

PENNSYLVANIA'S COURT IMPROVEMENT PROJECT
PROGRAM ASSESSMENT REPORT FOR
FEDERAL FISCAL YEAR
2007



AOPC

ADMINISTRATIVE OFFICE
of PENNSYLVANIA COURTS

*Office of Children and
Families in the Courts*

Pursuant to ACF ACYF-CB-PI-07-09, Pennsylvania's Court Improvement Project (CIP) hereby submits its annual Program Assessment Report for the CIP Basic Grant for Federal Fiscal Year 2007 to U.S. Department of Health and Human Services (DHHS), Administration of Children and Families (ACF) Regional Administrator Alan Ademski as well as to the National Child Welfare Resource Center on Legal and Judicial Issues. This report covers all activities supported by CIP funds. This annual program report addresses the outcomes of court improvement activities and how they help provide for the safety, Permanency and Well-Being of children and youth in Pennsylvania's foster care system.

I. Description of needs and activities undertaken with CIP funds to meet those needs during the program period

The following list represents those needs that Pennsylvania's CIP has identified and addressed throughout the fiscal year. These needs were identified as a result of the recommendations of the 2005 CIP Reassessment produced by the National Center for Juvenile Justice (NCJJ); The Pennsylvania children's Roundtables Initiative; ongoing meetings with Department of Public Welfare/Office of Children, Youth and Families (DPW/OCYF) Officials. Some of these identified needs included:

- Lack of a statewide coordinated effort to improve court related dependency matters.
- Lack of statewide leadership regarding dependency matters.
- Need for meaningful, ongoing collaboration between the courts and child welfare at a state and local level.
- The need for the courts meaningful involvement in the CFSR/PIP process.
- Need for the state court to assess its roles, responsibilities and effectiveness in the interstate placement of children.
- Need for meaningful, ongoing collaboration between the courts and other member's of the Pennsylvania child welfare system.
- The need to front-load the court process
- Better engaging the court in providing early and consistent case oversight improving the timeliness of permanency planning efforts.
- Need for Statewide Data. (See Pennsylvania's Data Collection and Analysis progress report)
- Need for meaningful judicial training. (See Pennsylvania's Judicial and Legal Training progress report)

In an effort to create more positive outcomes for foster children, the Supreme Court of Pennsylvania created the Office of Children and Families in the Courts (OCFC) within the Administrative Office of Pennsylvania Courts (AOPC). The OCFC's principal goal is to minimize the length of time that dependent children must spend in foster care or in other temporary living

situations when they have been removed from their parents under court order as a result of abuse or neglect. The OCFC also aims to reunite children safely and timely with their families, expedite the adoption process for those children with the goal of adoption; increase the incidence of legal guardianship; and enhance/expand ongoing permanent adult connections for those children who remain in the foster care system.

In January 2008, Sandy Moore was appointed as the new Administrator of OCFC. Simultaneous to Ms. Moore's appointment the OCFC hired Mrs. Elke Moyer as the CIP Executive Assistant. Including Mr. Angelo Santore, CIP Judicial Programs Analyst, Pennsylvania now has three staff within the OCFC. Additionally, the OCFC will be hiring three additional staff to compliment the office with these staff being hired early in Fiscal Year 2008.

The overarching structure for Pennsylvania's Court Improvement effort is seen in Pennsylvania's Roundtables for Children Initiative. These roundtables have created a statewide infrastructure that allows for effective administration and communication via a three tier system. Local Children's Roundtables are the first level of our infrastructure and occur within each judicial district.

The Children's Roundtable is convened and chaired by a judge. Members could include supervisory and dependency judges, children and child welfare agency personnel (this is essential as one of the goals of the Initiative is to encourage a strong collaboration between the judiciary and child welfare agencies), county solicitors, child and parent advocates, academic experts, and anyone believed to make a positive contribution to the effective functioning of dependency matters within the counties.

