

**PENNSYLVANIA'S COURT IMPROVEMENT PROJECT
PROGRAM ASSESSMENT REPORT FOR
FEDERAL FISCAL YEAR 2009**

(OCTOBER 1, 2008 - SEPTEMBER 30, 2009)



AOPC

ADMINISTRATIVE OFFICE
of PENNSYLVANIA COURTS

*Office of Children and
Families in the Courts*

Pursuant to ACF ACYF-CB-PI-07-09, the Office of Children and Families in the Courts (OCFC), Pennsylvania's Court Improvement Project (CIP) hereby submits its annual Program Assessment Report for the CIP Basic Grant for Federal Fiscal Year 2009 to the U.S. Department of Health and Human Services (DHHS), Administration of Children and Families (ACF) Region III. This report covers all activities of Pennsylvania's CIP. This annual program report addresses the outcomes of court improvement activities and how they helped 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 the OCFC has identified and addressed throughout Federal Fiscal Year 2009. These needs were identified as a result of the various Leadership Roundtable meetings and priority setting of the State Roundtable (Interdisciplinary Advisory Committee for CIP). The needs also encompass recommendations of the 2005 CIP Reassessment produced by the National Center for Juvenile Justice (NCJJ) which have yet to be completed as well as those which are being addressed but are seen as ongoing needs. Finally, close collaboration, discussion, and ongoing planning with Department of Public Welfare/Office of Children, Youth and Families (DPW/OCYF) officials assisted in the identification of these needs. Identified needs include:

- 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;
- Need to implement comprehensive system reform that promotes strength-based, inclusive, solution focused paradigm shift;
- The need for 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 members of the Pennsylvania child welfare system;
- The need for front-loading 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); and
- Need for meaningful judicial and legal training (for Guardian ad Litems, Parent Attorneys, Hearing Officers and Judges).

II. Activities and progress towards the goals delineated in the 2008 strategic plan and results of the assessment of activities funded under this grant

Office of Children and Families in the Courts

In 2006 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.

Working closely with Supreme Court Justice Max Baer (liaison to the full court), the OCFC provides technical assistance to the 60 judicial districts (67 counties), local Children's Roundtables, Leadership Roundtables and the State Roundtable (Interdisciplinary Advisory Committee) and activities aimed at enhancing safe, timely permanency for children as described in the 2009 Strategic Plan. With only three people (an administrator, an executive assistant and one judicial analyst) attempting to facilitate all State Roundtable priorities, it became apparent that additional staff was needed to support substantive change in Pennsylvania's Dependency process. This need was addressed in FFY 2009 with the addition of three Judicial Analyst positions, associated equipment and travel resources. Each judicial analyst was assigned specific counties, Leadership Roundtables, and State Roundtable priority projects (Attachment A)

In December 2008, Mrs. Stephanie Strayer was hired as a judicial analyst and assigned to provide technical assistance to twelve Central/Southeast Pennsylvania counties (including Philadelphia). Mrs. Strayer also assumed lead support responsibility for Leadership Roundtables 1 & 2, development of the 1st State Children's Roundtable Summit and implementation assistance related to the CPCMS Dependency Data/Outcome System within her assigned counties.

In January 2009, Mrs. Angela Sager joined the OCFC as a judicial analyst. Mrs. Sager provides technical assistance to 17 Central Pennsylvania Counties. Mrs. Sager assumed primary responsibility for the development of a PPI statistical/data tracking form, development of a PPI Toolkit, development/organization of the State Roundtable Truancy Exploration Committee, acts as primary liaison to AOPC Judicial Automation regarding CPCMS Dependency Module, provides backup support to the OCFC website and implementation assistance related to the CPCMS Dependency Data/Outcome System within her assigned counties.

In February 2009, Ms. Lynne Napoleon joined the OCFC as a judicial analyst. Ms. Napoleon, stationed in Pittsburgh, provides technical assistance to 20 Western

Pennsylvania Counties (including Allegheny), supports Leadership Roundtables 4 & 6, and has lead responsibility for the State Roundtable's Guardian ad Litem/Parent Attorney Training Development Committee. Ms. Napoleon will also lead the work group on Fatherhood, exploring best practices and submitting a report/recommendation to the 2010 State Roundtable and implementation assistance related to the CPCMS Dependency Data/Outcome System within her assigned counties.

Already on staff was Mr. Angelo Santore. Mr. Santore provides technical assistance to 18 northeast counties oversees development of the Pennsylvania Dependency Bench Book and has primary responsibility for the practice elements of the Permanency Practice Initiative (PPI), and implementation assistance related to the CPCMS Dependency Data/Outcome System within his assigned counties.

With the inclusion of Sandy Moore OCFC Administrator and Mrs. Elke Moyer, Executive Administrative Specialist, Pennsylvania now has six staff within the OCFC implementing dependency system reform.

Travel:

Identified as a strength and a significant challenge for Pennsylvania's CIP work, is the fact that Pennsylvania has 60 judicial districts serving 67 incredibly diverse counties. These courts have for many, many years been individually interpreting state and federal law and doing their very best to implement practices that support both. Unfortunately this led to very diverse practices (what occurred in a dependency courtroom in Philadelphia might and often did look very different than what occurred in Erie County 1,000 miles away). Even with the Supreme Court's adoption of standardized Rules for Dependency Courts, practice remained inconsistent from county to county. Even more important than court procedures was the mix of social work practices that could be found from county to county.

As the State Roundtable deliberated during its inaugural meeting in June 2007, it became apparent that a shift in philosophy moving from a strong adversarial format to one that was more collaborative in nature was needed throughout Pennsylvania's Dependency system. Additionally, State Roundtable members identified as a priority the implementation of strength-based, inclusive, solution focused practices that demonstrated a sense of urgency in decision making for abused and neglected children & their families. This philosophical shift was and continues to be a significant change for Pennsylvania's courts and child welfare agencies.

