



Court Improvement Programs: Collaboration Between Child Welfare Agencies and Legal and Judicial Communities

Child welfare agencies and legal and judicial communities have many common goals and a history of collaboration intended to improve outcomes for children and their families. The Court Improvement Program (CIP) provides Federal funds to State and Tribal courts to support efforts to improve child welfare court practices. Every State, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and seven Tribes receive CIP funding.

One of the goals of the CIP is to support collaboration between courts and the title IV-B and title IV-E child welfare agencies (Children's Bureau, 2023). This can be

WHAT'S INSIDE

What is the CIP?

How collaboration works

Examples of court and agency collaborations

Conclusion

References



accomplished through different approaches and include additional partners, depending on the needs and resources of the State and potential strategies that emerge. This factsheet focuses on collaboration and relationship building between legal and judicial communities and child welfare agencies and provides several examples of successful and promising approaches throughout the country.

WHAT IS THE CIP?

The CIP is funded by a Federal grant under the auspices of the U.S. Department of Health and Human Services' Children's Bureau. The grant funds State courts to conduct assessments of their roles, responsibilities, and effectiveness in carrying out State laws regarding child welfare proceedings. It allows State courts to take actions to improve the safety, well-being, and permanency of children in foster care. This includes assisting in the implementation of State Program Improvement Plans (PIPs) resulting from the Child and Family Services Reviews (CFSRs) and title IV-E Foster Care Eligibility Reviews (Children's Bureau, 2021).

CIP collaboration includes the development of strategies among legal and judicial communities, along with child welfare agencies and other key partners, to improve outcomes for children and families throughout the State. Legal and judicial communities may include attorneys for children and youth, parents, and agencies; judges; court administrators and personnel; and mediators (Children's Bureau, 2023). Among other efforts, joint strategies may include developing or improving the quality of legal representation; improving hearing quality; developing, analyzing, or sharing court data; enhancing parental engagement in hearings; improving timeliness and quality of permanency; collaborating with Tribes; and preventing children and youth from entering care in the first place (Children's Bureau, 2022).

HOW COLLABORATION WORKS

Some State child welfare agencies and legal and judicial communities struggle to develop collaborations that will improve outcomes for children and families. Different staffing, structures, responsibilities, expectations, and communication between agencies and court systems can complicate or even stall collaborative efforts. On the other hand, these differing values and perspectives can be leveraged for better overall decision-making (Gatowski et al., 2022). Often these contrasting perspectives naturally lead to opportunities for learning and "out-of-the-box" thinking.

One major recent effort to support the CIPs, including assistance with collaborative efforts, was the development of new model court measures and a suite of tools. The Children's Bureau's Capacity Building Center for Courts, with a diverse group of more than 60 consultants and 20 Children's Bureau staff, developed the [Judicial, Court, and Attorney Measures of Performance](#) (JCAMP), which focus on a set of key measures for legal and judicial performance.

The following section provides snapshots of collaborations among specific State agencies and their legal and judicial communities that have made significant progress on a variety of strategies. Some collaborations show early progress, while others already have years of positive outcomes and have been replicated throughout their States. These promising approaches may be the products of large steering committees with histories of collaboration that include members from a variety of child welfare domains, including parents and youth with lived experience, and a dynamic CIP coordinator who is devoted to programs that are shown to promote positive outcomes for children and their families. They may be the result of a small group of dedicated attorneys who have leveraged long-term relationships with child welfare administrators and developed programs that help families avoid child welfare courts altogether.

Regardless of the individual project, collaboration between child welfare agencies and the legal and judicial communities involves a two-way effort toward a common vision—a commitment to positive change by sharing the responsibility for identifying, understanding, and solving problems.

EXAMPLES OF COURT AND AGENCY COLLABORATIONS

The following examples demonstrate a range of programs that involve CIP funding and collaboration between child welfare agencies and CIPs and other legal and judicial community partners. The examples feature several States and address a variety of strategies, including collaboration at the State, local, individual, system, and service levels.

COLLABORATION AT THE CASE LEVEL: MULTIDISCIPLINARY LEGAL REPRESENTATION

A 2017 [Children's Bureau Information Memorandum](#) emphasized the importance of high-quality legal representation in helping to ensure a well-functioning child welfare system. It stressed the value of the early appointment of counsel and training and specialization for child welfare attorneys as well as the need for a multidisciplinary team approach to representation. In 2020, the Children's Bureau published a [technical bulletin](#) responding to frequently asked questions about title IV-E funding for independent legal representation for parents and children.

