

**Juvenile Court Improvement Program Advisory Committee
Meeting Minutes – March 12, 2018**

Juvenile & Family Court Programs Division – Oregon Room
1133 Chemeketa Street NE, Salem, OR 97301
1:30 – 4:00 PM

COMMITTEE MEMBERS			
√	Hon. Stephen Forte, Chair, Deschutes County Circuit Court	√	Hon. Lindsay Partridge, Vice Chair, Marion County Circuit Court
	Hon. Lisa Greif, Jackson County Circuit Court	√	Hon. Norm Hill, Polk County Circuit Court
√	Hon. Amy Holmes Hehn, Multnomah County Circuit Court		Hon. Daniel Murphy, Linn County Circuit Court
√	Hon. Karen Ostrye, Hood River County Circuit Court		Hon. Paulette Sanders, Lincoln County Circuit Court
	Lacey Andresen, Permanency Program Manager, DHS		Mandy Augsburger, President, Marion Polk Foster Parent Association, Foster Parent
√	Joanne Southey, Department of Justice	√	Michele DesBrisay, Deputy District Attorney, Multnomah County
√	Nadja Jones, DHS Tribal Affairs		Darin Mancuso, Foster Care Ombudsman, Governor's Advocacy Office
√	Amy Miller, Deputy General Counsel, Office of Public Defense Services		Laurie Price, Deputy Director, Child Welfare, DHS
√	Karyn Schimmels, Child Welfare Training Manager, DHS		Daniel Schneider, Training Specialist, Child Welfare Partnership, Center for Improvement of Child & Family Services
	Nathan Schwab, Oregon Foster Youth Connection, Former Foster Youth	√	Gail Schelle, Adoptions Program Manager, DHS
√	Shaney Starr, Oregon Casa Network & Casa of Marion County	√	Lauren Kemp, Multnomah County DA's Office
INTERESTED PARTIES			
JFCPD STAFF			
√	Leola McKenzie, Director, JFCPD	√	Megan Hassen, Juvenile Law & Policy Counsel, JFCPD
√	Shary Mason, Model Court & Training Analyst, JFCPD	√	Conor Wall, Data Analyst, JFCPD
	Walt Gullett, Citizen Review Board Field Manager, JFCPD	√	Amy Benedum, Program Analyst
√	Kim Morgan, Management Assistant, JFCPD		

I. Welcome & Introductions – Hon. Stephen Forte

II. Approval of Minutes from Last Meeting – Hon. Stephen Forte

Approved

III. Reports:

a. Re-Imagining Dependency Courts - Conor

This is an ongoing project with National Center for State Courts (NCSC). We completed an evaluation of the project through a stakeholder's survey which was completed at the end of last month. Conor will be sending out results to the courts within the next few days. There are a lot of folks that think we need more time to determine how well it is working. The majority thought that the project is an improvement on how the court was previously working and believe that it is a good idea to continue the project. There were a lot of different comments about some of the specific aspects of the project and some of those were pretty specific to the courts. The courts all implemented the same differentiated case management tracks but they were all making different changes to their own system. Leola and Conor had a conversation today with Dr. Alisha Summers, who works with the NCSC and a few other organizations about doing an evaluation of the project in terms of 1) the fidelity with which courts are implementing the model 2) improvement in outcomes. Judge Forte and Judge Hill are both part of the Reimagining Dependency Courts project, and agree that it's too early to tell if outcomes have improved. The hope is that there will be fewer children who wind up spending over 2 years in foster care.

NOTE: Judge Holmes Hehn said a few words to honor Michele DesBrisay (who is retiring) for her service to the JCIP Advisory Committee.

