

# PARTICIPANT PACKET

## *Model Court Practices in Abuse and Neglect Cases*



### **A Live National Satellite Broadcast**

*Produced by the*  
**Office of Juvenile Justice and Delinquency Prevention**  
**U.S. Department of Justice**  
*And the*  
**Juvenile Justice Telecommunications Assistance Project**  
**Eastern Kentucky University—Training Resource Center**

*In cooperation with the*  
**National Council of Juvenile and Family Court Judges**  
**Permanency Planning for Children Department**  
*And the*  
**U.S. Department of Health and Human Services**  
**Children's Bureau**

## **Model Court Practices in Abuse and**

# Neglect Cases

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*This document was prepared by the Eastern Kentucky University Training Resource Center under grant#95-JN-MU-0001 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Dept. of Justice. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Dept. of Justice.*

# **Model Court Practices in Abuse and Neglect Cases**

## **AGENDA**

**February 10, 2000**

**\*All times listed are EST and approximate**

- 1:00-1:30 PM Pre-conference Site Activities; Test Slate
- 1:30-1:35 PM Overview Videotape
- 1:35-1:45 PM Welcome/Introduction/Overview
- 1:45-1:55 PM Video Overview of Model Court – El Paso, TX
- 1:55-2:17 PM Panel Discussion/Participant Call-in
- 2:17-2:27 PM Video Overview of Model Court-Newark, NJ
- 2:27-2:49 PM Panel Discussion/Participant Call-in
- 2:49-2:59 PM Video Overview of Model Court-Louisville, KY
- 2:59-3:25 PM Panel Discussion/Participant Call-in
- 3:25-3:30 PM OJJDP Coming Events/Closing

# **Model Court Practices in Abuse and Neglect Cases**

## **Overview**

### **Introduction**

In 1997, just under one million children were the victims of child abuse and neglect. Child Protective Service agencies in forty-one states reported that 967 of these children died as the result of abuse or neglect. Since not all child maltreatment fatalities are reported to these agencies, it can be assumed that the number of deaths exceeded 1000. Maltreated children are found in all income, racial and ethnic groups, and incidence rates are similar in urban, suburban, and rural communities.

Many of the victims of maltreatment are placed in foster homes, which are designed to be temporary placements. In 1998, children in foster care numbered 520,000 and over 34% had been in foster care for 3 years or more. Failure to find permanent placements deprive children of a sense of security, which can have devastating effects on children who have already been abused or neglected. As many as 60 percent of children who outgrow the foster care system become homeless at least once during the first year upon leaving foster care.

### **Efforts To Reform the System**

In 1992, the National Council of Juvenile and Family Court Judges (NCJFCJ) established the Child Victims Model Court Project with funding provided from the Office of Juvenile Justice and Delinquency Prevention. Its goal is to educate judges and other practitioners on the need to expeditiously secure permanent placements for all maltreated children, either by making it possible for them to safely return home or finding them safe adoptive homes. This project aims to prevent further victimization of abused and neglected children through improved court policies and practices.

The first activity of the Project was to develop guidelines for juvenile and family court judges to follow in the processing of child abuse and neglect cases. A committee comprised of judges, court administrators, attorneys, child welfare experts, and others developed a bench book, entitled *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases* which was issued in 1995. Endorsed by both the American Bar Association and the Conference of Chief Justices, it is a national blueprint for courts, providing step-by-step recommendations on how to improve court practices. The bench book identifies key aspects of fair hearings and bench practices at all stages of court proceedings, and underscores the importance of timely permanency for children, substantive hearings, representation for all parties, the one judge/one family concept, and the necessity of judicial leadership and system accountability in dependency practice. Many court improvement programs and individual courts have used it to improve practices in child abuse and neglect cases.

The Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) established a new grant program to help State courts improve their handling of proceedings relating to foster care and adoption. Beginning the FY 1995, 51 States, including the District of Columbia, have received funding from the Children's Bureau under the Court Improvement Program. The State Court

Improvement Program provides State Courts with the opportunity to work and collaborate with other interested parties – all the projects are working intensively with their counterparts in the child welfare agencies on comprehensive system reform and developing a joint agenda for change. States also receive funds to improve the handling of child abuse and neglect cases under the Children’s Justice Act, administered by the Children’s Bureau and funded under the Crime Victims Fund in the Department of Justice. The Children’s Justice Act requires the formation of a State multi-disciplinary task force composed of all the professionals involved in the handling of these complex cases.

In November 1997, The Adoption and Safe Families Act (ASFA) amended Public Law 96-272, the 1970 Federal law which established a clear focus on the need for permanency for children in foster care and the importance of permanency planning and timely decision-making for these children. ASFA requires that child safety be the paramount concern in making service provision, placement and permanency planning decisions. It reaffirms the importance of making reasonable efforts to preserve and reunify families, but also specifies that States are not required to make efforts to keep children with their parents when doing so places a child’s safety in jeopardy. To ensure that the system respects a child’s developmental needs, the law includes provisions that shorten the time frame for making permanency planning decisions and establish a time frame for initiating proceedings to terminate parental rights. ASFA also requires a focus on results and accountability and makes it clear that it is no longer enough to ensure that procedural safeguards are met. It is critical that child welfare services lead to positive outcomes for children. All States have enacted legislation implementing ASFA.