The second or intermediate level of the infrastructure is known as the **Leadership Roundtables**. There are eight (8) Leadership Roundtables which were developed by dividing Pennsylvania's 60 judicial districts based on size. There is a minimum of five (5) judicial districts per roundtable. The number of judicial districts per Leadership Roundtable was varied slightly to keep like-size judicial districts together. These Leadership Roundtables are comprised of three members from each local Children's Roundtables. These members include a dependency judge, the Children & Youth Administrator and one additional Children's Roundtable member. All Leadership Roundtables meet two times per year, spring & fall. The meetings provide a forum wherein members can discuss what is occurring in their judicial districts and take back to their Children's Roundtables what is occurring in other judicial districts.

The final tier of the Children's Initiative infrastructure is seen in the **State Roundtable**. This overarching Roundtable is comprised of two members from each Leadership Roundtable and other leaders having specific expertise in dependency matters. In addition to facilitating intrastate communication, the

State Roundtable is involved in the dependency reform movement at the national level to keep Pennsylvania apprised of the evolving trends and best practices. Our expectation is that this organizational structure will contribute to a free flow of ideas, challenges and solutions. Issues will come from local Children's Roundtables for discussion at Leadership Roundtables. Like issues from Leadership Roundtables will flow upward to the Statewide Roundtable for discussion and priority setting. All activities and initiatives of the OCFC will come from priority setting done annually at the Statewide Roundtable meeting. Once decided upon, information will be shared with Leadership Roundtables and ultimately local Children's Roundtables.

The role of the OCFC, in part, is to facilitate this process of communication and decision making. Moreover the role of the OCFC is to assist in the implementation, oversight and evaluation of all statewide priorities, activities and initiatives connected with the Court Improvement Project.

The membership of the State Roundtable (Advisory Committee) reached consensus that a paradigm shift must occur with regard to the way we presently work with children and families in Pennsylvania. The membership agreed to adopt a philosophical framework that seeks to respect and empower families to identify their strengths and make their own decisions with regard to the future of their family and children. Practice will be strength-based and family-centered, and families will be engaged in programs and practice that will guide them in developing their own collaborative solutions. To accomplish this paradigm shift the Advisory Committee identified three activities.

- The State Roundtable of the Pennsylvania Children's Roundtable Initiative has identified **Family Group Decision Making (FGDM)** as a best practice initiative already underway in Pennsylvania as a strengths-based, family focused initiative to engaging families. The OCFC has began to work collaboratively with OCYF, University of Pittsburgh-Child Welfare Training Program, and the FGDM Statewide Implementation Team to continue with the implementation of this initiative by providing training to the judiciary and gaining statewide judicial support for the implementation of FGDM.
- **Family Finding** is a way to provide permanency to foster children by reconnecting them with biological family members that may not have otherwise been identified as a permanency option for these youth. Additionally, Family Finding works to reestablish the relationships with biological family members that may have been lost. The program can ultimately aid an agency by finding those youth with safety, permanency and well-being that can be provided by members of their biological family.

- **Family Development Training and Credentialing** is provided to caseworkers and supervisors and provides training in a variety of areas; particularly strength based family focused issues. This education aligns itself closely with the advisory committee's vision and focus while providing casework staff with the necessary skills needed to work with the families they serve.

To accomplish these activities set forth by the membership of the Statewide Roundtable the Office of Children and Families in the Courts in partnership with DPW/OCYF developed the Pennsylvania Permanency Practice Initiative. With Additional support and guidance for the Initiative coming from the Pennsylvania Family Group Decision Making Leadership Team, the Statewide Adoption Permanency Network, the Community Action Association of Pennsylvania, the Child Welfare Training Program and the University of Pittsburgh School of Social Work.

The underlying hypothesis of this Permanency Practice Initiative is that **enhanced oversight of the judiciary combined with strength-based, family led practice will ultimately increase the number of children safely maintained in their own homes and expedite safe return home.** As such, focus will be on a saturation of front end services that will empower families to safely and effectively maintain the child or youth in the home; identify kin or other permanent resources prior to or as an appropriate placement, when such is needed; while at the same time providing the family with the necessary services to alleviate the circumstances which caused the referral for services.

