

Court-Agency Collaboration in Child and Family Service Reviews (CFSRs):



Steps for Each Stage of the Process

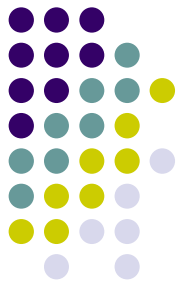
**Hon. Stephen W. Rideout & Hon. William Jones
ABA Center on Children and the Law**

June 26, 2007

Court-agency CFSR collaboration: what's in it for the judiciary?



- Better cooperation from state and local child welfare agencies.
- Can lead to:
 - Improved agency performance
 - Documentation and court testimony
 - Court reports
 - Less frustration
 - Timelier court reports
 - Timelier service delivery and follow up



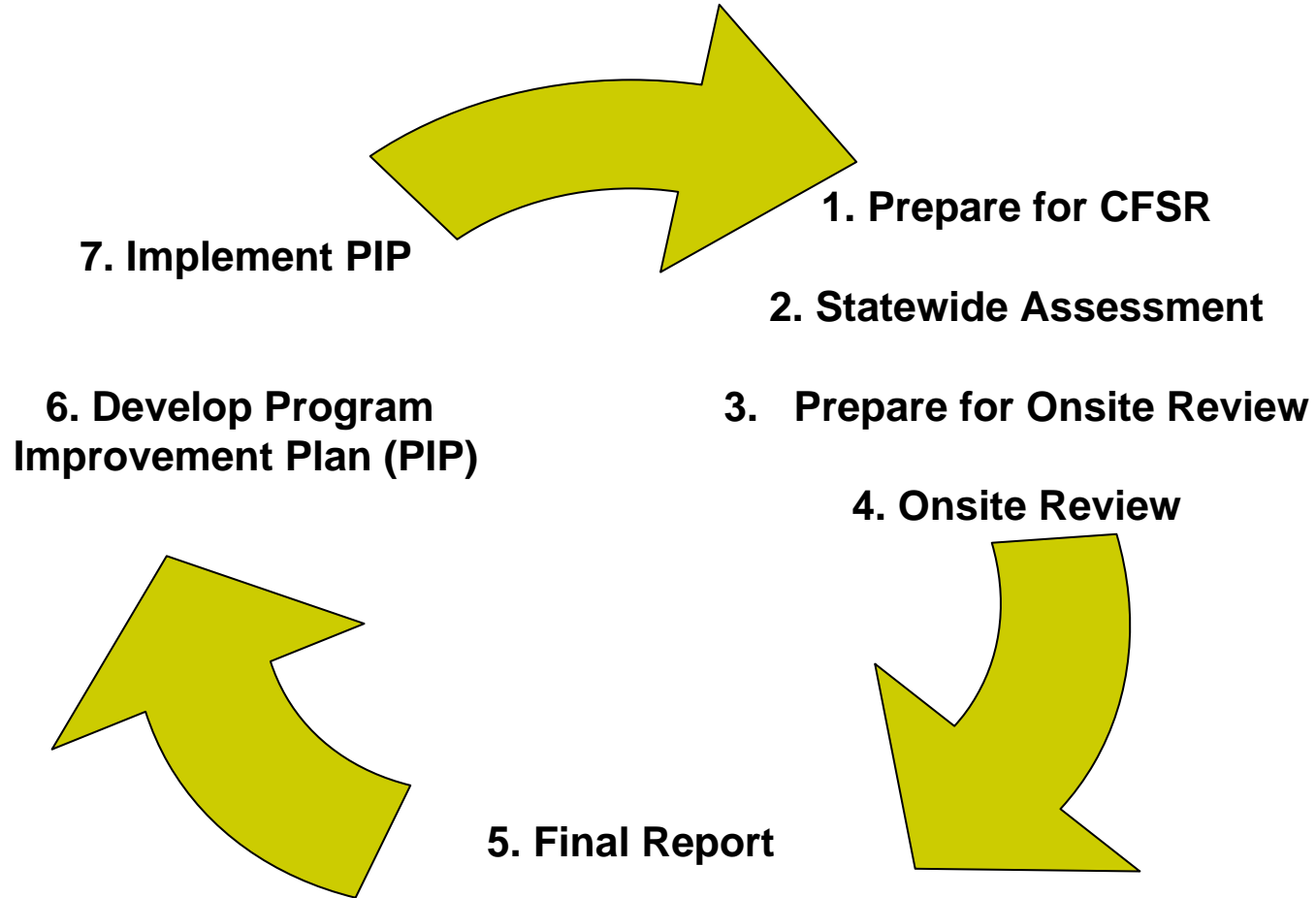
- More resources for the courts
 - Agency and others support court requests for more judges or staff
 - Agency improves its legal representation
- Better results for children and families
 - More informed and timely decisions by courts
 - Children are more safe
 - Permanency achieved sooner
- All professionals more engaged in improving practice