Michele introduced Lauren Kemp, an attorney with the DA's office. Lauren will be the representative for their office on the JCIP Advisory Committee.

b. JCIP Grants Update - Leola

All three grants have been renewed (we don't have the award letters yet; but the funding did pass). The grants are funded for 5 years (through 9/30/22). JCIP staff will meet to update the strategic plan and add things back in. We had scaled things back when we were only receiving one grant.

c. JCIP Mini-CANI - Megan

The 2018 Oregon Mini Child Abuse and Neglect Institute (JCIP Mini-CANI) is held every 2 years and is a 2-day training for new juvenile judges.. This year we added a session on child entry into care that DOJ (Shannon Dennison) helped us with and we also had Dr. Julie Rosenzweig come talk about trauma and how to interact with families that experienced trauma. Conor and Leola handled data and case management and we had a number of guest speakers (Judge Hill, Judge Partridge, Referee Hughes, Judge Murphy and Referee Stanton).

d. Update on upcoming "Through the Eyes of a Child" and "Model Court Summit" conferences - Megan

August 5-7 2018. The first two days will be at the Oregon Garden again and the MCS will be at the Salem Conference Center. The draft Agenda is in your materials. It is almost set, but a couple of pieces in flux. The MCS will begin with a presenter on visitation. Marty Beyer will be the speaker and will focus on three different areas. 1) When you are reviewing a case plan how do you know what a child needs? 2) How can you move beyond one hour of visitation a week in the office? 3) What do we do about parents that are incarcerated? How do we know that

visitation is right for children of incarcerated parents? In order to cover all three topics, Marty will need 2 1/2 hours. What does the Advisory Committee think about this length of time? There was discussion about the length of time and asking Marty Beyer to split the presentation into 2 parts. It was decided that team planning time would be worked into the middle of Dr. Beyer's presentation to break it up.

There is also a group of JELI judges working on issues around incarcerated parents and Megan will be seeking their input. The other topic planned is an afternoon session relating to finalizing adoptions. This is one of the JCIP projects that Amy, Conor and Shary have all been working on with DHS. The goal of the project is to provide some documents or training so everyone can understand how the adoption process works. For this session they are hoping to provide a timeline and then identify some points of impact for all involved (judges, attorneys, CASA's, etc.). This will help them ask pointed questions, provide some guidance and really keep the process moving. They will also identify common issues that hold up the process and give tips on how they can anticipate barriers and find ways to move forward. The hope is to have several speakers, including someone from DHS and a vendor attorney. Through discussion it was mentioned that Christie Barrett a vendor attorney and Cindy Logan would be good resources.

Judge Holmes Hehn asked the DHS representatives in attendance, "As part of the plan to restructure the way things are done at DHS, is there anything that is part of the plan to look at the way adoptions are finalized and how the work is allocated within DHS?" They responded that they are in the midst of identifying all the things we have been talking about (barriers, gaps, what things are barriers to timeliness, what kind of resources do we need to look at that, different ways to do the processes, etc.). If possible, it would be good to share those things at the Model Court Summit.

Judge Partridge would like to see a tool for judges at a permanency hearing to give them an idea of what they should be looking at; an adoption checklist - for all cases. The discussion is that it would be helpful for all parties involved and they would like to see something like that developed.

Karyn Schimmels stated that every caseworker is supposed to be submitting pages of the adoption tracking sheets. The document generated from the OR-Kids system is not user friendly or helpful. DHS is looking at ways to pull the needed information into a report and are working with the techs with the OR-Kids program to see if there is a different way to do get the information needed. There is a process flow sheet with approximate timelines; but it hasn't been updated for a while. The timelines that are in the flow sheet are the timelines from the administrative rules or the contracts (for example contracts from vendor attorneys). Use these with caution. DHS is encouraged to bring the process flow sheet to model court for feedback and input and a fresh look. Conor states they are working on a document like this and will coordinate with DHS to ensure that their understanding is correct, and then have handout materials as well as a webinar to go through the process. They (JCIP and DHS) are coordinating this together. They are giving guidance around what they have now and working on a combination of things.

Megan indicated that the registration information for Eyes and the official MCS invitations will be sent to juvenile judges by the end of March.

