare Court Hearing Practice in Nevada*. Carson City, NV: Nevada Court Improvement Program.

The NCJFCJ is currently engaged in a three-site evaluation of the ERGs implementation in Project Sites. Funded by the OJJDP, the multi-site evaluation assesses the ERGs implementation in each site providing an outcome-based evaluation report that can be used in a continuous quality improvement effort to further systems change. In addition, the multi-site evaluation has the additional goal of contributing to the knowledge of how different court organizational frameworks and resources influence ERGs implementation outcomes.

Ultimately, site-specific variations and broadly defined program criteria create a challenging intervention to evaluate. However, the multi-site evaluation aims to assess the influence of the ERGs on case process and outcomes through rigorous case sampling methods, use of pre-post ERGs implementation comparison group designs, as well as statistical controls for relevant between-group differences. The evaluation determines the level of fidelity to the ERGs implementation change model in each site selected for participation, identifies site-specific interventions designed to address ERGs best practice recommendations, and determines outcomes associated with implementation efforts.

Specifically, the evaluation of the effectiveness of project sites' implementation of the ERGs involves 1) an evaluability assessment; 2) an assessment of the fidelity to which sites implement and adhere to the ERGs implementation theory of change model; and 3) a pre/post-ERGs implementation comparison of case process and outcomes. The remainder of this report presents findings specific to the Family Division's ERGs implementation.

Saginaw County Background

The Honorable Judge Barbara Meter has been the presiding judge of the Juvenile Division since 2015. The Family Division focuses on two different types of cases that involve minor children: 1) juvenile dependency – cases related to the abuse and/or neglect of a minor, and 2) juvenile delinquency – cases related to violations of criminal law by a minor. The mission statement of the Family Division is to guarantee a fair, efficient, and speedy resolution of cases involving children and to ensure that those under its jurisdiction will receive treatment, care, and guidance consistent with their needs and public safety.

The Family Division serves all of Saginaw County. In 2020, Saginaw County was estimated to have more than 189,000 residents.⁹ Approximately 21% of the population was made up of persons 18 years of age or younger.¹⁰ Seventy-seven percent of the county's population identified as White alone, 21% as Black or African American alone, under 1% as Native American or Alaskan Native alone, and 2% as multi-racial. Nine percent of the population identifies as Hispanic or Latino.

According to data provided by the Michigan Department of Health and Human Services (DHHS) Children's Protective Services, more than 3,549 reports of child abuse and neglect were received by Saginaw County DHHS in 2020 (central intake for Saginaw County). Of those 3,549 referrals, more than 1,586 were investigated, nearly 355 of which resulted in findings of abuse or neglect; 76% were categorized as neglect; and 7% were categorized as both abuse and neglect (17% were unclassified).



SAGINAW COUNTY

Completion of ERGs Training and Launch of ERGs-based Practice Reforms: February 2017

Lead Judge: Hon. Barbara Meter (2014–2022)

Type of Court: Urban

Population: 189,868

Number of Judicial Officers: 3

New Filings in 2020: 103 children

9. Puzanchera, C., Sladky, A. and Kang, W. (2021). *Easy Access to Juvenile Populations: 1990–2020*. Online. Available: <https://www.ojdp.gov/ojstatbb/ezapop/>.

10. *Ibid.*

As lead judge for the ERGs Implementation Site Project, Judge Meter convened a local dependency court improvement alliance that became the Community Collaborative. This alliance is made up of members from key court stakeholders including directors from Child Protective Services (CPS), Department of Health and Human Services (DHHS), county and district attorneys, parent and child representation, community mental health (CMH), court appointed special advocates (CASAs), public educators and local youth shelter representatives. Collaboratively, the Saginaw County Community Collaborative works to improve the child dependency process for all involved. Judge Meter also convened a court collaborative of stakeholders in the circuit court working with dependency cases. In the Family Division's implementation sites application, the Family Division identified improving performance measures, especially relating to disposing of out-of-home cases.

From inception as an ERGs Implementation Project Site, Judge Meter and her team were committed to executing the best practices of the ERGs as a key court improvement goal for the jurisdiction. Toward this end, Judge Meter participated in a series of ERGs trainings, including a large multi-disciplinary training in January 2017 that was sponsored by the state Administrative Office of the Courts with trainer support from the NCJFCJ. Strategic action planning efforts resulting from these trainings and a review of available data about the current state of the Family Division's case process and outcomes identified the following specific areas of improvement:

- Increase the judicial role in local court improvement efforts by starting and sustaining a judicially-led collaborative process.
- Improve timeliness and permanency outcome measures, especially for children removed from the home.
- Create a more family and child-friendly courtroom environment.
- Ensure that hearing participants understand what type of hearing is occurring, and the purpose of hearing, at the outset of every hearing by judicial officer.
- Explore the benefits of dependency mediation.
- Expand data capacity for measuring dependency cases outcomes.
- Ensure ICWA findings are made at each hearing phase.
- Measure performance to provide notice to all parties, including parents, the child, relatives, and foster families.
- Collaborate with the local juvenile and family bar to improve parent representation.
- Increase the participation of children at hearings by creating a policy to encourage attendance.
- Expand judicial oversight of child well-being and the efforts made to provide family time between siblings.

Evaluation Methods

The evaluation of the effectiveness of the Family Division's ERGs implementation involved the following steps: 1) assessment of readiness for an evaluation or evaluability assessment, 2) an implementation Fidelity Assessment, 3) determination of site readiness for evaluation, 4) selection of research design, sampling frame and sample sizes, 5) data collection strategy, and 6) data analysis. These steps are described below.

1) Assessment of Readiness for Evaluation or Evaluability

The NCJFCJ Evaluation Team, in partnership with the Family Division's NCJFCJ implementation site manager, reviewed the site's history, statutory and organizational context, and stage of ERGs implementation, as well as its capacity to generate data on key ERGs measures. Methods for this review included document analysis (e.g., a review of Saginaw's implementation site application material and a review of existing data about case outcomes and performance measurement), as well as interviews with the lead judge and key professional stakeholders about implementation strengths and challenges and data capacity. In addition, members of the evaluation team conducted an on-site visit to directly observe child abuse and neglect hearings, collaborative team meetings, and other Saginaw court improvement initiatives. The site visits allowed the team to determine if the project implementation matched with what stakeholders reported about the implementation. During the site visits, a sample of court case files and data from the court's case management information systems was also reviewed to further assess the site's data capacity to generate measures of interest to the evaluation and employed document review, stakeholder/focus group interviews, and observation of project implementation in action.

The evaluability assessment provided the evaluation team with a list of the available process and outcome measures of relevance to an ERGs implementation evaluation and the data sources from which those items would be readily available. Potential limitations to the data, any reliability concerns, and access issues were also addressed during the evaluability stage. The evaluability information was used to develop and refine instrumentation for the evaluation as well as finalize the research design.

2) Implementation Fidelity Assessment

To assess the Family Division's implementation of the ERGs, a Fidelity Assessment was administered to court staff and key stakeholders. The main objective of an ERGs Implementation Fidelity Assessment is to determine the degree to which a site is implementing the key principles of the ERGs, including the degree to which best practice recommendations for an effective child abuse and neglect hearing and case process are followed (i.e., at what level of fidelity are the ERGs concepts and practices being implemented in Saginaw?). If the activities associated with the ERGs key principles and practices are not sufficiently or consistently implemented, it raises the issue of whether or not those activities are performed enough to produce any reasonable expectation of a change in case process or outcomes.

In addition to the degree to which best practice recommendations are implemented, the Fidelity Assessment identified the strengths and weaknesses of the implementation with the intent of not only informing the evaluation activities but also informing the Family Division’s lead judge and Collaborative Team to identify areas for practice improvement using an Implementation Fidelity Assessment.

The Fidelity Assessment was administered to the Family Division’s child abuse and neglect system stakeholders using an online survey. Respondents were asked to rate the degree to which specific ERGs practices have been implemented using the following scale (e.g., “0” = in almost no cases; “1” = about 25% of cases; “2” = about 50% of cases; “3” = about 75% of cases; “4” = in almost all cases; 5 = don’t know). The survey was voluntary and received a 54% response rate. Survey respondents included judges, attorneys, agency/caseworkers, and court administration. An average score was calculated for each practice item, producing an overall implementation score for that particular ERG principle or practice (a snapshot of findings is presented in Table 2).¹¹ While there was some room for improvement in some areas, the Family Division met the threshold of the ERGs implementation fidelity at a strong level.

Table 2: Snapshot of Saginaw County’s Implementation Fidelity to the ERGs Best Practice Strategies	
Fidelity Score Average Ranked Strong	Fidelity Score Average Ranked Moderate or Weak
1. Legal Representation of Parents	1. ICWA Hearing Process (moderate average score)
2. Legal Representation of the Child Welfare Agency	2. Notice to Parties (moderate average score)
3. Legal Representation for the Child Guardian ad Litem	3. Courtroom Facilities (weak average score)
4. Hearing Observations Sample Size (N)	4. Alternative Dispute Resolution (weak average score)
5. Permanency Planning Hearing	
6. Post-Permanency Review Hearing	
7. Front-Loading Procedures	
8. Case Service Plan	
9. General Hearing Practice and Initial Hearings	
10. Reports to Court	
11. Case Assignment	
12. Disposition Hearing	
13. Calendaring	

11. Gatowski, S.G. and Livengood, Z. *Enhanced Resource Guidelines Implementation Fidelity Self-Assessment, Saginaw County Family Division, Saginaw Michigan*. September 30, 2020.

3) Determination of Site Readiness for Evaluation

Information gathered in steps 1 and 2 was used to document the current status of the ERGs implementation in the site. Specifically, the evaluation team used the evaluability and implementation fidelity assessment data to determine that Saginaw’s ERGs implementation was sufficiently underway, data capacity was robust, and fidelity to key principles of the ERGs was sufficiently strong to warrant selection as an evaluation site.

4) Selection of Research Design, Sampling Frame, and Sample Sizes

Research design. Because the primary goal of the evaluation was to determine if ERGs implementation in Saginaw was associated with positive case outcomes, the evaluation used a pre–post comparison quasi–experimental research design. In this design, cases before the implementation of the ERGs are compared to cases after the ERGs were implemented. This involves selecting a historical sample of cases and analyzing case outcomes. These data then serve as a baseline to compare process and outcome measures collected from post–ERGs implementation cases. Upon entering data sharing agreements, the Family Division could provide access to both electronic court records and hearing video recordings.

Evaluation sampling frame. To determine the appropriate sample of cases for pre– and post–comparison groups, the evaluation team needed to consider several sampling issues. Concerning the post–ERGs implementation sample, cases selected for inclusion had to be processed by the court after training on the ERGs was completed and sufficient time elapsed for ERGs implementation practices to be consistently and fully applied in cases (May 2017). In addition, closed cases were sampled to allow the measurement of case outcomes. Because data collection for the evaluation began in August 2017, and there was a need to sample closed cases to measure the full case process and outcomes, the post–ERGs sample of cases was limited to those cases that had petition filing dates of May 2017 and later (post–ERGs implementation) and had closed by March 2020 (before data collection for the evaluation began).

For the pre–ERGs implementation (baseline) sample, cases randomly selected for inclusion had to have case closure dates pre–ERGs implementation (before January 2017). In addition, they had to be as similar as possible to the post–ERGs cases except for the use of the ERGs practices. Cases selected for baseline study, for instance, were cases with the same organizational and statutory framework and the same judges as post–ERGs cases. Because the post–ERGs implementation sample of cases opened and closed within two years, the pre–ERGs sample of cases was also randomly selected from cases that closed within two years but closed before Saginaw’s ERGs implementation (i.e., closed cases with original petition filing dates from February 2016 through January 2017).

Once the appropriate sampling timeframe was determined, cases for both the pre- and post-ERGs groups were randomly selected for inclusion in the study. Only one sibling case per family was randomly selected. If the two samples are comparable, cases are randomly selected into groups, and the only difference between the groups is the intervention (i.e., ERGs implementation). Post-implementation differences in case outcomes can be attributed to the intervention. Consultation with the lead judge and key court stakeholders during the evaluability and Implementation Fidelity Assessment phases of the evaluation helped to determine the sampling frame for the research design. However, it is important to note that this evaluation is limited in scope to comparing cases that closed within two years of petition filing. Future evaluation efforts should expand the post-ERGs sample of cases to examine longer-stay cases that have been opened past the two-year mark.

Sample sizes. After finalizing the sampling frame, a sampling statistic was calculated to determine the appropriate size of the sample of baseline and post-ERGs implementation cases to be drawn. The sampling statistic determined the sample size needed in both groups to increase the statistical power needed to detect the effects of the ERGs implementation on case outcomes. Using the sampling statistic, and the sampling frame parameters noted above, cases were randomly selected. See Table 3 for the sampling frame and pre- and post-group sample sizes.

