

Transcript of Plenary Session IV

Collaboration Works! Ten Years of Progress in Improving Outcomes for Children and Families

The following is a transcript of Plenary Session IV, including keynote speaker the Honorable Stephen M. Rubin.

Catherine Nolan

I'm Catherine Nolan, and I'm the Director on the Office of Child Abuse and Neglect in the Children's Bureau in Washington, D.C. Before we begin our plenary session this morning, I just wanted to make an announcement. Today has been declared a national day of mourning for all the students and families that were affected by the Virginia Tech incident, and it is being designated as "Hokie Pride Day," and we have apparently all been encouraged to wear the colors of Virginia Tech, which are orange and maroon. At Noon today, which is Noon East coast time, which is 10 minutes ago, we've all been asked to maintain a moment of silence in remembrance for all who were killed or injured at the Virginia Tech incident. So if we can just take minute right now to just maybe reflect, before we begin our morning session . . . (Pause)

Thank you everyone. Kind of a painful reminder that we must never fail and never cease to do the work that we do to prevent violence in our country, whether it is within a family or within a community. And it just makes me appreciate even more all of you here today, and the work that you do, and the work of our colleagues here on the stage with me this morning. That being said, let me go ahead and introduce the folks who are up here on stage with me.

For those of you who are here this morning for the first time this week (apologies to the rest of you who have heard my spiel every morning, but I just feel so strongly about this that I want to say it again), the Office on Child Abuse and Neglect within the Children's Bureau has felt very strongly for many, many years that the problem of child abuse and neglect is very complex and cannot be solved by one person, one agency, or one discipline. And a lot of the work that we do in OCAN has to do with reaching out to our colleagues in all of the different agencies and across the disciplines to work together to collaborate and to coordinate our efforts—to have a coordinated response to the problem of child abuse and neglect. So every other year, when we host our conference, we always invite various members of our national planning commission, representatives of the different disciplines of the different national organizations, to be up here on stage with us in solidarity around this whole approach to solving this problem. And so we invite members each day to sit here to make that statement, but also—for us—it's a way to acknowledge them and to thank them for the work that they do. So this morning again, as I've done each evening and morning of this week, I'm very pleased to be able to be able to introduce to you our platform members.

To my left, the Honorable Stephen Rubin, Lead Judge of the Pima County Model Court in Tucson, Arizona and our keynote speaker for this morning; Joan Ohl, Commissioner of the

Administration on Children, Youth and Families, Administration for Children and Families, U.S. Department of Health and Human Services; Terry Cross, who just came back from his national conference on child abuse and neglect. We are very glad that you are here today. Terry is the Executive Director of the National Indian Child Welfare Association, commonly known to us as NICWA. Karen Rich Askew, a long-time partner as well, Executive Director, National Exchange Club Foundation for the Prevention of Child Abuse and Neglect; Stephanie Stafford who is the State Coordinator for The Children's Justice Act of Oregon. And for those of you who may not be familiar, the Children's Justice Act is a program that is administered out of my office. So we are glad that you can be with us today, Stephanie. To my right, Emily Cooke, Special Assistant for Court Improvement, Children's Bureau, Administration for Children and Families and I'll say more about her in a second. The Honorable Dale Koch, President of the National Council of Juvenile and Family Court Judges and also Presiding Judge of the Multnomah Circuit Court, and we appreciate you being here today representing both the local folks as well as the national organizations; Nancy Miller, who is the Director of Permanency Planning for the Children's Department of the National Council on Juvenile and Family Court Judges; Cynthia Thompson, Executive Director of the Children's Trust Fund of Oregon; and finally, Kevin Dawling, Executive Director of Care's Northwest, and Care's Northwest again has been a local agency that has been extremely involved with our local planning committee. Without its work, this conference would not be as successful as it has been. We are glad you are also able to join us this morning, Kevin.

And now I'd like to turn the podium over to Emily Cooke, who will preside this morning. We fondly call Emily our "attorney in residence" at the Children's Bureau. She is an attorney, and she's done a wonderful job over the years in really bringing the Court Improvement program to a level of sophistication that we really have never seen before. And she's a wonderful friend and colleague. Please welcome Emily as presider for this morning.

Emily Cooke

Good morning, everyone. Thank you, Catherine, for that very generous introduction. I, too, would like to welcome you to this magnificent city and this marvelous conference, and to extend warm greetings from the many organizations, volunteer groups, and staffs who have worked with the Office on Child Abuse and Neglect to make this week a reality. During this week, many, many volunteers from the Portland area have been sharing their time and talents with us. I hope that this educational event has allowed you to learn from one another, to learn and be inspired by our keynote speakers and other presenters, and to share your experience and expertise with others. I also hope that you have found opportunities to expand your horizons, learn new skills, and network with friends and colleagues in both formal and informal ways.

