

NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

# Model Courts

JULY 2008

**Improving Outcomes for Abused and Neglected Children and Their Families**



**I am not a statistic.**

**I am not research.**

**I am not somebody's data.**

**I am more than a product of my environment.**

**- FORMER FOSTER CHILD'**

# Fact:

At the end of 2005, approximately 513,000 children were in out-of-home care in the United States.<sup>2</sup>



Thousands of children in this country are in foster care; not knowing when or if they will go home or ever have a permanent placement. Many move in and out of numerous foster care placements. Since 1992, jurisdictions participating in the National Council of Juvenile and Family Court Judges' (NCJFCJ) Model Courts Project<sup>3</sup> have striven to improve timely outcomes for all children in foster care and their families. The Model Courts Project provides judges, attorneys, and numerous other professionals who work in the courts and child welfare agencies, with practical, concrete, and effective tools for improving court performance in the handling of child abuse and neglect cases.

The Model Courts are committed to making a difference. Working with the National Council of Juvenile and Family Court Judges' Permanency Planning for Children Department (PPCD), and using the acclaimed best practices bench book *RESOURCE GUIDELINES*<sup>4</sup> as a guide to systems reform, the Model Courts serve as models of systems' change identifying impediments to the timeliness of court events and delivery of services for children in care, and then design and implement court- and agency-based changes to address these barriers. With technical assistance and training from the PPCD, dependency practices and innovations are pilot-tested and refined as part of ongoing court and multi-agency systems' change efforts.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the U.S. Department of Justice provides support to make this important work possible and has enabled the PPCD to include an increasing number of jurisdictions nationwide. The benefits to communities and to the children and families they serve have made the Model Courts an invaluable national resource.

<sup>1</sup> Cover: California Youth Connection, 2003.

<sup>2</sup> The Administration for Children and Families, Children's Bureau, U.S. Department of Health and Human Services, The AFCARS Report, September 2006.

<sup>3</sup> "The Child Victims Act" Model Courts Project is funded under Section 223(a) of Public Law 101-647 (104 Stat. 4797), the Victims of Child Abuse Act of 1990, as amended in Title III, Section 1302 of the Violence Against Women Act of 2000, through the Department of Justice Office of Juvenile Justice and Delinquency Prevention.

<sup>4</sup> *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases* (1995). NCJFCJ, Reno, NV.

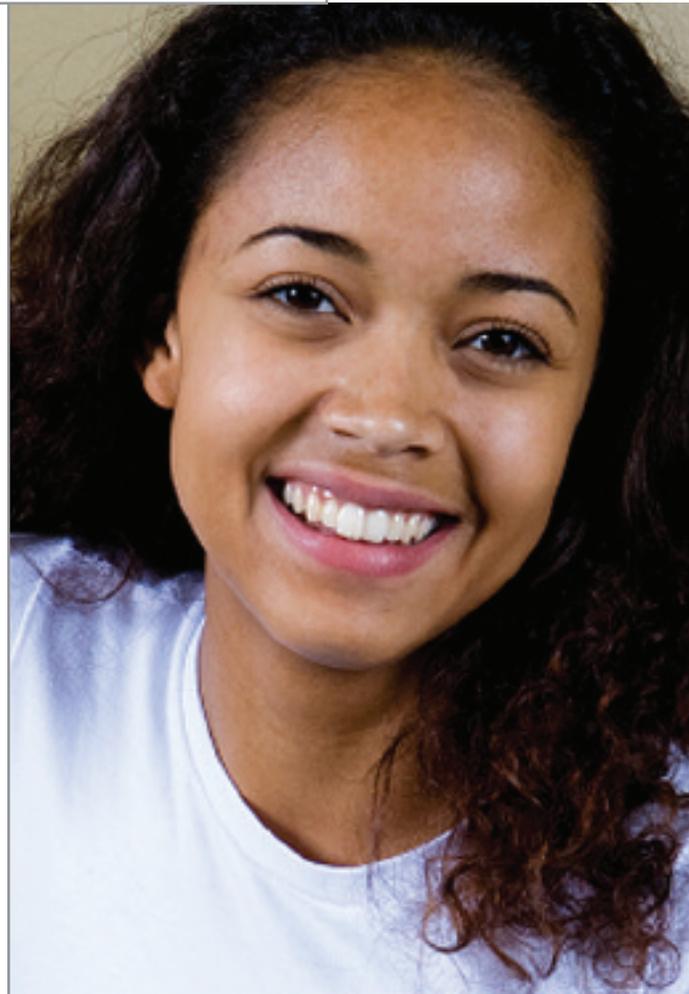
## WHY WERE THE MODEL COURTS NEEDED?