Table 3: Case-file and Hearing Observation Samples		
	Pre-ERGs	Post-ERGs
Cases Closed Time Frame	2/1/2016 thru 1/1/2017	7/1/2019 thru 6/30/2020
Case Files Sample Size (N)	68	68
Hearing Observations Sample Size (N)	68	59

5) Data Collection Strategy

Court observation and case–file review instruments used in other NCJFCJ evaluations of child abuse and neglect hearing practice and outcomes were modified for use in this evaluation. Instruments were pre–tested on a sample of hearings and court case files during site visits to ensure that only data on critical ERGs process and outcome measures were captured, but the instruments also were tailored to reflect Saginaw’s local and potentially unique practice. Codebooks were developed for all instruments. Check–coding procedures were used to calculate the inter–rater reliability of the instruments.

Because the focus of this evaluation is case outcomes pre– and post–ERGs, the primary data collection method used was case–file review. Case–file review permits the collection of data across the life of the case, including all court hearings. And, because the cases selected for data collection were closed, case outcomes could be recorded. The court administrator provided the evaluation team with a list of randomly selected closed cases, using the sampling frame parameters identified in Table 3. The evaluation team accessed the court files for these cases via the court’s case management information system and coded the files both on–site and through a virtual private network (VPN) connection using a comprehensive case–file review instrument that has been refined and improved through previous evaluations.

The evaluation team also observed a sample of hearings of the judge and to judicial officers using video/ audio hearing recordings and applying a highly structured court observation instrument. The same timeframes that were applied to sample case files were used to draw 10 of each of the primary hearing types through the permanency hearing (e.g., preliminary protective hearings, adjudication hearings, initial disposition hearings, first review hearings, and first 12–month permanency planning hearings).

6) Data Analysis

Information obtained from both the court hearing observations and case-file reviews were entered into the Statistical Package for the Social Sciences (SPSS) software for analysis. Descriptive analyses were run on the post-ERGs hearing observation dataset and a summary of findings is presented in this report. Descriptive and inferential analyses were run using the case-file review data to determine case characteristics and outcomes associated with the pre-ERGs and post-ERGs groups of cases, as well as whether there were any statistically significant differences between the two groups. The case-file review data analysis focused on the following evaluation research questions:¹²

1. How similar are the pre- and post- ERGs implementation cases in terms of case demographics or characteristics?
 - In what ways are they similar? In what ways are they different?
2. What effect does ERGs implementation have on court hearings?
 - Do the pre and post-ERGs implementation cases differ in the number of contested hearings?
 - Do the pre and post-ERGs implementation cases differ in the number of continued hearings?
 - Do the pre and post-ERGs implementation cases differ in the number of parties present at hearings including attorneys?
 - Do the pre and post-ERGs implementation cases differ in hearing quality (i.e., engagement of parties present, breadth and depth of discussion of key issues, etc.)?
3. What effect does ERGs implementation have on case processing and closure timeliness?
 - Do the pre and post-ERGs implementation cases differ in time to key court events and time to case closure (e.g., time to adjudication, time to disposition, time to permanency/case closure, etc.)?
4. What effect does ERGs implementation have on permanency outcomes?
 - Do the pre and post-ERGs implementation cases differ in time to achieve different permanency outcomes (e.g., time to reunification, time to guardianship, time to adoption, etc.)?
 - Do the pre and post-ERGs implementation cases differ in the number of cases achieving permanency (e.g., reunification rates, guardianship rates, adoption rates, etc.)?

The results of these analyses are presented in the next section of this report. Findings of statistical significance¹³ are noted where applicable.

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12. Future ERGs research implementation evaluation should expand the research questions to include examinations of child safety and well-being. These were not able to be included in this study as data about safety and child well-being proved difficult to obtain from Saginaw court files.
 13. Statistical significance refers to the claim that a result from data generated by testing or experimentation is not likely to occur randomly or by chance but is instead likely to be attributable to a specific intervention. When analyzing a data set and doing the necessary tests to discern whether one or more variables have an effect on an outcome, statistical significance helps support the fact that the results are real and not caused by luck or chance.

Evaluation Results

Hearing Observation Findings Pre- and Post-ERGs Implementation

Hearing Length

A comparison of pre-ERGs to post-ERGs hearings, preliminary protective hearings, and adjudication hearings indicates that review hearings and permanency hearings all lasted longer on average post-ERGs implementation (Figure 2). The only statistically significant difference in hearing length was found for review hearings. Review hearings post-ERGs implementation took an average of 25.90 minutes longer compared to pre-ERGs review hearings. However, disposition hearings lasted longer on average (an average of 11.60 minutes longer) before the ERGs implementation. This difference was not statistically significant.

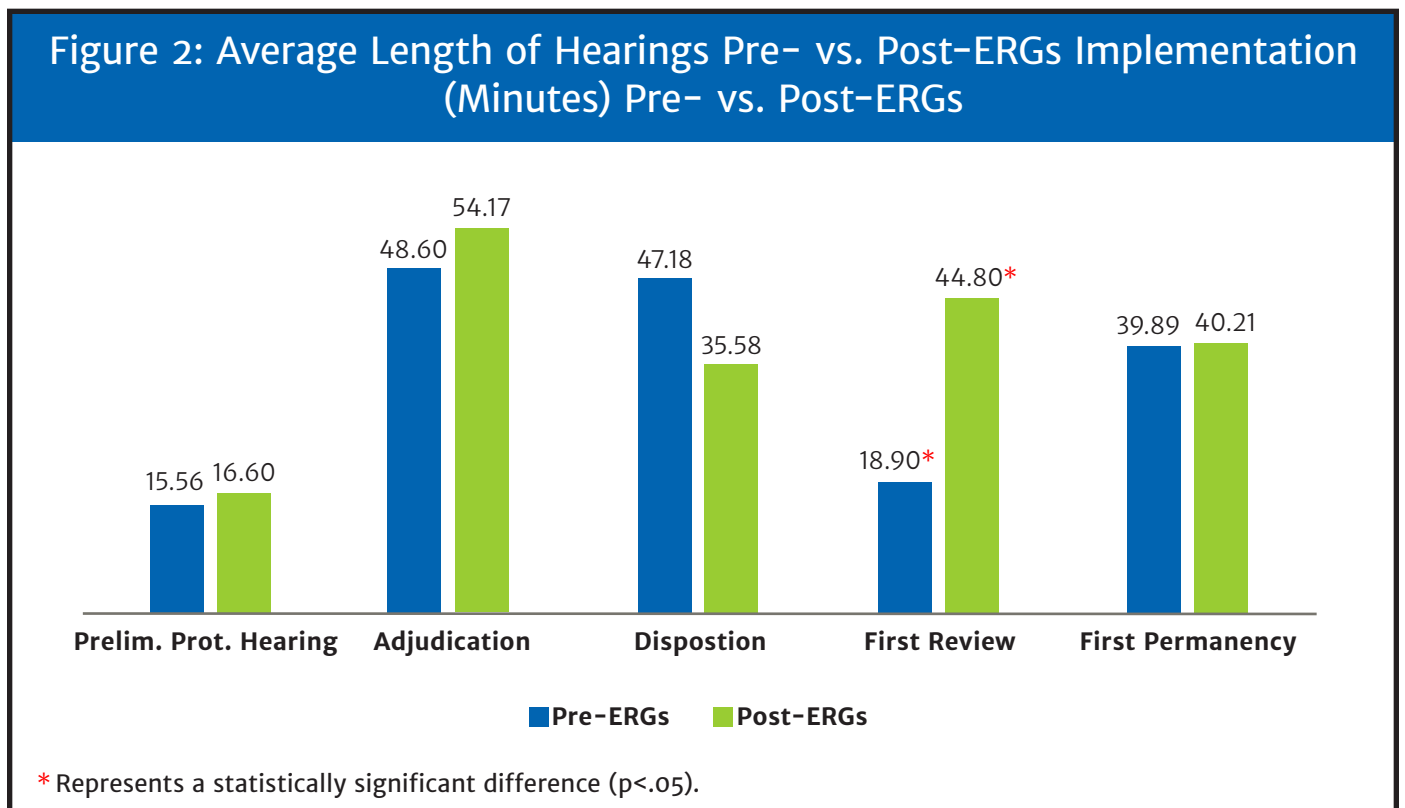


Table 4 illustrates the differences found for each party's presence in the pre- vs. post-ERGs hearings. None of the differences found in party attendance at hearings was statistically significant. For preliminary protective hearings, the biggest difference between pre- and post-ERGs party attendance was found for the presence of a mother's attorney, with 90% (n=9 of 10) of post-ERGs preliminary protective hearings having an attorney for the mother present compared to 61% (n=14 of 23). The attendance of mothers, fathers, and attorneys for the mothers trended higher in the post-ERGs adjudication hearings, but for disposition hearings the attendance of mothers, fathers, and attorneys for the mothers was greater in the pre-ERGs hearings.¹⁴ The presence of relative caregivers and/or foster parents trended higher in the post-ERGs' disposition, review, and permanency review hearings.

14. The study case-file review also found that significant increases were found for the presence of attorneys for the mothers' (28%; p < .05) and children's GALs (32%; p < .05) at the initial disposition in post-ERGs cases.

Table 4: Presence of Parties at Hearings by Hearing Types, Pre- vs. Post- ERGs

Preliminary Protective Hearing				
Party	Pre-ERGs	Post-ERGs	Adjudication	
			Pre-ERGs	Post-ERGs
Mother	57% (13)	50% (5)	87% (13)	92% (11)
Father	28% (6)	20% (2)	73% (11)	75% (9)
Child	0%	10% (1)	0%	0%
Mother's Attorney	61% (14)	90% (9)	93% (14)	100% (12)
Father's Attorney	39% (9)	30% (3)	67% (10)	67% (8)
GAL/CASA/Child Attorney	96% (22)	90% (9)	100% (15)	100% (12)
Rel. Care/Foster Parent	0%	0%	0%	0%
Disposition				
Party	Pre-ERGs	Post-ERGs	Review	
			Pre-ERGs	Post-ERGs
Mother	91% (10)	75% (9)	80% (8)	70% (7)
Father	73% (8)	58% (7)	50% (5)	50% (5)
Child	0%	0%	0%	0%
Mother's Attorney	100% (11)	83% (10)	100% (10)	90% (9)
Father's Attorney	54% (6)	67% (8)	50% (5)	70% (7)
GAL/CASA/Child Attorney	100% (11)	100% (12)	90% (9)	100% (10)
Rel. Care/Foster Parent	18% (2)	33% (4)	10% (11)	30% (3)
Permanency Review				
Party	Pre-ERGs		Post-ERGs	
Mother	78% (7)		57% (18)	
Father	33% (3)		43% (6)	
Child	0%		7% (1)	
Mother's Attorney	100% (9)		86% (12)	
Father's Attorney	78% (7)		71% (10)	
GAL/CASA/Child Attorney	100% (9)		100% (14)	
Rel. Care/Foster Parent	11% (1)		28% (4)	

Judicial Engagement of Parents

The engagement of parents in the hearing process is considered essential to holding a high quality hearing. This study explored how judges engaged parents in the hearing process. Parent engagement was operationalized as to whether the judge (1) explained the hearing process, (2) spoke directly to the person, (3) called the person by name, (4) gave the person an opportunity to be heard and not just through their attorney, (5) identified the next steps for the person, and (6) asked if they had any questions.

Figure 3 displays the percentage of hearings when the mother was present, pre- and post-ERGs implementation, that the judge engaged the mother in a specific way. Comparing pre- and post-ERGs practice identified some statistically significant increases in the judicial engagement of mothers who were present in hearings. Specifically, judges explained the purpose of the hearing, addressed the mother by name, and allowed the mother to be heard in significantly more post-ERGs hearings compared to pre-ERGs implementation ($p < .05$).

While not statistically significant, identifying the next steps slightly decreased post-ERGs and asking if the mothers present had any questions remained unchanged.