This morning we are focusing on the relationship between the child welfare and the court systems. Many of you may be aware that we have established greater involvement of the courts as one of our top priorities for the second round of the Child and Family Services Reviews, what we call the CFSRs. Through our National Resource Center on legal and judicial issues, we have reached out to the highest level of the courts in each state to make

them aware of their state's CFSR and to bring them into the process. It is clear our efforts are beginning to take hold through the preliminary findings of the national evaluation of the court improvement program presented at this conference and directly from the court improvement program coordinators at their annual meeting earlier this week. We've learned that an increasing number of judges and court personnel are becoming involved with the CFSR process, including development and implementation of the program improvement plan. I trust that the information we will provide this morning will assist you in enhancing the court and child welfare system collaboration in your state or locality as well.

We are delighted to have Terry Cross, Developer, Founder and Executive Director of the National Indian Child Welfare Association, join us at this conference. The National Indian Child Welfare Association has been a regular national co-sponsor of our national conferences on child abuse and neglect. The National Indian Child Welfare Association is dedicated to the well-being of all American Indian children and families. The organization works to ensure that every Indian child has access to community-based, culturally appropriate services that help them grow up safe, healthy, and spiritually strong, free from abuse, neglect, sexual exploitation, and the damaging effects of substance abuse. Terry Cross has at least 32 years of experience in child welfare, including ten years working directly with children and families. He served on the faculty of Portland State University School of Social Work, our local host agency. Please join me in welcoming one of our most respected colleagues, Terry Cross.

Terry Cross

Thank you. Thank you, Emily. It's really a pleasure to be here, and I want to welcome you all to Portland, and I want to welcome you to Indian country. Most of you probably don't know that right here in Portland, in the metropolitan area, there are 38,000 American Indians and that this area has become a vibrant center of Indian life. There are several Indian organizations headquartered here. It's a regional center, it's a national center, but also it's the center of trade, historically, for tribes all over the northwest. So you are on sacred ground in this location—a place where our people gathered from time immortal for trading stories and for meetings among tribes. And I want to share with you that in this very facility every New Year's Eve, our local tribal community, our urban Indian community here in Portland, hosts a celebration of sobriety. It started about 25 years ago with a handful of people who came together on New Year's Eve looking for an alternative to drinking. This year on New Year's Eve, in the hall that houses the exhibits, 1,500 straight and sober Indians gathered to celebrate the New Year. You are in a facility celebrating life, celebrating tribal culture, so we are pleased to have you join us in our facility. (Applause)

I want to thank the organizers for the involvement of our tribal communities and for the workshops that were planned, and we are proud to be co-sponsors of this event. I also want to bring you greetings from our event. I just came back from the 25th Annual National American Indian Conference on Child Abuse and Neglect. We were in Oklahoma City, and we had 550 participants from all over the U.S. and Canada. The theme of our conference was, "Truth and Reconciliation in Child Welfare." It spun off from some work that's happening

jointly between the Child Welfare League of America, the National Indian Child Welfare Association, the Child Welfare League of Canada, the First Nation's Child and Family Caring Society in Canada, and the Center for Excellence in Child Welfare at the University of Toronto.

In the fall of 2005, we had an event at Niagara on the lake on the Canadian side of the Falls, and we brought 200 people, half Canadian, half U.S., half of them Non-Indian, half of them Indian. We invited indigenous people from around the world to facilitate this discussion of healing and reconciliation, and our guides were from South Africa first and foremost who taught us about this process of reconciliation. Why, might you ask, would we have to have this conversation around reconciliation? Is that just churning up the past? Well, the past is still with us today. We have a project funded by ACF in the Children's Bureau on customary adoption—helping tribes implement laws based on their own traditions—that allow adoptions without termination of parental rights, because in our ways when you are adopted, you simply get more family, you don't have to lose your family. But we've found that even in order to accomplish this, before people can even have that conversation, they have to grieve the losses—the losses from the trans-racial adoption period, the losses from the pre-ICWA period [Indian Child Welfare Act], the families who've lost children, the women who were sterilized by the Indian Health Services as late as 1972 as their children were being removed from them. These are the things that have to be healed before people can even have the conversation—do you want to be an adoptive parent, do you want to be a foster parent? So yes, we do have to tell the truth, but it's too late and too important that we fight about it. We shouldn't—we can't fight about it any longer. We have to join together. We have to find a new path together, and we are dedicated to finding that new path. Part of our work in Oklahoma is to celebrate those people who will stand with us, who will be our partners, empowering our communities to express our sobriety.

