

# **Evaluating the Impact of the Courts within the Context of Child Welfare**

***The National Evaluation of the  
Court Improvement Program (CIP)***

**Lessons Learned**

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**The National Evaluation of the  
Court Improvement Program**

# The National Evaluation of CIP

- **Study Team:**
  - *Planning and Learning Technologies, Inc. (Pal-Tech), Arlington, VA (<http://www.pal-tech.com/>), Evaluation for Children, Youth, & Families (Karl Ensign, Project Director)*
  - *The Urban Institute, Washington, DC (led by Jennifer Macomber)*
  - *Center for Policy Research, Denver, Colorado (led by Nancy Thoennes)*
- **Federal Project Officer:**
  - *Emily Cooke, Children's Bureau, HHS*
- **Project Website:**
  - (<http://www.pal-tech.com/cip/index.cfm>)



# Technical Work Group Members

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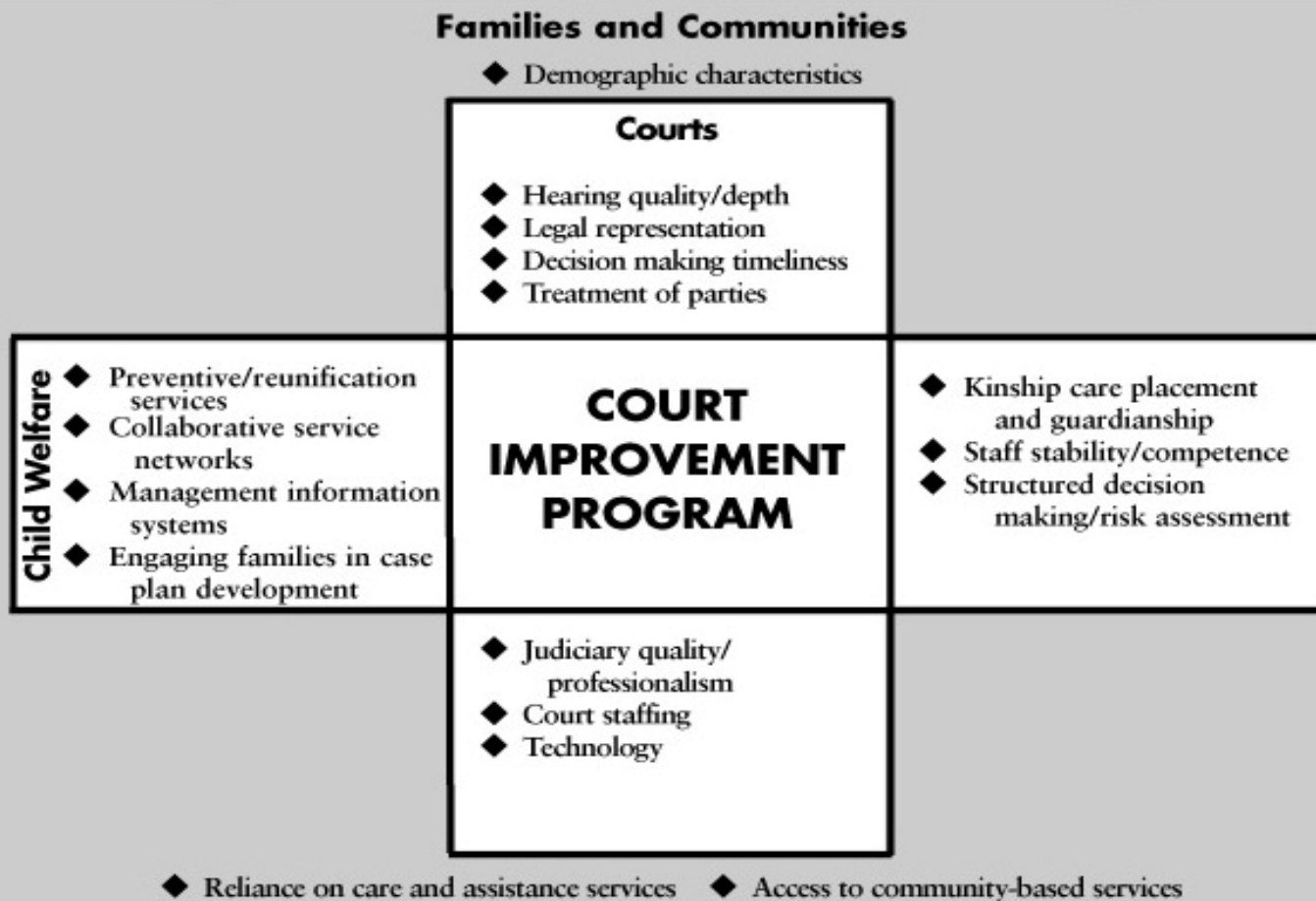
# National CIP Evaluation Purpose

“Although there is a widespread belief that CIP nationwide has been successful in improving Juvenile and Family Courts’ handling of dependency cases and some states have undertaken evaluations of their pilot projects, there has been no systematic nationwide evaluation of the CIP program. *Through this evaluation the Children’s Bureau seeks to encourage States in continuous improvement through guidance in terms of the court activities and reforms found to be particularly effective in improving outcomes for children and families.*”

--RFP, August 11, 2004 (pg. 6)