According to a 2019 [report](#), considered the most effective way to deliver high-quality legal representation, multidisciplinary legal representation typically involves a team of three (an attorney, a social worker, and a parent mentor or ally) to help with court proceedings. Some legal offices that provide multidisciplinary representation also assist parents in finding housing, education, and employment services to help them address poverty-related difficulties that may have contributed to involvement with the child welfare system.

Judges who may be interested in promoting multidisciplinary legal representation in their courtrooms can find more information in [Ensuring High-Quality Legal Representation for Parents and Children](#), from the American Bar Association's Center for Children and the Law.

Hampden County, Massachusetts

Community Legal Aid's Family Preservation Project (Pilot)

With the support of a grant from the Massachusetts Supreme Judicial Court CIP, Community Legal Aid (CLA) is successfully piloting a project that provides legal and social services to families involved with the child welfare system whose cases were opened due to allegations of neglect that stem primarily from poverty. Participating families are supported by a three-person team that consists of a social worker, attorney, and parent advocate with lived experience. By making internal referrals to other substantive legal units at CLA, the team works together to address the sources of the families' challenges and allows the Department of Children and Families (DCF) to close cases and avoid filing a petition to remove the children from their homes.

The Family Preservation Project is an ongoing collaboration between DCF and CLA. Families are primarily referred to the project by DCF social workers who hear about the project from their colleagues and through the efforts of CLA. Members of the CLA Family Preservation Project have copresented at local DCF staff meetings with a DCF social worker who successfully referred a client to participate in the project and whose story demonstrates how the project supported the family and ensured they could avoid court proceedings and separation.

Outcomes: One hundred percent of CLA's cases (roughly 30 cases within the year) were closed with no court involvement. As of July 2022, no removals had occurred, and DCF had ended involvement with the families in the vast majority of cases. The Family Preservation Project continues to provide quality legal representation to help families avoid entering the system. The success of the pilot and an influx of funding from the American Rescue Plan Act led to four new projects housed in other legal aid programs across the State.

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COLLABORATION AT THE SYSTEM-LEVEL: FAMILY TREATMENT IN CHILD WELFARE COURTS

Family Treatment Drug Courts (FTDCs) have been successful in helping families with parents whose substance use disorder contributed to child maltreatment or neglect. Unlike traditional drug courts, FTDCs recognize the effect of substance use disorders on the entire family, not just the parent or parents with the disorder. Parents enter FTDCs with a referral from a caregiver, a parent's attorney, a guardian ad litem, or a family court judge (Capacity Building Center for States, 2020). FTDC teams may include attorneys, child welfare service providers, substance use disorder treatment agencies, and other community service providers.

Colorado Department of Human Services

Dependency and Neglect System Reform

Dependency and Neglect System Reform (DANSR) began in 2014 by integrating effective family drug court practices into the larger dependency and neglect system. As part of the cross-system collaboration at the State and local level for systems reform, the Colorado Judicial Branch, in partnership with the Department of Human Services and other multidisciplinary partners, developed a set of case management principles that were already applied broadly across Colorado's family treatment courts.

The following case management principles guide the DANSR approach to handling dependency and neglect cases with substance use or co-occurring mental health disorders:

- Provide universal screening for substance use disorders, mental health disorders, and trauma.
- Shorten the timeframe between screening and assessment for substance use disorders, mental health disorders, and trauma.
- Use multidisciplinary team staffing to enhance communication and collaboration and to integrate treatment information into case management.
- Provide timely judicial support and oversight to make the court's case management responsive to treatment needs and permanency.
- Enhance data collection and information sharing across the court, child welfare, and treatment communities.
- Enable State and local teams to coordinate strategy at the system level and participate in collaborative training.

To establish DANSR, Colorado counties brought together community partners, professionals, and people with lived experience to make system-level changes that yielded better outcomes or experiences for families. In 2019, the CIP adopted DANSR as a focus area. That arrangement, which continues today, involves the State court administration of

DANSR and implementation in more counties. The implementation of DANSR does not require continuous funding, but it continues to involve State-level attention, local-level dedication, and collaboration between the two levels. Courts are charged with gathering the right collaborators and establishing various governing structures at the local level.

Local participants were also required to collaborate in implementing the DANSR principles listed previously. Efforts involved establishing multidisciplinary teams led by dependency and neglect judges, and attorneys representing parents, children, and the child welfare agency. Beyond the six principles, child welfare representatives worked with courts and treatment professionals to improve data collection and information sharing. The Colorado Judicial Branch and Department of Human Services participated with local teams to coordinate strategy at the system level and were also involved at the local level with treatment providers. For many counties, it was the first time they brought their behavioral health professionals into the dependency and neglect space and navigated relationships with those professionals. In several jurisdictions, those relationships are still in place.

