

**Juvenile Court Improvement Program Advisory Committee**  
**Meeting Minutes– March 13, 2017**  
Juvenile & Family Court Programs Division – Oregon Room  
1133 Chemeketa Street NE, Salem, OR 97301  
1:30 – 4:00 PM

**I. Welcome & Introductions – Hon. Stephen Forte**

**Committee Members Present:**

Hon. Stephen Forte, Chair, Circuit Court Judge, Deschutes County  
Hon. Amy Holmes Hehn, Circuit Court Judge, Multnomah County **(by telephone)**  
Mandy Augsburger, Foster Parent  
Nancy Cozine, Executive Director, Office of Public Defense Services  
Karyn Schimmels, CW Training Manager, Department of Human Services **(by telephone)**  
Kathy Prouty, Child Permanency Program Manager  
Hon. Karen Ostrye, Circuit Court Judge, Hood River County **(by telephone)**  
Catheryn Tufts, Tribal Staff Attorney, Confederated Tribes of the Siletz Indians **(Present)**  
Daniel Schneider, Trainer, Child Welfare Partnership Training Unit **(by telephone)**

**JFCPD Staff Present:**

Leola McKenzie, Director, Juvenile & Family Court Programs Division  
Megan Hassen, Juvenile Law & Policy Counsel, Juvenile & Family Court Programs Division  
Amy Benedum, Program Analyst, Juvenile & Family Court Programs Division  
Shary Mason, Model Court & Training Analyst, Juvenile & Family Court Programs Division  
Conor Wall, Data Analyst, Juvenile & Family Court Programs Division  
Kim Morgan, Management Assistant, Juvenile & Family Court Programs Division

**II. Approval of Minutes from Last Meeting (12/12/16) – Hon. Stephen Forte**

Approved

**III. Reports**

**A. Re-Imagining Dependency Courts - Leola McKenzie**

The Reimagining Dependency Courts project continues. As a reminder this is a project with National Center for State Courts (NCSC) with funding from Casey Family Programs. This is part of Casey's long-term goal to safely and equitably reduce the number of children in foster care. One key strategy under Reimagining Dependency Courts (RDC) is the development and implementation of a differentiated case management (DCM) system for trial courts. Four counties, Clackamas, Deschutes, Lane and Polk are the pilot counties. The judges and court administrators from those 4 counties along with the NCSC, Conor, and Leola met this past fall to begin the process of identifying a screening tool and possible tracks designed to improve timeliness of permanency. The pilot county judges and staff, along with key stakeholders participated in a meeting in December where the draft tracks and assessment tool were reviewed and input gathered. The tracks and Case Information Sheet (assessment tool) were discussed. See the handout for more information.



RDC -DCM Pilot.pdf

As a part of this DCM project, the National Center for State Courts is working with Conor and Deschutes County. They are analyzing data points in the court case management system in an attempt to identify cases with similar issues and explore how long those cases took to get to permanency. This is a beginning look at predictive analytics based on the data in the court system. In the future, perhaps when a new case comes in, it could automatically be assigned to a case management track based on the key issues in the case. The DCM pilot project along with examination of cases in Deschutes will help identify the predictive value of the items in the case assessment tool.

The other component of the DCM project is that a juvenile dependency case manager will be hired or identified for each county. The case managers will fill out the assessment tool and make sure that the Judge has it for the jurisdictional hearing. They will track and make sure the cases are being heard when they are supposed to be heard based on the track assignment. They will follow up with parties to make sure that any information that should be before the court for a particular hearing is at the court in advance so that the court has time to review it.

Another project under the RDC umbrella was a case file review of long stayer cases in Multnomah, Yamhill & Lincoln counties; the file reviews were done by Timothy Travis and senior judge, Eveleen Henry. The courts are reviewing the report.



RDC Longstayers  
Report.pdf

### **B. JCIP Grants Update - Leola McKenzie**

The status of the JCIP Data and Training grants is still unknown. We are reducing the amount of time for JCIP activities right now, and will continue with the funds that we have.

The State Court Administrator and Chief Justice asked Leola to put together a document that shows the key strategies for the JCIP plan and those activities that we are discontinuing or scaling back. On the back, is JCIP's 2015-2017 map of activities. The attendance is estimated for the events planned in April, May and June of this year; we anticipate serving approximately 4,720 people over the course of the biennium. This count includes some people who attended multiple trainings or events. .



