

Feasibility of Evaluating the State Court Improvement Program

**Volume I
Final Report**

September 12, 2003

***James Bell Associates, Inc.
Arlington, VA***

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EXECUTIVE SUMMARY

This evaluability assessment of the Court Improvement Program (CIP) was completed through a contract awarded in the Fall of 2001 by the Children's Bureau, U.S. Department of Health and Human Services (HHS), to James Bell Associates, Inc. (JBA) of Arlington, VA.

THE COURT IMPROVEMENT PROGRAM

CIP was established by the Omnibus Reconciliation Act of 1993 (PL 103-66) to help state courts improve their processing of child welfare cases. By 2001, all 50 states, Puerto Rico and the District of Columbia were participating in the funding program. Each year, the Children's Bureau makes available over \$10 million to state courts through a formula grant program. CIP was established as a flexible source of funding to undertake broad-based, comprehensive systemic reform of courts and legal processes. The diverse activities and services undertaken by state and local courts across the country reflect this federal intent.

PURPOSE FOR UNDERTAKING THIS EVALUABILITY ASSESSMENT AND PROJECT OBJECTIVES

Although outcome and implementation process studies of other programs established under title IV-B, subpart 2 of the Social Security Act have been conducted,¹ a national evaluation of the effectiveness with which CIP activities and interventions improve outcomes for children and families has not. As the role of the courts in child welfare continues to gain emphasis, it becomes especially important to undertake a national evaluation of CIP. HHS's newly established system for monitoring state child welfare systems, along with federally monitored outcomes of time to permanency and child safety, require state courts and child welfare agencies to work toward common goals. Both entities must be active, collaborative partners to ensure these goals are achieved. To encourage continuous improvement, it is essential to gain knowledge of particularly effective court activities and programs, and provide guidance to state and local courts accordingly.

This evaluability assessment was undertaken to prepare for a national evaluation of CIP. The project's objectives were to:

- Identify a set of promising CIP activities and strategies established in various states;
- Determine whether a full-scale evaluation of these activities and strategies would produce information of interest to the Children's Bureau and other stakeholders;
- Identify CIP programs that are amenable to a full-scale evaluation; and
- Develop an evaluation design and plan for full-scale evaluations of selected CIP programs.

¹ Specifically, the **Family Preservation and Family Support (FP/FS) Services Implementation Study** was conducted by James Bell Associates, Inc.; the **Evaluation of Family Preservation and Reunification Programs** was conducted by Westat, Inc.; and the **National Evaluation of Family Support Programs** was conducted by Abt Associates, Inc.

PROJECT METHODOLOGY

Evaluability assessment is exploratory, or “pre-evaluation,” research occurring prior to formal evaluation. It involves collecting qualitative information through document review and on-site visits to observe interventions and meet with a broad range of stakeholders. It is aimed at determining whether:

- Program treatments are clearly identifiable and consistently implemented;
- Outcomes are clear, specific and measurable;
- Treatments are related to expected outcomes; and
- Necessary data are available and accessible.²

The primary analytic tool of evaluability assessment is the construction of logic models. These models provide an understanding of the focal service by graphically linking the intervention with its inputs (resources relied upon), outputs (direct products of the intervention), and outcomes (benefits or changes that result from the intervention).³ Through this method, interventions and outcomes can be systematically assessed and compared across models (see Appendix B).

Information for this project was collected from the following sources:

- **Program documentation:** A range of existing documentation was reviewed for this project. To understand federal intent with respect to CIP, Program Instructions issued by HHS were reviewed.⁴ For information on best practices, the Resource Guidelines were reviewed.⁵ A search of available evaluations of CIP interventions was also performed. A total of 36 evaluations carried out in 20 states were identified and reviewed (see Appendix C).

For information on specific state CIP interventions, the National Child Welfare Resource Center on Legal and Judicial Issues’ Court Improvement Progress Report 2001 was reviewed along with state annual CIP reports submitted to HHS for 2000 and 2001, and a review and analysis of state reports completed by JBA in 1999.⁶ Information on a total of 43 CIP interventions that appeared particularly promising for evaluation was

² Adapted from: Patton, Michael Quinn, How to Use Qualitative Methods in Evaluation. Sage Publications, Inc., Newbury Park, CA: 1987.

³ United Way of America, Measuring Program Outcomes: A Practical Approach. 1996.

⁴ Administration for Children and Families (ACF), HHS, Program Instruction (PI) 94-12, issued June 27, 1994; and ACF PI 99-02, issued February 23, 1999.

⁵ National Council of Juvenile and Family Court Judges, Resource Guidelines, Improving Court Practice in Child Abuse & Neglect Cases, Reno, NV: 1995.

⁶ James Bell Associates, Inc., Review and Analysis of State Program Reports Related to the Court Improvement Program, June 1999.

summarized within a classification system developed for this project and presented in an interim report.⁷

- **Discussions with national experts:** Early input on the project's approach was gathered through discussions with program and policy experts from the Children's Bureau, HHS; the National Child Welfare Resource Center on Legal and Judicial Issues; the National Center for State Courts; and the National Council of Juvenile and Family Court Judges.
- **Meetings with the Technical Work Group (TWG):** The TWG was formed to provide ongoing guidance on: the project's approach, reform models of interest nationally, key study deliverables, context and interpretation of findings, and priorities for a national evaluation. In addition to researchers, the TWG was comprised of nationally recognized program, policy and legal experts in the area of court operations, services and reforms (see Appendix A).
- **Discussions with state administrators:** Preliminary telephone conversations were held with state CIP coordinators to follow-up on activities contained in their annual reports that appeared promising for evaluation.
- **On-site visits to select interventions:** Based on information contained in the state annual reports, follow-up discussions with CIP coordinators and input from the TWG, on-site visits were arranged to 9 sites focusing on 12 separate interventions that received CIP resources at some point in their development or implementation. While on site, meetings were held with a wide range of stakeholders including CIP coordinators and presiding judges, other key court staff and judicial officials, child welfare agency staff, and court and child welfare agency record-keeping staff. Topics of discussion included their perceptions of: CIP reforms, goals and expected outcomes, available data to measure the impact of reform, and other contextual events that might impact outcome measurement. The focal intervention was also observed, along with daily court operations it impacted.

The following evaluability assessment criteria were applied to each of the CIP interventions visited:

- Was the intervention clearly defined? Were there criteria specifying the cases on which the intervention was to be targeted? Was the intervention's duration and scope of activities clearly specified?
- Did it appear that the intervention could logically impact outcomes established by the Adoption and Safe Families Act of 1997 (ASFA)—safety, permanency and well-being?
- Was the intervention mature and well established? Was it in existence for a sufficient period of time for operations to evolve beyond the initial implementation phase?
- Were there a sufficient number of cases served to support a rigorous evaluation?

⁷ James Bell Associates, Inc., Feasibility of Evaluation of the State Court Improvement Program Classification Report. May 15, 2002.

- Were data needed for an evaluation available, accessible and accurate?
- Was there evidence that the intervention appeared to be promising? Was it expanded to additional sites? Did key stakeholders find the intervention helpful and support it?
- Were key staff willing to participate in the activities that accompany a rigorous evaluation?

At the conclusion of each visit, a site-specific evaluability assessment report was completed detailing: implementation history and administration; the intervention model, including a detailed logic model of CIP interventions; proposed evaluation approaches, including timeframes for data tracking; key measures and data sources; and outstanding issues. These reports are included as Volume II of the final report.

PROJECTS ASSESSED FOR EVALUABILITY

Through the site visits, a group of diverse and innovative court reform activities were identified. All stakeholders believed their programs had vastly improved legal processes for children and families, yet most had little or no data to measure their impact. As a consequence, stakeholders in all but one site were enthusiastic about the prospect of participating in a national evaluation of CIP.⁸

- **Alternative Dispute Resolution (ADR):** In four study sites, ADR programs were designed to resolve issues in a collaborative manner outside the courtroom. Within these sites, sessions were convened and led by a trained facilitator:
 - **Wayne County, Michigan’s Permanency Planning Mediation Program** followed the standardized statewide model of ADR, involving all parties to the case early in the dependency court process.
 - **Marion County, Oregon’s Dependency Mediation Project** also involved all parties to the case early in the court process.
 - **Philadelphia, Pennsylvania’s Pre-Hearing Conference** involved all parties to dependency cases, including parents. The session was unique among those assessed, as mental health and substance abuse assessments and services were arranged for parents and children during the session, as needed.
 - ADR was one component of **Connecticut’s Case Management Protocol**. In comparison to the other models, Connecticut’s conferences primarily involved the professionals associated with a case. Typically, parents were not involved.
- **Representation for Children and Parents:** Improving representation for children was a focus of one intervention, while two focused on providing and improving counsel to parents:
 - **Arkansas’ Attorney Ad Litem (AAL) Program** specified qualifications and standards of practice for AALs and expanded their availability on a statewide basis.

⁸ Within the state of Kansas, the process of reform was still underway. Given limited budgets and staff, the state preferred to focus on that process rather than on participating in a national evaluation.

- **Arkansas' Indigent Parent Counsel Program** also established qualifications and standards for counselors and expanded their availability; however, unlike the AAL program, the intervention was not uniformly implemented throughout the state.
- Providing representation to parents was one component of **Connecticut's Case Management Protocol**. Attorneys were appointed to represent parents prior to the ADR session discussed above.
- **Specialized Dockets or Courts:** Two specialized dockets were created in Philadelphia, Pennsylvania, and a specialized court was created to hear child welfare cases in rural jurisdictions in Texas:
 - **Philadelphia, Pennsylvania's Accelerated Adoption Review Court** was dedicated to overseeing all cases for which parental rights were terminated and a goal of adoption was established.
 - **Philadelphia, Pennsylvania's Alternative Planned Permanency Living Arrangements and Kinship Care Court**, was dedicated to children in long-term foster care as well as foster children cared for by kin, although court referral and intervention protocols were in the process of being revised.
 - **Texas' Cluster Courts** were specialized child welfare courts created by clustering dependency and abuse/neglect cases between contiguous counties in the same rural judicial district.
- **Systemic Reform:** Two sites were working to improve basic court operations on multiple fronts simultaneously.
 - Primary components of **Delaware's systemic reform** included: assigning a single judge to a case, developing a defined sequence of judicial hearings and reviews, and appointing indigent parent counsel.
 - Primary components of **Virginia's systemic reform** included: establishing hearing timelines and a system of judicial review, providing multi-disciplinary training, and developing standardized judicial district court manuals and orders.

COMPONENTS OF A NATIONAL EVALUATION OF CIP

Congruent with the federal intent for CIP, stakeholders agreed that CIP is a catalyst for dependency court reform. A diverse array of services and activities were developed by courts with this funding source. A national evaluation should capture this diversity, while focusing on reforms that have the most direct applicability to the field. Therefore, a national evaluation must be multi-faceted when describing and assessing the impact of CIP interventions. The following components are recommended:

- Continue to review state and local court activities carried out under CIP, updating the national description of CIP;
- Synthesize existing court reform evaluations; and

- For select interventions, conduct the most rigorous evaluation feasible supplemented with an analysis of the process of reform and the application of the intervention in practice. In descending order of rigor, evaluation methodologies applied are:
 - **Experimental design:** Randomly assigning participants to a treatment group that receives the specialized intervention or a non-treatment (or control) group that receives traditional services.
 - **Quasi-experimental design:** Comparing groups that are as similar as possible but differ on their access to the focal intervention (generally, matched site comparison).
 - **Pre-Post design:** Within a site, comparing cases filed pre-intervention implementation with those filed post-implementation.
 - **Descriptive analysis of outcomes:** Assessing and documenting the process through which the intervention is expected to achieve intended short- and long-term outcomes. Available sources of aggregate data on key outcomes are explored and utilized to the extent feasible.

As explained in this report, given the nature and implementation of CIP interventions, it is not always feasible to apply experimental and quasi-experimental designs. When selecting sites for a national evaluation, the need for evaluation rigor must be balanced with the need to examine an array of services and activities that reflect the range and diversity of court reform efforts undertaken throughout the nation.

Each component of a national evaluation that would achieve these aims is summarized here.

1. Review of State and Local Court CIP Funded Activities

CIP is a dynamic program, and the activities and services funded are likely to change or expand over time. The national “snapshot” of CIP described in this evaluability assessment is likely to substantially change during the national evaluation. In order to provide the appropriate context for the outcome evaluation of select models, a systematic review of all primary activities and interventions funded by courts should be conducted. The purpose of this review is to describe the full array of activities funded under CIP, classifying them by common characteristics and intent. Primarily, this information will be abstracted from the state annual reports. This will be supplemented with follow-up telephone discussions with state CIP directors.

2. Synthesis of Existing Court Reform Evaluations

In the course of conducting this evaluability assessment, a number of court reform evaluations were identified; however, this information is not readily available to researchers, policymakers, administrators and national organizations. The purpose of this component is to provide a broader context for understanding and interpreting evaluative findings gained through outcome evaluation of CIP interventions. It will provide information currently available to the field prior to concluding outcome evaluation of select interventions.

As envisioned, this synthesis will not be limited to CIP-funded activities; it will include evaluations relevant to courts hearing child welfare cases. The methodological rigor of each evaluation will be explored, and where necessary, follow-up telephone discussions will be held. Findings will be synthesized and grouped across studies (for instance, by outcomes impacting time to permanency, child safety and child well-being). Available information on implementation barriers will be examined to identify the resources needed to establish these efforts, the nature and extent of collaboration required, the barriers encountered and ways in which they were addressed.

3. Outcome and Descriptive Evaluation of Select Interventions

Building on this evaluability assessment, appropriate evaluation of select interventions should be undertaken. Reflecting the diversity of interventions funded through CIP, it is recommended that at least one intervention from each of the four categories described earlier be evaluated (ADR, representation for children and parents, specialized courts or dockets, and systemic reform). Under this evaluability assessment, the most rigorous evaluation methodology feasible was explored for each site.

As shown in Exhibit A, experimental or quasi-experimental designs are feasible as the primary evaluation strategy for a total of five interventions. Pre-post implementation or descriptive analysis of outcomes is recommended for the remaining seven. Additionally, it is recommended that all outcome evaluations undertaken be supplemented with analysis of the process of reform and the application of the intervention in practice. This will provide the proper site-specific context when interpreting findings gathered through analysis of outcomes.

CONCLUSIONS

This report explains both the need for undertaking a national evaluation of CIP and the inherent complexity of analyzing a funding program that is meant to be used flexibly by states to meet their individually assessed needs. The activities undertaken through CIP vary widely and are often comprehensive and multi-faceted. Moreover, these reforms evolved over time within sites, and other reforms such as those related to ASFA were simultaneously undertaken.

A national evaluation of CIP must accommodate the diversity of CIP program activities in order to provide guidance. It must be multi-faceted and rely on a variety of appropriate evaluative approaches. It must take into account site-specific contextual factors. Additionally, the full range of CIP interventions should be documented and existing evaluations of court reform should be synthesized.

As discussed in this report, outcome evaluation methods must be carefully matched with sites, taking into account important contextual and implementation realities. To provide important context and properly interpret findings, outcome evaluation must be supplemented with process analysis. Informed through this evaluability assessment, the national evaluation described in this report will meet these needs.

Exhibit A
Overview of the Primary Evaluation Strategy Recommended for each Site

Site	Intervention	Recommended Evaluation Design			
		Experimental	Quasi-Experimental	Pre-Post Implementation	Descriptive Analysis
Alternative Dispute Resolution (ADR)					
Wayne County, Michigan	Permanency Planning Mediation Program.	Recommended			
Marion County, Oregon	Mediation Program.	Recommended			
Connecticut	Case Management Protocol (pre-hearing conference component).		Recommended		
Philadelphia, Pennsylvania	Pre-Hearing Conference with access to substance abuse and mental health screening and services.			Recommended	
Representation for Children and Parents					
Arkansas	Attorney Ad Litem Program.			Recommended	
	Indigent Parent Counsel Program.				Recommended
Connecticut	Case Management Protocol (stand-by attorney component).		Recommended		
Specialized Dockets and Courts					
Philadelphia, Pennsylvania	Accelerated Adoption Review Court.			Recommended	
	Alternative Planned Permanency Living Arrangements Court (kinship/long-term foster care).				Recommended
Texas	Cluster Courts—child abuse/neglect and dependency cases clustered between rural counties.		Recommended		
Systemic Reform					
Delaware	Primary components: assigning one judge per case, defining the sequence and timeline for hearings, providing counsel to indigent parents.				Recommended
Virginia	Primary components: establishing timelines and judicial reviews, multi-disciplinary training, attorney standards, and standardizing judicial district court manuals and orders.				Recommended

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APPENDIX A: Court Improvement Project Evaluability Assessment (CIP-EA) Technical Work Group

APPENDIX B: Court Improvement Project Evaluability Assessment (CIP-EA) Intervention Logic Models

APPENDIX C: Summary of Court Reform Evaluations

I. Introduction

A. Study Purpose and Project Objectives

This evaluability assessment was completed through a contract awarded in the Fall of 2001 by the Children's Bureau, U.S. Department of Health and Human Services (HHS), to James Bell Associates, Inc. (JBA). This project determined the feasibility of evaluating state Court Improvement Program (CIP) projects, thus laying the groundwork for undertaking a national evaluation of CIP.

For context, this chapter provides a description of CIP. This is followed by a presentation of the methodology used for this evaluability assessment.

1. Program Background

CIP was first funded by the Omnibus Budget Reconciliation Act of 1993 (PL 103-66) to help state courts improve their processing of dependency cases. The program was reauthorized twice, once in 1997 and again in 2002. By 2001, all 50 states, Puerto Rico and the District of Columbia were participating in the program. Within HHS, the Children's Bureau administers CIP. Each year, the Bureau makes available \$10 million through a formula that gives each participating state a base amount plus a distribution of the remaining funds in proportion to each state's share of children under the age of 21.¹ In FY 2002, federal grant awards ranged from \$98,501 for the District of Columbia to \$1,071,211 for the state of California (nationwide, the state average award was \$237,391).

It is important to understand that the legislation establishing CIP and subsequent federal guidance governing its implementation does not specify a single model (or set of models) that states are required to fund with their CIP allocation. Rather, CIP was established as a source of federal funding to be flexibly used by states to undertake broad-based, comprehensive systemic reform of courts and legal processes for abuse/neglect and dependency cases. A program summary issued by the Children's Bureau noted that:

"CIP provides state courts with the opportunity to work and collaborate with other interested parties and [ensure] that 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 specified needs."²

To receive CIP funding, states were required to create collaborative advisory groups charged with guiding the assessment and planning process. Also, they were required to complete an assessment of the role, responsibilities and effectiveness of the state court system

¹ The 2002 reauthorization extended the program through 2006 and includes an additional set aside for CIP of 3.3 percent of Promoting Safe and Stable Families (PSSF) program discretionary appropriations (title IV-B, subpart 2 of the Social Security Act). In FY02, this provided an additional \$2.3 million for state CIP grants.

² HHS, Children's Bureau, "State Court Improvement Program Summary," January 2002.

in the processing of dependency cases. A majority of states conducted thorough assessments.³ States interviewed numerous stakeholders⁴ and completed case record reviews and/or conducted court observations as part of their assessments. Most states hired external consultants to conduct their assessments. In addition, states were required to prepare a plan with recommendations to improve aspects of the court that were deficient. Thereafter, states were required to submit annual program reports describing their progress on the recommended changes.

2. Purpose for Undertaking this Evaluability Assessment and Project Objectives

This project determined the feasibility of evaluating CIP projects established by state and local courts. A number of states analyzed the impact of a specific project, and much descriptive information is available on the range of activities funded through CIP. However, a national evaluation of the effectiveness of a variety of CIP activities and interventions in improving outcomes for children and families has not been conducted. Such a national evaluation of CIP would mirror efforts undertaken with respect to the Promoting Safe and Stable Families (PSSF) program established under title IV-B subpart 2 of the Social Security Act along with CIP in 1993.⁵

As the role of the courts in child welfare continues to gain prominence, it becomes especially important to undertake a national evaluation of CIP. Most notably, the Child and Family Services Reviews (CFSRs)—HHS’s newly established system for monitoring state child welfare systems—reviews information from several sources within each state, including the courts. Similarly, newly established, federally monitored outcomes of child safety and time to permanency⁶ require state courts and child welfare agencies to work toward the same goals;⁷ both entities must be active, collaborative partners to ensure these goals are achieved. Finally, to encourage continuous improvement in state child welfare systems, guidance needs to be provided in terms of the court activities and reforms found to be particularly effective in improving outcomes for children and families. These are the primary reasons for undertaking a national evaluation of CIP.

³ National Council of Juvenile and Family Court Judges, Summaries of Twenty-Five State Court Improvement Assessment Reports, Permanency Planning for Children Project, Technical Assistance Bulletin, Vol. II, No 3, 1998.

⁴ National Center For Juvenile Justice, Report to the Nation Survey, August 1996.

⁵ Specifically, the **Family Preservation and Family Support (FP/FS) Services Implementation Study** was conducted by James Bell Associates, Inc.; the **Evaluation of Family Preservation and Reunification Programs** was conducted by Westat, Inc.; and the **National Evaluation of Family Support Programs** conducted by Abt Associates, Inc.

⁶ The federal government assesses state performance on seven key national outcomes established by HHS in response to a requirement of the Adoption and Safe Families Act (ASFA) of 1997.

⁷ A more complete description can be found in: HHS, ACF, ACYF, Children’s Bureau, Safety, Permanency, Well-being. Child Welfare Outcomes Report 2000: Annual Report, James Bell Associates, Inc., Arlington, VA.

It is important to understand that several factors associated with CIP make it challenging to evaluate:

- **CIP is a funding source, not a specific program:** As noted earlier, states are not required to fund a specific model (or set of models) with their CIP allocation. Prior to undertaking a national evaluation, it is necessary to systematically identify and classify the range of activities supported through CIP and focus on those most amenable to formal evaluation.
- **Interventions are often implemented at the district court level:** Although CIP funding is directed to the highest state court, specific activities are generally carried out within individual courts. It is necessary to identify, and assess, interventions at the local level as implementation may vary considerably from jurisdiction to jurisdiction.
- **Interventions can be specialized events that are not repeated:** Many activities funded under CIP are one-time events, such as trainings or specialized reviews of select cohorts of cases in order to move them forward to permanency. To assess evaluability, one-time events must be sorted from ongoing interventions.
- **Data availability and accessibility is not readily known:** Although the automation of court information systems continues, much information is maintained in less accessible resources, such as case files. It is important to thoroughly assess information available to measure outcomes, along with its source and the period of time it is accurate. The ability to crosswalk case level information between courts and child welfare agencies must also be explored.
- **Implementation of multiple interventions simultaneously:** Many courts chose to reform their operations on multiple fronts, making it difficult to link specific interventions with specific, intended outcomes. It is important to take these contextual considerations into account and develop evaluation strategies appropriate to the site.
- **Stakeholder cooperation:** Participation in a formal, large-scale evaluation can require the commitment of staff time and attention. It is important to explore support for evaluation among the wide array who would be involved in the effort.
- **Timing of implementation:** Given that CIP funding first became available in 1994, some promising programs are quite mature. For some sites, this necessitates exploring retrospective evaluation strategies (e.g., exploring baseline data availability prior to implementation).

These challenges underscored the need for conducting an evaluability assessment prior to undertaking a formal evaluation of the CIP program. Specifically, this project's objectives were to:

- Identify a set of promising CIP activities and strategies established in various states;
- Determine whether a full-scale evaluation of these activities and strategies would produce information of interest to the Children's Bureau and other stakeholders;
- Identify CIP programs that are amenable to a full-scale evaluation; and

- Develop an evaluation design and plan for full-scale evaluations of selected CIP programs.

B. Project Methodology

An evaluability assessment was undertaken to achieve these objectives. Evaluability assessment is characterized as exploratory, or “pre-evaluation,” research occurring prior to official, or “formal,” evaluation. The approach involves qualitative information collection to assess a program’s readiness for rigorous outcome evaluation. Document review, coupled with on-site discussions and observations of the intervention, is aimed at determining whether:

- Program treatments are clearly identifiable and consistently implemented;
- Outcomes are clear, specific and measurable;
- Treatments are related to expected outcomes; and
- Necessary data are available and accessible.⁸

Exploring these issues prior to initiating a formal evaluation avoids spending considerable time and resources on a full-scale evaluation that does not provide meaningful information to policymakers and program managers. Common reasons why evaluations fail to meet the information needs of stakeholders include:

- Differences among stakeholders’ perceptions of program objectives, resulting in differing expectations of the evidence necessary to determine program success;
- Differences between the way a program is *intended* to operate and the manner in which it *actually* operates;
- Lack of a clearly defined intervention model that operates in a consistent manner;
- Lack of available data on client characteristics, interventions and outcomes;
- Inability to identify measurable objectives;
- Evaluators not fully understanding important aspects of the intervention, such as its context, client characteristics, or other key elements that are essential to the development of a sound evaluation design and the accurate interpretation of findings; and
- Program managers or front-line staff not adhering to key elements of the evaluation design (e.g., random assignment procedures) or providing necessary data.

⁸ Adapted from: Patton, Michael Quinn, How to Use Qualitative Methods in Evaluation. Sage Publications, Inc., Newbury Park, CA: 1987.

The foci of various evaluability assessment approaches vary somewhat. However, all agree on the following core steps:

- Clarify the intended intervention model or theory.
- Examine the intervention as it actually operates to determine whether it matches the model and could, conceivably, achieve the goals and objectives that are intended for the program.
- Explore different evaluation approaches to determine the degree to which they meet stakeholders' information needs and are feasible to implement.
- Reach agreement on formal evaluation approaches and priorities, along with intended uses of the study.⁹

This evaluability assessment was conducted over a 21-month period. For the remainder of this chapter, project activities are described within the evaluability assessment framework noted above.