In the early 1990s many of the nation's abused and neglected children lingered in state foster care systems – systems designed only for short-term care – with no permanent resolution to their cases. It was not unusual for such children to remain in care for years, leaving the system only when they “aged out” at 18.

Congress recognized “foster care drift” in 1980 when it passed P.L. 96-272, the Adoption Assistance and Child Welfare Act. The law's primary mandate was for court oversight to provide expanded preventive and reunification services to reduce the need for, and duration of, foster placements, and to facilitate adoption where restoration of the family was not feasible. Throughout the 1980s, judges and child welfare professionals worked to implement the requirements of P.L. 96-272 with varying degrees of success. While some jurisdictions achieved improvement in permanency outcomes, many did not. By the early 1990s, juvenile and family courts needed additional support and direction to meet the needs of children in care and their families.

**The Model Court concept has allowed the El Paso community to learn and implement cutting edge ideas, programs, and initiatives to benefit and serve the most vulnerable of our citizens, our children.**

LEAD JUDGE ALFREDO CHAVEZ,  
EL PASO, TEXAS





### **ACHIEVEMENTS OF THE MODEL COURTS**

- Establishment of cross-system collaboratives in each court guided by a Model Court Lead Judge.
- Shortened timeframes for children under court supervision.
- Decrease in the number of cases under court supervision.
- Focus on increasing reunifications.
- Focus on increasing adoptions.
- Focus on permanency for children in safe and stable families.

### **PRACTICE IMPROVEMENTS PIONEERED BY THE MODEL COURTS**

- Establishment of one family-one judge calendaring.
- More substantive preliminary protective hearings.
- Front-loading of services to children and families.
- Scheduling hearings at a specific time (“time certain calendaring”).
- Implementation of strict no-continuance policies.
- Copies of orders disseminated to all parties at the end of each hearing.
- Setting the date and time of the next hearing at the end of the current hearing.
- Development of “dedicated” attorneys.
- Improved advocacy for children and representation for parents.
- Development of data information systems specifically focused on dependency case processing.
- Development of family group conferencing and dependency mediation programs.

### **IMPROVED OUTCOMES ASSOCIATED WITH THE MODEL COURTS**

- In the District of Columbia, the Model Court collaboration between two organizations that provide CASA services led

to increased numbers of children being served and represented.

- In Tucson, the average number of months a case remained open was 23.2 months in 2008- down from 39 months a decade ago, along with a 33 % decrease in the number of dependent youth growing up in foster care.
- In New York City, the number of children in foster care in 2008 (16, 982) is down from an estimated 42,000 children in care a decade ago. Over half of these children are teenagers. With the implementation of Teen Days in 4 of the 5 boroughs, these youth are participating more in court.
- In Des Moines, due to the efforts of the Model Court, best practices in supporting visitation have been utilized in child welfare cases statewide. The Iowa Code has adopted Parent Child visitation guidelines for courts to abide.
- In Chicago, the backlog of children under court jurisdiction in out-of-home, long-term foster care was reduced from an estimated 58,000 to fewer than 20,000 during 1996-1999. In 2008, fewer than 8,000 children were in care.
- In Los Angeles, the leadership of the Model Court Lead Judge and team resulted in significant improvements in achieving permanency for children through the Adoption Saturday program, which has since become a national model. More than 3,000 children found permanent homes in 2000.

**Not only has the NC child welfare system in dependency cases provided tremendous technical assistance improve our juvenile imagine where our our entire child welfare be without the Model**

LEAD JUDGE LOUI  
CHARLOTTE, NO

- In San Jose, the adoption rate doubled. San Jose also created one of the first child welfare mediation and family group conferencing programs in the United States; the San Jose program is now a nationally recognized model.