### **Development of Model Courts**

Following the publication of the *RESOURCE GUIDELINES*, the National Council of Juvenile and Family Court Judges focused its efforts on identifying “Lead Judges” in several State courts that were willing to accept responsibility to spearhead system reform changes. The goal of these changes was to provide children with a permanent resolution of their cases as expeditiously as possible. The first Model Court was the Hamilton County Juvenile Court in Cincinnati, Ohio, under the leadership of the Honorable David E. Grossman.

Today, there are twenty Model Courts representing a wide variety of jurisdictions ranging from large urban centers to smaller communities. These Courts have implemented a variety of programs that can be replicated by other courts. For example, reorganized one family/one judge court calendars ensure that judicial decision makers assigned to specific dependency cases remain on those cases until the children involved achieve permanence.

Family group conferencing and mediation programs have been incorporated into many Model Court jurisdictions. As the health and safety of the child are of paramount concerns, many courts have expanded preliminary protective hearings to ensure that related issues are substantively investigated at the early stages of child abuse and neglect cases. Scheduling hearings at specific times, implementing strict continuance policies, establishing Family Drug Courts, and developing state-of-the-art information management systems are goals of several Model Courts, while others are focusing on increasing adoptions.

While Model Courts may vary in actual practices, they share the fundamental goal of seeking to achieve timely permanent placements. Other Model Courts are striving to decrease the number of cases under court supervision by examining records and clearing case backlogs.

### **Need for Collaboration**

Although judicial leadership is critically important to the change process, it is not enough. Meaningful and sustainable systems change can only occur through concerted collaborative efforts on the part of all systems professionals. In particular, child welfare agencies and courts must work together to develop a common understanding of each other's responsibilities and concerns to produce better outcomes for children and families. Under the Adoption Opportunities Program, the Children's Bureau is funding discretionary programs to test the efficacy of facilitating collaboration between agencies and courts.

Within each Model Court, collaborative relationships have been developed and all stakeholders have been brought to the table. Each of the Model Court team members and stakeholders involved in reform efforts also makes a commitment of time, effort, and personnel resources.

The purpose of this videoconference is to provide participants with state-of-the art information about how to improve the handling of abuse and neglect cases. Discussions will include the importance of judicial leadership and community collaborations. It will feature the following three Model Court programs: Newark, New Jersey, Louisville, Kentucky and El Paso, Texas

## **65th JUDICIAL DISTRICT, CHILDREN’S COURT EL PASO, TEXAS**

Lead Judge: Hon. Patricia A. Macias  
Title: Associate Judge  
Court/Organization: 65th Judicial District, Children’s Court  
Address: 500 E. San Antonio Street  
City/State/Zip: El Paso, Texas 79901  
Telephone: (915) 546-2147  
Fax: (915) 543-3811  
Email: PMACIAS@co.el-paso.tx.us

### **A Brief History of the El Paso Model Court**

The El Paso Children’s Court became a Model Court of the National Council of Juvenile and Family Court Judges in February 1997 under the leadership of Associate Judge Patricia A. Macias. El Paso’s Children’s Court falls under the jurisdiction of the 65th Judicial District Court. The Children’s Court has one associate judge, Judge Macias, who handles all abuse and neglect proceedings up to termination of parental rights hearings. However, the associate judge can hear uncontested terminations (i.e., relinquishments or waivers). The judge of the 65th District Court, Hon. Alfredo Chavez, handles all contested termination matters de novo, and ascribes these cases the highest priority. Unlike many jurisdictions around the country, terminations of parental rights hearings in El Paso often involve a jury trial.

The El Paso Model Court has worked hard to establish a positive collaborative relationship with all stakeholders in the child welfare system. One example of this collaborative effort is the El Paso Model Court Advisory Committee. Chaired by the associate judge, the advisory committee includes foster parents; child protective services workers and supervisors, mental health professionals, attorneys’ ad litem, assistant county attorneys, CASA representatives, service providers, and representatives of the university community. The Model Court Advisory Committee regularly convenes to set priorities for Model Court initiatives and to monitor Model Court practices. The purpose of the Committee is to provide a forum for the discussion and development of innovative practices, as well as policies on how dependency cases will be handled in El Paso’s child protection system. The Committee is charged with changing the way the court does business for the benefit of all participants in the dependency process.

The El Paso Children’s Court also uses local networks of professionals to increase community awareness of problems associated with child abuse and neglect. More than 85 community members serve on various advisory subcommittees on mediation, assessment foster homes, foster parent standards, teen issues, and adoption. Community members are helping to increase local and regional awareness of the need to expedite adoption of formerly abused or neglected children.

### **El Paso Model Court**

**The Vision:** To achieve a timely and appropriate family for every child who enters the state child Protection system

**The Goal:** All children will have a permanent home within twelve months

## **A Snapshot of Accomplishments**

- Development and implementation of Assessment Foster Homes Initiative;
- Implementation of dependency mediation program;
- Simultaneous language interpretation for all non-English speaking court participants;
- Court orders are drafted on the bench and distributed immediately after each hearing;
- Consistent format for case plans and improved quality of case plans;
- Improved attendance by all parties (including parents and relatives) at court hearings;
- Special guardians ad litem are appointed for undocumented children to ensure they are not returned to their home country if reunification is not the permanency plan;
- Video conference hearings now enable children placed in out-of-county residential treatment facilities to participate in their hearings;
- Child welfare and termination cases given top priority by court;
- Improved training for attorneys, foster parents, and other key practitioners;
- Front-loaded services are provided early in the progress of each case to provide all possible opportunities for family rehabilitation and safe family reunification;
- Regular appearance of foster parents at hearings and involvement of foster parents in Model Court Advisory Committees;
- Development of family group conferencing program (Familias Primero B Families First);
- Case processing time frames have been narrowed and court procedures streamlined; and
- Increased respect and positive public attention for the court.