Court-agency CFSR collaboration: what's in it for agencies?



- More efficient use of resources
 - Less waiting time in court
 - Improved court reports and documents
- Less frustration and stress
 - More confident testimony
 - Joint problem solving
 - More respect from judges & court staff
- Better outcomes for children and families
 - Better safety and timeliness
 - Better and more informed court decisions

CFRS Process



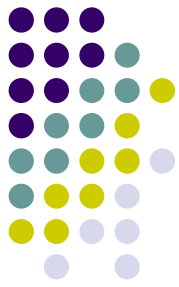
Prepare for CFSR



- Courts identify and contact lead CFSR person to set up meeting
 - Courts involve CIP director or other key AOC staff in meeting
 - Courts involve knowledgeable judges in meeting
- Court and agency leaders brief judges
 - On CFSR
 - On courts' role in CFSR



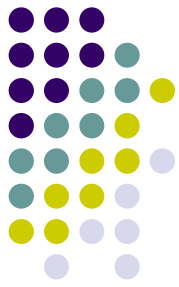
- Agency leaders
 - Invite courts and judges to be on CFSR advisory groups and/or subcommittees
 - Provide CFSR materials & agenda to judicial leaders well in advance of meetings
 - Set advisory group meetings well in advance so judges can arrange court dockets
- Court leaders
 - Provide advisory group with relevant court info well in advance of meetings



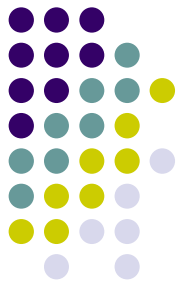
- Court and agency leaders share data:
 - Provide agency state performance data to court
 - Provide Court CIP strategic plan to agency
 - Provide Court CIP Reassessment & other relevant legal system data and reports to agency
- Court and agency leaders develop and sign a MOU on CFSSR cooperation



- Court and agency leaders discuss state performance data:
 - Define data that is helpful for courts
 - Consider how the quality of court operations could impact state performance as shown in the CFSR.
 - Does data suggest other questions for courts and agency to consider?
 - (In the context of statewide assessment and onsite review.)



- Court leaders discuss statewide assessment, final report, PIP, and PIP progress from the first CFSR.
- CIP director explains forthcoming CFSR.
 - Uses email groups and meetings of judges and key state court leaders and personnel
 - Uses email groups, special meetings and meetings of CIP advisory group.



- Lead judges explain forthcoming CFSR to other judges.
 - Use email groups, periodic meetings of judges, judicial conferences.
- Lead attorneys report forthcoming CFSR to other attorneys.
 - Use email groups, periodic meetings of groups of attorneys, bar conferences.

Statewide Assessment



1. Court and agency leaders cooperate in statewide assessment pursuant to MOU:
 - Legal system representatives (Attorneys and CIP staff) write portions of narrative description.
 - Legal system/agency leaders (Lead judges, CIP director, and agency director) review legal system portion of it.
 - Judicial system leaders review agency's drafts of it
 - Judicial system involvement in narrative description follows MOU agreement.



