

Testimony of Lelia Baum Hopper
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Hearing on the Reauthorization of the Child Welfare Services program
and the Promoting Safe and Stable Families Program, including the Court Improvement Program

Good morning Chairman Davis, Ranking Member Doggett, and other members of the Subcommittee. Thank you for the opportunity to discuss the use of Court Improvement Program funding by the Virginia court system. I will share with you how this funding is enhancing the ability of our trial courts to adjudicate and dispose of child dependency cases in a manner that reunites families when that is safe and appropriate and promotes timely permanency for children.

My name is Lelia Baum Hopper, and I am Director of the Court Improvement Program in the administrative office of the courts in Virginia under the Supreme Court of Virginia. I have worked with the CIP since it was first authorized by the Congress and grants were made available to the courts in 1994. Virginia was awarded its first grant funds in early 1995. Each year since then the Virginia court system has applied for and received all available funding through CIP.

The early years of CIP in Virginia focused upon revising our laws, court procedures and forms to be in compliance with the Adoption and Safe Families Act (ASFA) and training judges, court personnel, members of the Bar, and social services professionals on the new timelines and required court findings. The challenge for CIP in Virginia and similar programs across the country is to sustain the considerable energy it requires of the judiciary and professionals who daily carry out the reforms of the late 1990's and early 2000's. Excellent court practice in the 21st Century requires that we go beyond the basics. Since 2006 when the new CIP grants for Training and Data Collection and Analysis were made available, we have been able to substantially improve upon and energize early system reform efforts.

The Basic, Training and Data Collection and Analysis Grants for the Court Improvement Program are supporting, among others, these activities:

- collaborative efforts at the local and state levels to tackle the challenges that vulnerable and troubled children and families present to the courts and human services agencies
- sophisticated local and state trainings and attendance at national educational conferences, and
- enhancements to court automated information systems that permit the tracking of child dependency cases, the measurement of court performance in these cases, and the sharing of information between the courts and social services.

In accomplishing this work, Virginia's CIP works with:

- 115 Juvenile and Domestic Relations District Court judges and their court staffs
- attorneys who represent social services agencies, parents, and children
- representatives of local social services agencies and their community partners, and
- state counterparts for these agencies.

We are inclusive of all of these key players in this court process because judges need accurate and comprehensive information about the children and families who come before them in order to make informed, effective and timely decisions on behalf of children and families. Court decisions define and refine agency actions over the life of a case and govern the lives and futures of the parties. To be effective, court decision-making requires that the state fulfill its responsibilities through the provision of services, and that parents, families and kin cooperate with these efforts on their behalf.

TRAINING GRANT

Training Grant funds awarded since 2006, including those planned through the end of this grant year, have enabled Virginia's CIP to sponsor or support with funding and staff, 123 local and state training events with more than 12,000 participants. In addition, we have provided funding for juvenile court judges, attorneys, child dependency mediators, and staff for Court Appointed Special Advocate (CASA) programs to attend 13 national educational events and institutes that have enhanced their skills in child dependency case processing and the understanding of permanency planning for children. The large majority of these individuals would not have benefited from these educational opportunities without CIP-funded support. Each of these professionals returns to their communities after these events better able to meet their obligations to the families and children with whom they work and to support an effective court process, when it is required.

There are other notable benefits to an enhanced understanding of the best practices associated with child abuse, neglect and foster care litigation and permanency planning for children among these constituencies. There are a multitude of people involved in these cases. The cases can be in court for a lengthy period of time with numerous hearings and court orders. The court case occurs simultaneously with the involvement of the local department of social services, schools, mental health agencies and other community professionals in assisting the child and family. The process is most effective when these professionals appreciate the role that each has to play in returning the child home, when that is appropriate, or securing some other safe and permanent placement for the child. Multidisciplinary trainings and meetings build trust, understanding, and lines of communication across the entourage of professionals who advise the court and serve these children and families.

Best Practice Court Program. In Virginia, many Juvenile Court judges provide leadership in their communities to improve child dependency court processes on a multidisciplinary basis. Their involvement is supported by CIP staff and funding through the Best Practice Court Program, instituted in 2002, and substantially supported in the past 5 years with Training Grant funds. Today, there are 37 active court teams which account for 60% of the foster care caseload in Virginia. These teams have contributed to a 27% statewide decrease in the total number of children in foster care in Virginia over the past three years. This reduction has been accomplished as part of the transformation of Virginia's children's services system, of which the courts were an integral part. The 39 lead judges represent 35% of Virginia Juvenile Court judges and are located in 22 of 31 Judicial Districts. The critical work of permanency planning for children is accomplished locally where judges hold court, lawyers represent children and parents, and child welfare professionals seek to protect and preserve families. Virginia's CIP is focused on supporting these efforts.