1. Clarifying Program Intent

The intent of CIP was clarified through the following activities: holding discussions with key stakeholders; reviewing documents and classifying interventions undertaken by states through CIP; and forming a Technical Work Group (TWG) comprised of leading researchers, practitioners and members of national organizations involved with improving the role of the courts within the child welfare system.

a. Document Review and Stakeholder Discussions

The study team's preliminary understanding of the intent of CIP was drawn from multiple sources including:

- **Existing program documentation:** The study team reviewed Administration for Children and Families (ACF) Program Instructions to understand federal intent and the broad areas of reforms recommended.¹⁰ For information on specific state CIP interventions, the study team reviewed the National Child Welfare Resource Center on Legal and Judicial Issues' Court Improvement Progress Report 2001, state annual CIP reports submitted to HHS for 2000 and 2001, and a review and analysis of the state reports completed by JBA in 1999.¹¹

⁹ Worthen, Blaine R.; James Sanders; and Jody Fitzpatrick, Program Evaluation: Alternative Approaches and Practical Guidelines. Addison, Wesley Longman, Inc., White Plains, NY: 1997.

¹⁰ ACF Program Instruction 94-12, issued June 27, 1994; and ACF Program Instruction 99-02, issued February 23, 1999.

¹¹ James Bell Associates, Inc., Review and Analysis of State Program Reports Related to the Court Improvement Program, June 1999.

- **Discussions with national experts:** The study team held discussions with select experts in CIP including those representing the Children's Bureau, HHS; representatives from the National Child Welfare Resource Center on Legal and Judicial Issues; the National Center for State Courts (NCSC); and the National Council of Juvenile and Family Court Judges (NCJFCJ) to discuss interventions of interest and receive their initial input into the study. Through these sources, additional key resources on court reform were identified including Resource Guidelines, Improving Court Practice in Child Abuse & Neglect Cases, National Council of Juvenile and Family Court Judges (Reno, Nevada: 1995), hereinafter referred to in this report as the "Resource Guidelines."
- **Discussions with state administrators:** Preliminary telephone conversations were held with state CIP coordinators to follow up on specific activities listed in the annual reports that appeared to hold promise for evaluation.
- **Pilot site visits:** Based on the advice of the TWG, site visits were arranged and carried out in two area courts to observe their daily operation, the range of reform efforts undertaken and the role of CIP. Specifically, the project team visited two of Virginia's Juvenile and Domestic Relations District Courts (Richmond and Alexandria). While on site, the project team observed a variety of court hearings and held discussions with judicial and other court staff on the range of reform efforts undertaken.

b. Classifying Interventions Undertaken by States Through CIP

Further information on program intent was obtained through the development of an interim report classifying interventions undertaken by states with federal CIP funds.¹² Specifically, information on state activities was abstracted from the state annual CIP reports submitted to HHS for FY 2000 and FY 2001. This was augmented with information collected through follow-up telephone conversations with state CIP coordinators. Through these conversations, the information from state documents was updated, and interventions that appeared most amenable to evaluation were identified. The Classification Report represented the full range of all known interventions that appeared to be the most amenable to evaluation.

c. Forming a Technical Work Group

The TWG provided key input on program intent and the goal of evaluation in the area of CIP (see Appendix A for a listing of TWG members). As noted earlier, the evaluability assessment methodology was developed to facilitate communication between evaluators and stakeholders to ensure that evaluations designed are relevant to both researchers and administrators. The TWG also provided guidance and input at key points in this project.

The work group met twice during the study. The first meeting was convened early in the project following completion of the draft Classification Report. The TWG provided guidance on classifying interventions and defining outcomes of interest. The second meeting was held following the preparation of a second interim report—the Evaluability Assessment Report—produced at the conclusion of the project's on-site data collection. The TWG helped provide context and assisted in interpreting findings. The group also provided input on priorities for a national evaluation.

¹² James Bell Associates, Inc., Feasibility of Evaluation of the State Court Improvement Program Classification Report, May 15, 2002.

2. Examining Select Interventions and Alternative Evaluation Strategies

Based on information obtained through the FY 2000 and FY 2001 state annual CIP reports, along with the input of the TWG and follow-up discussions with CIP site coordinators, a number of candidate sites were identified for on-site visits and presented to the Federal Project Officer (FPO) and TWG for comment. Through this process, on-site visits were arranged to 9 sites, focusing on 12 separate interventions. Volume II includes the site-specific evaluability assessment reports produced for each intervention.

As noted earlier, evaluability assessment is important for gaining a thorough understanding of differences between the way a program is *intended* to operate, from the perspective of policymakers, and the manner in which it *actually* operates. Realistically, such differences can only be determined through first-hand observations of the intervention. In-person discussions with program administrators, front-line staff and directly involved court officials are critical to understanding what one evaluator terms “discrepancies between ‘rhetoric and reality’.”¹³ Without direct discussions with those at the operational level, and first-hand observations of the intervention being applied, such differences can go undetected, compromising evaluation integrity.

The focus of the on-site visits was on achieving five objectives. First, program goals as envisioned by policy makers and administrators were documented. Second, the intervention’s actual operation was documented from the perspective of those most involved with it on a regular basis. Third, through these discussions and direct observation, efforts were undertaken to clearly specify the following:

- **Inputs:** Resources relied upon by the focal intervention, such as training and staff support;
- **Outputs:** Concrete, direct products of the intervention; and
- **Outcomes:** Initial, intermediate and long-term benefits or changes resulting from the intervention.¹⁴

This information provided the basis for constructing a logic model of each intervention—the primary analytic tool used to understand programs and their expected outcomes (See Appendix B). A logic model graphically displays the intervention and its inputs, outputs and outcomes. Linkages between these elements are shown. Through this method, interventions and expected outcomes can be compared across models.

Fourth, building on this specification, while on site, the key components of the basic evaluation strategy for each intervention were outlined, along with sources of information necessary to measure outcomes. Perspectives on the reliability and validity of existing data also were collected. Fifth, the site’s willingness to participate in procedures necessary for conducting a formal evaluation was gauged.

¹³ Nay, J. and Kay, Government Oversight and Evaluability Assessment. Heath, Lexington, MA: 1982 (page 225).

¹⁴ United Way of America, Measuring Program Outcomes: A Practical Approach. 1996.

These objectives were accomplished through the following on-site meetings and activities:

- **Meetings with CIP coordinator(s) and presiding judge(s):** These initial and wrap-up meetings focused on reviewing the evaluability assessment study objectives, confirming basic information about the site intervention, initiating a discussion of the most rigorous evaluation strategy possible, and determining interest in participating in a national evaluation.
- **Discussions with other key court staff and officials:** Meetings were held with stakeholders involved with the intervention. For instance, judges presiding over dependency courts, attorneys and guardians ad litem, social workers and administrative assistants, mediators and others were included. In addition to gaining an in-depth understanding of the actual operation of the intervention, the potential cooperation of stakeholders in a formal evaluation also was explored (e.g., recording key events for information collection, randomly assigning cases, comparing their practice to other jurisdictions, or accessing archived administrative data to compare case performance on key indicators pre- and post-reform).
- **Observations of court procedures or activities:** Direct observation was arranged to gain first-hand knowledge of the intervention in its application and confirm information gathered through meetings with stakeholders.
- **Discussions with child welfare agency staff:** Meetings were held with local child welfare agency staff that came into regular contact with the courts (e.g., caseworkers, supervisors, agency attorneys) in order to gain their perspective on the intervention and its utility.
- **Discussions with court and child welfare agency record-keeping staff:** Discussions were arranged with staff responsible for maintaining information on which an evaluation might rely. Typically, these discussions included court clerks and personnel responsible for record keeping, as well as child welfare agency staff responsible for administrative data and management information systems. The reliability and accuracy of multiple sources of data were explored, including automated systems, agency and court case records and other documentation. This determined the availability, accessibility and format of the information necessary to measure the outcomes of interest. For instance, what steps are necessary to access the data? Can data on children and cases be tracked across multiple sources of information? These inquiries were conducted for all relevant data (e.g., those necessary for determining client/case characteristics, frequency and timing of intervention).

a. Site Visit Reports

The information obtained on site was summarized in draft site visit reports contained in Volume II. These reports explore the following issues, adhering to a common format:

- **Implementation history and administration:** This section provides an explanation of how the intervention began and important adjustments over time, how it was administered, funding sources and amount, and whether it was implemented statewide or only in select sites.

- **Referral process:** A description of the means through which clients accessed the intervention and an outline of the dependency hearing process and how the focal intervention fit within it is provided in this section.
- **Intervention model:** This section presents a logic model, as described earlier, depicting the intervention, along with inputs it relied upon (such as staff support and training). Linkages between the intervention and relevant outcomes are diagrammed.
- **Proposed evaluation approach:** This includes an explanation of how referrals will be made to the study (key time frames and activities conducted with each step), the study's intake process, interventions that will be received by the study population, ongoing data tracking and follow-up data collection, and measures and data sources for each measurable outcome identified through the logic model.
- **Outstanding issues:** Issues to be resolved prior to undertaking a formal study (if any) are summarized.

Upon completion, each report was shared with the site for their review and comment. The first report completed (for Wayne County, Michigan) was shared with the TWG for their comments and input as well.

3. Reaching Agreement on Formal Evaluation Approaches and Priorities

The final stage of this evaluability assessment project involved reaching agreement on evaluation priorities. This stage was a major focus of the project's second TWG meeting. To help guide this discussion, a second interim report was drafted—the Evaluability Assessment Report—explaining the interventions assessed and feasible evaluation approaches for each. TWG members also were provided with the draft site-specific evaluability assessment reports. Their recommendations helped form the basis of Chapter IV of this report.

C. Outline of this Report

The remainder of this report includes the following. Chapter II provides a description of the range of activities and interventions funded through CIP, those interventions included in the classification system developed for this project and the interventions selected for evaluability assessment are presented. Chapter III presents the issues associated with each of these sites that impacted their evaluation, along with recommended evaluation approaches. Chapter IV presents approaches and priorities for a national evaluation of CIP, along with guiding principles. Chapter V provides a summary of conclusions.

Finally, Volume II provides the site-specific reports for each of the 12 CIP interventions assessed for this project.

II. Court Improvement Program Description and Context

This chapter presents information on the full range of activities that state and local courts funded through the Court Improvement Program (CIP). This is followed by a description of the classification system of CIP interventions developed for this project and the 9 sites and 12 interventions assessed.

A. Range of Activities Funded Under the Court Improvement Program

As noted earlier, CIP is a source of funding for court reform activities and interventions. The legislation establishing CIP and subsequent federal guidance governing its implementation does not specify a single model (or set of models) that states are required to fund with their CIP allocation. Rather, CIP funding could be flexibly used by states to undertake broad-based, comprehensive systemic reform of courts and court processes related to abuse/neglect and dependency cases.

A descriptive study completed by James Bell Associates, Inc. (JBA) for the Children's Bureau in 1999 underscored the diversity of activities undertaken by states with CIP funding.¹⁵ The study described the CIP activities reflected in the annual program reports submitted by participating states to the Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS). The study reviewed the major problem areas states identified, their recommendations for addressing these areas and the strategies actually undertaken. The study found that states undertook activities in the following 13 areas:

- **Representation of parties (28 states):** The analysis found that the most common activities undertaken by states included efforts to expand the number of attorneys available for child welfare cases and/or improve attorney payment systems.
- **Timeliness of court decisions and efficiency of court processes (28 states):** Activities in this area included establishing alternative dispute resolution services or other similar pilot programs. Additionally, these states focused on: developing and enacting state legislation to set specific timeframes for hearings, limiting delays and continuances, and establishing methods for reaching permanency decisions earlier in the judicial hearing process.
- **Communication and collaboration among court participants (24 states):** Statewide presentations were frequently held, informing the state legislature and media about CIP initiatives. Ongoing meetings were established to improve coordination between the courts and agencies. States formed multi-disciplinary workgroups to develop and/or monitor CIP initiatives, and established web sites to improve information sharing.
- **Notification and treatment of parties (23 states):** These activities included making changes to calendaring procedures (such as the establishment of "time certain" scheduling, or arranging each hearing for a specific time) and providing sufficient notice of hearings to parents and their right to counsel. Additionally, states focused on making

¹⁵ James Bell Associates, Inc., Review and Analysis of State Program Reports Related to the Court Improvement Program, June 1999.

their courts more family friendly and conducted supplemental studies on how court processes could be improved for all involved.

- **Quality of hearings (23 states):** In this area, states primarily relied on training. Three additional, frequently conducted activities were revising legislation or court rules, developing model courts and undertaking supplemental assessments on the subject.
- **Improving stakeholder knowledge (21 states):** The knowledge of those appearing in court was improved through training and/or the development of training materials. Other activities included the creation of legal clinics and state-sponsored research and technical assistance.
- **Judicial expertise (17 states):** States also relied on training to improve judicial expertise. The most common training topics included new federal and state legislation and/or special initiatives pertaining to these types of cases. Training also frequently addressed other issues, such as evidence needed for determining child abuse/neglect, evaluations and assessments of the need for mental health or other services, and the process of making reasonable efforts determinations to prevent removal and return the child to the home of origin.
- **Case tracking (16 states):** These states completed activities designed to enhance the method of tracking cases that fall under the court's jurisdiction. The majority of activities in this area included the creation of automated data collection and tracking systems to improve case flow. Other projects focused on standardizing court data, while others involved the development of glossaries and dictionaries of data items to be used by court personnel. Finally, some states prepared guides or best practice books on processing dependency cases.
- **Court staff development (15 states):** Staff were hired to manage the state's CIP initiatives or to oversee their assessments.
- **Statewide information systems (14 states):** States developed statewide management information systems (MIS). Courts reported that this allowed them to communicate internally, as well as with other courts or agencies.
- **Legislation and court rules (9 states):** States reported that they passed legislation, or established rules or court orders, in areas that impacted the juvenile or family court system.
- **Indian Child Welfare Act (ICWA) (6 states):** In this area, training on ICWA was provided, or meetings with representatives from tribal courts were arranged to discuss issues related to the Act. For instance, protocols for transferring cases between tribal and state courts were frequently discussed and developed.
- **Other CIP activities:** Finally, states conducted two other types of activities. First, a total of six states implemented changes external to the courts within the child welfare agency. Generally, these changes impacted the timing and/or content of child welfare agency reports made to the courts. Second, within their administrative court offices, four states funded new offices focusing exclusively on issues of children and families.

B. CIP Evaluability Assessment Classification System

Within this broad range of activities undertaken through CIP, this project's interim Classification Report represents the first step in identifying the interventions that appeared most amenable to outcome evaluation.¹⁶ As noted in Chapter I, information on state activities was abstracted from the state annual CIP reports submitted to HHS for FY 2000 and FY 2001. This was augmented with information collected through follow-up telephone conversations with state CIP coordinators. Through this process, the interventions that appeared to hold promise for rigorous evaluation were identified. The following criteria guided their inclusion in the classification system:

- **CIP funding was in some way critical to implementation:** Many states utilized more than one source of funding for court reform activities. This reality necessitated defining the "CIP activities" to be assessed for evaluability. Interventions meeting the following conditions were included—those that were funded in whole or in part by federal CIP funds or that could not have occurred without the state's CIP initiative. For example, the state of those Arkansas expanded the availability of its representation for children and indigent parents based on findings from its CIP assessment. Additionally, CIP state staff contributed to the effort by drafting legislation, preparing the professional standards and designing attorney training programs. Although the program was funded with state resources rather than federal CIP funding, it was a direct outgrowth of CIP related activities.
- **Interventions appeared potentially capable of producing outcomes of interest:** Consistent with guidance provided by the Technical Work Group (TWG), the primary outcomes of interest for this project were related to the larger child welfare system goals of ensuring child safety, timely permanency, and child well-being. Interventions were required to plausibly produce these outcomes in the long term. Other interventions that contributed to these indirectly (e.g., management information systems) were noted by the study team but were not included.
- **Interventions appeared to be fully implemented and well established:** The selected interventions were mature and not in their early implementation stages, when referral criteria and intervention protocols are often still in the process of being refined.
- **Interventions were ongoing:** One-time activities undertaken by the court (such as the development of proposed legislation, undertaking a short-term pilot project to reduce case backlog, or holding a single conference or training session) were not included.
- **Sites expressed interest in evaluation:** Key local stakeholders were open to the concept of participating in a national evaluation.¹⁷

¹⁶ James Bell Associates, Inc., Feasibility of Evaluation of the State Court Improvement Program Classification Report, May 15, 2002.

¹⁷ When contacted, most sites were eager to participate, although a number were currently involved in evaluation efforts and were therefore reluctant to commit additional staff time to this project.

Consistent with these criteria, the classification system presented in Exhibit II-1 was developed for this project. A total of 30 states representing 43 separate interventions were included.

**Exhibit II-1
CIP Evaluability Assessment Classification System**

Classification System Categories	Interventions Identified
1. Alternative dispute resolution programs: Mediation projects, family group conferencing/decision making models, pre-hearing conferences and other "non-adversarial" approaches conducted externally to court hearings.	9
2. Training and educational materials: Activities with well-defined curricula and/or resource materials on a variety of topics, including services assessment, roles and responsibilities of court participants, and relevant state and federal laws.	5
3. Child and parent legal representation: Comprised of two subcategories:	
a. Professional standards/qualifications and related training and certification programs.	6
b. Legal representation services, including Court Appointed Special Advocate (CASA) programs.	7
4. Case tracking and management: Comprehensive systems to improve tracking and information availability to expedite case activity.	3
5. Consistency and quality of hearings: Comprised of five subcategories:	
a. Specifying timeframes between hearings.	3
b. Developing specialized models for judicial review of dependency cases (e.g., specialized dockets or courts).	2
c. Standardizing the content of court hearings (e.g., orders/checklists).	1
d. Defining processes for third party review of proceedings.	1
6. Parent education and support: Outreach efforts to educate parents about the dependency court process and their rights and responsibilities in the judicial system, and offer counseling on options and support.	1
7. Systemic reform: Multiple and interrelated reform efforts aimed at improving the infrastructure of the court and its daily operations.	5
Total Number of Interventions Identified	43

C. Sites Selected for Evaluability Assessment

Based on information gathered for the Classification Report, input from the TWG and follow-up discussions with select CIP site coordinators, a number of candidate sites were identified for on-site visits. Site selection was based on the following criteria:

- Did the intervention appear to be clearly defined? Were there criteria specifying the cases on which the intervention was to be targeted? Was the intervention's duration and scope of activities clearly specified?
- Did it appear the intervention could logically impact outcomes in at least one of the following areas: safety, permanency and well-being?
- Did the intervention appear to be mature and well-established? Was the intervention in existence for a sufficient period of time for operations to evolve beyond the initial implementation phase? For staff to adjust to—and learn—their new roles?
- Did there appear to be a sufficient number of cases served to support a rigorous evaluation?
- Was there evidence that the intervention appeared to be promising? Was it expanded to additional sites? Did the state report that key stakeholders found the intervention helpful and support it? Had additional resources been allocated to support the effort (additional support staff, staff training etc.)?
- Was the intervention of interest nationally? Suggestions for sites were solicited from members of the TWG, as well as the technical consultant to this project, Ms. Judith Larsen, Esq.
- Was the intervention based on “best practices”? Did the site consult with national experts? Were elements of the Resource Guidelines incorporated?
- Were key state staff willing to participate in the activities that accompanied an evaluability assessment? Eventually, did it appear that they would be willing to participate in rigorous evaluation?

Through this process, on-site visits were arranged to 9 sites, focusing on 12 separate interventions, or roughly one-third of those represented in the classification system. Exhibit II-2 presents the selected interventions.

**Exhibit II-2
Sites Selected for Evaluability Assessment**

Classification System Category	Site	Intervention
Alternative Dispute Resolution	Wayne County, Michigan	Permanency Planning Mediation Program.
	Marion County, Oregon	Mediation Program.
	Philadelphia, Pennsylvania	Pre-Hearing Conference with direct access to substance abuse and mental health screening and service slots.
Alternative Dispute Resolution	Connecticut	Pre-Hearing Conference combined with expanded availability of parent counsel.
Child and Parent Legal Representation		
Child and Parent Legal Representation	Arkansas	Attorney Ad Litem Program for children. Indigent Parent Counsel Program.
Consistency and Quality of Hearings	Kansas	Standardized court orders.
	Philadelphia, Pennsylvania	Accelerated Adoption Review Court (for cases with parental rights terminated and a goal of adoption established). Alternative Planned Permanency Living Arrangements Court (kinship care and long-term foster care).
	Texas	Cluster Courts (clustering dependency cases between rural counties).
Systemic Reform	Delaware	Systemic reform focusing on: <ul style="list-style-type: none"> • Assigning one judge per case; • Defining a sequence and timeline for hearings; and • Appointing counsel for indigent parents.
	Virginia	Systemic reform focusing on: <ul style="list-style-type: none"> • Establishing hearing timelines and judicial reviews; • Conducting multi-disciplinary training; • Establishing attorney standards, and • Standardizing judicial district court manuals and orders.

In addition to the four classification system categories noted in Exhibit II-2, all of the sites visited were undertaking activities in at least one of the three remaining classification categories developed for this study:

- Training and education;
- Case tracking and management; and
- Parent education and support.

More detailed information on these efforts is presented in the site-specific evaluability assessment reports included in Volume II.

D. Summary

It is important to understand that no single CIP “program model” was specified in federal legislation or subsequent guidance. Similarly, no standard “set” of CIP models was funded and developed by states and local courts. This reality underscores the importance of undertaking an evaluability assessment prior to initiating formal evaluation of this source of funding and the interventions developed.

This project’s focus was to identify CIP programs that appeared amenable to full-scale, rigorous evaluation and develop designs and plans for their evaluation. This required that the study team focus on identifying certain well-defined models that could impact the outcomes of interest. This was accomplished through the classification system developed for this project.

The project also required that considerable efforts be placed on working intensively with sites selected for evaluability assessment to extract an exact description of their intervention. Without a clear and accurate understanding of the selected interventions and their intent, relevant evaluation designs could not be developed and applied. The following chapter summarizes the 9 sites and 12 interventions on which the evaluability assessment was conducted, along with the evaluation strategies recommended for each.

III. Evaluability Assessment of Court Improvement Interventions

This chapter presents information on the 12 interventions assessed for evaluability under this project. This is followed by a discussion of the evaluation strategies recommended for each.

A. CIP Evaluability Assessment Criteria

The early stages of this project were aimed at gaining an understanding of the full range of activities carried out with CIP funding and identifying those that appeared most amenable to full-scale evaluation. Once promising interventions were identified, on-site visits were arranged with a select subset to conduct a full assessment of their evaluability. Specifically, the evaluability assessment criteria introduced in Chapter II were explored in greater depth:

- Was the intervention clearly defined? Were there criteria specifying the cases on which the intervention was to be targeted? Was the intervention's duration and scope of activities clearly specified?
- Did it appear the intervention could logically impact outcomes in at least one of the following areas: safety, permanency and well-being?
- Was the intervention mature and well established? Was it in existence for a sufficient period of time for operations to evolve beyond the initial implementation phase? For staff to adjust to—and learn—their new roles?
- Were there a sufficient number of cases served to support a rigorous evaluation?
- Were data needed for an evaluation available, accessible and accurate?
- Was there evidence that the intervention appeared to be promising? Was it expanded to additional sites? Did key stakeholders find the intervention helpful and support it? Had additional resources been allocated to support the effort (additional support staff, staff training etc.)?
- Were key staff willing to participate in the activities that accompany a rigorous evaluation?

This project addressed these criteria through the following steps explained below. Key information gained from this process is presented in this chapter, while the evaluability assessment site visit summaries appearing in Volume II provide more detailed site-specific information in each of the following areas:

- **Construction of logic models:** The logic model is the primary analytic tool used in evaluability assessment. Their construction leads to an understanding of the interventions along with the outcomes they are expected to achieve. A logic model graphically displays the intervention and its inputs (resources utilized), outputs (direct products of the intervention), and outcomes (benefits or changes resulting from the intervention). For each CIP intervention assessed in this manner, linkages between

these elements were shown. Additionally, initial and intermediate outcomes and their linkages were explored within the framework defined by the Technical Work Group (TWG)—safety, permanency and well-being. Once logic models are constructed, interventions and expected outcomes can be compared across sites. The logic models developed for this project are included in Appendix B.

- **Identification of outcome measures and available data:** For each expected outcome identified through an intervention’s logic model, measures were discussed and agreed to. For each measure, sources of data within the court and child welfare agency were explored. The accuracy and reliability of existing data and information sources were examined, along with their ability to provide information prior to—and following—CIP implementation. Possible methods for collecting new information on outcomes also were considered.
- **Exploration of contextual events:** While discussing outcomes and data availability, site visit staff were queried on the existence and timing of important contextual events that might also impact outcomes attributed to the focal intervention. For instance, all sites undertook one-time case reviews related to achieving compliance with Adoption and Safe Families Act of 1997 (ASFA) requirements. Since this activity impacts a key case outcome of interest (time to permanency), it was necessary to ensure that such events were thoroughly documented in the evaluation design and that their timing was taken into account when identifying possible data collection periods.
- **Consideration of alternative design methodologies:** Consistent with the federal intent for this project, for each intervention, the most rigorous evaluation design feasible was developed. Each site visit commenced with a thorough description of experimental evaluation design through which participants are randomly assigned to a treatment or a control group receiving traditional services. The benefits of utilizing this approach, *wherever appropriate*, were explored. Only after this approach was thoroughly explored and ruled out were alternative—but less rigorous—evaluation methodologies explored. Examples include quasi-experimental designs relying on matched site comparisons, and comparisons of outcomes for cases filed prior to CIP implementation with those for cases filed post-reform. For interventions in which these strategies were infeasible, methodologies relying on descriptive analysis of outcomes were explored.
- **Methods for conducting supplementary process analysis:** Regardless of the evaluation strategy decided upon, methods for conducting analysis of the process of reform and the application of the intervention in practice were explored with all sites. Given that all interventions undertaken through CIP were part of larger court reform efforts, it is recommended that process analysis be incorporated into all outcome evaluation designs presented in this report. This analysis will provide important contextual and explanatory information that will help supplement and explain observed outcomes.

