

What Information Is Available to Judges When Making Findings of Reasonable Efforts?

Key Results From the Reasonable Efforts Findings Study

OPRE Report 2024-350

About the Reasonable Efforts Findings Study (REFS)

Goal: Understand factors associated with judges' findings of reasonable efforts by child welfare agencies and how they relate to case outcomes.

Research Questions:

- ▶ What factors are associated with judges' findings of reasonable efforts to prevent removal?
- ▶ What factors are associated with judges' findings of reasonable efforts to achieve permanency?
- ▶ How are reasonable efforts findings related to the likelihood of reunification?
- ▶ How are reasonable efforts findings related to time to permanency?

Case Sample: Random sample of 348 closed child welfare cases from five sites in three states between 2018 and 2019. The practices observed and study results are not representative of practices or outcomes in other child welfare courts.

Data Collection Methods:

- ▶ Court observation (327 initial hearings)
- ▶ Case file review (348 case files)

JUDGES' REASONABLE EFFORTS FINDINGS



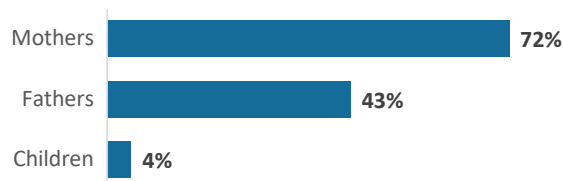
Judges make two key findings in child welfare hearings about child welfare agencies' efforts to work with families:



Judges' reasonable efforts findings are shaped by information available before and at hearings.

Judges had opportunities to speak directly with parties who attended their hearings, most frequently mothers.

Presence of Parties at Initial Hearings

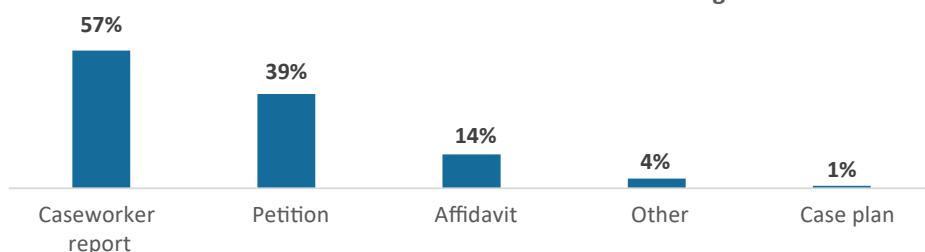


Results:

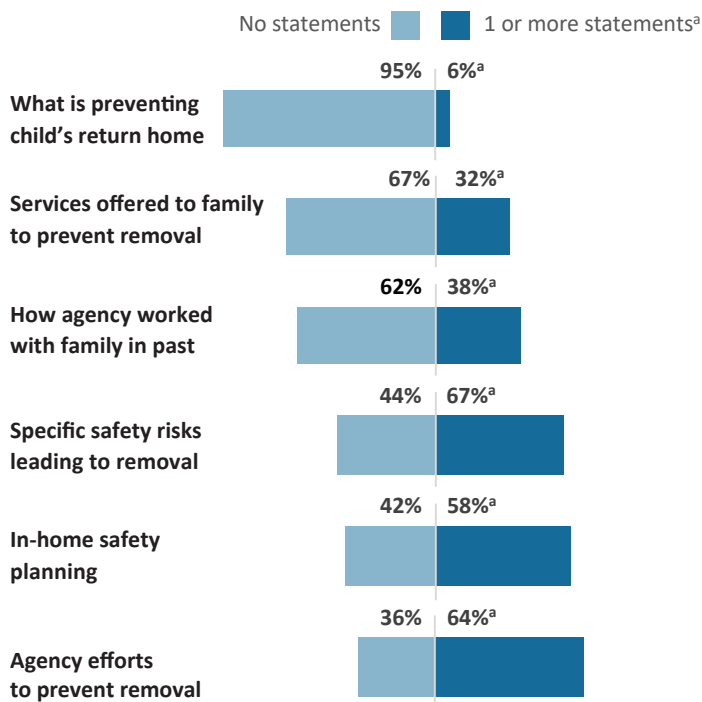
- ▶ Judges had opportunities to speak directly with parents who attend hearings, most frequently mothers and to a lesser extent, fathers.
- ▶ Children rarely attended hearings so judges had very few opportunities to talk to them directly at hearings.

When making reasonable efforts to prevent removal findings, judges had a range of documents available for review.

