

**Juvenile Court Improvement Program Advisory Committee**  
**Meeting Minutes– June 12, 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. Lindsay Partridge, Vice Chair, Circuit Court Judge, Marion County  
Hon. Amy Holmes Hehn, Circuit Court Judge, Multnomah County **(by telephone)**  
Hon. Karen Ostrye, Circuit Court Judge, Hood River County  
Kari Riech, Executive Director, CASA Voices for Children **(by telephone)**  
Amy Miller, Deputy General Counsel, Office of Public Defense Services  
Kathy Prouty, Child Permanency Program Manager  
Catheryn Tufts, Tribal Staff Attorney, Confederated Tribes of the Siletz Indians  
Darin Mancuso, Foster Care Ombudsman, Governor's Advocacy Office  
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  
Shary Mason, Model Court & Training Analyst, Juvenile & Family Court Programs Division  
Conor Wall, Data Analyst, Juvenile & Family Court Programs Division  
Walt Gullett, CRB Field Manager  
Kim Morgan, Management Assistant, Juvenile & Family Court Programs Division

**II. Approval of Minutes from Last Meeting (3/13/17) – Hon. Stephen Forte**

Approved with the addition of Catherine Tufts added to the roster as present for the meeting.

**III. Reports**

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

The consistent tracks and the case assignment tool has been implemented in all 4 counties (Clackamas, Deschutes, Lane & Polk) for Re-imagining Dependency Courts. Conor worked with the CRB to put together a query to plug in the next review dates. Initially there were a lot of questions but everything seems to be running smoothly now. Deschutes, Polk, and Clackamas are putting all cases on the CRB schedule. Lane County is assigning them as they come up.

There will be an all sites meeting in Denver in July to bring 4 states working on this project together. Jeff Hall, Debbie Spradley, Judge McAlpin and Conor Wall will represent Oregon at the meeting.

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

The federal budget passed with a reauthorization for the data and training grant for one year. JCIP is submitting an updated strategic plan at the end of this month. In the meantime, the national partners are

working at the federal level to try and get the data and training grants reauthorized for a five year period. The Federal budget should be passed by October 1 and we will find out then. We are being conservative with our spending and grants to make them last as long as possible.

There was discussion about the possibility of putting a hold on the mini grant process until there is stable funding. There are 3 projects (statewide conferences that attract a lot of people); it is felt that those should still be funded at \$5,000 each. The 3 are the Shoulder to Shoulder conference, the Juvenile Law Training Academy and the ICWA Conference. It is agreed by all that they will keep funding those and will post on the website that there are no funds available for extra because of federal budget cuts.

### **C. Through the Eyes of a Child Planning - Megan Hassen**

The draft agenda is included in the materials. There was a lot of interest to include a session on extending drug court concepts to all juvenile cases; when the advisory committee did its initial planning. However, since this concept requires buy in from child welfare and local treatment providers, the topic is more appropriate for Model Court Day. This year, a number of deficiencies were found in child welfare through the CFSR process. Because of this, it was decided that the focus of Model Court Day should be on the PIP for DHS. Adding the drug court concept would be too much for Model Court Teams in light of the other changes that will be happening.

### **D. Model Court Summit Planning: Shary Mason**

The federal review of DHS required a 95% to pass and Oregon didn't pass any of the 18 categories. Therefore there is a lot of emphasis on putting together improvements plans for safety, permanency and child well-being. The Agenda for MCS follows this and is included in the materials for review. It is everyone's role to meet these standards.

For the child safety piece, Nathan Rix will talk about the overall child safety plan and Molly Miller, a safety consultant will talk about the specifics. After each session there will be a short team discussion. There is no planning built in at this point, just discussion about the concepts, their own counties, etc.

For the Permanency session, one of the requirements is to have a joint plan with DHS and the Courts working on adoption timelines. Jason Walling, Conor Wall, Judge Stanton, Kathy Prouty and Shary Mason are working on this together and how to use the adoption tracking tool. Judge Stanton has implemented this tracking tool and they will discuss what a Model Court Team can do to put it into practice.

