



## Conducting Professional Reviews

**CRB AS THE EYES AND EARS OF  
THE COURT**

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- “You are the eyes and the ears of the court, a part of the court’s conscience. You are also the eyes and ears of society, and part of its conscience.

“Reviewers are one of the few institutions where the problems of the family, the efforts of the state, and the work of the judiciary meet.

“You are able to see what is working and what is wrong.”

- 
- Chief Justice Robert N. Wilentz, New Jersey Supreme Court

# The Role of the CRB



# Federal Law

- Federal law provides the framework for dependency law
- The fundamental concepts & procedural requirements contained in federal law include:
  - Permanency
  - Active efforts under ICWA
  - Reasonable efforts
  - Health, safety, and well-being
  - Written case plans
  - Periodic reviews



# State Law

- Contains the fundamental concepts and procedural requirements that arise out of federal law such as “reasonable efforts”
- Created the Oregon Citizen Review Board





# Purpose of the Review

- Provide a forum for all parties to be heard
  - Ensure that cases progress and children spend as little time as possible in temporary placement
  - To review the effort of DHS to provide the services to make the return of the child safely home possible and/or finalize the permanent plan
  - Re-examine long-term goals and change any which are no longer appropriate
  - Create a valuable record of the actions of the parents and the State
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# The Review Process



# Preparing for the Review



# Preparing for the Review

- Read the case plan and case materials
- Summarize the background of the case
- Identify issues in the case
- Develop questions for the review





# Develop Questions for the Review

- Focus on the findings when developing questions.
- Determine what information you will need and from whom in order to make the finding, and develop questions to gather the lacking needed information.
- Know and be able to explain the reason for your question.



# Preparing for the Review: Best Practices

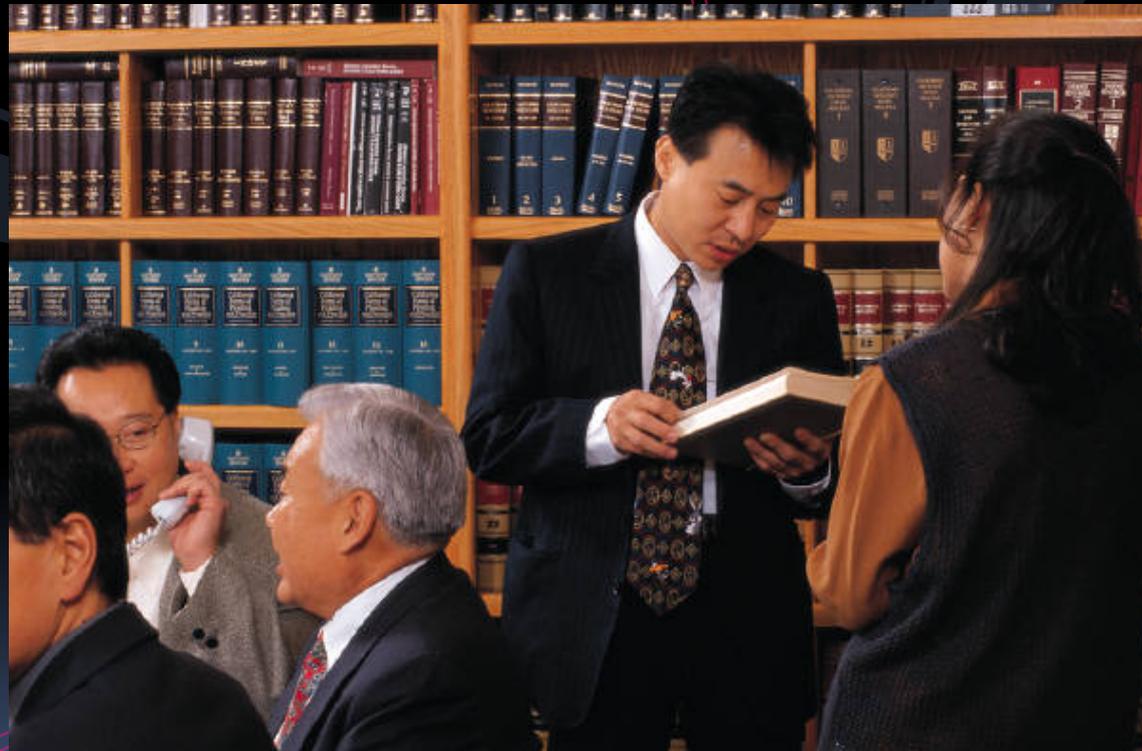
- Read and prepare for all cases, even if you are not the lead
- Contact your field manager if you are missing any material, have a conflict, or have any other questions or concerns regarding the material
- Reference in your notes where information came from
- Remember: the case material is dated, may contain errors, and is written from only one person's perspective