DATA COLLECTION AND ANALYSIS GRANT

Virginia began addressing issues with the tracking of child dependency cases in the Court Automated Information System in the late 1990's and identifying areas where measuring court performance would be useful and desirable. We also initiated efforts with the Virginia Department of Social Services to establish a data interface with the courts in this case area. Virginia's CIP completed a blue print in September 2000 with a multidisciplinary group entitled "Automating for Permanency." In 2004, we applied for and received a grant from the Department of Justice's Office of Juvenile Justice and Delinquency Prevention (DOJ/JJDP) to operate a demonstration project under the *Strengthening Abuse and Neglect Courts in America: Management Information Systems* (SANCA-MIS) project.

This work continued to be supported by the Data Grant awarded in 2006. Today, the Office of the Executive Secretary is able to produce 10 reports as part of this performance measurement. The reports are populated by case information entered by local juvenile court staff into the Juvenile Case Management System (JCMS). While these reports provide useful information that assists the courts in measuring performance, the programming format does not provide the end user with information to understand the data presented, or the ability to control the information viewed. In 2010, utilizing funding from the CIP Data Grant, Virginia began working with contract programmers to develop its court performance measures into web-based reports. This new format makes the reports more interactive and user friendly, allowing the end user to choose a pre-designed report, enter the specific date parameters s/he is interested in, and, where necessary, drill down into the system to review specific information about cases included in the data. Additional functionalities include the provision of data in pie charts, bar graphs or line graphs, as well as report filters. This project is scheduled to be completed by September 2011.

Analysis of Court Performance Measures for Child Dependency Cases. In 2008, CIP began to provide local juvenile courts with an analysis of their court performance measures for child dependency cases. The analysis process is initiated by the presiding judge of a local juvenile court and includes a written report by CIP staff and a meeting about the report data and recommendations to help the court improve its practices. CIP assists the judge and clerk with determining training needs for clerk's office staff on data entry requirements and on the necessity of new or additional court policies to improve court practice. To date, CIP has completed 15 court analyses.

E-Learning Programs for Judges and Clerks' Office Staff. When new judges are appointed to the juvenile court bench, or when new staff persons are hired to work in the juvenile court clerk's office, they often have limited experience working in child dependency cases. This is problematic because they are not familiar with the time lines for processing these cases, nor are they familiar with the adjudicatory or dispositional requirements of these cases. Training is offered on the law, process and use of forms applicable to child dependency cases in the court as part of the annual Pre-Bench Orientation Program for new Juvenile and Domestic Relations District Court judges, and as part of the Juvenile and Domestic Relations District Court New Employee Basic Course. However, a judge or clerk may be in their position for several weeks to several months before any substantive training is received.

In 2009, in an effort to make training on processing child dependency cases more readily available to judges and clerk's office staff, CIP developed its live training program, *Case Processing in Child Dependency Cases*, into two e-learning courses: *Foster Care Training*

Program for Judges and Foster Care Training Program for Clerks. Each course covers the following:

1. The role of the judge, clerk's office, attorneys, guardians ad litem (GAL) and local department of social services in the child dependency case process.
2. The timeliness of child dependency case hearings, including a review of Virginia's time line for abuse, neglect and foster care cases.
3. The appropriate use and proper completion of child dependency court forms in accordance with the individual stages of the child dependency case process provided in the time line.

Interface between the Court's Case Management System (CMS) and Virginia Department of Social Services' (VDSS) Online Automated Services Information System (OASIS). Discussions regarding an interface between the Court's CMS and VDSS's OASIS have been ongoing in Virginia for some time. Both agencies recognize that an interface will improve the ability of the courts and VDSS to process paperwork and make timely decisions that will promote safety and permanency for children in foster care. Staff time is also saved by the reduction in the amount of information the courts and local agencies will need to manually enter into the systems. This reduction in data entry limits the potential for errors and increases the accuracy of the data available in both systems. An Interface will also provide for more timely and accurate court-related information on the Active Foster Care List. Unfortunately, when discussions originated in 2004, an interface between the two systems was not possible. This was due, in part, to system capabilities.

In 2009, the courts and VDSS re-opened discussions on the establishment of a data interface. At that time, it was determined that there are no technical hurdles for the court or VDSS to overcome. Discussions regarding various implementation aspects, including the matching of case records, the format in which data will be exchanged, the frequency of the data exchange, and error handling are ongoing.