RDC Oregon  
strategies.pdf

### **C. Appellate Court Training - Megan Hassen**

We were approached last summer by the Court of Appeals (COA) to provide a practical juvenile dependency training to appellate court judges, supreme court justices, and their staff. We spent several months working with COA Chief Judge Hadlock, Jean Ann Quinn, and Colm Moore (COA staff attorneys) to develop the training. We were fortunate to have Judge Abernethy, Judge Forte, Judge Partridge and Judge Brownhill participate in planning and providing most of the training. On February 9, 2017, we delivered the half-day training; about 48 people attended (12 justices and judges, law clerks, and staff attorneys). Conor compiled the evaluations and the training was well-received. There are some comments on the last page of training topics that attendees would like to see in the future. We steered clear of the nuts and bolts legal training (which is what we usually provide); because they really

wanted to know what it is that they don't see. They are the experts on the law and they wanted to know the practical issues in juvenile court. That was the main purpose and they really wanted to hear from judges. Judge Forte, Judge Partridge, and Judge Brownhill, thank you for that.

#### **D. CFSR & PIP Project: Shary Mason**

Periodically, the Children's Bureau conducts the Child and Family Services Review (CFSR). They require the state to do a self-assessment and a review of cases. In Oregon, 96 cases were reviewed. The purpose is to identify strengths and those areas needing improvement. The standard is 95% to pass. Oregon did not pass any of the 18 items in the CFSR. The next step is to develop an improvement plan. Shary and Conor, as well as John Nichols, Christina Jagernauth and Dave Smith from the CRB, did some of the CFSR reviews. The review includes looking at files, talking to case workers, parents, and other stakeholders, such as foster parents, CASAs, judges, attorneys, providers, etc.

Some of the strengths for Oregon were the continued improvement to increase relative placements, preserving connections for children with an APPLA plan, the assessment of physical and mental health needs, and collaboration with the Department of Education, Tribes and Courts, permanency hearings and periodic reviews, the case information system (OR-Kids), and the agency's responsiveness to the community.

A Program Improvement Plan (PIP) is required for the items that did not pass. A draft of the PIP will be presented to the Child Welfare Advisory Committee on March 15, and will be submitted on May 1 to the Children's Bureau.

There are 6 multidisciplinary workgroups providing input on the PIP. Shary explained the groups and noted that JCIP staff are involved in the most of the workgroups.

#### **E. JELI, Eyes and MCS Planning - Megan Hassen**

There are a couple of agendas in your materials. One is for the JELI Spring Convening on April 28<sup>th</sup>; approximately 30 judicial officers signed up to attend. The training will be in Salem and the morning will be dedicated to mental health.

The *Through the Eyes of a Child* conference will be at the Oregon Garden in Silverton again. Most sessions are outlined and speakers are confirmed. At the request of the Advisory Committee, there are 2 sessions on nuts and bolts (practical issues in dependency hearings). The first one for shelter hearings and the 2<sup>nd</sup> about permanency hearings. The presenters are judges from large and smaller counties to talk about the practical aspects of how they handle those hearings in their counties. There will also be a table discussion topics again. One of the other topics is the new ICWA Regulations. Shary is putting together a panel presentation with Craig Dorsay, Ann Herzog, and Cheryl Baldomaro-Lucas. Doreen Dodgen-Magee, who spoke at Shoulder to Shoulder, will be speaking about relationships and digital issues. There will be the annual appellate update and there will be a session on juvenile and adoption records.

MCS - Shary stated that we are not sure if we are having MCS because of the elimination of the training and data grants.

#### **IV. Continuous Quality Improvement (CQI):**

## **A. Quarterly Reports – Conor**

The meeting materials include the 2016 year-end and fourth quarter reports. Conor reviewed the data and answered questions,

## **B. QUICWA - Shary Mason**

Shary expressed concern about our ability to continue with the QUICWA project because of not having the support of the JCIP training or data grant. The QUICWA Work Group has come up with a possible way to continue. DHS has a Memorandum of Understanding with CASA. CASA programs in some of the counties are the data collectors. It's currently being supported in Marion, Klamath; it seemed a natural fit to be able to continue with the data collection piece being done by CASA. DHS has funds that can be given to CASA in order to do the data collection part. DHS is working on that piece. Leola, Conor and Shary met and based on number of hearings, etc. they felt they could continue to provide the data support. They feel it is really important since it is data that is being collected in court and on judges that they wanted to be able to make sure that the data protocols that are in place about sharing it with the judges first and then with the community partners and some of the other practices that they put into place would continue. The Tribes have agreed to continue. Angela Fasana, the TCA for the Grand Ronde Tribe has agreed to help with training the data collectors. Shary will help with materials and how to get that started. With the collaboration of JCIP, Courts, DHS, Tribes, etc. they are hopeful that this project will continue.