# CIP Sits at the Nexus of Court & Child Welfare Reform



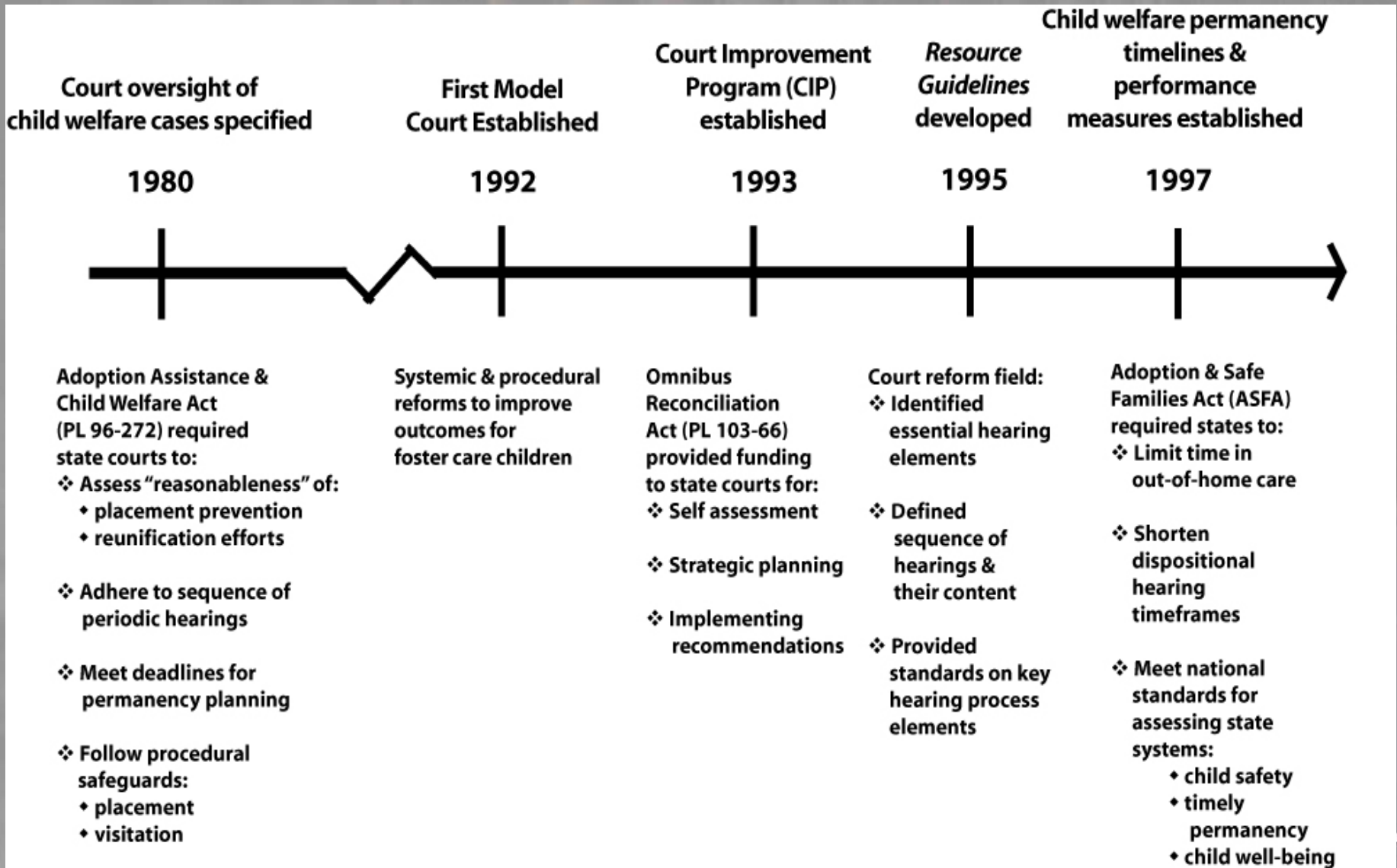
# Cross-Systems Reform is an Evolutionary Process

- **We found that this consists of:**
  - *Building knowledge and practice within the courts.*
  - *Defining the appropriate roles and responsibilities of courts and child welfare agencies.*
  - *Defining appropriate and shared outcomes.*
  - *Effecting change within the existing service delivery context.*
- **Clear implications for dependency court reform evaluation**



