

Model Court Protocol

Leadership, Innovation, and Accountability



Permanency Planning for Children Department

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MODEL COURT PROTOCOL: LEADERSHIP, INNOVATION, AND ACCOUNTABILITY

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INTRODUCTION

The cases of children in foster care are managed by child welfare agencies and overseen by dependency courts. Courts with dependency jurisdiction, as well as child welfare agencies and supporting systems, shoulder increasing responsibilities resulting from the complexity of cases moving through the system, evolving federal and state child welfare reform laws and national reform initiatives, and increasing economic struggles as state and local budgets are reduced in difficult economic times. Federal Child and Family Services Reviews (CFSR), Court Improvement Project (CIP) initiatives, and defining “reasonable efforts” with reduced funding, place greater accountability and demands on courts and child welfare systems. Serving foster children throughout the United States, Model Courts strive to safely reduce the number of, and achieve better outcomes for, foster children by improving dependency court practice through judicially-led system reform.

Developed, managed, and guided by the National Council of Juvenile and Family Court Judges (NCJFCJ), with funding from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, U.S. Department of Justice, Model Court jurisdictions engage in cutting-edge local, statewide, and national program, policy, and initiative development. To achieve the goal of safe reduction of the number of children in foster care and better outcomes for children in foster care, the strategy of the Model Courts is to position dependency courts to be leaders of system reform and best practice implementation.

In 1995, following a three year development process, NCJFCJ published the *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases*.¹ Endorsed by the American Bar Association and the Conference of Chief Justices, this document has been the blueprint for court improvement. The heart of the *RESOURCE GUIDELINES* is a problem-solving approach to improving court practice – an approach that focuses on judicial leadership and oversight, substantive and timely hearings, and collaboration among all key partners in the dependency system. Key values of the Model Courts include judicial leadership, court oversight and due process, multi-system collaboration, child-focused outcomes, and system accountability.

To improve courts’ handling of child abuse and neglect cases, Model Courts implement *RESOURCE GUIDELINES* practices in their jurisdictions, both on- and off-the-bench. Over

¹*RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases* (1995), National Council of Juvenile and Family Court Judges, Reno, NV, and the *ADOPTION AND PERMANENCY GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases* (2000), National Council of Juvenile and Family Court Judges, Reno, NV, collectively referred to herein as “*RESOURCE GUIDELINES*.”

the two decades during which the Model Courts project has developed, grown, and evolved, positive outcomes for children and families, including decreases in the number of children in out-of-home placements within Model Court jurisdictions, have resulted after *RESOURCE GUIDELINES* practice implementation and successful collaborations between courts, child welfare agencies, system professionals, and local communities.

Each Model Court leads local system reform through selection of short-term improvement goals based on *RESOURCE GUIDELINES* practices, measures implementation of its goals, partners with statewide CIP efforts, and informs national dependency system improvements. Model Courts continually assess their child abuse and neglect case processing, focusing on barriers to timely permanency, developing and instituting plans for court improvement, and working collaboratively to effect systems change. Model Courts serve as “laboratories” for meaningful systems change in how child abuse and neglect cases are processed through the court and through the child protection system.

The use of the term “model” is not meant to imply that Model Courts have achieved ideal practice or created the perfect system. Rather, Model Courts serve as models for facilitating systems change. Although each Model Court works toward achieving specific child-based and systemic outcomes, each also focuses on ensuring that a process is in place so that reform efforts are continual, encouraged, and, to every extent possible, proactive as identified in the *RESOURCE GUIDELINES*.

MODEL COURTS PROTOCOL

Assessment of the participation of Model Courts in the project is based on years of feedback, evaluation, and evolution of the project. The assessment process enables the Permanency Planning for Children Department (PPCD) - of the NCJFCJ - to efficiently and effectively serve each Model Court and maximize the strategic establishment of best practices and systems reform in each jurisdiction.

The Model Courts function on a local, statewide, and national basis. Local implementation takes place with targeted and tailored technical assistance and training delivered to each Model Court jurisdiction by the PPCD, coordinated by a Model Court Liaison and other PPCD staff. Each Model Court has a Model Court Lead Judge who, working with and through PPCD staff, leads local and statewide implementation of best practices, and who works with a multi-disciplinary collaborative team of child abuse and neglect system professionals (the Model Court team) empowered to improve court practices and to coordinate

information and services among health professionals, social workers, law enforcement professionals, prosecutors, defense attorneys, and juvenile and family court personnel. PPCD staff identifies and connects the lessons learned on the local and statewide levels, and incorporates them into national program, policy, and initiative development, partnering with the executive and legislative branches to bring the dependency court perspective to reducing the number of and improving outcomes for children in foster care.

