

**Juvenile Court Improvement Program Advisory Committee  
Meeting Minutes– September 11, 2017  
Juvenile & Family Court Programs Division – Oregon Room  
1133 Chemeketa Street NE, Salem, OR 97301  
1:30 – 4:00 PM**

<b>COMMITTEE MEMBERS</b>			
X	Hon. Stephen Forte, Chair, Deschutes County Circuit Court		Hon. Lindsay Partridge, Vice Chair, Marion County Circuit Court
	Hon. Lisa Greif, Jackson County Circuit Court	X	Hon. Norm Hill, Polk County Circuit Court
	Hon. Amy Holmes Hehn, Multnomah County Circuit Court		Hon. Daniel Murphy, Linn County Circuit Court
X	Hon. Karen Ostrye, Hood River County Circuit Court		Hon. Paulette Sanders, Lincoln County Circuit Court
	Dana Ainam, ICWA Supervisory, Confederated Tribes of Grand Ronde	X	Mandy Augsburg, Foster Parent
	Nancy Cozine, Executive Director, Office of Public Defense Services	X	Michele DesBrisay, Deputy District Attorney, Multnomah County
X	Nadja Jones, DHS Tribal Affairs	X	Darin Mancuso, Foster Care Ombudsman, Governor's Advocacy Office
X	Amy Miller, Deputy General Counsel, Office of Public Defense Services		Laurie Price, Interim Director Child Welfare, DHS
	Kari Riech, Executive Director Child Welfare, DHS	X	Gail Schelle
X	Kareyn Schimmels, Child Welfare Training Manager, DHS		Daniel Schneider, Trainer, Child Welfare Partnership Training
	Nathan Schwab, Former Foster Youth	X	Joanne Southey, Department of Justice
	Catheryn Tufts, Tribal Staff Attorney, Confederated Tribes of the Siletz Indians		
<b>JFCPD STAFF</b>			
X	Leola McKenzie, Director, JFCPD	X	Megan Hassen, Juvenile Law & Policy Counsel, JFCPD
X	Shary Mason, Model Court & Training Analyst, JFCPD	X	Conor Wall, Data Analyst, JFCPD
X	Walt Gullett, Citizen Review Board Field Manager, JFCPD	X	Amy Benedum, Program Analyst
X	Kimberly Morgan, Management Assistant, JFCPD		

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

**II. Approval of Minutes from Last Meeting (6/12/17) – Hon. Stephen Forte**

Approved.

### **III. Reports**

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

A summary of the JCIP, Through the Eyes of a Child evaluations was provided in the materials. The general conference satisfaction shows that 93% of the responses found the materials to be useful for their work. This is slightly higher than has been received in the past. The other measures about knowledge of presenters, and sufficient amount of time to exchange ideas with other judicial officers were in the middle range of where they have been for the past 5 years. There is a breakdown according to session, in terms of usefulness and quality of session and those portions are consistent with past conferences. The sessions with the most substantive legal content were rated higher. There were also a number of suggestions for future conferences. As in years past, there were suggestions for more discussion time.

There is a handout in the materials for ideas for the 2018 Through the Eyes of a Child conference. These suggestions are related to feedback in the evaluations and comments received from various attendees. Megan also suggested changing the appellate update to mirror the model used at the annual Judicial Conference. For that presentation, an Appellate Court Judge and a Circuit Court Judge co-present the Appellate update. . The appellate judge could provide an analysis and a circuit judge give the practical perspective of how cases will be impacted. Judges present at the meeting expressed support for the idea.

Typically, there is a 2 hour pre-session for new judges at the conference. Over the past 2 years, there has also been a 2 hour presentation at New Judge School which covers a lot of the same information, with the same judges attending both. Should these 2 trainings be different? There was some discussion surrounding the idea of making them different. Judge Hill stated that he found it helpful to have the information repeated. He said that New Judge School provides a lot of information at a very fast pace and he found it helpful to be able to come back to the information at the conference for just juvenile judges and spend more time with it. Also, doing it again is more conducive to being able to ask questions, etc.