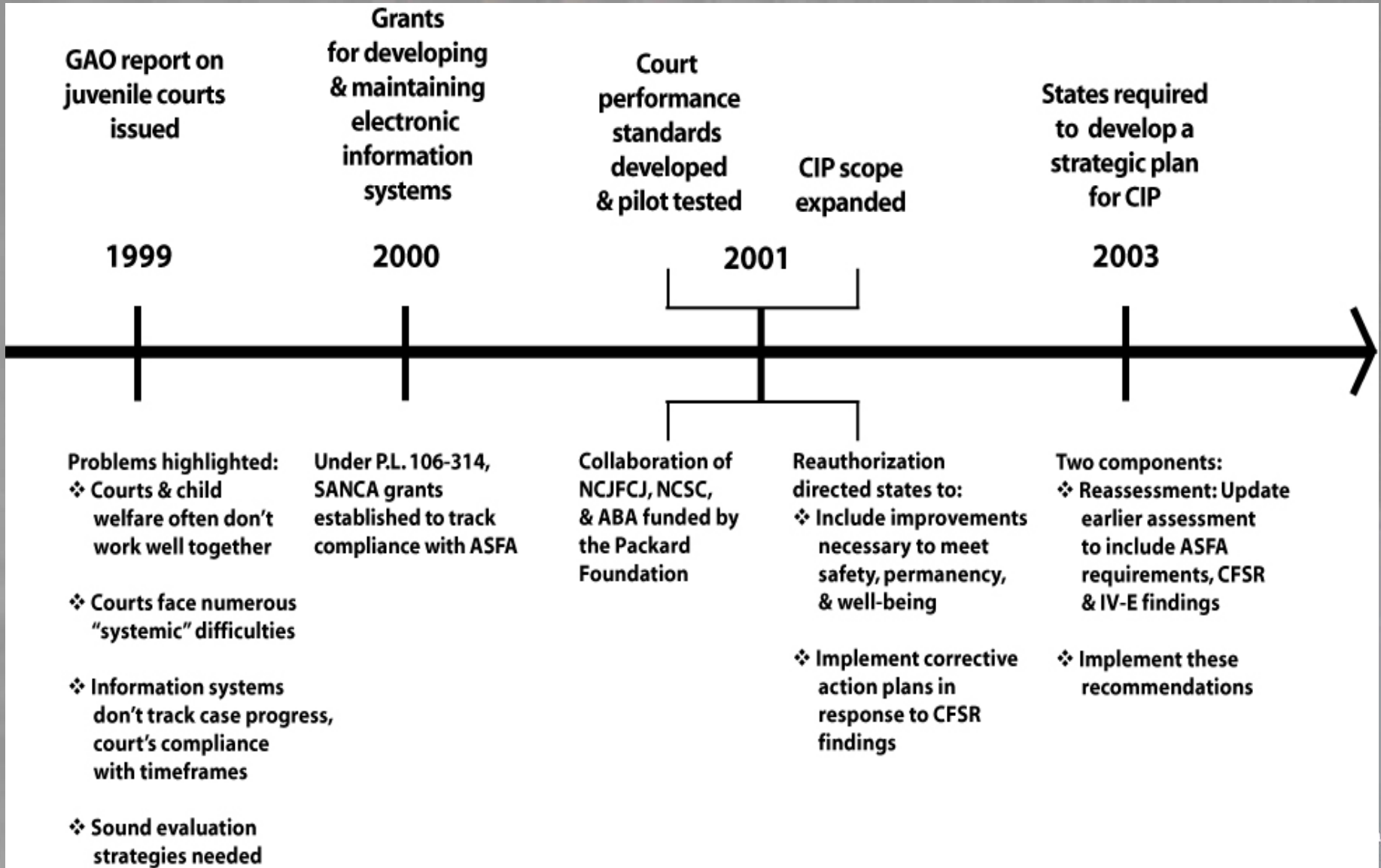
# Dependency Court Reform

## *Evolution*



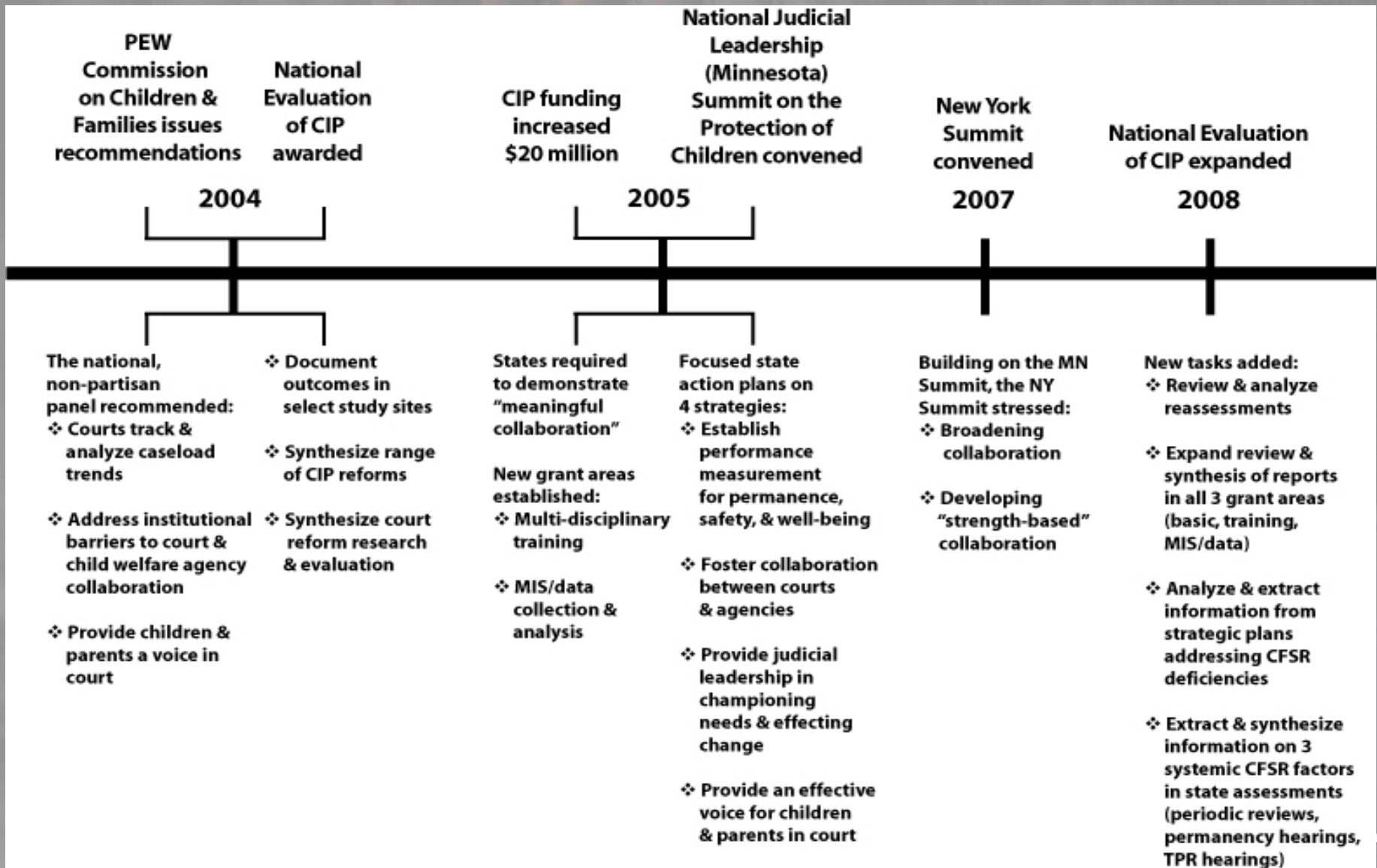
# Dependency Court Reform -- *continued*