Active Participation as a Model Court

Active participation in the Model Courts project by a Model Court is defined by characteristics identified and outlined in PPCD publications, including the *RESOURCE GUIDELINES*. The PPCD encourages and supports innovative programs and initiatives that build on solid court practice and procedure. Those characteristics include:

- ◆ Implementation of the *RESOURCE GUIDELINES* and the *ADOPTION AND PERMANENCY GUIDELINES*;
- ◆ Frequent, clear, and regular communication between the Lead Judge and the assigned Model Court Liaison;
- ◆ Demonstration of judicial leadership of the Model Court multidisciplinary collaborative structure;
- ◆ Active development, facilitation, and participation in site visits, cross-site visits, and on-site trainings;
- ◆ Attending and participating in the entire All-Sites Conference and Lead Judges' Meetings;
- ◆ Meeting PPCD deadlines, including responding to surveys and evaluations;
- ◆ Consistent service to the NCJFCJ as faculty at trainings, membership on NCJFCJ committees, promotion and outreach on behalf of the NCJFCJ;
- ◆ Serving in a mentor role for other courts;
- ◆ Making good faith efforts to improve Model Court status through sharing of information on the Model Courts project at meetings, conferences, etc., whenever possible;
- ◆ Coordinating with and participating in State Court Improvement Project initiatives;
- ◆ Participating in national projects defined by PPCD; and
- ◆ Being an NCJFCJ member, and encouraging your collaborative team to become members.

A founding philosophy of the Model Courts project is the concept of openness – for each

Process of Participation Appraisal

Model Court to be open to change, open to partnering with community stakeholders, open to working with a multidisciplinary collaborative structure, open to self-assessment, open to review by PPCD, and open to feedback. The evidence of openness is found in the dialogue between the Lead Judge and the PPCD staff. It is a process that is necessarily flexible, and is not characterized by arbitrary decisions based on a point-in-time checklist. That process is influenced by availability of local resources, the dynamics of local politics, active involvement of the court, and the efforts of the leadership.

The PPCD designates a Model Court Liaison to work with and advocate for each Model Court. Part of the Liaison's function is to perform the appraisal of Model Court participation. The Model Court Liaisons serve as direct service providers, and work closely with individual Model Courts to develop, prioritize, and achieve court improvement goals and to help facilitate systems change efforts. The Model Court Liaisons assist the Model Court Lead Judges through regular telephone and email correspondence; technical assistance, including publications and other materials; and planning and conducting site visits, meetings, strategic planning, and trainings as appropriate. It is through provision of these services that the Model Court Liaisons will appraise Model Court participation and performance.

PPCD's responsibilities include:

- ◆ Designating a Model Court Liaison;
- ◆ Liaisons working closely with Model Courts through regular contact and communication;
- ◆ Liaisons assisting the Model Courts in developing, prioritizing, and achieving the Model Court's goals;
- ◆ Liaisons assisting Lead Judges with critical analysis and feedback; and
- ◆ Liaisons providing thorough, timely, and tailored technical assistance.

Expectations

Expectations of the Model Courts

To participate in the Model Courts project, the PPCD requires that each Model Court demonstrate a commitment to improving court practice in the handling of child abuse and neglect cases. Each court must evidence its commitment to implement change by designating

a Lead Judge who has the ongoing support of the Presiding or Chief Judge to implement court improvement activities *court-wide*, rather than in a single courtroom. While Model Court best practices may be piloted in a single courtroom for a specified period of time (e.g., to facilitate their adoption), it is the expectation of the Model Courts project that those best practices be disseminated and adopted by the entire dependency bench in that Model Court jurisdiction. The Presiding or Chief Judge must also be available and open to communication with the Model Court Liaison. The Lead Judges must make a commitment of time, effort, leadership, and authority to these systems change efforts. Lead Judges must commit to becoming members of the National Council of Juvenile and Family Court Judges, and encourage the membership of other stakeholders in their jurisdictions.

A variety of judges can serve as Model Court Lead Judges, including Chief, Presiding, Senior, Supervising, Administrative, Associate, Deputy, District Court, and Tribal Judges. Dockets that many Lead Judges carry include juvenile justice, dependency, delinquency, child welfare and protection, domestic relations, domestic violence, custody, support/paternity, and family law. Small, rural and tribal communities may have general jurisdiction judges serving as Lead Judge who hear all types of cases, with only a portion of their caseloads pertaining to juvenile justice and family law. Judge-supervised judicial officers can be appropriate alternatives when judges face increasing child abuse and neglect caseloads, and must have the decision-making authority to implement change in child abuse and neglect cases to serve as a Lead Judge.

Becoming a Model Court Lead Judge requires a unique, personal commitment of energy and time on- and off-the-bench. The commitment must be initially made by a judge willing to accept the responsibility to spearhead systems reform efforts specifically aimed at improving the lives of children and families involved in the foster care system.

The leadership role of the Lead Judge is critical to the success of Model Court reform efforts at the local, state, and national levels. Being a Lead Judge requires being directly involved in reform efforts through implementing the *RESOURCE GUIDELINES* and openness to ongoing evaluation and critical reflection by Model Court Liaisons and PPCD staff.