The key finding from the site visits is that all but one of the interventions selected for assessment (Kansas’ standardized court orders) appeared evaluable. In Kansas, CIP funding was used to develop standardized court orders for use in all dependency and child abuse hearings as well as for all child populations for which these hearings were held (i.e., children in need of care, juvenile and status offenders). Stakeholders noted that the goal was to bring the state into compliance with ASFA requirements and timeframes. However, the process of reform

was still underway within the state at the time of the site visit, and staff continued to work with courts on the application of the court orders through technical assistance and corrective actions plans. As a result, outcome evaluation seemed premature, and staff preferred to concentrate on reform rather than on participating in a site comparison study or a descriptive analysis. The study team will continue to track the progress of this site should the state's interest in participating in a national evaluation change. More information on the state's efforts is included in the site's evaluability assessment report, contained in Volume II.

Through the on-site visits, it became clear that all sites developed extremely interesting and innovative court reform activities. Buy-in from a wide variety of stakeholders was evident throughout the sites. All believed their programs had vastly improved legal processes associated with their dependency caseload, yet most had little or no data to measure their impact. All sites described in this chapter were enthusiastic to assist with this "pre-evaluation" effort and were excited at the prospect of being included in a national evaluation of CIP. Staff were extremely cooperative with the study team and made themselves available before, during and after the site visits. Although the quality and availability of data varied by site, information that could be used to measure the impact of key outcomes was consistently identified.

B. CIP Evaluability Assessment Site Interventions

Exhibits III-1, III-2, III-3 and III-4 provide a basic description of the 11 interventions for which evaluation was determined to be feasible. The exhibits present the following information based on the time of the site visit:

- The study site and its implementation date;
- The number of sites implemented within the state; and
- A summary of the intervention, the point in the judicial process at which referrals were made, and the number that had been served annually by the intervention.

The 11 interventions presented in these exhibits include the following:

- **Alternative Dispute Resolution—ADR (Exhibit III-1):** In four study sites, ADR programs were designed to resolve issues in a collaborative manner outside the courtroom. Within these sites, sessions were convened and led by a trained facilitator. **Wayne County, Michigan's Permanency Planning Mediation Program (PPMP)** involved all parties to the case, as does **Marion County, Oregon's Dependency Mediation Project**. Additionally, **Philadelphia, Pennsylvania's Pre-Hearing Conference (PHC)** involved all parties to dependency cases in that jurisdiction, including parents. The session was unique among those assessed because mental health and substance abuse assessments and services were arranged for parents and children during the PHC as needed. Finally, ADR was one component of **Connecticut's Case Management Protocol**. In comparison to the other models, Connecticut's conferences primarily involved professionals associated with a case prior to the Temporary Custody Hearing. Under Connecticut's model, parents were typically not involved.

- **Representation for Children and Parents (Exhibit III-2):** Improving representation for children was a focus of one intervention, and three focused on providing and improving counsel to parents. *Arkansas' Attorney Ad Litem (AAL) program* specified qualifications and standards for AALs and expanded their availability on a statewide basis, while the state's *Indigent Parent Counsel Program* established qualifications and standards for counselors and expanded their availability. Although the former intervention was uniformly implemented throughout the state, the latter was not. Providing representation to parents also was one component of *Connecticut's Case Management Protocol* (discussed above) and *Delaware's systemic reform* efforts (discussed below).
- **Specialized Dockets or Courts (Exhibit III-3):** Two specialized dockets were created in Philadelphia, Pennsylvania, and a specialized court was created to hear child welfare cases in rural jurisdictions in Texas. In Philadelphia, Pennsylvania, the *Accelerated Adoption Review Court (AARC)* was dedicated to overseeing all cases for which parental rights were terminated and a goal of adoption was established. A separate, specialized docket, the City's *Alternative Planned Permanency Living Arrangements and Kinship Care (APPLA/KC) Court*, was dedicated to children in long-term foster care as well as foster children cared for by kin, although not all eligible children were consistently referred to this court. Finally, *Texas' Cluster Courts* are specialized child welfare courts that were created by clustering dependency and abuse/neglect cases between contiguous counties in the same judicial district.
- **Systemic Reform (Exhibit III-4):** Two sites were working to improve basic court operations on multiple fronts simultaneously. Key components of *Delaware's reform initiative* included:
 - Assigning a single judge to a case while it fell under the court's jurisdiction;
 - Developing a defined sequence of judicial hearings and reviews; and
 - Appointing indigent parent counsel (as noted above)

Key components of *Virginia's ongoing reform* efforts included:

 - Establishing hearing timelines and a system of judicial review;
 - Providing multi-disciplinary training; and
 - Developing standardized judicial district court manuals and orders.

One important consideration when assessing the evaluability of a site is site maturity, or the length of time the intervention has been in operation. Often, the first few months following the establishment of a program are spent adjusting the intervention and referral criteria.

As shown in the exhibits, all of the implementation study sites had been in existence for at least one year at the time of the site visits, with the exception of two. In Texas, 9 of the 10 cluster courts recommended for evaluation were implemented in 2002 or 2003, and in Wayne County, Michigan, implementation of PPMP began in January 2003. Although these particular sites may have seemed relatively new for immediate inclusion in a national evaluation, it's important to emphasize that these represented expansion sites under a standardized state model. The statewide models are well established, and lessons learned from ongoing implementation had expedited the full implementation of new sites. Referral criteria and training protocols for court staff and judges were well developed. On a statewide level, these states represented two of the most mature reforms. As shown in Exhibits III-1 and III-3, the first Texas cluster was formed in September 1997, and the first Michigan PPMP site was established in 1998.

Exhibit III-1
Alternative Dispute Resolution (ADR) Programs

Study Site Implementation Date	Intervention Summary Frequency and Point of Referral Number Served Annually
Michigan's Permanency Planning Mediation Program (PPMP)	
<p><u>Study site:</u> Wayne County, MI.</p> <p><u>Site implementation date:</u> January 2003.</p> <p><u>Number of sites:</u> 9 sites throughout the state adhered to a common model first developed in 1998.</p>	<p>Session involving all parties to dependency case, including parents, was facilitated by a trained volunteer mediator.</p> <p>Subject to availability, ADR was able to be ordered at any point in the judicial process; however, most sessions occurred prior to case adjudication/disposition. Cases with disabling mental health and cases involving domestic violence were generally screened out.</p> <p>Due to limited program capacity, 100 cases were to be mediated annually in Wayne County.</p>
Oregon's Dependency Mediation Project	
<p><u>Study site:</u> Marion County, OR.</p> <p><u>Site implementation date:</u> January 2002.</p> <p><u>Number of sites:</u> 6 counties (5 judicial districts) provided different models of mediation first developed in 2000.</p>	<p>Session involving all parties to dependency case, including parents, was facilitated by a trained contract mediator.</p> <p>Every tenth case was assigned to ADR at the conclusion of the initial removal hearing (the Shelter Hearing). Mediation occurred prior to the Admit/Deny Hearing (held within 30 days of the initial filing of the dependency petition).</p> <p>Due to limited program capacity, 80 cases were to be mediated annually in Marion County (the largest participating county in the state).</p>
Connecticut's Pre-Hearing Conference Combined with Expanded Availability of Parent Counsel (Case Management Protocol)	
<p><u>Study sites:</u> Hartford Judicial District and New Haven Judicial District, CT.</p> <p><u>Hartford implementation date:</u> 1997 (original pilot site).</p> <p><u>New Haven implementation date:</u> 2000.</p> <p><u>Number of sites:</u> Statewide as of 2000.</p>	<p>Conference of professionals involved with a dependency case (parents generally do not attend) was facilitated by a trained court services officer. Also, under the state's Case Management Protocol, stand-by attorneys were available at the courthouse to represent parents (discussed separately below).</p> <p>Pre-hearing conference was held just prior to the Order of Temporary Custody Hearing (held within 10 days of emergency removal order) for all cases.</p> <p>Approximately 275 conferences were held annually in Hartford and 200 were held annually in New Haven.</p>

Exhibit III-1 (continued)

<p align="center">Study Site Implementation Date</p>	<p align="center">Intervention Summary Frequency and Point of Referral Number Served Annually</p>
<p>Philadelphia, Pennsylvania's Pre-Hearing Conference (PHC)</p>	
<p><u>Study site:</u> City of Philadelphia, PA.</p> <p><u>Site implementation date:</u> July 2001.</p> <p><u>Number of sites:</u> CIP intervention was limited to the City of Philadelphia (PHC was first piloted in 1 courtroom in 1996).</p>	<p>Conference involving all parties to dependency case, including parents, was facilitated by a trained contract mediator. Staff from an independent court unit attended the sessions and could arrange for external provider assessment and screening for client services during the PHC, as needed.</p> <p>All cases received PHC immediately prior to the adjudicatory hearing.</p> <p>Approximately 1,900 conferences were held annually in Philadelphia.</p>

Exhibit III-2
Programs Providing Representation for Children and Parents

Study Site Implementation Date	Intervention Summary Frequency and Point of Referral Number Served Annually
Arkansas' Attorney Ad Litem (AAL) Program	
<p><u>Study site:</u> Statewide.</p> <p><u>Implementation date:</u> AAL Program began in 1997 on a pilot basis in one judicial district.</p> <p><u>Number of sites:</u> Statewide as of January 2000.</p>	<p>At the time of this site visit, 17 full-time (state employees) and 75 part-time (contract) AALs provided representation. AALs assigned to represent children met state qualification requirements and adhered to standards of practice governing initial and ongoing training, protocols for investigation and contact with child, and maximum caseloads. The same AAL was assigned to the case the entire time the case fell under the court's jurisdiction.</p> <p>All children who fell under the court's jurisdiction were provided representation, usually at the initial emergency hearing.</p> <p>Approximately 3,000 cases (4,500 children) received representation annually statewide.</p>
Arkansas' Indigent Parent Counsel Program	
<p><u>Study site:</u> A number of jurisdictions will be selected for evaluation, as implementation varies by jurisdiction.</p> <p><u>Implementation date:</u> Indigent Parent Counsel Program began in 1997 on a pilot basis in one judicial district.</p> <p><u>Number of sites:</u> Made available to all jurisdictions August 2001.</p>	<p>At the time of this site visit, 111 attorneys served as parent counsel. Counselors appointed to represent indigent parents met state qualification requirements and adhered to standards of practice governing initial and ongoing training, along with protocols for document review and interviewing.</p> <p>State guidance specifies that all parents who are parties to abuse/neglect and dependency cases falling under the court's jurisdiction are to be provided counsel at the initial emergency hearing and that indigent parents are to be provided counsel on a sliding scale basis. However, in actuality, appointment was left to the presiding judge's discretion and implementation varied widely by jurisdiction.</p> <p>Approximately 1,500 parents in dependency cases received counsel annually statewide.</p>
Connecticut's Pre-Hearing Conference Combined with Expanded Availability of Parent Counsel (Case Management Protocol)	
<p><u>Study sites:</u> Hartford Judicial District and New Haven Judicial District, CT.</p> <p><u>Hartford implementation date:</u> 1997 (original pilot site).</p> <p><u>New Haven implementation date:</u> 2000.</p> <p><u>Number of sites:</u> Statewide as of 2000.</p>	<p>As noted under Exhibit III-1 (ADR), in addition to providing a pre-hearing conference of professionals involved with a dependency case, stand-by attorneys were available at the courthouse to represent parents under the state's Case Management Protocol.</p> <p>Stand-by attorneys were appointed and met with income-eligible parents prior to the pre-hearing conference, held just prior to the Order of Temporary Custody Hearing (held within 10 days of emergency removal order) for all cases. They attended the pre-hearing conference to represent parents.</p> <p>Approximately 275 attorneys were appointed annually in Hartford and 200 in New Haven.</p>

**Exhibit III-3
Specialized Dockets and Courts**

Study Site Implementation Date	Intervention Summary Frequency and Point of Referral Number Served Annually
Philadelphia, Pennsylvania's Accelerated Adoption Review Court (AARC)	
<p><u>Study site:</u> City of Philadelphia, PA.</p> <p><u>Site implementation date:</u> July 1999.</p> <p><u>Number of sites:</u> CIP intervention was limited to the City of Philadelphia.</p>	<p>Specialized docket was presided over by a Master, hearing all adoption cases at five month intervals.</p> <p>All cases for which parental rights were terminated, and a goal of adoption was established, were referred to AARC. When a dispute arose requiring a judicial decision or other judicial action was needed, such as a goal change, the case was referred back to Family Court where it was heard by a judge.</p> <p>Approximately 700 cases were referred annually to AARC.</p>
Philadelphia, Pennsylvania's Alternative Planned Permanency Living Arrangements and Kinship Care (APPLA/KC) Court	
<p><u>Study site:</u> City of Philadelphia, PA.</p> <p><u>Site implementation date:</u> January 2001.</p> <p><u>Number of sites:</u> CIP intervention was limited to the City of Philadelphia.</p>	<p>Specialized docket of children in long-term foster care due to their specialized needs or age and foster children cared for by kin.</p> <p>Referral to APPLA/KC was left to presiding judge's discretion, and criteria were not consistently followed.</p> <p>As of July 2002, APPLA/KC Court had 2,626 active petitions, representing 1,673 families—the highest caseload of the Philadelphia Family Court.</p>
Texas' Cluster Courts	
<p><u>Study sites:</u> Ten cluster courts: South Plains, Southeast, Central Texas, Permian Basin, Three Rivers, Northern Panhandle, Hill Country, Sabine Valley, and two yet to be named.</p> <p><u>Study sites implementation dates:</u> March 2000 – August 2003.</p> <p><u>Number of sites:</u> 15 county clusters. The first Cluster Court (South Texas) was implemented September 1997.</p>	<p>Specialized courts created by clustering child welfare cases between rural contiguous counties in the same judicial district. An Associate Judge or Visiting (retired) Judge presided over each cluster court and traveled to each county within the cluster to hear cases periodically. Cluster Courts were created to enable rural areas to meet timeframes for permanency established in state legislation.</p> <p>All child welfare cases in participating counties were referred to the Cluster Court for the case duration. However, in select clusters, the county court presided over adoption finalizations.</p> <p>These 10 Cluster Courts were to have approximately 600 new cases referred annually.</p>

**Exhibit III-4
Courts Undertaking Systemic Reform**

Study Site Implementation Date	Intervention Summary Frequency and Point of Referral Number Served Annually
Delaware's Systemic Reform	
<p><u>Study site:</u> New Castle County, DE.</p> <p><u>Site implementation date:</u> 2000.</p> <p><u>Number of sites:</u> Statewide as of 2001 (reforms were phased into each of the 3 counties within the state beginning in 1998).</p>	<p>Primary components included: assigning one judge to a case the entire time it fell under the court's jurisdiction; defining a sequence of judicial hearings and reviews for child welfare cases; and providing representation to indigent parents.</p> <p>Statewide implementation of legislative mandates increased both the number and frequency of court hearings and judicial reviews, especially immediately following a child's placement in state custody. Generally, counsel was appointed at the adjudicatory hearing. Although counsel was to be appointed at the point when parents requested it, judges retained discretion over when legal counsel was offered to parents. Therefore, implementation of this component was not uniform.</p> <p>Approximately 260 new child welfare cases were filed annually in New Castle County.</p>
Virginia's Systemic Reform	
<p><u>Study sites:</u> A number of jurisdictions will be selected for evaluation, as implementation varies by jurisdiction.</p> <p><u>Site implementation date:</u> 1997.</p> <p><u>Number of sites:</u> Statewide.</p>	<p>Primary components included: judicial training on state law and federal practice; 1997 legislation specifying content and timeframes for dependency hearings; and ongoing multi-disciplinary training and technical assistance provided by the state. Each year, progress was reviewed and plans for new reforms for the coming year were decided at the state level.</p> <p>Statewide implementation of legislative mandates, along with ongoing planning and support, were augmented by local reform efforts. Both the number and frequency of court hearings and judicial reviews were increased—especially immediately following a child's placement in state custody. Specific reform models varied between jurisdictions.</p> <p>Number served annually was unknown.</p>

As shown by Exhibits III-2 and III-3, referral criteria and intervention protocols were not consistently defined and implemented in two sites—Arkansas’ Indigent Parent Counsel Program and Philadelphia, Pennsylvania’s APPLA/KC Court. However, the TWG felt strongly that important information could be gained from undertaking a descriptive analysis in these two sites. It was felt that the court reform issues these sites were seeking to address—providing parent counsel, and effective court oversight of children in long-term foster care and kinship care placements—were particularly important ones nationally. Their inclusion is important in order to capture the full range of issues addressed under CIP. Descriptive analysis of outcomes also is recommended for those sites that were undertaking systemic reform due to the fact that it is not possible to determine the impact of any single activity, as needed for outcome evaluation.

C. Inputs and Expected Outcomes Among Sites

Exhibit III-5 summarizes the key initial, intermediate and long-term key outcomes expected to result from the interventions. This information is extracted from the logic models constructed for each intervention, included in Appendix B. Additionally, the evaluability assessment reports (contained in Volume II) include site-specific measures associated with expected outcomes, along with sources of information and data that will be used for their construction. As shown in Appendix B, the outputs and initial outcomes for nearly all of the reforms assessed involved actively engaging some or all participants in the judicial system. By engaging participants, it was hoped that the permanency decisions governing long-term outcomes might include greater use of reunification and voluntary relinquishments of parental rights.

Following the guidance of the TWG, the goals of ASFA—safety, permanency and well-being—were used to provide a framework for examining the expected outcomes of the CIP interventions assessed:

- **Safety:** Courts have always considered child safety a primary goal of their oversight responsibilities. The challenge is to maintain child safety while expediting permanency through CIP.
- **Permanency:** Generally, we found that most interventions were primarily designed to achieve the goal of expedited permanency.
- **Well-being:** Measuring child well-being within the context of child welfare is always challenging. Although courts are concerned with this outcome, they are seldom directly responsible for providing services that might lead to improvements in this area. Nevertheless, it is possible to examine the court’s role in ensuring assessments are conducted and needed education, substance abuse, health and mental health services are provided. Also, court actions designed to limit the number of placement moves or encourage care by kin can be considered measures of child well-being, as can increasing the proportion of cases reunified and decreasing the use of long-term foster care. These emerged as the common measures of child well-being among sites.

**Exhibit III-5
CIP-EA Intervention Outcomes**

Safety	Permanency	Well-Being
<p>Improved information on placement and service options.</p> <p>More active judicial queries of parents and child welfare agency workers.</p> <p>Improved access to assessments and needed services.</p> <p>No increase in child abuse/neglect reports and investigations.</p> <p>No increase in abuse/neglect report substantiation.</p>	<p>Improved information available to the courts at timely intervals.</p> <p>Improved case tracking/documentation.</p> <p>More frequent and active judicial queries of parents and child welfare agency workers.</p> <p>Greater parental compliance with court orders.</p> <p>Improved collaboration and coordination between all parties.</p> <p>Better attendance at hearings (parents and professionals).</p> <p>More active parental participation in court proceedings.</p> <p>Fewer continuances, trials and delays.</p> <p>Greater compliance with hearing timeframes.</p> <p>Earlier appointment of parent counsel (prior to TPR).</p> <p>Fewer contested hearings.</p> <p>Earlier reunification.</p> <p>Increased voluntary relinquishments of parental rights.</p> <p>Reduced time to placement in adoptive home.</p> <p>Reduced time to guardianship.</p>	<p>Improved information on placement and service options.</p> <p>More active judicial queries of parents and child welfare agency workers.</p> <p>Improved access to assessments and needed services.</p> <p>Greater placement stability.</p> <p>Increased use of kinship placements.</p> <p>Higher proportion of cases reunified.</p> <p>Decreased use of long-term foster care.</p>

D. Overview of Recommended Evaluation Methodologies

The contract under which this project was awarded specified the Children Bureau's interest in determining the feasibility of evaluating CIP interventions through rigorous design methodologies. For evaluation purposes, the preferred methodology is one in which participants are randomly assigned to a treatment group that receives the specialized intervention or a non-treatment (or control) group that receives traditional services. In sites where this was determined to be infeasible, other methodologies were explored. In descending order of rigor, these involve: (1) quasi-experimental designs involving non-equivalent comparison groups, or comparisons between sites that are as similar as possible but differ on their access to the focal intervention; (2) within-site comparisons of outcomes for cases filed pre-implementation of the intervention, with those for cases filed post-implementation; and (3) descriptive analysis of outcomes, using aggregate data.

1. Experimental Design

As noted above, an experimental design is one in which study participants are assigned on a random basis to either a treatment group that receives the intervention or to a non-treatment (or control) group that receives traditional services. This methodology provides the strongest evidence of an intervention's efficacy, as the only difference between the two comparison groups is their access to the intervention. Differences in outcomes can be directly attributed to the intervention's impact. However, for this to be a viable methodology, certain preconditions must be present within a site. Specifically:

- There must be a single, clearly definable intervention;
- Resources must be insufficient for the intervention to serve all eligible cases (i.e., "service rationing" is already in effect);
- Cases assigned to a non-treatment group must receive the "standard" or traditional services, not "substitute" treatment services or enhanced traditional services;
- There must be minimal opportunities for cases in the non-treatment group to receive services received in the treatment group—the non-treatment group cannot be contaminated by any "spillover" effects from the intervention;
- Project managers must be willing to participate and will ensure the cooperation of staff at all levels in the evaluation and random assignment protocols;
- Cases should be randomly assigned just prior to referral to the intervention by a member of the evaluation team or by a third party not working directly with clients.

2. Quasi-Experimental Design

Where random assignment was found to be infeasible, the possibility of using non-equivalent comparison groups was explored. Specifically, quasi-experimental design was discussed—comparing cases filed in similar demographic sites that differ on their access to the CIP intervention (matched site comparison). In sites where this approach was recommended, efforts will be made to compare historical data collected prior to CIP reform, with data collected post-reform. In this manner, the relative change in performance between the treatment and

comparison site can be observed and compared. This helps control for the fact that no two sites are exactly equal by comparing their performance relative to their respective “baselines.”

3. Pre-Post Evaluation Design

Pre-post evaluation design involves comparing outcomes for cases filed prior to the CIP intervention’s implementation with outcomes for those filed within the same site post-implementation. Although less rigorous than the preceding designs, this approach is necessary when the intervention is routinely made available to all eligible cases systemwide.

However, analytic comparisons of outcomes over time are complicated by multiple intervening factors that could also impact outcomes of interest (such as specialized court reviews of targeted dependency cases related to reaching initial compliance with ASFA). The site-specific reports document the timing of these events and explain their potential impact on such factors as case selection, data collection time periods and outcomes measured. Extreme care must be taken when selecting outcomes and measures under this methodology, as findings may be incorrectly attributed.

4. Descriptive Analysis of Outcomes

Descriptive analysis was explored as the primary evaluative approach when other methods were determined to be infeasible. For the following reasons, this approach was determined to be appropriate among the sites assessed:

- **The reform was systemic in nature and multi-faceted:** In states that were undertaking multiple, simultaneous reforms within the court, it was impossible to isolate the independent impact of any single activity, a necessary condition for accurately measuring expected outcomes.
- **The intervention was not yet clearly defined:** In two instances, referral criteria and procedures specifying the consistent application of the intervention were still in flux. However, the courts were continuing to experiment with innovative and alternative methods for achieving outcomes. It was felt that much information could be gained by documenting this reform process and its perceived impact from the standpoint of stakeholders.

Within such an analysis, available sources of information on outcomes will be explored. For instance, data from other sources can be used to provide a frame of reference and context for interpreting findings (e.g., national data, findings from other evaluations of similar activities). The use of aggregate historical data within sites also was explored. If feasible, outcomes achieved prior to reform might be compared with those achieved post-reform on key, select measures.

Exhibit III-6 summarizes the strengths and weaknesses associated with these evaluation approaches. When experimental designs are implemented properly, they can provide near irrefutable evidence of an intervention’s efficacy. Although less rigorous, quasi-experimental, matched comparison methodologies provide a method for comparing outcomes of cases served by the intervention in one site with those for cases in a similar site that do not have access to the intervention. This methodology has its own implementation challenges; however, to the extent that contextual events (such as statewide reviews) impact both sites equally, this method helps control the impact of such exogenous events on outcomes. Descriptive analysis of

outcomes is best suited to sites in which multiple, simultaneous changes are occurring though it is unable to definitively link outcomes achieved to interventions.

Exhibit III-7 provides an overview of the primary evaluation strategy recommended for each site. Given the fact that all interventions presented in this chapter were developed as part of larger court reform efforts, it also is recommended that analysis of the process of reform and the application of the intervention in practice be incorporated into all comparative methodologies. Such an analysis will provide important contextual and explanatory information that will help supplement and explain findings.

Exhibit III-6 Alternative Evaluation Design Approaches Strengths and Weaknesses

Evaluation Design Methodology	Strengths	Weaknesses
Experimental	<ul style="list-style-type: none"> • Permits attributing observed change in outcomes to focal intervention. 	<ul style="list-style-type: none"> • Difficult and expensive to implement. • Risks contamination of findings if not carefully implemented.
Quasi-Experimental	<ul style="list-style-type: none"> • Helps minimize the effect of other major contextual changes (e.g., ASFA). • Less burdensome to “treatment” site, as random assignment protocols are not used. 	<ul style="list-style-type: none"> • Sites are rarely so similar that alternative explanations can be completely ruled out. • Even when sites appear comparable at the outset of an evaluation, this may change over time. • Challenging to secure comparison site cooperation since the site is often perceived as the “less innovative,” non-treatment site. • Data systems between sites are rarely completely comparable.
Pre-Post Implementation	<ul style="list-style-type: none"> • Provides a method for tracking change over time. • Can identify contextual variables that may affect change. • Less burdensome for sites to implement than more rigorous designs. 	<ul style="list-style-type: none"> • Although intervening variables can be identified, their impact on outcomes is difficult to control, creating challenges for interpreting findings. • Requires data sources that can provide consistent information over time (both at the case and program level).
Descriptive Analysis of Outcomes	<ul style="list-style-type: none"> • Produces the best information on multiple, simultaneous changes. • Applicable to a variety of reforms. 	<ul style="list-style-type: none"> • Limited ability to link outcomes to interventions.

