



JUDICIAL COURT & ATTORNEY MEASURES OF PERFORMANCE

Measuring child welfare court performance in Georgia

CIP STRATEGIC PLAN ITEMS

- ▶ Increased confidence in and reliance on **data** when making decisions regarding policy, practice, training, funding, and legislation
- ▶ Increased compliance with ICWA screening in all dependency cases
- ▶ Improved permanency outcomes and compliance with statutory timelines
- ▶ High quality dependency hearings
- ▶ Improved representation for parents
- ▶ Increased number of Child Welfare Law Specialists

JCAMP



Capacity Building
CENTER FOR COURTS



Children's
Bureau



Judicial Council of Georgia Administrative Office of the Courts



PILOT PROJECT



OFFICE *of the*
CHILD ADVOCATE

DEVELOPING MEASURES

- ▶ COURT PERFORMANCE
 - ▶ Court observation
 - ▶ Court file review
- ▶ ADMINISTRATIVE DATA
 - ▶ Court orders
 - ▶ Appeals
- ▶ PARTICIPANT EXPERIENCE
 - ▶ Surveys of attorneys and judges
 - ▶ Surveys of youth
 - ▶ Surveys of parents



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NEEDS ASSESSMENT

- ▶ What are the current goals/priorities for my organization/site/state?
- ▶ What were our CFSR findings and how might court data inform our state's program improvement plan (PIP)?
- ▶ Are there specific programs or practices that we would like data to support?
- ▶ What are the things I most need to know to improve practice?
- ▶ What is the topic of our CIP/child welfare agency joint project?
- ▶ What are our legislative priorities?

HEARING QUALITY

- ▶ Judge activities during hearing
- ▶ Attorney activities during the hearing
- ▶ Due process during the hearing
- ▶ Discussion of key issues
- ▶ Family experience during the hearing

COURT PERFORMANCE

- ▶ Does the court make accommodations for incarcerated parents?
- ▶ Does the court provide interpreters for parents/children?
- ▶ Does the court appoint parent/child attorneys appointed early in the case?
- ▶ Does the court inquire about Native heritage of the parents?
- ▶ Does the court make a finding about whether ICWA applies?
- ▶ Does the court inquire about reasonable efforts?
- ▶ Do court make detailed reasonable efforts findings?
- ▶ Does the court make a visitation order at the end of every hearing?
- ▶ Does the court provide orders to the parties after every hearing?

Judge Practice

Did the judge...	Yes	No	N/A	UD
Inquire about Indian heritage? [2.6]				
Make a finding that ICWA does or does not apply? [2.6]				
Provide certified interpreters and documents written in a parent's primary language? [2.6]				
Ask about parent's availability to attend the next hearing? [2.6]				
Admit the GAL's written report as evidence into the record?				
Ask the GAL for a recommendation?				

Judicial Discussion of Reasonable Efforts/Active Efforts and Findings on the Record

Did the judge make a reasonable or active efforts finding verbally on the record? Yes No [5.4]

If yes, what was the finding: [5.4] The agency made reasonable/active efforts

- Reasonable/active efforts were made to prevent removal
- Reasonable/active efforts were made to reunify/finalize permanency
- The agency did not make reasonable/active efforts
- Reasonable/active efforts were not required

Was the reasonable efforts finding detailed? Yes No N/A

Did the judge reference evidence on which the reasonable efforts decision was based? Yes No N/A

Was the reasonable efforts finding case specific? Yes No N/A

Was the written order provided to the parent(s) at the conclusion of the hearing? Yes No UD [2.6]

JUDICIAL PRACTICE

ATTORNEY PERFORMANCE

- ▶ Do agency attorneys call witnesses?
- ▶ Do agencies proffer evidence rather than call witnesses?
- ▶ Do parent attorneys cross examine witnesses?
- ▶ Do parent attorneys call witnesses?
- ▶ Did the parent attorney advocate for tailored services designed to support reunification?
- ▶ Do children's attorneys advocate regarding placement?
- ▶ Do children's attorneys advocate for what their clients want?