The Lead Judge in each Model Court jurisdiction must bring together a multidisciplinary collaborative team that appropriately represents the range of stakeholders in the community. The multidisciplinary team shall have regular standing meetings to establish and monitor Model Court goals, and strategically plan for goal achievement. Ideas gathered from different stakeholder perspectives assist the courts in developing individualized approaches to improve court practice that are based upon the unique needs of each court, child welfare system, and

community.² Strong judicial leadership is the cornerstone of the collaborative structure.

The Model Court, with the assistance of the Model Court Liaison, shall draft a Mission Statement reflecting the Model Court's collective vision. The Model Court will disseminate information about reform efforts to other appropriate judges and stakeholders to increase communication and enhance collaboration. The Lead Judge will also work with the Liaison to assess current practice and establish court improvement goals, training and technical assistance needs, and schedule site visits and cross-site visits.

The Model Court and its multidisciplinary collaborative structure should review the practices outlined in the *RESOURCE GUIDELINES* and take concrete steps towards their implementation. Initially, the Model Courts are expected to focus reform efforts on core practices and then, over time, become more expansive with topical and issue-focused program and initiative development, while maintaining a commitment to and evidencing implementation of core practices.

The Model Courts are required to submit a report each year, and provide performance measurement information to be included in the *Status Report* or other publication or materials. The informal report should outline the progress of the Model Court's goal achievement, implementation of best practices, measurement of implementation, collaborative structure, and local demographic information. This informal report should also highlight any systemic challenges or barriers that need to be overcome. Each Model Court is expected to develop and report on outcome measures to assist with their goal achievement.

The Model Court is expected to participate in the growth and development of best practices not only on the local level, but also on the statewide and national levels. Collaboration, mentorship and leadership with the Model Court's state Court Improvement Project is a key component of Model Court participation in the project. The PPCD and Model Court Liaison will assist the Model Court with statewide and national outreach.

²The PPCD recommends that Lead Judges and stakeholders review the Technical Assistance Bulletin, *Building A Better Collaboration: Facilitating Change in the Court and Child Welfare System* (April 2004), National Council of Juvenile and Family Court Judges, for strategies to build, enhance, and sustain a multidisciplinary collaborative structure.

Model Court Expectations

- ◆ Appoint a Lead Judge who has the support of the Chief or Presiding Judge to implement Model Court best practices *court-wide*;
- ◆ Establish a multidisciplinary collaborative structure that has a regular standing meeting to develop Model Court goals, a plan to achieve them, and assess goal progress;
- ◆ Collaboratively develop a Model Court Team Mission Statement;
- ◆ Implement *RESOURCE GUIDELINES* and *ADOPTION AND PERMANENCY GUIDELINES* practices;
- ◆ Implement court reform with court officials and other stakeholders locally, regionally, statewide, and nationally, and collaborate with the Model Court's state Court Improvement Project;
- ◆ Work closely with the Liaison to assess court practice, identify and meet training and technical assistance needs, and schedule site visits and cross-site visits;
- ◆ Attend Lead Judges' Meetings, All-Sites Conference; and
- ◆ Submit an annual report for the *Status Report* and other publications and materials.

Expectations of the Lead Judge

Although the involvement of each Lead Judge will be influenced by unique local factors, the general expectations are the same. Assessment is an ongoing process reflected through communication between the Lead Judge and the Model Court Liaison, court observation, stakeholder interviews, case file review, and involvement in both local and national court reform efforts.

Collaboration

The leadership role of the Lead Judge is critical to the success of Model Court reform efforts at the local, state, and national levels. Being a Lead Judge requires direct involvement in reform efforts through implementing the *RESOURCE GUIDELINES*, and openness to evaluation and constructive feedback from Model Court Liaisons and PPCD staff.

The Lead Judge must establish a multidisciplinary collaborative structure of stakeholders including, but not limited to:

- ◆ judges and judicial officers;
- ◆ child welfare administrators, and staff representatives;

- ◆ child advocates including attorneys, CASAs, and guardians ad litem;
- ◆ foster care review board;
- ◆ parents' attorneys;
- ◆ prosecutors;
- ◆ child welfare agency attorneys; and
- ◆ state Court Improvement Project representative.

Other stakeholders appropriate to the jurisdiction and Model Court goal development should be involved with the core team as appropriate. These include:

- ◆ foster care alumni;
- ◆ parents;
- ◆ Tribal representatives;
- ◆ educational resources;
- ◆ foster parents and caregivers;
- ◆ community members;
- ◆ court IT professionals;
- ◆ clerk's office representatives; and
- ◆ direct service providers (medical, psychological, etc.).

The Lead Judge must hold regular meetings with the team of multidisciplinary stakeholders and share information with fellow judges, Model Court team members, and other jurisdictions about best practices and NCJFCJ initiatives, including seeking parent and youth feedback (e.g., through annual customer satisfaction surveys). This also includes discussing the Model Court and NCJFCJ initiatives locally, statewide, and nationally. The Lead Judge must be an NCJFCJ member, encourage colleagues to join, and must serve as PPCD faculty and train other judges on best practices and reform efforts.