Exhibit III-7

Overview of the Primary Evaluation Strategy Recommended for each Site

Site	Intervention	Recommended Evaluation Design			
		Experimental	Quasi-Experimental	Pre-Post Implementation	Descriptive Analysis
Alternative Dispute Resolution (ADR)					
Wayne County, Michigan	Permanency Planning Mediation Program.	Recommended			
Marion County, Oregon	Mediation Program.	Recommended			
Connecticut	Case Management Protocol (pre-hearing conference component).		Recommended		
Philadelphia, Pennsylvania	Pre-Hearing Conference with access to substance abuse and mental health screening and services.			Recommended	
Representation for Children and Parents					
Arkansas	Attorney Ad Litem Program.			Recommended	
	Indigent Parent Counsel Program.				Recommended
Connecticut	Case Management Protocol (stand-by attorney component).		Recommended		
Specialized Dockets and Courts					
Philadelphia, Pennsylvania	Accelerated Adoption Review Court.			Recommended	
	Alternative Planned Permanency Living Arrangements Court (kinship/long-term foster care).				Recommended
Texas	Cluster Courts—child abuse/neglect and dependency cases clustered between rural counties.		Recommended		
Systemic Reform					
Delaware	Primary components: assigning one judge per case, defining the sequence and timeline for hearings, providing counsel to indigent parents.				Recommended
Virginia	Primary components: establishing timelines and judicial reviews, multi-disciplinary training, attorney standards, and standardizing judicial district court manuals and orders.				Recommended

E. Recommended Evaluation Methods

The exhibit attached to this chapter (Exhibit III-8) presents the following information for each of the 11 interventions assessed:

- Recommended evaluation methodology;
- Projected sample size, the timing of sample selection and the data collection period for cases included in the sample; and
- Primary issues associated with each of these (*presented in italics*).

Highlights from this table are presented in this section.

1. Experimental Design

An experimental evaluation design strategy was recommended as the primary evaluation strategy in two sites:

- Wayne County, Michigan's Permanency Planning Mediation Program (PPMP); and
- Marion County, Oregon's Dependency Mediation Project.

As noted earlier, random assignment is the most rigorous methodology and, as a result, greatly increases the credibility of findings in comparison to those found through alternative evaluative approaches. Randomly assigning participants to a treatment or non-treatment group dramatically minimizes the possibility that factors other than the intervention are responsible for observed outcomes.

Frequently, stakeholders are uncomfortable with random assignment protocols. They view them as denying needed services to eligible clients. However, for the above jurisdictions, the demand for ADR services far exceeded the ability of these programs to provide it. Wayne County, Michigan planned to serve 100 cases per year for the first two years of operation and Marion County will be limited to serving 80 cases per year due to budgetary constraints. At the time of the site visits, the courts were unable to refer all who could potentially benefit from this intervention, therefore, these two sites were willing to make ADR available on a random basis in order to test its effectiveness.

However, it is important to emphasize that given limited program capacity, it will take 2.5 years to accrue minimally sufficient sample sizes of 250 cases in both the treatment and control groups in Wayne County, Michigan, and 3 years to accumulate 240 cases in each group in Marion County, Oregon. Although stakeholders in both sites had agreed to this condition in theory, this remains a major concern with both sites. Potentially, major changes may occur within the program during this time, or judges and court officials may simply tire of random assignment processes prior to their conclusion and halt them prematurely.

2. Quasi-Experimental Design

Quasi-experimental evaluation designs are recommended as the primary evaluation strategy in two sites. Cases filed in a defined geographic area that have access to the CIP reform will be compared with those in a similar geographic area that do not:

- **Connecticut’s Case Management Protocol (combining pre-hearing conferences with the expanded availability of parent counsel):** The evaluation will take advantage of the fact that the CIP reform was phased in across the state at different points in time. Outcomes for cases filed prior to implementation of the case management protocol in New Haven will be compared with cases filed post-implementation in Hartford for the same time period. In addition to comparisons between these two sites, pre-post reform implementation comparisons of outcomes will also be conducted in both sites.
- **Texas Cluster Courts:** Specialized child welfare courts were created by clustering child welfare cases between counties to enable rural areas to meet permanency timeframes established in state legislation. Outcomes for cases filed within the same 10 cluster courts will be compared with outcomes for cases filed in similar counties without these courts. Comparisons between the two sets of counties will be made at three points in time: prior to the state permanency statute requiring the achievement of a permanent placement within 12 months (baseline); post-establishment of the statute but prior to cluster court implementation; and post-Cluster Court implementation.

3. Pre-Post Evaluation Design

As explained earlier, it became apparent that neither experimental nor quasi-experimental design methodologies were appropriate for seven interventions, so pre-post evaluation designs were explored and found to be appropriate as the primary evaluation strategy for three interventions in two sites. Within these sites, outcomes for cases filed prior to program implementation will be compared with those for cases filed post-implementation on key, select measures:

- **Arkansas’ Attorney Ad Litem (AAL) Program:** Statewide, all children falling under the court’s jurisdiction are provided representation, usually at the initial hearing; therefore, no comparison cases are available for experimental or quasi-experimental design methodologies. For this reason, a pre-post evaluation design is recommended.
- **Philadelphia, Pennsylvania’s Pre-Hearing Conference (PHC) and Accelerated Adoption Review Court (AARC):** These two interventions are available system wide to all eligible cases within the Philadelphia Family Court.¹ Immediately prior to the adjudicatory hearing, all cases receive a PHC involving all parties to the dependency case. The session is unique because it includes staff from an independent court unit that can arrange for external provider assessment and screening for client mental health and substance abuse services. Similarly, all cases within the Family Court for which parental rights were terminated and a goal of adoption was established are referred to AARC. As a result, no comparison cases are available for experimental or quasi-experimental design methodologies for either intervention.

¹ In Pennsylvania, the vast majority of CIP funding was concentrated in the Philadelphia Family Court system. Among other factors, this makes it difficult to identify comparable court jurisdictions.

However, when considering pre-post design methodologies, it is important to recognize that it is impossible to completely isolate the impact of other important contextual factors that also may impact the outcomes attributed to CIP interventions. For this reason, the evaluability assessment team explored other factors that also could impact outcomes for each of these interventions. Given that the primary outcome of interest among sites was expedited permanency, much time was spent with site staff understanding other activities undertaken concurrent with CIP reform that could impact time to permanency. These activities and their potential impact on the timing of sample selection and data collection are noted in Exhibit III-8 and are more thoroughly explained in the site visit summaries.

Most notably, these factors included the following:

- Enactment of state legislation or court protocols mandating certain timeframes for achieving permanency;
- Specialized court reviews of cases in long-term foster care undertaken to expedite permanency decisions in order to comply with state or federal timeframes; and
- Other policy or procedural changes, such as those related to combining certain court activities or actions into one hearing and, therefore, expediting the permanency process.

Generally, as explained in the individual site summaries, periods for case selection and tracking are timed to avoid these contextual events. To the greatest extent possible, pre-CIP reform cases will be selected after the occurrence of other major contextual events or reform so that comparisons between this group (the historical comparison group) and the treatment group will measure the effect of CIP reform and not the impact of other factors.

4. Descriptive Analysis of Outcomes

For remaining sites, a descriptive analysis of outcomes was explored. This methodology is recommended as the primary evaluation strategy for four reforms:

- **Delaware and Virginia’s systemic reform:** Due to the multiple, closely interrelated components of reform, an evaluation best suited to these sites is one that focuses on documenting the process of reform, its planning and implementation, stakeholder perceptions of elements that are particularly effective, and barriers and facilitating factors. As part of this evaluation, analyses of aggregate outcomes achieved pre- and post-reform will be considered. Information from the process analysis on the multiple interventions, their interrelationships, and—to the extent possible—the relative impact of each, will guide this aspect of the analysis.
- **Arkansas’ Indigent Parent Counsel Program:** In this site, a descriptive analysis is recommended as a first step to fully understanding the intervention’s implementation. Information gathered through this approach will be used to assess whether a matched comparison of counties that are similar demographically on key indicators, but differ in their usage of the indigent parent counsel program, could be undertaken. Although the funding mechanism was established for this program on a statewide basis, this evaluability assessment found that the program has not been consistently implemented by courts throughout the state. It is apparent that implementation practices and protocols vary widely by jurisdiction. Moreover, the state does not appear to be actively

guiding or tracking the program's implementation, so more specific information on implementation status beyond expenditure data is not available at this time. Provided that good candidate comparison sites are identified through a process evaluation, valuable information on the impact of providing counsel to parents will be gathered by analyzing outcomes between jurisdictions.

- **Philadelphia, Pennsylvania's Alternative Planned Permanency Arrangements and Kinship Care (APPLA/KC) Court:** A specialized docket was created to provide oversight to children in long-term foster care or those cared for by kin. The evaluability assessment of this site found that the Philadelphia Family Court is still in the process of clarifying referral criteria and intervention protocols. Nevertheless, the TWG felt that the issues the court continues to address are important and of interest nationally. It was agreed that much can be learned by documenting Philadelphia's efforts. For this reason, a study of the process of the ongoing planning and implementation of the APPLA/KC is recommended as the primary evaluation strategy to be undertaken.

One additional caveat is important to note with respect to the above analyses. Methodologies comparing outcomes for cases served pre-CIP reform with outcomes for cases served post-CIP reform must rely on existing historical data maintained in management information systems (MIS) or case records. While MIS data can be a valuable resource, procedures must be developed to ensure that these data are reliable and that data were entered accurately. During the evaluability assessment, much time was spent on site with information systems staff inquiring as to whether needed case-level data was available and accurate. Staff in Arkansas, Texas and Virginia raised particular concerns with the quality or the complexity of administrative data. As a result, case record abstraction will be necessary in both Arkansas and Virginia, and analysis in Texas will require utilizing someone familiar with the state's complex MIS.

F. Conclusions

In conclusion, the evaluability assessment found that valuable information can be gained by undertaking the evaluations discussed here. However, each evaluation strategy needs to be carefully tailored to the individual site circumstances surrounding implementation. For this project, logic models describing each intervention and linkages with expected outcomes were developed. These were summarized across sites along with the primary issues impacting the timing of case selection and data collection within each site.

Consistent with the guidance provided for this project, efforts were made to apply the most rigorous evaluation strategy possible to each intervention assessed. However, it is important to recognize that the recommended evaluation strategy must not be "forced"—it must reflect the individual implementation realities of each site. Similarly, following guidance of the project's TWG, importance was placed on assessing a range of interventions and sites reflecting the broad intent of CIP. In other words, sites for this evaluability assessment were selected based on: 1) their perceived ability to support a rigorous evaluation; as well as 2) the apparent relevance of the intervention and the manner in which it was implemented to the field of court reform. In other words, this evaluability assessment did not solely pursue those CIP sites in which experimental or quasi-experimental design methodologies appeared feasible.

Given this approach, descriptive analysis of outcomes from the perspective of multiple stakeholders is recommended as the primary evaluation strategy for 4 of the 12 interventions

assessed. Within such an analysis, available data and information on outcomes will be explored. If feasible, aggregate data on outcomes prior to the implementation of the intervention will be compared with those achieved post-implementation on key, select measures. For each site, efforts were focused on fully understanding all contextual events that could potentially impact findings gathered through pre-post comparisons.

However, rigorous evaluation was found to be feasible in a total of four sites. Experimental design involving random assignment was potentially feasible in two sites, and quasi-experimental design comparing case outcomes between matched court jurisdictions was feasible in two additional sites.

Analysis comparing outcomes for cases filed pre-intervention implementation with those for cases post-implementation was determined to be feasible for three additional interventions. However, we learned that the interrelationships between interventions and outcomes on a historical basis are complex and multi-layered, so particular care needs to be taken when selecting measures and attributing findings arrived at through this less rigorous methodology. Finally, for one site, evaluation is not recommended at this time.

Due to the many contextual variables impacting court reform, CIP implementation and the achievement of outcomes, it is critical that all outcome evaluation be supplemented with an analysis of the process of reform and the application of the intervention in practice. Such analysis will assist in the interpretation of findings in the areas in which outcomes are measured. Taken as a whole, results from both process and comparative evaluation approaches could provide valuable information on the process of reform and its effectiveness. The following chapter discusses priorities and approaches for undertaking a national evaluation of CIP.

Exhibit III-8
Proposed Evaluation Approaches for each Site

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Alternative Dispute Resolution (ADR)			
Wayne County, Michigan's Permanency Planning Mediation Program (PPMP)			
<p>Experimental design employing random assignment of cases referred to PPMP in Wayne County, MI.</p> <p>The study will also include analysis of the process of reform and the application of the intervention in practice.</p> <p><i>The exact process by which cases will be randomly assigned to ADR during the initial hearing has not yet been finalized (i.e., who would make the call for random assignment from the courtroom). Additionally, a process for efficiently and consistently screening cases for incapacitating mental health, substance abuse and domestic violence in the courtroom just prior to random assignment needs to be finalized. Currently, a small proportion of these cases are screened out following referral to ADR. However, screening these cases out of the treatment group following random assignment could bias comparisons between treatment and control groups.</i></p>	<p><u>Treatment group:</u> 250 cases.</p> <p><u>Control group:</u> 250 cases.</p>	<p><u>Random assignment to treatment or control group:</u> Beginning immediately upon finalizing evaluation design, continuing for a 30-month period.</p> <p><i>Due to limited program capacity (100 cases served annually), this time period is needed to accrue sufficient sample size.</i></p>	<p>2 years following initial hearing.</p>

Exhibit III-8 (continued)

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Marion County, Oregon’s Dependency Mediation Project			
<p>Experimental design employing random assignment of cases referred to the Mediation Project in Marion County, OR.</p> <p>The study will also include analysis of the process of reform and the application of the intervention in practice.</p> <p><i>This site may not be viable, as staff warns that financial constraints may force future program cutbacks. Currently, every tenth case that comes before the court is assigned to ADR in Marion County. Court staff were encouraged to track the cases currently being assigned to gain information necessary to target the program on those who could benefit from ADR the most. Case screening and random assignment processes need to be finalized.</i></p>	<p><u>Treatment group:</u> 240 cases.</p> <p><u>Control group:</u> 240 cases.</p>	<p><u>Random assignment to treatment or control group:</u> Beginning immediately upon finalizing evaluation design, continuing for a 3-year period.</p> <p><i>Due to limited program capacity (80 cases served annually), this time period is needed to accrue sufficient sample size.</i></p>	<p>2 years following initial hearing.</p>
Connecticut’s Pre-Hearing Conference Combined with Expanded Availability of Parent Counsel (Case Management Protocol)			
<p>Quasi-experimental matched comparison study. Outcomes for cases filed in Hartford, CT under the Case Management Protocol will be compared with outcomes for cases filed in New Haven, CT without the intervention.</p> <p>The study will also include analysis of the process of reform and the application of the intervention in practice.</p> <p><i>The state phased in the Case Management Protocol in all districts across the state at different points in time—Hartford implemented reforms in 1997; New Haven in 2000. Comparisons between these two sites would be made in 1999. Pre-post reform implementation comparisons of outcomes could also be conducted within both sites.</i></p>	<p><u>Hartford Treatment Group:</u> Approximately 275 cases.</p> <p><u>New Haven Comparison Group:</u> Approximately 200 cases.</p>	<p><u>Treatment and comparison group:</u> Cases selected from January – December 1999.</p> <p><i>This period follows the enactment of state legislation in 1998, specifying timeframes for achieving permanency and special reviews related to expediting case permanency.</i></p>	<p>2 years following initial hearing.</p>

Exhibit III-8 (continued)

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Philadelphia, Pennsylvania's Pre-Hearing Conference (PHC)			
<p>Pre-post reform implementation comparison. Key outcomes for cases filed prior to PHC implementation will be compared with those for cases filed post-implementation on key, select measures.</p> <p>This study will also include analysis of the process of reform and the application of the intervention in practice.</p>	<p><u>Post-PHC:</u> Approximately 950 cases.</p> <p><u>Pre-PHC:</u> Approximately 950 cases.</p>	<p><u>Post-PHC:</u> Cases selected from December – May 2004.</p> <p><u>Pre-CIP:</u> Cases selected from December 2000 – May 2001.</p> <p><i>Both periods follow the court's systematic review of cases in 1999/2000 to expedite their permanency in order to reach compliance with ASFA timeframes.</i></p>	<p>2 years following initial hearing.</p>
Representation for Children and Parents			
Arkansas' Attorney Ad Litem (AAL) Program			
<p>Pre-post reform implementation comparison. Key outcomes for cases filed prior to the implementation of the AAL program could be compared with those for cases filed post-statewide implementation of the program on key, select measures.</p> <p>The study will also include analysis of the process of reform and the application of the intervention in practice.</p>	<p><u>Post-AAL implementation:</u> Approximately 1,500 cases (2,250 children).</p> <p><u>Pre-AAL implementation:</u> Approximately 1,500 cases (2,250 children).</p>	<p><u>Post-implementation:</u> Cases selected from June – December 2000.</p> <p><u>Pre-implementation:</u> Cases selected from June 1997 – December 1997.</p> <p><i>Both time periods follow establishment of state legislative requirements strengthening court proceedings and shortening the time to reach a permanency decision.</i></p>	<p>2 years following initial hearing.</p> <p><i>Data tracking for cases pre-implementation concludes prior to March 1999, when specialized court reviews were conducted, expediting case permanency to reach compliance with ASFA.</i></p>

Exhibit III-8 (continued)

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Arkansas' Indigent Parent Counsel Program			
<p>Descriptive analysis of outcomes. The analysis will examine the planning and implementation of the parent counsel program, stakeholder perceptions of program elements that are particularly effective, and barriers and facilitating factors to effective implementation.</p> <p>Within this analysis, it may be possible to collect aggregate data to compare outcomes in a judicial district that utilize the intervention with those for a similar district that do not.</p> <p><i>Before undertaking a comparison between sites, it is necessary to understand and gather information on the consistency with which judges appoint counsel within a given set of districts. This information is not currently available. Although funding data appears to show greater usage of parent counsel in some districts in comparison to others, the state did not actively track implementation of this program.</i></p>	<p>Unknown at this time.</p>		
Connecticut's Pre-Hearing Conference Combined with Expanded Availability of Parent Counsel (Case Management Protocol)			
<p>Quasi-experimental matched comparison study. Outcomes for cases filed in Hartford, CT under the Case Management Protocol will be compared with outcomes for cases filed in New Haven, CT without the intervention.</p> <p>The study will also include a descriptive analysis of the process of reform and the application of the intervention in practice.</p>		<p>See above description of the evaluation recommended for the state's Case Management Protocol under the presentation of ADR.</p>	

Exhibit III-8 (continued)

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Specialized Dockets and Courts			
Philadelphia, Pennsylvania's Accelerated Adoption Review Court (AARC)			
<p>Pre-post reform implementation comparison. Key outcomes for cases filed prior to AARC implementation will be compared with those for cases filed post-implementation on key, select measures.</p> <p>This study will also include analysis of the process of reform and the application of the intervention in practice.</p>	<p><u>Post-AARC:</u> Approximately 400 cases</p> <p><u>Pre-AARC:</u> Approximately 400 cases</p>	<p><u>Post-AARC:</u> Cases selected from January – May 2001.</p> <p><u>Pre-AARC:</u> Cases selected from January – May 1997.</p> <p><i>Both periods follow the court's 1996 policy change impacting time to permanency (combined hearings related to goal change to adoption with those related to TPR into one petition).</i></p>	<p>2 years following termination of parental rights and goal change to adoption.</p> <p><i>Data collection for pre-AARC cases will conclude prior to the court's review of cases 1999/2000 in order to expedite permanency.</i></p>
Philadelphia, Pennsylvania's Alternative Planned Permanency Living Arrangements and Kinship Care (APPLA/KC) Court			
<p>Descriptive analysis of outcomes. The analysis will examine ongoing planning and implementation of APPLA/KC referral and intervention protocols. It will focus on the range of cases coming before the court and their outcomes in key areas, along with the perceptions of key stakeholders concerning barriers and facilitating factors.</p> <p><i>Currently, the court is still in the process of clarifying referral criteria and APPLA/KC intervention protocols, so an experimental or quasi-experimental design is not feasible.</i></p>	<p>Needs to be finalized following site clarification of referral criteria and intervention protocols.</p>		

Exhibit III-8 (continued)

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Texas' Cluster Courts			
<p>Quasi-experimental matched comparison study. Outcomes for cases filed within the 10 newest cluster courts will be compared with outcomes for cases filed in similar counties without these courts. Comparisons between the two sets of counties will be made at three points in time:</p> <ol style="list-style-type: none"> 1. Prior to the state permanency statute requiring the achievement of a permanent placement within 12 months; 2. Post-establishment of the statute but prior to cluster court implementation; and 3. Post-cluster court implementation (within the treatment group counties). <p>The study will also include analysis of the process of reform and the application of the permanency legislation and cluster courts.</p>	<p><u>Pre-statute/pre-cluster court:</u> Approximately 300 cases.</p> <p><u>Post-statute/pre-cluster court:</u> Approximately 300 cases.</p> <p><u>Post-statute/post-cluster court:</u> Approximately 300 cases.</p>	<p><u>Pre-statute/pre-cluster court:</u> Cases selected from January – June 1996.</p> <p><u>Post-statute/pre-cluster court:</u> Cases selected from June – December 1998.</p> <p><u>Post-statute/post-cluster court:</u> Cases selected from January – June 1996,</p>	<p>2 years following referral to court.</p>

Exhibit III-8 (continued)

Evaluation Methodology	Cases Available for Sampling	Sample Selection Timing	Data Collection Period for each Case
Systemic Reform			
Delaware’s Systemic Reform			
<p>Descriptive analysis of outcomes. The analysis will examine the planning and implementation of reforms, stakeholder perceptions of reform elements that are particularly effective, and barriers and facilitating factors to effective implementation.</p> <p>Within this analysis, aggregate data on outcomes for New Castle County, DE prior to reform might be compared with those achieved within the same county post-reform on key, select measures.</p> <p><i>However, possible biases must first be specified. Although pre-reform cases were to be maintained in a separate track where they received traditional treatment by the court, a small number of these pre-reform implementation cases have instead been transferred to the “post-reform track.”</i></p>	<p><u>Post-reform (New Castle):</u> Approximately 200 cases.</p> <p><u>Pre-reform (New Castle):</u> Approximately 200 cases.</p>	<p><u>Post-reform:</u> Cases selected from October 2000 – September 2001.</p> <p><u>Pre-reform:</u> Cases selected from October 1999 – September 2000.</p> <p><i>Both periods follow enactment of state legislation and specialized reviews of cases to expedite permanency conducted in 1999.</i></p>	<p>2 years following initial hearing.</p>
Virginia’s Systemic Reform			
<p>Descriptive analysis of outcomes. The analysis will examine the planning and implementation of multiple, interrelated and systemic reforms undertaken in select jurisdictions.</p> <p>Within this analysis, aggregate data on outcomes prior to reform might be compared with those achieved post-reform on key, select measures.</p> <p><i>Such an analysis might necessitate case record review within select counties due to limitations in the state’s court and child welfare agency automated systems.</i></p>	<p>Unknown at this time because target counties have not been selected.</p>		

IV. Evaluation Priorities and Approaches

This chapter presents information to help establish priorities and approaches for a national evaluation of the Court Improvement Program (CIP). Input from the Technical Work Group (TWG) was critical to forming the recommendations presented in this chapter. As explained in Chapter I, in addition to researchers, the TWG was comprised of nationally-recognized program, policy and legal experts in the area of dependency court operations and reform. A listing of the TWG members is included as Appendix A.

A. Principles Guiding a National Evaluation of the Court Improvement Program

Congruent with the federal intent for CIP, stakeholders agreed that they perceived CIP as a catalyst for fundamental dependency court reform. Many varied activities and reforms continue to be undertaken by state and local courts. Therefore, a national evaluation should capture this diversity, while focusing on reforms of basic court operations that have the most direct applicability to the field. Due to the scope and comprehensiveness of this charge, a national evaluation of CIP must be multi-faceted when describing and assessing the impact of interventions carried out through the program.

To provide a balanced picture of what CIP has accomplished, the evaluative approach should be governed by the following four principles:

1. *Account for the full range of reform activities and interventions undertaken by state and local courts throughout the country under CIP.*
2. *Build on evaluations of existing court reform initiatives.*
3. *Sites selected for outcome evaluation should not be a small subset of program models that are the most amenable to rigorous evaluation. Since rigorous evaluation is not suited to many sites, a variety of evaluation approaches must be used:*
 - a. *Undertake the most rigorous outcome evaluation approach feasible, as determined by a site-specific assessment of evaluability.*
 - b. *Realizing that the collective value of activities undertaken through CIP are often of greater value than the “sum of the parts” of the individual interventions implemented, conduct supplementary analysis of the process of reform within all sites selected for outcome evaluation.*
4. *Analyze outcomes achieved within the framework of the Adoption and Safe Families Act of 1997 (ASFA):*
 - a. *decreased time to permanency;*
 - b. *increased child safety; and*
 - c. *improved child well-being.*

B. Components of a National Evaluation of CIP

Consistent with these principles, it is recommended that the national evaluation be comprised of the following three components:

1. Review state and community activities funded under CIP and describe their intent.
2. Review the methodologies of existing court reform evaluations and synthesize relevant findings across studies.
3. For select interventions, conduct:
 - Outcome evaluation; along with
 - Analysis of the process of reform and the application of the intervention in practice.