## *Evolution*



# Dependency Court Reform -- *continued*

## *Evolution*



# National Evaluation Components

## **Captures both the breadth and depth of CIP:**

- *Provides information on court reform and its evaluation nationally, along with analyses of select reforms within the study sites.*
- *Emphasizes both outcome evaluation and descriptive analyses within the study sites.*

## **Original three study components:**

- *Review and synthesize the range of CIP reform undertaken nationally.*
- *Review and synthesize rigorous court reform research and evaluation findings.*
- *Describe select reform models and analyze outcomes achieved within study sites.*

## **Additional study components added as CIP evolved:**

- *Review and synthesize state reassessments.*
- *Expand review and synthesis of state reports in all 3 grant areas (basic, training, MIS/data).*
- *Analyze and extract information from state strategic plans addressing CFSR deficiencies.*
- *Extract and synthesize information on 3 systemic CFSR factors in state assessments (periodic reviews, permanency hearings, TPR hearings).*

# **Study Sites**

## ***Approach & Select Findings***



# Overview of the Study Sites' Outcome Methodologies

Site	Intervention	Evaluation Design
<b>Alternative Dispute Resolution —</b>		
<b>Connecticut</b>	Pre-hearing Conference component.	Pre/Post: <i>Hartford and New Haven.</i>
<b>Parent Representation —</b>		
<b>Connecticut</b>	Stand-by Attorney component.	(see above)
<b>Specialized Dockets &amp; Courts —</b>		
<b>Texas</b>	Cluster Courts.	Quasi-Experimental: <i>CPC counties vs. comparison counties.</i>
<b>Systemic Reform —</b>		
<b>Delaware</b>	1 Judge/1 Case. Defined Sequence of Hearings. Parent Counsel.	Descriptive with Pre/Post: <i>New Castle County</i>



# Overview of the Sites' Implementation Process Study Component

- **Purpose:**

- *Describe the implementation of reform*
- *Describe the perceived impact of outcomes*

- **Information Sources:**

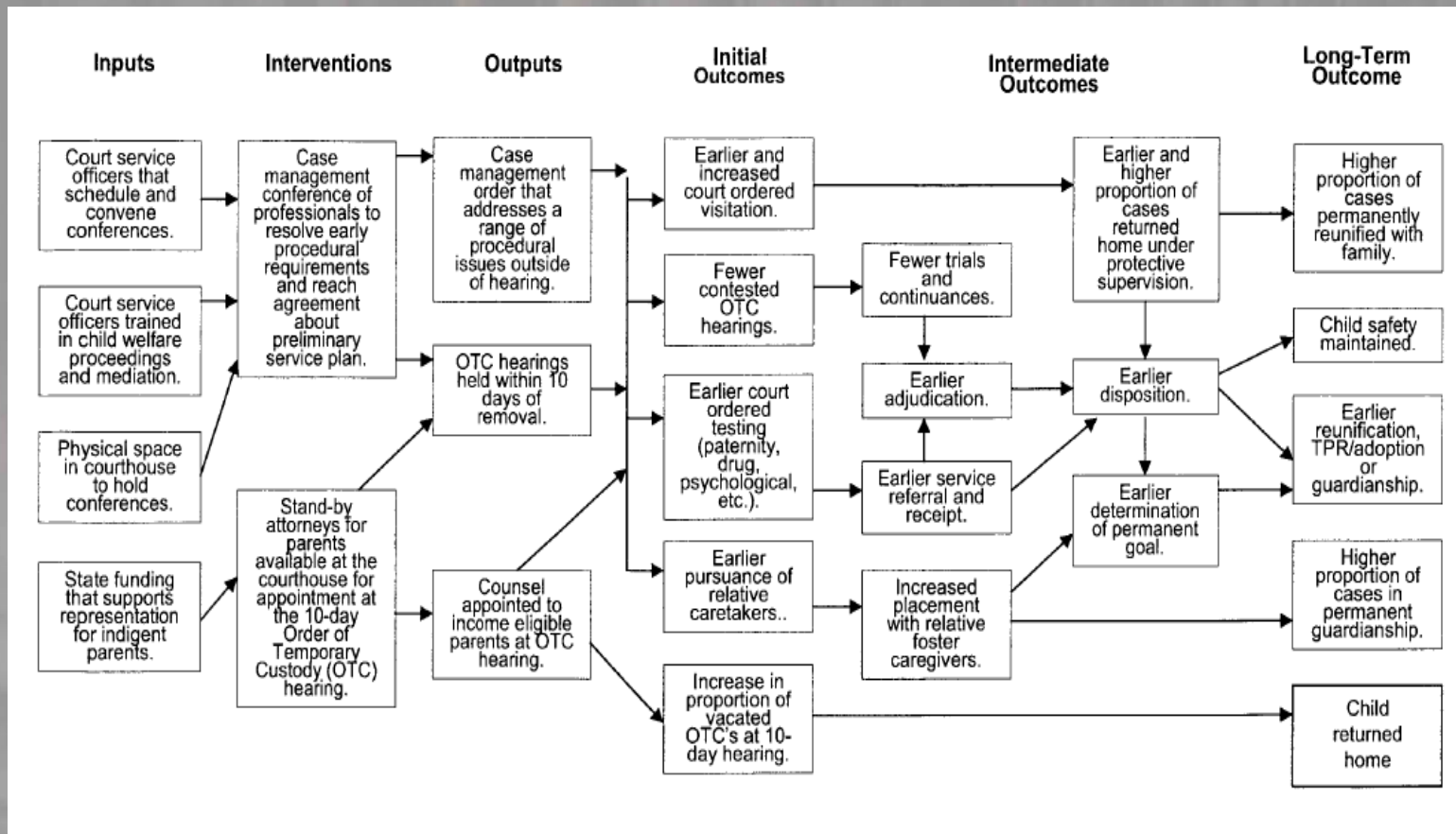
- *Document review*
- *Structured interviews and focus groups*
- *Courtroom observations*