Child Well-Being will be the third session. They will discuss the need for family/youth engagement. The LIFE (Leveraging Intensive Family Engagement) project, (which has been successful in Oregon) will be looked at and discussed as a model for putting some of those practices into other areas. Three counties (Medford, Clackamas and Marion) are using the federal IV-E waiver to combine doing family findings from the beginning and monthly family decision meetings that include all of the family voice around the table, with every parent getting a parent mentor. It uses a predictive model for who is at risk of being a longstayer and that's how they are chosen to participate. There will be discussion about lessons they have learned, youth and family engagement, keeping siblings together, and well-being. Teams will have time for goal setting, what they want to focus on and how to start a plan around that.

### **E. Parent Representation Leadership Forum - Shelter Hearing Protocol - Megan**

JCIP participated in a Parent Representation Leadership Forum in November, 2016, along with representatives from DHS, the bench, DOJ and OPDS. Part of the forum involved time for statewide planning. The group agreed to focus on two issues: (1) early appointment of attorneys prior to the Shelter Hearing, and (2) ensuring a first visit between parent and child within 48 hours of removal. Over the course of several months, the group developed a Model Court Shelter Hearing Protocol, setting forth best practices and decision points for courts to discuss with their Model Court Teams. The protocol will be presented at the Eyes conference to judges, and then at the Juvenile Law Training Academy to attorneys. DHS has already done some messaging with caseworkers about having a plan for the first visit at the time of the shelter hearing. Leola asked if this should be woven into the MCS safety piece at the conference. Judge Holmes Hehn suggests in addition to the Eyes draft - it be in both the orientation and pre hearing section to encourage courts to facilitate family decision meetings prior to beginning a hearing. If they all have a chance to talk before the court hearing, they often come in with a plan that works for the court. There was discussion around legislation to change the language from visitation to family time. When you think of family time you think of it differently than with visitation. We should all use family time at the trial level rather than visitation. This could be discussed at the Eyes conference, as well as during the well-being piece at MCS.

#### **F. State/Tribal Court Forum - Shary**

The Tribal Court State Court Forum held their second official gathering (3rd in-person meeting) at Portland State University on June 2nd. There were tribal judges from all but 3 of the tribes (Burns Paiut, Siletz and Grand Ronde). Plus 9 state court judges. Fabio Apolito presented native services offered to tribes. Diane Henkels from the bar discussed what they are doing in Indian law; 2 people from Lewis and Clark, and some from the community center were also in attendance. They reported on the successful adoption of the UTCR change that makes it easier for tribes to appear with counsel. Senior Judge Orf led the work group. She was able to get information from all of the tribes about what Orders they enforce. Judge Williams from the Confederated Tribes of Coos, Lower Umpqua, & Suislaw shared a memorandum of understanding that's currently in effect. NICWA presented on the new regulations and there was a panel with Judge Chanti, Judge Williams and Judge Hampton on collaboration in drug court cases and trying to work together. It became a discussion of joint jurisdiction and the positives that can be realized from working on the cases jointly. The Tribal Law and Policy Institute contacted Shary about a film that's being shown on Tribal justice (done by judges). It presents what a peace making, tribal justice court looks like and they wanted to know if Oregon would like to sponsor the film. Lewis and Clark Law School wants to partner with us to bring the film here and then a panel of judges to discuss it afterwards.

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

#### **A. Quarterly Reports – Conor**

There is a summary on the cover page. The big number that jumped out was that dependency cases were up 16% from last quarter. It was the largest increase in a quarter since 2012; the increase was in a number of jurisdictions. This data supports what judges and CRB field staff are reporting. Timeliness was down and timeliness to TPR was down.