Each of these components is summarized in this chapter. The individual components are meant to complement each other, collectively delineating an evaluation strategy that is consistent with the principles presented above. However, depending on resource constraints, the aim of a national evaluation could be adjusted along with the number of components undertaken.

1. Review of State and Local Court Activities Funded Under CIP

As noted earlier, stakeholders perceived CIP to be a catalyst for dependency court reform. This view is consistent with the fact that the legislation establishing CIP and subsequent federal guidance governing its implementation does not specify a single model (or set of models) that states are required to fund with their CIP allocation. Rather, as explained in Chapter II, CIP was established as a source of federal funding to be flexibly used by states to undertake broad-based, comprehensive systemic reform of dependency courts and associated processes.

Further, CIP is a dynamic program, and the activities and services funded are likely to continue to change and expand. The national “snapshot” of CIP described in this evaluability assessment is likely to substantially change during the course of the evaluation. In order to provide the current context for the outcome evaluation of select models, it is necessary to undertake a systematic review of activities and interventions funded by state and local courts. The purpose of this review is to describe the full array of activities funded under CIP, classifying them by common characteristics and intent. Thus, the review will provide updated information on the activities most frequently undertaken by courts, organized by key descriptors such as those developed for this project’s classification system (see Chapter II).

The creation of an organizing framework will facilitate analysis of the frequency with which certain activities were carried out and interventions were developed. Given the fact that this framework will also guide the presentation of findings for this review and the synthesis of existing court reform evaluations (described below), it seems advantageous to gather input into its development from national organizations providing training and technical assistance to

courts, as well as other policy and research organizations that will eventually utilize and apply the findings. Consistent with the review of CIP that James Bell Associates undertook in 1999,¹ this review is meant to complement similar state-specific descriptions produced annually by the National Child Welfare Resource Center on Legal and Judicial Issues.²

We envision that the information for this review will be primarily abstracted from the annual program reports submitted by states to the Children's Bureau. Missing information or areas of ambiguity in the reports could be addressed through supplementary follow-up calls with relevant state CIP directors.

2. Synthesis of Existing Court Reform Evaluations

A national evaluation of CIP should also include a synthesis of existing court reform evaluations. In the course of conducting this evaluability assessment, a number of evaluations of court reform initiatives were identified; however, this information is not readily available to researchers, policymakers, administrators and national organizations providing training and technical assistance. The purpose of this synthesis is to provide a broader context for understanding and interpreting findings gained through outcome evaluation of CIP interventions, while providing a single, accessible source for examining available data.

A search of available evaluations of CIP interventions undertaken as part of this evaluability assessment identified a total of 36 evaluations carried out in 20 states. For each, information on the intervention and the evaluation methodology was abstracted and summarized, along with outcomes measured. Outcomes were classified into one of three categories: decreased time to permanency, increased child safety and increased child well-being. A description of this information for each evaluation reviewed is included as Appendix C. The synthesis proposed for a national evaluation of CIP will expand upon this through the following steps:

- **Identify evaluations of court reform:** A comprehensive search of studies, program evaluation and basic research will be carried out for each of the categories included within the framework described earlier under the review of state and local court CIP activities. This synthesis will not be limited to analyses of CIP-funded activities; it will include activities and interventions relevant to courts hearing dependency and child abuse/neglect cases.
- **Analyze the methodological rigor of these evaluations:** A cursory review of the available evaluations gathered for this evaluability assessment found wide discrepancies in the sophistication of the evaluative methodologies employed. The methodological rigor will be fully explored for each evaluation reviewed. Where necessary, follow-up telephone calls will be conducted with researchers in order to address information not specified in available documentation (e.g., how exactly were study cases identified? How were comparison sites decided upon? How were outcomes defined? What

¹ James Bell Associates, Inc., Review and Analysis of State Program Reports Related to the Court Improvement Program, June 1999.

² National Child Welfare Resource Center on Legal and Judicial Issues, Center on Children and the Law, American Bar Association, Court Improvement Progress Report 2001, Washington D.C.

measurement tools or strategies were used?). Additionally, perceived methodological strengths and weaknesses will be clarified.

- **Synthesize findings across studies:** Findings determined to be based on sound methodologies will be synthesized across evaluations organized by the framework described above. The synthesis will examine their success in terms of decreased time to permanency, increased child safety and improved child well-being. In addition, implementation issues will be examined to identify the resources needed to establish these efforts, the nature and extent of collaboration required, the barriers encountered and ways in which these barriers were addressed.

Undertaking this synthesis will help provide information on promising practices to the field in a timely manner. Results will be made available without waiting for the conclusion of a formal evaluation of select study sites (as described below). Additionally, it will help inform evaluation of selected CIP interventions.

3. Evaluation of Select Interventions

Building on the evaluability assessment carried out for this project, appropriate outcome evaluation should be undertaken, where feasible, as the final component of a national evaluation of CIP. As noted in preceding chapters, this project assessed the evaluability of CIP-funded or supported interventions in the following categories of the classification system:

- **Alternative dispute resolution (ADR):** ADR programs were designed to resolve issues in a collaborative manner outside the courtroom. Within the following sites, sessions were convened and led by a trained facilitator:
 - Wayne County, Michigan’s Permanency Planning Mediation Program;
 - Marion County, Oregon’s Dependency Mediation Project;
 - Connecticut’s Case Management Protocol (ADR was the first component of the Protocol); and
 - Philadelphia, Pennsylvania’s Pre-Hearing Conference.
- **Representation for children and parents:** Improving representation for children was a focus of one intervention, while two focused on providing and improving counsel to parents:
 - Arkansas’ Attorney Ad Litem (AAL) Program for children;
 - Arkansas’ Indigent Parent Counsel Program; and
 - Connecticut’s Case Management Protocol (was the second component of the protocol).
- **Specialized dockets or courts:** Three interventions in two sites focused on the creation of specialized dockets or courts:
 - Philadelphia, Pennsylvania’s Accelerated Adoption Review Court;
 - Philadelphia, Pennsylvania’s Alternative Planned Permanency Living Arrangements and Kinship Care Court; and
 - Texas’ Cluster Courts.
- **Systemic reform:** Two sites were working to improve basic court operations on multiple fronts simultaneously:

- Delaware: assigning a single judge to a case while it falls under the court's jurisdiction, developing a defined sequence of judicial hearings and reviews, and appointing indigent parent counsel.
- Virginia: establishing hearing timelines and a system of judicial review, providing multi-disciplinary training, and developing standardized judicial district court manuals and orders.

For each site, the most rigorous evaluation methodology feasible was explored. In descending order of rigor these are:

- **Experimental design:** Participants are randomly assigned to a treatment group that receives the specialized intervention or a non-treatment (or control) group that receives traditional services.
- **Quasi-experimental design:** Comparisons are made between non-equivalent groups that are as similar as possible but differ on their access to the focal intervention (generally matched site comparisons).
- **Pre-Post design:** Comparisons within a site are made between cases filed pre-intervention implementation with those for cases filed post-implementation.
- **Descriptive analysis of outcomes:** Assess and document the process through which the intervention is expected to achieve intended short- and long-term outcomes. Available sources of aggregate data on key outcomes are explored and utilized to the extent feasible and compared with data available from other sources (e.g., national data, findings from other evaluations of similar activities, historical data within sites). However, further site-specific analysis of data availability, integrity and comparability will be needed.

Given the fact that all interventions presented in this report were developed as part of larger court reform efforts, outcomes analysis will be supplemented with analysis of the process of reform and the application of the intervention in practice. Such an analysis will provide important context for the focal intervention and help interpret findings gathered through experimental, quasi-experimental or other matched comparison methodologies.

The process analysis will document findings in the domains presented earlier in Exhibit IV-1. Information will be gathered through structured discussions with key stakeholders including program and policy administrators, judges, court staff, attorneys representing children and families, and staff from other agencies, such as child welfare.

Consistent with the principles outlined at the beginning of this chapter, it is recommended that the national evaluation include at least one site from each of the classification system categories outlined above, thus reflecting the variety of reforms undertaken within CIP. Exhibit IV-2 is meant to assist with site selection. For each intervention, the primary evaluation strengths and weaknesses are presented. The interventions are organized by the four classification categories noted above.

Exhibit IV-1

Primary Domains of the Supplementary Process Analysis of CIP

Court administrative system: How is the state's judicial system organized and administered? What is the role of the state court administrative office in relation to local courts? In which courts are child abuse/neglect and child dependency cases heard? What other types of cases are heard in these courts? Are these courts of record? Within these courts, do judges, associate judges or referees hear these cases? Are they assigned on a permanent or rotating basis? If judges hear these cases, are they elected or appointed to the bench? Do policies vary by jurisdiction?

Judicial process: What is the hearing process for the dependency caseload and what are the timeframes? What are the policies regarding legal representation for both children and for parents? Does the state have an established CASA program? Do policies or guidelines vary by jurisdiction?

Court and other contextual reform: What is the history of court reform impacting child abuse/neglect and dependency cases? Have any of these been established legislatively? What have these reforms achieved? How is their impact measured? What independent or supplementary activities have been carried out within local courts? What have they achieved and how is it measured? Has the child welfare agency undertaken reform that impacts issues coming before the court for the dependency caseload?

CIP administrative process: Within the state, which court was originally awarded federal CIP funding? What is the authority of this court in relation to local courts? Is the CIP task force still active? If not, is another group currently overseeing the administration of CIP? Which organizations and individuals are represented in this group? How active is this group in making awards? Is funding retained by the state? Is funding disbursed to local courts? If so, how are these courts selected? At the local level, who is responsible for overseeing CIP funding and making decisions on activities to undertake? Who is involved with this process? Are external agencies involved?

Planning the focal reform: What is the history of CIP-funded reform within the site? Historically, what initiatives were undertaken? Who was involved with planning? Were collaborative bodies formed? Are they still active? If so, how? Are goals and plans re-visited on a periodic basis?

Focal reform model: What resources are devoted to the primary CIP intervention under study? Who are the children/families targeted for the intervention? What is the process of referral? Are referral criteria formalized? Is a formal assessment conducted upon referral? What is the expected duration of services or activities on a case-specific basis? What is the intensity of services or activities during this time? What conditions must children and/or families meet in order to exit the intervention? Is follow-up conducted? If so, by who, and how frequently?

Program supports: What supports does the focal intervention rely upon? Are staff positions designated to deliver services? If so, what qualifications must they have? Is initial and ongoing training offered?

Linkages to outcomes: What are the goals of the primary CIP intervention under study? What are stakeholders perceptions concerning the expected immediate, intermediate and long-term outcomes? What are the linkages between these? Are there areas of agreement? Disagreement? Can a logic model be constructed? If so, what are its components?

Impact of focal reform: Is program impact currently measured by the site? If so, how? Are the measured impacts consistent with the logic model? If not, are aggregate data available to measure outcomes? Are the data accurate and reliable? Is the measurement of key outcomes complicated by contextual activities? Are data from other evaluations or other sources available?

Exhibit IV-2
Primary Evaluation Strengths and Weaknesses Associated with Each Site

Intervention	Strengths	Weaknesses
Alternative Dispute Resolution (ADR)		
Wayne County, Michigan's Permanency Planning Mediation Program	<ul style="list-style-type: none"> • Site amenable to random assignment, the most rigorous evaluation methodology. • Program likely to continue through evaluation period. • Project planners implementing a particularly well-established state model of ADR. • Although data matching between the courts and child welfare will be necessary, ADR referral form includes case identifiers for both. 	<ul style="list-style-type: none"> • Due to limited program capacity, random assignment may take up to 2.5 years to complete. • Data cannot be pooled with other sites in the state as none are comparable to Wayne County demographics.
Marion County, Oregon's Dependency Mediation Project	<ul style="list-style-type: none"> • Site amenable to random assignment, the most rigorous evaluation methodology. • Project likely to continue through evaluation period. • Although data matching between the courts and child welfare is currently necessary, more sophisticated interfacing between information systems is scheduled to occur. 	<ul style="list-style-type: none"> • Due to limited program capacity, random assignment will take about 3 years to complete. • Data cannot be pooled between sites within state as implementation varies widely between jurisdictions. • Program may not continue, as funding is threatened.
Connecticut's Case Management Protocol (ADR Component)	<ul style="list-style-type: none"> • Site amenable to quasi-experimental design. • Protocol likely to continue through evaluation period. • Protocol combines ADR with parent counsel (see below). 	<ul style="list-style-type: none"> • Data matching between courts and child welfare is necessary.
Philadelphia, Pennsylvania's Pre-Hearing Conference	<ul style="list-style-type: none"> • Conference likely to continue through evaluation period. • Although data matching between the courts and child welfare will be necessary, the court uses an automated system that cross-references data. • Strong service component—court clinicians attend conference and can make arrangements for mental health and substance abuse services. 	<ul style="list-style-type: none"> • Must rely on pre-post evaluation, making it difficult to control for other factors that may impact findings.

Exhibit IV-2 (continued)

Representation for Children and Parents		
Arkansas' Attorney Ad Litem Program	<ul style="list-style-type: none"> • Program likely to continue through evaluation period. • Particularly well-defined state model includes detailed attorney qualifications and training requirements, along with standards of practice. 	<ul style="list-style-type: none"> • Must rely on pre-post evaluation, making it difficult to control for other factors that may impact findings. • Data matching between courts and child welfare is necessary. • Analysis of outcomes will probably need to rely on information obtained through case record abstraction.
Arkansas' Indigent Parent Counsel Program	<ul style="list-style-type: none"> • Program likely to continue through evaluation period. 	<ul style="list-style-type: none"> • Must rely on descriptive analysis of outcomes—can't attribute findings directly to intervention. • Data matching between courts and child welfare is necessary. • Analysis of outcomes will probably need to rely on information obtained through case record abstraction.
Connecticut's Case Management Protocol (Stand-by Attorney Component)	<ul style="list-style-type: none"> • Site amenable to quasi-experimental design. • Protocol likely to continue through evaluation period. • Protocol combines parent counsel with ADR (see above). 	<ul style="list-style-type: none"> • Data matching between courts and child welfare is necessary.
Specialized Dockets and Courts		
Philadelphia, Pennsylvania's Accelerated Adoption Review Court	<ul style="list-style-type: none"> • Docket likely to continue through evaluation period. • Although data matching between the courts and child welfare will be necessary, the court uses an automated system that cross-references data. 	<ul style="list-style-type: none"> • Must rely on pre-post evaluation, making it difficult to control for other factors that may impact findings.
Philadelphia, Pennsylvania's Alternative Planned Permanency Living Arrangements and Kinship Care Court	<ul style="list-style-type: none"> • Docket likely to continue through evaluation period. • Although data matching between the courts and child welfare will be necessary, the court uses an automated system that cross-references data. 	<ul style="list-style-type: none"> • Must rely on descriptive analysis of outcomes—can't attribute findings directly to intervention.

Exhibit IV-2 (continued)

Texas' Cluster Courts	<ul style="list-style-type: none"> • Site amenable to quasi-experimental design. • Intervention likely to continue through evaluation period. • Only intervention among those assessed for evaluability that is focused solely on rural courts. 	<ul style="list-style-type: none"> • Data matching between courts and child welfare is necessary. • Analysis of outcomes will require utilizing someone familiar with the state's complex MIS.
Systemic Reform		
Delaware's Systemic Reform	<ul style="list-style-type: none"> • Two components likely to continue through evaluation period (one judge/one case and the increased number of hearings and reviews). • Reform has multiple components, focusing on improving basic court operations in a number of areas. 	<ul style="list-style-type: none"> • Must rely on descriptive analysis of outcomes—can't attribute findings directly to intervention. • Parent counsel component of program may not continue, as funding is threatened. • Data matching between courts and child welfare is necessary.
Virginia's Systemic Reform	<ul style="list-style-type: none"> • Reform likely to continue through evaluation period. • Reform has multiple components, focusing on improving basic court operations in a number of areas. 	<ul style="list-style-type: none"> • Must rely on descriptive analysis of outcomes—can't attribute findings directly to intervention. • Data matching between courts and child welfare is necessary. • Analysis of outcomes will probably need to rely on information obtained through case record abstraction. • Fairly extensive evaluation already conducted. The evaluation relied on survey and administrative data to document how reforms were implemented and their impact on timeframes.¹

¹ Safety and Permanency for Dependent Children before the Courts of the Commonwealth, Court Improvement Activities 1997-2000, p.

Exhibit IV-2 (continued)

C. Conclusions

This report has explained the complexity of undertaking a national evaluation of CIP that accurately captures both the intent of the program and outcomes achieved. Through their assessments, states were encouraged to highlight areas needing improvement. CIP was intended as a flexible source of funding to address these needs. As a result, the activities undertaken through CIP vary widely, and are often comprehensive and multi-faceted. Moreover, these reforms change over time and other reforms such as those related to ASFA occur simultaneously. A national evaluation of CIP must accommodate this diversity while providing guidance on effective practices in a number of areas. All of these factors point to the need for undertaking an evaluability assessment prior to beginning formal evaluation.

The national evaluation components described in this chapter will meet this need. The review of state and local activities funded under CIP will capture the full breadth of activities currently underway, while the synthesis of existing evaluation in the field of court reform will help provide existing information on promising practices to the field. These efforts will provide context and help inform outcome evaluation of select CIP interventions, providing further evidence of effective interventions. Important information on the immediate context of selected interventions will be provided through analysis of the process of reform and the implementation of the intervention in practice. Insights gained through this method will help explain and interpret findings gained through outcome evaluation.

V. Summary and Conclusions

This project determined the feasibility of evaluating Court Improvement Program (CIP) projects established by state and local courts. The Children’s Bureau, U.S. Department of Health and Human Services (HHS) funded this project in 2001 to inform a national evaluation of CIP. Such an evaluation would mirror efforts undertaken with respect to the Promoting Safe and Stable Families (PSSF) program established under title IV-B subpart 2 of the Social Security Act along with CIP in 1993.

As the role of the courts in child welfare continues to gain prominence, it becomes especially important to undertake a national evaluation of CIP. Most notably, the Child and Family Services Reviews (CFSRs)—HHS’s newly established system for monitoring state child welfare systems—reviews information from several sources within each state, including the courts. Similarly, newly established, federally monitored outcomes of child safety and time to permanency require state courts and child welfare agencies to work toward the same goals; both entities must be active, collaborative partners to ensure these goals are achieved. Finally, to encourage continuous improvement in state child welfare systems, guidance needs to be provided in terms of the court activities and reforms found to be particularly effective in improving outcomes for children and families. This is the primary reason for undertaking a national evaluation of CIP.

In preparation for this evaluation, the objectives of this evaluability assessment project were to:

- Identify a set of promising Court Improvement Project (CIP) activities and strategies established in various states;
- Determine whether a full-scale evaluation of these activities and strategies would produce information of interest to the Children’s Bureau and other stakeholders;
- Identify CIP programs that are amenable to a full-scale evaluation; and
- Develop an evaluation design and plan for full-scale evaluations of selected CIP programs.

Evaluability assessment is exploratory, or “pre-evaluation,” research occurring prior to official, or “formal,” evaluation. The approach involves qualitative information collection to assess a program’s readiness for rigorous outcome evaluation. Document review coupled with on-site discussions and observations of the intervention are used. The remainder of this chapter discusses the activities undertaken by James Bell Associates, Inc. (JBA) to fulfill these objectives.

A. Identifying Promising CIP Activities and Strategies

Reflecting the intent of the federal authorizing legislation, the range of CIP activities and interventions undertaken by states is vast, shaped by the issues and concerns of each participating jurisdiction. The diversity of these activities was explored through JBA’s

descriptive study of CIP completed for the Children's Bureau in 1999¹ and the National Child Welfare Resource Center on Legal and Judicial Issues' annual progress reports.² These syntheses provided evidence that there is no single model of CIP reform. Moreover, reform is continuous and ongoing, and it is often multi-faceted and comprehensive. Given this, the importance of undertaking an evaluability assessment prior to engaging in a full-scale evaluation is clear.

For the purposes of this evaluability assessment, a classification system of CIP interventions was developed. Particularly well-defined models that could impact outcomes of interest were explored and classified into the following categories:

- **Alternative dispute resolution programs:** Mediation projects, family group conferencing/decision making models, pre-hearing conferences and other "non-adversarial" approaches conducted externally to court hearings.
- **Training and educational materials:** Activities with well-defined curriculum and/or resource materials on a variety of topics, including services assessment, roles and responsibilities of court participants, and relevant state and federal laws.
- **Child and parent legal representation:** Comprised of two subcategories:
 - Professional standards/qualifications and related training and certification programs; and
 - Legal representation services, including Court Appointed Special Advocate (CASA) programs.
- **Case tracking and management:** Comprehensive systems to improve tracking and information availability to expedite case activity.
- **Consistency and quality of hearings:** Comprised of five subcategories:
 - Specifying timeframes between hearings;
 - Developing specialized models for judicial review of dependency cases (e.g., specialized dockets or courts);
 - Standardizing the content of court hearings (e.g., orders/checklists); and
 - Defining processes for third party review of proceedings.
- **Parent education and support:** Outreach efforts to educate parents about the dependency court process and their rights and responsibilities in the judicial system, and offer counseling on options and support.
- **Systemic reform:** Multiple and interrelated reform efforts aimed at improving the infrastructure of the court and its daily operations.

Information on state activities undertaken in these areas was abstracted from the annual CIP reports submitted by states to HHS for FY 2000 and FY 2001. This was augmented

¹ James Bell Associates, Inc., Review and Analysis of State Program Reports Related to the Court Improvement Program, June 1999.

² National Child Welfare Resource Center on Legal and Judicial Issues, Center on Children and the Law, American Bar Association, Court Improvement Progress Report 2001, Washington D.C.

through telephone follow-up with state CIP coordinators. Within the broad range of CIP funded activities, the Classification Report represented the first attempt within this project to identify those CIP interventions that appeared most amenable to evaluation.³

B. Determining Relevant Information to be Gained by Undertaking Evaluation

As discussed in this report, for this project a Technical Work Group (TWG) of leading court officials, administrators and evaluators was formed, ensuring the project's approach and findings would be nationally relevant. The TWG provided input in four critical areas:

- **Program intent:** The group emphasized that CIP is conceived and used as a catalyst for dependency court reform. Therefore, sites selected for evaluability assessment should reflect the diversity of approaches funded and include those undertaking multi-faceted reform of dependency court operations.
- **Sites to be assessed for evaluability:** The TWG provided input on key sites to be included.
- **Outcomes to be considered:** The group recommended that the potential impact of these interventions should be considered within the goals established by the Adoption and Safe Families Act of 1997 (ASFA):
 - timely achievement of permanency;
 - increased child safety; and
 - improved child well-being.
- **Framework for a national evaluation of CIP:** The group advised that a national evaluation of CIP should be multi-faceted so that it can document and analyze the wide diversity of CIP reform undertaken. It should combine a review of all funded CIP activities and a synthesis of existing court reform evaluations, with evaluation of specific models. Both outcome and descriptive analyses should be undertaken within selected sites.

With the input of the TWG, 12 CIP interventions were selected for evaluability assessment, representing 4 of the 7 categories of the classification system developed for this project.⁴ Two of these were sites undertaking systemic reform.

Through the evaluability assessment, it became apparent that sites were undertaking a diverse array of relevant and innovative reform both in terms of their approach and intent. Based on these factors, it appears that a full-scale evaluation of these activities and strategies would produce information of interest to the Children's Bureau and other stakeholders.

³ James Bell Associates, Inc., Feasibility of Evaluation of the State Court Improvement Program Classification Report, May 15, 2002.

⁴ Each of the activities within the three remaining categories (training and education, case tracking and management, and parent education and support) were a secondary focus of at least one of the sites selected for assessment.

C. Identifying Programs Amenable to a Full-Scale Evaluation

1. Criteria for Assessing Evaluability

To determine each intervention's evaluability, the following criteria were applied:

- Did the intervention appear to be clearly defined? Were there criteria specifying the cases on which the intervention was to be targeted? Was the intervention's duration and scope of activities clearly specified?
- Did it appear that the intervention could logically impact outcomes in at least one of the following areas: safety, permanency and well-being?
- Was the intervention mature and well established? Was it in existence for a sufficient period of time for operations to evolve beyond the initial implementation phase? For staff to adjust to—and learn—their new roles?
- Were there a sufficient number of cases served to support a rigorous evaluation?
- Were data needed for an evaluation available, accessible and accurate?
- Was there evidence that the intervention appeared to be promising? Was it expanded to additional sites? Did key stakeholders find the intervention helpful and support it? Had additional resources been allocated to support the effort (additional support staff, staff training etc.)?
- Were key staff willing to participate in the activities that accompany a rigorous evaluation?

Information on these criteria was collected from document review and on-site visits. Logic models, the primary analytic tool used in evaluability assessment, were constructed to document and understand the interventions, and graphically link them with:

- Inputs: Resources used by the intervention;
- Outputs: Direct products of the intervention; and
- Outcomes: Benefits or changes resulting from the intervention.

Once logic models were constructed, interventions and expected outcomes were compared across sites.