## **Advice to other courts....**

- A) Embrace each new idea and support the source
- B) Even if the idea never materializes into an initiative. Be accountable and appreciate the hard work that others do that makes the court function smoother. Laugh and cry at the appropriate moments. Hon. Patricia A. Macias

## **For more information about the El Paso Model Court, please contact:**

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## **JEFFERSON COUNTY FAMILY COURT LOUISVILLE, KENTUCKY**

Lead Judge: Hon. Richard J. FitzGerald  
Presiding Judge  
Court/Organization: Jefferson Family Court  
Address: Jefferson County Judicial Center  
700 West Jefferson Street, Suite 220  
City/State/Zip: Louisville, Kentucky 40202-4730  
Telephone: (502) 595-4736  
Fax: (502) 595-3482  
Email: RichardF@mail.aoc.state.ky.us

### **A Brief History of the Louisville Model Court:**

Under the leadership of Chief Justice Robert Stephens, Jefferson County was designated as the first Family Court Pilot Project in the Commonwealth of Kentucky. The Jefferson Family Court began hearing cases in April of 1991.

The Jefferson Family Court has been an active partner with other legal, social services, and non-profit agencies in the development and implementation of the National Council of Juvenile and Family Court Judges' Victims Model Court Project which sets goals for court improvement in child abuse and neglect cases and the National Council of Juvenile and Family Court Judges' Diversion Model Court Project which utilizes mediation to divert cases from formal court and Family Group Decision Making to develop safety plans that protect children.

The Jefferson Family Court has been a partner with the Jefferson County Public School system, the Circuit and District courts, as well as other social services agencies, in the development and implementation of a Truancy Prevention Project to keep children safe and in school.

This year was highlighted by the move of Family Court into the newly constructed Jefferson County Judicial Center in February. The building contains spacious, state-of-the-art courtrooms, ample waiting rooms for families, separate waiting areas for children and victims, consultation rooms for attorneys, conference rooms for meeting space, and office space for on-site staff for agencies providing related services such as CASA, victim's advocates, the Board of Education, and mental health services. The building also offers increased safety features, which provides greater security to judges, staff, litigants and attorneys. In the larger quarters, the team has noted that it is important to make time to communicate regularly with each other as the increased space has resulted in some isolation of the building inhabitants, reducing the opportunity for informal communication.

### **A Snapshot of Accomplishments:**

Development and implementation of community mediation. The process of court / agency / community collaboration engaged in by the Kentucky Model Court team is detailed in the NCJFCJ publication, The Diversion Matrix. Contact Chris Bailey at (775) 784-6675 for this publication;

Development and implementation of family group conferencing;  
Implementation of the Adoptions Opportunity Project. This program is designed to positively impact the timely adoption of children through the use of concurrent planning, implementation of a risk matrix, establishing continuity of legal representation and recruiting and training foster care/adoptive homes;

Implementation of Family Place Visitation Center. The program of supervised access and supervised exchange began in August 1998 and accepts court referrals from the Dependency, Abuse and Neglect dockets and is currently limited to Adoption Opportunity Project cases.

Inclusion of bench, bar and agency in Court projects through:

- weekly meetings of team members
- Establishment of working subcommittees
- Drafting and dissemination of publications including training curriculums and circuit judges' bench book; and

Development of Truancy Court. This school-based collaborative effort between the Jefferson County Public Schools and the Family Court focuses on improving student attendance and diverting children from the court system by bringing students and parents before a volunteer Family Court judge on a weekly basis and enhancing social services for families.

**For more information about the Victims Model Court Project, the Diversion Project and other projects, please contact:**

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Senior Attorney/Model Court Liaison  
Permanency Planning for Children Department  
National Council of Juvenile and Family Court Judges  
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Reno, Nevada 89507  
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Or

Mr. Jim Birmingham  
Family Court Administrator  
Jefferson County Judicial Center  
700 West Jefferson Street, Suite 220  
Louisville, Kentucky 40202-4730  
Phone: (502) 595-4392      Fax: (502) 595-3472

## **Essex County Model Court Newark, New Jersey**

Lead Judge: Thomas P. Zampino  
Title: Family Court Judge  
Court/Organization: Superior Court of New Jersey, Family Division  
Address: 212 Washington St.,  
City/State/Zip: Newark, NJ 07102  
Telephone: (973) 693-6706  
Fax: (973) 693-6636

### **A Brief History of the Newark Model Court**

The Superior Court of New Jersey Family Court is a Unified Family Court. All civil actions, which have a principle, claim arising out of a family or family-type relationship including child abuse and neglect, divorce/dissolution, child support, private custody, adoption, and civil domestic violence fall within the jurisdiction of the Family Court. The Court also has jurisdiction over criminal and quasi-criminal actions that arise out of a family or family-type relationship (e.g., criminal domestic violence, delinquency).