AGENCY ATTORNEY PRACTICE

Attorney Practice			
Did the state/agency attorney...	Yes	No	N/A
Present "evidence" on the record (see list below for types)			
Sworn testimony through witness(es) [3.7b]			
Report (or document) submitted into evidence			
Proffered facts in lieu of evidence			
Facts to which all parties stipulate			
Cross examine at least one witness? [3.7b]			
Include favorable evidence about the family on the record? [3.7c]			
Present any of the following evidence during the hearing about reasonable efforts made by the agency to prevent removal? [4.6]			
<input type="checkbox"/> Caseworker written report <input type="checkbox"/> Caseworker testimony <input type="checkbox"/> Expert testimony: _____ (who) <input type="checkbox"/> Other testimony: _____ <input type="checkbox"/> Other evidence: _____			
Present evidence during the hearing about reasonable or active efforts made by the agency to finalize the permanency plan? [5.13]			
What evidence was presented (check all that apply) <input type="checkbox"/> Caseworker written report <input type="checkbox"/> Caseworker testimony <input type="checkbox"/> Expert testimony: _____ (who) <input type="checkbox"/> Other testimony: _____ <input type="checkbox"/> Other evidence: _____			

PARENT ATTORNEY PRACTICE

Did parent attorney 2...	Yes	No	N/A
Call at least one witness? [3.5b]			
Cross examine at least one witness? [3.5b]			
Present "evidence" on the record (see list below for types of evidence)....			
Provide sworn testimony through witness(es) [3.5b]			
Submit report (or documents) as evidence			
Proffer facts in lieu of evidence			
Stipulate to evidence			
Argue for or request services to address parents' needs? [3.5b]			
Make efforts to ensure the service plan is reasonable, achievable, and relevant? [3.5b]			
Advocate for family time/visitation? [5.15]			
Advocate regarding placement? [5.15]			
Advocate for tailored services to support reunification? [5.15]			
Cross examine reasonable/active efforts to prevent removal? [4.4]			
Raise the issue of reasonable/active efforts if not previously raised? [4.5]			

CHILD ATTORNEY PRACTICE

Did the child or youth attorney/GAL...	Yes	No	N/A
Call at least one witness? [3.6b]			
Cross examine at least one witness? [3.6b]			
Present "evidence" on the record (see list below for types of evidence)....			
Sworn testimony through witness(es) [3.6b]			
Report (or document) submitted into evidence			
Proffered facts in lieu of evidence			
Facts to which all parties stipulated			
Argue for or request services to address parents' needs? [3.6b]			
Share the child/youth's wishes with the court? [3.6b]			
Advocate for the child's stated wishes?			
Cross examine reasonable/active efforts to prevent removal [4.4]			
Raise the issue of reasonable/active efforts if not previously raised? [4.5]			
Advocate for family time/visitation [5.16]			
Advocate regarding placement [5.16]			
Advocate for tailored services to support reunification [5.16]			
Advocate for exploration of relative resources for permanency [5.16]			
Advocate for guardianship or adoption and not for <u>APPLA</u> (aging out of foster care) [5.16]			
Prepare a written report (if serving as GAL)?			

TOPICS OF “DISCUSSION”

Discussion Level of discussion 0=no discussion, 1=1-2 statements, 2=more than 2 statements

	Level of Discussion			Judicial Inquiry of Topic?	
Child's current placement [1.10]	N/A	0	1	2	Y N
Child's educational needs/placement [1.10]	N/A	0	1	2	Y N
Child's physical health/development [1.10]	N/A	0	1	2	Y N
Child's mental health [1.10]	N/A	0	1	2	Y N
Nature, extent, and quality of family time [1.10 & 5.7]	N/A	0	1	2	Y N
Paternity/locating parents [1.10]	N/A	0	1	2	Y N
Relative resources [1.10]	N/A	0	1	2	Y N
Child's cultural needs [1.10]	N/A	0	1	2	Y N
Needs related to aspects of the child's sexual orientation or gender identity [1.10]	N/A	0	1	2	Y N
Parent's rights/process/permanency timelines [1.10 & 2.6]	N/A	0	1	2	Y N
Safety threats leading to removal [4.2]	N/A	0	1	2	Y N
Parent's protective capacity [4.2]	N/A	0	1	2	Y N
Child vulnerabilities [4.2]	N/A	0	1	2	Y N
Parent's involvement in the case plan development [5.7]	N/A	0	1	2	Y N
What is preventing the child from returning home today [4.2]	N/A	0	1	2	Y N
Agency's efforts to prevent removal [4.3]	N/A	0	1	2	Y N
Agency efforts to reunify or finalize permanency [5.7]	N/A	0	1	2	Y N
Parent's access to and receipt of relevant services [5.9]	N/A	0	1	2	Y N
P Concrete steps to achieve permanency [5.7]	N/A	0	1	2	Y N
P Barriers to finalize permanency [5.7]	N/A	0	1	2	Y N
P Timeline to finalize permanency [5.7]	N/A	0	1	2	Y N
P Youth's involvement in permanency planning [5.7]	N/A	0	1	2	Y N

CASE FILE REVIEW

JCAMP Case File Review Instrument: Georgia

CODER: _____ DATE CASE CODED: ___/___/___ CASE NO: _____
JUDGE: _____ SITE: _____ CODING LOCATION: _____

Parent 1: Mother

Race/Ethnicity: White African American Hispanic American Indian Asian/Pacific Islander
 Other Unknown/Unreported