American Indian tribes are the forgotten jurisdiction in child welfare. We are the jurisdiction that cares for our children and yet there are those who still fight us to care for our own children. I don't know about you, but I wonder sometimes, when did it become a problem for people to want their children and want to care for them? What we see today in child welfare, the serious problems with disproportionality, are the legacy—the living legacy of the racism of the past. We are recruiting everyone who will join us to undo that legacy with us, to be our partners.

NICWA is a membership organization, and members are tribal workers, tribal programs, non-Indian programs and organizations, professionals, governments, and anyone who will join us to help us protect our children. We thrive on collaboration. At this point, we have collaborations with over 83 organizations to some degree. I want to thank Judge Rubin for the collaboration we have had with the National Council doing technical assistance (through the National Center on Substance Abuse and Child Welfare) for tribal communities that are blending their courts with child welfare and substance abuse programs and, most recently, for helping us to develop a collaboration for the implementation of the new requirement for court improvement programs to collaborate with tribal courts. We are very pleased to have that collaboration. We welcome you to Portland, to Indian country, and I welcome you to join us at the National Indian Child Welfare Association, along with all the sponsors here, for the protection of the well-being of all children. Thank you. (Applause)

Emily Cooke

Thank you, Terry, for that important message. We are very fortunate to have Joan Ohl, Commissioner of the Administration on Children, Youth and Families, with us this morning. Those of you who attended the opening session will remember Joan's warm welcome and her remarks, which focused on improvements in the child and family welfare system. Joan was nominated by President Bush, confirmed by the U.S. Senate, and sworn in as Commissioner of ACYF in February 2002. As Commissioner, she oversees the Children's Bureau and the Family and Youth Services Bureau in the U.S. Department of Health and Human Services. Prior to joining the Bush administration, Joan was West Virginia's Secretary of Health and Human Resources. She's held numerous positions in higher education, including Vice President of the Independent College Fund and of the Association of Independent Colleges and Universities in New Jersey. Joan brings a valuable and unique perspective to her work at the Children's Bureau. During her tenure as Commissioner, she has spent much of her time in efforts on strengthening the collaborative work between child welfare agencies and other key players in the broader child welfare system. She's given particular attention to the work of child welfare agencies within the courts. She firmly believes that the courts and child welfare agencies have a responsibility for some of the most critical decisions that will ever be made on behalf of the children we serve and, if they do not work in partnership, we will not be able to accomplish the positive outcomes we seek. We at the Children's Bureau see Joan not only as a boss, but also as a good friend, and I just want to say, personally, it has been a delight to have Joan work with us and work with me, where she very generously shares her enthusiasm and her outreach to the courts. So please join me in warmly welcoming a woman who, throughout her professional career, has made significant contributions in all areas of child welfare practice to the well-being of vulnerable children. (Applause)

Joan Ohl

Thank you, Emily, for that really warm introduction. I'm pleased to be here today and to have an opportunity to address this group again, and it's a wonderful day. Maybe it's a national day of mourning, but I got an email from a colleague and she said, "You just wouldn't believe the number of vehicles with Virginia Tech flags, people dressed in maroon and orange all over, and she said it just brought tears to her eyes. It is a time of healing across the country and, in addition, the sun is out here today for the second day in row and that's a good sign! I see here assembled today a leading group of researchers, administrators, and leaders from professional organizations across the country. Over the years, all of you have played a distinct, important role within the court and child welfare reform, and I thank you for your continued devotion to this field and to the work that you do on behalf of America's children and families.

No one knows better than the people assembled here that no single organization or discipline (this is what Catherine has reminded us of each morning this week) can effectively combat child abuse and neglect. We must collaborate effectively across disciplines to protect children, promote healthy families, and preserve communities. One of the most essential collaborations is between the child welfare system and the courts, and to address this

important collaboration, the Federal government established the Court Improvement Act and the Court Improvement Program. As you know, a large proportion of the children and the families that we work with are involved in the court system. And we can have the most stellar children services, but if the court is not operating in the best interest of the children, all of our efforts to promote safety, permanency and well-being come to nothing. Both sides of the equation must operate efficiently, effectively, and coordinate and collaborate.