Each judge consistently works with the same Deputy Attorney General and Law Guardian as a court team. Every child is assigned a law guardian (attorney) at the initial hearing. The Family Division Manager is the equivalent of a court administrator for the entire Family Division. The Children in Court (CIC) Team Coordinator position is similar to a Dependency Coordinator position in other Model Courts. The CIC team and its coordinator manage the Children in Placement Review (CPR) Review Boards and provide clerical support for abuse/neglect cases.

The Model Children's Court Advisory Committee plays a crucial role in court and agency improvements efforts in Essex County Model Court. The Advisory Committee meets once a month and is composed of representatives from the Division of Youth and Family Services (DYFS), Child in Placement Review (CPR) Boards, Attorney General's Office, Law Guardians, Counsel for Parents, Prosecutor's Office, Administrative Office of the Courts District Offices, child maltreatment professionals, Foster Parents, Adoption Resource Center (ARC), Court Appointed Special Advocates (CASA), and Judges (all with dependency docket). Approximately 40 people are typically in attendance and everyone is given the opportunity to participate. As a consequence of the success of the Advisory Committee in Essex County, a Children-in-Court Advisory Committee has been established at the state level. And, through a joint resolution by the Presiding Judges and the Administrative Office of the Courts, each county (21 total) has also been directed to develop a separate Advisory Committee.

### **A Snapshot of Accomplishments**

Put a Face on a File (a photo of the child is attached to the case file);  
Established a multi-disciplinary Model Children's Court Advisory Committee;  
Expanded training programs for Division of Youth and Family Services (DYFS) caseworkers and volunteers;

Implemented pre-hearing conferences;  
Reduced the average time to disposition for the life of the abuse and neglect complaint and the TPR complaint from a total of 3.5 years in Court Year 1998 to a total of 2.4 years in Court Year 1999; Reduced the time to disposition for abuse and neglect cases from 31.7 months to 23.6 months; Reduced the average time from disposition to the filing of the termination of parental rights complaint from 10.9 months to 6 months;  
Developed a Relative Resource Form to facilitate the early identification of family resources;  
Enacted legislation to provide paid attorney representation for parents and law guardians for children through the termination of parental rights. Prior to passage of this legislation, representation at the termination stage was pro bono;  
Developed client brochures providing overviews of the court process and expectations, parental rights and responsibilities;  
Implemented a six-month term limit on all voluntary placements;  
Instituted procedure to provide notice to foster parents. The caseworker is now required to send the foster parent(s) a standard letter advising them of the next court date and time;  
Developed and implemented a dependency mediation program;  
Developed and implemented family case conferencing (i.e., family group decision making); and  
Instituted court drug assessments the day of the hearing.

#### **Advice to other courts....**

Communicate  
Collaborate  
Build the Basics  
Schedule monthly meetings to monitor and develop system changes.  
For more information about the Newark Model Court please contact:

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Research Specialist/Model Court Liaison  
Permanency Planning for Children Department  
National Council of Juvenile and Family Court Judges  
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Email: [dobbin@pppncjfcj.org](mailto:dobbin@pppncjfcj.org)

## **1999-2000 CHILD VICTIMS PROJECT MODEL COURTS AND LEAD JUDGES**

Alexandria, Virginia  
Juvenile and Domestic Relations District Court  
Honorable Stephen W. Rideout

Buffalo, New York  
Erie County Juvenile Court  
Honorable Sharon S. Townsend

Charlotte, North Carolina  
Mecklenburg County Juvenile Court  
Honorable William G. Jones

Chicago, Illinois  
Circuit Court of Cook County  
Child Protection Division  
Honorable Nancy Sidote Salyers

Cincinnati, Ohio  
Hamilton County Juvenile Court  
Honorable David E. Grossmann

El Paso, Texas  
65th Judicial District Court  
Children's Court  
Honorable Patricia A. Macias

Honolulu, Hawaii  
Family Court, First Circuit, State of Hawaii  
Honorable Bode A. Uale

Indianapolis, Indiana  
Marion Superior Court, Juvenile Division  
Honorable James W. Payne

Los Angeles, California  
Los Angeles Superior Court  
Children's Court  
Honorable Michael Nash

Louisville, Kentucky  
Jefferson County Family Court  
Honorable Richard J. FitzGerald

Miami, Florida  
11th Judicial Circuit Court  
Miami-Dade County Juvenile Court  
Honorable Steven D. Robinson

Nashville, Tennessee  
Juvenile Court of Davidson County  
Honorable Betty Adams Green

New Orleans, Louisiana  
Orleans Parish Juvenile Court  
Honorable Ernestine S. Gray

New York City, New York  
New York City Family Court  
Honorable Joseph Lauria

Newark, New Jersey  
Superior Court of New Jersey  
Family Division  
Honorable Thomas P. Zampino

Portland, Oregon  
Multnomah County Juvenile Court  
Honorable Stephen B. Herrell

Reno, Nevada  
2nd Judicial District Court, Family Division  
Honorable Charles M. McGee  
Honorable Deborah Schumacher

Salt Lake City, Utah  
3rd District Juvenile Court  
Honorable Sharon P. McCully

San Jose, California  
Santa Clara County Superior Court  
Juvenile Dependency Division  
Honorable Leonard P. Edwards

