



## Performance Measures in Child Welfare Cases: Toolkit Helps Courts Gauge Progress

With funding from the Office of Juvenile Justice and Delinquency Prevention, the ABA Center on Children and the Law, the National Council of Juvenile and Family Court Judges, and the National Center for State Courts collaborated to develop the five-volume *Toolkit for Court Performance in Child Abuse and Neglect Cases*. The *Toolkit* performance measures are designed to help courts that hear child abuse and neglect cases establish their baseline practices, diagnose problems, make improvements, track efforts, and identify, document, and reproduce positive results. The *Toolkit* consists of five volumes.

### *Volume I - Court Performance Measures in Child Abuse and Neglect Cases: Key Measures*

This volume identifies nine key performance measures to use as a tool to convince legislators and decision makers of the need for measurement. These nine measures include the following:

- ❖ **Measure 1A.** Percentage of children who are abused or neglected while under court jurisdiction.
- ❖ **Measure 1B.** Percentage of children who are abused or neglected within 12 months after the case is closed following a permanent placement.
- ❖ **Measure 2A.** Percentage of children in foster care who reach legal permanency by reunification, adoption, or legal guardianship.
- ❖ **Measure 3A.** Percentage of child abuse and neglect cases in which the same judicial officer presides over all hearings.
- ❖ **Measure 3B.** Percentage of child abuse and neglect cases in which both parents receive written service of process of the original petition.
- ❖ **Measure 4A.** Average (median) time from filing of the original petition to legal permanency.
- ❖ **Measure 4B.** Average (median) time from filing of the original petition to adjudication.
- ❖ **Measure 4G.** Average (median) time from filing of the original petition to the first permanency hearing.
- ❖ **Measure 4I.** Average (median) time from filing of the original child abuse and neglect petition to the termination of parental rights (TPR).

For each measure, the following questions are addressed:

- (1) What is the goal?
- (2) How is the measure calculated?
- (3) How is the measure interpreted?
- (4) What are related measures?
- (5) What data are required to complete the measure?

### *Volume II - Court Performance Measures in Child Abuse and Neglect Cases: Implementation Guide*

This booklet outlines how to recruit a performance measurement team, assess capacity, prioritize among needs, plan data collection, and use that data to design reforms.

The *Implementation Guide* draws on the experiences of the SANCA Project sites (Colorado, Florida, Georgia, Idaho, New Jersey, and Virginia) and the Children's Bureau Project sites (Charlotte, North Carolina; Clachamas County, Oregon; Little Rock, Arkansas; Minneapolis, Minnesota; New Orleans, Louisiana; and Omaha, Nebraska). It also provides a Needs Assessment Worksheet and the following "Ten Steps to Performance Measurement":

- ◆ Identify and involve stakeholders.
- ◆ Clarify purpose and vision.
- ◆ Assess which data the court can and cannot collect.
- ◆ Prioritize.
- ◆ Design an action plan to obtain the data.
- ◆ Get the data and determine its reliability.
- ◆ Assess baseline performance.
- ◆ Set performance targets.
- ◆ Report measurement results.
- ◆ Translate results into actions.

### *Volume III - Court Performance Measures in Child Abuse and Neglect Cases: Technical Guide*

This guide considers all 30 court performance measures for child abuse and neglect cases. Suited for use by project managers and information technology staff, the *Technical Guide* provides a definition and explanation of each measure, and describes its purpose. It details the goal of each measure, as well as gives step-by-step specifications for calculating the measure.

In addition, the *Technical Guide* addresses:

- (1) implementation issues;
- (2) business rules;
- (3) possible modifications;
- (4) data elements;
- (5) related Child and Family Services Review (CFSR) standards;
- (6) data reporting;
- (7) factors that may affect results; and
- (8) possible reforms.

The Appendices include a List of Performance Measures, Stages of the Juvenile Court Process in Child Abuse and Neglect Cases, Calculation Guide, and Combined Data Elements Dictionary.

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### **Volume IV - Court Performance Measures in Child Abuse and Neglect Cases: User's Guide in Nonautomated Data Collection**

This volume addresses the use of nonautomated data collection measures, e.g., file review, court observation, interviews, and focus groups, for courts lacking an automated system or needing to obtain information not available through automated methods. The *User's Guide* provides information regarding key performance measures for case file review and court observations, managing case file review and court observation data, and displaying case file review data in a meaningful way.

### **Volume V - Court Performance Measures in Child Abuse and Neglect Cases: User's Guide in Nonautomated Data Collection**

This booklet outlines how to obtain data on judicial workloads in child abuse and neglect cases, providing different approaches and tools for analysis. One chapter is devoted to the Judicial Time Log for judges to record the time spent on each work event. Other chapters address court observations, use of a Delphi Process to obtain estimates from a panel of experts, and conclusions. Appendices include a Judicial Time Log Worksheet and a Court Observation Tool with instructions.

