

_____ County Circuit Court
**Strategies to Improve the Effectiveness and Efficiency
of Our Juvenile Dependency System**

Budget Note:

The Department of Human Services, Department of Justice, Oregon Judicial Department, and Public Defense Services Commission shall work collaboratively, at both the state and local levels, to solicit input on, develop, and implement strategies to improve the effectiveness and efficiency of Oregon’s juvenile dependency systems and to determine the appropriate level of legal services. Potential strategies should include standardizing forms, streamlining processes, conforming practices, and adopting administrative or court rules. The agencies are expected to identify and begin implementing strategies no later than July 1, 2018. Options for providing more effective and cost-efficient legal and other services should also be reviewed and analyzed. The agencies will submit a joint report on the progress of these efforts to the Interim Joint Committee on Ways and Means or the Emergency Board by October 2018. In addition, each agency shall include an update, in its budget presentation to the Joint Committee on Ways and Means during the 2019 session, on its specific roles, activities, strategies, and costs to improve the effectiveness and efficiency of Oregon’s juvenile dependency system.

From: [HB 5006 A Budget Report and Measure Summary](#) p. 37-38

STEP #1

Assemble your local team.

Your local team could be an existing model court or juvenile court improvement team. Each role identified in the table below must be included (unless noted as optional). You may include others who actively participate or have an interest in juvenile court work in your community.

Role	Name
Juvenile Court Judge	
Trial Court Administrator (or designee)	
Citizen Review Board Field Manager	
DHS Child Welfare Manager	
Parent’s Attorney Representative	
Child’s Attorney Representative	
DOJ Attorney	
District Attorney/DDA (optional)	
CASA Program Representative (optional)	
Parent Mentor (optional)	
Other:	
Other:	
Other:	
Other:	

STEP #2

Each member of your local team should complete the individual assessment below.

Please contact JCIP staff if you would like local participants to complete this assessment on their own through an electronic survey. JCIP will then compile results and report them to you, to share with your local team.

Directions:

Review each statement below and ask whether your juvenile court does a good job of performing this function. Rate your court’s performance on each function from 1-3.

1 = your court is not performing this function at all

2 = your court is performing this function but there is room for improvement

3 = your court is doing a very good job of performing this function

Then review all of the functions you marked with a “1” or a “2” and identify those that most urgently need improvement in order to increase system efficiencies.

1	Our court allows attorneys to appear telephonically or via video conference for certain brief, routine or short notice dependency hearings when it can be done without compromising the rights of parents or child.	1	2	3
2	Our court has a consistent daily time for shelter hearings.	1	2	3
3	Our court provides parents an opportunity to meet with their attorney prior to the shelter hearing.	1	2	3
3	Our court has consistent times and days for other juvenile court matters.	1	2	3
4	Our court has a frequency of review schedule that is tailored to the nature of the case.	1	2	3
5	Our court prepares dependency judgments efficiently and timely by utilizing available court technology.	1	2	3
6	Our court provides all parties adequate opportunity to review judgments before they are signed by a judge.	1	2	3
7	Our court has specific procedures to determine when complex judgments need more time and whether and when certain judgments should be prepared by the prevailing or moving party.	1	2	3
8	Our court has effective settlement opportunities, including in-court conferences.	1	2	3
9	Our court has a local policy that elevates the priority of juvenile dependency matters (termination or parental rights and dependency trials) when court resources are not available to hear all matters scheduled for trial on a specific day.	1	2	3
10	Our Model Court (Dependency) Team works collaboratively to use our respective data to inform decision making, plan for system improvement, and evaluate our efforts.	1	2	3
11	Our court ensures that children who become legally freed have a finalized adoption within a year.	1	2	3
13	Our court reduces delays due to continuances.	1	2	3
14	Our court ensures timely discovery / information to the court and parties is available prior to the hearing.	1	2	3
15	Our court asks, at every hearing being conducted pursuant to ORS 419B.449 or	1	2	3

	ORS 419B.476 where the case plan is reunification, what is preventing the child from returning home today.			
16	Our court individually schedules juvenile dependency hearings so that each hearing has a scheduled day and time.	1	2	3

STEP #3

Convene your local team. Discuss each of the following and record a local team response.