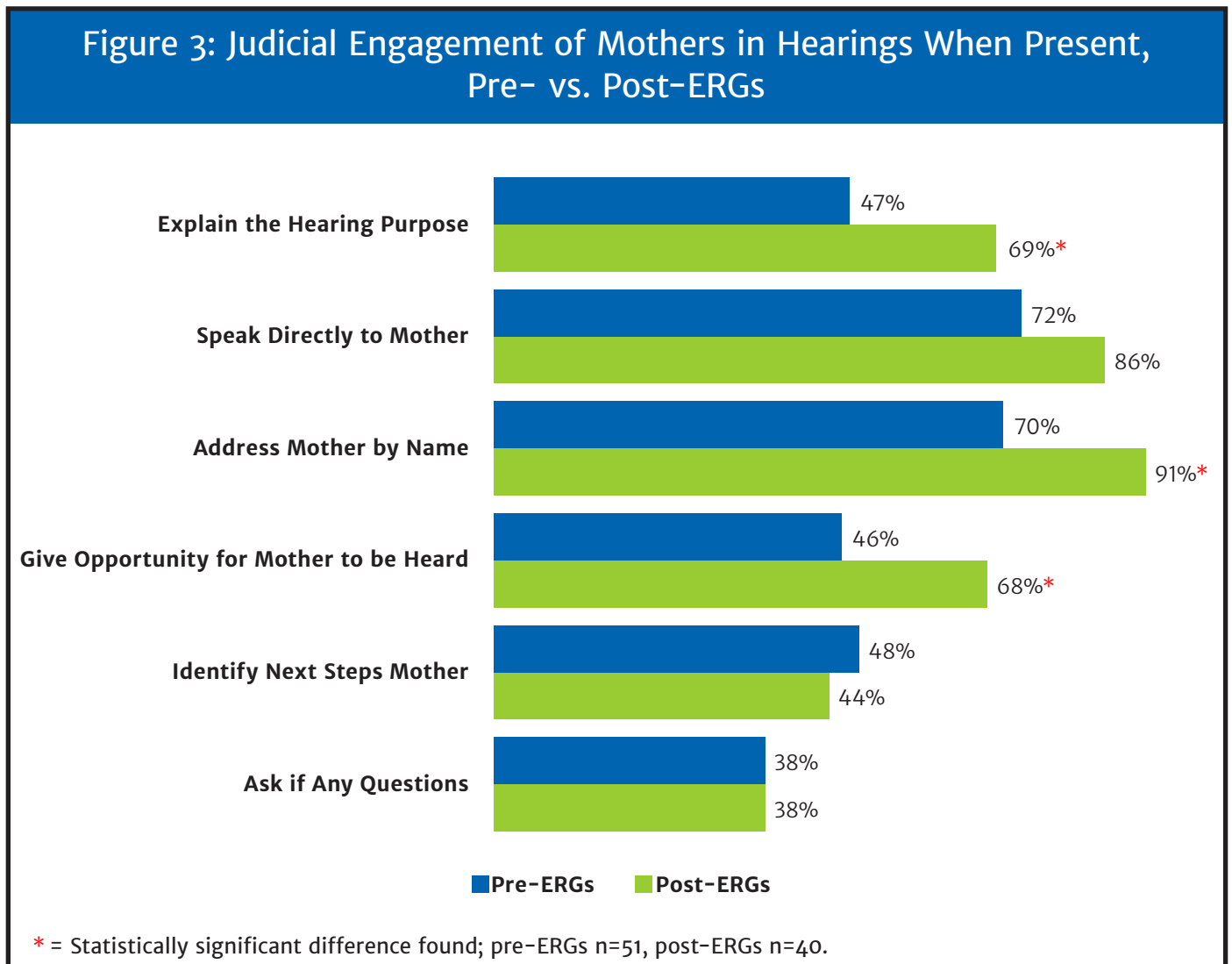
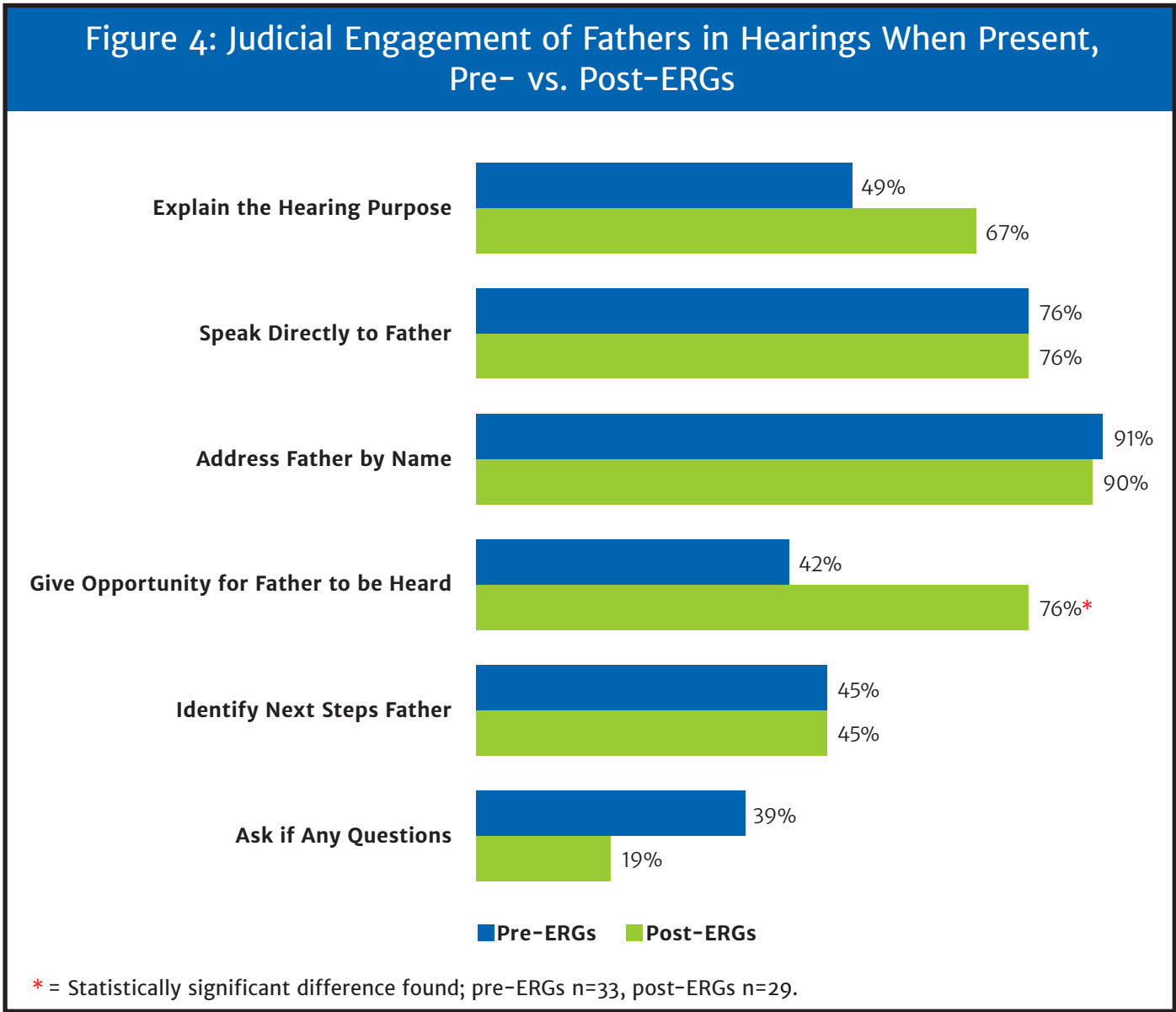


Figure 4 presents findings for judicial engagement of fathers when present in hearings. Similar to the judicial engagement of mothers, judges engaged fathers by allowing them to be heard in significantly more hearings in the post-ERGs sample. Judges also explained the purpose of the hearing to fathers in more hearings post-ERGs (67% compared to 49% of pre-ERGs hearings), but this difference was not statistically significant. Judges asked fathers if they had any questions in more of the pre-ERGs' hearings (39% compared to 19% of post-ERGs' hearings), but this difference was also not statistically significant. Speaking directly to the father and identifying the next steps remained unchanged, and addressing the father by name was virtually unchanged pre-to-post ERGs implementation.



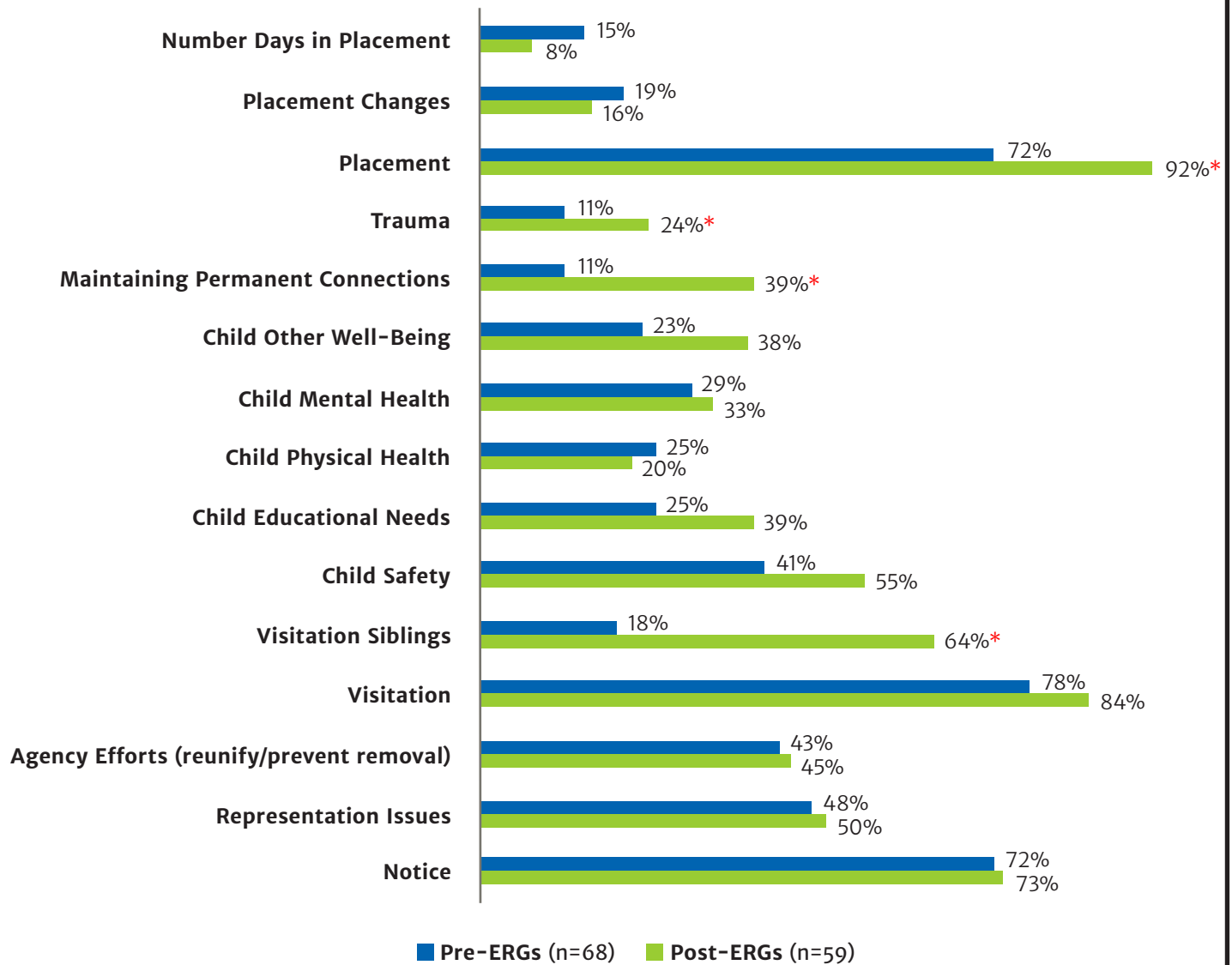
Hearing Discussion

Hearing discussion levels were measured using a list of topics that could be relevant to discuss at the hearing. Topics were derived from Michigan statutes and best practice guidelines from the ERGs.

The breadth of discussion is the percentage of items discussed out of all of the potential topics that were applicable to be discussed at the hearing. In the pre-ERGs assessment, hearings included discussion of 40% of all applicable topics, with the percentage of items discussed in each hearing ranging from 0% to 83% of all applicable topics. In the post-ERGs assessment, the discussion was nearly identical, with hearings averaging a discussion of 43% of all applicable topics. The increase in discussion of visitation with siblings in the post-ERGs hearings was the only statistical difference found pre- to post-ERGs for the level of discussion ($p < .05$).

Discussion is also explored generally, examining the percentage of hearings in which a specific topic was discussed (at any level of discussion) for any hearing type and then for specific key hearings (e.g., the preliminary protective hearing and the permanency hearing). Figure 5 illustrates the percentage of all hearings that topics were discussed at any level of discussion pre-ERGs implementation and post-ERGs implementation. The topic with the least amount of discussion in hearings overall was the number of days a child had been in placement (15% of hearings pre-ERGs and 8% of hearings post-ERGs). The topic with the most amount of discussion overall in both the pre- and post-ERGs hearings was the child's placement (72% of hearings pre-ERGs and 92% of hearings post-ERGs). This increase in discussion of the child's placement between the pre- and post-ERGs hearings was statistically significant. The other topics with significantly more discussion in hearings post-ERGs implementation were trauma, maintaining permanency connections, and visitation with siblings ($p = .001$).