Types of Documents Available Before Judges Made Reasonable Efforts to Prevent Removal Findings



Topics Covered in Documents Submitted to Courts Before Judges Made Reasonable Efforts to Prevent Removal Findings

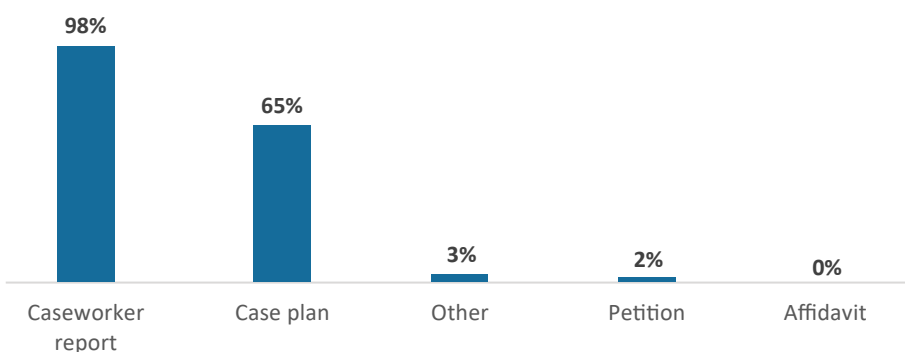


Results:

- ▶ Judges primarily had information about reasonable efforts available in caseworker reports and petitions when making a reasonable efforts to prevent removal finding.
- ▶ The reasonable efforts topics discussed in documents are limited. The agency's efforts to prevent removal and in-home safety planning are most frequently discussed.

When making first reasonable efforts to achieve permanency findings, judges most commonly had access to the caseworker reports and case plans.

Types of Documents Available Before Judges Made Reasonable Efforts to Achieve Permanency Findings

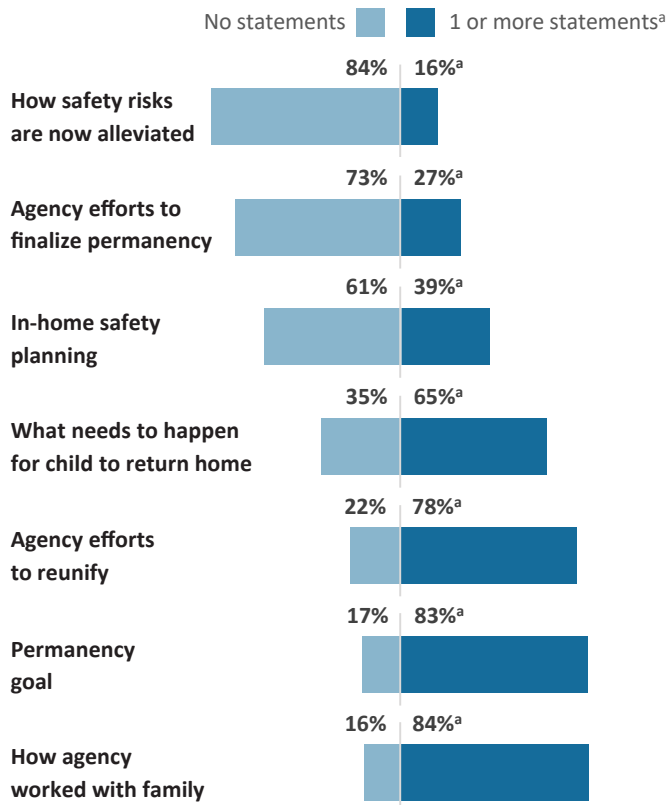


Results:

- ▶ Caseworker reports and case plans were the most frequent documents available to judges.
- ▶ Documents such as petitions and affidavits were rarely available.

Documents submitted to courts before first reasonable efforts to achieve permanency findings covered a range of topics.

Topics Covered in Documents Submitted to Courts Before Judges Made Reasonable Efforts to Achieve Permanency Findings



Results:

- ▶ The most frequent topics discussed in documents provided to judges before the reasonable efforts to achieve permanency findings were—
 - ▶ How the agency worked with the family
 - ▶ The permanency goal
 - ▶ Agency efforts to reunify the family

Learn More

To learn more, visit the [Understanding Judicial Decision-Making and Hearing Quality in Child Welfare project](#). Staff from James Bell Associates, the American Bar Association Center on Children and the Law, and Co-Principal Investigators Dr. Alicia Summers and Dr. Sophia Gatowski conducted the study, with funding from the Office of Planning, Research, and Evaluation (OPRE) and the Children's Bureau of the Administration for Children and Families.

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