# **Connecticut** ***Case Management Protocol***



# Connecticut CIP Logic Model



# Connecticut Study Findings

- **Hartford and New Haven:** *Increase in the pursuance of relative caretakers, increased placement with relative foster caregivers, and a higher proportion of permanent guardianship cases.*
- **Hartford:** *Earlier and increased visitation, fewer trials and continuances, earlier adjudication, higher proportion of cases reunified, and child safety maintained.*
- **New Haven:** *Earlier adjudication, earlier reunification.*



# **Delaware** ***Systemic Reform***



# Defined Sequence of Hearings and Reviews

## Pre-CIP Reforms

**Probable Cause Hearing**  
(Within 10 days of Removal)



**Adjudicatory Hearing**  
(Within 30 days of Removal)



**Judicial Foster Care Review**  
(Within 18 months of Removal)

## Post-CIP Reforms

**Preliminary Protective Hearing**  
(Within 10 days of Removal)



**Adjudicatory Hearing**  
(Within 30 days of PPH)



**Dispositional Hearing**  
(Within 20 days of Adjudication)



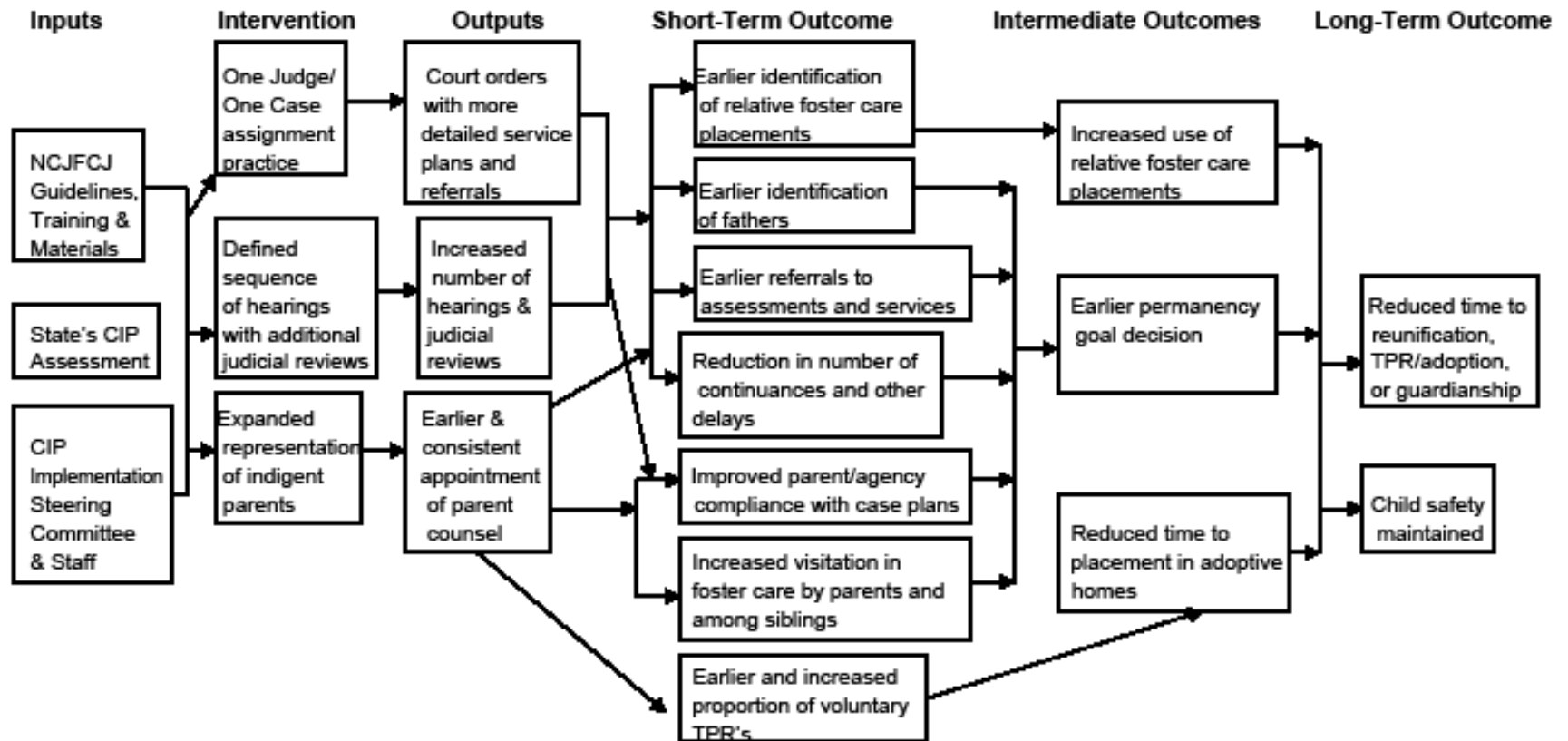
**Review Hearings**  
(At least every 90 days  
until Permanency Hearing)