Judge Forte asked if anyone has seen the "ted type talks?" He suggested that it has really good materials and would be good for everyone in this system to watch. It is focused on the

child and what's best for the child, the family unit and what's best for the family and not on the litigation process. Megan is going to see if she can find it and send out to everyone to watch.

e. Cathern Tufts Memorial Scholarship Fund - Shary

Cathern Tufts, a long-time advisory committee member, passed away. A card was passed around for committee members to sign and then give to Shary for Cathern's family. The Siletz Tribe has established a scholarship fund in her name. The scholarship fund will provide educational opportunities to Siletz children. Those wishing to send a donation can send it to the Cathern Tufts Memorial Scholarship Fund, in care of the Siletz Tribe. The address to mail contributions is: Confederated Tribes of Siletz Indians, 201 SE Swan Avenue, PO Box 549, Siletz, OR 97380.

IV. Continuous Quality Improvement (CQI):

a. Quarterly Statistical Reports – Conor

In your materials are the yearend reports for 2017 and also reports for quarter 4. The big change in the 2017 stats is a big increase in the number of dependency petitions filed; over a 10% increase across the state. There was also a big increase in TPR petitions (about 9.5%), a decrease in the time to jurisdiction finding (down 9%). Jurisdiction on both parents stayed the same (part of that may be due to the work they have been doing with the courts on data entry). At the last meeting there was a question concerning the increase in filings and was it driven by particular courts or is it more of a statewide increase. The analysis in the materials shows dependency petitions filed and the courts with the biggest increases or decreases. The biggest increases were Clackamas, Washington, Lane and Coos. There are some courts that have pretty sizeable decreases, namely Jackson and Columbia. The majority of courts had an increase in filings.

It was asked if we do any forecasting. We do not. We just track the number of cases filed.

b. Joint DHS/JCIP Adoption Timeliness Project – Conor/Shary

Conor introduced the project and said that he and Shary were hoping to get feedback on what information judges would want in training materials on adoption cases, and to share the most recent data on adoption finalization.

In the materials is a chart, based on data from the DHS ROM site. The statewide rate of children that had an adoption finalized within 12 months of becoming legally free was 41% for children in 2016. The prior year we were at 47%. The statewide target is 59.5%. As a state, we are below target, however, there are courts that are meeting or exceeding the target. Most are smaller jurisdictions. We hope to see improvement once DHS has created its new adoption submission materials, and JCIP has put together a webinar and handouts on the adoption process.

There was discussion surrounding these issues between several judges and DHS.

Judge Forte asked if we have statistics from any other states. Are we statistically higher in our removal rate? Regarding terminations, are we lower? Oregon does have a higher removal rate than other states. Leola stated that she has been trying to get the answer to the question "is that statement true if we take into consideration the different rules and policies that between

states?" For example, in Oregon if we remove the child and place them with Grandma, it's a removal and is considered foster care. In other states, if you remove a child and put the child with grandma it isn't considered a removal.

In terms of terminations, do we have more terminations per capita than other states? Conor will take a look at this and see if he can get some information and will have it for the next meeting.

V. Discussion Topics:

- a. Juvenile Judicial Allocation, Stable Assignment, Rotations, and Tenure Best Practices - Judge Ostrye

As part of the Reimagining Dependency Courts Project, NCSC recommended that OJD come up with best practices regarding judicial allocations, stable assignment, rotation, and tenure in juvenile court. At a previous meeting, the Advisory Committee came up with some ideas and created a subcommittee, chaired by Judge Ostrye, to formulate recommendations. Judge Ostrye took the ideas to the subcommittee that was formed to address this and the following recommendations came out of that discussion. The subcommittee consists of Judge Ostrye, Conor Wall, Judge Grove, Columbia County, Judge Sanders, Lincoln County, Debbie Spradley, Clackamas County TCA, Jeff Hall, Deschutes County TCA and Judge Waller, Presiding Judge Multnomah County.

