

February 2008



# Annual Program Assessment: 2006–2007 CIP Training Grant



## Child Welfare

**NEW YORK  
STATE**



Unified Court System • Division of Court Operations  
Office of Alternative Dispute Resolution and Court Improvement Programs



## Court Improvement Project

# **THE NEW YORK STATE CHILD WELFARE COURT IMPROVEMENT PROJECT**

## **ANNUAL PROGRAM ASSESSMENT REPORT: TRAINING GRANT**

**February 15, 2008**

### **INTRODUCTION**

This report describes activities undertaken towards implementation of the training grant objectives described in the preliminary 5-year strategic plan submitted with the 2006 data grant proposal and refined in the final strategic plan submitted in the 2007 grant proposal. This report describes activities undertaken during the period January 1, 2007 through January 31, 2008. The New York State Unified Court System began expending the first round (2006) training grant funds in May of 2007; however considerable planning and preliminary implementation activities occurred during the first half of calendar year 2007 with remaining 2005 basic grant funds.

An Action Planning Meeting was held at New York State's Judicial Institute (hereinafter, "J.I.") on May 23 – 24, 2007. The purpose of the meeting was to convene people from various disciplines to assist in the formulation of a five year strategic plan as required by the Federal Government. In attendance were CIP staff, the Executive Director, and the Chairperson of the Permanent Judicial Commission on Justice for Children (hereinafter PJCJC), representatives from the OCA Division of Court Operations, OCA Division of Technology, Office of Children and Family Services, New York City Family Court, The J.I., and the Children's Bureau. Nancy Miller, Director of the Permanency Planning for Children Division of the National Council on Juvenile and Family Court Judges facilitated the two day event. The group was provided background on current initiatives, federal requirements, and national trends. Subsequently, goals of the CIP were refined, objectives and activities were identified. This work provided the structure for the Assistant Coordinator and Project Manager to complete the three federal grant applications.

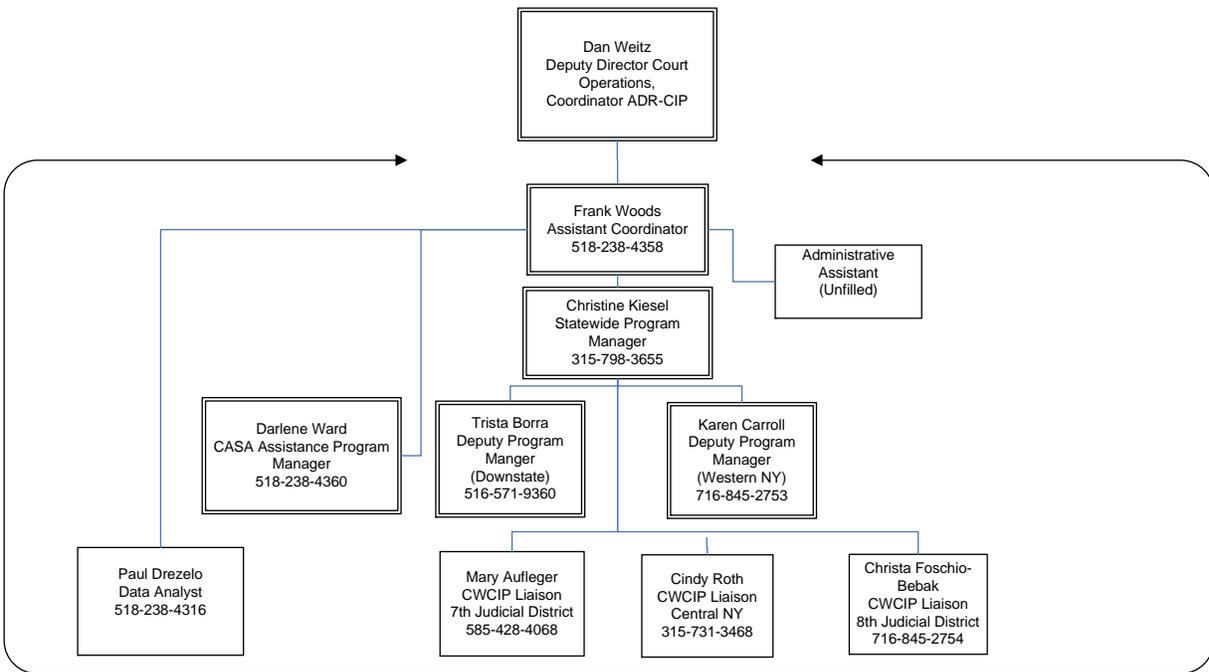
### **STAFFING**

With the additional data and training grant funding, the CIP has implemented a "braided" budget which uses resources from each of the three grants to support the staffing of the overall project. This holistic approach allows for a dramatic expansion of approaches implemented on a pilot basis prior the funding increase. Data grant activities are implemented through a centrally administered team operating out of offices around the state. With the recent addition of our Central New York Liaison, we now have staff working in 3<sup>rd</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> Judicial Districts (see chart A).

Duties of the CIP liaisons include:

- Assisting Administrative and Supervising Judges to implement court reforms;

- Providing staff support to existing local collaborative efforts; and assisting counties in developing emerging collaborative groups;
- Conducting reviews of court files to determine compliance with applicable law and regulatory requirements and suggest local and statewide strategies to rectify deficiencies;
- Assisting courts in addressing legal and judicial issues raised by the CFSR and IV-E foster care eligibility reviews that can be rectified or alleviated by improvements in court practices; and
- Coordinating training programs.



Child Welfare Court Improvement Project Team

Chart A

Despite our attempt to integrate the three CIP grants into a holistic program, we recognize that each grant has specific objectives. Resources (both staff and non-personnel service funds) are preserved in each grant to achieve those objectives. We have taken a deliberate “slow growth” approach to ensure that the expansion resulting from the increased CIP funding does not exceed our administrative capacity to effectively orient new staff. Over time, in consultation with the PJCJC CIP Advisory Group and as resources allow, we will seek administrative approval to add additional positions in strategic locations to increase our capacity to implement the goals of the statewide project at the local level.

## STATEWIDE TRAINING INITIATIVES

### Sharing Success

“Sharing Success V: Collaborating to Improve Outcomes for Families Affected by Substance Abuse” was held in two locations, New York City on October 15, 2007 and Albany on October 17 -18, 2007. Expanding the conference to two locations increased the total number of participants from 300 in prior years to 500 this year and dramatically increased the number of New York City attendees.

The conference, which focused on the intersection of courts, child welfare and substance abuse, was co-sponsored by The CIP, The PJCJC, The Office of Children and Family Services (hereinafter OCFS) and this year, because of the topic, the State Office of Alcoholism and Substance Abuse Services (hereinafter OASAS). Highlights of the conferences included panel discussions regarding incarcerated parents and the effects of incarceration on their children<sup>1</sup>, and an engaging presentation by Dr. Ira Chasnoff, a national expert on the effects of pre-natal exposure to alcohol and other substances.<sup>2</sup>

### Basics of Substance Abuse and Addiction

The CIP is replicating the “Basics of Substance Abuse and Addiction,” originally piloted in the Nassau County Family Court. The Kings County trainings began in December of 2007. Other counties throughout the state will have the curriculum available to them through a train-the-trainer process expected to roll out in the summer of 2008. This training program is designed to increase the knowledge of Judges, court staff, attorneys and child welfare casework staff on the fundamentals of addiction, treatment, and relapse. The CIP has contracted with the Center on Addiction and the Family to refine the curriculum, develop a train-the-trainer program, produce video modules, and create a facilitator’s guide that will enable replication of the training using local substance abuse experts while ensuring consistent content.

The training is structured as seven modules. Each session combines didactic instruction and conversation with a focus on practical information grounded in theory.