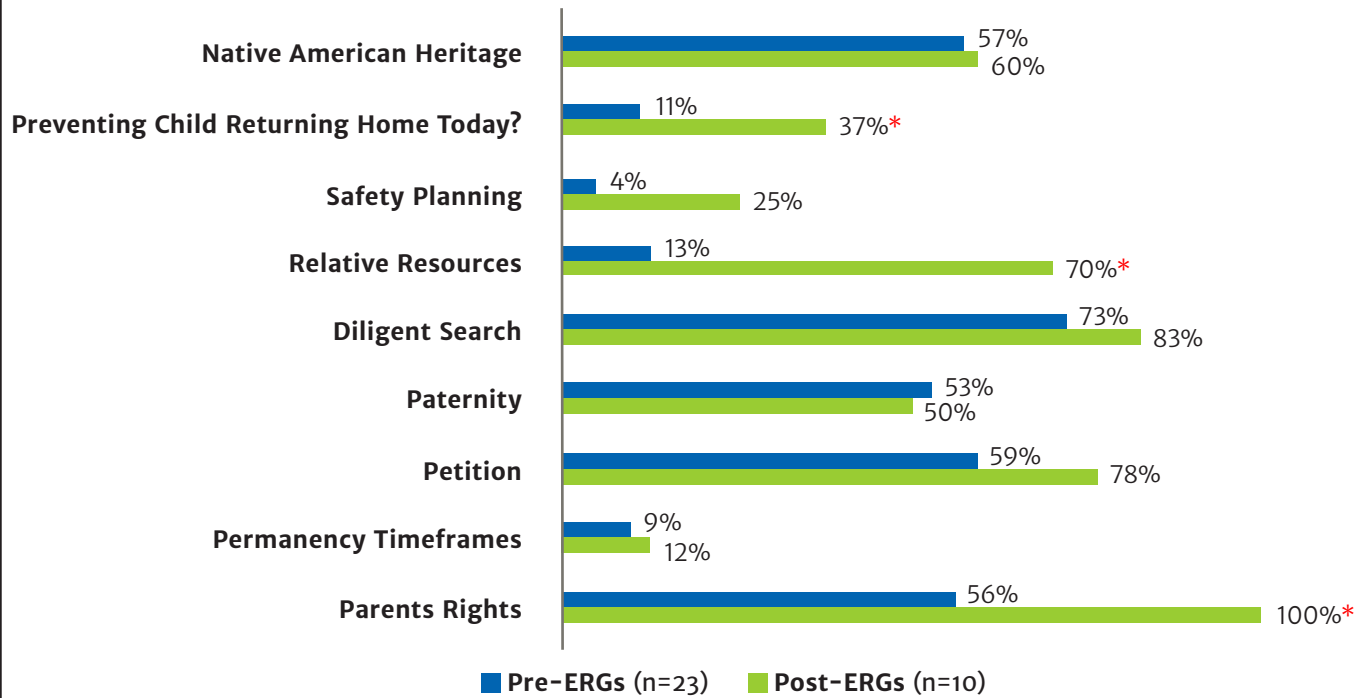
Figure 5: Percentage of Hearing Topics Discussed at Any Level, Pre- vs. Post-ERGs (n=127)



* = Statistically significant difference found.

Figure 6 illustrates the percentage of preliminary protective hearings (PPHs) in which hearings were discussed at any level. The topic with the least amount of discussion overall in both the pre- and post-ERGs PPHs was permanency timeframes (9% of PPHs pre-ERGs and 12% of PPHs post-ERGs). The topic with the most amount of discussion overall in both pre- and post-ERGs PPHs was diligent search efforts (73% of PPHs pre-ERGs and 83% of PPHs post-ERGs). Significant increases in the amount of discussion in preliminary protective hearings from pre- to post-ERGs implementation were found for discussion of parents' rights, relative resources, and what is preventing the child from returning home today ($p < .05$).

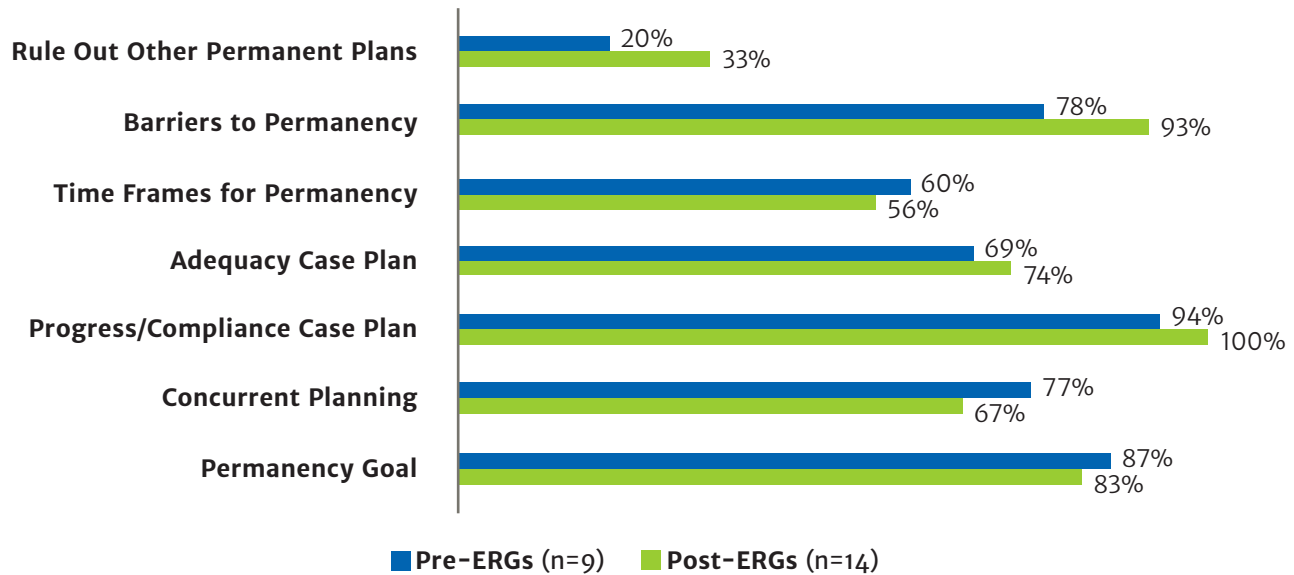
Figure 6: Percentage of Topics Discussed at any Level in Preliminary Protective Hearings, Pre- vs. Post-ERGs (n=33)



* = Statistically significant difference found.

Figure 7 presents findings for the percentage of permanency hearings in which specific topics were discussed at any level. The topic with the least amount of discussion in both the pre- and post-ERGs permanency hearings was ruling out other permanent plans (20% of PPHs pre-ERGs and 33% of PPHs post-ERGs). The topic with the most discussion in both the pre- and post-ERGs permanency hearings was the discussion of progress and compliance with the case plan (94% of PPHs pre-ERGs and 100% of PPHs post-ERGs). No statistically significant differences were found for discussion topics in permanency hearings pre- and post-ERGs implementation.

Figure 7: Percentage of Topics Discussed at any Level in Permanency Hearings, Pre- vs. Post-ERGs (n=23)



Judicial Findings

The hearing quality assessment identified whether the judge made verbal findings on the record regarding 1) whether the agency made reasonable efforts, 2) whether reasonable efforts to prevent removal or reunify were specifically made, 3) whether the judge provided a verbal factual basis/detailed reasonable efforts finding, and 4) whether ICWA applies. Table 5 illustrates the frequency with which judges made these four findings on the record. Pre-ERGs and post-ERGs practice was very similar, with no significant differences found. As noted, the most frequent verbal findings made in both the pre- and post-ERGs hearings were reasonable efforts findings. The least frequent verbal finding made in hearings in both pre- and post-ERGs hearings was whether or not ICWA applied in the case.

Table 5: Percentage of Hearings Judges Made Verbal Findings (N=127)

Verbal Finding Made in Hearing	Pre-ERGs (n=68)	Post-ERGs (n=59)
Whether Agency Made Reasonable Efforts	32% (22)	37% (22)
Reasonable Efforts to Prevent Removal/Reunify	21% (14)	20% (12)
Factual Basis/Detailed Reasonable Efforts Finding	29% (20)	39% (23)
ICWA Applicability	11% (7)	15% (9)

Concluding Hearings

How judges concluded hearings was also examined (see Table 6). Specifically, 1) whether judges made verbal findings and orders that all participants in the hearing could understand, 2) whether the appropriateness of alternative dispute resolution processes were considered and ordered if applicable, 3) whether the date and time of the next hearing was set, 4) whether persons whose presence was needed at the next hearing were identified, and 5) whether all orders were written, signed, and distributed at the end of the hearing. Judges in post-ERGs hearings made significantly more verbal findings and orders at the end of hearings in language that was understandable to all participants ($p=.001$). Orders were distributed at the end of hearings in significantly more of the post-ERGs hearings observed as well ($p=.001$).

How Hearings Were Concluded	Pre-ERGs (n=68)	Post-ERGs (n=59)
Verbal Findings and Orders in Language Understandable to Participants	53%	85%*
Date and Time of Next Hearing Set	90%	98%
Whether Persons Whose Presence Needed at Next Hearing Identified/Discussed	13%	9%
Orders Distributed at End of Hearing	17%	61%*

Hearing Observation Summary Points

The following are differences in hearing quality after the ERGs Implementation:

- Preliminary protective hearings, adjudication hearings, review hearings, and permanency hearings all lasted longer on average, post-ERGs implementation, with review hearings lasting significantly longer (an average of 25.90 minutes more than pre-ERGs, $p=.013$) in the post-ERGs hearings.
- While differences in the presence of parties at hearings pre- vs. post-ERGs hearings were not statistically significant, more attorneys for mothers appeared as early as the preliminary protective hearing in post-ERGs cases. The attendance of mothers, fathers, and attorneys for the mothers also trended higher in the post-ERGs adjudication hearings.
- Compared to pre-ERGs, judges were more likely to engage mothers in the post-ERGs hearings by explaining the purpose of hearings ($p=.029$), addressing the mother by name ($p=.023$), and allowing the mother to be heard ($p=.050$).
- Compared to pre-ERGs, judges were more likely to engage fathers in the post-ERGs hearings by allowing them to be heard ($p=.015$). Judges also explained the purpose of the hearing to fathers and asked if there were questions in more hearings post-ERGs, but these differences were not statistically significant.

- The breadth of discussion (percentage of items discussed out of all the potential topics that were applicable to be discussed at hearings) was almost the same in the pre- vs. post-ERGs hearings. However, the level of discussion (how substantive the discussion was on a scale from 0 to 3) saw a significant increase in discussion of visitation with siblings ($p < .05$) post-ERGs. The other biggest increases in the level of discussion were found for maintaining permanency connections and discussion of trauma needs and concerns, although the differences pre-post ERGs for these topics were not statistically significant.
- The topics that were discussed the least in both the pre- and post-ERGs hearings (regardless of the level of discussion or hearing type) were the number of days a child had been in placement. The topic with the most amount of discussion in both the pre- and post-ERGs hearings was the child's placement.
- Hearing topics with significant increases in discussion from pre-ERGs to post-ERGs were child placement ($p = 0.18$), trauma ($p = .008$), maintaining permanency connections ($p = .001$), and visitation with siblings ($p = .001$).
- While no significant differences were found for the permanency hearing, significant increases in the amount of discussion in preliminary protective hearings from pre- to post-ERGs implementation were found for parental rights ($p = .001$), relative resources ($p < .003$), and what is preventing the child from returning home today ($p < .008$).
- Few differences were found for judges making verbal findings at the conclusion of hearings. However, the assessment found that judges in post-ERGs hearings made significantly more verbal findings and orders at the end of hearings in language that was understandable to all participants ($p = .001$). Orders were distributed at the end of hearings in significantly more of the post-ERGs hearings observed as well ($p = .001$).