Tucson, Arizona  
Pima County Juvenile Court  
Honorable Patricia G. Escher

## MODEL COURT PRACTICES RESOURCES

1. Model Courts Serve Abused and Neglected Children (OJJDP Fact Sheet #90)  
Available from OJJDP's Juvenile Justice Clearinghouse  
1-800-638-8736 or Web site [www.ncjrs.org/ojjhome.htm](http://www.ncjrs.org/ojjhome.htm)
2. Permanency Planning for Abused and Neglected Children (OJJDP Fact Sheet #65)  
Available from OJJDP's Juvenile Justice Clearinghouse  
1-800-638-8736 or Web site [www.ncjrs.org/ojjhome.htm](http://www.ncjrs.org/ojjhome.htm)
3. OJJDP Website [www.ojjdp.ncjrs.org](http://www.ojjdp.ncjrs.org)
4. National Council of Juvenile and Family Court Judges; Permanency Planning for Children Department-Order form for publications – See page 15-16
5. National Clearinghouse on Child Abuse and Neglect Information – See page 17
6. Children's Justice Act Fact Sheet – See page 18
7. State Court Improvement Program Fact Sheet – See page 19

# **NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES**

Permanency Planning for Children Department

## ***ORDER FORM for PUBLICATIONS***

RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases (Guides juvenile and family courts in assessing and implementing improvements in handling of child abuse and neglect cases.)

\_\_\_\_\_ \$10.00 per copy

Making Reasonable Efforts: Steps for Keeping Families Together (Outlines responsibilities of attorneys, judges, and agency personnel in ensuring reasonable efforts are made to prevent removal of child from a family or to safely reunite the family, if appropriate.)

\_\_\_\_\_ \$7.00 per copy

Protocol for Making Reasonable Efforts to Preserve Families in Drug-Related Dependency Cases (Provides model questions to guide risk assessment and identify the family preservation service needs of drug-exposed families.)

\_\_\_\_\_ \$5.00 per copy

Reasonable Efforts Training Video Notebook (8 tapes plus directory)

\_\_\_\_\_ 3-week loan of the Video Notebook no charge

\_\_\_\_\_ Purchase of Video Notebook @ \$100.00

Juvenile and Family Court JOURNAL: Permanency Planning Issue

\_\_\_\_\_ \$3.00 per copy

Diversion Project Matrix: A Report From Four Sites Examining The Court's Role in Diverting Families From Traditional Child Welfare Services into Community-Based Programs

\_\_\_\_\_ \$12.00 per copy

Technical Assistance Bulletins:

One: Child Abuse and Neglect Cases: A National Analysis of State Statutes (This document provides a view of state child welfare statutes at a particular point in time (June 1997) in order to memorialize existing law and to serve as a baseline to analyze the State Court Improvement reforms.)

\_\_\_\_\_ \$12.00 per copy

Two: Child Abuse and Neglect Cases: Examining State Statutes in Everyday Practice (Provides a national picture of existing child abuse and neglect statutes and an examination of how well these statutes translate into everyday practice.)

\_\_\_\_\_ \$7.00 per copy

Three: Child Abuse and Neglect Cases: Representation as a Critical Component of Effective Practice (Presents both strengths and challenges of effective representation, identifies some of the major barriers, and presents recommendations to improve and maintain high quality representation of parents and children in child abuse and neglect cases.)

\_\_\_\_\_ \$12.00 per copy

## Page 2 Order Form for Publications

Four: Summaries of Twenty-Five State Court Improvement Assessment Reports (This bulletin utilizes the information produced by states which underwent the self assessment process to examine areas of commonality found in the assessment reports and to encourage and keep alive the enthusiasm for court improvement.)

\_\_\_\_\_ \$12.00 per copy

Five: Thinking About Program Evaluation: What Is It and Why Should You Do It? (Provides the basic tools necessary to plan and conduct an effective program evaluation.)

\_\_\_\_\_ \$8.00 per copy

Six: Judicial Leadership and Judicial Practice in Child Abuse and Neglect Cases (Presents an overview of effective leaders and effective leadership.)

\_\_\_\_\_ \$7.00 per copy

Seven: Adoption Roundtable: A Summary of Judicial Concerns About Permanent Placement of Children in the United States & the United Kingdom (Topics such as permanency planning for children, best interests, reasonable efforts, training, collaboration, judicial leadership, and kinship care which were addressed at the first international Adoption Roundtable focusing on children in governmental care due to abuse or neglect are covered in this publication.)

\_\_\_\_\_ \$7.00 per copy

Eight: Child Victims Project Model Courts Status Report: 1997-98 (Describes collaborative Model Court achievements with the goal of encouraging courts to think collaboratively and to act imaginatively in developing new ways of fulfilling court responsibilities to the benefit of children and families.)

\_\_\_\_\_ \$7.00 per copy

Nine: Information Management: A Critical Component of Good Practice in Child Abuse and Neglect Cases (Examines the challenges faced and lessons learned from jurisdictions and Model Courts around the country and presents a model for evaluating and enhancing information management capabilities.)