Topics included in the curriculum:

- a. Basics on Addiction
- b. Introduction to Drug Treatment
- c. All About Relapse and Recovery
- d. Family Perspectives on Addiction, Treatment, and Recovery
- e. Child Perspectives on Addiction, Treatment, and Recovery

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<sup>1</sup> One result is that the CIP will be examining the feasibility of expanding the use of video conferencing equipment to enable remote court appearances for incarcerated parents. This practice can reduce costs related to transporting incarcerated parents, increase the likelihood of such parents be active participants in their court case and prevent disruptions in the implementation of correctional facility-based services plans that promote rehabilitation and reunification.

<sup>2</sup> As a result of Dr. Chasnoff’s presentation, a statewide interagency workgroup has been established to address the issues present with children suffering from Fetal Alcohol Spectrum Disorder. The FASD Workgroup is in its beginning stages but hopes to emulate Dr. Chasnoff’s community response to improve outcomes for this population of children.

- f. Cross-systems collaboration between Treatment and Family Court
- g. Adolescence and Substance Abuse

This training also serves as a deliverable for the Partnership for Family Recovery, an inter-branch collaborative resulting from the In Depth Technical Assistance New York State receives from the National Center on Substance Abuse and Child Welfare.

### Healthy Development of Children in Foster Care

The CIP is developing a Healthy Development of Children in Foster Care training curriculum and tool kit to support the court's role in promoting child well being. This training curriculum will allow the CIP to deliver consistent training, tailored to the needs of specific audiences, to improve participants' capacity to identify health, mental health and education needs of children in care and facilitate appropriate service plans within a developmentally appropriate context. The process is being supported by a contract with former Executive Director of the PJCJC, Sheryl Dicker, Ph.D.

The initial curriculum will focus on the developmental stages of infants and toddlers. The curriculum will include six (6) modules that can be delivered by local professionals with expertise in the fields of developmental pediatrics, developmental psychology, attachment and early intervention. The first module will serve as an introduction and will utilize the PJCJC's "Healthy Development of Infants in Foster Care: A Guide for Judges, Lawyers and Other Child Welfare Professionals" to provide a broad overview of the unique health, developmental and emotional issues of the youngest children in foster care and the laws and social policy governing the child welfare system. Following this introductory module will be four modules covering: 1) the health care needs of infants; 2) the developmental needs of infants; 3) the attachment needs of infants and 4) early intervention services. The final module will focus on how to practically utilize the knowledge and skills provided in the first five sessions including information on how to use a developmental framework to guide decision making in permanency hearings and post-dispositional reviews for young children.

The project is currently formatted as follows:

#### Phase I:

1. Draft Tool Kit to be utilized by CIP Staff
2. Develop Introductory Session: Linking Young Children's Needs to Permanency
3. Pilot sessions in local districts

#### Phase II:

Within the context of an advisory group develop recommendations for future trainings  
Training tools to include:

- a. a best practices permanency hearing video;
- b. Inter/intranet based training materials;
- c. Inter/intranet based Healthy Development Library
- d. Inter/intranet Healthy Child Discussion Group

- e. Web Casts: Topics for discussion include: How to Interview an Infant, How to interview a toddler; A medical evaluation of an infant entering foster care; Trauma and children in foster care

### Court System Basics for Child Welfare and Substance Abuse Professionals

As a further outgrowth of the technical assistance provided to New York State by the National Resource Center on Substance Abuse and Child Welfare, the CIP is developing curricula and will deliver trainings designed to increase the understanding of the court process among child welfare and substance abuse treatment provider staff. A contract has been entered into with a national training expert, Margaret A. Burt, Esq. to develop separate and distinct curriculum for the two groups as their level of knowledge about the court system differs. A steering committee of CIP staff meets with the consultant and provides oversight to the process. It is anticipated that the curricula will be in final form in the summer of 2008.

### Permanency Training/UCMS Training for Court Clerks

In 2007 CIP staff presented training for UCMS users in the Albany Family Court. CIP staff developed and piloted a three (3) hour curriculum designed for family court clerk staff. The goal of the training is to provide a basic level of understanding of ASFA and New York State's Permanency Legislation as it applies to a clerk's role in entering child specific data into the statewide database in order to facilitate more accurate reporting. A blended learning method of lecture and actual data entry, using a county's own caseload as examples, promotes interactive discussion of both policy, and procedure. Other counties have expressed interest, and the training will provide a template for replication in other courts around the state.

### Child Abuse and Neglect Institute

The CIP underwrote the attendance of 6 New York State Judges to the National Council of Juvenile and Family Court Judges' Child Abuse and Neglect Institute in Reno, Nevada. Judges from New York City as well as Nassau, Erie, Monroe, Niagara and Oneida Counties attended the annual "The Role of the Judge" training. Planning for attendance to the 2008 conference in June, began in the fall of 2007 and invitations have been sent to 11 Family Court Judges and Court Attorney Referees. Judges are selected in consultation with Administrative and Supervising Judges

### Chief Judges Summit

The CIP was involved in the planning of a convening of 46 jurisdictions for: "A Summit on Children: It's Their Future – Ours Too!" The Summit, co-sponsored by the Conference of Chief Justices and the Conference of State Court Administrators in partnership with the National Center for State Courts and the New York State Unified Court System, convened in New York City in March of 2007. The meeting served as a follow-up to the first National Judicial Leadership Summit on the Protection of Children held two years ago in Minneapolis. Each state represented at the Summit was asked to participate as a team of three or more, a group to ideally include the chief judge, state court administrator and either the governor's director of human services or a senior administrator of the human services agency responsible for the state's child

welfare system. Speakers included, Geoffrey Canada, Executive Director of Harlem Children's Zone, New York State Governor, Elliot Spitzer, New York City Mayor, Michael Bloomberg, and, of course, Chief Judge of the State of New York, Judith S. Kaye. Due to CIP being involved in the planning, we were fortunate to send several staff to the Summit.

### CFSR Focus Group Facilitation

With New York State's upcoming Child and Family Services Review scheduled for May of 2008, The CIP has been regularly engaged in all aspects of planning for the review, including attending scheduled Federal conference calls, meeting with The Office of Children and Family Services on an ongoing basis, as well as assisting with the self-assessment. As a part of the State self-assessment, focus groups were convened across the State. Many of these groups were facilitated by CIP staff. The focus groups facilitated by CIP staff include:

1. Judges
  - a. 5<sup>th</sup> Judicial District (Includes Counties of: Oneida, Onondaga, Jefferson, Oswego, Lewis and Herkimer)
  - b. Monroe County
  - c. Niagara County
  - d. Genesee County
2. Foster Parents Association of Oneida/Herkimer/Madison Counties
3. Stakeholders' Group of Oneida County Child Welfare Collaborative
4. Statewide Family Court Chief, and Deputy Chief Clerks.

### Indian Child Welfare Conference

The New York Federal-State-Tribal Courts Forum (of which CIP staff are members) sponsored in conjunction with the New York State Judicial Institute a follow-up to the August 2006 "Listening Forum". This year's Conference highlighted The Indian Child Welfare Act (ICWA) passed in 1978. This Conference focused on providing information to the state and tribal judiciary, clan mothers, tribal representatives, law guardians and agency attorneys on the application of ICWA in New York State with the goal of furthering collaboration among these groups to ensure accurate application of the statute. The Conference was held twice, in Buffalo on November 7th and Syracuse on November 8th.

### Best Practices in Permanency Hearings for Lawyers for Children

The CIP developed curriculum to present to lawyers for children concerning expectations of sound practice in child welfare proceedings and particularly, permanency hearings. The presentation includes a video production of a model freed child permanency hearing, created by the State Office of Children and Family Services, excerpts from the National Council for Juvenile and Family Court Judges Resource Guidelines, as well as facilitated discussions around best practices. Discussions center on discussing permanency with children, having children in the courtroom, identifying relative or other permanent resources for children, as well as the importance of having knowledge of locally available programs and services. Presentations were given in Syracuse on September 10, 2007, Chautauqua on April 10, 2007 and Watertown on

September 21, 2006. The goal of this training is to provide thoughtful consideration of the role of a child's lawyer in child welfare proceedings and how that role differs from representation of children in other matters.