# Confidentiality



- ORS 419A.100 requires board members to keep confidential the information reviewed by the board.
- All copies of paper materials are collected by the field manager at the end of the review day.
- All electronic materials should be password protected on the computer and deleted promptly after each review day.
- Remember: foster parent information is also confidential

# The Board Review Day



# CRB Position Responsibilities

- Regular attendance
- Thorough preparation
- Active participation
- Maintain a professional atmosphere during case reviews
- Stay on task and on time
- Disclose any conflict of interest
- Maintain confidentiality



# Board Business: Best practices

- Arrive promptly
- Discuss:
  - The cases being reviewed
    - Determine which findings apply
    - Cross out findings that don't apply
  - Review any correspondence to the board
  - Discuss any conflict of interest
  - Any other board business



# Conducting the Review

- Keep in mind:
  - Setting the tone
  - Board demeanor
  - That this may be the first CRB review for a participant. They may not understand who you are, the procedure, or acronyms





# Conducting the Review

- It is essential to create an atmosphere that encourages the participation of the parties in order to conduct an effective review
- The manner in which a board operates sets the tone for the review
- The demeanor of the board affects the level & quality of the participation
- Be aware of your perspective & perceptions & how they affect your actions and decisions

# Conducting the Review: Perspectives & Perceptions

- Perspective – our point of view
- Perception – how we receive & interpret information
- Cultural considerations
- Parties' perspectives & perceptions



# Conducting the Review: Setting the Tone & Board Demeanor

- Body language and voice tone
- Listening
- Role



# Conducting the Review: Setting the Tone & Board Demeanor

- Body Language & Voice Tone.
  - Our body language and tone of voice communicates more than our words, and can encourage or discourage participation.
  - Avoid negative body language:
    - Crossing arms
    - Rolling eyes
    - Negative facial expressions
    - Avoiding eye contact





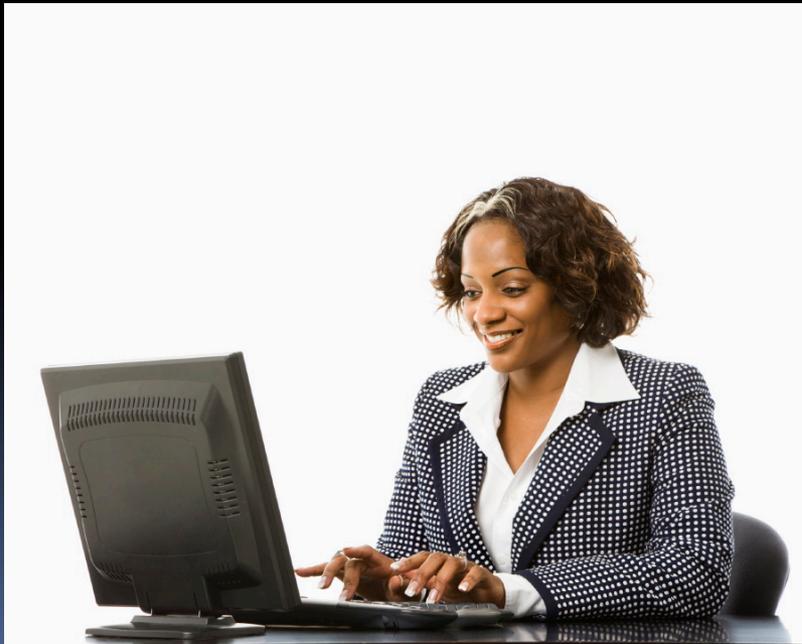
# Conducting the Review: Setting the Tone & Board Demeanor