Parent 2: Father

Putative? Yes No UD

Race/Ethnicity: White African American Hispanic American Indian Asian/Pacific Islander
 Other Unknown/Unreported

Child 1

Date of Birth: ___/___/___

Gender: Male Female Transgender None of these Unknown/Unreported

Ethnicity: White African American Hispanic American Indian Asian/Pacific Islander

Other Unknown/Unreported

ICWA Case? Yes No UD Date identified as ICWA ___/___/___

Does the court inquire about ICWA eligibility? Yes No UD Date ___/___/___

Date of appointment of attorney for Parent 1 ___/___/___ UD First Date in Order: ___/___/___

Date of appointment of attorney for Parent 2 ___/___/___ UD First Date in Order: ___/___/___

Date of appointment of child attorney ___/___/___ UD First Date in Order: ___/___/___

Type of advocate: Attorney Attorney dual role

Date of appointment of Guardian ad litem ___/___/___ UD First Date in Order: ___/___/___

Type of advocate: Attorney Guardian ad litem Lay Guardian ad litem

Date of appointment of CASA ___/___/___ UD First Date in Order: ___/___/___



CASE FILE REVIEW - ADJUDICATION

Point in Case (Date)	Check off all parties present	Notice/Service	Reasonable/Active Efforts
<p>Adjudication Hearing Date <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 ___/___/___ <input type="checkbox"/> UD <input type="checkbox"/> N/A <input type="checkbox"/> Calendared <input type="checkbox"/> Held <input type="checkbox"/> Consent/stipulation <input type="checkbox"/> Evidentiary hearing</p> <p>Date filed ___/___/___ <input type="checkbox"/> UD <input type="checkbox"/> N/A</p> <p>Adj Date for Other Parent ___/___/___ <input type="checkbox"/> UD <input type="checkbox"/> N/A <input type="checkbox"/> Calendared <input type="checkbox"/> Held <input type="checkbox"/> Consent/stipulation <input type="checkbox"/> Evidentiary hearing</p> <p>Date filed ___/___/___ <input type="checkbox"/> UD <input type="checkbox"/> N/A</p>	<p>P1 <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 <input type="checkbox"/> Child/youth <input type="checkbox"/> Parent 1 Attorney <input type="checkbox"/> Parent 2 Attorney <input type="checkbox"/> Child Attorney/GAL <input type="checkbox"/> GAL <input type="checkbox"/> CASA <input type="checkbox"/> State Attorney</p> <p>P2 <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 <input type="checkbox"/> Child/youth [1.2] <input type="checkbox"/> Parent 1 Attorney [3.1] <input type="checkbox"/> Parent 2 Attorney [3.1] <input type="checkbox"/> Child Attorney/GAL [3.2] <input type="checkbox"/> GAL <input type="checkbox"/> CASA <input type="checkbox"/> State Attorney [3.3]</p>	<p>Evidence of service <input type="checkbox"/> P1 was served <input type="checkbox"/> UD Date: ___/___/___ <input type="checkbox"/> UD Is there a finding in the final order? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> P2 was served <input type="checkbox"/> UD Date: ___/___/___ <input type="checkbox"/> UD Is there a finding in the final order? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Reasonable efforts (RE) Finding Made <input type="checkbox"/> Yes <input type="checkbox"/> No Is it <input type="checkbox"/> reasonable or <input type="checkbox"/> active (AE) Finding <input type="checkbox"/> RE/AE were made <input type="checkbox"/> RE/AE not made <input type="checkbox"/> RE/AE not required <input type="checkbox"/> Prevent removal <input type="checkbox"/> Reunify/finalize permanency Does the finding include detail of how agency worked with family? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>Visitation</p> <p>Does visitation apply? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Includes a detailed visitation order for P1? <input type="checkbox"/> Yes <input type="checkbox"/> No P1 Visits <input type="checkbox"/> Supervised <input type="checkbox"/> Unsupervised <input type="checkbox"/> UD Family like setting? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> UD [4.10]</p> <p>Includes a detailed visitation order for P2? <input type="checkbox"/> Yes <input type="checkbox"/> No P2 Visits <input type="checkbox"/> Supervised <input type="checkbox"/> Unsupervised <input type="checkbox"/> UD Family like setting? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> UD</p>

CHILD AND PARENT EXPERIENCE

- ▶ Do parents, children, and youth feel engaged in the process?
- ▶ Do children and youth attend hearings?
- ▶ Are parents satisfied with their attorney's representation?
- ▶ Are youth satisfied with their attorney's representation?
- ▶ Do parent attorneys advocate for parents during hearings?
- ▶ Do parents feel they were treated fairly
- ▶ Do children feel their voices were heard?