2. Court leaders recruit attorneys and CIP staff to help write narrative description
3. Legal system representatives
 - a. Gather information (including from CIP Reassessment) to help complete statewide assessment.
 - b. Write memo on legal and judicial dimensions of CFSR.
 - c. Draft portions of narrative description.
 - d. Legal system representatives (and court leaders) comment on other portions of narrative description.

Prepare for Onsite Review



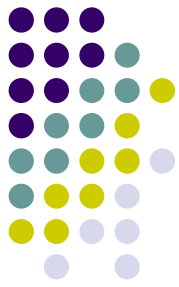
1. Court leaders

- a. Work with the agency to arrange logistics for “stakeholder” interviews and case interviews with judges, attorneys, and court administrators.
- b. Recruit and explain the CF SR to persons who will participate in the case review portion of the onsite reviews.
 - These may include attorneys, CIP director or staff, retired judges, or judges from other states.



2. Court and agency leaders provide written materials to legal system representatives who will participate in the case review portion of the CFSR, including:

- Description of CFSR.
- Questions and issues for stakeholders to discuss (including but not limited to stakeholder interview forms).
- Case review forms for legal personnel participating in case reviews.
- Copies of statewide assessment.



3. Court and agency leaders provide briefings to legal system persons (e.g., judges and agency counsel) who will be interviewed during the onsite review.
 - Questions to be asked.
 - Information about the CF SR process.
4. Court and agency leaders provide materials and training about CF SR to broader audiences – judges, lawyers, key court staff, and agency staff.

The Onsite Review



1. Legal system representatives
 - a. participate in “stakeholder” interviews.
 - b. participate on two-person teams that review individual cases and prepare memos about their experiences.
2. Court leaders and legal system representatives participate in federal debriefing at the close of the onsite review.

Final report

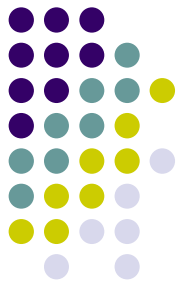


- Agency leaders give court leaders and legal representatives a copy of the final report as soon as it is available.

Program Improvement Plan (PIP)



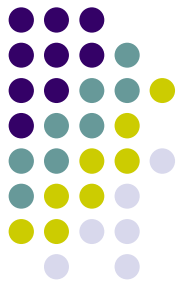
1. Court (CIP director or staff) shares CIP strategic plans with agency leaders.
2. Court leaders (CIP director, lead judges, and CIP advisory committee) develop proposed PIP “action strategies.”
 - To address those CFSTR outcomes & systemic factors –
 - that have important legal and judicial dimensions and for which state was not in substantial conformity.



3. Agency leaders comment on courts' action strategies.
4. Court leaders and legal system reps comment on proposed agency PIP action strategies.
 - CIP director and staff prepare comments and coordinate collection of comments from members of CIP advisory committee, including lead judges and lead attorneys.



5. Agency leaders consult with court leaders during negotiations with federal government regarding PIP.
6. When available agency leaders give court leaders copies of federal government's comments on proposed PIP.
7. Agency and court leaders continue to collaborate on developing PIP relevant parts have federal approval.



PIP Implementation

1. Court and agency leaders:
 - a. Form joint working groups or task forces.
 - b. Allocate staff support.
2. Court leaders promptly share revisions of CIP strategic plans and CIP progress reports with agency representatives.



3. Agency consults with court leaders on any proposed revisions of PIP.
 - Especially, share those portions relevant to courts' action plans.
4. Agency promptly shares revisions of PIP with court representatives.
5. When agency sends quarterly reports to fed. Gov't., they also send copies to court leaders.
6. Each quarter court and agency leaders meet to discuss PIP progress and share relevant information.

PIP Implementation



7. Lead judges report PIP progress to other judges.

- Through email groups, periodic meetings of judges, judicial conferences.

8. Lead attorneys report PIP progress to other attorneys.

- Through email groups, periodic meetings of groups of attorneys, bar conferences.

To Contact the ABA



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