Implementation of this interface is scheduled to occur in two phases. Phase 1 implementation, which will include the transmission of data from OASIS to CMS, is anticipated to occur in late 2011. Phase 2 will include the transmission of data from CMS to OASIS.

Active Foster Care Children Report. While awaiting the establishment of a data interface, the courts and VDSS developed an electronic transmission from VDSS's OASIS, of the "Active Foster Care Children Report." Available online only to Juvenile Court judges, the report, which is updated daily, provides demographic and foster care placement information, as well as funding sources, for each child in foster care, identified by locality. It also supplies the date the agency took custody of a child, the child's program goal, and the child's last and next hearing date and type. Prior to electronic transmission, the report was provided semi-annually to the courts in hard-copy format.

CONCLUSION

Mr. Chairman and members of the Subcommittee, Virginia and other CIPs across the United States are effectively utilizing the grant funds Congress has appropriated to improve court practice. We believe we are making a measurable difference for children and families under the jurisdiction of the court system. Thank you for the opportunity to share Virginia's efforts with you. I would be pleased to answer any questions you may have.

Virginia Court Improvement Program 2011 Calendar of Events

March 8	Alexandria BPC Team, LTE
March 16	Processing Child Dependency Case Types in JDR Courts Clerk's Office Training - Fairfax
March 17	Processing Child Dependency Case Types in JDR Courts Clerk's Office Training – Richmond
March 20-22	National CASA Conference, Chicago, Illinois
March 21	Wise BPC Team, LTE
March 22-23	Processing Child Dependency Case Types in JDR Courts Clerk's Office Training – Wytheville
March 28-29	Processing Child Dependency Case Types in JDR Courts Clerk's Office Training – Hampton
March 30	Processing Child Dependency Case Types in JDR Courts Clerk's Office Training – Fredericksburg
April 4	Culpeper BPC Team, LTE
April 6	Winchester/Frederick BPC Team, LTE
April 8	Stafford BPC Team, LTE
April 12-13	CIP Conference for JDR Judges and Retired JDR Judges
April 14	Henrico BPC, LTE
April 14	Staunton/Augusta/Waynesboro BPC Teams, LTE
April 14	Roanoke FEM Training
April 15	Campbell/Bedford/Amherst BPC Teams, LTE
April 15	Abingdon FEM Training
April 29	Fredericksburg BPC Team, LTE
May 3	Loudoun Co. BPC Team, LTE
May 6	Hampton BPC Team, LTE
May 6	Virginia Beach BPC Team, LTE
May 12	Harrisonburg FEM Training
May 17	Fairfax BPC Team, LTE
May 20	Washington County/Bristol BPC Team, LTE
May 24	Northampton BPC Team, LTE
May 24	Richmond County BPC Team Community Meeting
May 25	Richmond FEM Training
May 26	Fairfax FEM Training
June 2	Campbell BPC Quarterly Training – Tumbling the Silos
June 8-10	One Child, Many Hands Conference for Child Dependency Mediators, Philadelphia, PA
June 15	Virginia Beach FEM Training
June 17	Newport News/Williamsburg/James City BPC Teams, LTE
June 20-24	NCJFCJ Child Abuse and Neglect Institute, Reno, NV
June 22	Richmond BPC Team, LTE
June 23	Franklin County BPC Team, LTE
June 24	Chesapeake BPC Team, LTE
June 29	Charlottesville/Albemarle/Nelson BPC Teams, LTE
June 30	Williamsburg FEM Training
July 13-14	2 nd National Parents' Attorney Conference, Arlington, VA
July 24-27	NCJFCJ 74th Annual National Conference, NY City, NY
August 10	Judicial Conference - CIP Day for All JDR Judges, Va. Beach
September 8-9	Sixth Statewide Best Practice Courts Conference - Williamsburg
September 23	CIP State Conference for Social Services Legal Counsel - Richmond

BPC—Best Practice Court

LTE—Local Training Event

FEM – Family Engagement Meeting

Note: The majority of these events are invitation only and are not open to the public.

Sustaining Energy for Permanency Planning for Children Virginia's Best Practice Courts¹

Lelia Baum Hopper, Director, Court Improvement Program, Office of the Executive Secretary, Supreme Court of Virginia

Summary: The author outlines best practice court activities and commitments and describes the extent of best practice court involvement.