I'd like to talk to you this morning about a couple of provisions that impact child welfare through court improvement in two Acts that were signed by President Bush in the last year or so. The first is the Deficit Reduction Act of 2005, but truly was signed in February 2006. Just a little over a year ago, it was signed by President Bush, and the Act authorized (and Terry just referred to this two minutes ago) two court improvement program grants in addition to the basic grant that was already in place since 1994. These two new grants are authorized for ten million dollars each for five years and include a data collection analysis grant to help ensure that foster children's needs for safety, permanency and well-being are met in a timely and complete manner, and a grant for training judges, attorneys and other legal personnel in child welfare cases and cross-training with child welfare agency staff and contractors.

The second piece of legislation is the Child and Family Service Improvement Act of 2006—we refer to it commonly as the “promoting safe and stable legislation”—and that was signed by President Bush on September 28, 2006. As a part of that, it re-authorized the basic court improvement program without any changes through 2011.

So the two new ones plus the reauthorized, taken together—all three grants (the training grant, the data collection, and the analysis grant)—make available to courts resources that are much needed to improve the handling of child abuse and neglect cases.

One of the most important provisions of the Deficit Reduction Act calls for meaningful and ongoing collaboration between courts and child welfare agencies in order for the states to receive the court improvement funding. We are taking this requirement very seriously, and the guidance that we have issued indicates that we will not approve applications for funding that do not demonstrate this active collaboration (meaningful and ongoing collaboration). Learn those words in your brain, because that's what it's all about now and in the future.

We are looking for collaboration not only in the planning for the use of the CIP funds but also through related efforts, including the Child and Family Service Review activities and the development and implementation of program improvement plans that fit. Among the specific activities that we will be promoting in the implementation of the Deficit Reduction Act are to ensure that courts and other stakeholders, including a wide range of legal and judicial representatives, are at the planning table with child welfare agencies, with tribal organizations, and other agencies like education and mental health, in order to address head-on the many factors that affect child welfare outcomes; encouraging leadership from within the agencies and the judiciary to place a premium on focused planning to articulate and reinforce a central vision for improvement, and to assure that the various plans to address child welfare issues within the state are coordinated and directed toward the same goals; promoting the concept that true and meaningful collaboration can't be a one-shot, time-limited event simply to satisfy the Federal government to perform well on a review or to

obtain funding for programs and then to expect to benefit from the process. Rather, it must be a consistent way of doing business, and it must be well-integrated into the ongoing efforts to improve outcomes. And we must all work hard to understand the roles each of us plays in improving the lives of children and families.

During the last few years, the focus of the Children's Bureau has been on the successful implementation of the Child and Family Service Reviews (the CFSR). Increasingly, there is demand for accountability and service delivery, and we must do our best to help facilitate the accountability for both the services and programs for children and families. We now just began the second round of reviews. Fourteen states are scheduled for 2007; we've completed three, and we are already beginning the review planning and state assessments for the 19 states that will be reviewed in 2008.

Beginning the second round is an exciting time, since we have spent the last three years making improvements to the process since completing round one in 2004, and we listened to groups and individuals all across the country to get their feedback from round one. Many of you are familiar with some of the changes that we have made for round two, which include the automation of the reviews, using a new set of data indicators, increasing the number of data reviewed outside, strengthening our focus on state agency collaboration with courts, tribes, youth and other key partners in serving children and families in your states. The Child and Family Services Review is the most important and far-reaching initiative in child welfare that the Federal government has ever undertaken, and I'm so pleased that I came to the Federal government in 2001 just as this process was taking place. It has provided an unprecedented opportunity for the Federal government and the states to work together to improve our work on behalf of children and families, and it's significant that many of the issues addressed in the CFSRs and the findings that we have for the first round of reviews have been reflected in some new Federal child welfare legislation. I mentioned a minute ago the Deficit Reduction Act and that courts and agencies need to collaborate on the court improvement program. We are pleased with that. We are pleased, obviously, with the new funding. All of you in this room have contributed in some way to the strides that have been made nationally in promoting better outcomes for children.

While it's our hope and expectation that we'll see measurable improvements in practice and in outcomes for children in the second round of the CFSR, we begin this second round of reviews by acknowledging that the CFSR was designed from the beginning to promote ongoing and continuous improvement in child welfare. So it's our hope that states will begin the second CFSR round with an objective mind, a broad perspective, and they will use the review process to evaluate the programs fairly and openly and identify ways that they can better assure that children in the states are safe, have permanency in their lives, and that their well-being needs are most effectively met. No state agency makes lasting, systemic performance changes in this program without actively engaging other key partners whose role in child welfare has a tremendous impact and influence on the outcomes for children. In promoting this kind of active collaboration, we are placing a particular emphasis on active involvement of the courts, tribes and youth in planning for the reviews and the subsequent program improvement plans.