To review all volumes of the *Toolkit*, go to [ojjdp.ncjrs.gov/publications/courttoolkit.html](http://ojjdp.ncjrs.gov/publications/courttoolkit.html). Free copies are also available through the ABA Center on Children and the Law. To obtain a hard copy, contact Shante Bullock at (202) 662-1746 or [bullocks@abanet.staff.org](mailto:bullocks@abanet.staff.org).

## **For Your Bookshelf**

**Advocating for Nonresident Fathers in Child Welfare Court Cases.** This 2009 publication of the National Quality Improvement Center on Non-Resident Fathers and the Child Welfare System (QIC-NRF) focuses on how the legal community can better engage nonresident fathers in child welfare cases.

Designed particularly for public defenders' offices and solo practitioners representing parents, the authors offer practical suggestions to help attorneys:

- ◆ Advocate for the constitutional rights of nonresident fathers.
- ◆ Understand male help-seeking behaviors.
- ◆ Ensure quality out-of-court advocacy.
- ◆ Represent nonresident fathers in dependency cases.
- ◆ Address special advocacy issues.
- ◆ Consider ethical issues.

The book also offers sample questions and checklists, as well as a judicial perspective on engaging nonresident fathers.

Available online at [www.fatherhoodqic.org/book.shtml](http://www.fatherhoodqic.org/book.shtml) or by calling the ABA Service Center at (800) 285-2221 (Order #3490004B). The QIC-NRF is a collaboration between the American Humane Association, the ABA Center on Children and the Law, and National Fatherhood Initiative, with funding from the Children's Bureau. To learn more, go to [www.abanet.org/child/fathers/](http://www.abanet.org/child/fathers/).

**Runaway and Homeless Youth and the Law: Model State Statutes.** Co-sponsored by the National Network for Youth and the ABA Commission on Homelessness and Poverty, this book provides guidance to advocates, policymakers, and providers on how state laws can help runaway and homeless youth. The book covers a variety of subject areas, such as education, status offenses, health, LGBTQ youth, immigration, housing, identification, and employment.

Available online at [www.ababooks.org](http://www.ababooks.org) or by calling the ABA Service Center at (800) 285-2221 (Order #4180014).

### **Solving the Data Puzzle: A How-To Guide on Collecting and Sharing Information to Improve Educational Outcomes for Children in Out-of-Home Care.**

The Legal Center for Foster Care and Education published this guide to help child welfare and education agencies improve data collection and information sharing regarding educational outcomes for children in out-of-home care. Self-assessment tools provide checklists for education and child welfare agencies to consider:

- (1) data collection and sharing goals;
- (2) defining the population to be tracked;
- (3) assessing the current and desired level of information sharing; and
- (4) assessing the current and desired level of data collection.

Agencies are also given suggestions to effectively collaborate on data collection and information sharing.

Available online at [www.abanet.org/child/education/publications/solvingthedata puzzle.pdf](http://www.abanet.org/child/education/publications/solvingthedata puzzle.pdf). The Legal Center for Foster Care and Education is a collaboration between Casey Family Programs and the ABA Center on Children and the Law, in conjunction with the Education Law Center - PA and the Juvenile Law Center. To learn more, go to [www.abanet.org/child/education](http://www.abanet.org/child/education).

## **White Paper on Child Client-Directed Representation in Dependency Cases**

The ABA Bar-Youth Empowerment Project developed a white paper, *A Lawyer for Every Child: Client-Directed Representation in Dependency Cases*. The white paper was published in the Hofstra Law School Family Court Review in October 2009. The white paper sets out the constitutional argument supporting a child's right to counsel in dependency cases. The paper discusses federal and state legislation, court decisions, and policies that support this right. The paper further argues that counsel for children should represent the child's expressed interest and children have a right to effective assistance of counsel.

To download a copy of the white paper, go to [www.abanet.org/child/empowerment/white%20paper.pdf](http://www.abanet.org/child/empowerment/white%20paper.pdf). The ABA Center on Children and the Law and Youth at Risk Commission, in partnership with Casey Family Programs and the Eckerd Family Foundation, established the Bar-Youth Empowerment Project in 2008. The Project aims to improve outcomes for youth currently in foster care and young people who have aged out of care by promoting their participation in court cases and offering access to legal counseling and specialized legal assistance. To learn more about the Project, go to [www.abanet.org/child/empowerment/home.html](http://www.abanet.org/child/empowerment/home.html).



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