In addition, the Lead Judge must hold a strategic planning meeting on an annual basis, which the Liaison can facilitate, to discuss goals, system reform efforts, and ongoing incorporation of best practices in court processes, including collaboration and participation with state Court Improvement Project programs and initiatives. If the Liaison does not facilitate it, a report of the outcomes of the strategic planning meeting must be provided to the Liaison so that the Liaison can incorporate the information into ongoing analysis and feedback to the Lead Judge.

Communication

The Lead Judge must also maintain ongoing and regular communication with the Model Court Liaison, such as regular email contact or at least two phone contacts a month. The Lead Judge is expected to maintain involvement in the Model Court team activities.

The Liaison and the Lead Judge shall work to:

- ◆ assess current practice;
- ◆ establish court improvement goals and outcome measures;
- ◆ engage in strategic planning;
- ◆ participate in national-level Model Court projects and activities;
- ◆ assess training and technical assistance needs; and
- ◆ schedule site visits, cross-site visits, and training.

All-Sites Conference and Lead Judges' Meeting

Barring emergency circumstances, the Lead Judge must attend Lead Judges' Meetings and All-Sites Conference in their entirety. Model Court Lead Judges need a forum in which to share specific concerns, challenges, and strategies unique to their Lead Judge role. The Lead Judges' Meetings provide that opportunity through facilitated group discussion and strategic planning.

Annually, representatives from each of the Model Courts gather for an All-Sites Conference. Each active Model Court is represented by a multidisciplinary team, led by the Lead Judge. The All-Sites Conference provides an opportunity for all Model Courts to come together to assess progress and goal achievement, identify challenges, brainstorm solutions, and mentor each other. During the All-Sites Conference, Model Court teams work with their Liaisons to set goals related to best practices for the coming year.

One Lead Judges' Meeting is held each year in conjunction with the All-Sites Conference. In addition, the Lead Judges may participate in a second meeting during the year to continue the dialogue about court improvement practice, policy, mentorship, and program issues, as well as issues unique to their leadership role.

Child Abuse and Neglect Institute (CANI)

Lead Judges are given the opportunity, through Model Court and self-funding, to send a judge or judicial officer to the PPCD Child Abuse and Neglect Institute (CANI) held annually in Reno, Nevada, or in one other location in the country.

Participation in CANI serves many purposes, among other things: to educate judges and judicial officers about the interplay among federal laws (e.g., ASFA, ICWA, ICPC), and best practices; to gain an awareness of minority disproportionality and disparities in the dependency system; to gain an understanding of child development and family dynamics, substance abuse and the cycle of use, dependency, and recovery; to learn how this knowledge informs and enhances judicial decision-making; to explore the leadership role of judges and judicial officers on and off the bench and how this role can be managed within the canons of judicial ethics; and to provide judges and judicial officers with an opportunity to “practice” their new role and apply their new knowledge.

Model Court Lead Judges typically serve as faculty for CANI and information about Model Court reform efforts is integrated into all aspects of the curriculum. CANI provides a unique learning and networking opportunity for judge-students. The Model Court Lead Judge may designate a judicial officer- or judge-student to attend CANI either through limited slots funded by the grant, or self-funded. The Model Court Lead Judge may also serve as the CANI student designee.

As the PPCD moves forward on developing and implementing an Advanced CANI curriculum, Lead Judges will be expected to attend Advanced CANI once it is in place.

Measuring Success

Each Model Court is expected to establish and track measurements for evaluating the success and challenges experienced in implementing each Model Court goal. This includes overseeing data tracking outcomes for children and families in its jurisdiction, either through the Model Court’s own management information system (MIS) or via data gathered by the agency and reported to the Adoption and Foster Care Analysis and Reporting System (AFCARS).

Expectations of the Lead Judge

- ◆ Establish a multidisciplinary team of stakeholders;
- ◆ Hold regular meetings with multidisciplinary stakeholders;
- ◆ Facilitate implementation of the *RESOURCE GUIDELINES* and *ADOPTION AND PERMANENCY GUIDELINES*;
- ◆ Collaborate and participate in state Court Improvement Project initiatives and programs;
- ◆ Have on-going contact with the Liaison;
- ◆ Attend the entirety of the Lead Judges' Meetings and All-Sites Conference;
- ◆ Share information about best practices and NCJFCJ initiatives with local court officials, state-wide courts, other Model Courts, at national functions, and collaborate with the Model Court's state Court Improvement Project;
- ◆ Serve as PPCD faculty and train other judges on best practices and reform efforts;
- ◆ Attend CANI and Advanced CANI;
- ◆ Participate in national-level Model Court projects and activities;
- ◆ Uphold the foundational principles of the NCJFCJ; and
- ◆ Be an NCJFCJ member and promote judicial and associate memberships.

PPCD Responsibilities – Assessment Tools

The Model Court Liaisons are the primary appraisers of Model Court participation. The Model Court Liaisons determine the allocation of Model Court grant resources to the Model Courts related to Model Courts goals reflecting the best practices of the *RESOURCE GUIDELINES*, and court performance measurement.