As planning for this shift occurred, it became evident that in-person county support was needed. The change was not going to be possible by sitting in a centralized office and simply sending out "instructions" or "memo directives" to counties. Instead a hands-on, supportive approach was needed which required OCFC staff going to counties, listening to county/court concerns and assisting as counties strategized solutions to the barriers and challenges facing their particular jurisdiction. Consequently, the 2008 CIP Basic Grant, included the addition of three judicial analysts and multiple in-person county site visits. Priority would be given to PPI Phase One and Phase Two

counties; however all counties would receive OCFC technical assistance throughout the year. In FFY 2009, 177 site visits were made to PPI Phase One and Phase Two counties. In addition, 68 site visits were made to non-PPI counties (with 24 specifically made to Philadelphia).

These face-to-face contacts were critical to ensure progress in implementing the system reform prioritized by the State Roundtable, to encourage positive movement of local Children's Roundtable teams, to assist in the implementation of the CPCMS Dependency Data/Tracking System, and to meet the individual needs of each judicial district. Some successes resulting from these site visits include: functional Children's Roundtables in all PPI counties (and Philadelphia) and the majority of non-PPI counties; implementation of CPCMS Dependency Module in 65 of 67 counties (with Philadelphia and Allegheny counties implementing in FFY 2010); and implementation of all PPI elements in all PPI counties with some elements in non-PPI counties (i.e. Philadelphia County has implemented FGDM, is moving towards 3 month judicial reviews and has begun Family Finding training).

Pennsylvania Children's Roundtable Initiative

With the support of OCFC, the overarching structure for Pennsylvania's Court Improvement effort continues to be seen in the Pennsylvania Children's Roundtable Initiative. These roundtables have created a statewide infrastructure that allows for effective administration and communication via a three-tier system (Attachment B).

The three levels include local Children's Roundtables in each of the 60 judicial districts, eight statewide Leadership Roundtables and one State Roundtable (Attachment C). This three-tiered system of Roundtables allows for the flow of dependency practice innovations as well as much needed administrative collaboration between the Dependency Courts, OCFC, the Department of Public Welfare's Office of Children, Youth and Families (DPW/OCYF), local child welfare agencies and other relevant stakeholders.

In addition to added staff resources (summarized above), the Children's Roundtable Initiative structure was further supported through FFY 2009 Basic Grant travel resources. These resources assisted judges, child welfare administrators and other involved professionals to attend Leadership and State Roundtable meetings, where significant reform work was completed. For further details see State Roundtable (Interdisciplinary Advisory Committee for CIP) below.

Local Children's Roundtables

At the foundational level, each judicial district in Pennsylvania convenes a Local Children's Roundtable (LCR). These meetings are funded and financially supported by local jurisdictions, with technical assistance being provided through OCFC and DPW/OCYF as needed. The LCR is convened by the county dependency judge and is comprised of relevant stakeholders in the dependency system including but not limited

to children and youth administrators, county commissioners, hearing masters, guardians ad litem, parent attorneys, agency solicitors, Court Appointed Special Advocates, school districts, drug and alcohol and mental health professionals, families, county children and youth staff, juvenile probation staff, police departments, service providers and other relevant stakeholders. The LCRs meet on a regular basis (usually monthly) to share best or promising practices, address areas of concern within the county's dependency system and make plans to overcome barriers to timely permanency for children in their judicial districts.

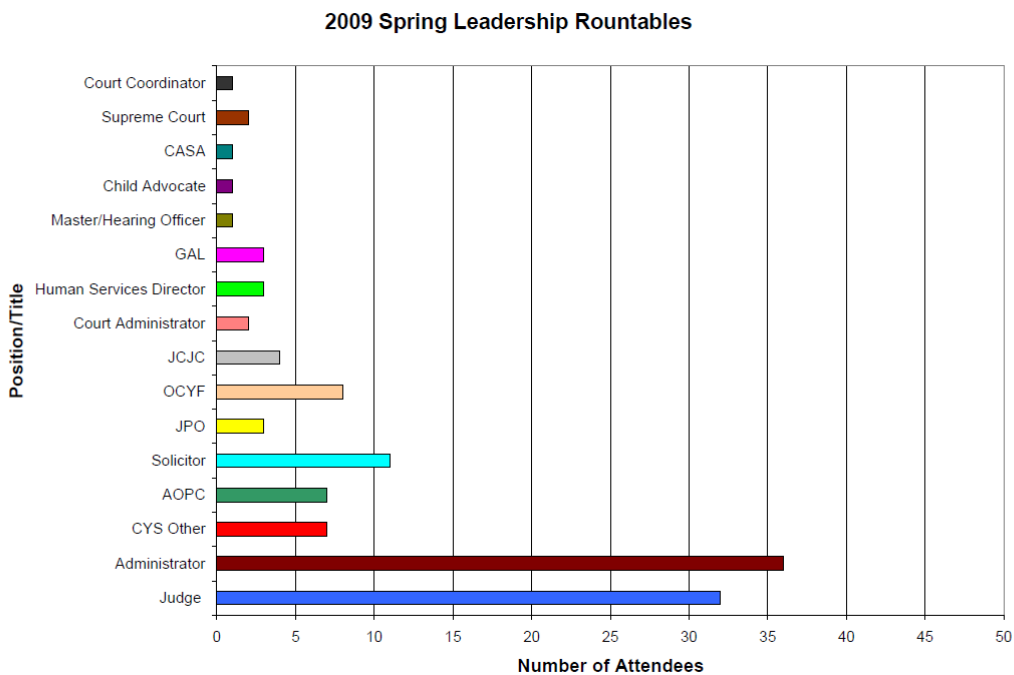
Leadership Roundtables

The second or intermediate level of roundtable infrastructure is known as the Leadership Roundtables (LR). There are eight (8) LRs dividing Pennsylvania's 60 judicial districts into groups based on size. There are a minimum of five (5) judicial districts per LR. The number of judicial districts per LR varies slightly to keep like-size judicial districts together. The dependency judge, children and youth administrator and one additional designated stakeholder from the LCR join one of the eight LRs. At this level, counties are able to raise topical areas of interest or concerns from the own LCR and provide each other with support, problem solving techniques and practice awareness. The expectation is that like size judicial districts will share similar concerns, solutions, and resources.