Statement	Scale
The judge understands my needs and wishes [1.11]	1 2 3 4 5
I had an opportunity to say the things I wanted to say in my court hearings [1.11]	1 2 3 4 5
I was able to speak and be understood in my preferred language	1 2 3 4 5
All of my questions were answered [1.11]	1 2 3 4 5
I understand what must be done to resolve the case [1.11]	1 2 3 4 5
I understand what happened during the hearing and what comes next [1.11]	1 2 3 4 5
The judge treated me with respected during the hearing [1.11]	1 2 3 4 5
I felt like I was part of decision-making for my case [1.11]	1 2 3 4 5
The judge treated me fairly at my hearings [2.10]	1 2 3 4 5
My attorney treated me fairly [2.10]	1 2 3 4 5
The other attorneys treated me fairly in court [2.10]	1 2 3 4 5
I felt like my voice was heard at court [2.10]	1 2 3 4 5
I was satisfied with my court experience [2.10]	1 2 3 4 5
The courthouse was easy to navigate [2.10]	1 2 3 4 5
I was able to complete my court business in a reasonable amount of time [2.10]	1 2 3 4 5
I was treated with courtesy and respect while at the courthouse [2.10]	1 2 3 4 5
Court staff paid attention to my needs [2.10]	1 2 3 4 5
I was satisfied with my attorney's representation [3.10]	1 2 3 4 5
My attorney understood my perspective [3.10]	1 2 3 4 5
My attorney listened to me [3.10]	1 2 3 4 5
My attorney treated me with respect [3.10]	1 2 3 4 5
I understand the role of my attorney [3.10]	1 2 3 4 5
My attorney helped prepare me for court [3.10]	1 2 3 4 5
I was able to talk with my attorney whenever I needed to [3.10]	1 2 3 4 5
I understood how my attorney planned to advocate for me in court [3.10]	1 2 3 4 5
I trust my attorney [3.10]	1 2 3 4 5
My attorney moved the case forward the way I wanted to [3.10]	1 2 3 4 5
My attorney helped me get services I needed [3.10]	1 2 3 4 5
My attorney helped me to get enough time to do the things I needed to reunify with my child(ren) [3.10]	1 2 3 4 5
I know what to do if I want to complain about my attorney [3.10]	1 2 3 4 5
I understand the safety risks to the child and how those led to my child's removal [4.11]	1 2 3 4 5
I understand the steps needed to have my child returned [4.12]	1 2 3 4 5
The judge considers the things that I do to protect my child in his/her decisions [4.13]	1 2 3 4 5
I feel like others listened to me when we were discussing safety planning [4.14]	1 2 3 4 5
I feel like others listened to me when we were discussing permanency for my child [5.18]	1 2 3 4 5

PARENT SURVEY (DRAFT)

YOUTH SURVEY (DRAFT)

I was satisfied with my lawyer's representation [3.11]	1	2	3	4	5	N/A
My lawyer understood my perspective [3.11]	1	2	3	4	5	N/A
My lawyer listened to me [3.11]	1	2	3	4	5	N/A
My lawyer treated me with respect [3.11]	1	2	3	4	5	N/A
I understand the role of my lawyer [3.11]	1	2	3	4	5	N/A
My lawyer explained BEFORE court what would happen in court in a way I understood [3.11]	1	2	3	4	5	N/A
My lawyer met with me AFTER court to explain what happened during my hearing in a way I understood [3.11]	1	2	3	4	5	N/A
My lawyer represented what I wanted to happen [3.11]	1	2	3	4	5	N/A
My lawyer advocated for what I wanted to have happen in my life.	1	2	3	4	5	N/A
My lawyer advocated for where I wanted to live permanently (for example: returning home, adoption, living with a relative).	1	2	3	4	5	N/A
I was able to talk with my lawyer whenever I needed to [3.11]	1	2	3	4	5	N/A
I trust my lawyer [3.11]	1	2	3	4	5	N/A
My lawyer asked for the things you wanted or needed (like visitation, services, personal rights)	1	2	3	4	5	N/A
My lawyer helped me get services I needed [3.11]	1	2	3	4	5	N/A
I knew what to do if I want to complain about my lawyer [3.11]	1	2	3	4	5	N/A



Help!

STAKEHOLDER SURVEY
(IN PROGRESS)

USING JCAMP IN THE FUTURE



- ▶ ESTABLISH BASELINE DATA!
- ▶ In conjunction with County Practice Guide
- ▶ MD CANI
- ▶ To inform training needs
- ▶ To assess training effectiveness