\_\_\_\_\_ \$7.00 per copy

Ten: Judge's Guidebook on Adoption and Other Permanent Homes for Children

\_\_\_\_\_ \$12.00 per copy

Eleven: Mini-Conference on Judicial Workloads in Juvenile and Family Courts

\_\_\_\_\_ \$7.00 per copy

Twelve: State Court Improvement Projects A Bragging Rights

\_\_\_\_\_ \$7.00 per copy

Thirteen: Child Victims Project Model Courts Status Report: 1999

\_\_\_\_\_ \$9.00 per copy

Fourteen: Judges Reference Guide Managing Juvenile Cases

\_\_\_\_\_ \$7.00 per copy



**Mailing address:**

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_ Title/Organization: \_\_\_\_\_

\_\_\_\_\_ Mailing Address and Suite or

Room.#: \_\_\_\_\_

\_\_\_\_\_ City / State / Zip: \_\_\_\_\_

MasterCard or Visa Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Payment instructions: All prices include shipping and handling. Please include check or money order, made out to NCJFCJ, with your order. If you prefer to be billed, please check here

\_\_\_\_\_.

Please FAX the completed order to: (775) 327-5306 or MAIL to: National Council of Juvenile and Family Court Judges, Permanency Planning for Children Department, P.O. Box 8970, Reno, NV 89507 Telephone: (775) 327-5300

National Clearinghouse on Child Abuse and Neglect Information

An Information Resource for Professionals

(800) FYI-3366 (Continental US)

(703) 385-7565 (Washington, DC, Area)

Email: [nccanch@calib.com](mailto:nccanch@calib.com)

<http://www.calib.com/nccanch>

## **The National Clearinghouse on Child Abuse and Neglect Information is your resource for information on child maltreatment.**

The National Clearinghouse on Child Abuse and Neglect Information is your key to the nation's largest collection of child maltreatment-related materials. The Clearinghouse provides practitioners with information about effective practices and programs to help you to identify, treat, and prevent child abuse and neglect. Researchers can obtain information about the latest findings of state-of-the-art studies and their implications.

As a service of the Children's Bureau, the Clearinghouse works to facilitate collaboration and coordination among programs throughout the country. By disseminating information to national organizations and professional networks, the Clearinghouse also works to increase public awareness of child maltreatment. Most of all, the Clearinghouse can help you find information on child abuse and neglect to meet your specific needs.

The Clearinghouse offers a variety of services and products designed to help you in your professional work. These include:

User Manuals  
Annotated Bibliographies  
Reports  
Fact Sheets

Resource Listings  
Research Reviews  
Custom Database Searches  
State Statutes Summaries

Online child maltreatment information is at your fingertips. Visit the Clearinghouse Home Page at <http://www.calib.com/nccanch>.

The Clearinghouse is a service of the Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families,  
U.S. Department of Health and Human Services  
Children's Justice Act Fact Sheet

The Children's Justice Act (CJA) provides grants to States to improve the investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation, and the handling of child fatality cases in which child abuse or neglect is suspected. It also directs that such cases be handled in a manner that limits additional trauma to the child victim.

In fiscal year 1999, \$8,500,000 in CJA funds was distributed to 47 States and four insular areas. Funding comes from the Crime Victim's Fund, which collects fines and fees charged to persons convicted of Federal crimes. The Fund is administered by the Department of Justice and the grants are awarded by the Office on Child Abuse and Neglect (OCAN) in the Department of Health and Human Services.

### **Typical CJA activities:**

Developing curricula and conducting training for personnel in law enforcement and child protective services, as well as health and mental health professionals, prosecutors and judges.

Establishing or enhancing child advocacy centers and other multidisciplinary programs to serve child victims and their families and minimize the trauma they experience.

Forming Emergency Response Teams, including prosecution and law enforcement staff, at the State level to assist communities facing difficult cases.

Supporting the enactment of laws to improve the system response, including allowing the admission of indirect testimony of children into evidence, making the courtroom environment less intimidating to children, increasing the penalties for sexual offenses against children, requiring mandatory sentencing, shortening the trial process and permitting victims to make statements prior to sentencing.

To be eligible for CJA funds, States must be eligible for an OCAN Basic State Grant and must establish and maintain a multidisciplinary task force on children's justice. The task force must be comprised of representatives from all disciplines involved in handling child abuse and neglect cases.

Every three years the task force must evaluate the State's investigative, administrative and judicial handling of child abuse, neglect and exploitation cases and child maltreatment-related fatalities and make recommendations for improvements to the system handling those cases.

The State must adopt policy and training recommendations made by the task force to implement methods to better handle these cases, reduce additional trauma to the child victim and his/her family, while insuring fairness to the accused.

For more information on the CJA contact the Office on Child Abuse and Neglect at 202-205-8788.

# STATE COURT IMPROVEMENT PROGRAM FACT SHEET

The Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) established a new grant program to help State courts improve their handling of proceedings relating to foster care and adoption. Beginning in FY 1995, 51 States, including the District of Columbia, have received funding under the Court Improvement Program.

## **Authorization**

Congress authorized \$5 million in fiscal year 1995 and \$10 million in fiscal years 1996, 1997, and 1998 for the State Court Improvement Program. The Adoption and Safe Families Act of 1997 (P.L. 105-89) reauthorized the program at \$10 million for fiscal years 1999-2001. First year funding, which principally supports assessments of State court practices and policies, requires no local match. Subsequent funding, for implementation of improvements and reform activities, requires a 25% State match.

## **Allotment Formula**

Each State court with an approved application was allotted \$75,000 for FY 1995, and \$85,000 for FYs 1996-2001 plus a share of the remainder of the total amount appropriated for all State courts according to a formula based on the number of children in the State. A Program Instruction announcing funding for fiscal years 1999-2001 was issued by the Children's Bureau on February 23, 1999.