2. Interventions Assessed

Of the 12 interventions assessed, all but one (Kansas) was evaluable. In Kansas, the application and usage of standardized court orders was continuing, and ongoing assessments of their usage were conducted internally. Outcome evaluation seemed premature, and the state did not wish to participate in a comparison or process study of implementation at that time. As detailed in Chapter III of this Report, this evaluability assessment found interventions amenable to full-scale evaluation in the following areas:

- **Alternative dispute resolution—ADR:** In four study sites, ADR programs were designed to resolve issues in a collaborative manner outside the courtroom. Within these sites, sessions were convened and led by a trained facilitator:
 - Wayne County, Michigan’s Permanency Planning Mediation Program followed the standardized statewide model of ADR, involving all parties to the case early in the dependency court process.
 - Marion County, Oregon’s Dependency Mediation Project also involved all parties to the case early in the court process.
 - Philadelphia, Pennsylvania’s Pre-Hearing Conference involved all parties to dependency cases, including parents. The session was unique among those assessed, as mental health and substance abuse assessments and services were arranged for parents and children during the session, as needed.
 - ADR was one component of Connecticut’s Case Management Protocol. In comparison to the other models, Connecticut’s conferences primarily involved the professionals associated with a case. Typically, parents were not involved.
- **Representation for children and parents:** Improving representation for children was a focus of one intervention, while two focused on providing and improving counsel to parents:
 - Arkansas’ Attorney Ad Litem (AAL) program specified qualifications and standards of practice for AALs and expanded their availability on a statewide basis.
 - Arkansas’ Indigent Parent Counsel Program also established qualifications and standards for counselors and expanded their availability; however, unlike the AAL program, the intervention was not uniformly implemented throughout the state.
 - Providing representation to parents was one component of Connecticut’s Case Management Protocol. Attorneys were appointed to represent parents prior to the ADR session discussed above.
- **Specialized dockets or courts:** Two specialized dockets were created in Philadelphia, Pennsylvania, and a specialized court was created to hear child welfare cases in rural jurisdictions in Texas:
 - Philadelphia, Pennsylvania’s Accelerated Adoption Review Court was dedicated to overseeing all cases for which parental rights were terminated and a goal of adoption was established.

- Philadelphia, Pennsylvania’s Alternative Planned Permanency Living Arrangements and Kinship Care Court, was dedicated to children in long-term foster care as well as foster children cared for by kin; although court referral and intervention protocols were in the process of being revised.
- Texas’ Cluster Courts were specialized child welfare courts created by clustering dependency and abuse/neglect cases between contiguous counties in the same rural judicial district.
- **Systemic reform:** Two sites were working to improve basic court operations on multiple fronts simultaneously.
 - Primary components of Delaware’s systemic reform included: assigning a single judge to a case, developing a defined sequence of judicial hearings and reviews, and appointing indigent parent counsel.
 - Primary components of Virginia’s systemic reform included: establishing hearing timelines and a system of judicial review, providing multi-disciplinary training, and developing standardized judicial district court manuals and orders.

3. Evaluation Methods

For evaluation purposes, the preferred methodology is one in which participants are randomly assigned to a treatment group that receives the specialized intervention or a non-treatment (or control) group that receives traditional services. In sites where this was determined to be infeasible, other methodologies were explored. In descending order of rigor, these are: (1) quasi-experimental designs involving non-equivalent comparison groups, or comparisons between sites that are as similar as possible but differ on their access to the focal intervention; (2) within-site comparisons of outcomes for cases filed pre-implementation of the intervention, with those for cases filed post-implementation; and (3) descriptive analysis of outcomes, using aggregate data.

As described in this report, for some programs, experimental or quasi-experimental evaluation methods are not feasible. However, there is a need to balance the degree of rigor feasible with the importance of examining an array of programs reflecting the range and diversity of court reform efforts undertaken through CIP.

As shown by Exhibit V-1, experimental or quasi-experimental designs were determined to be feasible as the primary evaluation strategy for a total of five sites. Pre-post implementation or descriptive analysis of outcomes is recommended for the remaining seven. Additionally, it is recommended that all outcome evaluations undertaken be supplemented with analysis of the process of reform and the application of the intervention in practice. Such a process analysis will provide the proper context when interpreting findings gathered through analysis of outcomes.

D. Recommendations for a Full-Scale Evaluation

In order to provide a balanced picture of all that CIP has accomplished, it is recommended that the national evaluation be comprised of the following three components:

- Review state and community activities funded under CIP;
- Synthesize existing court reform evaluations; and
- For select interventions, conduct:
 - outcome evaluation; and
 - descriptive analysis of the process of reform and the application of the intervention in practice.

Each of these is discussed in this section.

1. Review of State and Local Court Activities Funded Under CIP

CIP is a dynamic program, and the activities and services funded are likely to change or expand over time. In order to provide the current context for the outcome evaluation of select models, a systematic review of activities and interventions funded by state and local courts should be undertaken. The purpose of this review is to describe the full array of activities funded under CIP, classifying them by common characteristics and intent. The creation of an organizing framework will facilitate analysis of the frequency with which certain activities were carried out and interventions were developed. Consistent with the review of CIP that James Bell Associates undertook in 1999,⁵ this review is meant to complement similar state-specific descriptions produced annually by the National Child Welfare Resource Center on Legal and Judicial Issues.⁶

2. Synthesis of Existing Court Reform Evaluations

The second component of the national evaluation of CIP is a synthesis of existing evaluations. The purpose of this synthesis is to provide a broader context for understanding and interpreting findings gained through outcome evaluation of CIP interventions, while providing a single, accessible source for examining available data. Specifically, this synthesis will:

- **Identify evaluations of court reform:** A comprehensive search of studies, program evaluation and basic research will be carried out for each of the categories included within the framework described earlier under the review of state and local court CIP activities.
- **Analyze the methodological rigor of these evaluations:** The methodological rigor will be fully explored for each evaluation reviewed. Where necessary, follow-up telephone calls will be conducted with researchers in order to address information not specified in available documentation. Additionally, perceived methodological strengths and weaknesses will be clarified.

⁵ James Bell Associates, Inc., Review and Analysis of State Program Reports Related to the Court Improvement Program, June 1999.

⁶ National Child Welfare Resource Center on Legal and Judicial Issues, Center on Children and the Law, American Bar Association, Court Improvement Progress Report 2001, Washington D.C.

- **Synthesize findings across studies:** Findings determined to be based on sound methodologies will be synthesized across evaluations organized by the framework described above. The synthesis will examine their success in terms of decreased time to permanency, increased child safety and improved child well-being. Implementation issues will be examined to identify the resources needed to establish these efforts, the nature and extent of collaboration required, the barriers encountered and ways in which these barriers were addressed.

Undertaking this synthesis will help provide information on promising practices to the field in a timely manner. Additionally, it will help inform evaluation of selected CIP interventions.

3. Evaluations of Select Interventions

Building on the evaluability assessment carried out for this project, appropriate outcome evaluation should be undertaken, where feasible, as the final component of a national evaluation of CIP. As noted in preceding chapters, outcome evaluation should be carefully tailored to accommodate the manner in which the intervention is implemented as well as important contextual issues. For this reason, a variety of outcome methodologies will be necessary. Given the fact that all interventions presented in this report were developed as part of larger court reform efforts, outcomes analysis will be supplemented with analysis of the process of reform and the application of the intervention in practice. To capture the diversity of models implemented under CIP, it is recommended that evaluation include interventions from each of the following categories of the classification system:

- Alternative dispute resolution;
- Representation for children and parents;
- Specialized dockets or courts;
- Systemic reform.

Exhibit V-1 shows the recommended evaluative approaches for each intervention assessed in these categories.

E. Conclusions

In conclusion, through this evaluability assessment, it became clear that sites had undertaken relevant and innovative reform through CIP. Moreover, a number of interventions assessed appeared amenable to outcome evaluation, and it appears that a full-scale evaluation will produce information of interest to the Children’s Bureau. However, in order to capture the dynamic reform process that characterizes CIP, this evaluation must be multi-faceted when describing and assessing the impact of interventions carried out through the program. A variety of methodological approaches and study activities must be included. As described in this report, the diversity of interventions undertaken should be documented, and existing evaluation of court reform should be synthesized. Outcome evaluation combined with process analysis should be undertaken in select sites.

Central to evaluability assessment methodology is the realization that recommended evaluation strategies must fit within the contextual realities of program implementation. The sites, interventions and recommended evaluation strategies presented in this report represent a balance. The interventions recommended for evaluation appeared capable of producing lasting change. Site staff were eager to participate in a national evaluation, beginning immediately. The interventions specified in this report also represent a diverse cross-section of reform activities undertaken through CIP. The components of the national evaluation presented here will accurately capture this diversity, while providing information on interventions capable of producing positive outcomes for children and families. Methodological rigor is balanced with the need to describe the full range of activities undertaken through CIP.

Appendix A

Court Improvement Project Evaluability Assessment (CIP-EA) Technical Work Group

Court Improvement Program Evaluability Assessment Project Technical Work Group

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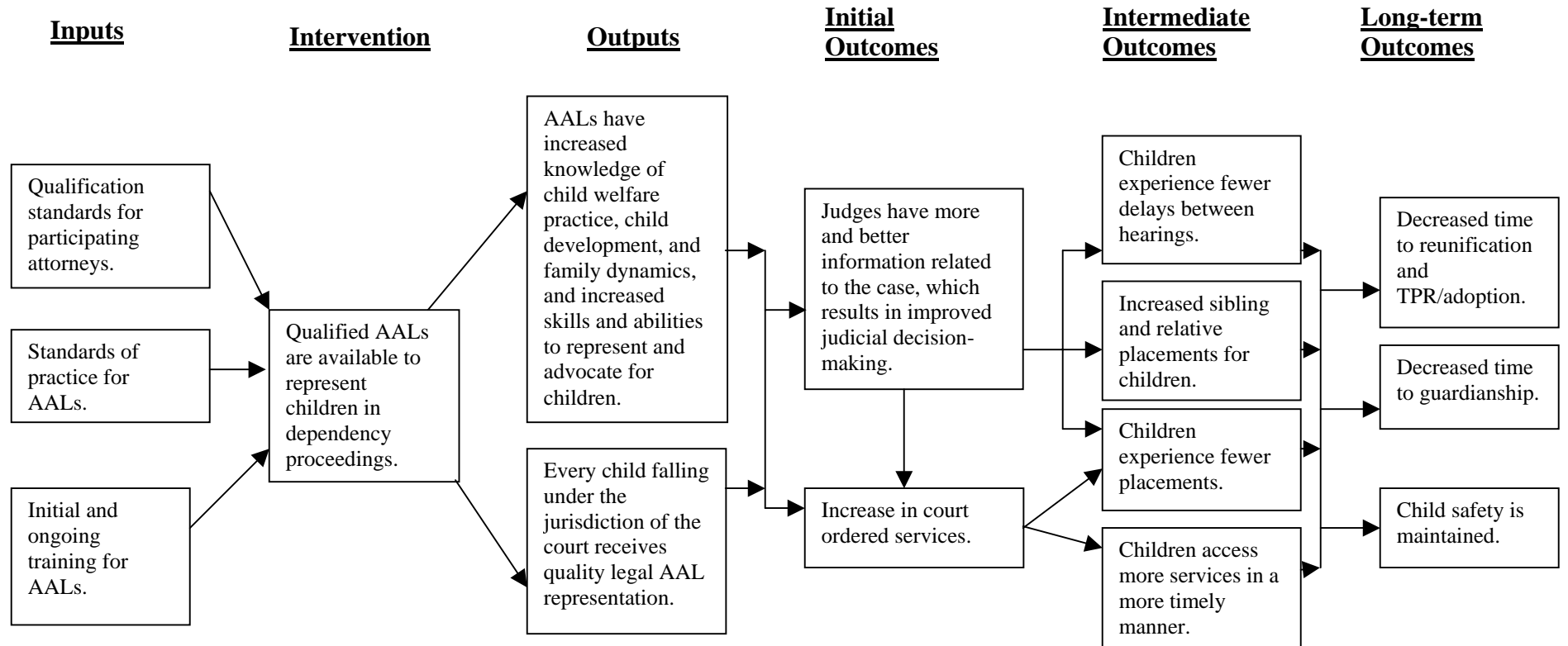
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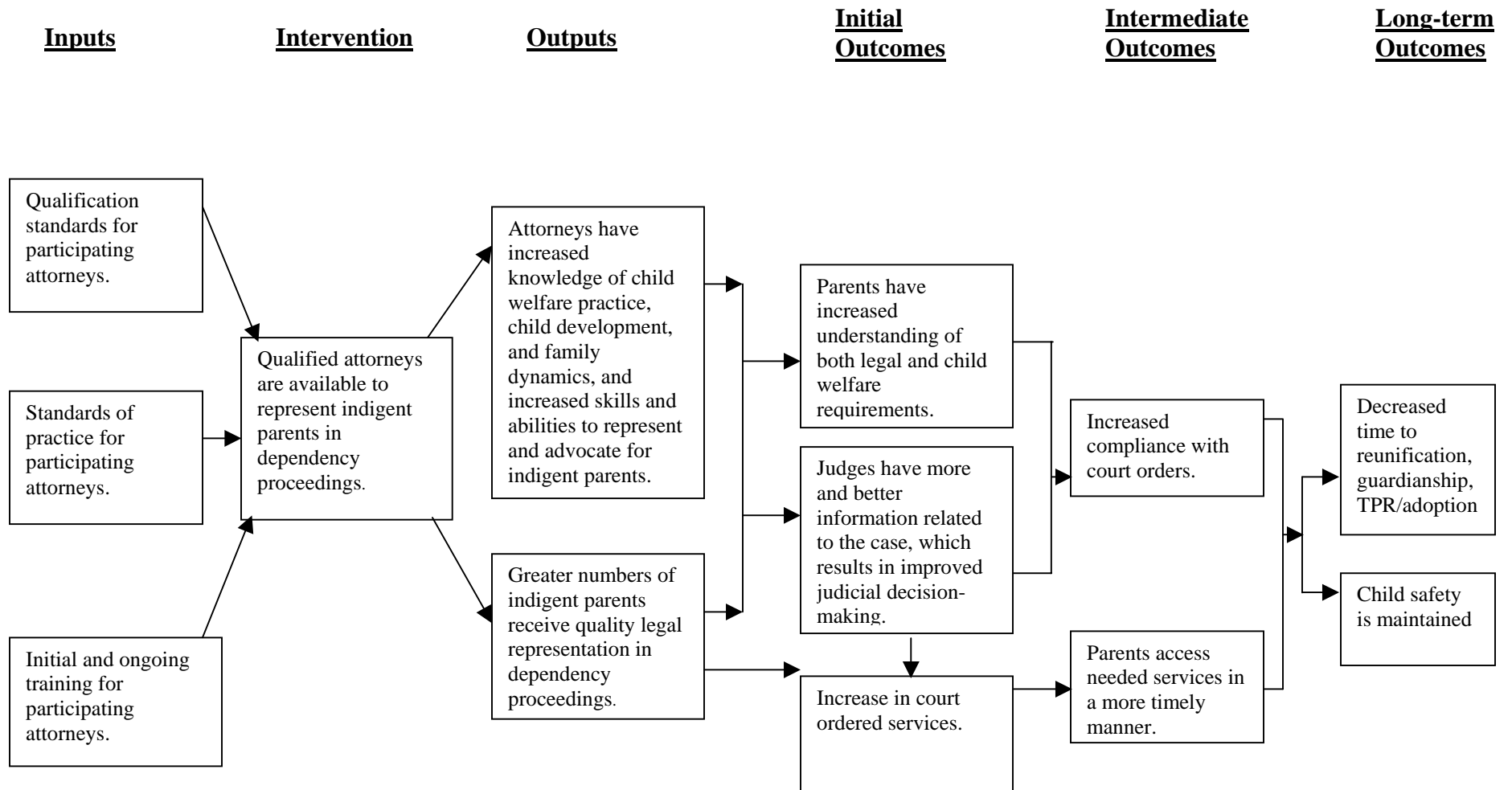
Appendix B

Court Improvement Project Evaluability Assessment (CIP-EA) Intervention Logic Models

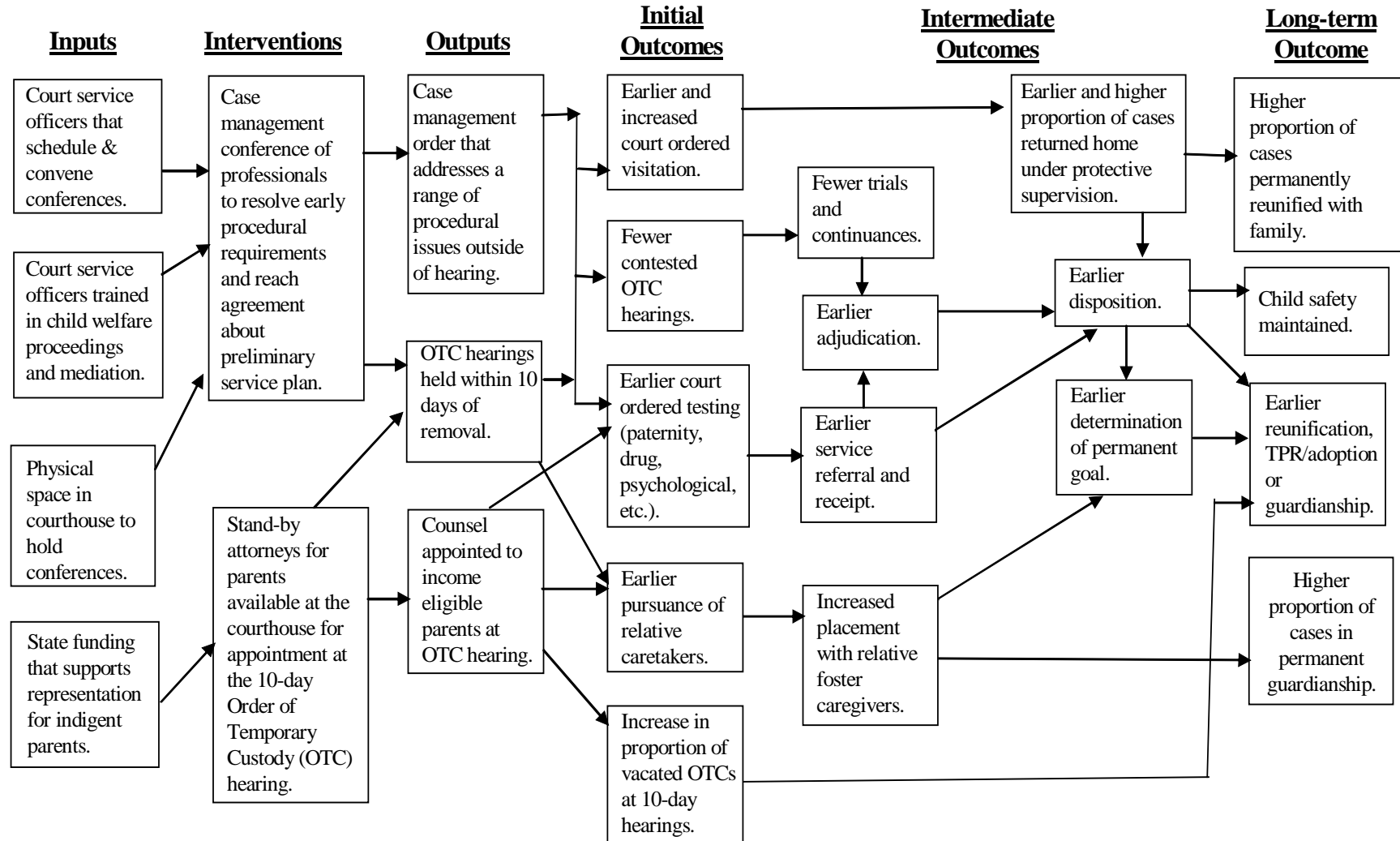
Arkansas' Attorney Ad Litem Program Logic Model



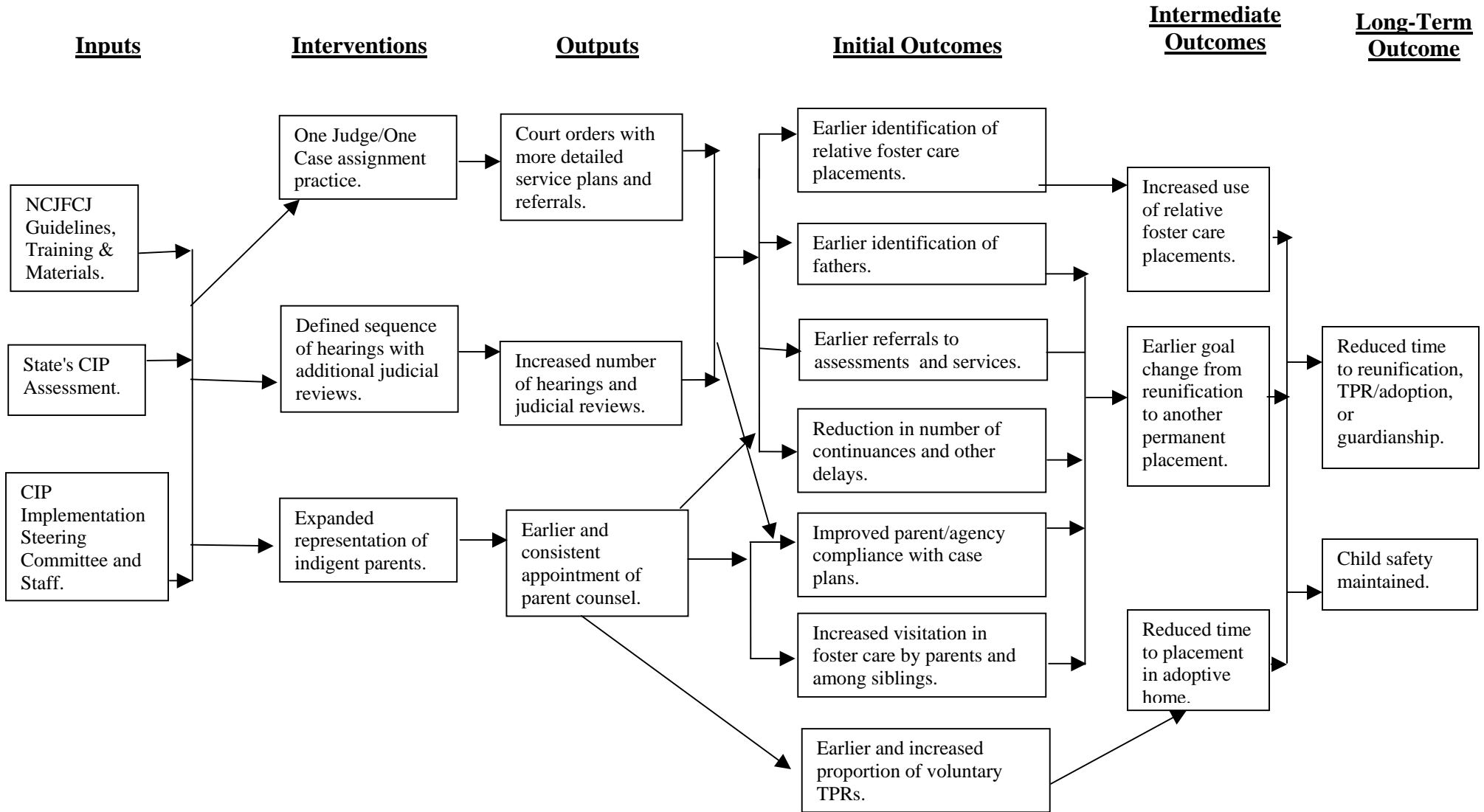
Arkansas' Indigent Parent Counsel Program Logic Model



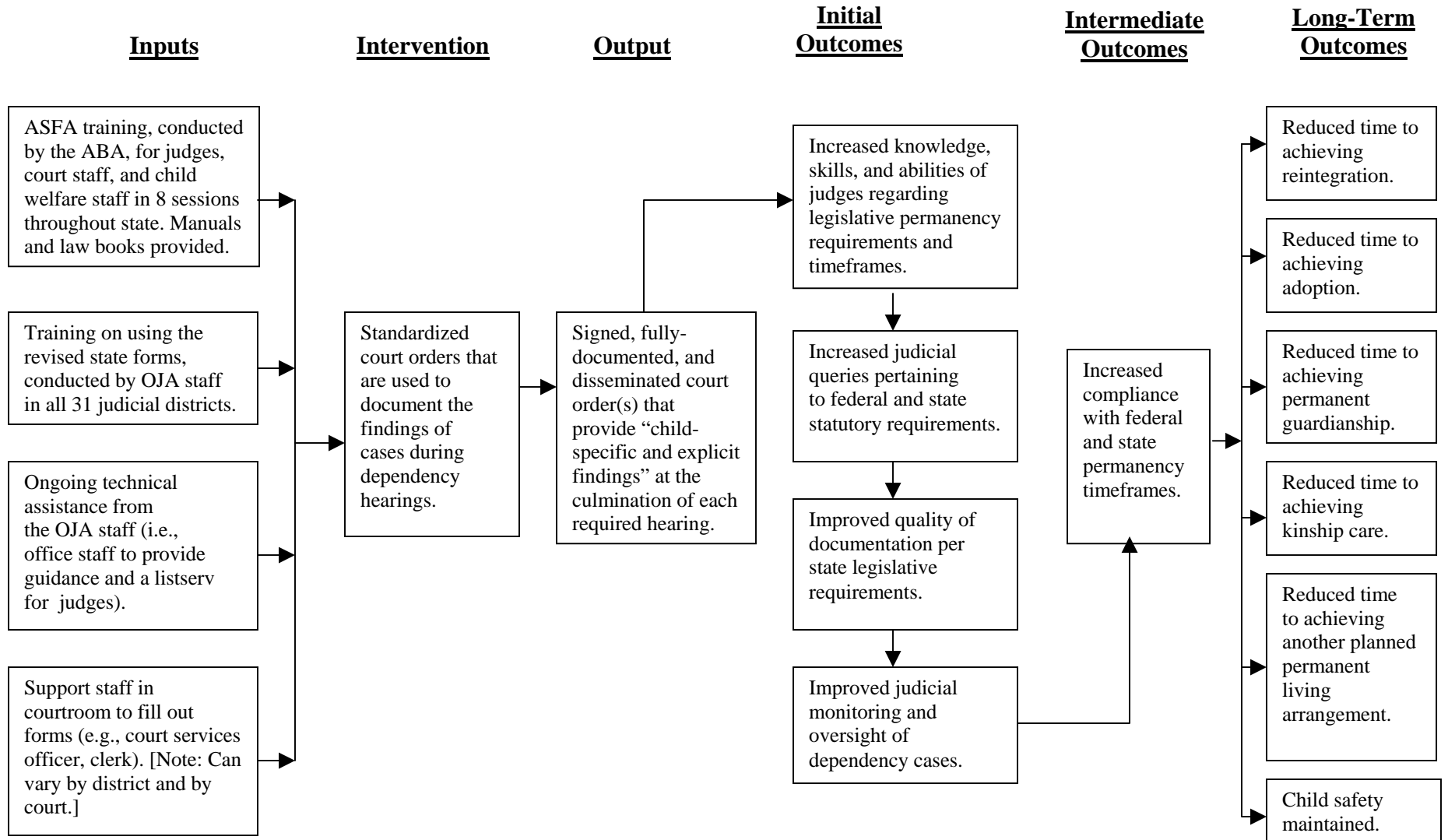
Connecticut's Case Management Protocol Logic Model