Answer the applicable questions for each. If there is no specific designation, please provide answers to all of the questions.

I. Our court allows attorneys to appear telephonically or via video conference for certain brief, routine or short notice dependency hearings when it can be done without compromising the rights of parents or children.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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If your response is ***yes consistently***, please describe how your court implemented this and any benefits achieved.

If your response is ***yes, but there is room for improvement or no***, please answer each of the questions below:

1. Is sufficient technology available to perform this function? If not, who is lacking the required technology?

2. What protocols and/or processes would be needed to implement this recommendation and who would develop these?

II. Our court has a consistent daily time for shelter hearings.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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If your response is ***yes***, Is there enough time to meaningfully engage parents during shelter hearings?

If your response is ***no***, what are the obstacles to implementing a consistent daily time? What would be needed in order to establish a consistent daily time?

III. Our court provides parents an opportunity to meet with their attorney prior to the shelter hearing.

- Yes, consistently
- Yes, but there is room for improvement
- No, we do not do this

Are attorneys present to meet with parents prior to shelter?

Are parents asked to come at a time that would allow for them to meet with their attorney?

Do DHS and the DA/DOJ have a process for ensuring court appointed counsel receive the petition, affidavit and related discovery prior to shelter hearings?

Is there a place that attorneys could meet privately with their clients prior to shelter?

What scheduling parameters would need to be put in place to accommodate for this extra time?

IV. Our court has established consistent times and days for other juvenile court matters.

- Yes, consistently
- Yes, but there is room for improvement
- No, we do not do this

Is there sufficient court room time to meaningfully engage participants?

If your response is yes, but there is room for improvement or no, please answer each of the questions below:

1. Why is the current system being used?

2. What changes could be made to establish consistent times and days for other juvenile court matters?

V. Our court has implemented a frequency of review schedule that is tailored to the nature of the case.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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Is there a differentiated review schedule with the frequency of court review corresponding to the needs of each individual case?

Are judges consistent in the decisions they make regarding setting future hearings?

What determines how often a case needs to come before the court? If a schedule tailored to the nature of the case were designed, what parameters could be used to determine how often a case needs to come to court?

How is frequency of review as opposed to quality of hearing determined?

Is the CRB used to monitor case progress, hold parties accountable and identify cases where additional hearings or contested hearings might be needed?

Have single issue reviews or paper reviews been used to determine whether or not a formal review is necessary?

Is the next hearing scheduled in court and/or are permanency hearings set at shelter or jurisdiction?

VI. Our court prepares dependency judgments efficiently and timely by utilizing available court technology.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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If your response is *yes but there is room for improvement* or *no*, please answer the questions below:

1. What technology is currently used to prepare judgments?

2. Are there more efficient and timely ways to prepare judgments? If so, what are the barriers to using them?

VII. In our court all parties have adequate opportunity to review judgments before they are signed by a judge.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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Are there creative ways that could be used to give parties an opportunity to review judgments before the judge signs them?

Does everyone leave a hearing with the judgment in hand?

VIII. Our court has specific procedures when complex judgments need more time and whether and when certain judgments should be prepared by the prevailing or moving party.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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What constitutes a complex judgment that would need more time?

What specific procedures are in place / would need to be put in place to give that extra time?

Is it appropriate to have the prevailing or moving party prepare the judgment?

IX. Our court has implemented effective settlement opportunities.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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If your response is *yes or yes but there is room for improvement* please answer the questions below:

1. Describe your settlement conference process.

2. If settlement is agreed upon, is a judge available to establish jurisdiction?

3. Approximately what percent of your cases settle? How might you improve your settlement rate?

If your response is no, what obstacles are there to scheduling settlement conferences at shelter that involves all parties to the proceeding and are held within the first 30 days after the petition is filed? How can your court overcome those obstacles?

X. Our court has a local policy that elevates the priority of juvenile dependency matters (termination or parental rights and dependency trials) when court resources are not available to hear all matters scheduled for trial on a specific day.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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What currently happens when court resources are not available to hear all matters scheduled for trial on a specific day?

What would happen optimally?

What happens if the judge assigned to dependency cases on a particular day is unexpectedly not available for the docket?