## **Reasons for Grants**

Since 1980, the responsibilities and caseloads of many juvenile and family courts have sharply increased. These increases are partly due to the judicial oversight functions imposed by P.L. 96-272 requiring certain court determinations in foster care and adoption proceedings for children who enter into State care as a result of abuse or neglect. Additionally, the incidence of drug-affected children and families and the reporting of child abuse and neglect have both increased steadily in recent years resulting in higher court caseloads.

## **Activities**

The State Court Improvement Program provides State courts with the opportunity to work and collaborate with other interested parties -all the projects are working intensively with their counterparts in the child welfare agencies on comprehensive system reform and developing a joint agenda for change. State courts have the flexibility to design assessments which identify barriers, highlight practices which are not fully successful, measure areas they find to be in need of improvement or added attention, and then implement reforms which address the State court's specific needs. The broad range of reform strategies being implemented at this time includes proposals for legislative change, formalized relationships with the child welfare agency, joint agency-court training, automated docketing and case tracking, linked agency-court data systems, one judge / one family models, time-specific docketing, and judicial and legal counsel training and expertise-development.

Program Panelists

**Honorable Richard FitzGerald, Chief Judge**

Jefferson Family Court, 700 West Jefferson Street, Suite 220, Louisville, Kentucky 40202-4730; Phone: 502-595-4736; Fax: 502-595-3482.

Judge FitzGerald is a noted lecturer on family preservation, abuse and neglect, and other child welfare issues, and has served as faculty for the National Council of Juvenile and Family Court Judges, the University of Louisville School of Law, and for the Child Welfare Leadership Center at the University of North Carolina School of Social Work. He is the recipient of the National CASA Association Judge of the Year Award as well as the NCJFCJ's Award for Meritorious Services to the Juvenile Court System. Judge FitzGerald is a Model Court Lead Judge for the NCJFCJ's Victims Act Model Court Project and currently serves as a member of the Advisory Board of the National Association of Counsel for Children, the Child Welfare League Committee on Child Protective Services Standards, and the Board of Trustees and Permanency Planning for Children Advisory Committee of the NCJFCJ. Prior to assuming the bench, Judge FitzGerald volunteered with the Christian Appalachian Project in McKee, Kentucky, and served as a teacher at Hughes-Quinn Junior High School in East St. Louis, Illinois.

**Honorable Patricia A. Macias, Associate Judge**

65th District Court, Children's Court, 500 E. San Antonio Street, Room 1104, El Paso, Texas 79901; Phone: 915-546-2147; Fax: 915-543-3811.

In addition to her work in the 65th Judicial Court, Judge Macias serves as a faculty member for the National Council of Juvenile and Family Court Judges, and as a Model Court Lead Judge for the NCJFCJ's Victims Act Model Court Project. Prior to assuming the bench, she was an attorney for Rodriguez, Lewis & Collins, P.C., of El Paso, served as Legal Advisor to the County Judge of El Paso County, worked as a consultant to the Tomas Rivera Center at Trinity University in San Antonio, Texas, and as a Professional Affiliate at Georgetown University, Washington, D.C. Judge Macias is a member of the American Bar Association Task Force on Children, the National Association of Counsel for Children, and the El Paso Bar Association. She has received the State Foster Parent Association Judge of the Year Award, the Mexican American Legal Defense Fund scholarship, and was Woman of the Year of the El Paso Women's Political Caucus.

**Honorable David E. Grossmann**

Hamilton County Juvenile Court, 800 Broadway, 14th Floor, Cincinnati, Ohio 45202; Phone: 513-852-8711; Fax: 513-852-8550.

Judge David Grossmann retired on May 31, 1998 from his position as the Presiding Administrative Judge of Hamilton County Juvenile Court in Cincinnati, Ohio, where he has been a judge since 1976. He is a Past President of the National Council of Juvenile and Family Court Judges and a Past President of the Ohio Association of Juvenile and Family Court Judges and has led in the drafting of major judicial policy statements including serving as Chair of the RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases development committee. Judge Grossmann presently chairs a national committee dedicated to the restructuring of the adoption process, the Expedited Adoption Project Advisory Committee of the NCJFCJ. He is a frequent speaker at conferences and seminars devoted to child welfare and juvenile justice issues. Judge Grossmann serves as a Model Court Lead Judge for the Victims Act Model Court Project of the NCJFCJ. The Dependency Department of Hamilton County Juvenile Court is now a model for courts across the country because of Judge Grossmann's innovations in handling cases of abused, neglected, and dependent children. In his home community, Judge Grossmann chairs the board and helped to found CityCURE, an inner-city mission to the poor.

**Honorable Thomas P. Zampino, Superior Court Judge**

Superior Court of New Jersey, Tenth Floor, Chancery Division, 212 Washington Street, Newark, New Jersey 07102; Phone: 973-693-6706; Fax: 973-693-6721.

Judge Thomas Zampino has served in the Family Division of the Essex County Superior Court since his appointment on June 27, 1989, and serves as one of 20 Model Court Lead Judges for the National Council of Juvenile and Family Court Judges' Permanency Planning for Children Department's Model Court initiative. Prior to taking the bench, Judge Zampino worked as a Judicial Clerk in the Family Division of the Superior Court, and practiced law from September 1975 to June 1989. He has served as chairman for the New Jersey Child Support Commission and for the Family Law Section of the New Jersey State Bar Association. Judge Zampino is a frequent lecturer for the New Jersey Institute of Continuing Legal Education and the National Council of Juvenile and Family Court Judges. Judge Zampino has also published articles in several law journals.