Case-file Review Findings Pre- and Post-ERGs Implementation

Case Demographics and Characteristics:

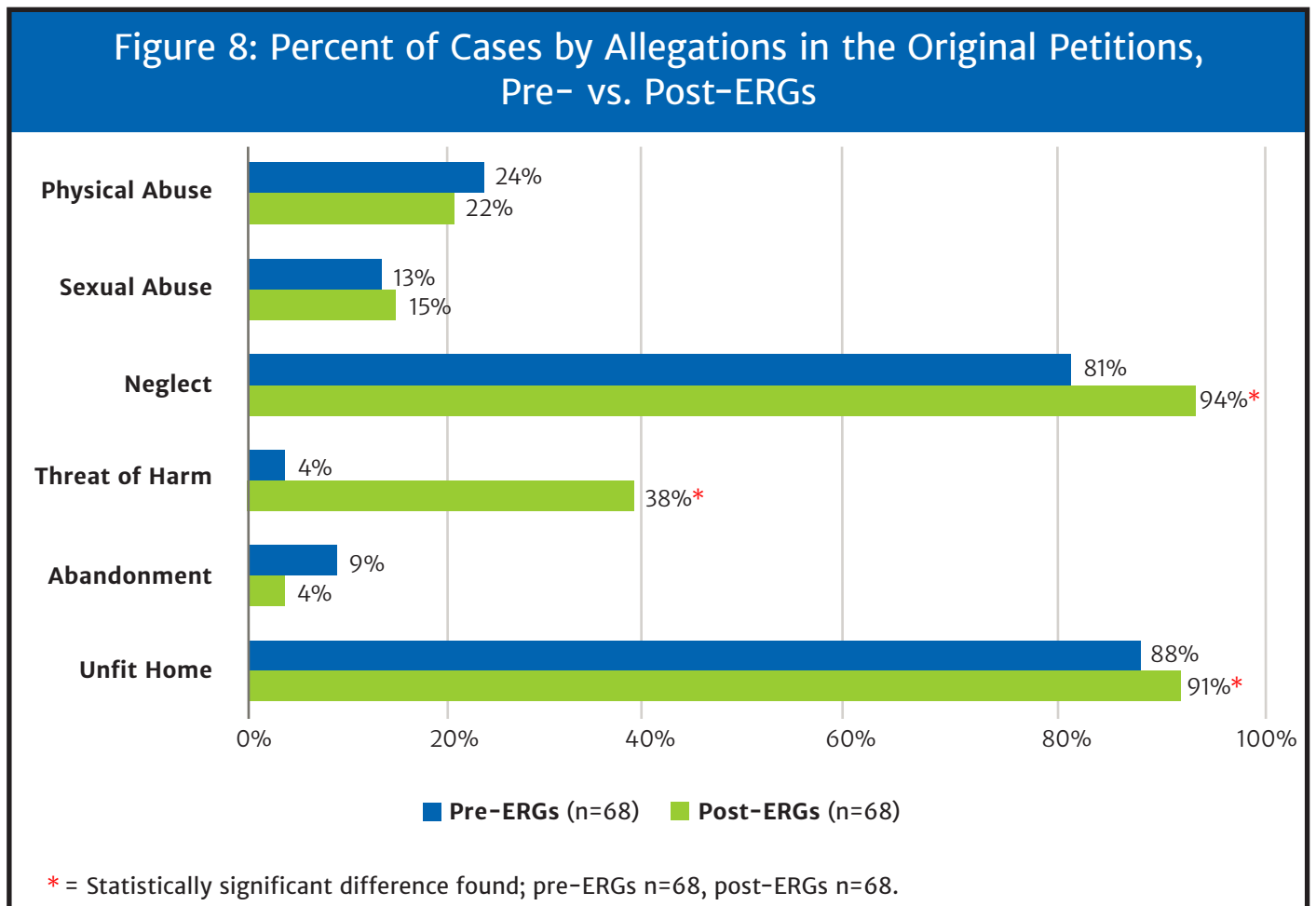
1) How similar are the pre- and post- ERGs implementation cases in terms of case demographics or characteristics?

The pre- and post-ERGs cases were analyzed for a variety of case demographics, including information about the child, parents, and specifics of the case. No significant differences in the age of children at the time of petition filing, gender of the child, number of ICWA cases, or mean number of allegations or presenting problems per case were found between the pre- and post-ERGs groups (Table 7). These findings lend validity to the assumption that the two comparison groups are similar; however, some differences were found in specific allegations and family presenting problems between the two groups. These differences are discussed below.

Table 7: Comparison of Pre- and Post-ERGs Cases on Case Demographics & Characteristics		
Case Characteristics	Pre-ERGs (N=68)	Post-ERGs (N=68)
Mean age of child at petition filing	5.9	6.0
Mean number of other children	1.7	1.9
Mean number of allegations	2.9	4.3
Mean number of family problems	1.8	3.1
Age at Petition Filing		
0-5	54%	49%
6-12	24%	35%
13 and older	22%	16%
Sex		
Male	53%	63%
Female	47%	37%
Child Race		
White	53%	50%
Black	44%	34%
Hispanic	2%	6%
More than one race identity	2%	10%

Allegations

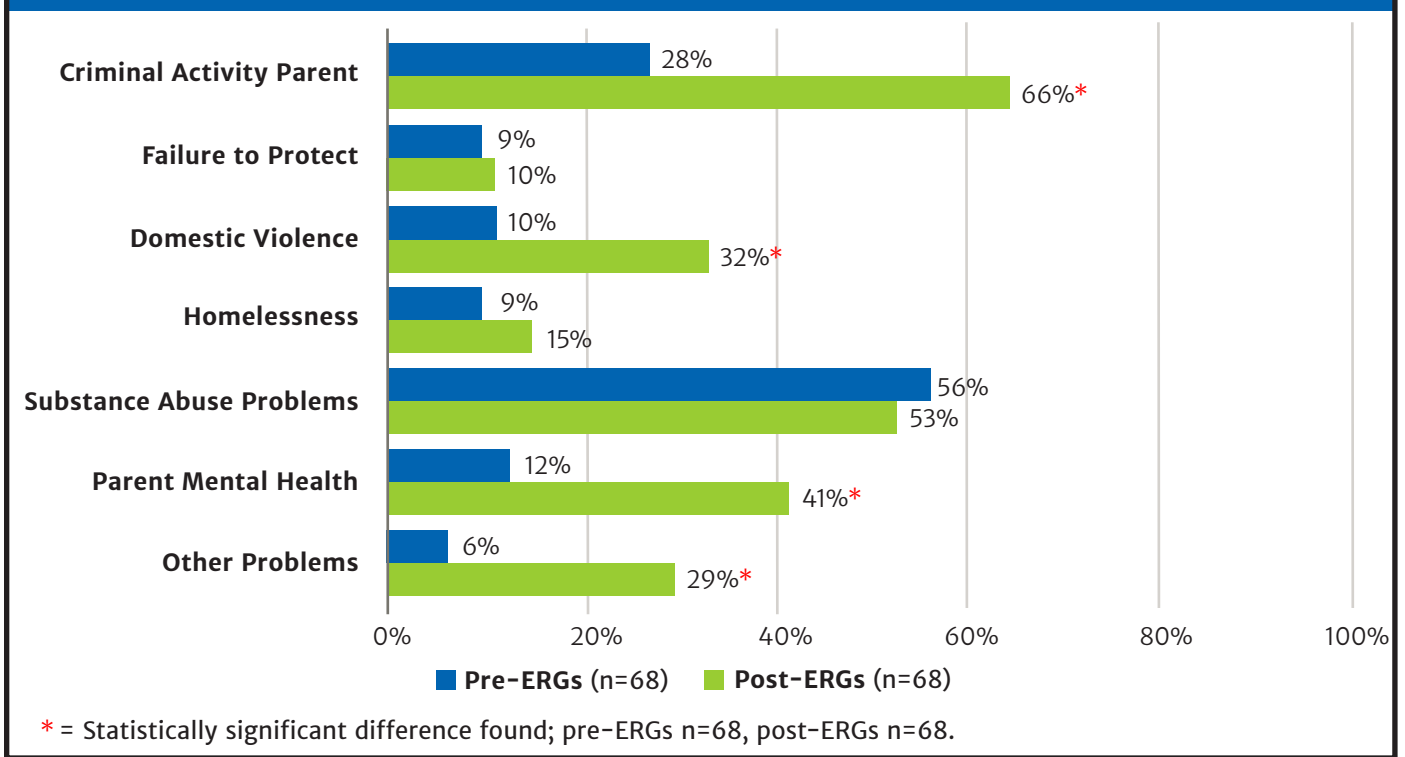
Petitions contained in the case files were coded to determine the number of separate allegations contained within the petition. While a single allegation could include multiple counts (e.g., multiple events of physical abuse), only one instance of an allegation was counted. Statistically significant differences were found between the pre and post-ERGs cases for three allegation types (Figure 8). Specifically, compared to pre-ERGs cases, the post-ERGs cases had significantly more child neglect (94%; n=68, p<.05), threat of harm (38%; n=68, p<.05), and unfit home allegations (91%; n=68, p<.05).



Presenting Problems

Information contained within the case file (often within reports to the court) was coded to determine the families' presenting problems (e.g., substance abuse, family violence, homelessness, etc.). Comparing pre- and post-ERGs cases on the presenting problems, significant differences were found only in the number of cases involving domestic violence and mental health issues (Figure 8). When compared to the pre-ERGs cases, significantly more cases in the post-ERGs sample (32%; n=68, p<.05) presented with domestic violence in the family. Post-ERGs cases also involved significantly more parental mental health issues (41%; n=68, p<.05). However, significantly more of the pre-ERGs cases involved criminal activity of a parent (66%; n=68, p<.05) (Figure 9).

Figure 9: Percent of Cases by Presenting Issues in the Original Petitions, Pre- vs. Post-ERGs



Court Hearings:

2) What effect does the ERGs implementation have on court hearings?

Contested Adjudications

A small difference was found between the pre- and post-ERGs cases in the number of contested adjudication trials held. Nine percent of the adjudications in the pre-ERGs cases were contested trials and 3% of the adjudications in the post-ERGs cases were contested trials. However, the difference was not statistically significant ($p=.098$). Most cases sampled pre- and post-ERGs did not involve contested adjudication hearings where trials were held.

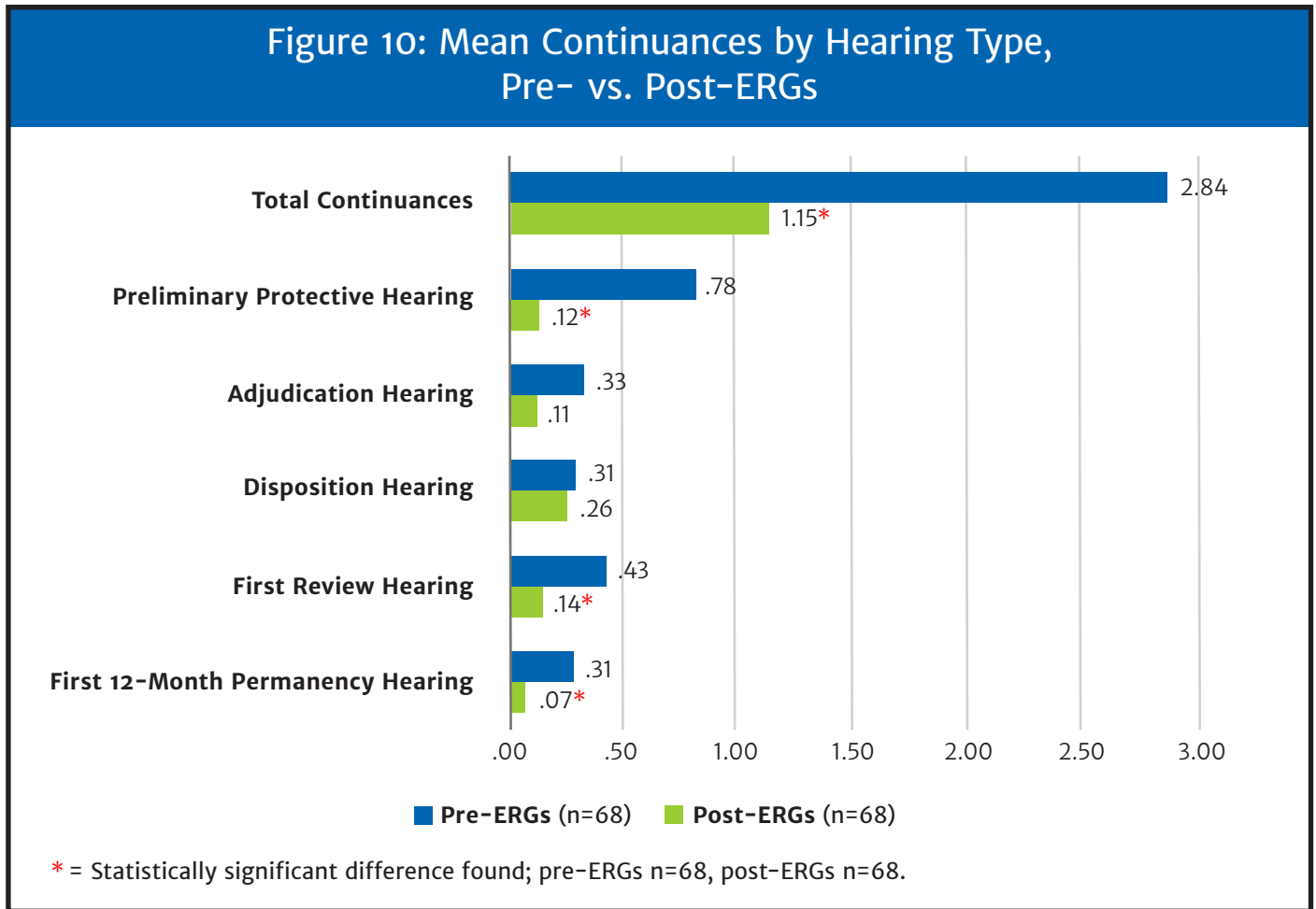
Combining Adjudication/Disposition Practice

Concerning disposition, the ERGs recommend that the disposition hearing be held immediately following (or as soon as possible after) the adjudication, when appropriate, to facilitate timely implementation of the case plan and services. In post-ERGs implementation, 21% of cases held a combined adjudication/disposition hearing, compared to only 48% of cases in pre-ERGs cases and the difference was statistically significant ($p<.05$). In the pre-ERGs cases, the mean number of days from adjudication to disposition was 16 days (with a range from 0 to 83 days). Post-ERGs, the mean or the average number of days from adjudication to disposition increased to 31 days (with a range from 0–310 days¹⁵). This difference was statistically significant ($p<.05$).