XI. Our court works collaboratively to use data to inform decision making, plan for system improvement, and evaluate efforts.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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Is there a Model Court (Dependency) Team that meets to identify changes that can be made to improve systemic performance and outcomes for children and families?

Does the Team include all court, child welfare and community stakeholders with decision making authority necessary to effect systems change.

Is the Team convened by the judge?

Does the Team meet regularly and keep minutes?

Does the Team use their collective data to identify, plan for and evaluate progress on system improvements?

XII. Our court ensures that children who become legally free have a finalized adoption within a year.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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Do the court, CRB, attorneys, CASA and other stakeholders provide effective oversight to ensure that adoptions are finalized in a timely manner?

Does the Model Court (Dependency) Team use data to determine the percentage of children with finalized adoptions within a year of being legally free?

Does the Team have a plan to increase the percentage of children who are adopted within a year of becoming legally free and is it regularly monitored?

Are judges, CRB, attorneys, CASA, and stakeholders trained on the adoption process and use of Adoption tracking sheets?

Do the judge and CRB receive Adoption Tracking Sheets for review of adoption cases?

XIII. Our court works to reduce delay due to continuances.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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Does the court have clear expectations about what constitutes “good cause” for granting continuances in dependency proceedings? If so, what are they?

Does the court document or make findings about “good cause” for a continuance?

Is there sufficient docket time committed to juvenile court proceedings to ensure dependency petitions are adjudicated within 60 days as required by law?

Are there a sufficient number of judges and attorneys for juvenile dependency cases?

Are hearings set early enough in the case to accommodate scheduling?

XIV. Our court ensures that timely discovery/information is available to the court and parties prior to hearings.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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Is there an agreed upon list of documents needed for discovery at each critical juncture in the case?

Is there a defined timeline to ensure timely exchange of discovery prior to hearings?

How do parties distribute discovery?

What can be done to improve the availability of discovery or other information prior to court hearings?

XV. Our court asks, at every hearing being conducted pursuant to ORS 419B.449 or ORS 419B.476 where the case plan is reunification, what is preventing the child from returning home today.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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If your response is **yes**, does the court receive Conditions of Return statements from DHS? Does the court ensure that the conditions are clear and concise?

If your response is **no**, why is the court not asking whether the child can be returned home today? What is needed for the court to begin making this inquiry?

XVI. Our court individually schedules juvenile dependency hearings so that each hearing has a scheduled day and time.	<input type="checkbox"/> Yes, consistently <input type="checkbox"/> Yes, but there is room for improvement <input type="checkbox"/> No, we do not do this
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If your response is **yes**, are the individually scheduled juvenile dependency hearings occurring in a timely manner?

If your response is **yes, but there is room for improvement or no**, please answer each of the questions below:

1. Why is the current scheduling system being used?

2. What changes could be made so that each juvenile dependency hearings is scheduled on a specific date and time?

STEP #4

Prioritize the top three improvements that can be made in your court to improve the efficiency and effectiveness of your juvenile court system.

One possible way to do this is to have each person on your team select the three they think most urgently needed in your county to improve the efficiency and effectiveness of your juvenile court. Someone can tally the responses and the three that have most votes are the immediate priorities for your court. You will be developing plans to implement these strategies by July 1, 2018.

Priority 1: _____

Priority 2: _____

Priority 3: _____

STEP #5

Answer the questions below, and send a copy of this document to: JCIP Advisory Committee, JFCPD, 1163 State Street, Salem, OR 97301. Or via email to: Kim Morgan at Kim.L.Morgan@ojd.state.or.us. Please return this document no later than **October 31, 2017.**

When answering these questions, be sure to consider the needs of each entity involved.

1. What obstacles will you face when implementing the priorities identified in Step 4?
2. How can the state offices (JFCPD, DHS, PDSC, and DOJ) assist you with overcoming these obstacles?
3. What technical assistance will be needed to implement the priority areas identified in Step 4?
4. What specific resources will be needed to implement the priority areas identified in Step 4?
5. Would your local team want to meet with representatives from any of the state offices (JFCPD, DHS, PDSC, and DOJ) to discuss further any of the priority areas? If so, please explain.