- Listening
  - Only one person speaks at a time
  - Allow a party the opportunity to answer the question
  - Practice active listening
    - Acknowledge verbally or physically what the party is saying
    - Reflect or rephrase what was said
    - Clarify unclear statements



# A special note on technology

- Phone on silent
- Maintain eye contact/look up from computers



# Conducting the Review: Setting the Tone & Board Demeanor

- Role

- Stay focused on your role: to ask questions to gather information to make required findings & recommendations.
- Avoid:
  - Giving advice and/or reassurance
  - Judgment statements
  - Lecturing
  - Using emotionally charged words
  - Telling your own story



# Conducting the Review: Role

- Because of the sensitive nature of issues that trouble families and your respect for the family as the foundation of the community, you must be nonjudgmental & objective in your attitude toward families and caseworkers. You will need to be fair & impartial in evaluating case plans & making sound recommendations.
- It is not the role of the board member to lecture, counsel or advise participants, or disclose your own life experiences.

# Conducting the Review

- Reading the opening statement
- Reciting the background of the case
  - Name and age of child, date child placed into substitute care, date of jurisdiction, basis for jurisdiction, ICWA status, permanency plan, & concurrent plan
- Discussing and making findings
  - Read the finding, briefly summarize information from case materials, ask questions related to the finding, & ask each legal party or attorney for their input
- Making recommendations
  - Address negative findings & other issues raised at the review
- Reading the closing statement

# Conducting the Review

- Recommendations
  - Recommended format: WHO is to do WHAT by WHEN
  - When making a recommendation, Include:
    - Who the recommendation addresses
    - What specific action is required
    - When the action is to be completed





# Thank you!

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# **WORKING THROUGH IT: THE PRACTICAL APPLICATION**

# Case Scenario – Mock Review 1

- Set up:
  - Please sit 6 people per table
  - Do you know more than 1 or 2 people at your table? If so, please switch tables – meet new people!
  - You will be performing a mock review at your table – please determine who will play each role:
    - CRB Volunteer Board Members (x3)
    - Caseworker (x1)
    - Father's Attorney (x1)
    - Mother (x1)

# Case Scenario – Mock Review 1

Read the summary (also on handout):

Samantha (age 6) was taken into care when mother was arrested for possession of methamphetamine. Mother is low functioning. At the time of the removal, father's whereabouts were unknown and he had never established a relationship with his daughter. Jurisdiction was as follows: mother has alcohol and/or drug issues that interfere with her ability to parent; mother has mental health issues that interfere with her ability parent; and father has not established a relationship with Samantha. DHS has referred mother for an alcohol and drug assessment, a psychological evaluation, parenting classes, housing assistance, and visitation.

# Case Scenario – Mock Review 1

- Read through your role description, and participate in the review accordingly.
- Work as a board to make findings number 4 and 6:
  - Finding #4: DHS made reasonable efforts to provide services to make it possible for the child to safely return home.
  - Finding #6: The parents have made sufficient progress to make it possible for the child to safely return home.



# Case Scenario – Mock Review 2

- You will be performing a mock review for the second review of this same case – 6 months later.
  - Switch roles – if you were a CRB member, you will now be a party, and vice versa.
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# Case Scenario – Mock Review 2

Read the summary (also on handout):

Mother is engaged in all services with clean UAs. However, her parenting instructor reports that mother does not appear to grasp the concepts and she has trouble managing her child at DHS. Furthermore, her psychological evaluation indicates that she has insurmountable deficits to parent independently and likely cannot overcome them within a reasonable time and should be referred to DD services. DHS has offered father visitation, transportation to visitation, and parenting classes within a week of the previous CRB review.

# Case Scenario – Mock Review 2

- Read through your role description, and participate in the review accordingly.
- Work as a board to make findings number 6 and 9:
  - Finding #6: The parents have made sufficient progress to make it possible for the child to safely return home.
  - Finding #9: The permanency plan is the most appropriate plan for the child.