Outcomes: The individualized, local approaches to DANSR make it difficult to capture and measure outcomes in one system compared with another. Local courts have been able to track their outcomes, but no specific data at the State level are available. Anecdotal feedback includes the following:

- A judicial officer observed a significant reduction in contested hearings from the time he started to incorporate DANSR. He believes that because parents were able to be a part of treatment decisions outside of court, this engagement led to more communication between court hearings.
- After several years, a large county with the capacity to track data and with data experts on staff released information showing that parents who consented to an initial treatment screening at or immediately after the shelter hearing reached reunification with their children 3 months faster than parents who did not consent to a screening right away. This illustrates that early access has a positive correlation with reunification rates.

The Colorado CIP is committed to expanding the DANSR principles across the State by defining items as best practices for all courts to adopt. See the [DANSR factsheet](#) for more on this program's history and its cross-system collaboration by State and local-level partners.

COLLABORATION AT THE CASE LEVEL: ADOPTION

Adoption is primarily regulated through State laws, but multiple jurisdictions oversee the finalization of adoptions. These vary from State to State and often depend on the type of adoption. Child welfare caseworkers and the courts in which they plan for and finalize adoptions navigate many benchmarks in the process. Creating tools to streamline procedures and track differences across local courts can eliminate confusion and expedite time to permanency.

Kansas Strong for Children and Families Grant Project Adoption Tracking Tool

The Kansas Office of Judicial Administration, which is responsible for the CIP strategic plan and implementation; the Kansas Department for Children and Families (DCF); and the University of Kansas School of Social Welfare collaborated on a number of initiatives, including the Adoption Tracking Tool (ATT), one of several projects of the Kansas Strong for Children and Families grant. The need for the ATT stemmed from the State's round 3 CFSR rankings. The State ranked fifth worst in the country for nonpermanent foster care discharges and seventh worst in the country for time to adoption. In addition, the State had an 18-percent increase in time to adoption since 2015. The Office of Judicial Administration, DCF, and others intended for the tool to reduce those numbers through collaboration between courts and DCF case management caseworkers. According to the [Adoption Tracking Tool factsheet](#), ATT aims to do the following:

- Clarify and streamline procedures for adoption
- Improve communication between caseworkers and courts
- Expand efforts to identify barriers to timely adoption
- Increase collaborative accountability

The ATT is a communication and organizational tool submitted to the court by caseworkers and used by judges, attorneys, and caseworkers to help both the court and DCF track the adoption process after a child has been determined to be legally free for adoption. The tool identifies the many benchmarks in the adoption process. It can be used as an information tool in court hearings and as an organizational means to document barriers that impede timely adoption processes.

With the approval of a longstanding group of legal, judicial, and child welfare representatives, and input from the Kansas Supreme Court Task Force on Permanency Planning, the ATT was piloted in 2019 in six counties for 6 months. Positive data compiled from a monthly web-based survey and from focus groups and interviews led to expanding the pilot to three more counties. In July 2021, statewide implementation began.

Outcomes: The following are the outcomes of the pilots:

- ATT was rated positively for supporting milestone tracking, communication, and identifying barriers to adoption.
- ATT was rated positively for its identified objectives.
- Responses varied by role regarding collective accountability.
- Responses varied according to structure of local court reports regarding utility of the tool.
- These pilot findings demonstrate promise for ensuring all case participants have a shared understanding of the status, process, and barriers to completion.

For more information on the Adoption Tracking Tool, see [Adoption Tracking Tool: Differences Across Local Courts Impact Implementation of a Cross-Sector Communication Tool](#).

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COLLABORATION AT THE LOCAL AND AGENCY LEVELS: PROVIDING ALLIES TO IMPROVE PARENT AND CHILD ENGAGEMENT AND REUNIFICATION

[Parent partner programs](#) ensure that parents who are navigating the child welfare system do so with the guidance of a parent who has experienced the system and successfully reunified with their child or children. The programs provide parents with a peer—that is, someone who is not part of their case—who can help guide and assure them through their success that reunification is possible. Parent partner programs vary, but many offer evidence of success regarding improved outcomes for families.

CONCLUSION

This factsheet highlights current and developing collaborations that have shown success or promising approaches to helping children and families navigate the court systems in their States or avoid those systems altogether. These successes have been possible through the help of partnerships supported by CIP funding, attorneys and other court representatives, social workers, and other child welfare professionals who value collaboration and use it to support effective strategies in their States.

The strategies addressed in this factsheet are not the results of one judge or one child welfare administrator. These program examples are the result of collaborations built on years of growing community and professional relationships based on deep desires to improve opportunities for children and families to thrive. Many programs involve team members with lived expertise. All who contributed to this factsheet believe in the importance of collaborative processes and that collaboration is key to their success and improved outcomes.

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