### COMMITMENT REQUIRED OF A MODEL COURT

Becoming a Model Court requires a unique commitment of energy, time, and committed personnel. All prospective jurisdictions are asked to follow seven fundamental elements in order to become part of the project:

- Identify a Lead Judge to guide the process with the support of the Presiding Judge or Chief Justice in his or her jurisdiction or state.
  - Establish a collaborative with key stakeholders.
  - Assess court practice and identify challenges, goals, and improvements based upon best practices.
  - Agree to serve as a “laboratory” for systems change by implementing new practices and sharing experiences with others.
  - Open the court process to PPCD staff, evaluators, and others.
  - Track measurable outcomes through a data information system or by other means.
  - Agree to mentor other jurisdictions by hosting site visits, serving as presenters at state, regional, and national conferences, and developing publications.

**JFCJ exposed our courts to best practices, but it has cost us amounts of money to our efforts to reform the court. I cannot support the Model Courts program, and, indeed, the current foster care system would be a better model.**

THOMAS A. TROSCH, JR.  
NORTH CAROLINA

Becoming a Model Court is a long-term commitment. Systemic improvement is a multi-year, multi-phase, multi-systems change process that evolves through leadership, legislation, policy, and personnel. Working closely with each other and with the PPCD, the Model Courts continually assess their child abuse and neglect case processing, examine barriers to timely permanency, develop and institute court improvement plans, and collaborate within their jurisdictions to bring about meaningful and sustainable systems’ change.

All Model Courts are engaged in developing new policies, practices, and programs which will not only speed cases to permanency, but also provide high-quality attention and services to children that focus on the safety, permanency, and well-being of the children in care. Each Model Court is committed to taking a hard look at how its court process is working in everyday practice.



# Fact:

The average foster child in the United States today is a boy, under ten years old, who will pass through multiple foster home placements and be in out-of-home care for approximately three years.<sup>5</sup> While these statistics have fluctuated through the years, the message has not: The average child in foster care may face a bleak reality.

<sup>5</sup> *Supra*, note 2.

**The Model Court project has been wonderful for our jurisdiction in the sharing of resources and ideas. We have been able to bring training to our stakeholders that we otherwise would not have been able to have.**

LEAD JUDGE WADIE THOMAS, JR.  
OMAHA, NEBRASKA

### **RESOURCES THE PPCD PROVIDES TO THE MODEL COURTS**

The PPCD primarily serves as a provider of highly focused and specialized training and technical assistance. Unlike other grant programs, no direct funding flows from the PPCD to the Model Courts. Rather, the PPCD makes available a wide range of resources, materials, and collaborative opportunities. A Model Court Liaison facilitates the provision of training and technical assistance in the implementation of the court's vision, goal-setting, systems changes, and special needs. The Model Court Liaison makes available:

- Planning and implementation of site-specific training programs.
- Assistance in strategic planning and goal-setting.
- Coordination of site and cross-site visits.
- Direct provision of technical assistance.
- Networking with other Model Courts and linking those with similar needs or issues.

The PPCD also maintains a full resource library staffed by Information Specialists who coordinate with the Model Court Liaisons to fulfill Model Court technical assistance requests.

Perhaps the most valuable overall resource offered to Model Courts is access to, and collaboration with, representatives of other Model Courts. Model Court Lead Judges and members of their teams have experience in a wide variety of areas related to court improvement and systemic practice in the handling of child abuse and neglect cases. Often Model Court team members are called upon to share their expertise with others. They are regularly invited to travel to conferences and to other Model Courts jurisdictions to conduct trainings, serve as resources, and assist in the continuum of systems' change. The PPCD conducts annual Lead Judges' Meetings and an All-Sites Conference for Model Court teams to network, share information, strategize improvement efforts, and assess goal progress and achievement.

### **PPCD AND MODEL COURTS PROJECT ACHIEVEMENTS**

- Heightened judicial awareness to the plight of foster children caught in "foster care drift."
- Development, publication, and dissemination of recommendations for best practices in the handling of child abuse and neglect cases to more than 36,000 judges and court-related personnel.
- Training for more than 82,000 judges and related child welfare professionals in the implementation of best practices.
- Raising the level of practice, e.g., reducing the disproportionate minority representation of children in foster care, reduction of continuances, and addressing educational outcomes for children from the bench.
- Establishing a national platform for disseminating court improvement information.
- Showcasing techniques to dramatically shorten the timeframes for permanency, in compliance with federal law.
- Creating a nationwide network of judges and child welfare professionals who collaborate on continued improvements and innovations, and who serve as faculty and mentors for other jurisdictions.