# Review and Reflection

- How did your board find during the first review?
    - Finding #4
    - Finding #6
  - How did your board find during the second review?
    - Finding #6
    - Finding #9
- 



# Review and Reflection

- Reflect:
    - How did the demeanor of the CRB members and the participants affect the review?
    - What was the experience like working with these CRB members and participants?
    - Can you remember a time when a CRB member or a party had a similar demeanor? How did it affect the review?
    - How can you bring the experience from today to your practice as a CRB member or other child welfare professional?
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# Wrap Up

- Final thoughts:
    - Remember that you are the “Eyes and Ears of the Court”
    - In our roles, we should all strive to positively represent the Citizen Review Board, the Oregon Judicial Department, and the State of Oregon.
    - Thank you for your time, dedication, and service to the children and families of Oregon!
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**2012 EVERY DAY COUNTS CONFERENCE**  
**Workshop: CRB as the Eyes and Ears of the Court:**  
**Conducting Professional Reviews**

**SUMMARY OF INFORMATION FOR MOCK REVIEW :  
FIRST REVIEW**

Samantha, age 6, was taken into care when mother was arrested for possession of methamphetamine. Mother is low functioning. At the time of the removal, father's whereabouts were unknown and he had never established a relationship with his daughter. Jurisdiction was as follows: mother has alcohol and/or drug issues that interfere with her ability to parent; mother has mental health issues that interfere with her ability parent; and father has not established a relationship with Samantha. DHS has referred mother for an alcohol and drug assessment, a psychological evaluation, parenting classes, housing assistance, and visitation.

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**SUMMARY OF INFORMATION FOR MOCK REVIEW:  
SECOND REVIEW (6 MONTHS LATER)**

Mother is engaged in all services with clean UAs. However, her parenting instructor reports that mother does not appear to grasp the concepts and she has trouble managing her child at DHS. Furthermore, her psychological evaluation indicates that she has insurmountable deficits to parent independently and likely cannot overcome them within a reasonable time and should be referred to DD services. DHS has offered father visitation, transportation to visitation, and parenting classes within a week of the previous CRB review.

**Volunteer board member** – Demonstrate consistently poor body language during the review e.g. cross your arms, roll your eyes, sighing, looking at your watch/clock, shuffling papers, etc.

**Volunteer board member** – Interrupt your fellow board member while they are asking a question at least one during the review and interrupt one of the parties while they are speaking at least once during the review.

**Volunteer board member** – Silent VBM. Do not ask any questions of any of the parties. Limit your speech with other board members to one word responses.

**Father's attorney** – Only if asked directly, you can reveal that father has no DHS or criminal history and is successfully parenting another child. He is eager to have Samantha returned to his care and cooperate with DHS so that can occur.

**Caseworker** – Only if asked directly, you can reveal that mother was referred promptly to services within 60 days of removal and that she is engaged in services. Father was located in an adjacent county within 30 days of removal, but DHS has not offered him any services.

**Mother** – When asked about your progress, state that the criminal case against you was dismissed and therefore Samantha should not have been removed – focus on this point. If subsequently the board members redirect and question you appropriately, you can reveal that you have engaged in all services asked of you by DHS.

**Volunteer board member** – At least once during the review, repeat a question that has already been asked and answered.

**Volunteer board member** - Tell a personal story that relates to this case.  
 Example: “We reviewed a case last month where the mother relinquished her rights, and the kids really seem to be doing well.”

**Volunteer board member** – Make a judgmental statement about the mother or father based on the case summary. Example: (To Father’s attorney): “Your client is clearly not interested in parenting this child – where was he for the first six years of her life?” or (To Mother): “Your psych eval says that you’ll never be a fit parent – maybe you should think about relinquishing.”

**Father’s attorney** – Your position is that father has done everything asked of him and Samantha should already have been returned to him. Father has looked into the school Samantha would attend and she would have her own room in the family home. Samantha has bonded to father and her half-sibling.

**Caseworker** – When asked, you can reveal that mother has completed all services asked of her but has not benefited. After DHS received mother’s psychological evaluation, they offered her intensive one-on-one parenting, but the trainer saw no benefit to continuing the service. Mother still has supervised visits. Father’s visits go well and he now has some unsupervised weekend visits. DHS has no concerns about father.

**Mother** – You are very nice. You are engaged in all services and enjoy them, so much so that you have continued in the services even after they were completed. You are ready for Samantha to come home.