To accomplish this, the Permanency Practice Initiative seeks to implement or enhance a variety of services prior to the child/youth coming into out-of-home care or immediately following the need for such. These services will be supported through initiative funding with oversight and technical assistance from a team of resources, as needed. The initiative will not supplant services already in place; but can be used to enhance or create new ones.

Phase One counties are required to have the following services, practices and/or initiatives in place or the capacity to immediately (within 6 months of selection) meet these requirements:

1. Three (3) Month Court Review Hearings (minimum)
2. Family Search Capacity (as a front-end service)
3. Active Local Children's Roundtable (local initiative oversight team)
4. Family Group Decision Making
5. Family Finding/3-5-7 Model
6. Family Development Credentialing

The following are additional expectations for selected Phase One counties:

1. Actively entering all dependency cases into CPCMS Dependency Module
2. Comprehensive, well-trained legal representation for all parties (children, parents and agency)
3. Commitment to use Incentive Fund to support Initiative services and additional child serving services
4. Training for all involved staff (administration to line staff) on core elements of initiative.
5. A plan for coordination between Dependency Court and Orphans Court
 - i. Coordination between judges, if not the same judge
 - ii. Consistency in representation of children and families
 - iii. Plan for inputting permanency data into CPCMS module
6. A Current Organizational Readiness Assessment (within past 2 years)

Expected Outcomes

The goal of this Initiative is to incorporate strength-based social work practices with specific court related changes that will safely accomplish the following:

- Reduce number of children/youth adjudicated dependent and in court-ordered placement
- Reduce time children/youth spend in the foster care system.
- Reduce number of children/youth who re-enter care
- Reduce the Dependency Court Caseload
- Reduce the cost of children in care (Reduction of placement costs means that funds could be redirected to other services including Phase One supports, prevention, aftercare, adoption, services, etc.)
- Reduce the level of care (i.e. – reduced number/percent of restrictive placements and increase in kinship care, when placement is needed)
- Increased Placement Stability (less moves for children).

In September 2008, after receiving several letters of interest from various counties, 15 counties were selected to be part of Phase 1 of the Permanency Practice Initiative. These counties include:

- Allegheny
- Blair
- Butler
- Carbon
- Chester
- Dauphin

- Jefferson
- Lackawanna
- Lehigh
- Montgomery
- Northampton
- Snyder
- Venango
- Washington
- York

2. Meaningful, Ongoing Collaboration between the courts and the Department of Public Welfare/Office of Children, Youth and Families (DPW/OCYF) at the state and local level.

The OCFC and DPW/OCYF have met and will continue to meet on a regular basis. Pennsylvania's grant application for the Court Improvement Project was developed in collaboration with DPW/OCYF. The OCYF participates in every level of the Pennsylvania Roundtable structure with local child welfare agencies participating at the children's Roundtable Level and OCYF Central Office Staff and Regional Staff participating at both the Leadership Roundtables and Statewide Roundtables. Coordination and collaboration between the two entities is essential to the success of both agencies and will continue on an ongoing basis.

The OCFC Administrator and Deputy Secretary for Children, Youth and Families meet regularly to discuss the ongoing initiatives identified in this application. There are a variety projects and committees where staff from both offices participate in. Many of the projects are joint collaborations, such as the Pennsylvania Permanency Practice Initiative, which has oversight, TA and funding from both OCYF and OCFC. Additionally, OCYF was instrumental in the assessment of the Interstate Compact practices and laws for the purposes of the 2008 CIP grant application.

Pennsylvania was one of 6 states to be selected to participate in the National Governor's Association Academy. Sandy Moore was selected to participate as a member of this team to represent Pennsylvania Supreme Court and more specifically Pennsylvania's Dependency Courts. The Policy Academy consists of a wide range of child welfare experts from Pennsylvania and its goal is to reduce the number of children in Foster care through a variety of strategies and collaborations.