Site Visits

Site visits provide Liaisons with the opportunity to identify strengths, challenges, and technical assistance needs of the Model Courts, and to provide a seamless continuum of analysis and feedback to the courts. Liaisons are generally expected to visit a Model Court on-site at least once a year.

Prior to the Site Visit

In preparation for site visits, the Model Court Liaison discusses with the Lead Judge the overall purpose of the visit and the tasks to be accomplished, and the Liaison will either discuss with, or send the Lead Judge a survey asking the Lead Judge to prioritize three primary goals for the visit, to identify specific practices, policies or strategies that he or she would like to discuss during the visit, and to list any informational materials that the Judge would like the Liaison to provide while on site to the Lead Judge or other stakeholders. Through the initial discussions with the Lead Judge or the survey responses, the Liaison develops and finalizes a site visit agenda. This process ensures that the visit will be productive and focused for the Lead Judge, the Model Court team, other stakeholders, and the Liaison. Planning for a site visit is done through direct communication and coordination between the Lead Judge and the Liaison.

The Lead Judge is expected to:

- ◆ discuss the goals of the visit with the Liaison or complete a pre-visit survey in a timely fashion;
- ◆ help identify the agenda items;
- ◆ facilitate contact with key stakeholders;
- ◆ arrange opportunities for the Liaison to receive an accurate perception of the Model Court operations;
- ◆ provide access to court hearings and files;
- ◆ schedule and participate in an exit meeting to debrief the site visit;
- ◆ be open to constructive feedback; and
- ◆ provide discussion opportunities of both the challenges faced and the efforts to overcome the barriers.

During the Site Visit

During site visits, Model Court Liaisons engage in some combination of the following:

- ◆ observation of court hearings;
- ◆ conducting interviews with stakeholders;
- ◆ participation in and observation of multidisciplinary advisory group or other meetings;
- ◆ review of court and agency files;
- ◆ contact with the state Court Improvement Project to discuss alignment of goals;

- ◆ provision of constructive feedback and other forms of information-sharing; and
- ◆ research and evaluation technical assistance tasks.

After the Site Visit

At the conclusion of the visit, the Liaison provides a “Post-Visit Survey” to the Lead Judge. The “Post-Visit Survey” asks the Lead Judge whether his or her expectations for the visit were met, whether the site visit provided an opportunity to discuss specific practices, policies, or strategies, and whether the information and guidance provided by the Liaison will assist in program implementation and planning, or policy development. The Liaison also follows up with the Lead Judge by telephone and e-mail.

Upon the Liaison’s return from the site visit, he or she drafts a site visit report, analyzing best practices strengths and areas for improvement of the Model Court, and makes technical assistance recommendations to support the Model Court. In this way, NCJFCJ and PPCD management and staff are continually apprised of court-related developments and activities and can integrate this information into the ongoing delivery of technical assistance for the Model Courts and related PPCD project work.

Cross-Site Visits

Fundamental to the Model Courts is sharing information and the networking of individuals among Model Courts and jurisdictions nationwide. Cross-site visits are designed to facilitate the achievement of a current Model Court goal, and involve representatives from one or more Model Courts, or non-Model Courts, visiting another Model Court to learn about the host site’s innovations and reforms, observe hearings, and meet with their professional counterparts in other jurisdictions. These visits also allow participants to exchange ideas and approaches regarding system reform initiatives. Cross-site visits provide an unparalleled opportunity for learning, information sharing, and networking. There are a limited number of cross-site visits available and all Model Courts will not be able to participate each year.

Prior to the Cross-Site Visit

The Lead Judges from the visiting and host sites work with PPCD staff to:

- ◆ identify and clearly articulate the goals for the cross-site visit;
- ◆ plan the agenda;

- ◆ determine who should participate from the visiting court team;
- ◆ determine who the appropriate counterparts should be in the host site; and
- ◆ provide written feedback after the visit, giving an assessment of the visit's impact on practice, if the visit met their needs and any suggestions for how to improve future visits.

Model Court Liaisons also develop, produce, and disseminate training materials, coordinate logistical issues, and provide general oversight for the visit. Both teams are asked to provide written feedback about the site visit to improve future visits. Visiting teams are asked if the information gathered was integrated into their practice, and if so, how it was implemented.

As with site visits, cross-site visits between courts are evaluated. Pre-cross-site visit interviews are conducted or surveys are sent to the visiting site to elicit information with respect to their interest in visiting a specific site (e.g., specific practices or policies they are most interested in learning about; specific issues or challenges they are facing in their home jurisdiction that they would like to discuss with stakeholders in the host jurisdiction). These pre-cross-site visit surveys help the Liaison and host site refine the site visit agenda and ensure that the appropriate stakeholders are available.

After the Cross-Site Visit

Post-cross-site visit surveys are sent to the visiting team to ensure that their expectations of and need for the cross-site visit were met and that they had sufficient opportunity to meet host site stakeholders, observe practices, etc. Through both the survey and follow-up by the Liaison, visiting stakeholders are asked to discuss how the visit influenced ongoing reforms in their home jurisdictions.