Today's challenge for Court Improvement Programs is to sustain the considerable energy required of the judiciary and professionals who daily carry out reforms instituted in child welfare over the past 15 years. Excellent court practice in the 21st century requires that we go beyond the basics of teaching timelines, correct completion of court forms and "required federal findings." To be effective, court proceedings and orders must be supported by community professionals and services that respond in a holistic, therapeutic manner to child maltreatment and children at-risk of entry into foster care. Judicial leadership is essential to accomplish this result.

In 2002, requests by Virginia's juvenile and domestic relations district court judges for advanced training and assistance to support local efforts to improve permanency planning for children led Virginia's Court Improvement Program (CIP) to establish the Best Practice Courts Program. The program's core purpose is to help judges and court personnel ensure that each child's case is handled safely, expeditiously and in compliance with Virginia and federal requirements. However, there are other benefits to following the best practices associated with these case types.

Effective court processing of child dependency cases and enhanced community collaboration can have positive effects on the rest of the court's docket. Many of the same children and their families are involved in other disputes before the court, such as truancy, child in need of services, custody, support, visitation and domestic violence. Courts can pursue numerous avenues to impact their service to the public and institute long-term, institutional change. Participation as a best practice court (BPC) also offers judges the opportunity to share ideas and local initiatives with and learn from other Virginia judges and with courts of similar jurisdiction in other states. Becoming a BPC is part of a process. It is not a goal.

Activities for Best Practice Courts

- The Permanency Planning for Children Department of NCJFCJ has supported this program since its inception. Activities sponsored by Virginia's CIP for recognized BPCs include:
- Conference for new lead judges and new local teams with targeted training in judicial leadership and decision making. Six "new team" conferences have been held since 2002, with a total of 40 local teams attending.
- State conferences allowing all BPC participants to share innovative approaches to the court management, trial and community collaboration of child dependency caseloads. Three such conferences have been held with 550 team members participating.
- Funding through CIP mini-grants to allow local teams to: (1) host a multidisciplinary, local training event, (2) undertake a locally-developed initiative, such as production of court videos or

¹ This article printed in "The Judges' Page Newsletter," National CASA-CASA for Children.
http://www.casaforchildren.org/site/c.mtJSJ7MPisE/b.6576993/k.9A8F/JP_4_Hopper.htm. March 2011.

publication of notebooks to guide parents through the permanency planning process, or (3) make “field visits” to view firsthand other model programs. Over 57 local training events serving more than 5,400 people and 10 special local BPC projects have been funded by CIP since 2005.

- Technical assistance and training tailored for the best practice court at its local site.
- Onsite consultation with a nationally recognized judicial consultant to Virginia’s CIP.
- Opportunities for BPC lead judges to serve as faculty in other states for NCJFCJ and to network with judges in other court systems who are addressing similar challenges.
- Participation with other model courts on the national level in trainings and cross-site visits.

Required Best Practice Court Commitments

Participation in the BPC program entails commitments from the courts, which are for a period of time into the future and not for a definitive term. Assistance from Virginia’s CIP and NCJFCJ staff is made available to accomplish some of these tasks. These commitments are:

- Identification of a lead judge(s) and core group of multidisciplinary stakeholders in the community.
- Regular core group meetings to address unique local issues and foster community collaboration.
- Examination of strengths and challenges of the court and community services system to meeting dependent children and their families’ needs.
- Incorporation in court processes of best practices from *Resource Guidelines: Improving Court Practices in Child Abuse and Neglect Cases*. (800 KB PDF)
- Exploration of local court data in child dependency cases and examination of its implications for improved practice.
- Sharing with other Virginia courts—and courts nationwide—best-practice techniques of the participating court and community.

Extent of Best Practice Court Involvement

The critical work of permanency planning for children is accomplished locally, where judges hold court, lawyers represent children and parents, and child welfare professionals seek to protect and preserve families. As of January 1, 2011, the 37 active BPC teams accounted for 60% of Virginia’s foster care caseload. BPC teams have contributed to a 27% statewide decrease in the total number of children in foster care over the past three years. The 39 lead judges represent 35% of Virginia juvenile court judges and are located in 22 of 31 judicial districts. These are noteworthy numbers to report. However, of greater significance is the opportunity the BPC program offers to sustain the momentum of reform of the child dependency court process and to nourish the enthusiasm of community partners for achieving successful outcomes for children and families.

Virginia’s best practice courts generate energy that supports localities in improving outcomes one child at a time.

Analysis of Court Performance Measures for Child Dependency Cases¹

Project Description - The intent of the Analysis of Court Performance Measures for Child Dependency Cases is to illustrate a particular juvenile court's practice based on the data contained in each of the performance measures. These measures utilize case information entered into the juvenile courts' Case Management System (CMS) by the local court.