The committee discussed the six recommendations (attached) and made some changes in wording. Conor committed to make the changes, send the revised recommendations out to the Advisory Committee for approval,

The Advisory Committee discussed the recommendations in detail and made changes to the wording of Recommendations 2, 3, 5, and 6.

Leola asked if they have an agreement to make the modifications and prepare them for the Chief Justice. It was moved and seconded; the vote was favorable. Judge Forte asked Leola to rewrite the changes discussed and send it to the advisory committee for review and if all are in agreement she will send the recommendations to the Chief in a letter.

- b. Juvenile Court Efficiencies Budget Note (HB 5006) – Leola

The budget note required OJD, DHS, DOJ and PDSC all to "work collaboratively, at both the state and local levels, to solicit input on, develop, and implement strategies to improve the effectiveness and efficiency of Oregon's juvenile dependency systems and to determine the appropriate level of legal services.". They created a self-assessment tool that was sent to the courts in order to indicate how well they are doing and to select their top 3 priorities for future improvement efforts at the local level. The attached document shows you what each counties top three priorities are for system improvements, their assessment of the functions they are performing consistently and their assessment that they are not performing. This is a very high level, for each of the items, whether or not they are doing it and whether or not they are doing it at the local court.

Joanne, Amy, Laurie Price and Leola met last week and went through all of these findings. They have identified three potential recommendations that are on the attached sheet.

We would like this group to discuss and consider sending one or more of these to the Chief Justice as strategies or functions that they believe all courts should strive to be implementing by July 1, 2018.

The first is effective judicial led settlement conferences. Since resources in those counties where it isn't happening are limited, they discussed establishing pilot programs where Plan B Judges could be used to do settlement conferences in a couple of counties. They would have a regular assignment in those counties. They could get some extra training and support and would really be able to facilitate effective settlement conferences. This could then be monitored to see how well it is working. This would be for settlement conferences for both dependency and TPR cases. We have 11 courts that recognize the need to improve or establish effective settlement conferences.

The second suggestion was that all courts will have shelter hearings at a set time each day and parents would have the opportunity to meet with attorney prior to the shelter hearing.

The 3rd is written policies at the local level that prioritize juvenile dependency cases.

There was a lot of discussion around Plan B Judges being settlement conference facilitators and the need for juvenile training or experience. There was some opposition to a Plan B Judge being used as a facilitator and it was suggested to have someone else (attorneys, mediators) be the facilitators.

The idea is to get all courts to do some kind of settlement opportunities while making a pilot available for a couple of counties.

If it is a pilot, could we do an evaluation and see what the savings are? Some advisory committee members feel very strongly that this should not be a judicial role. There was agreement that settlement conferences need to be mandatory; however, there are many creative ways to go about creating the opportunity to have that discussion.

At one time there was a dependency mediation program for 3 or 4 years; but had to discontinue supporting it and could not get funding from the legislature for it. It was an effective program and did help to settle cases. It was not for TPR, just jurisdiction.

Judge Forte is very concerned about giving something to the legislature that would give them a resource like Plan B Judges to be used for other things. The following recommendations are suggested:

1. Change the language to "Creates effective settlement conferences."
2. Leave as written.
3. Take out "by restricting the availability of continuances" and change to say "Develop a written policy that prioritizes the timeliness of juvenile dependency matters and includes a commitment to reduce delays by elevating the priority of juvenile dependency matters on court dockets."

VI. Upcoming Events – All

- CRB Every Day Counts Conference - May 4-5, 2018 (Eugene)
- Through the Eyes of a Child - August 5-6, 2018
- Model Court Summit - August 7, 2018

VII. Next Meeting: Monday, June 11, 2018, 1:30 – 4:00 p.m.



Recommendations.p
df



Statewide Summary
of Court Assessments



Budget Note.pdf