**Permanency Hearing**  
(Within 12 months of Adjudication  
and every 12 months or less  
thereafter)



# Delaware's Systemic Reform Logic Model



# Delaware Study Findings

- **Short-term outcomes:** *Earlier appointment of counsel, court orders with more detailed service plans, earlier identification of relative foster care placements.*
- **Intermediate outcomes:** *Earlier identification of absent fathers, increased visitation with parents and siblings.*
- **Long-term outcomes:** *Adoption rate doubled (4% to 8% in 2 years), other differences not significant.*

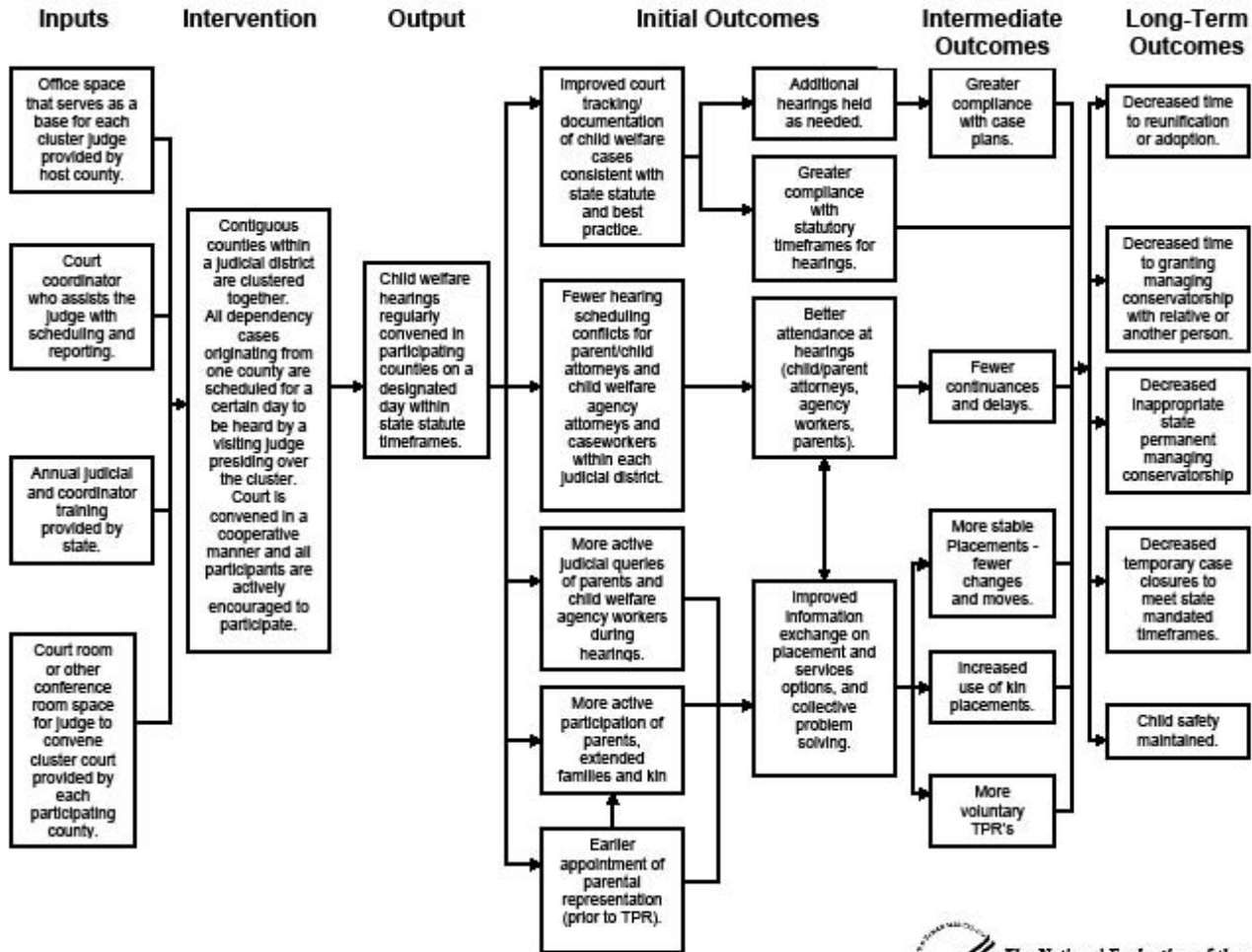


# **Texas**

## ***Child Protection Courts***



# Texas Cluster Courts Logic Model



# Texas Study Findings

- **Stakeholders agreed the reform led to:** *Improved court tracking and documentation, fewer scheduling conflicts for court participants, more active judicial queries, more active participation of parents and kin, earlier appointment of parent representation.*
- **Intermediate outcomes:** *Increased use of kin placements.*
- **Long-term outcomes:** *Not impacted, but time to permanency fairly good in both treatment and control sites.*