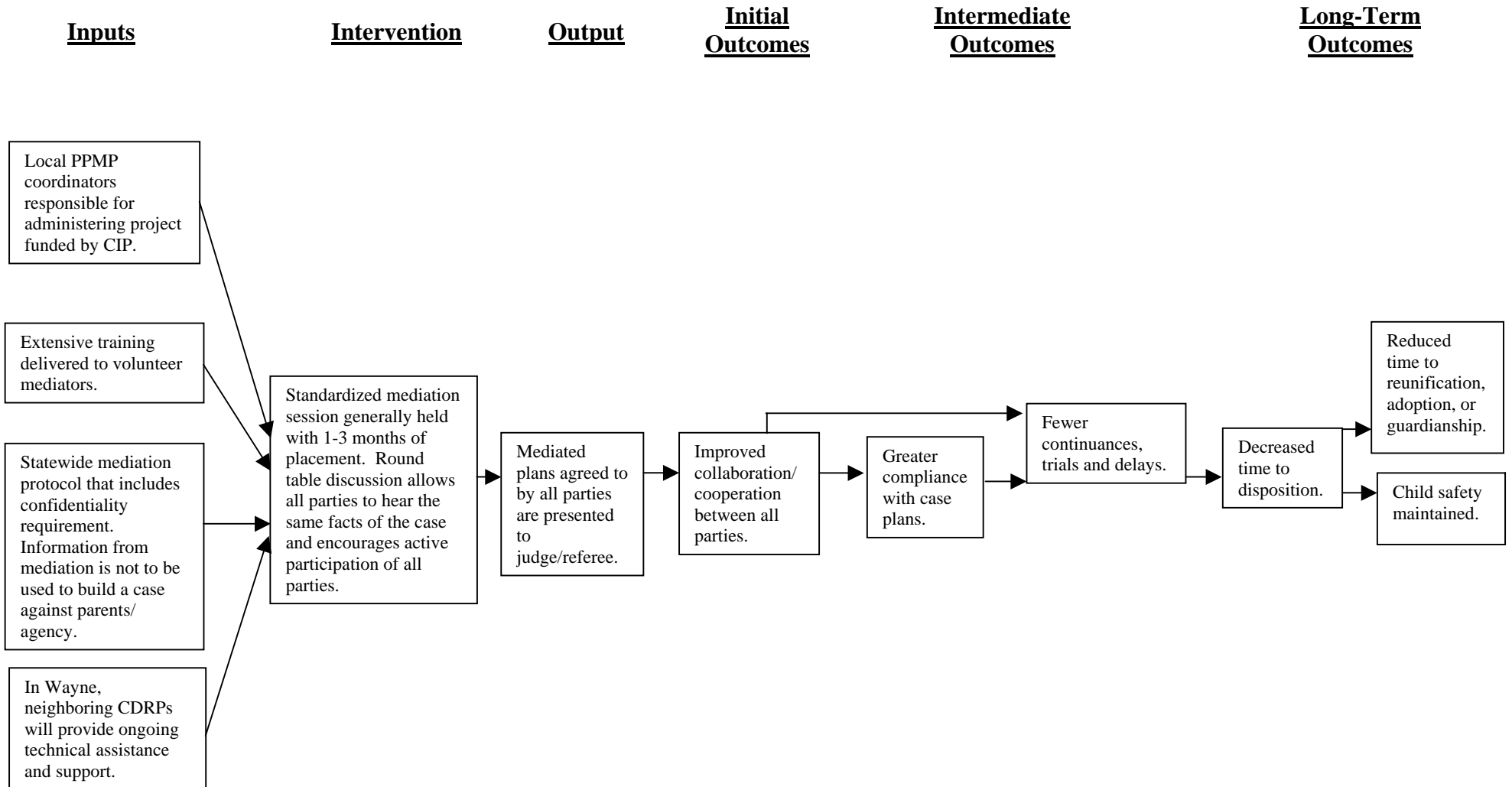
Delaware's Systemic Reforms Logic Model



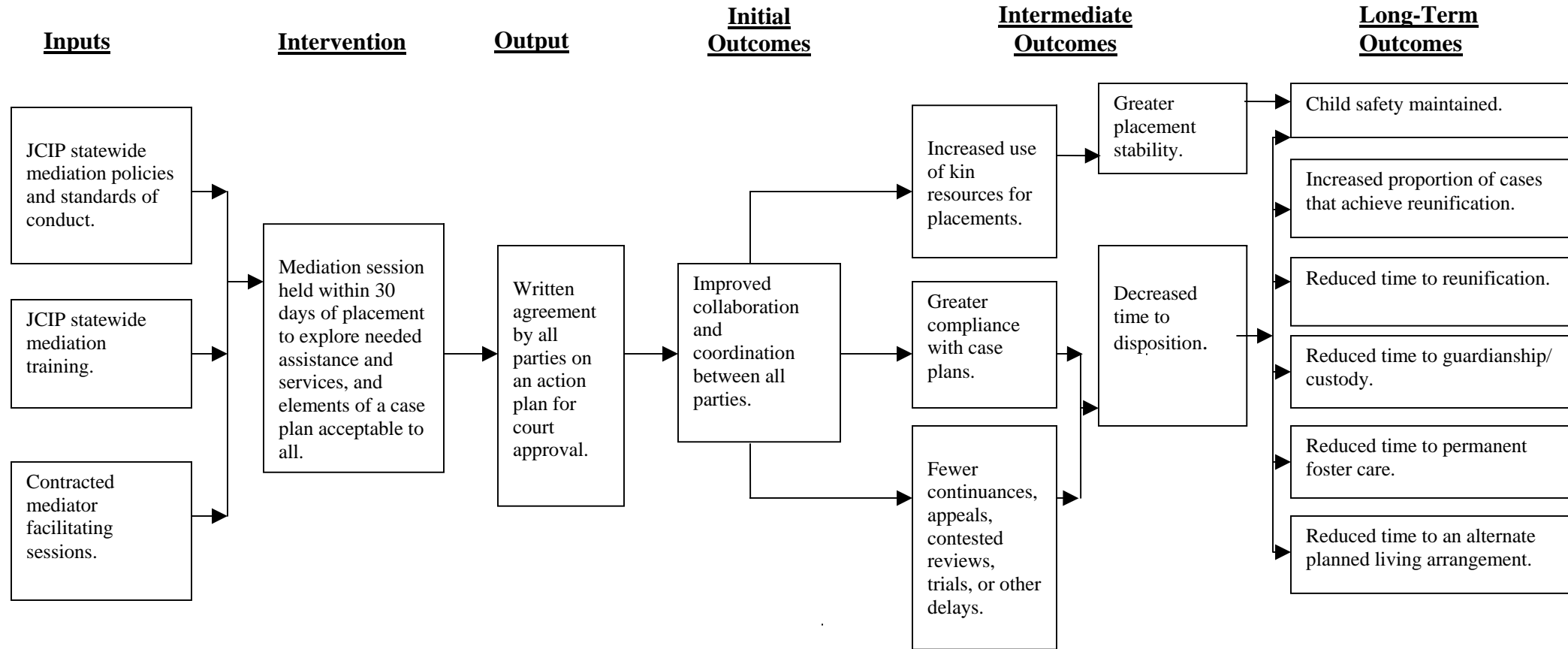
Kansas' Standardized Court Orders Logic Model



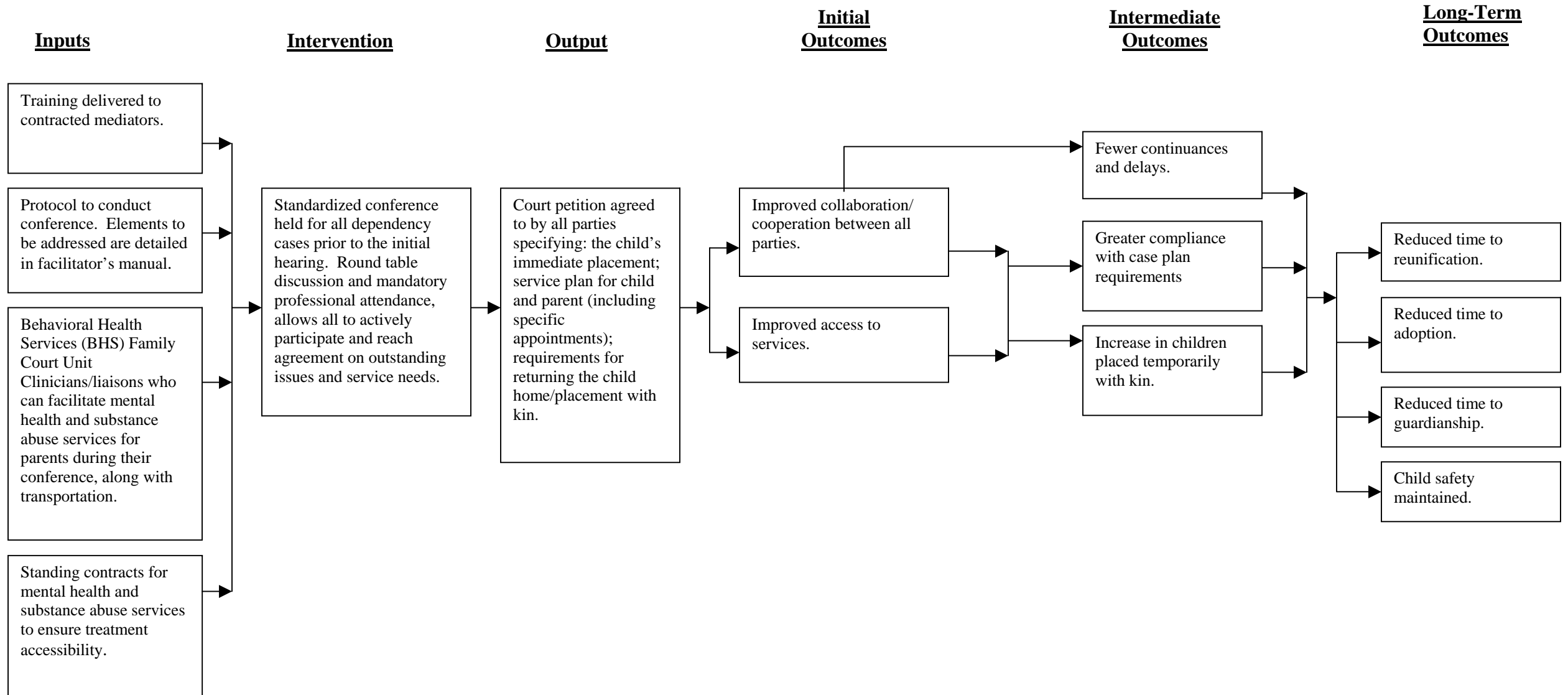
Michigan's Permanency Planning Mediation Program Logic Model



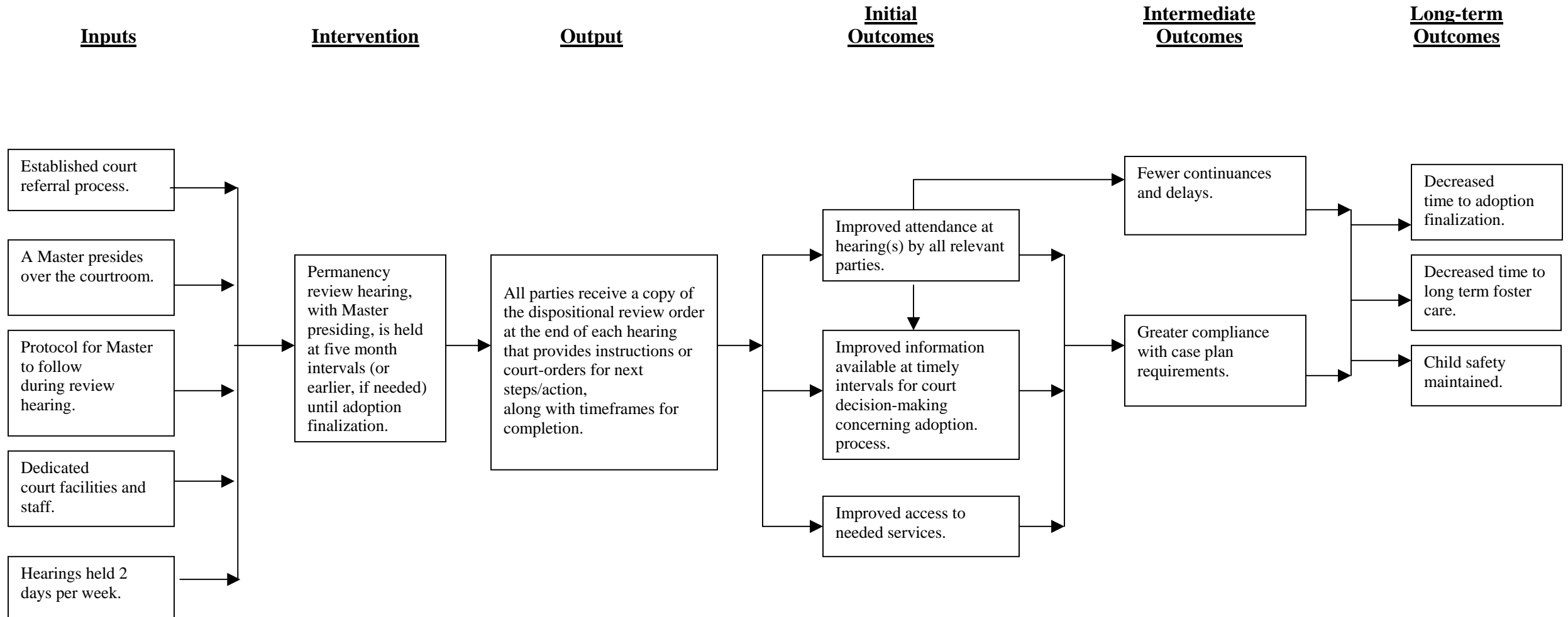
Marion County, Oregon's Dependency Mediation Project Logic Model



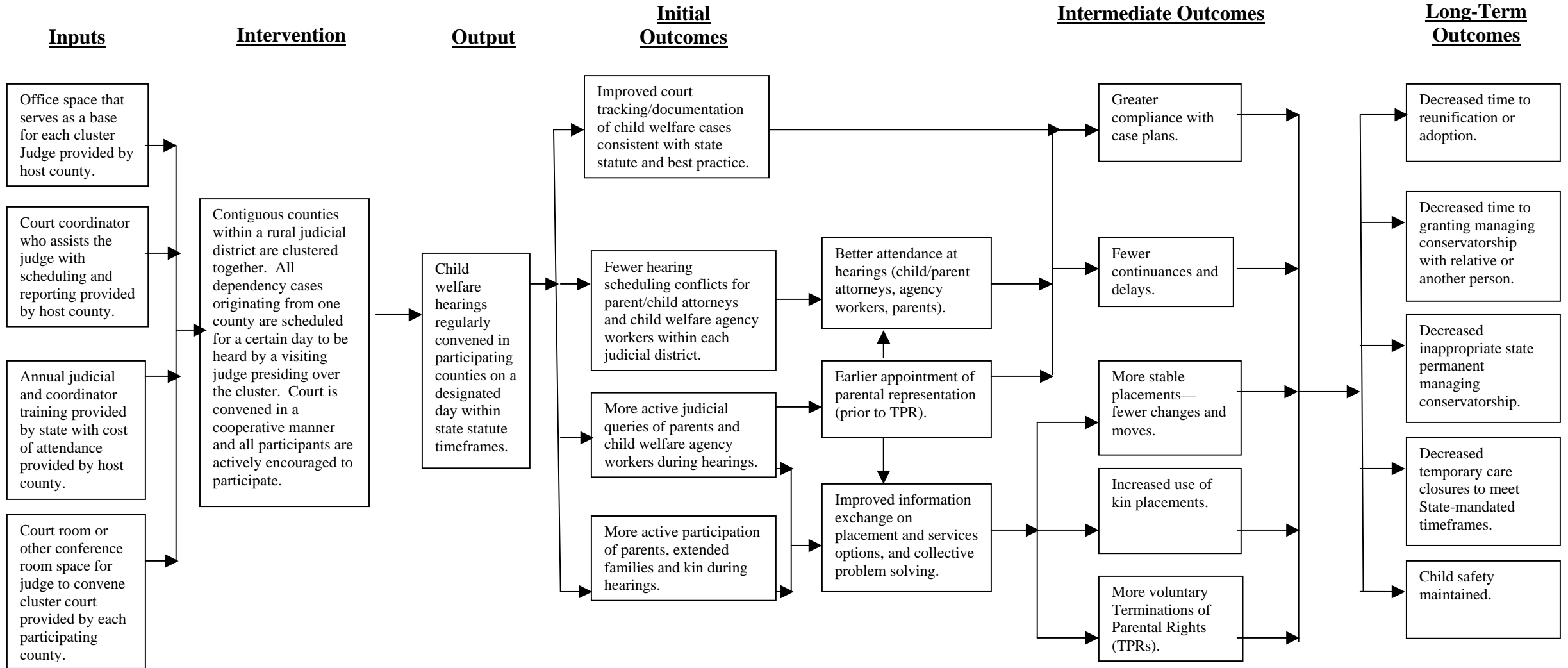
Philadelphia, Pennsylvania's Pre-Hearing Conference Logic Model



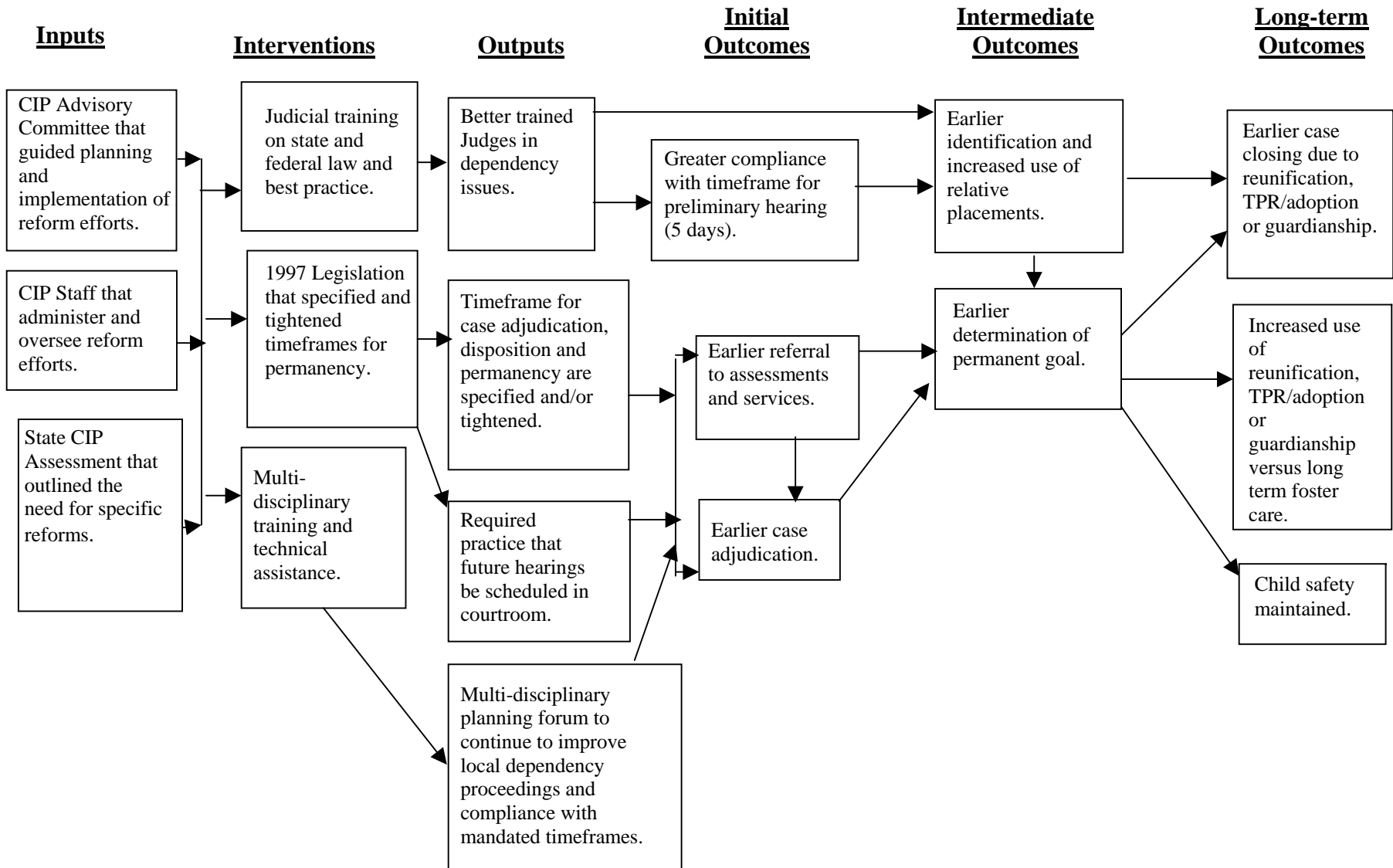
Philadelphia, Pennsylvania's Accelerated Adoption Review Court Logic Model



Texas' Cluster Court Logic Model



Fairfax County, Virginia's Systemic Reforms Logic Model



Appendix C

Summary of Court Reform Evaluations

ARIZONA

The Arizona Court Improvement Project: Five Years Later. Final Report. National Center for Juvenile Justice. January 2002.

Interventions and Methodology:

The purpose of this evaluation was to assess the outcomes of state-wide juvenile court reforms that were adopted in January 1999. Changes in statutes and court rules required Arizona's Juvenile courts to implement Model Court procedures. The reforms were to alter the role of juvenile courts in dependency matters by expediting initial dependency hearings, reducing mandated timelines for dependency findings, specifying time frames for permanency plans, and placing a greater emphasis on services for children and families. Cases were to be monitored more closely, more frequent hearings were to be held, and more information was to be provided to the court.

The study involved an examination of the effects of the reforms by comparing samples of dependency cases initiated in 1996, to cases initiated in 1999 after state-wide implementation. The evaluation team measured or examined timeliness of attorney appointments, early court proceedings, review and permanency hearings, specificity of hearings, permanency decisions, case outcomes, and differences in placement patterns.

Data was extracted from court files in four sample counties, two populous and two less populous. The two more populous counties involved using a matched pair sampling design. Most cases were reviewed in two stages, the first 12-15 months after the petition filing, and the final review at 16-24 months after the petition filing. A total of 629 children were included in the file reviews. A statewide survey was also conducted of key stakeholders in the four selected sites, as well as interviews. Hearing observations were also conducted to ascertain the length, substance, and timing of key proceedings, including who attends and participates at hearing events.

Outcomes Measures:

Permanency:

- Timeliness of the appointment of counsel, GALs, and CASAs.
- Length of time from petition to adjudication.
- Length of time to reach disposition and complete the first review hearing.
- Average time to completion of the first permanency hearing.
- Length of time for the courts to reach permanency decisions.
- Rate in which the courts made a permanency determination of reunification.
- Rate in which the courts determined that adoption was the appropriate permanency plan.
- Length of time for post-permanency reviews for children in an out-of-home placement for longer than 18 months after the permanency order.
- Length of time court cases were open before TPR motion was filed.
- Length of time for courts to complete TPR proceedings.
- Length of time in adoption cases for courts to file TPR motion.

- The rate in which the court was able to schedule an initial hearing on a TPR motion within the prescribed 30 days.
- The number of days between the filing of the guardianship petition and the first hearing.
- The rate of case closings within 18 months of petition filing.
- The percentage of cases closed because of adoption.
- The proportion of cases that closed due to reunification with custodial parents or placement with the non-custodial parent.
- Amount of time children spent in out-of-home-placement.

COLORADO

1. *Case Management in Colorado's Juvenile Courts*

Center for Policy Research, Nancy Thoennes, Ph.D. October 2000

Interventions and Methodology:

This study was to provide an initial assessment of the degree to which court facilitators are helping Colorado courts expedite case processing, accurately track cases, increase the amount of information available to the court, improve communication between the court and social service agency, and improve communication with the families involved in the system. All court facilitators are involved in monitoring and tracking cases as they move through the system. Most also conduct case conferences for the more complex cases, which is the main focus of this report. Case conferences are similar to court-based dependency mediation.