Leadership Roundtables meet twice a year (spring and fall) and are co-chaired by a dependency court judge from one judicial district and a children and youth administrator from another. In 2008, the concept of co-chairs was developed to establish the LR agenda, facilitate the semi-annual meetings, and provide follow-up to meeting discussions. In May 2009, the role of LR co-chairs was enhanced at the direction of the State Roundtable, to include outreach efforts aimed at encouraging more participation from dependency judges and children and youth administrators within their LR who have not yet participated or have minimal participation in the Children's Roundtable Initiative.

In FFY 2009 only one of the two anticipated sets of Leadership Roundtable meetings occurred. Throughout the early months of FFY 2009 2008, planning for an inaugural Children's Summit was underway. In an effort to maximize resources, the State Roundtable chose to attach the Fall 2009 Leadership Roundtable meetings to the Children's Summit scheduled to occur in September 2009. Unfortunately, the Summit had to be postponed as a result of the G20 International Economic Summit coming to Pittsburgh, Pennsylvania at the exact time for which the Summit was planned. For obvious planning and security reasons, the Children's Summit and companion Fall Leadership Roundtables were re-scheduled to occur in November 2009. These meetings and the overall Children's Summit were huge successes however do not fall within the time period for this report. As such, a description of those events will be included in the 2010 Program Assessment Report.

With that change, one set of Leadership Roundtables did occur in the Spring of 2009 on the following dates: March 2, 13, 20, April 9, 13, 16, 17, and 20. There were 122 individuals that participated in the eight Spring 2009 Leadership Roundtable Meetings. This included a total of 32 judges and 36 CYS Administrators. Additionally, 7 other CYS staff that include individuals such Assistant Directors, Supervisors, etc attended. Additional members included 11 Solicitors, 7 AOPC staff (including OCFC), 3 JPO, 8 OCYF, 4 JCJC, 3 Human Services Directors, 3 Guardians ad Litem, 1 Hearing Officer, 1 Child Advocate, 1 CASA, 2 Supreme Court Justices, 1 Court Coordinator and 2 Court Administrators. The make up of individuals who attended Leadership Roundtables is as follows:



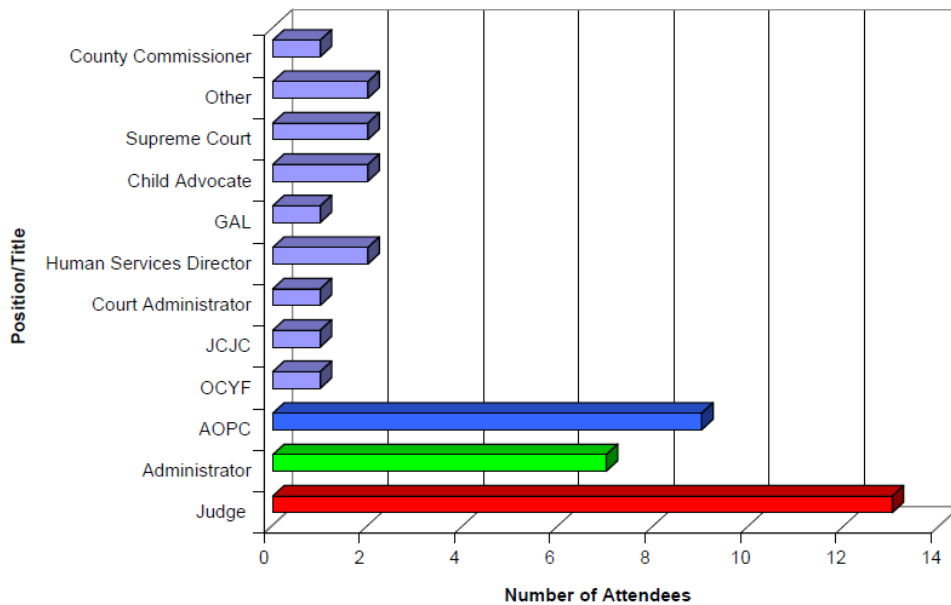
Issues addressed at the Spring 2009 Leadership Roundtables included: CPCMS Dependency Module, the Pennsylvania Dependency System Mission and Guiding Principles, Visitation, the Permanency Practice Initiative, Foster Family Connections Federal Legislation, Pennsylvania’s new Safety Assessment, Truancy, Successes, Challenges, Solutions and county updates.

In keeping with Pennsylvania’s CIP structure, issues culled from Leadership Roundtables advanced to the annual State Roundtable meeting for review, discussion and decision making. These included: training for Guardians ad Litem, Truancy, and the expansion of the PPI, and the Pennsylvania Dependency System Mission & Guiding Principles document (Attachment D).

State Roundtable

Acting as the Interdisciplinary Advisory Committee for CIP, the State Roundtable met on May 28 & 29, 2009. The agenda (Attachment E) included themes from the Leadership Roundtables, updates on previous State Roundtable priorities (bench book, computer system, Children’s Summit and Mission/Guiding Principles). Convened by the Honorable Max Baer, Supreme Court Justice, and co-chaired with OCFC Administrator, Sandy Moore, and DPW/OCYF Deputy Secretary, Richard Gold, forty-two (42) judges, parent & child legal advocates, child welfare professionals and elected officials were in attendance.

2009 Statewide Roundtable Attendance



Much of the discussion centered on reviewing, amending and adopting a mission statement and set of principles/beliefs that will direct and govern Pennsylvania’s dependency reform effort for years to come. This document, “Pennsylvania Child Dependency System Mission and Guiding Principles” was officially adopted on Day Two of the State Roundtable meeting with an initial dissemination plan developed. This groundbreaking document provides a cross-system vision for Pennsylvania’s dependency system outlining four mission statements, four belief statements, and associated guiding principles for each mission/belief statement. The document also outlines a system operations belief statement and associated system operations guiding principles.

The Mission & Guiding Principles document was jointly endorsed by the four overarching entities that directly impact the child dependency system, including the Supreme Court of Pennsylvania, Administrative office of Pennsylvania Courts - Office of Children & Families in the Courts; the Pennsylvania Department of Public Welfare’s

Office of Children, Youth and Families; the Pennsylvania Juvenile Court Judges' Commission; and the County Commissioners Association of Pennsylvania. With over 3,000 copies already distributed, the Mission & Guiding Principles document is being heralded as the foundation for system reform and future dependency efforts.

Highlighting its ultimate goal "Families 4 Children", the document emphasizes the system's responsibility to ensure that every child grows up in a safe, nurturing, and permanent family. This goal will be accomplished by following four mission priorities: protecting children; promoting strong families; promoting child well-being, and providing timely permanency. Embedding these mission priorities into all aspects of the child dependency system will lead to better outcomes for our children and a brighter future for our communities.

These principles represent the fundamental beliefs that should guide the overall operation of the child dependency system in Pennsylvania and be reflected in the delivery of all services to children and families within that system. With its incorporation into the Judicial Bench Book, these beliefs should also guide Court and policy decisions at all levels within the system as well as relationships among all participants in the system. Doing so should increase child safety and well-being while reducing the number of dependent children in Pennsylvania and/or the length of time that any particular child remains dependent.

State Roundtable members also received updates from current committees including the Children's Summit Planning Committee (chaired by the Honorable Kim Berkeley Clark, Allegheny County) and the Judicial Bench Book Committee (chaired by the Honorable Chester Harhut, President Judge Lackawanna County). Additionally, all Leadership Roundtable co-chairs provided an overview of their specific Spring Leadership Roundtable meetings, identifying successes as well as concerns. Finally, a presentation regarding national efforts underway to support and enhance father involvement/engagement in the child welfare system was provided by Karen Jenkins, American Humane Association and Mimi Laver, American Bar Association.

As a result of the presentation and subsequent discussions, State Roundtable members identified several new priorities for the OCFC/CIP and the Children's Roundtable Initiative. These include the creation of a Guardian ad Litem/Parent Advocate attorney training/education series, creation of a Truancy Exploration Committee tasked with examining best practices regarding truancy reduction/remediation and submitting a comprehensive report/set of recommendations at the 2010 State Roundtable meeting; expansion of the Permanency Practice Initiative, and specific focus on the issue of "Fatherhood" engagement.

Finally, State Roundtable members had a candid, solution-focused discussion regarding the goal of Children's Roundtables in every county (recognizing some counties have no or limited functioning roundtables). This discussion was incredibly relevant as members reaffirmed the CIP being embedded in the Children's Roundtable Initiative. Additionally, members reaffirmed their collective agreement that those

impacted by and implementing change at the local level should have direct input into decisions made about that change (mirroring the principles of Family Group Decision Making and role modeling the philosophical practice shift envisioned by the State Roundtable). To this end, having strong well-organized and active local Children's Roundtables in each county throughout Pennsylvania is critical. At the same time, members of the State Roundtable and the Pennsylvania Supreme Court reaffirmed commitment to a "voluntary" reform process (for many reasons).

While understanding the inherent conflict in these two goals, the State Roundtable developed an action plan aimed at reaching out and engaging the few remaining counties not actively involved in the initiative. This plan included Leadership Roundtable Co-Chairs contacting their counterparts in non-active counties (judges calling judges and child welfare administrators calling child welfare administrators) to encourage and support their development of local Roundtables and active involvement in the overall change process with in-person follow-up being provided by OCFC staff. Initial indications demonstrated considerable success with this effort with 54 of the 60 judicial districts represented at the inaugural Children's Summit hosted in November 2009 (will be discussed in the 2010 Program Assessment Report).

Creation of Judicial Bench Book & Education Curricula (Contractual Services):

As outlined in the FFY 2009 Basic Grant budget, plans were underway to create a Pennsylvania Dependency Judicial Bench Book. To this end OCFC partnered with the National Center for State Courts (NCSC) and the National Center for Juvenile Justice (NCJJ) to provide assistance with this project. Work began with the creation of a Bench Book Development Committee and a first meeting in October 2008. During FFY 2009 the full Bench Book Committee had seven full day meetings. The Bench Book Edit Committee has convened eight times via conference call and emailed shared documents/chapters for review. The Committee, chaired by Lackawanna County Court of Common Pleas President Judge, Honorable Chester Harhut includes the following trial and superior court judges:

Honorable Chester Harhut, Lackawanna County – Committee Chair
Honorable Carol Hanna, Indiana County
Honorable Susan Gantman, Pennsylvania Superior Court
Honorable Todd Hoover, Dauphin County
Honorable Brian Johnson, Lehigh County
Honorable Charles Saylor, Northumberland County
Honorable Kelly Streib, Butler County
Honorable Carol Van Horn, Franklin/Fulton Counties
Honorable Campbell, Berks County
Honorable Kim Berkeley-Clark, Allegheny County
Honorable Kevin Dougherty, Philadelphia

As work progressed on the document, several significant shifts occurred in its production. First and most significant was the recognition that incorporating the flavor, feel and practice shift envisioned by the State Roundtable would require much of the “hearing chapter writing” to be primarily completed by Pennsylvania judges rather than our national expert partners. As such, members of the bench book committee volunteered to write the actual hearing chapters using information provided by NCSC. With the intent of highlighting best practices and how dependency hearings should look in Pennsylvania, our judge writers discussed and included a set of fifteen “themes” that would be woven throughout the document. These themes include:

- **Active/ongoing Court Oversight**
- **One Judge-One Family**
- **Early appointment of competent, well-trained legal counsel**
- **Safety**
- **Timeliness**
- **Concurrent Planning**
- **Front-loading of the System**
- **Maintaining Family Connections**
- **Keeping Siblings Together**
- **Fatherhood**
- **Use of Kin care and Least Restrictive Placements**
- **Early Implementation of Services and Visitation Schedule**
- **Tailoring Services to Meet Specific Needs of Each Child and Each Family**
- **Creating Culture/Expectation of Non-Adversarial Process**
- **Recognizing and Reducing Trauma for Children and Families**

Based upon this significant change, the completion deadline has been amended to April 2010. The amended plan includes a “piloting” phase with new dependency judges and hearing officers, a re-write based on feedback from the pilot, presentation to the State Roundtable at the May 2010 meeting and release at the July 2010 Pennsylvania State Trial Court Judge’s conference. Once completed the bench book will be the guide for all new and current dependency court judges, attorneys, Guardians ad Litem and other child welfare professionals. The bench book will also be added to the OCFC website, available to anyone interested in accessing such. It is also envisioned that the bench book will become the basis for future judicial education and will be used (in part) at the upcoming New Judges School in January 2010 (which will be covered in the FFY 2010 Program Assessment Report).

Permanency Practice Initiative Expansion:

Selected in September 2008, Phase One PPI counties received training in the various practices (FGDM, FF and FDC) as well as support to implement three-month judicial reviews and implement the CPCMS Dependency Module. Counties were asked to choose a target cohort within their out-of-home population. Counties would begin with these cohorts and eventually expand to include all children in out-of-home care.

Fifteen counties began Phase One training with fourteen eventually implementing the practices. Phase One counties include: Allegheny, Blair, Butler, Carbon, Chester, Dauphin, Jefferson, Lackawanna, Lehigh, Northampton, Snyder, Venango, Washington and York. Training details are covered within the FFY 2009 Training Grant Program Assessment Report.

In May 2009 a PPI Phase One county meeting was held in partnership with the DPW/OCYF and the Children Welfare Training Program (CWTP). Phase One counties were asked to share strengths, concerns, solutions and lessons learned. This information was shared with the PPI Oversight team and incorporated into the roll out plan for Phase Two counties.

Letters of Interest from potential Phase Two counties were received in June 2009. County site visits were made to all potential Phase Two counties by the OCFC Administrator and the DPW/OCYF Deputy Secretary Richard Gold prior to selection. PPI Phase Two counties were selected in July 2009 with a "go live" date of January 2010. Phase Two counties include: Forrest, Warren, Armstrong, Cumberland, Adams, Indiana, Franklin, Fulton, Tioga, Bucks, Luzerne, Clinton and Montgomery (Attachment F). Training for Phase Two counties began with Family Finding sessions in August 2009. Training was completed in December 2009. Results for Phase Two training will be discussed in the 2010 Training Grant Program Assessment Report.

Outlined below, the elements of the Permanency Practice Initiative Phase Two are the same as Phase One; however timing of training and the enhanced inclusion of dependency judges and child welfare administrators was created based on feedback from Phase One counties. Preliminary outcomes are promising and will be discussed in the FFY 2010 Program Assessment Report.

Pennsylvania Permanency Practice Initiative

To accomplish activities set forth by the membership of the State Roundtable the OCFC, in partnership with DPW/OCYF, developed the Pennsylvania Permanency Practice Initiative (PPI). With additional support and guidance 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, CYS administrators and dependency court judges were invited to participate (Attachment G)

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 loaded services that will empower families to safely and effectively maintain the child or youth in the home; identify kin or other permanent resources; while at the same time providing the family with the necessary services to alleviate the circumstances that 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 placement. These services will be supported through CIP funding with oversight and technical assistance from a team of resources. The initiative will not supplant services already in place; but will be used to enhance or create new ones.

Phase One & Phase Two 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 Funds 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)

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

- 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 increased kinship care, when placement is needed)
- Increased Placement Stability (less moves for children).

Meaningful, Ongoing Collaboration between the Courts and Agency

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 State Roundtables. At the same time OCFC staff attends collaborative planning and work sessions hosted by OCYF. These include National Governor Academy county Y statewide meetings, PIP development meetings, CFSR meetings, and CAPTA meetings. 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 ongoing CIP activities. Staff from both offices participates in a variety of projects and committees. Many of the projects are joint collaborations, such as the Pennsylvania Permanency Practice Initiative, which has oversight, technical assistance and funding from both OCYF and OCFC. Additionally, OCYF was instrumental in the ongoing assessment of the Interstate Compact practices and laws for the purposes of the 2009 CIP grant application.

Pennsylvania was one of six states to be selected to participate in the ***National Governor's Association Policy Academy – Pennsylvania Permanency Team***. Sandy Moore, OCFC Administrator, continues 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 whose 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 Secretary, Richard Gold. The Cabinet includes the OCFC Administrator, 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. Sandy Moore, OCFC Administrator, is an active member of the Cabinet.

Porch Light Project - The Pennsylvania Porch Light Project, led by the Pennsylvania Partnership for Children (an advocacy group) is focusing efforts to safely reduce the number of children in Pennsylvania's foster care system by assuring a legal and permanent family for every child. The Partnership is advocating for 10 significant policy changes aimed at achieving this goal. Of these five are contained in the CIP priorities including: Family Finding, Family Group Conferencing, appropriate legal representation, 3-month judicial review hearings, and a re-commitment process for funds previously spent on placement services. Sandy Moore, OCFC Administrator, is a member of the Leadership Advisory Committee for this project.

Courts meaningful involvement in CFSR/PIP and Quality Service Review

The OCFC has been involved in the CFSR/PIP process since 2007. Staff from the OCFC has been members of the CFSR Steering Committee. Additionally, the OCFC Program Analyst was member of the statewide review team for Northumberland County. Finally, Honorable Justice Max Baer and Sandy Moore were interviewed as state stakeholders.