Pennsylvania's Children's Cabinet is the Advisory Counsel for the State's OCYF Deputy Director, Richard Gold. The Cabinet includes the OCFC Director, Children & Youth Administrators, Juvenile Probation Chiefs and other stakeholders. The aim is to provide input and suggestions related to issues impacting abused & neglected children as well as review/comment on proposed regulation & bulletin changes.

3. Courts meaningful involvement in Children and Family Services Review (CFSR), Program Improvement Plan (PIP) and Pennsylvania Quality Service Review (QSR)

The OCFC has been involved in the CFSR/PIP process since 2007. Staff from the OCFC has been members of the CFSR Steering Committee, participated as a state reviewer and was interviewed as state stakeholders. The OCFC will continue to participate in the development of Pennsylvania's PIP, particularly as it pertains to Dependency Courts and collaboration between courts and agencies.

Pennsylvania has initiated revising the best practice standards. Staff from OCFC are members of this committee. The purpose of this committee is to revise the current Child Welfare Practice Standards for Pennsylvania.

The OCFC and DPW/OCYF initiated monthly conference calls in May 2007. Meeting dates between agencies are scheduled through June 2008. Included in these meetings are not only representatives from OCYF, but also from the Juvenile Court Judges Commission (JCJC). These regular meetings provide an opportunity for an open dialogue between the agencies. Topics for discussion during these meetings include, but are not limited to:

- Information and Data sharing;
- updates regarding the Pennsylvania Children's Roundtable Initiative;
- legislative updates;
- areas requiring joint training issues;
- CFSR updates; and,
- ongoing topics as issues may arise.

OCYF has recently convened a Quality Assurance Committee. The purpose of this committee is to identify best practices in child welfare, develop methods to promote and implement best practices, oversee Pennsylvania's QSR, and help prepare for the next CFSR. This committee includes representatives of the CIP and a vast variety of stakeholders from a cross system perspective. OCFC staff are active committee members and will continue to dedicate staff time and resources to this effort.

As part of the CFSR process Pennsylvania has formed the CFSR Steering committee. This committee was formed in consideration of all of the parties that need to be involved in the CSFR. The Steering Committee serves as the CSFR planning committee; however, an Executive Committee (made up of a smaller number of Steering Committee members) has also been formed to make decisions on the process that needs to occur more immediately. The Executive Committee will consult with and report back to the Steering Committee on decisions that have been made. The Executive Committee members will participate in the CFSR planning conference calls with ACF that were initiated October 2007. The CIP Director is a member of the Pennsylvania CFSR Executive Committee. OCFC staff will also be participating in the CFSR Steering Committee and the CFSR Workgroup. Andrea Jelin was a cross-state participant in the review that occurred in the state of Indiana. Andrea Jelin was able to provide invaluable input to the Pennsylvania committees from a courts perspective during the CFSR process. Additionally, OCFC staff are participating in the writing of the Statewide Assessment and will participate in Pennsylvania's onsite review, which occurs August 2008. Further participation will take place during the development and implementation of Pennsylvania's Program Improvement Plan.

4. Safe and Timely Interstate Placement of Foster Children Act of 2006

With regard to the Interstate Placement Assessment and Notice of Court Proceedings, OCFC has partnered with OCYF to initiate the assessment of the states Interstate Placement of Children laws, policies and practices to determine what barriers exist in the expedition of these cases and to implement the necessary changes to improve the quality and timeliness of this process. In addition, OCFC has aided in the development of focus group questions as part of the Pennsylvania CFSR Workgroup that will be directed toward dependency court judges and other court staff. Several of the focus group questions directly relate to the courts management of Interstate Placement cases, so that OCFC and OCYF may adequately determine needed improvements based on best practice. OCFC will then make recommendations to the Supreme Court of Pennsylvania to eliminate these barriers and effectuate necessary change.

The Juvenile Court Procedural Rules Committee has adopted the Rules of Juvenile Court Procedure – Dependency Matters. These Rules identified in sections 1361, 1501 & 1601 mandate the notification of all parties of dispositional, adjudicatory and permanency hearings. The Rules became effective February 1, 2007.

The Pennsylvania Juvenile Act at section 6336.1 (Notice and Hearing) currently requires county agencies to provide timely notice of dependency hearings to all parties. This section of the Juvenile Act is currently being amended to not only notify the necessary parties, but to ensure their right to be heard during hearings.

OCYF is currently revising Chapter 3130: the Administration of County Children and Youth Social Services Program regulations to meet the various goals set forth in the PIP. These revised regulations will include a variety of amendments to the current regulations including notification of hearings for foster parents, pre-adoptive parents and relative caregivers of a child in foster care and providing these caregivers with the right to be heard during the court hearing. This notification process will take effect upon promulgation of these regulations, which will be titled Chapter 3131.

OCFC will continue to work with OCYF to implement and ensure the required notice of dependency court proceedings are being served to foster parents, pre-adoptive parents, and relative caregivers; that these notices are being provided consistent with section 438 of the Act; and will provide follow-up to ensure that notification is taking place on an ongoing, consistent basis.

Lastly, as the Juvenile Dependency Data System is developed there will be functionality built into the system to produce notification letters of court proceedings to all participants.

5. Meaningful Ongoing Collaboration with all member's of the Pennsylvania Child Welfare System

OCFC has established many relationships with agencies such as JCJC, ABA, Pennsylvania Bar Association and Pennsylvania Youth Advisory board as well as a variety of other child welfare agencies. Ongoing projects and partnerships are currently underway with various other agencies.

OCFC will establish, advance and maintain collaborative partnerships with all members of the Pennsylvania Child Welfare System in addition to DPW/OCYF.

II. Pennsylvania's overall progress towards the goals delineated in the strategic plan and results of the assessment of activities funded under this grant

In 1997 the Philadelphia Family Court applied for and received a court improvement grant from the DHHS to conduct a statewide assessment of the processing of child abuse, neglect and dependency cases in Pennsylvania's 67 counties (60 judicial districts). The NCJJ was selected to conduct this initial assessment of dependency matters, which was completed in 1998. In 2004, NCJJ was again requested to conduct the reassessment by Philadelphia Family Court. At that same time, at the request of DHHS, the administration of the CIP grant was being transferred to the Supreme Court of Pennsylvania, AOPC.

The major areas of need identified in the assessment were grouped into three major categories: statutory reforms; expanded court involvement/oversight; and expansion of judicial/attorney resources and training.

The transfer of the CIP grant from Philadelphia Family Court to a statewide program through the Supreme Court, AOPC and the initiation of the OCFC has been completed. These two significant changes to CIP in Pennsylvania, coupled with the oversight of Justice Baer and Andrea Jelin has provided for the basis of the infrastructure for CIP in Pennsylvania. This oversight has provided the much needed visibility and leadership of the courts at the state and local levels and also provided for the direction for the program statewide, which are all items identified in the 2005 reassessment and in Pennsylvania's 2005 & 2006 CIP strategic plan.

The OCFC has committed to partnering with OCYF and other child welfare partners. Currently, monthly conference calls are held between OCFC, OCYF and JCJC. These meetings have occurred on a regular basis and are scheduled until June 2008.

The OCFC has dedicated staff time to participation in Pennsylvania's CFSR planning. Andrea Jelin has participated as a cross-state reviewer in the state of Indiana's CFSR review. Both Andrea and Angelo Santore of OCFC will continue to participate in the CFSR planning as well as in the on site review itself. This participation and cooperation will continue throughout the PIP development and implementation process.

In February 2007, The Juvenile Court Procedural Rules Committee has adopted the Rules of Juvenile Court Procedure – Dependency Matters. The Rules will secure uniformity and simplicity in dependency procedure throughout juvenile courts in this Commonwealth.