Expectations

The visiting Model Court Lead Judge is expected to:

- ◆ work with the Liaison to assess the cross-site visit's learning objectives;
- ◆ work with the Liaison to establish the appropriate Model Court team for the visit;
- ◆ oversee the timely completion of pre-visit surveys by the visiting Model Court team;
- ◆ actively participate in the cross-site visit;
- ◆ oversee the Model Court team's participation on-site;

- ◆ set and participate in a debriefing meeting shortly after the completion of the visit;
- ◆ oversee the timely completion of post-visit surveys by the visiting Model Court team; and
- ◆ communicate with the Liaison the outcomes of the debrief meeting and coordinate the next steps in implementing the related Model Court goal.

To maximize training and funding opportunities, cross-site visits are also integrated into other activities (e.g., trainings) and coordinated with other funding sources whenever possible. Cross-site visits are excellent modalities for sharing court best practices.

Multidisciplinary Trainings

When appropriate to facilitate current, identified Model Court goals, the PPCD may help develop and fund or co-sponsor an on-site training within a defined topic area. It is the PPCD's goal to ensure that funding resources are used *efficiently* (e.g., affording enough planning time to ensure the most reasonable airfare for off-site faculty or to allow for exploration of training locations and to negotiate the best rates) and *appropriately* (e.g., to ensure that the topic is directly related to the goals and reform efforts, and that materials are of the highest possible quality). If PPCD is a sponsor or co-sponsor of a training, notation on training materials must include reference to the NCJFCJ.

In coordination with the Model Courts, PPCD responsibilities in Model Court training activities usually include:

- ◆ program planning and agenda development, and selection of faculty;
- ◆ contacting faculty and communicating the training objectives;
- ◆ providing input on substantive content and suggestions for the most effective presentation of the material, identifying and assembling training materials for distribution;
- ◆ coordinating logistical arrangements (e.g., AV needs, travel and hotel);
- ◆ presenting on the Model Courts project and Model Court achievements, as well as substantive topic-specific presentations;
- ◆ evaluating training outcomes and effectiveness; and
- ◆ providing follow-up technical assistance or other materials after the training has concluded.

A PPCD staff member is often, but not always, at the site to facilitate the training. To maximize training and funding opportunities, trainings are also integrated into other grant activities and coordinated with other funding sources whenever possible.

Like a site visit, PPCD on-site training programs are also evaluated. At the conclusion of the training, participants are asked to complete an evaluation of the overall training. These responses are then used by the Liaison and the Model Court specifically, and PPCD more generally, to refine future training programs. As part of their leadership role, Lead Judges should actively participate in multidisciplinary trainings (e.g., as Master/Mistress of Ceremonies, or providing opening remarks), and should encourage participants to complete the evaluation.

Technical Assistance

The Model Court Lead Judges and multidisciplinary collaborative team members regularly turn to their Liaisons for information about a wide range of topics related to court and social service agency reform initiatives, including legal issues, policy issues, programmatic and practice issues, and resource and funding issues. Some technical assistance requests are relatively routine and can easily be filled, while others require more in-depth research. In many cases, Model Court Liaisons will review a large amount of material and then synthesize the information for use by the requesting Model Court. New information is then integrated into ongoing Model Court and technical assistance materials as appropriate, and into the general resources coordinated and developed by the PPCD Training & Technical Assistance Team.

The importance of regular, frequent, and ongoing communication between the Lead Judge and the Liaison is demonstrated especially with regard to technical assistance. When the Liaison is up-to-date on goal development, challenges, successes, strategies, he or she is better able to *proactively* provide technical assistance that will help the court efficiently and effectively meet its best practice goals.

The PPCD regularly develops *Technical Assistance Bulletins* and *Briefs* that address topic areas needing further exploration and research. Model Court Liaisons and other staff make NCJFCJ publications available to the Model Courts, such as the *Juvenile and Family Justice TODAY* magazine and the *Juvenile and Family Court Journal*. These *Technical Assistance Bulletins* and *Briefs*, and other NCJFCJ publications, are used by Model Courts as part of their

training seminars, and publications are made available to multidisciplinary Model Court representatives as educational tools. These publications serve as excellent means to share information about Model Court progress and build buy-in from system stakeholders for continued court improvement efforts.

Technical assistance to the Model Courts takes a number of forms. In addition to the materials and expertise provided to the Model Courts by the Model Court Liaisons, the Research Team of PPCD also provides access to information about court performance measurement and achievement of court improvement goals.

The Model Courts have access to the Model Court List Serve. The Model Court List Serve is used by representatives from Model Courts to gain information and discuss practices and protocols on a variety of issues.

Exiting from the Project

PPCD, in conjunction with a Model Court Lead Judge, may decide that a Model Court will exit from the Model Courts project either because the Model Court has reached a stage of *sustainable* systems change, because a Model Court chooses to withdraw from the project, or a Model Court may be asked to leave the project because the Model Court is no longer productively participating in the project. The Model Court Liaison shall assess a Model Court as described above through regular communication, observation, and analysis.