There was 1 change in how events were entered into Odyssey. Dates are now being entered based on the date the event was entered into Odyssey rather than the date of filing. This gets rid of wrong date

issues that we saw in the draft reports. They incorporated a new code in these reports and the data should be more accurate. The numbers vary widely for rates of removal with southern Oregon having the highest increase due to changes in DHS policy. The number of petitions filed includes amended petitions if there is a new odyssey case. Every time there is an amendment there is a new case number assigned. There was a question about if one case per petition working in Odyssey. What they have found is that viewing cases in this manner is harder, takes more time, and is confusing, for attorneys and judges. However, Court staff likes the ease of entering information with the current system. JCIP has had discussions with senior OSCA staff and partners, as well as Kingsley Click, the State Court Administrator. The issue has been referred to the Court Re-engineering Efficiencies Workgroup (CREW) to determine if a change is needed and if so, how to implement. **Discussion:** Why isn't the petition looked at like a complaint? As it goes forward, it's amended to add new allegations, just like a regular case and if some had been adjudicated, a UTCR that tells them when it's done and then move forward with a new petition. So as a judge they have one operative pleading, and then can move forward. It is indicated that Odyssey can work that way and they are working on how that would work. They are examining the business process and how it will be done internally. The first step is going to CREW. They hope to get on the agenda for the next meeting, hopefully in a couple of months. It's a pressing problem for all in the trenches (judges, DA's, DHS, etc.). They are hearing it enough that it is safe to tell CREW that this committee recommends that they move forward with this and that it is critical and needs to happen immediately. Looking at statistics and time to jurisdiction, 60 days is not a realistic time frame to adjudicate many petitions. How do we bring that 42% up? Conor can bring info for next meeting.

## **B. Strategic Plan**

The JCIP team is continuing to provide assistance to Model Court Teams, QUICWA projects, etc. There is new data reporting activities available in Odyssey, and they are creating reports in Odyssey (time to reunifications, guardianship, etc.). They are continuing to work with courts on hearing quality. One item that has been added is the RDC project. Also, each year there's an update that has to be done with 3 outcomes and their status over the last 7 months. Conor will also incorporate the goal on increasing parent engagement. Conor needs any comments about the proposed plan by June 21st.

## **V. Discussion Topics**

### **A. JCIP Strategic Plan - Conor**

See above.

### **B. DHS joint project on adoption finalization - Conor**

One of the projects JCIP has included in its strategic plan is a joint project with DHS to increase timeliness to permanency. Megan, Conor, Christina and Kathy Prouty are working on the project. The measurable goal is to "Increase the percentage of children who are adopted within a year of becoming legally free to 59.5%..." This would be a 25% increase. 81% of kids that went into adoption were adopted by their current placement (relative or current caretaker). The plan includes the caseworker submitting to the court and CRB a checklist showing which tasks to complete the adoption have and have not been completed. The hope is that this will move the process along if judges and CRB members know what the barriers are and then work with DHS on a plan. **Questions and Discussion:** How much of the problem is a process issue or a resource issue? What are all of the things that need to

be done at each stage of the process? There should be an “adoption tool kit” for judges; something that instructs judges and prompts inquiry, for example, "at this stage of the process you should have accomplished these tasks, can you show me that these are done?"

### **C. Exhibits Project - Megan**

There are concerns, both at the appellate court and with appeals attorneys, that juvenile exhibits are not being managed at the trial court level. There is an UTCR that requires exhibits to be returned to attorneys after each hearing to hold until the time period for an appeal has elapsed. If an appeal is filed, attorneys return the exhibits to the court and the court sends them to the Court of Appeals. There was legislation that went into effect in 2014 that requires the court to maintain any exhibit offered in the record of the case. This requirement is in direct conflict with the UTCR requirement that the court return the exhibits to attorneys. The workgroup is going to sort out the issue and look at amending the UTCR to require attorneys to file exhibits electronically so they go into the record of the case with the court and is where it's supposed to be. They hope to have a rule proposal by the end of the summer. **Questions & Comments:** Are there any statutory amendments that need to be made in conjunction with the proposal? Be careful of the impact of confidentiality of records.

## **VI. Upcoming Events**

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

- Through the Eyes of a Child Conference; Model Court Summit (August 6-8, 2017).
- New Judge Training, June 23, 2017
- Juvenile Law Training Academy, October 16-17, 2017
- Shoulder to Shoulder, October 29 (evening) and October 30, 2017

**VII. Next Meeting:** Monday, September 11, 2017, 1:30-4:00 p.m.