Perhaps the largest success Pennsylvania has enjoyed this fiscal year was the implementation of the Pennsylvania Children's Roundtables Initiative. As described earlier in this document, this process has connected the courts and child welfare on a local and state level that has never been possible before in Pennsylvania. This year 58 of the 60 Pennsylvania Judicial Districts participated in the Children's Roundtables, which are held locally and are chaired by a county judge and the county's C&Y administrator. All ten of the regional roundtables were held this year. These roundtables include representatives from each county roundtable and were facilitated by both Justice Baer and Andrea Hoffman Jelin. Lastly, Pennsylvania held its first State Roundtable, which has become the Statewide Interdisciplinary Advisory Committee. All roundtables will be ongoing events with local roundtables meeting as necessary (depending on the county/judicial district); all ten leadership roundtables will occur two times each year, once in the fall and once in the spring; and the statewide roundtable occurring annually in June.

III. Recommendations of the Statewide Interdisciplinary Advisory Committee (State Roundtable)

This Committee, chaired by Justice Baer, is comprised of Pennsylvania's leaders who each play a unique and vital role in making the system responsive to the issues facing the children and families of Pennsylvania. The group will meet annually to develop policy with regard to effectuating best practices and programming as vetted through the Children's and Leadership Roundtables.

The membership of the Advisory Committee includes the following individuals:

- AOPC Leadership, including Court Administrator of Pennsylvania, Zygmunt Pines;
- Department of Public Welfare Deputy Secretary Richard Gold, Office of Children, Youth and Families;
- James Anderson, Executive Director, Juvenile Court Judges Commission;
- Chairperson, Pennsylvania Bar Association Children's Rights Committee (Kenneth Horoho);
- A parent's attorney who has been active (John Perrott);
- Representatives from each of the regional interdisciplinary groups described above;
- The Administrative Judges of the Family Division of the Court of Common Pleas of Philadelphia and Allegheny Counties, the two largest jurisdictions in the state that combined have approximately 60% of the dependency cases in the state;
- Other individuals as are subsequently identified with substantial knowledge of and interest in the child welfare system in Pennsylvania.

On June 26, 2007, the membership of the State Roundtable (Advisory Committee) reached consensus that a paradigm shift must occur with regard to the way we presently work with children and families in Pennsylvania. The membership agreed to adopt a philosophical framework that seeks to respect and empower families to identify their strengths and made their own decisions with regard to the future of their family and children. Practice will be strength-based and family-centered, and families will be engaged in programs and practice that will guide them in developing their own collaborative solutions. Best practice principles and effective outcome-based programs will be identified and implemented. Best practice/programs specifically selected by the State Roundtable to serve as the foundation for Pennsylvania's paradigm shift to family-centered, strength-based practice are:

- Family Group Decision Making (FGDM)
- Family Finding
- Family Development Training and Credentialing

The realization of our vision will guide us to achieve the following goals over the next five years:

- Educating judges and all participants in Pennsylvania's dependency system of the paradigm shift and what it means to practice and programming.
- Ensuring that each judge in the Commonwealth assigned to dependency court cases, before hearing cases, is trained on the basics in juvenile dependency law and practice, and is given instruction from child welfare specialists on the fundamentals of child welfare and development.
- Increasing the preparedness of child and parent attorneys in every judicial district.
- Providing judges and agency attorneys with the most topical information on child well-being on topics such as health care, education and child development.

The Pennsylvania CIP is pursuing a paradigm shift to family-centered, strength-based practice. Accordingly, all of our practice will be geared to paying attention to the systemic factors that comprise safety, permanency, child and family well-being and effectuating appropriate outcomes.

IV. Summary

The Pennsylvania CIP has developed a new statewide infrastructure with the aid of a very visible and active Supreme Court and the creation of the OCFC, which is dedicated solely to dependency court improvement statewide; developed and maintained partnerships with DPW/OCYF as well as with other child welfare

agencies/organization; fully participated in the CFSR/PIP process and has committed itself to the best possible handling of cases involving dependent children. CIP continues to be committed to improving the lives of children and families as they progress through the Pennsylvania Court system. Additionally, the Pennsylvania CIP will provide advancement of the dependency court system through applying for the CIP Data Sharing and Analysis Grant and the Judicial Training and Education Grant.

As part of this initiative, we are in the process of designing our data system around performance outcomes based on safety, permanency and well-being. In addition, our judicial training will also incorporate the CFSR outcomes of safety, permanency and well-being.