#### **B. Model Court Summit - Leola McKenzie**

Feedback on MCS was very good. Shary had emergency surgery and was missed at the Summit; but it was very well laid out and organized. People found it very helpful to have the blocks of time after each session to have discussion with their teams. The materials and subjects that folks would like to see covered in the future are included in the materials and will be discussed at the December meeting. Please think about multi-disciplinary topics that would be good for everyone to hear at the same time. The dates of next year's conference are tentatively set for August 5-7, 2018.

#### **C. Reimagining Dependency Courts - Conor**

We have been working with the National Center for States Courts on the Reimagining Dependency Courts (RDC) Project. The main piece that is currently being worked on in RDC is the differentiated case management project which was implemented May 22, 2017, in Deschutes, Clackamas, Lane and Polk Counties. The basis of the project is to be intentional about the use of court time and try to focus court time toward cases that are most at risk or that could use additional review. The Advisory Committee, judges and court staff worked to develop a case information sheet that is used to assign cases to various tracks. This has been in progress for the past 4 months and they are collecting data as to why cases are being assigned to each track. Using this information, OJD and the National Center for State Courts (NCSC) will see if RDC is having an impact on how quickly cases reach permanency. Presently, they are working on an analysis tool to look at what factors are predictive of children being in foster care for long periods of time.

Judge Forte stated that 2 issues have come up when using the track determination tool. One is they didn't include "if it's a drug affected child" (and think that should have been included as one of the factors), and two,

that they created this using the CRB in the process; but some conflicts have come out of this in their county and some adjustments for this are being looked at.

Judge Forte asked "after the first permanency hearing, and the plan continues to be reunification, are you able to track those?" Conor stated that they can identify which cases are on one of those 3 tracks. There was additional discussion about this topic

Leola spoke with Judge McAlpin who is coordinating the project in Lane County. He stated that they held 14 settlement conferences that all settled; this was something new for them. He believes things are moving along and they will start seeing time savings. Discussion followed.

Conor gave a breakdown of the courts' track assignments showing 62% on the standard track (track 1); 25% on the intensive track (track 2); and 12% on the expedited track (track 3). Out of every 8 children, 5 are on standard, 2 on intensive and 1 on expedited. Deschutes County has reported a track distribution of 40/40/20.

Discussion followed.

#### **D. JCIP Grants Update:** Leola McKenzie

The Federal Court Improvement Program grants are still up in the air. The federal partners are still trying to get a five (5) year appropriation. For now, they are doing another continuing resolution through December.

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

#### **A. Quarterly Statistical Reports – Conor Wall**

The 2<sup>nd</sup> quarter data reports were distributed and reviewed. By comparing 2017 Quarter 2 (Q2) to the previous quarter, you get something very different than if you look at it for a 6 month period and compare it to the first 6 months of 2016. In 2016 Q2, dependency petitions were down slightly, but filings were up in the first six months of 2017 compared with the first six months of 2016, so it looks like there will be more filings this year than last year. There are a few more TPR petitions and delinquency filings in 2017 Q2 than in Quarter 1 (Q1), but both of those are down in the first six months of 2017 compared with the first half of 2016. Statistics for voluntary cases, emancipations and permanent guardianships are rare and those numbers tend to change from quarter to quarter.

One change that affects these reports, is a change from looking at when a document was filed (a date that is entered manually by court staff) to the date that petitions, orders, judgments were entered (which is generated by the system). While the entered date is less subject to human error, the change can affect timeliness numbers, particularly in courts where it takes a long time to enter judgments. The two reports that numbers are affected by for this quarter are *Time to First Jurisdiction Finding* and *Time to Jurisdiction on Both Parents*.