Interviews were conducted with court facilitators in nine Colorado districts. Also, 36 open-ended interviews were conducted in each jurisdiction with judges, magistrates, Guardian ad litem (GALs), parents' attorneys, social service attorneys and social workers. Court facilitators were asked to keep daily logs of how their time was allocated across a variety of tasks, such as database entry and hearing attendance. Facilitators were also asked to complete a data collection form following each case conference. The evaluation compares the time for case processing for 85 cases with case management conferences in three judicial districts. For comparison, 100 cases were selected from the year prior to implementation that would have been appropriate for a conference if case management had been in place during this time. A mail survey was also conducted to elicit feedback about how child welfare professional perceive court facilitation to be affecting the system in general and their own job performance in general.

Outcomes measures:

Permanency: The impact of holding case conferences to reduce the amount of time that elapses between petition and permanency planning hearing.

2. *Dependency Mediation in Colorado's Fourth Judicial District*, Center

For Policy Research. Nancy Thoennes, Ph.D. October 1999

Interventions and Methodology:

Dependency mediation had been operating in the Fourth Judicial District since 1995. In its first year of operations, 12 mediations were completed. In 1999, 350 dependency mediations were projected to occur. This evaluation of dependency mediation in Colorado's fourth Judicial District drew on the following data sources:

- Interviews with professionals who participate in dependency mediation.
- Data on 146 cases provided by mediators following the mediation session.
- Data drawn from the court files of 97 cases approximately 15 months following their participation in mediation.

- Data extracted from the court records of a group of 48 comparable cases in a similar jurisdiction that were never exposed to mediation.

Outputs:

- The rate in which mediated cases were able to resolve all of the issues during the mediation session.

Outcome Measures:

Permanency:

- The amount of time that that elapses between key events or hearings, i.e. amount of time to reach a permanency planning hearing.

3. *Report to the Commission on Families in the Colorado Courts. An Evaluation of the Family Court Program of the 17th District*; Center for Policy Research, Nancy Thoeness, Ph.D. October 2001.

The Family model court attempts to remedy the problems inherent in fragmented hearings by ensuring that multiple cases involving the same family are heard by the same court. The study involved the random assignment of 27 family court cases and 28 control cases, with dependency and neglect filings going to either the family court division or the traditional court processing (control group).

Outcome Measures:

Permanency:

- Length of placement for out-of-home placement cases

Well-being:

- The impact of one-judge one/family policy on judges' quality of decisions (more informed bench), family compliance, the court's ability to meet the needs of the family.

CONNECTICUT

Analysis of Case Management on Child Protection Proceedings for the State of Connecticut Superior Court for Juvenile Matters; Edmund S. Muskie School of Public Service, National Child Welfare Resource Center for Organizational Improvement; January 1999.

Interventions and Methodology:

This report evaluates the performance of the Case Management Protocol Pilot that was designed and implemented in 1997 and based in the Superior Court for Juvenile Matters in Hartford. An evaluation of the project began in July 1998, and was conducted over a four months. The area of focus for this study was to assess the quality of court proceedings; the quality and timeliness of representation, and the impact of court procedures on key participants. Under the pilot, all cases are scheduled within 10 days of filing the petition. Three standby attorneys were made available to represent parents who need a court appointed attorney. The attorney meets with client, reviews paper work and participates in a case management conference, facilitated by a Court Services Officer (CSO). At the conference, parties work to identify and resolve issues, and set up any necessary evaluations or services. A judge was also made available to meet with parties and approve any reach settlements.

The research included qualitative and quantitative data collection and compared data from a limited number of cases filed in Hartford after 12/1/97 to cases filed in other courts in CT during the same time period as well as to cases filed in Hartford during a similar time period one year before implementation. Interviews and focus groups were conducted with key informants, data were collected from the automated case management system, and cases filed before and after the implementation of the pilot. Case management conferences and subsequent court proceedings were also observed. The analysis of cases concentrated on the comparing the performance of the Hartford court with the other juvenile courts in CT in terms of the time frames needed to resolve cases involving Orders of Temporary Custody (OTC).

Outputs:

- Number of well-qualified staff (attorneys, CSOs, and judges) available to hear matters when they are scheduled.

Outcome measures:

To assess the benefits of early appointment of counsel and early case management, the following were measured:

- Follow-through of decisions at case management conferences and whether an established protocol was in place for decision-making to assure that the needs of the families were being met.
- Stakeholder perceptions and assessment of the quality of representation, early appointment, training and compensation of attorneys through interviews and focus groups.

DISTRICT OF COLUMBIA

The Child Protection Mediation Program. Evaluation of the Pilot Project and Recommendation for Improvement. B. Letiecq and M. Drewery, American Bar Association Center and the Law. June 1999.

Interventions and Methodology:

The purpose of this evaluation was to assess the effectiveness and utility of a mediation program that began implementation in 1998 within the Family Division of the District of Columbia Superior Court and ended in December 1998. Upon recommendation of the DC Court Improvement Advisory Committee, the pilot incorporated the guidelines of Child Protection Mediation Program Policies and Procedures Manual. Forty cases were randomly assigned to the mediation program and 48 cases were randomly assigned to the status control group that was assigned to status hearings. Data for the evaluation were generated from observations of mediation sessions and status hearings, social file and court jacket reviews, and court participant surveys. Focus groups were also conducted with representative professionals participating in mediation.

Outputs:

- Rate that mediated cases reached some agreement regarding the treatment plan at the mediation session.

Outcome Measures:

Permanency:

- Length of time mediation cases from initial hearing to adjudication. Mediation cases took 136 days, from initial hearing to disposition. The control group took 170 days.

Well-being:

- Number of children referred to participate in individual therapy.
- Number, timeliness, and type of services ordered for parents such as drug and alcohol treatment.
- Number of parents ordered to attend parenting classes.

ILLINOIS

Evaluation of the Parent Education Program. Frank Holiwski, DePaul University, October 2000.

Interventions and Methodology:

The parent education program started as a tool for informing parents about the court process and their rights and responsibilities regarding their efforts to be reunified with their children. The evaluation examined the 2,307 families served by the Parent Education Program (PEP), which was 48 percent of the parents who came through the Cook County Circuit. Information was gathered by examining the records of both PEP and the circuit court.

Outcome Measures:

Permanency:

- Length of time between the temporary custody (TC) hearing and the adjudicatory hearing, and between the TC hearing and dispositional hearing.
- Length of time between the first permanency hearing and the closing a case as well as the length of time between the first dispositional hearing and the closing of a case.

MAINE

The Evaluation of the Child Protection Case Management Procedure and the Lewiston Mediation Project. Hornby Zeller Associates. September 2001.

Interventions and Methodology:

The purpose of this evaluation was to assess the effectiveness of the Case Management Procedure that was instituted in June 1999 by the Maine District Court for child protection cases. The intent of the Procedure was to have judges actively direct the court of child protection litigation through case management conferences. The new procedures included holding conferences of all parties in the judge's presence at marked intervals of the case, in order to cover essential elements of the case and order appropriate family services to be promptly delivered. The study was to also determine whether the use of mediation in Lewiston had been effective in helping parties reach satisfactory agreements that resulted in either partial or complete settlement of the cases.

Five areas across the state were selected as focus communities. Interviews and focus groups were conducted with court and social services personnel, mental health providers, and parent participants. Randomly selected court files were reviewed. Courts were divided into four categories, based upon the number of filings per year, as a way to determine whether compliance with the proceedings varied by size of court.

The mediation project was originally designed to randomly select cases, but was changed when it became clear that not all cases were conducive to this approach. In later design, only cases that the judge and/or parties believed might benefit from mediation were referred.

Outputs:

For Well-Being and/or Permanency

Rate in which mediation was helpful in addressing and resolving issues such as visitation and the number of sessions that resulted in partial or complete mediation agreements.

Outcome Measures for Case Management Procedure:

Permanency:

- Effectiveness of case management procedures in promoting early settlement of cases and other benefits to participants such as addressing paternity issues early on, and focusing on service needs and visitation plans.
- Rate of contested hearings.

MARYLAND

1. *Evaluation of Legal Compliance, Maryland Juvenile Computer Systems*; Walter McDonald and Associates, Sacramento, CA. January 2001.

Interventions and Methodology

In 2000, the MD Administrative Office of the Courts reviewed two existing automated information systems for their juvenile courts: the Uniform Court System (UCS) Juvenile Module and the MD Automated Judicial Information for Children (MAJIC). Both systems were designed to collect and use statistical data and other information in the processing and management of cases in order to assist courtroom and judge scheduling and to meet legal requirements. The study conducted a comparative analysis of both systems. The UCS system has been piloted in Montgomery County since 2000. The MAJIC system has been operational since 1999 in a number of jurisdictions including the site chosen for this review, Frederick County. The purpose of the study was to review the extent to which the selected implementations of the two systems supported the local court in meeting the legal requirements for processing child welfare cases, and to support future decision-making regarding state-level implementation of a single system. The report addressed the extent that the computer systems were collecting and processing information relevant to legally mandated time lines and standards.

After review of system documentation, a half-day site visit was arranged to conduct interviews with key users of the system. The results of the time-based study were then translated into a summary comparison of the two systems. The study focused on outputs, or process measures. It assessed which legal standards and timelines were being tracked and documented.

In Frederick County, the following processes were assessed:

- When amendments can be made before the adjudicatory hearing ends.
- Timing of permanency hearing and whether they were held within 30 days if reasonable efforts to reunify are waived.
- Circumstances surrounding an order for emancipation, long-term foster care, or temporary foster care and whether a compelling reason was shown that returning home, guardianship, and adoption are not in child's best interest.
- Timing of a substantial review hearing with the goal of achieving permanency within 24 months of out-of-home placement.

For Montgomery County the following processes were in place, and deemed operational:

- Timing of permanency hearing and whether it was held within 30 days if reasonable efforts to reunify are waived.

2. *Final Report of the Evaluation of Automated Information Systems for Juvenile Court Project.* Richard Wheeler, Accenture, L.L.P., Annapolis MD. February 2001.

The Administration Office of the Courts (AOC) contracted with Accenture (formerly known as Anderson Consulting) to conduct an evaluation of USC and MAGIC. (See above). In January and February, they reviewed system documentation and court documents such as court orders, notices and statistical reports, conducted site visits at the fifth Circuit Court in Annapolis, and District 6 in Rockville. They conducted interviews with judges, court clerks and administrators, programmers, and users of both automated systems

Findings in this report only pertain to how well the evaluators felt each system operated and how the users felt about each system. The report does not address or try to evaluate the effectiveness of each system in tracking permanency or meeting timelines. However, it does recommend that statewide structures and data standards be established for court information systems as well as a standardized user interface.

MASSACHUSETTS

In 1999, an evaluation of the Permanency Mediation Pilot was conducted by the Center for Adoption Research and Policy. Established in the juvenile court and probate and family court departments, the model utilized family group conferencing when the goal was reunification, and cooperative adoption planning when reunification was no longer a viable option. The evaluation included cases that were referred for mediation in both the probate and family court and the juvenile court. Participants were queried about the program to determine whether they would like to have it continued and expanded.

Outputs:

Permanency:

- Settlement rate of those cases that completed family group conferencing.

MINNESOTA

1. *Family Group Conferencing Pilot Project, Hennepin County, Minnesota, Final Report.* Stacey Mangni, Research and Evaluation Services, State Court Administration, Minnesota Supreme Court. September 2000.

Interventions and Methodology:

Once a case is referred to the FGC process and informed consent is given by all parties, a trained coordinator works to bring together the families and professionals in a neutral location. A typical meeting consists of providing information, allowing for family private time to decide on a plan, and writing and presenting the plan to the social worker and coordinator, at which point any remaining safety concerns are answered before the plan is presented to the court.

The pilot was initially only to involve child protection cases but later opened up the process to other types of referrals. Research methods included four main sources: data from the FGC coordinator form, case reviews from an automated system, observation of the FGC process and interviews with key players. A total of 66 cases were referred to the pilot beginning in the summer of 1999 and ending in spring 2000. Forty-two of those cases participated.

Output:

- Rate in which family group cases had their plans accepted or ordered by the court.

Outcome Measures:

Permanency

- Proportion of the referrals that resulted in a conference whose cases were subsequently closed—indicating a more permanent placement solution.
- Number of closed cases that went through the FGC process and the number of children from those cases who were placed with their parents or relatives.
- Rate of participation of fathers and paternal relatives.

2. *Children's Justice Initiative*

MN is in the process of evaluating their CIP program through the *Children's Justice Initiative*, in conjunction with MN Department of Human Services. They are assessing all 87 counties in how well they are processing child protection cases and whether they are improving outcomes for abused and neglected children. The CIP has developed a five-step evaluation process that begins with a baseline evaluation of each county's existing juvenile court practices and procedures set forth in the Resource Guidelines. Two years after the baseline evaluation is completed, the State Court Administration will conduct a follow-up evaluation and identify any remaining areas needing improvement. Each county will also conduct a self-assessment.

MISSOURI

1. *Juvenile Court Improvement Project Evaluation, Two-Year Final Report*. Institute of Applied Research, St. Louis MO. November 1999.

Interventions and Methodology:

The purpose of this evaluation was to assess two pilots in the 2nd and the 23rd Missouri Judicial Circuits. The pilots were designed to accelerate and reform the juvenile court process for child abuse and neglect cases. The interventions included holding protective custody hearings in all protective custody cases; appointing a GAL for each child removed from the home; and adhering to set timeframes of hearings within a 12 month period. There was also a component requiring specific issues and items be explicitly addressed in each case to improve the thoroughness of the hearing. Key personnel were to receive joint training and a family centered out-of-home-placement program (FCOH) was to be instituted as well.

A total of 395 cases from Circuit 23 and 99 cases from Circuit 2 were tracked for frequency of hearings and timeframes. However, these cases were continually assigned at various stages of development, so the number of cases reported varied. Comparison groups of juvenile cases were assembled from within the same circuits that had been opened and in many cases closed two years before the pilot began. Baseline cases were also matched with pilot cases. The evaluators reviewed court and social service agency case files, as well as conducted interviews with court and DSS personnel.

Outputs:

- The number of children exiting care from DSS.
- Number of calls received through the child abuse/neglect hotlines.

Outcome Measures

Permanency:

- Time frames within in the court process such as the amount of time to permanency hearing.
- Number of protective hearings held in all cases.
- Number of TPRs.

Safety:

- Rate of out-of-home placement after closure of cases.

2. *Juvenile Court Improvement Project Evaluation, St. Louis Family Court. First Interim Report* Institute of Applied Research, St. Louis MO. July 2001.

This is a pilot project with a study design similar to the one described above. They are planning to measure outcomes relating to safety by tracking the number of CA/N reports, types of abuse and neglect, new CA/N reports with an action finding (substantiation,

preventive services, or family assessment with services needed), and new removal and placements outside the home.

NEBRASKA

1. *Family Group Conference Outcome and Process Evaluation Plan*, Victoria Weisz, University of Nebraska. January 2001

This is an evaluation plan to study the effectiveness of Family Group Conferencing defined as a facilitated process through which an extended family works to develop safety plans that protect their children. The project will involve a comparison of up to 50 Nebraska children between the ages of 6 and 16 who have had a Family Group Conference and a matched group of children who have not had a conference. Children who have had a FGC will be assessed at six months post-FGC and again at 12 months. The assessments will include the Child Behavioral Checklist and the Child Depression Inventory, structured interviews with the child, the child's caretaker and a court file review. Caregivers and teachers will complete the Acenback Child Behavior Checklist on children from both groups.

2. *The Court-Appointed Special Advocate (CASA) Program: Bringing Information to Child Abuse and Neglect Cases*. Victoria Weisz, 8/16/01.

Interventions and Methodology:

This study compared 21 judicial hearings involving children who had a CASA with 20 hearings for children who were on a waiting list for a CASA. Judges, CASAs, and GALs provided data for this study. They examined whether CASA involvement improves the breadth and quality of information provided to the courts.

NEW MEXICO

1. *The Status of Court Proceedings in Child Abuse and Neglect. A Research Project of the New Mexico Court Improvement Project.* Shaening and Associates, February 2001.

Interventions and Methodology

The purpose of this evaluation was to perform a follow-up assessment of CIP strategies to expedite permanency outcomes which were adopted following the original assessment in 1995. The comprehensive reforms and strategies that were put in place included:

- Conducting permanency hearings.
- Streamlining the review process.
- Shortening time frames for adjudication and judicial review.
- Improving case management processes.
- Providing training to court staff.
- Performing psychological evaluations.
- Improving the quality of representation.
- Improving tribal relationships.

Additional strategies were also adopted relating to issues of confidentiality, the impact of managed care of foster care children and local responses to child abuse and neglect.

The methodology used site visits to six courts and the administration of questionnaires to key players, interviews with judges and the review of case files. Where applicable and when available, rates of improvement were compared to those found in the 1995 assessment.

Outcome Measures:

Permanency:

- Rates of compliance with judicial determination requirements.
- Rates of timeliness
- Disposition of dismissed cases, including the proportion of children who returned home, and the median length of custody.

2. *Family Group Decision Making. A Pilot Project of the Protective Services Division of the New Mexico Children, Youth, and Families Department.* Shaening and Associates, October 2001.

Interventions and Methodology:

The FGDM model consisted of three components: the referral stage, the preparation and planning stage, and the meeting stage. In the referral stage, social services identified families who seemed appropriate for the pilot. The families signed participation agreements and identified other family members to participate. In the preparation and

planning stage, the facilitator explained the process and the roles of all participants. In the third stage, the families developed a service plan that was then approved by the protective services agency. Data was collected through the use of tracking forms for each meeting and participant feedback forms.

Outcome measures:

The evaluation tracked the number of FGDM meetings held, type of participant, and the type of issues addressed in the family plans. They also collected data on how participants felt about the process and conducted a preliminary cost benefit analysis.

Permanency:

In custody cases, the study examined the number of families that resolved permanency options and the number of families who complied with treatment plans. They also assessed whether time in custody had been shortened.

NORTH CAROLINA

Final Report on the Evaluation of the North Carolina Court Improvement Project. Ray Kirk, Jordan Institute for Families School of Social Work, March 2001.

Court practices were monitored in Judicial Districts 20 and 25 for 2 ½ years to test the efficacy of new rules intended to improve the manner in which the courts processed juvenile cases. The new rules governing these cases affected judicial procedures, court administrative procedures, prioritization of cases, and expectations of attorneys representing all parties. (The new rules are listed on pages 5-7 of the report). Also, new types of conferences and hearings were implemented to expedite progress towards case closure. The intended results of the new rules were to:

- Reduce the frequency and number of out-of-home placements of children.
- Reduce the duration of out-of-home placements.
- Reduce the length of time necessary to achieve a mandated form of permanency for the children.

This evaluation was designed to measure the effectiveness of the new rules in achieving the intended case outcomes, and also to test the courts' ability to implement the new rules to a sufficient degree so that the court model had a reasonable chance of success. More than 1,250 cases were reviewed, including 455 cases from the 2 districts to obtain a baseline sample against which to compare the cases processed under the new CIP rules. Specifically the study examined:

- Time related measures on the filing of petitions, adjudications, and dispositions;
- Frequency-related measures relating to hearings, continuances, reviews, placements, and mandated case outcomes.

Outcome Measures:

Permanency:

- Reduction in time to achieve critical junctures in juvenile cases.
- Reduction in overall duration of cases.
- Reduction in the number of out-of-home placements of children.
- An accelerated time to permanency.
- Reductions in cases heard by multiple judges.
- Reductions in continuances granted.

OHIO

Ohio Family Court Feasibility Study, Phase II Final Report. Hunter Hurst, Jr., Gregg Halemba, National Center for Juvenile Justice. January 2002

Interventions and Methodology:

In June 1999, the Supreme Court of Ohio and the Ohio Department of Job and Family Services funded four family court pilots in Clermont, Lorain, Fayette and Mercer Counties. The pilots were a formal test for Ohio to examine the feasibility of transferring family court principles, procedures and programs to additional jurisdictions. NCJJ was contracted to assist in site selection, provide technical assistance, monitor and report on progress, and gather data to assess the performance of programs started by the pilots. The pilots implemented interventions relating to intake coordination, information linkage and integration, family services coordination, family services, and mediation expansion such as counseling and assessment, and custody investigation expansion. One county began screening at intake for related family cases and consolidating related cases across court divisions.

It should be noted that data were collected on many different types of cases by NCJJ in addition to child protection cases, making it difficult to determine what type of cases received what kind of services/interventions. There is also a focus on tracking cases relating to divorce, child support enforcement and juvenile delinquency. The NCJJ study basically summarized the services of each pilot citing a few findings relating to divorce and custody cases. They also assessed client satisfaction with mediation services across sites through the use of uniform client satisfaction questionnaires. The key findings however, pertained to their assessing the percentage of families with prior court involvement. Over 1600 family-type cases were included in the study. All four pilots contributed to the related cases study.

Output:

- Progress of parent participants in reaching a mediation agreement.

Outcome Measures:

Safety:

- Rate of related cases (involving the same family) five years prior to the filing of the selected family case.

PENNSYLVANIA

Pennsylvania Court Improvement Project. First Year Assessment of the Philadelphia Model Dependency Court. Hunter Hurst, Jr., Gregory Halemba. July 2000.

The assessment examines the first 15 months of model court operations in the Philadelphia Model Dependency Court and the degree to which model court practices have improved the quality and timeliness of court proceedings and have resulted in more timely outcomes for victimized and maltreated children. It is a comparative analysis of court case records that tracked the court's handling of dependency cases in both the model court and non-model or "core" dependency courtrooms. The model court was created to test procedures for front-loading the court process (as described in *Resource Guidelines*) the key features of the model court to front load the Court Process:

- Expedited Notice to Parties prior to initial hearing.
- Early appointment of counsel for custodial parents or guardian prior to initial appearance in court.
- Children's attorney requirement to meet with clients prior to initial hearing and contact DHS social worker and parent's attorney.
- Parent's Attorneys requirement to meet before adjudicatory hearing, and contact DHS and child's attorney.
- One family/one judge case assignment.
- Time specific scheduling.
- One hour time blocks for each conference/hearing.
- Formal pre-hearing conference before a facilitator.
- On-site substance abuse and mental health assessments and referrals.
- Detailed court orders distributed at the end of every hearing.
- Three month review cycle.
- Distinct permanency hearing.
- Facility designed to engage families in the process.
- Six months after implementation, an Accelerated Adoption Review Court was created as part of the model court to expedite the cases of about 1000 children legally free for adoption and in pre-adoption homes.

Interviews of court staff were conducted as well as field observations. Two sets of data were used for comparative analysis—data extracted from an automation system and data manually collected from randomly selected court files. The automated data set contained information on key events such as petition filing, hearing results, petition disposition, and case closure.

Outcome Measures:

- Rate of dispositional decisions on petition allegations. Court orders stemming from model court hearings were also considerably more detailed and specific regarding placement, visitation and services.
- Rate of case closures.

WISCONSIN

1. *Evaluation of the Unified Family Court in LaCrosse and Monroe Counties*. Center for Public Policy Studies, Undated.

Interventions and Methodology

The major features for both pilots included:

- Using a mediated child protection conference model that included participation by the accused, other family members, foster parents, and children, as well as caseworkers, service providers, attorneys for all parties and the state, and guardian ad litem for appropriate parties.
- Referring to child protection conferencing all civil and misdemeanor child abuse and neglect cases filed in the court.
- Attempting to resolve companion felony cases for those families that were involved in both felony and non-felony child abuse and neglect cases.
- Using the mediation conference to resolve TPR matters as well as CAN matters.
- Training mediators to encompass being an educator of the court process and a facilitator of information exchange.
- Combining into one conference all cases involving more than one child in a family.
- Emphasizing regular and frequent expedited reviews by the judges.

Both counties selected the filing of a Child in Need of Protection or Services (CHIPS) case to trigger eligibility for the pilot. The pilot counties provided the option of a mediated child protection case conference to resolve: 1) the CHIPS case 2) a concurrent criminal child abuse allegation arising out of the same incident, and 3) any other companion case that might affect the resolution of the CHIPS case, such as divorce, child custody or domestic violence. Information about the conference process and any problems encountered was obtained through interviews with mediators and other actors in the justice system.

The evaluation team analyzed the results of the conferences that came from case file data, such as the rate of success in reaching an agreement, time to resolution, type of CHIPS dispositions, the resolutions in companion cases (criminal abuse cases), and the compliance of the parties with agreements reached through the conferences.

Outputs:

- Rate of resolution in a single conference session.
- Number of agreements that were reached among parents, family members, court and social service personnel in CHIPS cases.
- Rate of complete mediation plans with few revisions.

Outcome Measures that relate to the CHIPS cases:

Permanency:

- The difference between the average case processing time for civil CHIPS cases resolved through the mediated child protection conference, to the average case processing time for cases resolving using the traditional civil process.
- Quality of case preparation by justice and social service system representatives.

Safety:

- Quality of treatment plans that could better meet their needs and increased the chances for better protecting children;
- Assessment of whether mediation conference provided a safe forum for children to confront parents.

2. *Vernon County Evaluation of the Expedited Review Pilot Program.* American Bar Association Center on Children and the Law. Undated

The purpose of the evaluation was to determine if sufficient progress was being made to return the child to the home, to justify keeping the child in foster care, or to terminate parental rights and place the child for adoption. The pilot project increased the number of review hearings in CHIPS cases, which were to be reviewed every 60 days. The evaluation was conducted after 18 months of implementation. Interviews were conducted during a site visit with court and social services personnel. Sixteen CHIPS case files were reviewed to assess the progress of the cases over a period of 15 months. Because all CHIPS cases were included in the pilot, there was no comparison group.

Outcome Measures:

Permanency:

Anecdotal evidence was measured through interviews to assess participants' perception of effectiveness regarding expedited review:

- Stakeholder perceptions of whether the expedited review process had moved children to permanency any faster and whether they attribute those cases that have moved faster with the expedited process.
- Usefulness of expedited reviews in helping the court keep abreast of CHIPS cases to insure services and placements were appropriate.
- Assessment of whether oral presentations given by social workers helped to foster communication between parties and the benefits of the added flexibility the court had with review hearing scheduling.