With regard to the courts in particular, we have set out expectations that courts and agencies must effectively work together, collaboratively, in the CFSR, the PIP, and in the court improvement programs and the CIP grant activities. This is a unique opportunity for them to use these opportunities in exploring how their respective organizations can work together to strengthen their response to the needs of children and families. This is one aspect of the second round of the reviews that we are going to be looking at especially closely.

A few weeks ago, there was a national judicial summit held in New York City. It was attended by 46 jurisdictions, including many chief justices and child welfare directors. There has been a significant, energized coordination and collaboration between child welfare and the courts since the first summit was held in Milwaukee in September of 2005. We are urging states not to view the CFSR and its components, such as the state-wide assessment or the program improvement plan, solely as deliverables to the Federal government, but rather as real opportunities to move their programs forward, to think and to plan effectively with others in the child welfare system, to explore and implement steps that will improve the lives of children in your states, and to be honest with themselves about what they are really doing well and where they need to make improvements.

We've tasked our Federal staff, our contractors, and our national resource centers to help states in their efforts to meet these goals and, in addition, we have brought on our two recently retired judges, Judge Steve Rideout from Virginia and Judge Bill Jones from North Carolina, who have come on board with our national resource center. The purpose of these two individuals is to assist in engaging chief justices in providing to juvenile court judges in each of the states' largest cities, so that they are prepared for and actively involved in the next round of the CFSR. We've also expanded our Children's Bureau staff by bringing on a former state court dependency director, Bill Stanton. As a matter of fact, I met him when I went to Judge's Rubin court, and I met Bill who was then at the Administrative Office of the Courts in Arizona. We brought Bill on so that, with his expertise, we can reach out to court administrators' and other key players in the broader court system. We've also strengthened our capacity to provide technical assistance to state courts by increasing the funding to the national resource center—and through that, they are contracting with the National Council of Juvenile and Family Court Judges. Judge Koch (here) is the president of that organization, as well as the National Center for State Courts, and as a part of that, they have been working actively in working with court improvement (and Nancy and her folks) in order that court improvement strategic plans that are due at the end of June are completed. We have two wonderful training sessions; so as a part of that, I emphasize the need for strong judicial commitment and collaboration between the agencies and the courts in the child welfare system.

I understand that, for many of you, I may be preaching to the choir (people in this room) but it's your leadership and commitment that brings you here. However, you are just a small part of the broader judicial and child welfare system that every day affects the lives of children through court decisions and case management. Whether we are judges, court administrators, agencies directors, CIP coordinators, professional organizations, and we in the Federal government—we are all challenged to engage both the courts and child welfare agencies in all corners, in all states of this country, in order to identify and act upon opportunities to improve outcomes for children. I'm deeply committed to this, and I'm committed to continue to focus

on this for the next 20 months. We will use our technical system resources, our training opportunities, our monitoring responsibilities, to address these fundamental issues in order to assure that we remain focused on the efforts that we'll leave for systemic, lasting change in child welfare, and I will continue to work with you.

I know that you share this commitment, and I want to underscore the value of the leadership that you have brought and will continue to bring to these efforts. By coming together to explore how the activities, the policies, and the practices in each of our domains affects the lives of children and families, by identifying the interventions that serve children well and those that do not, by developing strategies that build on our strengths and overcome our weaknesses, and by jointly implementing and monitoring these strategies, we can indeed create the changes that we all hope for in child welfare. And those changes will last over time. So I have high hopes. I'm the ultimate optimist and have even greater expectations for all of us in these efforts.

I thank you for everything that you do, every day, on behalf of the children and families of this country, and I hope that you enjoy the remainder of this conference. Thank you.
(Applause)

Emily Cooke

Thank you, Joan, for that very strong message. There is a new energy that I see with my work at the courts, and you have contributed greatly to that change. Thank you.

This morning's speaker, the Honorable Steve Rubin from Tucson, Arizona, is the immediate past president of the National Council of Juvenile and Family Court Judges. He was appointed to the Pima County bench as a Judge Pro Tempore of the Superior Court, Juvenile Division in 1987 and served in that capacity until 1995. In 2001, Judge Rubin was reassigned to the juvenile bench, and he currently serves as the lead judge of the Pima County Model Court. