

SPECIAL REPORTS

Juvenile Court Improvement Program (JCIP) – History and Federal Court Improvement Fund Usage

A BRIEF HISTORY OF THE FEDERAL COURT IMPROVEMENT PROGRAM

The Court Improvement Program was part of federal legislation passed in 1993 to help state courts fulfill the role they were assigned in child welfare cases by Public Law 96 272, passed in 1980 and known as The Adoption Assistance and Child Welfare Act. The Act was intended to create national standards for child welfare cases by requiring that reasonable efforts criteria be met for each case. Public Law 96 272 formalized the role of state courts as overseeing state agency compliance with these and other requirements. The flow of federal money to the state under Title IV E depended on the court finding that the agency was in compliance and had made reasonable efforts.

Implementing the requirements in each local child welfare system required an enormous effort that had mixed results. In 1993 the systems of child welfare practice and court oversight created by PL 96 272 were refined. The Family Support and Preservation Act provisions were added to Title IV B of the Social Security Act, creating new financial support for family services. Additionally, the Federal Court Improvement Program (CIP) was also created, making federal funding available for state courts to assess their processes for dependency cases and for developing and implementing recommendations for improvement. In Oregon, the Juvenile Court Improvement Program (JCIP) was developed.

Adapting to new Oregon and federal laws changed the way business was done in juvenile court. There was a paradigm shift to viewing cases “through the eyes of a child.” The NCJFCJ’s Resource Guidelines established best practices and nationally accepted standards and the principles upon which a judge could rely in making reasonable efforts determinations, and the judge was required to take a leadership role. Oregon’s JCIP was designed to equip judges with practical information and the tools needed to get the job done.

Over the last 15 years, the work of JCIP has been framed by:

1. the 1997 passage of ASFA (Adoptions and Safe Families Act) that put safety, permanency and well being and expeditious permanency at the center of national child welfare policy,
2. the 2000 implementation of the Child and Family Service Reviews (CFSR) – the federal performance audit of child welfare agencies– that made data and outcomes for children in foster care the focus of attention, and
3. the 2004 Pew Commission on Children in Foster Care’s comprehensive report on the child welfare-foster care system recommendations in a section entitled “Strengthening Courts” that focused on monitoring performance measures; collaborating with child welfare agencies and Indian tribes; improving advocacy and representation of parties and therefore the quality of judicial decisions; and orienting court procedure and practice, including judicial training and allocation of resources, so as to enable to courts to effectively serve their oversight role.

The Pew Commission Report was instrumental in securing Congressional authorization that tripled the amount of money granted to CIP. Two additional CIP grants were made available to the states—one to support

SPECIAL REPORTS

development of data driven performance measures and another to provide inclusive and multi-disciplinary training.

OREGON'S USE OF FEDERAL CIP FUNDS

Since receiving federal CIP funds, the Oregon Judicial Department's JCIP has been able to take a leadership role to improve the performance of Oregon's courts in handling child abuse and neglect cases, develop multidisciplinary and collaborative opportunities for all dependency court stakeholders to identify and resolve local barriers to timely permanency, Below are just a few samples of how the funds have been used in Oregon:

- During FFY2010, over 1,500 people representing nearly every stakeholder group in Oregon's child protection system, participated in various educational opportunities supported by JCIP Training Grant Resources.
- Developed and continue to maintain the JCIP website that currently features technical support bulletins, learning modules and self-tests, guides and manuals, program assessments, as well as materials from statewide conferences and summits.
- Developed and kept up-to date the Juvenile Court Dependency Benchbook located on the JCIP website.
- Facilitated and supported a committee of JCIP staff, juvenile judges, DHS compliance officer, and court staff to develop and update legally sufficient statewide Model Juvenile Dependency Forms.
- Developed and continue to provide data report to all courts showing specific outcomes for each county.
- Provided technical assistance to under-performing counties as determined by reported outcomes.
- Supported local courts and child welfare offices with identifying barriers to timely filing of termination of parental rights (TPR) petitions and develop and implement plans to reduce those barriers.
- Participated on and continue to support the Interbranch Juvenile Dependency Workgroup, which consists of representatives from all three branches of government and prioritizes initiatives and efforts to improve outcomes for children and families in Oregon's dependency system. The Education Subcommittee, which is chaired by JCIP staff, provided training for legislators on dependency matters;
- Established the State Court Compliance with ICWA workgroup to improve ICWA compliance.
- In January 2009, Oregon joined the "Safe and Equitable Foster Care Reduction Initiative" supported by Casey Family Programs. In August 2010 Oregon's Chief Justice, Governor, and President of the Oregon Senate signed the "Safe and Equitable Foster Care Reduction Partnership Declaration," along with Casey Family Programs, to emphasize the importance of maintaining or creating lifelong family connections for every child in Oregon. The partnership also underscored the commitment to ensuring that children of color, particularly African American and Native American children are not unfairly overrepresented in foster care.