Senior Model Court

A Model Court that has reached a stage of sustainable systems change may exit active participation in the project by being designated as a Senior Model Court. The PPCD will evaluate a Model Court wishing to move to Senior status. Criteria used by the PPCD to designate a Model Court as “Senior” may include, but is not limited to:

- ◆ The Model Court has implemented or is proactively working towards implementing the best practices of the *RESOURCE GUIDELINES* to the best of its ability within state statutory structure and court organizational structure.
 - Model Court has the authority and has an active role to order, enforce and review delivery of services and treatment for children and families;

- The use of direct calendaring for one family-one judge;
 - Case flow management creating successful permanency planning;
 - Judge-supervised judicial officers (if used) effectively facilitate consistency in case processing and outcomes;
 - Parties in child abuse and neglect cases have access to competent representation;
 - Court facilities accommodate the needs of children and families;
 - Voluntary agreements are limited and time-limited with a statutory framework; and
 - Emergency orders that are used judiciously for the protection of children, offer procedural protection for parents; are expeditious, and receive as much careful consideration as circumstances allow.
- ◆ The Model Court has developed a sustainable multidisciplinary collaborative structure.
- The Lead Judge having an active and ongoing role in collaborative activities;
 - Regularly scheduled and held meetings;
 - Identified leadership structure within the collaborative;
 - Representation from a range of community stakeholders involved in services to children and families;
 - An established method of documenting committee and sub-committee activities, accomplishments, and outcomes;
 - Consistent communication between the court, the stakeholders, and the community; and
 - Long-range goals for future development and growth.
- ◆ The Model Court has developed sustainable leadership, including a transition plan, evidenced by:
- The Lead Judge is perceived by the Presiding/Chief Judge, the collaborative members, and the Model Court Liaison as the driving force behind court reform efforts in the community; and
 - An organized plan for the transfer of authority and responsibilities, for continuation of Model Court activities, for securing ongoing support from others, and for the new Lead Judge developing an effective relationship with

the Liaison.

- ◆ The Model Court has instituted sustainable and regular multidisciplinary trainings.
 - An active system for assessing the community’s training needs related to the court process or concomitant services;
 - Consistent use of the Liaison and PPCD training materials and faculty, or demonstrated sustainable ability to coordinate quality training materials and faculty on its own;
 - Identified individuals on the team to implement training opportunities; and
 - An established method of training evaluation.

- ◆ The Model Court is taking Model Court core best practices court-wide. Evidenced by:
 - Consistent communication between the Lead Judge and the Presiding/Chief Judge about the progress and plans of the Model Court team’s activities;
 - Inclusion of judicial colleagues in the Model Court collaborative structure, and apprising them of Model Court systems change progress;
 - The Lead Judge actively pursuing opportunities to speak or train other judges or court personnel about best practices;
 - Model Court best practices integrated throughout the dependency bench and not restricted to a single courtroom; and
 - Model Court multidisciplinary collaborative and the Lead Judge utilizing PPCD materials and sharing program initiatives from other Model Courts to educate other judges and encourage expansion of best practices.

- ◆ The Model Court Lead Judge is serving as faculty on issues of best practices locally, statewide, and nationally.
 - The Lead Judge providing best practice training to other judges and stakeholders within their local court structure, and at the state and national levels; or
 - The Lead Judge participating as faculty for the Child Abuse and Neglect Institute.

- ◆ The Model Court is mentoring the development of best practices in other courts and jurisdictions in its state through active dialogue with and participation in the state CIP.

- The Lead Judge promoting the Child Abuse and Neglect Institute opportunities to other judges from their jurisdiction and regional CANI implementation;
 - The Lead Judge providing PPCD publications and encouraging other judges from their state to implement best practices in their courtrooms;
 - The Lead Judge taking a leadership role in collaborating with the Model Court's state Court Improvement Project; and
 - The Model Court hosting other Model Courts in cross-site visits and/or conference calls.
- ◆ Senior Model Court Courts participate in the project by:
- Continuing to have an assigned Model Court Liaison;
 - Continuing to develop annual goals and objectives;
 - Serving as a cross-site visit host location and mentoring active Model Courts;
 - Receiving limited technical assistance from the Model Court Liaison;
 - The Lead Judge attending the All-Sites Conference and Lead Judges' Meetings;
 - Exercising active leadership in statewide and national initiatives; and
 - Providing a report on sustaining efforts and mentoring activities.

PPCD Request to Exit

During the participation appraisal process, the Liaisons recognize that every Model Court environment is influenced by factors outside the Lead Judge's or the Model Court Team's control (i.e., structural constraints, funding issues). Realistically, the Model Courts do not progress from experimental laboratory courts to "perfect" courts. Therefore, it is important to have an accurate assessment of how the court is functioning, successes achieved, challenges faced, and efforts that have been made to overcome barriers. Liaisons require a clear picture, and the lack of efforts or a plan to overcome challenges is more of a concern than lack of achievement.