15. The high range of the post-ERGs sample for 310 days involved a case where custody was granted to a father and the court stayed adjudication due to unusual circumstances.

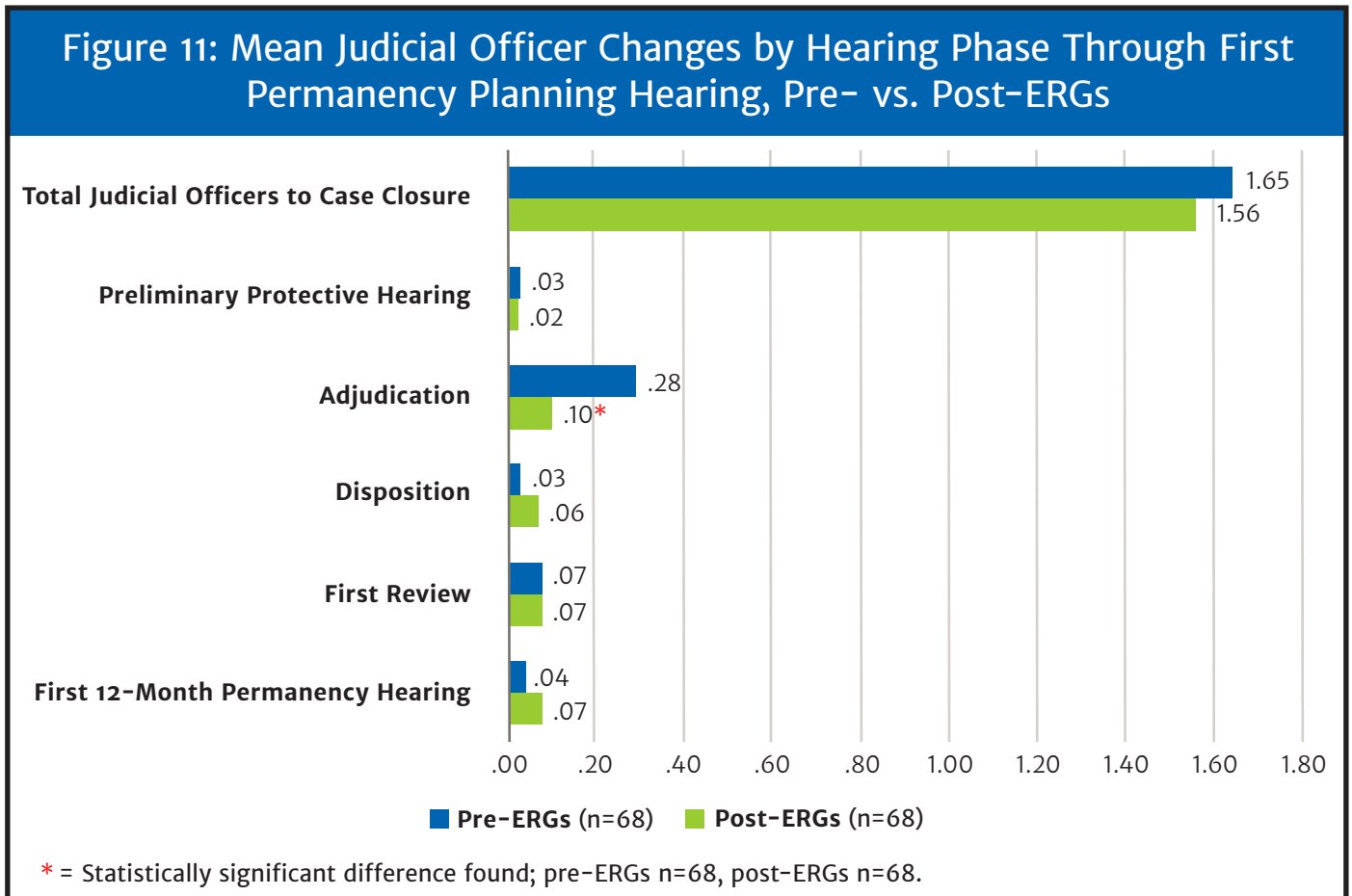
Continuances

After ERGs implementation, the Family Division improved its performance in limiting court continuances (Figure 10). Cases in the post-ERGs group had fewer total continuances, with a mean of 1.15 continuances per case, when compared to pre-ERGs cases which had a mean of 2.84 continuances per case. This difference is statistically significant ($p < .05$). The differences were significant for the preliminary protective hearings, first review hearings, and first 12-month permanency hearings.



Judicial Continuity

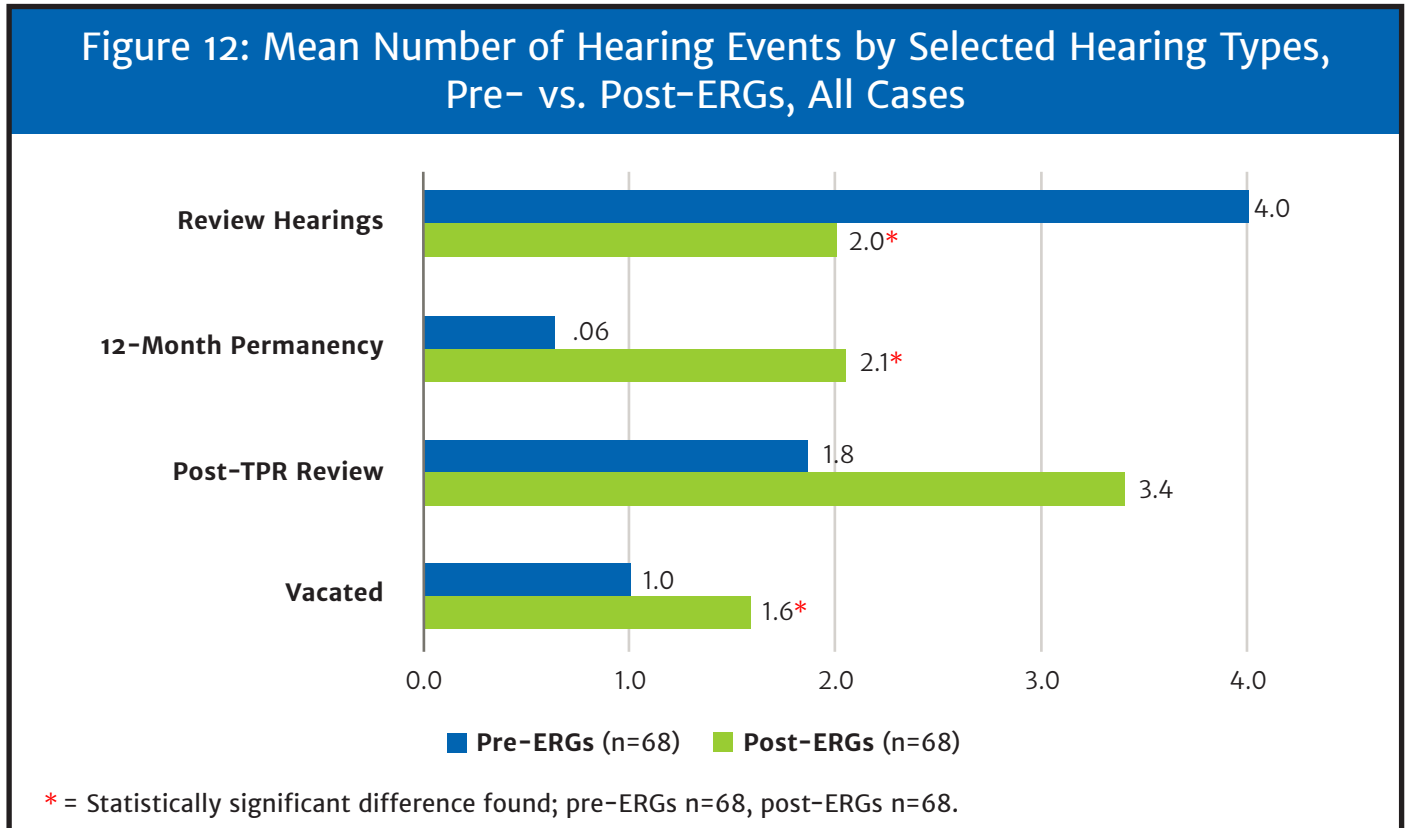
The ERGs recommend a One Family/One Judge model of case assignment, with one judge presiding over all hearings in a case for the life of the case. The mean number of judicial officers across the life of the case was slightly decreased post-ERGs implementation, and the difference was not statistically significant at $p < .05$. However, some differences existed when considering judicial officer changes at specific hearings (Figure 11).¹⁶ The difference at the adjudication phase was the most pronounced and was statistically significant ($p < .05$). By the adjudication hearings, there had been an average of 0.28 judicial officer changes in the pre-ERGs cases compared to an average of only 0.10 judicial officer changes by adjudication post-ERGs.



16. Recall that cases in both groups had case closure dates within two years of the original petition filing (i.e., pre-ERGs cases had original petition filing and case closure dates between 2014–2016 and post-ERGs cases had original petition filing and case closure dates between 2016–2018).

Review Hearing Frequency

Cases in the pre-ERGs sample had fewer overall review hearings from petition to case closure, but on average had more 12-month permanency reviews, post-TPR reviews, and hearings that were vacated. In contrast to continued hearings, vacated hearings are those that are scheduled but then subsequently dismissed (Figure 12).

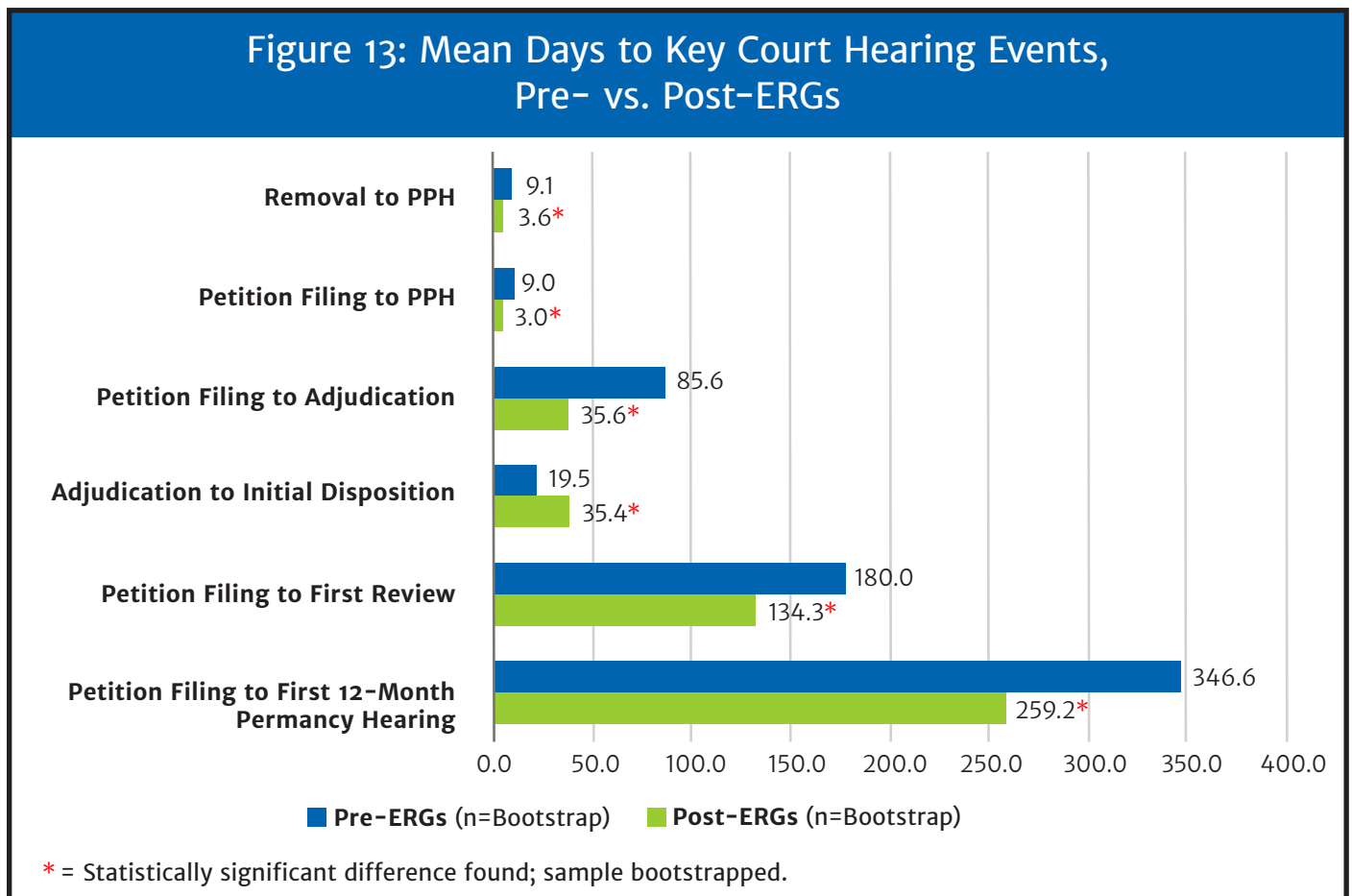


Case Processing Timeliness:

3) What effect does the ERGs implementation have on case processing and permanency timeliness?