More recently, OCFC staff is currently participating in the development and implementation of Pennsylvania's PIP. This includes ongoing meetings with OCYF staff as well as ACF staff. Additionally, OCFC has taken the lead in drafting PIP action steps related to court improvement strategies.

OCFC staff continues to participate in the Quality Assurance Committee and its subcommittees which include the revisions of the Child Welfare Practice Standards.

Safe and Timely Interstate Placement of Foster Children Act of 2006

The Interstate Compact for the Placement of Foster Youth (ICPC) has been a topic of discussion during Leadership Roundtable meetings, meetings with individual counties and meetings with DPW/OCYF. Results of the previous assessment were provided to all Leadership Roundtables along with recommendations to facilitate the appropriate and timely use of the compact on behalf of children/families. This is a particularly important issue for border counties.

OCFC has partnered with OCYF to assess the state's 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, best practices and specific information regarding ICPC are being incorporated into the Judicial Dependency Bench Book, currently under development.

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

OCFC has established many relationships with agencies such as the Statewide Adoption and Permanency Network (SWAN), Child Welfare Training Program, County Commissioners Association of Pennsylvania, Juvenile Court Judge's Commission, Pennsylvania Bar Association, Pennsylvania Partnership for Children, the Pennsylvania Resource Family Association (State Foster Parent Association), various State Legislators, etc.

Ongoing projects and partnerships are currently underway with various other child welfare entities in Pennsylvania. OCFC will establish, advance and maintain collaborative partnerships with all members of the Pennsylvania Child Welfare System in addition to DPW/OCYF.

III. Progress made with Activities not originally identified in the Strategic Plan

Juvenile Court Rules Committee

Sandy Moore, OCFC Administrator was appointed by the Supreme Court of Pennsylvania as an Ex Officio member of the Juvenile Rules Committee. As an Ex Officio member, Sandy can bring specific dependency issues before the rules committee for consideration. In February 2007, the Supreme Court of Pennsylvania adopted Rules of Juvenile Court Procedures – Dependency Matters, which were developed by the Juvenile Rules Committee. Additionally, the Rules committee has been integral in reviewing the court orders and forms that are part of the CPCMS Dependency Module.

Development of Expedited Appeals Process

The Honorable Max Baer, Supreme Court Justice, requested the Appellate Rules Committee consider developing expedited appeals for Termination of Parental Rights (TPR) hearings. To accomplish this task the Appellate Rules Committee developed a subcommittee which includes members of the Appellate Rules Committee, Juvenile Rules Committee, Domestic

Relations Rules Committee and Orphan's Court Rules Committee. Sandy Moore was, again, appointed in an Ex Officio manner to this group. The development of these rules will expedite appeals of dependency, TPR and adoption hearings throughout the state and will aid in decreasing the time a child spends in care by several months to years. The rules were officially adopted by the Supreme Court in Spring 2009 and implemented March 2009.

International Family Group Decision Making (FGDM) Blueprint Committee

Sandy Moore, OCFC Administrator, is a member of this committee. This is an international committee who will develop and issue a standard blueprint, which outlines, in detail, best practice standards for FGDM. Pennsylvania has selected FGDM as the lynchpin practice in our Permanency Practice Initiative.

FGDM Statewide Leadership Team

The FGDM Statewide Leadership Team provides guidance to the state for development and implementation of FGDM as well as training opportunities for the state related to FGDM. The OCFC is represented on this committee by Sandy Moore. Because FGDM is core to our CIP practice shift, OCFC involvement is critical.

IV. Pennsylvania's 2009 updated activities and progress towards meeting the recommendations delineated in the 2005 CIP Reassessment

- Recommendation #1: The Pennsylvania Supreme Court, Administrative Office of the Pennsylvania Courts (AOPC) should appoint a standing dependency court improvement project committee to provide project direction and leadership, develop system reform priorities, and oversee statewide reform efforts – The Supreme Court of Pennsylvania and the AOPC have developed the OCFC to administer the CIP Project. One of the most critical aspects of CIP in Pennsylvania has been the development of the Pennsylvania Children's Roundtable Initiative. The State Roundtable is the overarching advisory committee in this initiative, which sets priorities for the OCFC.

Initial 2009 CIP priorities included creation of the Permanency Practice Initiative (PPI) and selection of Phase One and Phase Two counties, development of a Judicial Dependency Bench Book, development of a Statewide Children's Roundtable Summit, creation of a Pennsylvania Dependency System Mission & Guiding Principles document, implementation of a court case management/data tracking system. In May 2009, the State Roundtable added as priorities the expansion of the PPI, development of

Guardian ad Litem and Parent Attorney training, creation of a Truancy Exploration Committee and examination of father engagement strategies.

- Recommendation #2: Establish a T/TA unit within the AOPC – The OCFC offers technical assistance and training to local courts; functions as an informational clearinghouse; and directs and coordinates efforts between dependency courts and child welfare agencies at both the state and local levels. Additionally, the OCFC provides information on best practices in dependency courts from both a state and national perspective. Recognizing the importance of on-site technical assistance, the State Roundtable encouraged OCFC to add three judicial analyst positions to the staff compliment. This was complete in early 2009 and each judicial analyst has been assigned specific counties, Leadership Roundtables, and state priority tasks/committees. In May 2009, the State Roundtable requested OCFC add a research judicial analyst position and a half-time administrative assistant. These latter positions are contained in FFY 2009 plan/re-budget.
- Recommendation #4: The state should consider making statutory changes that clearly delineate a time-limited process for permanency determinations. These timeframes should be consistent with ASFA requirements. Statutory language should also address the purpose of a permanency determination hearing (and differentiate its purpose from permanency reviews currently conducted every six months) and identify the type of supporting documentation CYS is required to submit to the court in advance of this hearing to support its permanency recommendation - Since February 2007, Pennsylvania's Rules of Juvenile Court Procedures – Dependency Matters, developed by the Juvenile Rules Committee and approved by the Supreme Court of Pennsylvania, have been in existence. OCFC's Administrator, Sandy Moore, was appointed by the Supreme Court as an Ex-Officio member of the Juvenile Rules Committee. The Juvenile Court Rules address timeframes that are consistent with ASFA; hearing types and addresses required supporting documentation.

Pennsylvania is also developing a Dependency Bench Book, which will highlight best practice in these areas. Through the development of the Bench Book, the development committee has identified unclear and/or missing rules. As a result, the committee has requested the Juvenile Rules Committee to examine various ASFA timing issues and processes. Six members of the Juvenile Rule Committee are also members of the State Roundtable. Additionally, two of the three judges on the Juvenile Rules Committee are members of the Bench Book development committee. It is intended this cross-committee representation will lead to rules and best practices that support rather than contradict one another.

In addition to this process of rule development, re-examination, and revision; in March 2009 the Pennsylvania Supreme Court adopted a new set of appellate rules aimed at expediting the appeals process on matters effecting

abused & neglected children. Again, the OCFC Administrator was an Ex-Officio member of the committee developing the expedited rules. OCFC is currently working with the Pennsylvania Superior Court and local jurisdictions to track outcomes related to the expedited process.

- Recommendation #5: Statutory changes should be considered to expand jurisdiction in the juvenile court to include any termination of parental rights (TPR) and adoptions matters resulting from an original dependency filing. In addition, specific timelines should be established for the filing of the TPR petition after the court has determined a goal change to adoption is appropriate, for the scheduling of the initial hearing on this petition, and for the scheduling and completion of TPR proceedings. – Currently TPR matters are heard in front of a Dependency Court Judge, while TPR, specific goal changes, and adoption matters go to the Orphans Court Judge, unless one judge hears both types of cases. Although at this time it is not anticipated that this process will change, the rules do allow local President Judges to designate Orphan Court authority to Dependency Court judges. This has occurred in many jurisdictions. The OCFC is aiding coordination and communication between the two courts to prevent any barriers that may occur (yet another requirement for Phase One and Phase Two PPI counties).

In addition, the concept of “one judge - one family” is being incorporated into the Judicial Dependency Bench Book as one of its overarching fifteen themes and as a best practice. In September 2008, the Bench Book Committee submitted a request to the Juvenile Rules Committee to re-examine this separation of judicial oversight.

- Recommendation #6: Statutory changes should be considered to strengthen requirements for judicial review of the Family Service Plan (FSP) at the dispositional hearing, or at a status/expedited review hearing shortly after disposition, if these plans are not fully developed and the casework transfer between the investigations and on-going caseworker has not been accomplished – While statutory language to address the FSP are yet to be recommended, the issue has been sent to the Juvenile Court Rules Committee for consideration.
- Recommendation #7: Statutory changes should be considered to clarify inconsistencies in statutory requirements for petition filing and petition adjudication. This could include clearly identifying circumstances surrounding waiver of 10-day adjudication hearing time frames and how these intersect with the expanded FSP dispositional reviews included in the previous recommendation - As previously mentioned, the Juvenile Court Rules were implemented in February 2007. While statutory changes have yet to be proposed, both the Dependency Bench Book Committee and the Juvenile Rules Committee are examining this issue. Petition filing and court orders are being addressed through the Dependency Data System, which are making certain petitions and orders consistent. All other matters are addressed

through the roundtable meetings, Pennsylvania Permanency Initiative and Pennsylvania's PIP.

- Recommendation #9: The Statewide CIP Committee and the AOPC should encourage administrative judges of local Courts of Common Pleas to specifically recruit judges with an interest and disposition for juvenile matters for appointment to the juvenile bench, and to encourage expanded assignments for a minimum of three to five years – if not longer - As a result of the culture change promoted by the Supreme Court and the OCFC and the initiation of the Children's Roundtables initiative judges are already requesting to remain in dependency court. The Supreme Court, specifically Justice Baer and the OCFC, supports and encourages this practice to provide consistency within Dependency Courts and move to a one judge, one family model, which would benefit children and their families.

It should be noted that the Supreme Court has chosen not to mandate this practice. As a locally driven state, the local President Judge ultimately has the authority to determine what is the best fit and need for their county, which includes assignments of judges. More and more, judges are choosing to remain involved in dependency court. In fact, many President Judge's are keeping dependency assignments realizing that positively impacting the lives of dependent children will ultimately have a positive impact on other areas of court operations.

- Recommendation #10: The Statewide CIP Committee and the AOPC should encourage the local judiciary to take a leadership role in improving on-going communication between the court and local CYs (and other key stakeholders) and to engage them in a collaborative fashion around any identified reform initiatives. –The Pennsylvania Children's Roundtable Initiative has effectively enhanced judicial oversight and communication/collaboration between the court and agency. Of significance is the positive and productive relationship forged at a state level between the judiciary and the executive branch. A strong administrative partnership exists between the OCFC/AOPC, Supreme Court and DPW/OCYF. Additionally, the Children's Roundtables have provided a forum for the court, agency and stakeholders in each county to discuss child related issues and develop common solutions.
- Recommendation #11: The Statewide CIP Committee and the AOPC should examine ways to encourage local Common Pleas Courts to dedicate more judicial resources to the dependency docket – particularly in medium-sized jurisdictions. The expanded use of masters may be critical in this regard. The feasibility of approaching the State Legislature for a dedicated funding source should be examined as well as seeking local foundations to initially fund these on a pilot basis as was done in Allegheny County. – As a locally driven state, the President Judge in the county ultimately has the authority to determine what is the best fit and need for their county, which includes the assignment

of judges, and the addition/expansion of masters. In future years, the Supreme Court would like to approach the State Legislature and/or foundations for additional funding as the scope of helping children & families expands.

- Recommendation #12: In similar fashion, the Statewide CIP Committee and the AOPC should examine and document the lack of attorney resources; specifically, attorneys for parents and child advocates (GALs) for children, and examine ways to begin addressing these. The expanded use of dispositional advisors/caseworkers to support parents' attorneys may also be critical in this regard. Early appointment and adequate advocacy resources for parents and children should be part of any pilot effort funded by CIP to front-load the court process – In May 2008 the State Roundtable selected GAL and Parent Attorney training as priority issues. A development committee has been established and will be chaired by the Honorable Kelly Streib, County of Butler Common Pleas Court Judge. Collection of national best practices has begun. The committee was tasked with creating a curriculum and a dissemination plan. The committee includes current GALs, dependency judges, parent legal advocates, county child welfare solicitors, DPW/OCYF staff and OCFC staff.

Early appointment of competent legal representation is an overarching theme in the Dependency Bench Book, is highlighted in the Pennsylvania Mission & Guiding Principles document, is an ongoing discussion item for Leadership Roundtable meetings, is included in the Pennsylvania PIP and is supported by numerous organizations/entities.

OCFC partnered with the Pennsylvania Bar Institute's Children's Rights Committee to host a one day training/educational workshop (results of which will be outlined in the 2010 Program Assessment Report).

Finally, best practices such as "Facilitation", "Family Group Decision Making" and "Dependency Mediation" are being used in Pennsylvania Counties as a mechanism to lessen the adversarial nature of dependency courts and promote a stronger focus on "best interest" and "solutions".

V. Recommendations of the State Interdisciplinary Advisory Committee (State Roundtable)

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

May 28 & 29, 2009 State Roundtable attendance:

Leadership Roundtable 1

Laurie O'Connor, Montgomery County
Cynthia Stoltz, Allegheny County

Leadership Roundtable 2

Honorable Leslie Gorbey, Lancaster County

Leadership Roundtable 3

Honorable Brian Johnson, Lehigh County
Honorable Todd Hoover, Dauphin County
Peter Vriens, Dauphin County

Leadership Roundtable 4

Honorable Chester Harhut, Lackawanna County
Honorable Mark Mascara, Washington County
Honorable Kelly Streib, Butler County
William Browning, Lackawanna County

Leadership Roundtable 5

Honorable Caron VanHorn, Franklin/Fulton Counties
John Perrot, Fayette County
Maryanne Burger, Blair County

Leadership Roundtable 6

Honorable Charles Saylor, Northumberland County
Richard Saylor, Lycoming County

Leadership Roundtable 7

Honorable Carol Hanna, Indiana County
Honorable Oliver Lobaugh, Venango County
David Schwille, Venango County
Kerith Strano Taylor, Jefferson County
Brian Mowrey, Jefferson County

Leadership Roundtable 8

Not present

Permanent State Roundtable Members:

Honorable Kim Berkeley Clark, Allegheny County
Honorable Kevin Dougherty, Philadelphia County
Marc Cherna, Allegheny County CYF
Ann Marie Ambrose, Philadelphia County
Honorable David Wecht, Allegheny County

Invited Guests:

Frank Cervone, Executive Director, Support Center for Child Advocates
Jim Anderson, Executive Director, Juvenile Court Judges Commission
Mimi Laver, J.D., American Bar Association
Richard Gold, Deputy Secretary, Office of Children, Youth and Families
Pennsylvania Department of Public Welfare
Honorable George Hartwick, III Dauphin County Board of Commissioners
Karen Jenkins, American Humane Association

Members of the Administrative Office of Pennsylvania Courts:

Honorable Max Baer, Justice, Supreme Court of Pennsylvania
Michele Makray, Pennsylvania Supreme Court
Zygmunt A. Pines, Esq. Court Administrator of Pennsylvania
Joseph Mittleman, Director of Judicial Programs
Sandy Moore, Administrator, Office of Children and Families in the Courts
Ralph Hunsicker, Judicial Automation Division
Barbara Holmes, Judicial Automation Division
Angelo Santore, Judicial Analyst, Office of Children and Families in the Courts
Elke Moyer, Administrative Assistant, Office of Children and Families in the Courts
Stephenie Strayer, Judicial Analyst, Office of Children and Families in the Courts
Angela Sager, Judicial Analyst, Office of Children and Families in the Courts
Lynne Napoleon, Judicial Analyst, Office of Children and Families in the Courts

State Roundtable Priorities include:

1. Expansion of the Permanency Practice Initiative
2. Full participation in the Children's Roundtable Initiative
3. Completion of a Judicial Bench Book for Dependency Matters
4. Dissemination of the Pennsylvania Dependency System Mission & Guiding Principles
5. Ongoing judicial educational opportunities related to Dependency Matters
6. Development & implementation of training curricula for Guardians ad Litem and Parent Attorneys

7. Development of a Truancy Exploration committee and Best Practice Recommendations
8. Examination of Father Involvement and Recommendations for Enhancing Father Engagement
9. Finalization of CPCMS Dependency Module Court Data/Outcome Tracking System, Data Integrity Assurance and Generation of Statistical Reports
10. Ongoing Children's Roundtable Summit.

VI. Results of any Assessments of Activities Funded Under this Grant

The primary assessment of activities under this grant was the joint assessment by the OCFC and OCYF on the Interstate Compact on the Placement of Children provided as required by the 2008 CIP Grant Application. The completed assessment is provided as an attachment to this document.

Attachments

- A Judicial Analyst Assignment Map
- B Children's Roundtable Diagram
- C Children's Roundtable Grid
- D Pennsylvania's Dependency System Mission & Guiding Principles
- E May 28 & 29, 2009 State Roundtable Agenda
- F Pennsylvania Permanency Practice Initiative (PPI) Map
- G PPI Phase One County Meeting Power Point