## **V. Discussion Topics**

### **A. Recommendations for statewide judicial allocation, stable assignment, rotation and tenure best practices for judges who preside over juvenile cases - Conor**

Recommendations came out of RDC focus groups. One of the recommendations that came out of that was for statewide judicial allocations, stable assignment and tenured best practice for judges who preside over dependency cases.

Leola stated that this came from a practical view - we just get a new juvenile judge trained and then they're gone and we have to train a new person. When you have turnover it delays cases. The assignment of juvenile judges varies between counties; some ask or choose to serve on the juvenile bench, others are assigned regardless of their interest or expertise.

Conor indicated they didn't have any specific recommendations around this, so they wanted to have a discussion with the Advisory Committee to solicit recommendations about how juvenile judges should be assigned. Should there be recommendations about how long juvenile rotations last? What are some best practices?

Judge Hill - in the discussions there is a distinction between larger/smaller court and how those are handled? Are there jurisdictions where some want to be the juvenile judge and don't get it?

The main goal is that the recommendation would be not just about allocation but rotation, tenure practices, and education. The two ideas that have been discussed the most are that there should be 1 judge for 1 family and that the judges who hear juvenile dependency cases should be educated on juvenile cases and should have some amount of training on those cases. The other question is should a

workgroup be formed to discuss these issues to bring some recommendations back to the Advisory Committee. There was a lot of discussion surrounding this. Several have agreed to help with a workgroup.

**B. Proposed memo on judicial resources - Conor (LRTF)**

Two of the recommendations referenced in the memo are from the voluntary implementation workgroup of the Oregon Task Force on Dependency Representation. Recommendation 3 states that the Chief Justice should direct presiding judges to review the recent judicial workload study and assess whether or not the resource allocation is in line with the studies' recommendations. Number 4 is the Chief should direct presiding judges to strive to increase the amount of judicial time spent on dependency cases in accordance with the NCSC Workload Study recommendations. Megan and Conor drafted a proposed memo about these 2 points (in materials) and would like some advisory committee feedback on the memo and whether it should be revised; was it appropriate in terms of what courts should do and to make sure that courts are aware of the NCSC's recommendations and to take steps towards allocating the resources that they should towards their juvenile courts.

This would be the Advisory Committee making a recommendation to the Chief Justice and proposing a draft letter and then it would be up to him to send. There was discussion surrounding this. There were some recommendations as to amending it and Megan will work on the wording of the changes. All were in favor of the letter as amended with no opposition.

**C. Recommendation on educational requirements for judges handling juvenile cases - Amy (LRTF)**

Should the advisory committee make the recommendation to the Chief on whether Oregon should establish minimal education and reporting requirements for dependency judges? If so, what should those educational requirements be?

A questionnaire went out to other states asking about their requirements. Six responses came back, and there were other responses from states wanting us to share what we learn from this but had nothing to add. Of the six that responded, none have any statutes or educational requirements for their judges. Both North Carolina and Washington have a statute that details some kind of detailed training for juvenile judges; it is not required but is encouraged in North Carolina, and Washington says they have to have a minimum of 30 hours of training. Texas has a board of legal specialization but no requirement.

Judge Forte asked, if judges should have specialized training and a discussion ensued. Amy and Leola will put something together that's a combination of what we already have for review at the September meeting.

**D. Work JCIP is planning to do on permanency as part of the DHS's Program Improvement Plan – Conor**

Kathy Prouty is chairing a DHS workgroup for the Program Improvement Planning around permanency. JCIP's grant requirement was to do a data project with DHS. Megan and Conor talked with folks at the CIP meeting last August and what they might work on. They really liked the idea of

working with the agency as part of the CFSR program improvement planning process. They've looked through a lot of data on Oregon's performance in terms of permanency and have been leaning towards looking at adoption and guardianships. They haven't determined what the intervention would be or what the court's piece would be; we've looked at the possibility of targeting specific counties in terms of an intervention; the court piece doesn't necessarily have to be in the same counties or in particular counties. One piece was looking at the timeliness of TPR timeliness. It's something that they don't perform particularly well on, so there is room for improvement.

Discussion followed. Kathy Prouty will email the checklists and screenshots and Kim will send to advisory committee.

## **VI. Upcoming Events**

### **A. All Upcoming Events**

- JELI Convening (4/28/17) - most of the time will be dedicated to mental health.
- Through the Eyes of a Child Conference for Judicial Officers (August 6-7, 2017) - Judge Forte - states maybe MCS should be done on an every other year basis. Leola states there will be a decision soon concerning the status of this year's MCS.

## **VII. Next Meeting: Monday, June 12, 2017, 1:30-4:00 p.m.**