# Implications from the Study Sites

- **Again, cross-systems reform is an evolutionary process:**
  - *Building knowledge and practice within the courts.*
  - *Defining the appropriate roles and responsibilities of courts and child welfare agencies.*
  - *Defining appropriate and shared outcomes.*
  - *Effecting change within the existing service delivery context.*
- **Cross-systems reform is multi-level as well, with interaction between:**
  - *Practice, policy, and research levels.*
  - *National, state, and local levels.*
- **All sites made progress in this process, but it was evident:**
  - *They were at different stages at the time of data collection.*
  - *The reform process continued after data collection.*



# **Evaluation Synthesis**

## ***Approach & Select Findings***



# Evaluation Synthesis Purpose

- **How have reforms been evaluated?** *Assess the comprehensiveness of methodologies used to evaluate dependency court reforms in the areas of alternative dispute resolution, legal representation, and systemic reforms.*
- **What are the findings?** *Synthesize primary findings with respect to court and child welfare outcomes.*
- **Where has the evaluation field focused?** *Differentiate the degree to which certain reform areas have been more thoroughly analyzed than others.*



# Methodology

- **47 evaluations obtained from:** *On-line searches, recommendations of the National Evaluation's Technical Work Group.*
- **Information extracted from each evaluation:** *Purpose, target population, evaluation design, data sources, findings, study limitations.*
- **Evaluation design:** *Evaluations included those with an outcome component, an implementation process component, and those with both components.*
- **Extracted information analyzed by primary findings:** *Relating to both the process and outcome evaluation components, organized by reform categories.*



# Reform Categories

- **Legal Representation (10)**

- *Primarily focused on providing improved representation to children involved in child abuse and neglect cases (7)*
- *3 evaluations of one parent representation reform*

- **Systemic (16)**

- *Evaluations of reforms aimed at multiple features of the family and juvenile court system*
- *Includes reforms such as NCJFCJ Model Courts and other reforms that adopted some of these elements (12)*
- *Family Treatment Drug Courts/Dependency Drug Courts (4)*

- **Alternative Dispute Resolution (21)**

- *Includes both mediation and family group conferencing*
- *Methods constructed to allow parties to resolve disputes and develop case management plans in a non-adversarial setting*



# Evaluation Designs

Reform Focus	Outcome	Process	Outcome & Process	Total
Legal Representation -- <i>Child Representation</i>	0	1	6	7
<i>Parent Representation</i> (3 evals. of 1 reform)	1	0	2	3
Systemic -- <i>Family &amp; Model Courts</i>	0	4	8	12
<i>Family Treatment Drug Courts (FTDC)</i>	2	0	2	4
Alternative Dispute Resolution --	0	13	8	21
<b>Total</b>	<b>3</b>	<b>18</b>	<b>26</b>	<b>47</b>



# Outcome Evaluation

- Designs that relied on some type of comparison/control group:  
*Experimental, quasi-experimental, pre-post*
- Organized findings by a framework adapted from the field:  
*Court Performance Measures in Child Abuse and Neglect Cases (ABA, NCSC, NCJFCJ, December 2008):*
  - **Timeliness:**
    - **Case processing:** measuring time between hearings; continuances and delays
    - **Time to permanency:** time in foster care; from petition to case dismissal
  - **Permanency**
    - *Proportion of cases that achieved permanency*
    - *Type of permanency achieved*
  - **Safety:**
    - *Recurrence of maltreatment*
    - *Re-entry:* after release from court oversight



# Outcome Evaluation Findings

## *Timeliness*

<b>Case Processing</b> <i>(analyzed by 14 evaluations)</i>	
<b>Legal Representation --</b> Child Representation	1 evaluation – no significant differences
Parent Representation	3/3 evaluations (of the same program) – positive findings: 2 – decreased timeframes; 1– decreased number of continuances
<b>Systemic --</b> Family/Model Courts	8/8 evaluations – decreased timeframes
<b>Alternative Dispute Resolution --</b>	2/2 evaluations – decreased timeframes
<b>Time to Permanency</b> <i>(analyzed by 17 evaluations)</i>	
<b>Legal Representation --</b> Child Representation	2/5 evaluations – decreased time to permanency
<b>Systemic --</b> Family/Model Courts	4/4 evaluations – decreased time to permanency
FTDC	3/3 evaluations – less time in out of home care
<b>Alternative Dispute Resolution --</b>	4/5 evaluations – less time in out of home care 3/4 evaluations – decreased time to permanency



# Outcome Evaluation Findings

## *Permanency*

<b>Type of Permanency</b> <i>(analyzed by 12 evaluations)</i>	
<b>Legal Representation --</b> Child Representation	3 evaluations with varied findings: 1 – higher proportion reunified; 1– higher proportion adopted; 1 no differences in proportion reunified
Parent Representation	2/2 evaluations (both looking at the same program) – higher proportion reunified
<b>Systemic --</b> Family/Model Courts	1 evaluation – higher proportion reunified (compared to historical data)
FTDC	3/3 evaluations – higher proportion reunified
<b>Alternative Dispute Resolution --</b>	3/3 evaluations – increased use of relatives/higher proportion of children living with a relative
<b>Number or Proportion of Cases Reaching Permanency</b> <i>(analyzed by 5 evaluations)</i>	
<b>Legal Representation --</b> Child Representation	4 evaluations with varied findings: 2 – higher proportion achieved permanency; 2 – no difference
<b>Systemic --</b> FTDC	1 evaluation – higher proportion reached permanency