### CASA Trainings

Regional Trainings were held for CASA program directors on adolescent advocacy, volunteer recruitment and training, board and advisory board development, and state-level initiatives. Trainings held on February 8, 13 and 27, 2007 (WHERE?).

CASA Program Directors' Meeting, co-sponsored with CASANYYS held September 10-11, 2007. Agenda included information on state initiatives, "back to basics" regarding court rules and program standards, information on the federal review, ICWA, and the revised National CASA training curriculum.

On October 2nd and 3rd, 2007, a training on developing individual donor bases for Community Dispute Resolution Centers, Children's Centers, and CASA Programs was held. The event was titled, "Individual Donor Appeals: The Cornerstone of Agency Fundraising."

A "New Directors' Meeting" was held on November 8th and 9th 2007. The agenda covered court rules, standards, volunteer recruitment, gathering information, writing court reports, public relations, data collection and permanency laws for CASA Program Directors with two or less years of experience.

### Problem Solving Court Staff Meeting Facilitation

On December 5, 2007, the CIP staff facilitated sessions at a conference designed for local "problem solving courts" staff. Persons invited were involved with Integrated Domestic Violence Courts, Sexual Offender Courts, Mental Health Courts and Drug Treatment Courts (exclusive of Family Treatment Courts). The day included discussions of the core principles of problem solving courts and the various roles played by staff. CIP staff facilitated small group breakouts by various types of court and gained substantial information in the process.

## **PUBLICATIONS**

### Best Practice Bulletins

The CIP "Best Practice Bulletin" was launched with an inaugural edition in January of 2007 (Appendix A). This issue focuses on the role of the office and the staff as well as the partnership between CIP and the PJCJC. It further highlighted the Chief Judges Summit as well as a best practice of "Teen Days" developed in New York City. It is anticipated that the publication will be distributed quarterly to all Judges, Referees, Court Managers as well as other identified partners. The goal of these Best Practice Bulletins is to disseminate best practice principles to target audiences as well as to inform readers of the availability of technical assistance through the CIP.

Articles too lengthy for publication in the Best Practice Bulletin will be distributed as “white papers”. Abstracts of these articles will be included in the newsletter with links to the full text available on the CIP web site ([www.nycourts.gov/ip/cwcip](http://www.nycourts.gov/ip/cwcip)). The first of these was “How Judges Can Build Multi-Disciplinary Collaborations to Benefit Children and Families” a reprint of an article authored by the Hon. Sharon Townsend originally printed in “Future Trends in State Courts” a publication of the National Center for State Courts (attached as Appendix B). Another forthcoming white paper is “Building Bridges: The Case for Sharing Data Between the Court and Child Welfare Systems” authored by CIP staffer Paul Drezelo and OCA Trial Court Operations staffer Amelia LePore. The white paper model is a mechanism for providing information, filtered for relevance, to a wide audience of New York State Family Court and child welfare professionals.

## **Local Trainings**

### NYC Teen Days

New York City, like so many other jurisdictions, has seen a rise in the age of their children in foster care. According to ACS, over 50% of the children in their care are teenagers and approximately 60-65 age out of care each month. Recognizing that this population required a different approach to case reviews and services, NYC Family Court began working with ACS’ Office of Youth Development, ACS’ Office of Legal Services, Law Guardians and other advocates to initiate a series of trainings and “Teen Days” to address the unique needs of this group of youth.

Although the programs have varied in each county, the principles are the same. While each borough has their own version of “Teen Day”, in essence the purpose of the day is to connect the youth with information that they may need to assist them with such issues as housing, immigration, education, and other issues. The youth are invited to participate in their court hearing. Each receives an individual letter inviting them to court. Members of ACS’ Office of Youth Development are on hand to provide information and service referrals. There are also representatives of the Department of Education and Adoption advocacy groups. Written material is provided on a variety of subjects. Cases are scheduled for the afternoon to minimize youth missing school. The numbers of youth whose cases are on the calendar on Teen Day is small so that a proper amount of time can be spent by the referee on each case. The goal in each borough is to make the court a comfortable place for the youth and provide information on matters that affect them.

### Erie County Trainings

#### **Agency Adoption Training for Attorneys held in November 2007**

The Education Commission organized a Spring Conference in 2007 with the assistance of the National Council of Juvenile and Family Court Judges. In addition, the Commission developed the “Comprehensive Educational Planning Model” with Buffalo Public Schools (BPS) for Erie County foster care children. The model describes the role and duties of the BPS Community Liaison who is located at Family Court and assigned to track and monitor Erie County Family

Court child welfare cases that have school placements within BPS. The Commission continues to meet the first Thursday of the Month.”

In 2007, the Adolescent Subcommittee developed the "Youth Permanency Hearing Discussion Guide" to be used during adolescent permanency hearings for freed foster care youth fourteen and older. It is currently being piloted in with Court Attorney Referee Kathleen A. Crowley

### Monroe County Trainings

Monroe County Continues to provide regular trainings on a variety of child welfare topics under the umbrella of the brand “Babies Can’t Wait” & “Teens Won’t Wait”. The 2007 lunchtime series had approximate 380 attendees, of which 155 were attorneys. Sessions included the following presentations and panels:

1. Speaking Out In Their Own Voice: Foster Care Teen Panel
2. DHS Caseworker Panel
3. Educational Concerns & Needs for Kids In Care: Rochester City School District
4. Education Advocacy: Youth Advocacy Legal Aid Society
5. Multisystemic Treatment for Youth in Foster Care
6. Family Access and Connection Team: Probation
7. Law and Education: Children In The Child Welfare System

A training co- sponsored by CIP and Juvenile Drug Court was offered to judges, attorneys, and law guardians on the new regulations for adolescent community rehabilitation. In August 2007, the regulations on the Chemical Dependence Residential Rehabilitation Services for Youth title 14 NYCRR Part 817, which governs residential adolescent substance abuse treatment, changed dramatically. The change affects both the referral process and the payment of services by local treatment providers. Presenters included representatives from NYS Office of Substance Abuse and Alcoholism Services (OASAS), local treatment providers and residential placement centers.

Permanency Hearing training offered to the 7th Judicial District court clerks on Article 10, Article 3 and Article 7 proceedings

Partnering with the University of Rochester Medical Center Judge Douglas Johnson a member of the National Council of Juvenile and Family Court Judges, presides over a model court in Omaha, Nebraska, and a zero to two-dependency court presented at grand rounds on court and the community. Monroe Family court hosted Judge Johnson to a meet and greet luncheon, he presented on Omaha’s dependency court and led a dialogue among the family court judges.

### Niagara County Meeting

Tuscarora Outreach: CIP staff organized a “Meet and Greet” breakfast meeting held at Niagara Community College in October 2007, recognizing the commitment of the Tuscarora

Nation, the Niagara County Family Court and the Niagara County Department of Social Services to preserving the welfare of our children

### Local CASA Trainings

Native Children and CASA: Creating a Bridge Towards the Future was held on May 30, 2007. The training displayed Tribal CASA Programs nationwide, the role of CASA program directors, and presented prospects for developing a Tribal CASA program. The training was presented to representatives of the Seneca Nation.

CASA Assistance Program Manager also conducted local trainings for CASA programs on diversity issues, permanency planning, collaboration with DSS, state-level initiatives, board development and resource development plan initiatives.