Model Courts who have not met their goals or have not implemented every desired best practice are not automatically candidates for corrective action. A Model Court may be placed on a corrective action plan if they do not meet the expectations of the project. The corrective action plan will address benchmark expectations with clear goals established by the PPCD and specific to each Model Court. Successful completion of the corrective action plan will be

earmarked by the good faith efforts of the Model Court team and the Lead Judge working together with their Liaison.

Reasons for placing a Model Court on probationary status include (but are not limited to):

- ◆ Lack of frequent, clear and regular communication between the Lead Judge and the Model Court Liaison, that contributes to missed deadlines, miscommunication, or confusion;
- ◆ Failure to implement the *RESOURCE GUIDELINES* and the *ADOPTION AND PERMANENCY GUIDELINES* unrelated to statutory, financial, or court organizational barriers;
- ◆ Consistently missing PPCD deadlines, including responding to requests for reports, surveys, and evaluations;
- ◆ Inconsistent demonstration of judicial leadership (i.e., withdrawal from Model Court collaborative involvement, unwillingness to fulfill an oversight role for the Model Court collaborative, reluctance to be an advocate for the Model Court goals, relinquishment of leadership off-the-bench to others);
- ◆ Consistent refusal to serve as faculty or to train other judges when asked, including local and state trainings, and non-NCJFCJ-related trainings;
- ◆ Failure to facilitate dissemination of Model Court best practices bench-wide;
- ◆ Failure to participate in PPCD national initiatives and projects;
- ◆ Failure to become an NCJFCJ member; and
- ◆ Failure to attend the entire All-Sites Conference and the Lead Judges' Meetings absent extenuating circumstances.

In consultation with the Model Court, specific terms for correction will be determined, with benchmarks and timelines set collaboratively. The Model Court Liaison is committed to support the court's efforts, and to follow-up on the court's progress. At the conclusion of the corrective action plan, PPCD will evaluate the effort put into meeting the corrective action plan terms and the degree of progress. If the Model Court has made significant progress, but hasn't attained full achievement, the corrective action status *may* be continued. If a Model Court fails to address issues which incurred the corrective action status or to make demonstrative efforts, the Model Court will be asked to transition out of the project. Transitioning out means termination of Model Court status.

Exiting at Court Request

There are some Model Courts who are functioning well and have strong best practices in place. Their need for PPCD assistance is minimal, and it would be a better use of PPCD resources to concentrate on the courts that have shown a strong need for PPCD services and to bring on new Model Courts. Model Courts may transition out of the project at their own request. Unlike Senior status a Model Court that transitions out of the project is no longer associated with the project with the title “Model Court,” but could still contract with PPCD for specific technical assistance requests.

Reasons a Model Court may request transition out of the project include (but are not limited to):

- ◆ Utilization of best practices is consistent, replication to other courts has been successful and the need for PPCD assistance is limited;
- ◆ Changes in leadership;
- ◆ Significant changes in personnel;
- ◆ Changes in direction of court improvement goals;
- ◆ Reduced community support for the project;
- ◆ Changes in court improvement opportunities;
- ◆ Changes in court structure; and
- ◆ Other priorities and needs of the court.

Reasons the PPCD may request a Model Court to transition out of the project include (but are not limited to):

- ◆ Lack of frequent, clear and regular communication between the Lead Judge, or the Lead Judge’s designee, and the Liaison, that contributes to missed deadlines, miscommunication, or confusion;
- ◆ Lack of implementation of the *RESOURCE GUIDELINES* and the *ADOPTION AND PERMANENCY GUIDELINES* unrelated to statutory or court organizational barriers;
- ◆ Consistently not meeting PPCD deadlines, including responding to surveys and evaluations;
- ◆ Inconsistent demonstration of judicial leadership (i.e., withdrawal from Model Court team involvement, unwillingness to fulfill an oversight role for the Model Court team, reluctance to be an advocate for the Model Court goals, relinquishment of leadership off-the-bench to others);
- ◆ Consistent refusal to serve as faculty and training other judges when asked, including

in local and state trainings, and non-NCJFCJ-related trainings;

- ◆ Failure to become an NCJFCJ member;
- ◆ Failure to attend the entire All-Sites Conference and the Lead Judges' Meeting without extenuating circumstances;
- ◆ Failure to actively participate in PPCD national initiatives or projects; and
- ◆ Inconsistent good faith efforts to improve Model Court status.

A Model Court which transitions out of the Model Courts project would no longer be associated with the project, but may apply or contract to return to the project, or enter into an agreement for specific technical assistance provision.

CONCLUSION

Participation in the Model Courts project is an intensive, dynamic, and rewarding process. It requires strong commitment, openness to assessment of strength and weaknesses, and a desire to serve children and families in the best way possible. Through ongoing and forward-moving application of the *RESOURCE GUIDELINES* better outcomes and shortened time in care can be achieved for all children in foster care.



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