# Outcome Evaluation Findings

## *Safety*

### Recurrence of Maltreatment/Re-entry Following Release from Court's Jurisdiction *(analyzed by 7 evaluations)*

<p><b>Legal Representation --</b> Child Representation Parent Representation</p>	<p>1 evaluation – no significant differences 1 evaluation (of the 3 examining this reform) – reduction; the other 2 evaluations did not</p>
<p><b>Systemic --</b> Family and Model Courts FTDC</p>	<p>1 evaluation – reduction in re-entry 2/3 evaluations – no reduction (generally low rates of recidivism) ; the other 1 found higher maltreatment in treatment group (no tests of sig.)</p>
<p><b>Alternative Dispute Resolution --</b></p>	<p>1 evaluation – reduction in re-entry (within 12 months)</p>



# Process Evaluation

- Found a wide range of approaches utilized by evaluators
- Organized findings by the following framework:
  - **Planning Reform:** *Process used, needs assessment prior to intervention implementation – provided by very few evaluations*
  - **Cases Sampled (treatment and comparison group):** *Demographics and case history to note congruence between evaluation sample and target population – provided by almost all evaluations*
  - **Intervention Model:** *Description of services/activities delivery – often provided by evaluations*
  - **Implementation:** *How well the reform was implemented, fidelity to the model, barriers and challenges – often provided by evaluations; particularly those of ADR & systemic reform*
  - **Contextual Factors:** *Stakeholder perceptions of factors external to the reform process/implementation arena that impacted the reform and its expected impact – provided by very few evaluations*
  - **Expected Impacts:** *Stakeholder perceptions – often provided by evaluations:*
    - *How well reform goals were met*
    - *Satisfaction with reform*
    - *Recommendations*
    - *Beliefs and attitudes*
  - **Sustainability:** *Documentation of steps taken to maintain the reform – provided by no evaluations*

# Process Evaluation Findings

- The following measures of **expected impacts** were collected through multiple sources including interviews, focus groups and surveys
  - *How well reform goals were met*
  - *Satisfaction with reform*
  - *Recommendations*
  - *Beliefs and attitudes*

<p><b>Legal Representation --</b> Child Representation</p> <p>Parent Representation</p>	<p>Evaluations showed positive findings in all four areas Recommendations on additional CASA resources and training</p> <p>2/3 evaluations showed findings – mostly positive findings Stakeholders perceived a higher quality of representation</p>
<p><b>Systemic --</b> Family/Model Courts</p> <p>FTDC</p>	<p>Evaluations showed findings in all four areas – mostly positive Respondents believe reform goals are being met, express high satisfaction</p> <p>2/4 evaluations showed findings – mostly positive Respondents indicated positive levels of satisfaction</p>
<p><b>Alternative Dispute Resolution --</b></p>	<p>Evaluations focused on measures of satisfaction – mostly positive Both staff and participants were positive of reform process</p>



# Findings

- **What's been evaluated?**
  - *Alternative Dispute Resolution, Family/Model Courts “heavily” evaluated relative to*
  - *Child and Parent Representation, Family Treatment Drug Courts*
- **How have family court reforms been evaluated?**
  - *Just over one-half of the 47 evaluations included both an outcome and implementation process component (26), with over a third focusing solely on process*
  - *Nearly two-thirds of the ADR evaluations focused solely on process, as did one-third of the Family/Model Courts evaluations*
  - *Across all evaluations, data collection focused on expected impacts, highlighting the value of staff and participant perceptions, but also the need for enhanced collection of outcome findings*



# Findings -- continued

- **The 29 evaluations that included an outcome component:**
  - *Analyzed case timeliness (one-half measured case processing, and over one-half measured time to permanency)*
  - *There was less analysis of permanency outcomes (fewer than 20 percent measured the proportion achieving permanency, although nearly one-half measured the type of permanency achieved)*
  - *Just one-quarter analyzed safety (recurrence of maltreatment, re-entry into care)*
- **The 44 evaluations that included a process component:**
  - *Primarily reported information on: the cases included in the evaluation sample (all but one evaluation); the intervention model; its implementation; and perceptions of expected impacts*
  - *In comparison, very few reported on: the planning process; important external contextual factors; and efforts essential to sustain the reform*



# Findings -- continued

- **What did they find?**
  - *With respect to **outcomes**, the most consistently positive findings were associated with court case processing, and type of permanency achieved*
  - *More mixed results were found with respect to time in care, the number/proportion reaching permanency, and maltreatment recurrence/re-entry*
  - *With respect to **process**, findings were generally positive in the areas in which information was collected, reflecting an emphasis on gathering stakeholder satisfaction, recommendations etc.*



# Implications

- There is value to undertaking **outcome and implementation process** components within an evaluation, yet nearly half of the evaluations did not
- Lack of a **common** framework for analyzing outcomes:
  - *No clear set of outcome measures predominated*
  - *Those not directly related to court process were emphasized less*
- Lack of a **comprehensive** framework for analyzing the implementation process:
  - *Information on planning processes, external contextual factors, and sustainability very rarely collected and reported*