### Adoption Day Presentations

Onondaga County held a ceremony in November, of 2007 to celebrate National Adoption Day. The Best Practice Part Referee and her staff assisted the Family Court Judges in the planning and implantation of National Adoption Day. The day started off with a closed ceremony to finalize 28 adoptions, after which there was a public celebration. The celebration included special guest speakers Shannon Russell, an adoptive teen, and Tim Green, best selling author and professional football player. As part of National Adoption Month, The Heart Gallery was on exhibit in the Courthouse for the entire month of November. The Heart Gallery displays professional photos of children who have been freed for adoption who do not have, at the time of the photograph, an adoptive resource.

## **FUTURE TRAINING INITIATIVES**

There are many initiatives described above, not yet brought to completion (i.e. Healthy Development of Foster Children, The Basics of Substance Abuse, the Basics of the Court System). In addition, there are many other initiatives in their infancy that will blossom in the upcoming year. Some of these initiatives include a new collaboration with the Judicial Institute which will allow for the CIP to be involved in Judicial training initiatives, as well as a project, lead by the PJCJC, on the development of a curriculum surrounding children in the courtroom. Additionally, there are many other initiatives that will emerge through the ever growing population of counties engaged in best practices which will be supported by CIP liaisons.

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
<p>Increase knowledge and skill of judicial officers (Judges and Referees) on child welfare related issues.</p>	<ol style="list-style-type: none"> <li>1) Underwrite Judicial Officer participation in the National Council of Juvenile and Family Court Judge's Child Abuse and Neglect Institute.</li> <li>2) Develop a basic child welfare training program for all judicial officers who hear child welfare matters and determine feasibility of mandating such training. Such training to include but not be limited to:               <ol style="list-style-type: none"> <li>a) Best Practices and CIP Initiatives;</li> <li>b) Child Development;</li> <li>c) Having children present in the courtroom;</li> <li>d) Child welfare basics;</li> <li>e) The court's role in promoting child well being using existing PJCJC curriculum (education, healthy development and special developmental needs of infants);</li> <li>f) ICWA;</li> <li>g) Elements of case planning and role of the caseworker and corresponding regulations; and</li> <li>h) Needs of children aging out of the foster care system.</li> </ol> </li> <li>3) Develop a child welfare bench book to augment the child welfare training program.</li> <li>4) Develop a Judicial mentorship program.</li> </ol>	<p>CIP in consultation with Supervising Judges</p> <p>CIP staff in collaboration with PJCJC</p>	<p>Ongoing</p> <p>2007-2010</p>	<p>8-10 Judges Participate in CANI seminar each year</p> <p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum Developed</p> <p>Trainers identified and recruited</p> <p>Training conducted annually</p> <p>Bench book published</p> <p>Mentoring program established</p>	<p>Quality of judicial decision making improved to support improvements in CFSR outcome measures:</p> <p>Children are, first and foremost, protected from abuse and neglect</p> <p>Children are safely maintained in their homes whenever possible and appropriate.</p> <p>Children have permanency and stability in their living situation; and</p> <p>The continuity of family relationships and connections is preserved for children.</p> <p>Families have enhanced capacity to provide for their children's needs;</p> <p>Children receive appropriate services to meet their educational needs</p> <p>Children receive adequate services to meet their physical and mental health needs.</p>	<p>Improvements in CFSR and court performance indicators</p>	<ol style="list-style-type: none"> <li>1) Sent 6 Judges in June, 2007. 11 Judges invited for 2008.</li> <li>2) Established a working relationship with NYS Judicial Institute to develop collaboratively trainings to deliver to Judges and Judicial Officers. Currently meeting to develop Summer 2008 Judicial Seminars               <ol style="list-style-type: none"> <li>2) a) Best practices and CIP Initiatives presentation was given to 5<sup>th</sup> Judicial District Judges' Meeting, 7<sup>th</sup> Judicial District Judges' Meeting, Child Welfare Staff at an OCFS sponsored conference &amp; to a multi-disciplinary group at Prevent Child Abuse New York Conference.</li> <li>b) &amp; e) Healthy Development of Children in Foster Care Curriculum in development.</li> <li>c) PJCJC lead on curriculum development. 3 phases: Phase 1: Developmental Issues – what to expect from children in court; Phase 2: Hearing Youth Voices; Phase 3: A Panel of Experts to discuss the pros and cons of children in the courtroom.</li> <li>f) ICWA Conference November of 2007 held.</li> <li>h) Teen Days in</li> </ol> </li> </ol>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>NYC established to be replicated.</p> <p>3) Established a relationship with the Judicial Institute to assist with curriculum development of child welfare matters</p> <p>4) preliminary conversations with a potential judicial mentor and discussions with Administrative Judges in large jurisdictions concerning the concept. Met with positive responses.</p>
Encourage active participation of children and youth in court proceeding.	<p>1) Provide training for all system users on child participation in court proceedings to include:</p> <ul style="list-style-type: none"> <li>a) Explanation of the benefits to the court and other stakeholders of youth presence and participation in permanency hearings;</li> <li>b) Explanation of the benefit to the children of youth participation in and presence at their permanency hearings;</li> <li>c) Behavioral expectations of children and youth based upon cognitive developmental stage;</li> <li>d) Age-appropriate questions and expectations for input from children and youth;</li> <li>e) Strategies to deal with emotional issues and outbursts;</li> <li>f) Restructuring or bifurcation of permanency hearings to permit younger children to participate;</li> <li>g) Judicial role in encouraging active and meaningful children and youth participation in permanency hearings;</li> <li>h) Use of creative, time-specific scheduling to permit children and youth to attend without significant disruption of school attendance;</li> <li>i) Strategies to prepare a child or</li> </ul>	PJCJC and senior CIP staff and consultants	2008	<p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Training conducted</p>	Increased participation of youth in court proceedings	UCMS data indicator on youth attendance	<p>1)PJCJC lead on curriculum development. 3 phases: Phase 1: Developmental Issues – what to expect from children in court; 1 c) d) e) j)Phase 2: Hearing Youth Voices; 1 b) h)Phase 3: A Panel of Experts to discuss the benefits of having children participate in their court proceedings and allow a forum for discussion about concerns. 1 a) b) g) h) i)</p> <p>2) In development</p> <p>3) NYS OCFS YIP (Youth in Progress) have been presenting at various law guardian training programs and may be the youth voice piece of</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
	<p>youth for effective participation; and</p> <p>j) Age appropriate expectations for input for children and youth.</p> <p>2) Develop a Judicial Handbook of age appropriate or developmental stage appropriate questions.</p> <p>3) Include foster youth panels at relevant trainings/seminars/conferences.</p>						the children in the courtroom training.
Increase judicial oversight of child and family service planning.	<ol style="list-style-type: none"> <li>1) Collaborate with OCFS to provide training to Judicial Officers on the elements of case planning.</li> <li>2) Conduct training for CASAs to enhance the court's ability to monitor child and family service plan implementation.</li> <li>3) Conduct training for Law Guardians on existing well-being indicators and child development.</li> <li>4) Educate Judicial Officers on the need to be informed regarding community services beyond those under contract with the local social service agency.</li> <li>5) Provide technical assistance statewide to Judicial Officers regarding conducting meaningful permanency hearings and exploring all permanency options prior to approving an APPLA goal.</li> <li>6) Utilize a case review of children who have aged out of the system after entering at a young age as a self-assessment/training tool.</li> </ol>	CIP staff	Ongoing	<p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Training conducted</p>	Improved service plans lead to enhanced family capacity, and improved CFSR outcomes	Formal evaluation of impact of judicial oversight in child and family service planning	<ol style="list-style-type: none"> <li>1) Through the work with the In Depth Technical Assistance provided by the National Center on Substance Abuse and Child Welfare a Training Plan emerged with this element as part of the training initiative. Such a training is in discussion stages.</li> <li>2) February 2007 regional trainings held on adolescent advocacy.</li> <li>3) Healthy Development Curriculum in Development. Pilot</li> </ol>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>of one module on incorporating healthy development into permanency hearings being piloted in March and April of 2008</p> <p>5) Relationship established with NYS Judicial Institute to discuss judicial training in the area of child welfare. Additionally, CIP Liaison staff work to improve the quality of permanency hearings in each of the jurisdictions they serve.</p> <p>6) Nassau County piloted, other pilots being explored. Next steps to engage OCFS in initiative to support local agency opening files for the review.</p>
<p>Improve the communication between Referees and Judges</p>	<p>1) Train judges and referees on the team model concept.</p> <p>2) Provide training for referees in conjunction with the Judicial Institute specific to their caseloads.</p>	<p>Judicial Training Consultant</p>	<p>2009</p>	<p>Planning group convened</p> <p>RFP for consultant curriculum development issued</p> <p>Consultant selected</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Training conducted</p>	<p>Increase judicial oversight of cases managed by referees</p>	<p>Formal evaluation of Judge/Referee team model</p>	<p>1) Ongoing work of the CIP Liaisons where the jurisdiction they serve utilizes referees. Continue to send Judges to the Child Abuse and Neglect Institute – 6 sent in 2007, 11 invited for 2008. A workshop on collaboration and the role of the Judge will be offered at the 2008 summer Judicial seminars.</p> <p>2) Relationship established with NYS Judicial Institute to discuss</p>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							judicial officer training in the area of child welfare during the annual update trainings provided to legal series employees that includes referees.
Increase awareness and understanding of child welfare court reform activities among OCA Divisions, Family Court Judges and Referees, court managers, staff and other relevant entities of the UCS	<ol style="list-style-type: none"> <li>3) Issue periodic "Best Practice Bulletins" (via print and e-mail).</li> <li>4) Make periodic presentations at Administrative Judge's and Family Court Supervising Judge's meetings.</li> <li>5) Meet individually with Administrative Judges and Family Court Supervising Judges regarding CIP activities.</li> <li>6) Make periodic presentations to Chief Clerks and Deputy Chief Clerks at annual meetings.</li> <li>7) Make periodic presentations to OCA Executive Management team regarding CIP activities.</li> <li>8) Make periodic presentations to local family court Judges and staff.</li> <li>9) Make periodic presentations to the Family Court Judges Association</li> <li>10) Meet and make presentations to the Appellate Divisions Law Guardian Programs.</li> </ol>	CIP Staff	Ongoing	<p>Requests for technical assistance increased</p> <p>Judicial leadership cultivated</p> <p>Participation in statewide and local planning efforts increased</p> <p>Traditionally underrepresented jurisdictions engaged</p>	Court reform efforts more broadly deployed leading to increase in the number of counties with active stakeholder groups to promote system-wide implementation of best practices	Number of active stakeholder groups	<ol style="list-style-type: none"> <li>3) Inaugural issue distributed January 2008, next issue scheduled for the spring.</li> <li>4) Coordinator and Assistant Coordinator of CIP Office presented to annual meeting of Administrative Judges of the Judicial District and the Supervising Judges of the Family Courts January 2008.</li> <li>5) Assistant Coordinator and Statewide Project Manager met with 5<sup>th</sup>, 7<sup>th</sup>, &amp; 9<sup>th</sup> Judicial District Supervising Judges of the Family Courts individually.</li> <li>6) Presentation made in December 2007 to annual meeting of Chief Clerks and Deputy Chief Clerks Statewide about CIP as well as upcoming CFSR</li> <li>7) Ongoing on a regular basis</li> <li>8) Presentations about CIP and best practices made by CIP staff in the 5<sup>th</sup>,</li> </ol>

Issue to be addressed	Strategy/Activity	Responsibility	Timeline	Interim Benchmark	Outcome	Indicator	Progress to Date
							<p>7<sup>th</sup>, 8<sup>th</sup> Judicial Districts, conversations had concerning a similar presentation in the 3<sup>rd</sup> Judicial District.</p> <p>9) Conversation occurred between Statewide Project Manager and President of Association.</p> <p>10) Fourth Department Panel familiar and allows for regular presentations on the CIP and best practices at regional seminars. Statewide Project Manager meeting with other Law Guardian Program Directors at a meeting which convenes all Directors and is establishing relationships.</p>
<p>Improve the quality of representation and advocacy in CW proceedings</p>	<ol style="list-style-type: none"> <li>1) Develop basic training curriculum for child welfare attorneys.</li> <li>1) Conduct periodic training sessions for attorneys in the basics of child welfare practice.</li> <li>2) Conduct periodic training sessions for attorneys on ethics in CW practice.</li> <li>3) Explore feasibility of mandated training programs.</li> </ol>	<p>CIP and PJCJC in consultation with State Bar and Appellate Division Law Guardian programs</p>	<p>2009-Ongoing</p>	<p>Planning Group convened</p> <p>Needs assessment conducted</p> <p>Curriculum developed</p> <p>Trainers identified and recruited</p> <p>Trainings conducted</p>	<p>Increase knowledge and skills of attorneys engaged in CW practice</p>	<p>Pre and post tests required for CLE credit</p>	<p>9 - 3) Preliminary conversations had with OCFS Counsel's Office who provide non-mandated training as well as counsel to The New York Public Welfare Association.</p>

# Appendix A

NEW YORK  
STATE

# Child Welfare

Unified Court System • Division of Court Operations  
Office of Alternative Dispute Resolution and Court Improvement Programs

## Court Improvement Project

**THE CHILD WELFARE COURT IMPROVEMENT PROJECT (CIP)** supports the Family Court's mandate to promote the safety, permanence and well being of children who are the subject of abuse, neglect, foster care, termination of parental rights and adoption proceedings.

## Best Practices Bulletin

**W**elcome to the inaugural issue of the Best Practices Bulletin, the quarterly newsletter of the New York State Child Welfare Court Improvement Project. This publication seeks to keep you informed of the accomplishments, activities and ongoing projects implemented by the New York State Unified Court System to support the court's mandate to ensure the safety, permanency and well being of children.

The continuous improvement of child welfare court operations is the result of the leadership provided by Chief Judge Judith S. Kaye (both in her role as Chief Judge and as Chair of the Permanent Judicial Commission on Justice for Children), Chief Administrative Judge Ann Pfau

and the contribution of time, talent and energy of judicial and non judicial staff of the family courts, the Office of Court Administration, the bar and our partners in government.

Future issues of this publication will focus on specific innovations and 'best practices' implemented by our family courts including frequent and in-depth court oversight of pending cases; the use of tools and checklists to enhance the court's inquiry into the safety, permanency, health and well-being of children, use of Court Appointed Special Advocates (CASA), and use of alternative dispute resolution processes such as mediation and case conferencing.

The inspiration for specific

projects often flows from the bottom up rather than from the top down. Much of the work of court reform is accomplished by local collaborative 'stakeholder' groups convened by family courts and their government partners. These groups provide a forum for discussions that lead to enhanced court operations and improvements in the child welfare and service delivery systems beyond the court. We welcome and encourage contributions of articles for future issues of this newsletter. ■



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## CIP: A Strong Past; A Secure Future

**N**ew York State's Child Welfare Court Improvement Project (CIP) began in 1994 and was administered from its inception through the Fall of 2006 by the Permanent Judicial Commission on Justice for Children (The Commission), chaired by Chief Judge Kaye. The Project is partially supported by a federal grant from the Administration for Children and Families of the US Department of Health and Human Services. Court

Improvement Project grants are awarded to the highest court in each state in recognition of the integral role state courts play in charting the course for abused and neglected children. The project, which focuses on proceedings involving abuse and neglect, foster care, termination of parental rights, and adoption, provides resources and technical assistance to enhance and promote innovation in court operations and practices.

Major initiatives include

interdisciplinary training programs such as the "Sharing Success" annual statewide conference, co-sponsored with the New York State Office of Children and Family Services (OCFS); support of efforts to collect, share and distribute child welfare data to court managers and judicial decision makers; and initiatives to improve the quality of court proceedings, court operations, representation and advocacy.

During 2006, federal funding

*Continued on Page 3*

For more information visit: [www.nycourts.gov/ip/cwcip](http://www.nycourts.gov/ip/cwcip)

## Teen Day in Queens Family Court

The first annual Teen Day was held in Queens Family Court in April, providing encouragement and information to youth preparing to live on their own. Six months in the planning, the event brought youth together with court and community agency personnel to inform the young adults of available programs, services, personal connections and jobs.

Invitations were extended to over 100 youth by law guardians, court referees and caseworkers.

Helen Muskus, Supervising Court Attorney in Queens, organized the effort, along with court attorney Tye Mosaku; Kim McLauren and Carolyn Silvers of Legal Aid; Lauren Meller and Dorien Gottlieb of ACS; Jennifer Goldstein and Samira Ali from CASA; Stephanie Pearl, Donna Erez and Regina Ritcey of the Permanency Mediation staff; and, of course, Referees Wanda Matthews, Amy Rood, Craig Ramseur and Kay Anixiadis, who every day hear the cases of adolescents about to age out of care. Together, they, as well as the practitioners, are concerned about whether these young adults will be able to cope with an uncertain future unless necessary services are put in place before they leave foster care.

The day began with welcoming remarks by Referee Matthews. Lauren Meller introduced Keema Davis and Richard Wilkerson from the (ACS) Administration for Children's Services Speaker's Bureau. Keema is also the coordinator for Wednesday's Child, the weekly series that highlights foster children looking for a home. These two young adults shared personal stories of their time in care, their struggles, and their eventual successful outcomes. Their most important lesson for the young adults in the audience was to try to connect with adults, to open themselves to the possibility of family.

Other speakers included Winsome McDermott; Donna Marie Antoine; Ronnel Walker-Johnson and Kim Dennis. Represented agencies included the Administration for Children's Services (ACS) Office of Youth

Development; ACS Housing; ACS Placement Services; You Gotta Believe; CUNY; The Door—A Center of Alternatives, Inc.; Child Permanency Mediation Program; Planned Parenthood of New York



“Teen Days are an excellent opportunity for us to come together as a community and engage youth in the Family Court process.”

—HON. JOSEPH LAURIA

City, Inc.; Queens Public Library; Jamaica Center for Arts and Learning; City Year; Brooklyn Job Corps Academy; The Child Center of New York, Inc.; Covenant House—Queens Community Resource Center; Goodwill; and Dress for Success.

Youth were encouraged to attend their own service plan reviews to become resources to themselves in planning for their own future. ACS youth-focused programs were discussed, including funding for education and special educational programs that allow youth to earn college credit at Bard College over the summer. Erick Hallgren of Bronx Community College discussed how important education is to their future and discussed the opportunities available throughout the CUNY system.

Paul Snellgrove of “You Gotta Believe” discussed the need for family. “You Gotta Believe” works with adolescents and foster families to create permanent families for adolescents in care.

After years of failed attempts at bonding with a family, many adolescents reach a point where they stop trying. Paul encouraged those in the audience to heed the words of Mr. Wilkerson, who told the group that he had to overcome negative advice from those around him to take a chance on

a family who seemed genuine about their interest in him.

The referees held hearings regarding the status of each adolescent and discussed their progress in school and with housing, counseling and relationships with their foster families. Each courtroom had the services of a Court Appointed Special Advocate (CASA) who stood by, ready to be appointed in those cases where certain issues seemed to need further attention. Cases were adjourned to short dates so that ordered services could be reviewed prior to the youth's being discharged from care.

Lunch was provided by Ezekiel's Catering, a specialized training program developed by Covenant House to teach New York City youth culinary arts and the skills necessary to run a business.

Attendees found the program helpful and had useful suggestions on how more youth could be encouraged to come to court. The information tables with the most interest were ones that offered information about college, housing, youth programs and jobs. With the program such a success, plans are already underway for the next Queens Teen Day. ■

*Excerpted from the New York City Family Court Chronicle*

## National Summit on Children's Welfare

Over 200 judges and child welfare experts from 46 jurisdictions convened in New York this past March for a summit aimed at devising ways to improve the care and protection of vulnerable children across the nation.

"A Summit on Children: It's Their Future—Ours Too!" was co-sponsored by the Conference of Chief Justices and the Conference of State Court Administrators in partnership with the National Center for State Courts and the New York State Unified Court System. The meeting is a follow-up to the first National Judicial Leadership Summit on the Protection of Children held two years ago in Minneapolis.

Each state represented at the summit was asked to participate as a team of three or more, a group to ideally include the chief judge, state court administrator and either the governor's director of human services or a senior administrator of the human services agency responsible for the state's child welfare system.

As you know, today and every single day, we have an enormous amount of work to do to improve the lives and the life chances of our nation's needy children, our children," said Chief Judge Judith S. Kaye, who welcomed partici-

pants to the summit.

"It is unethical and immoral for your life's circumstances to be predicated on your zip code," said keynote speaker Geoffrey Canada, executive director of Harlem Children's Zone, a non-profit, community-based organization that works to enhance the quality of life for children and families in some of New York City's most devastated neighborhoods. Some children are forced to live in horrible conditions and to attend schools where students have failed for years, he added.

Canada also said that though people question how much it costs to fund programs that enrich children's lives, they rarely if ever think about what we as a society are willing to spend down the line, when many of these broken youngsters wind up in prison. Canada's organization spends \$3,500 annually per family to provide educational and other support services, a fraction of the more than \$30,000 it costs per year to incarcerate an individual in New York state. The Harlem Children's Zone serves more than 12,500 children and adults through a variety of programs designed to rebuild the community.

Gov. Eliot Spitzer told the audience that refocusing state dollars to intervene



earlier in the life of a child to address education, health care and other issues is clearly where social policy should head, while Mayor Michael Bloomberg discussed steps that New York City is taking to provide better training and other support to its child protective agency personnel.

A group of young adults gave conference attendees a view of what it's like growing up in foster care. They told participants that every child deserves and needs caring adults and permanency in order to connect well with others and feel hopeful about the future.

Retired New York Family Court Judge Joan Cooney encouraged child welfare workers and others at the conference to do all they can to keep children transferred to a new foster home in their current schools. Foster children are more apt to become dropouts, she said, when they're constantly being moved from school to school. ■

*Reprinted with permission from Benchmarks*

## History *continued from page 1*

for the program increased to support additional training and data analysis efforts. The additional resources will support replication of successful activities more broadly across the state and with greater depth at the local level. The increased focus on court operational issues prompted the transition of the administration of the project to the Office of Court Administration's Division of Court Operations. The CIP continues to operate with the support, advice and counsel of the Commission whose interdisciplinary membership includes leaders from government and non-governmental systems that impact children and families.

Chief Judge Kaye appointed the Honorable Sharon Townsend, Administrative Judge of the 8th Judicial

District (and a former family court judge) to chair a CIP working group as a subcommittee of the Commission. This group will provide a "hands on" leadership team to steer the development of goals and objectives, monitor the implementation of CIP objectives, keep the full Commission membership informed of CIP activities and provide advice, counsel and support to CIP staff.

The "Office of Alternative Dispute Resolution and Court Improvement Programs" was created by integrating the former Office of ADR Programs with staff from around the state engaged in CIP activities. Dan Weitz was appointed Deputy Director of the Division of Court Operations and continues in his role as Coordinator of the Office of Alternative Dispute Resolution and Court

Improvement Programs. Frank Woods was appointed Assistant Coordinator with direct programmatic responsibility for the operation of the CIP program. Christine Kiesel, formerly a court attorney referee in Oneida County where she presided over a child welfare "best practice" part, has joined the staff as Statewide Project Manager. Trista Borra, formerly of the Commission and Karen Carroll, formerly of the Erie County Court Improvement Project joined the staff as Deputy Statewide Project Managers. In addition, over the course of the next year, the CIP will create liaison positions, co-located in other additional family courts, to implement the goals of the statewide project at the local level. This administrative team will support the reform of family courts' efforts throughout the state. ■



## Resources:

**Kids Well-being Indicators Clearinghouse:**  
[www.nyskwic.org](http://www.nyskwic.org)

This site by the NY State Council on Children and Families presents data on children's health, education and well-being indicators.

**Information on Legislation and Court Rules:**  
[www.nycourts.gov/ip/judiciarylegislative/fcarcrep.007.pdf](http://www.nycourts.gov/ip/judiciarylegislative/fcarcrep.007.pdf)

This link to the Family Court Advisory and Rules Committee's Report to the Chief Administrative Judge of the Courts of New York (January 2007) provides information regarding legislation and court rules effecting child welfare proceedings.

**Child Welfare Information Gateway:**  
[www.childwelfare.gov](http://www.childwelfare.gov)

Formerly the National Clearinghouse on Child Abuse and Neglect Information and the National Adoption Information Clearinghouse, the Child Welfare Information Gateway provides access to information and resources to help protect children and strengthen families. The site is a service of the Children's Bureau, Administration for Children and Families, and the U.S. Department of Health and Human Services.

## Nassau Pilots 'Basic of Substance Abuse' Training

**S**ubstance abuse impacts the vast majority of families involved in the child welfare system. To assist judges, court and child welfare professionals in meeting the needs of those families, the NYS Child Welfare Court Improvement Project (CIP) and Nassau County Family Court conducted a pilot series of trainings on the basics of substance abuse and addiction. Begun in November 2006, the training was provided by the Center on Addiction and the Family, the policy and program development arm of Phoenix House. The goal of the pilot is to refine the training format and curriculum for possible replication statewide. The training is structured as seven 90-minute modules. This format allows the training to be delivered with minimal impact on court operations. Each session combines didactic instruction and conversation with a focus on practical information grounded in theory. The audience includes Judges, Court Attorneys, Referees, Law Guardians, respondent parents' counsel and CASAs. The Nassau pilot sessions conducted to date were attended by an average of 40 participants.

### Modules include:

- **Session 1:** Basics on Drugs and Addiction. Motivations for drug involvement; the continuum of experimentation through addiction and into recovery; short- and long-term effects of alcohol and drugs on the body and brain; and drug testing protocols.
- **Session 2:** Treatment Options. Treatment options available to adolescent and adult substance abusers and the various modalities that make them appropriate for different clients.
- **Session 3:** Relapse. Description of relapse and triggers; relationship to brain chemistry; identification of relapse process and responses; impact on visitation, reunification efforts and permanency decision-making.
- **Session 4:** Family Perspective on Addiction, Treatment, and Recovery. How families are affected by addiction, treatment and recovery; family dynamics; options for post-treatment living arrangements; challenges of reunification; trust; second-generation prevention; and family recovery.
- **Session 5:** Child Perspective on Addiction and Recovery. The ways in which children of different ages are affected by a parent's substance abuse; the impact of treatment; the child's perspective on the reunification process; the impact of prenatal exposure on children and teens; and implications for parent-child visits and permanency planning.
- **Session 6:** Treatment Perspective. Concerns and perspectives of treatment providers; confidentiality; coping with multiple client mandates; challenges working with other systems; and how providers experience working with the courts.
- **Session 7:** Moving Towards Change. The Stages of Change theory; basics of motivational interviewing; techniques that can be used to help encourage clients to consider changing their behavior and seeking help for substance abuse; relapse – signs and symptoms, triggers, the actual relapse process and the conflicting timelines of child welfare and recovery (which anticipates relapse as part of recovery). ■

## Planning for the Future

**I**n May of 2007, the CIP hosted a two day Action Planning Meeting at the State Judicial Institute. The meeting, facilitated by the National Council of Juvenile and Family Court Judges, brought together CIP staff; Kathleen DeCataldo, the new Executive Director of the Commission; Justice Sharon Townsend; New York City Family Court Administrative Judge Joseph Lauria; senior administrators and staff of the Office of Court Administration's Divisions of Court Operations and Technology and New York City Family Court; and representatives of the state Office of Children and Family Services. This meeting provided a forum for clarification of the mission and goals and development of concrete objectives and planned activities for the next four years and a discussion of how the selected activities will lead to tangible, measurable, and time-specific improved outcomes

for children and families in the child welfare system. A copy of the Mission, Goals and Objectives document is available on the Child Welfare Court Improvement Project web site: [www.nycourts.gov/ip/cwcip](http://www.nycourts.gov/ip/cwcip).

The values at the heart of alternative dispute resolution processes – collaboration, inclusion, creativity, and respect for diverse views – are prerequisites for successful child welfare court reform efforts. The former Office of Alternative Dispute Resolution always strived to exemplify these values not only as theoretical unpinning of the processes it promotes as tools for case resolution, but also in its approach to program development. The new Office of Alternative Dispute Resolution and Court Improvement Programs will strive to continue that legacy and expand that approach into the child welfare court reform arena. ■

# Appendix B

White Paper  
January 2008

# How Judges Can Build Multidisciplinary Collaborations to Benefit Children and Families

Hon. Sharon S. Townsend  
ADMINISTRATIVE JUDGE, 8<sup>TH</sup> JUDICIAL DISTRICT



## Child Welfare

**NEW YORK  
STATE**



Unified Court System • Division of Court Operations  
Office of Alternative Dispute Resolution and Court Improvement Programs



## Court Improvement Project

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Knowledge & Information Services Division

## **How Judges Can Build Multidisciplinary Collaborations to Benefit Children and Families** **Hon. Sharon S. Townsend, Administrative Judge, 8th Judicial District, State of New York**

### **Trends Statement**

*This article discusses how successful systemic change has resulted from multidisciplinary collaborations with the court system through strong judicial leadership, inclusion of governmental and community stakeholders, and development of sustained trust between stakeholders.*

Nationally there has been a growing frustration among members of the judiciary that court systems are poorly situated to effect the permanent, sustainable, and cultural changes necessary to combat the afflictions of our modern society. Pervasive societal problems, such as drug addiction, domestic violence, and juvenile delinquency, are often the catalyst that necessitates judicial intervention. This is especially true where courts are called on to intervene on behalf of families and children. When I began my career as a family-court judge in Erie County, New York, in the early 1990s, the primary role of the courts in the administration of justice was the determination of the guilt or innocence of the alleged offender and disposition of the case with few alternatives available. The punishment for those found guilty of the allegations against them ran the gamut between termination of parental rights in child-welfare cases to placement at a detention center for juveniles. Children were removed from their families and society and then returned to the community with no oversight, often continuing the same problematic behavior. Courts had a revolving door where the same offenders and families were coming back time after time, generation after generation. There was no mechanism in place to address potential underlying problems that litigants were dealing with, such as drug addiction, family violence, parental conflict, mental-health issues, or juvenile delinquency. This ineffective approach of deciding cases without dealing with these underlying issues often led to recidivism or permanent dissolution of familial or societal relationships.

At the same time, institutions such as the courts, departments of social services, law enforcement, probation, city and county managers, legislators, community groups, and educational providers were largely operating in a vacuum with very limited interaction, even though these leaders and organizations often had similar missions and goals. In the few instances where the court sought to collaborate with agencies, the agencies did not fully trust the court's intentions and would use confidentiality as a reason to not share information. In other instances, the court would threaten to hold an agency in contempt for allegedly failing to perform a designated duty without any discussion of the matter between the court and the agency. I saw firsthand the effect of this disconnect between the various institutions, which had a negative impact on the cases that came before me involving children and families. There was a great need to change our system to go beyond simply processing cases to try to improve conditions for children, families, and society at large through multidisciplinary collaboration between these various agencies.

If the collaborative efforts in the Eighth Judicial District of New York can be held out as a model of successful collaborative change, change requires strong judicial leadership, investment of key stakeholders, and formation of trusting relationships that have become the foundation for a mutual commitment to ongoing problem solving.

### **Judicial Leadership**

Systemic change can be challenging and requires a collaborative leader who inspires commitment and action; leads as a peer problem solver; builds broad-based, long-term involvement; and sustains hope for success.<sup>1</sup> Judges are in a natural position to assume the leadership of comprehensive change efforts because they hold a position in society as individuals of authority and fairness. Judges play a unique role in preserving the interests of all involved: the child, the families, and the community. By virtue of their title, judges hold a position that invites their leadership.<sup>2</sup>

In the early 1990s, under the leadership of Chief Judge Judith S. Kaye of the New York Court of Appeals, the New York courts began to search for new tools, strategies, and technologies that could help courts address difficult cases where social, human, and legal problems collide. With Chief Judge Kaye's vision,

New York State courts began development of a problem-solving court model to seek better courtroom outcomes, change individual behavior, and reduce recidivism by collaborating with other governmental and community organizations. Chief Judge Kaye reached out to leaders at the highest levels of state government and organizations, most of whom had not previously collaborated with one another or the court, and invited them to participate in the development of best practices to achieve these goals.

### Multidisciplinary Stakeholders

According to Himmelman’s Hierarchy of Multi-Organizational Partnerships, joint efforts culminate in collaboration when “each organization wants to help its partners become better at what they do.”<sup>3</sup> The keys to establishing a true collaboration are the equal commitment of trust, time, and resources by the involved stakeholders. Successful change begins by investing key, multidisciplinary stakeholders. “Those stakeholders who become invested early in the process can have great impact on the development of group’s mission and objectives.”<sup>5</sup> As developed through the Himmelman model, successful collaboration begins with bringing stakeholders together and building relationships. The process continues with coordinating efforts, then cooperating with each other toward common goals and finally collaborating to reach mutual goals. “When all stakeholders are involved in an organization’s direction-setting process, the best thinking of all concerned is brought to the table.”<sup>6</sup>

Himmelman’s Hierarchy of Multi-Organizational Partnerships <sup>4</sup>	
Networking	Exchange information for mutual benefit.
Coordinating	Exchanging information and <i>altering activities</i> for mutual benefit and to achieve a common purpose.
Cooperating	Exchanging information, altering activities, and <i>sharing resources</i> for mutual benefit and to achieve a common purpose.
Collaborating	Exchanging information, altering activities, sharing resources, and <i>enhancing the capacity of another</i> for mutual benefit and to achieve a common purpose.

As administrative judge of the Eighth Judicial District in New York State, I have worked to address needed systemic change within the eight counties of our district through multidisciplinary collaborations with community leaders, such as the local commissioners of social services, the county directors of probation, commissioners of mental health, county executives and legislators, leaders from tribal courts, school district superintendents, directors of legal services, heads of law enforcement, members of the bar, and heads of community and faith-based organizations. Many of these agencies had not previously worked with one another, and in some cases, there was some historic antagonism or distrust between the agencies. When the new superintendent of Buffalo schools was appointed, I invited him to meet with the family court judges, the commissioners of social services and mental health, and the director of probation. He told me that in his 30 years in education, this was the first time a judge had reached out to him. As a result, many positive systemic changes have occurred, including the creation of attendance court, a preventive model involving parents and the schools to address the issue of chronic school truancy before it leads to deeper involvement in the juvenile justice system.

Because of the relationships I had developed with each of these agencies, I was able to bring them together to collaborate. I began holding regular meetings at the courthouse with the various community “stakeholders”—groups that could affect or are affected by the achievement of the overall goals. It was very important to include key stakeholders early on in the process to begin the discussions as to how we could collaborate to effect the necessary changes in the system. Moreover, early participation also enhanced the relationship and the trust between the entities to keep the lines of communication open to achieve consensus. Issues of concern to each of the stakeholders, such as staffing, funding, or philosophy, were verbalized to the group, which helped move the discussions forward without hidden agendas. Most of the meetings involved sharing food or “breaking bread” together, which enhanced collegiality and created the kind of informal dialogue that sowed the seeds of change.

The model of multidisciplinary collaboration is also continued at a local level with judges in the community providing the leadership to convene meetings with government and community stakeholders to address necessary systemic change. Some judges may have concerns about whether these collaborative meetings with stakeholders would constitute a violation of judicial ethics. Recently issued judicial ethics

advisory opinions suggest that if all interests are represented at the meeting, and the subject matter discussed constitutes administrative matters, then it is permissible to attend such meetings.<sup>7</sup>

While statewide models for problem-solving courts, such as drug courts, domestic-violence courts, and mental-health courts, have been developed, implementation of each of these courts in the various local communities depends upon the multidisciplinary collaborations that are initiated by the local judiciary. These judges also have developed professional and personal relationships with local community and governmental leaders and stakeholders, which are critical to creating the trust between these agencies that will, it is hoped, lead to effective collaboration and systemic change. The judges at the local level also continue to hold regular meetings with stakeholders to keep the lines of communication open and to maintain the level of trust that has developed from this collaboration. I have observed that the failure to maintain stakeholder communication through regular meetings at any level often results in each faction retreating to their own camps and the breakdown of the mutual trust that is essential to the success of a collaborative project.

### **Building Trust**

The personal relationships that are developed among the various stakeholders are the foundation of the trust that becomes the catalyst for change. Once we learn to trust each other on a personal level, we can work together for the benefit of the children and the community. Often, people are intimidated by judges because of their perceived power. Once other stakeholders see us as peers who are equally interested in collaboration to improve the system to benefit children and families, the barriers disappear and real reform occurs. Rather than finding reasons why we cannot work together, the question becomes, "What can we accomplish by working together?"

Successful systemic change resulting from multidisciplinary collaborations with the court system has been achieved through three primary components: strong judicial leadership, inclusion of governmental and community stakeholders, and development of sustained trust between stakeholders. True collaborations are never fully implemented; changing systems will have changing needs.<sup>8</sup> The collaborative group must continue to learn and evolve to meet these needs. By engaging in a continual process of innovation and reflection, changes can be continued, expanded, or modified according to the success of the results.<sup>9</sup>

I am proud to state that each of the collaborators in our projects has worked not only on behalf of their own agency or interest group but, moreover, in the best interests of children and families, and because of this, all of our communities have greatly benefited from their efforts.

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<sup>1</sup> Jeffrey T. Wilson, "Leadership Development: Working Together to Enhance Collaboration," *Journal of Public Health Management and Practice* (2002): 23.

<sup>2</sup> Leonard P. Edwards, "The Juvenile Court and the Role of the Juvenile Court Judge," *Juvenile and Family Court Journal* 43 (1992): 29.

<sup>3</sup> Arthur T. Himmelman, "Devolution as an Experiment in Citizen Governancy: Multi-Organization Partnerships and Democratic Revolutions," a working paper for the Fourth Annual Conference on Multi-Organizational Partnerships and Cooperative Strategy, Oxford University, July 1997.

<sup>4</sup> Ibid.

<sup>5</sup> Donna J. Wood and Barbara Gray, "Toward a Comprehensive Theory of Collaboration," *Journal of Applied Behavioral Science* 27 (1991): 146.

<sup>6</sup> Charles Schwahn and William Spady, "Why Change Doesn't Happen and How to Make Sure it Does," *Educational Leadership* 55 (1998): 45.

<sup>7</sup> For example, New York State Advisory Committee on Judicial Ethics, Joint Opinion 06-154 and 06-167.

<sup>8</sup> For example, Anita S. Harbert et al., "Collaboration: A Study of a Children's Initiative," *Administration in Social Work* 21 (3/4) (1997): 83-107.

<sup>9</sup> John P. Cotter and Dan S. Cohen, *The Heart of Change* (Boston: Harvard Business School Press, 2002), p. 8.