To become a Model Court is to make a commitment to promote, facilitate, and implement meaningful and sustainable systems change in a given jurisdiction to improve outcomes for abused and neglected children and their families. The commitment must initially be made by a judge willing to accept the responsibility to spearhead system reform efforts aimed at improving the lives of children and families at risk of abuse and neglect. Without strong judicial leadership, meaningful and sustainable systems change may not occur. The PPCD and the Model Courts continue to work toward the goal of improving dependency court practice in ways that will most benefit our nation's abused and neglected children and their families.

# Model Court Support



Model Court has given me the opportunity to come together with a group of committed and dedicated people to share frustration and to learn. It provides an opportunity to test ideas and get meaningful feedback and suggestions from others in the field. It provides a source of support and numerous resources that can assist in problem-solving and developing new ideas and programs.

— **Lead Judge Ernestine Gray**  
New Orleans, Louisiana

We have expanded our Model Court team to include all participants in our dependency system. This has resulted in even more enthusiasm and energy to work on all of our Model Court goals to ensure the best results for all of our children and families.

— **Lead Judge Paula J. Kurshner**  
Portland, Oregon

The Lead Judge has acted as a convener to bring a variety of court participants together to commit to improved court practice. The National Council of Juvenile and Family Court Judges, with the Permanency Planning for Children Department, has provided training, technical assistance, resources, guidance, and support to identify and implement these best practices.

— **Lead Judge Douglas F. Johnson**  
Omaha, Nebraska

The Model Court offers its participants an opportunity to creatively and energetically come to the table and contribute ideas about ways to improve service to children and families. The spirited discussions that ensue, and the resulting innovations, nurture and sustain us all!

— **Lead Judge Sallyanne Floria**  
Newark, New Jersey

The Model Court project enabled my jurisdiction to think outside of the box and address the inefficiencies of the system with innovative programs to improve the outcome for children and families.

— **Lead Judge Kathy Delgado**  
Brighton, Colorado

The Model Courts Program has greatly enhanced the collaboration between The Department of Human Services and the Family Court of Honolulu to the great benefit of the children and families involved in the child welfare system.

— **Lead Judge Bode A. Uale**  
Honolulu, Hawai'i

Model Courts use the *RESOURCE GUIDELINES* as a basis for changing court process, with a focus not just on innovative projects, but on building a strong court foundation upon which projects unique to each jurisdiction can be developed.

— **Lead Judge Deborah Schumacher**  
Reno, Nevada

Model Courts are not exemplary courts, but are laboratory courts, using trial and error, creativity, and ongoing evaluation to come up with enhancements and improvement of best practices. They are willing to try new things to improve outcomes for children.

— **Deputy Lead Judge Oscar G. Galbadón, Jr.**  
El Paso, Texas

The Model Court program has given Los Angeles the opportunity to work with and learn from courts throughout the nation which are committed to improving the way our juvenile courts serve at-risk children and families.

— **Lead Judge Michael Nash**  
Los Angeles, California

A National Council Model Court is a national laboratory which advocates and models for meaningful change to improve outcomes for children and families by implementing the National Council of Juvenile and Family Court Judges' *RESOURCE GUIDELINES* and *ADOPTION AND PERMANENCY GUIDELINES*.

— **Lead Judge Marilyn Ann Moores**  
Indianapolis, Indiana

Being a Model Court takes best practices off the pages of books and breathes life into them.

— **Lead Judge Louis A. Trosch, Jr.**  
Charlotte, North Carolina

**If your jurisdiction is interested in becoming a Model Court or implementing the principles of the *RESOURCE GUIDELINES*, please contact Nancy B. Miller, Director, Permanency Planning for Children Department, at (775) 784-6675 or [nmiller@ncjfcj.org](mailto:nmiller@ncjfcj.org).**

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