The percentage of cases with their first jurisdiction finding within 60 days, which from 54% in 2017 Q1 to 51% in 2017 Q2 but the change to entered dates was responsible for a four-percentage-point drop in the measure. Time to Jurisdiction on Both Parents was at 40% in 2017 Q2. That is a drop of two percentage points, with the changed to entered dates responsible for a one-percentage-point decrease. The other timeliness measures went up or stayed the same. Time to first permanency hearing is at 92%, time to subsequent permanency hearing 91%, time to TPR, which is the percentage of cases with a judgment entered within 6 months of a filing got 47%. The median days from a dependency petition to filing a TPR filing was 426 days (about 14 months). This means they are coming in within the AFSFA time line. The time from dependency petition to termination or relinquishment of parental rights on both parents is 608 days (21 months).

## V. Discussion Topics

### A. HB 5006 Budget Note Re: Strategies to Improve the Effectiveness and Efficiency of Oregon's Juvenile Dependency Systems.

A budget note in House Bill 5006 requires DHS, PDSC, DOJ and OJD to work collaboratively to solicit input on, and develop and implement strategies to improve the effectiveness and efficiency of Oregon's juvenile dependency systems. OJD took the lead on putting together this process and will give local teams a template with questions about the dependency processes in their county. Since the Advisory Committee includes representatives from all stakeholder groups, it can serve as the convener to gather the data and information from the local level and determine recommendations for the state level. The draft template has been shared with the 4 entities who have had the opportunity to provide input. In a discussion with Senator Steinar Hayward, Chief Justice Balmer, Justice Brewer and Leola, the Chief indicated he would send something out to the Presiding Judges and TCA's asking them to convene and facilitate a team at the local level to work through this project. Once the information is received, this group would facilitate taking the project to the next level.

A 20 minute breakout session was held in groups. The Advisory Committee was asked to look at the template from the perspective of a local team member. Where are the challenges? Are there things missing that should be here? Are there things that are on the form that we don't want?

#### Phone Group:

Judge Ostrye: Good goals, comprehensive; but questions the part about judgments. For smaller districts things don't necessarily work like they do in larger areas.

Michele DesBrisay: When thinking about efficiencies in the system, finds herself in hearings where there is a group of lawyers that are comparing calendars, court has little time to set contested hearings/trials; because attorneys have full dockets of reviews, etc. so the contested hearings sometimes gets a lack of priority. In her county there are great efforts made to put cases on call dockets, to use the system efficiently. The case loads are so high for attorneys, they are inevitably set out, so her question would be to add a line of "does our court allocate enough time to preside over contested dependency and termination trials and contested permanency hearings and do parents and children's attorneys have the ability to schedule trials?"

**Group 1:** There should be a number 17 regarding individuals who wish to be heard and/or should be given an opportunity to be heard at the hearing. The questions for number 17 would be issues such as: DHS providing notice to foster parent, child, and grandparent, and providing transportation to children when needed; is the court providing parties and interested persons an opportunity to be heard, including engaging the child when appropriate.

Additionally, is the court giving an opportunity for other people in the courtroom to be heard (not just foster parents or grandparents but also friends, neighbors, relatives, etc.)?

**Group 2:** Number 9 and number 13 were discussed; some felt that 13 could be folded into number 9 and approach in a more gentle way.

The October 31, 2017, deadline is not realistic since it's not being sent until October 1; Mid-November or Thanksgiving would be better. There was discussion around steps and process:

- Is this an assessment of court process or the system? Number 11 and number 14 seem much more impacted by the agencies rather than the court and whether the question should be directed at DHS.
- Number 7 was looked at which complex judgments need more time, and also the piece about who should be preparing them. Should it be split into 2 parts for clarity?

- Number 5 - concerning our court prepares dependency judgments efficiently and timely. Who is preparing the judgments?

**Group 3:** Add parties and witnesses to number 1 and separating that out in the detail.

## **VI. Upcoming Events**

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

- Shoulder to Shoulder Conference - October 30, 2017 (David Simmons, Nadja Jones, Judge McKnight & Judge Abernethy presenting on the ICWA regulations).
- Juvenile Law Training Academy in Eugene - October 16-17, 2017
- ICWA Conference - October 17-19, 2017 in Siletz

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