Court Performance Measures Analyzed - The following court performance measures are included in the analysis.

- Petitions of Repeat Maltreatment
- Number of Judges per Child (includes active judges and substitute judges)
- Timeliness of Court Hearings
- Timeliness of Adjudication-Abuse or Neglect and At-Risk of Abuse or Neglect Cases
- Time to Disposition-Abuse or Neglect and At-Risk of Abuse or Neglect Cases
- Time to Termination of Parental Rights (TPR)
- Permanency Planning and TPR Cases Filed the Same Day and Heard the Same Day
- Timely Appointment of Guardians Ad Litem (GAL), Court Appointed Special Advocates (CASA), and Parents Counsel
- Presence of Parties and Counsel at Hearings
- Service of Process to Parties
- Goals and Case Closure

Completing the Analysis - The process for producing each Analysis of Court Performance Measures for Child Dependency Cases is detailed below.

1. Receive from a local juvenile court a request for an analysis of court performance measures.
2. Download each performance measure and review the data presented.
3. Write a narrative review of the report data; include, where necessary, recommendations to help the court improve practice. Includes an Executive Summary.
4. Review of the analysis with to the J&DR Court Services Team Manager and/or Court Analyst.
5. Finalize the analysis and schedule a visit to the requesting court to discuss the data and recommendations with the presiding judge and clerk of court (and the courtroom clerk, if appropriate.) Forward a copy of the analysis to the presiding judge and clerk of court for review prior to the scheduled visit.
6. Meet with the presiding judge and clerk of court to review and discuss each section of the analysis. Address any questions or concerns the judge or clerk of court may have with the data.
7. Determination by the local juvenile court of the necessity of training for clerk's office staff on data entry requirements and on the necessity of court policy to improve court practice in processing child dependency cases.

¹ Child dependency cases include the following case types: abuse or neglect, at-risk of abuse or neglect, entrustment agreement, relief of custody, initial foster care review, foster care review, permanency planning, and termination of parental rights. Also included are delinquency felony, delinquency misdemeanor and status offense cases because the court has in these cases as one of its options in ensuring that a child receives the appropriate care or treatment, transfer of custody of the child to the local Department of Social Services.

Training On Demand: E-Learning for Virginia's Juvenile and Domestic Relations District Court Judges and Clerk's Office Staff

Abstract - It is the Virginia Court Improvement Program's experience that often juvenile court judges are appointed to the bench and new clerks are hired with limited experience working with child dependency cases. In an effort to make training on processing child dependency cases more readily available, Virginia CIP developed its live training program, *Case Processing in Child Dependency Cases*, into two e-learning programs: *Foster Care Training Program for Judges* and *Foster Care Training Program for Clerks*. The following describes CIP's efforts to complete these e-learning courses.

Project Description – When new judges are appointed to the juvenile court bench, or when new staff persons are hired to work in the juvenile court clerk's office, they often have limited experience working in child dependency cases. This is problematic because they are not familiar with the time lines for processing these cases, nor are they familiar with the adjudicatory or dispositional requirements of these cases. Training is offered on the law, process and use of forms applicable to child dependency cases in the court as part of the annual Pre-Bench Orientation Program for new juvenile and domestic relations district court judges, and as part of the Juvenile and Domestic Relations District Court New Employee Basic Course. However, a judge or clerk may be in their position for several weeks to several months before any substantive training is received.

In an effort to make training on processing child dependency cases more readily available, CIP developed its live training program, *Case Processing in Child Dependency Cases*, into two e-learning courses: *Foster Care Training Program For Judges* and *Foster Care Training Program for Clerks*. Each course covers the following:

- The role of the judge, clerk's office, attorneys, guardians ad litem (GAL) and local department of social services in the child dependency case process.
- The timeliness of child dependency case hearings, including a review of Virginia's time line for abuse, neglect and foster care cases.
- The appropriate use and proper completion of child dependency court forms in accordance with the individual stages of the child dependency case process provided in the time line.

Additionally, a case scenario is used to assist participants in better understanding the child dependency case process.

Why E-Learning -

1. It is Available On Demand! E-learning programs are interactive online courses delivered by computer and viewed at the convenience and pace of the participant.
2. It Saves Time and Money. There is no travel required by the presenter or the participant.
3. It is Flexible. The participant may stop the course at any time. When he is ready to continue learning, he is able to start the course at the point at which he left off.
4. It Provides Participants the Opportunity to Learn. If there is a section of information that the participant wants to view more than once to maximize her understanding of the material, she may do so without the worry of interrupting the learning of classmates.