Cases in the pre-ERGs sample and post-ERGs sample were compared on key case processing timelines from the preliminary protective hearing (PPH) to the first permanency hearing. A statistical bootstrap procedure was applied to the timeliness measures to increase the ability to examine differences by in-home and out-of-home cases and increase confidence in the results.¹⁷

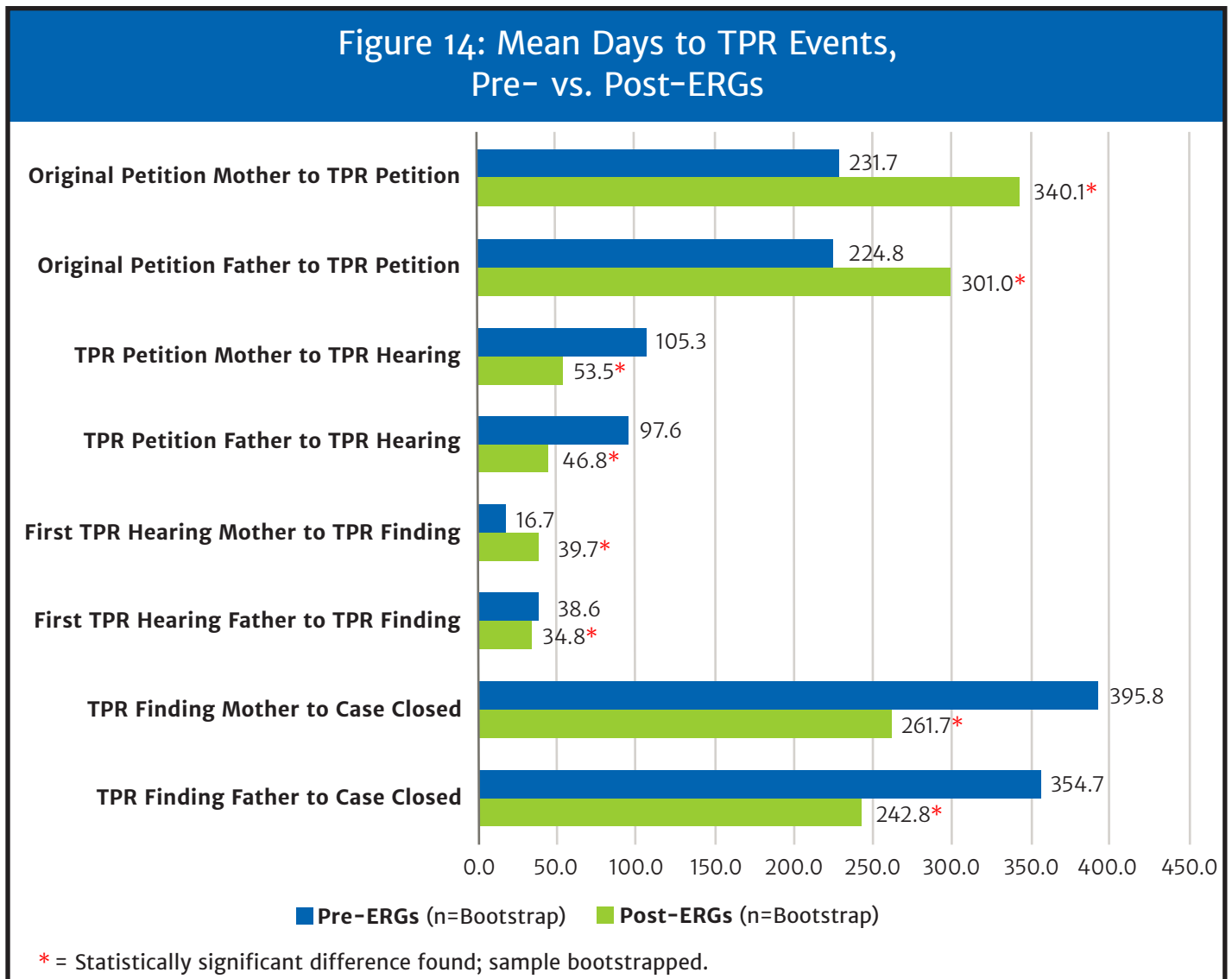
When considering all cases, the mean time between most key case events decreased pre- and post-ERGs implementation and the differences were all significant ($p < .05$) (Figure 13). Specifically, the number of days from removal and from original petition filing to the preliminary protective hearing decreased significantly (by nearly a week). The time required to reach adjudication from the original petition filing also decreased by 50 days, and the time to reach the first review hearing on the case decreased by 45 days. Timeliness increased for all of the key phases except for the time between adjudication and disposition, which increased by 16 days, perhaps reflecting a change in practice.



17. Bootstrapping is a statistical method used to further detect any statistically significant differences when sample sizes are small by using computer programs to resample from the mean 5,000 times.

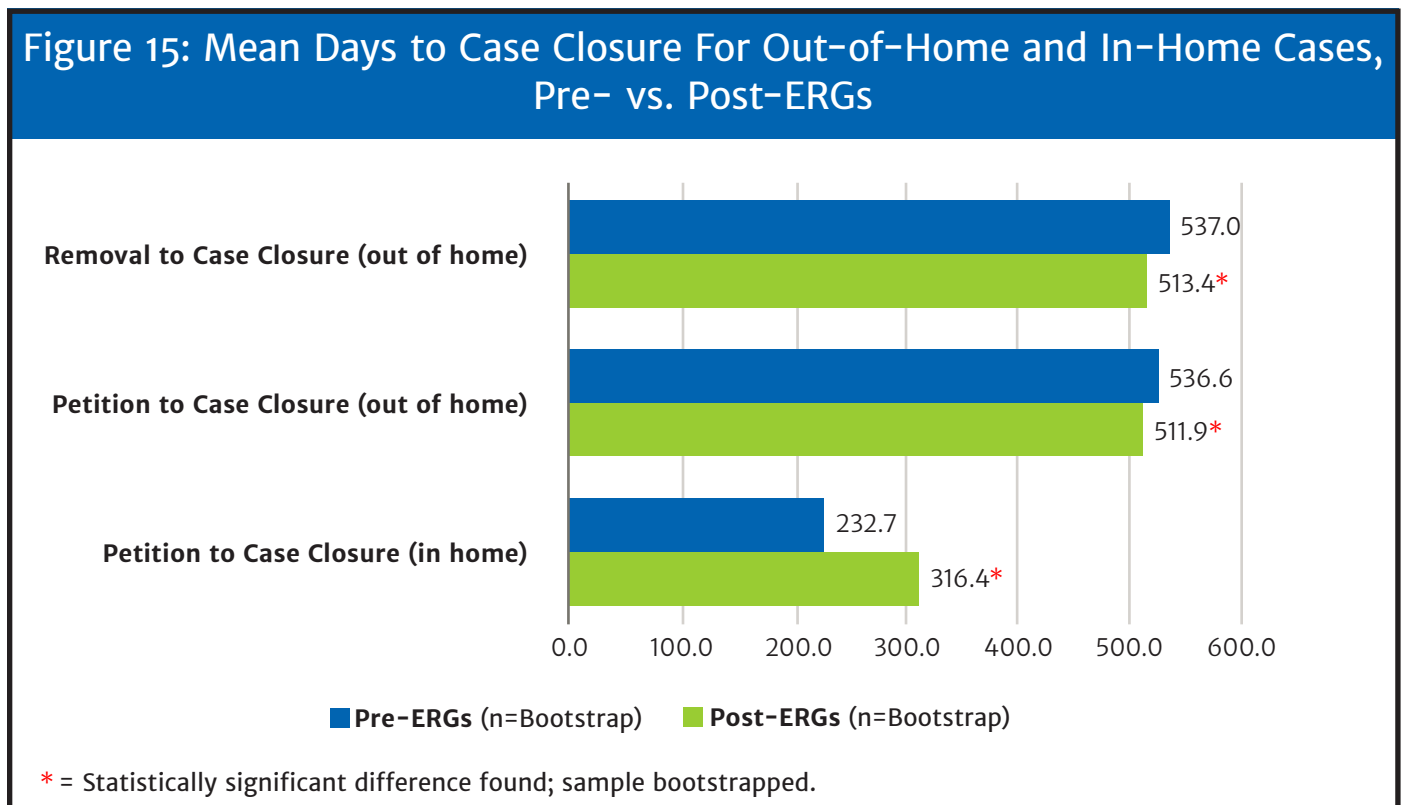
Termination of Parental Rights Practice

Termination of parental rights (TPR) case processing timelines were examined for both mothers and fathers with some nuanced attention to the time between the original dependency petition to the TPR petition, the time between the TPR petition and the first hearing for the parent in question, the time between the first hearing for a parent and a finding on the action, and the time between a TPR finding and a child reaching permanency through case closure. About 27% of the overall sample involved TPR actions, making the bootstrap process valuable for identifying significant findings. The Family Division improved timeliness in some areas but decreased in others (Figure 14). Notably, the court decreased the time between a TPR finding and reaching permanency, with permanency occurring on average 112 days faster from the father’s TPR finding and 134 days faster from the mother’s finding. The court also decreased the time required, on average, between the TPR petition and the first TPR hearing by 50 days for fathers and 52 days for mothers. The time between the filing of the original petition and a TPR petition increased for both fathers and mothers after ERGs implementation. The increase was 76 days overall for fathers and 108 days for mothers.



Time to Permanency (Case Closure)

A significant difference was found in the time to achieve permanency between the pre- and post-ERGs cases for out-of-home cases, with it taking less time to achieve permanency from removal in post-ERGs cases (a mean of 537 days) than it did in pre-ERGs cases (a mean of 513.4 days) (Figure 15). This represents a statistically significant difference of 23.6 days on average ($p < .05$) between pre- and post-ERGs cases. When measured from petition filing to case closure, the mean time to achieve permanency was 511.9 days in post-ERGs cases and 536.6 days in pre-ERGs cases. This difference of an average of 24.7 days was statistically significant ($p < .05$). While the overall time to permanency decreased for out-of-home cases, it increased for in-home cases from 232.7 days pre-ERGs to 316.4 days post-ERGs. In-home cases, on average, remained opened 83.7 days longer after the ERGs implementation.



Looking at the percent of cases closing within 12 months, 24 months, 36 months, and greater than 36 months of original petition filing, a greater proportion of out-of-home cases closed during the first 12 months (35% post-ERGs vs. 31% pre-ERGs) and no cases extended beyond 36 months (Table 8). While interesting and possibly useful for considering patterns between out-of-home and in-home cases the differences were not statistically significant.