**Mary Mentaberry, Director**

Permanency Planning for Children Department, National Council of Juvenile and Family Court Judges, P.O. Box 8970, Reno, Nevada 89507; Phone: 775-327-5300; Fax: 775-327-5306.

Mary Mentaberry has been a member of the National Council of Juvenile and Family Court Judges staff since 1969, and was appointed Director of its Permanency Planning for Children Department in 1996. Since then, she has expanded and implemented national, regional, and state judicial training programs to promote permanency for abused and neglected children.

Department activities focus on providing training and technical assistance to judges, social service personnel, attorneys, child advocates and other professionals nationwide. The Permanency Planning for Children Department has produced numerous publications related to court practice and child abuse and neglect. Significant among Department initiatives is the Office of Juvenile Justice and Delinquency Prevention effort to improve court practice in child abuse and neglect cases in 20 Model Courts - the Victims Act Model Court Project.

**Shay Bilchik, Administrator**

Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, 800 K St. NW, North Entrance, Washington, DC 20001; Phone: 202-307-5911; Fax: 202-514-6382.

Mr. Bilchik was confirmed by the United States Senate as Administrator of the Office of Juvenile Justice and Delinquency Prevention in 1994. Prior to that time, he served as Associate Deputy Attorney General. Mr. Bilchik's career began in the State of Florida where he worked 17 years as a prosecutor. He served as a Chief Assistant State Attorney and as the coordinator of many special programs, including all juvenile operations as the Police-Juvenile Prosecutor Liaison and the School-Juvenile Prosecutor Liaison.

**Joseph Semidei, Associate Commissioner**

Children's Bureau, Department of Health and Human Services, 330 C St. SW, Room 2068, Washington, DC 20447;

Phone: 202-205-8709; Fax 202-260-9345

Joseph Semidei became the Associate commissioner of the Children's Bureau on December 20, 1999. His career has been built around services to children and families in the New York area. A native of the Bronx, he was educated in New York City and has served as Professor of Social work At Fordham University. In 1982, he was named Deputy Commissioner of the Bureau of Children and Family services in the New York Department of Social Services. During his tenure there, he implemented the newly enacted Child Welfare Reform Act and broadened the service

delivery system to include community-based organizations in high need areas of the state. He also worked with the state legislature to reform the system of services provided in communities, establishing a more integrated service delivery network. Following this position, Mr. Semidei established a new Children's Bureau for the Department of Mental Health in New York City, to focus the city's efforts on children with mental health needs.

**Mindy Shannon Phelps, Moderator**

Ms. Phelps has moderated numerous national satellite videoconferences produced by OJJDP. Her Professional experience includes serving as a co-anchor of WLEX-TV's evening newscast. WLEX is an NBC affiliate located in Lexington, Kentucky. Ms. Phelps has served as Press Secretary for the Governor's Office in the Commonwealth of Kentucky and currently acts as the statewide coordinator of Habitat for Humanity.

## **Previous Satellite Videoconferences**

Produced by the  
Office of Juvenile Justice and Delinquency Prevention

**Conditions of Confinement in Juvenile Corrections and Detention Facilities**  
September 1993

**Community Collaboration**  
June 1995

**Effective Programs for Serious, Violent, and Chronic Juvenile Offenders**  
October 1995

**Youth-Oriented Community Policing**  
December 1995

**Juvenile Boot Camps**  
February 1996

**Conflict Resolution for Youth**  
May 1996

**Reducing Youth Gun Violence**  
August 1996

**Youth Out of the Education Mainstream**  
October 1996

**Has the Juvenile Court Outlived Its Usefulness?**  
December 1996

**Youth Gangs in America**  
March 1997

**Preventing Drug Abuse Among Youth**  
June 1997

**Mentoring for Youth in Schools and Communities**  
September 1997

**Juvenile Offenders and Drug Treatment:**  
Promising Approaches  
December 1997

**Comprehensive Juvenile Justice in State Legislatures**  
February 1998

**Protecting Children Online**  
March 1998



**Youth Courts: A National Movement**

May 1998

**Risk Factors and Successful Interventions for  
Serious and Violent Juvenile Offenders**

September 1998

**White House Conference on School Safety:**

Causes and Prevention of Youth Violence

October 1998

**Juveniles and the Criminal Justice System**

December 1998

**Females and the Juvenile Justice System**

May 1999

**Promising Practices for Safe and Effective Schools**

September 1999

**Online Safety for Children: A Primer for Parents and Teachers**

November 1999

**For Further Information**

For videos of previous OJJDP videoconferences, please contact the Juvenile Justice Clearinghouse, PO Box 6000, Rockville, MD 20849-6000; call 800-638-8736; fax 301-251-5212; or e-mail [askncjrs@ncjrs.org](mailto:askncjrs@ncjrs.org).

**For information on future OJJDP programs**

Contact Jenny McWilliams, Juvenile Justice Telecommunications Assistance Project, Eastern Kentucky University, 301 Perkins Building, 521 Lancaster Avenue, Richmond, KY 40475-3102; call 606-622-6671; fax 606-622-4397; or e-mail [ekujjtap@aol.com](mailto:ekujjtap@aol.com)