Table 8: Percent of Cases Closing within Time Frames, Months from Petition to Closure, Pre- vs. Post-ERGs by Case Type

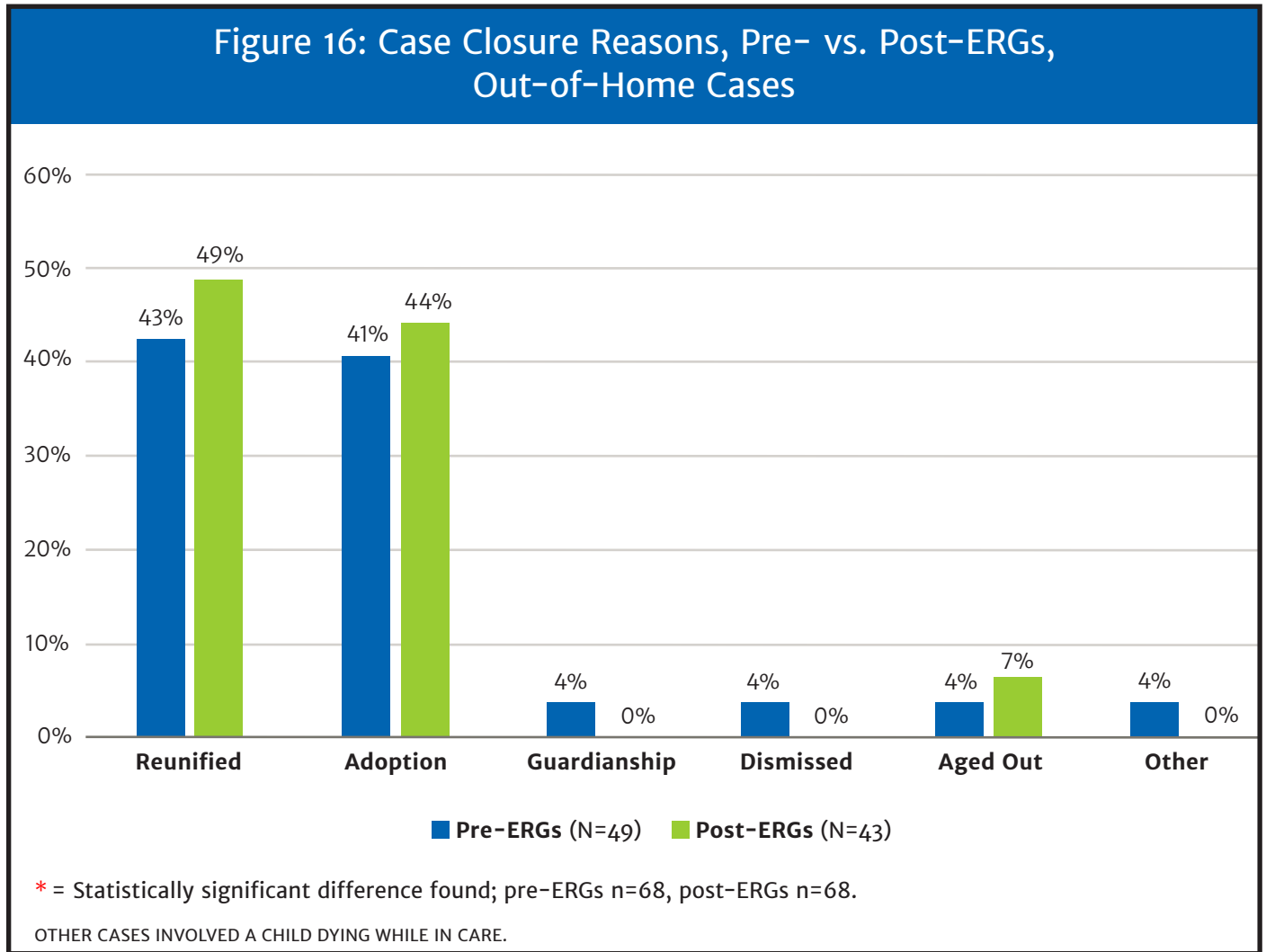
Permanency Time Frames	All Cases		Out-of-Home		In-Home	
	Pre (N=68)	Post (N=68)	Pre (N=49)	Post (N=43)	Pre (N=19)	Post (N=25)
12 Months or Less	46%	47%	35%	35%	74%	68%
Between 12 and 24 Months	38%	35%	43%	42%	26%	24%
Between 24 and 36 Months	10%	18%	14%	23%		8%
Greater than 36 Months	6%	0%	8%	0%		0%
Total	100%	100%	100%	100%	100%	100%

Permanency Outcomes:

4) What effect does the ERGs implementation have on permanency outcomes?

Permanency Outcomes (Case Closure Reasons)

Selecting out-of-home cases only, the case closure reasons were examined for both the pre- and post-ERGs groups. Family reunifications increased 14% post-ERGs and adoptions increased 7%. Though still a small proportion, guardianships also increased and the number of dismissals was reduced to zero in the post-ERGs group. In contrast, the proportion of youth aging out increased slightly post-ERGs. While encouraging, the differences were not statistically significant at the $p < .05$ level (Figure 16).



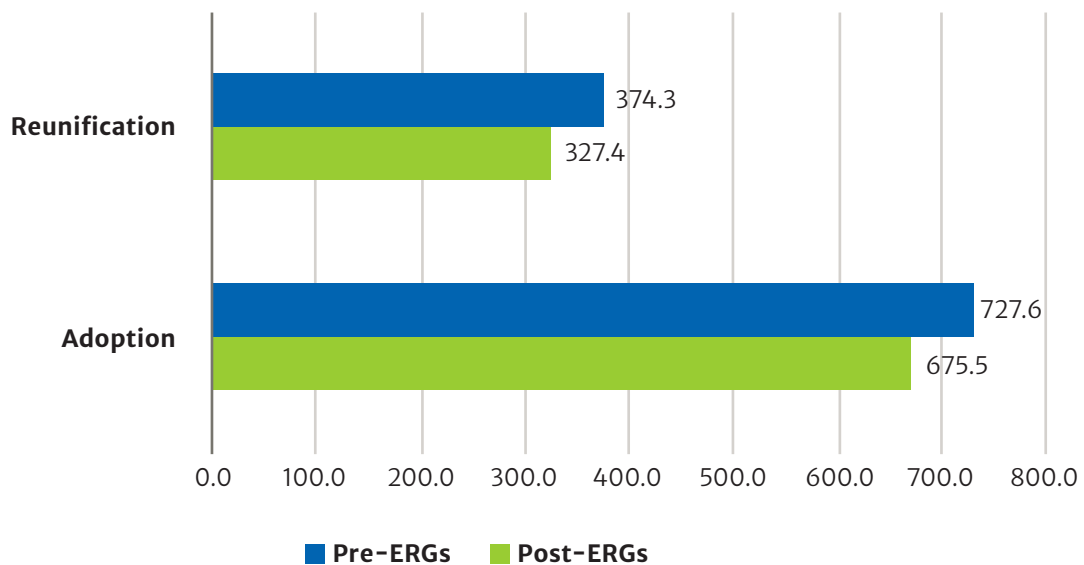
Number of Placements:

A related measure of child permanency is the number of placement changes children experience throughout the life of the case. The mean number of placement changes increased slightly between the pre- and post-ERGs time frames from an average of 1.5 placements pre-ERGs to 1.8 post-ERGs. However, the difference was not statistically significant at $p < .05$ (Figure 15).

Time to Permanency by Permanency Outcome

The time from original petition filing to permanency by reunification, adoption, and guardianship was calculated for the pre- and post-ERGs groups of cases. Each of these outcomes took less time to achieve in the post-ERGs cases (Figure 17). For example, reunification on average took about 47 fewer days from the original petition filing to close. The time to close adoption cases on average decreased by about 52 days. While the findings indicate progress in a positive direction, neither difference was statistically significant at $p < .05$. No cases were closed with guardianship in the post-ERGs sample.

Figure 17: Mean Days from Petition Filing to Permanency Outcome for Removal Cases, Pre- vs. Post-ERGs



Discussion

The Saginaw County Family Division has worked to improve the internal quality of child abuse and neglect case process by implementing the best practice recommendations of the NCJFCJ's Enhanced Resource Guidelines (ERGs). These efforts were initially supported in the ERGs Fidelity Assessment phase of the study and later confirmed by pre- and post-ERGs evaluation data. When comparing cases that closed pre-ERGs implementation to cases that closed post-ERGs implementation, several significant improvements in case process and outcomes were found. These findings are summarized below by the research questions addressed by this evaluation.

1) How similar are the pre- and post-ERGs implementation cases in terms of case demographics or characteristics?

No significant differences in age of children at the time of petition filing, gender of the child, number of ICWA cases, or mean number of allegations or presenting problems per case were found between the pre- and post-ERGs groups. However, for type of allegation and presenting problem, more neglect and threat of harm were found in the post-ERGs cohort, as well as more domestic violence and parental criminal activity presenting problems in post-ERGs cases (and these differences were statistically significant).

2) What effect does the ERGs implementation have on court hearings?

Preliminary protective hearings, adjudication hearings, review hearings, and permanency hearings all lasted longer on average post-ERGs implementation, with review hearings lasting significantly longer (an average of 25.90 minutes more than pre-ERGs, $p=.013$) in the post-ERGs hearings.

The Family Division significantly decreased continuances post-ERGs implementation. The ERGs recommend that the court develop a firm and effective policy on continuances, with continuances only being granted when attorneys or parties are ill, essential witnesses cannot be located, or services of process have not yet been completed. Continuances should not be granted based upon the stipulation of parties.

A key best practice recommendation of the ERGs is the judicial engagement of parents. Compared to pre-ERGs, judges were significantly more likely to engage mothers in the post-ERGs hearings by explaining the purpose of hearings, addressing the mother by name, and allowing the mother to be heard. Judicial officers were also more likely to engage fathers in the post-ERGs hearings by allowing them to be heard. Hearing topics with significant increases in discussion from pre-ERGs to post-ERGs were child placement, trauma, maintaining permanency connections, and visitation with siblings.

Research indicates that engaging parents and youth in child abuse and neglect hearings is associated with positive case outcomes.¹⁸ The court should do all that it can to encourage and support the meaningful engagement of children, youth, and families in the child welfare process and proceedings, including increasing the appearances at hearings throughout the case process for engagement. Children were rarely present in cases in both the pre- and post-ERGs cases in either the hearing observation or the case-file review data. The ERGs recommend that children attend all court hearings if age appropriate and if there are no safety or trauma concerns. The Family Division should explore the barriers that may currently exist to increasing children's presence at court hearings.

3) What effect does the ERGs implementation have on case processing and permanency (case closure) timeliness?

Overall, the evaluation found significant improvements in post-ERGs cases, over pre-ERGs cases, in both case processing timeliness and the time to achieve permanency (case closure). The reforms succeeded in decreasing the number of days from removal. The original petition filing to the preliminary protective hearing decreased by nearly a week. The time to reach adjudication from the original petition filing decreased by 50 days and the time to reach the first review hearing on the case decreased 45 days. The cumulative impact was to decrease the time to case closure for out-of-home cases. Furthermore, improvements in TPR case processing timelines were found in post-ERGs cases with statistically significant differences found for the time from permanency, which on average occurred 112 days faster, for example, between the mother's TPR finding and 134 days faster from the mother's finding.

A significant difference was found in the time to achieve permanency between the pre- and post-ERGs cases for out-of-home cases, with it taking less time to achieve permanency from removal in post-ERGs cases (a mean of 537 days) than it did in pre-ERGs cases (a mean of 513.4 days). This represents a statistically significant difference of 23.6 days on average ($p < .05$) between pre- and post-ERGs cases.

Significant differences were found in the time to achieve permanency between the pre- and post-ERGs cases. It took an average of about 24 days less to achieve permanency from removal ($p < .05$) and an average of 25 days less to achieve permanency from petition filing ($p < .05$) in the post-ERGs cases. Looking at the percent of cases closing within 12 months, 24 months, and 36 months of original petition filing, fewer cases extended beyond 36 months post-ERGs (none did regardless of out-of-home or in-home status).

18. See for example, Russell, J. & Summers, A. (2013). Reflective decision-making and foster care placements. *Psychology, Public Policy and the Law*, 19, 127-136; Macgill, S. and Summers, A. (2014). Assessing the relationship between the quality of juvenile dependency hearings and foster care placements. *Family Court Review*, 52, 678-685; Gonzalez, C., & Summers, A. (2014). *Assessing the long-term effects of courts catalyzing change preliminary protective hearing benchcard*. Reno, NV: National Council of Juvenile and Family Court Judges; and Summers, A. & Gatowski, S. (2018). *Nevada Hearing Quality Study: Examining the Quality of Child Welfare Court Hearing Practice in Nevada*. Carson City, NV: Nevada Court Improvement Program.

4) What effect does the ERGs implementation have on permanency outcomes?

Pre- and post-ERGs cases were compared on the permanency outcomes achieved. Only small differences were found in case outcomes in both groups, and the differences were not statistically significant, indicating that similar permanency outcomes were achieved in cases pre- and post-ERGs implementation. While reunification and adoption all took less time to achieve in the post-ERGs sample of cases, the differences were not statistically significant.

Summary

This evaluation of child abuse and neglect case process and outcomes using a pre- and post-ERGs implementation measurement research design found several significant areas of improvement since the Saginaw County Family Division first began implementing the ERGs-based practice reforms. The evaluation confirms that the Family Division has achieved important progress, with measurable positive impacts on hearing quality and judicial oversight in dependency cases, reduction of continuances, earlier substantive preliminary protection hearings, and overall timeliness of the hearing process. Continuing to strengthen and sustain the ERGs-related reforms is likely to make the court a leader in improving court practices in child abuse and neglect cases to the benefit of children and families but will need to be accompanied by ongoing performance measurement in a continuous quality improvement (CQI) cycle. The NCJFCJ can assist the court in identifying jurisdictions that have implemented CQI in dependency cases and the resources required to sustain improvements. The Family Division's current action plan, developed in collaboration with the NCJFCJ site manager, contains key strategies that may produce additional improvements, and the research team provides four additional recommendations in the report executive summary.



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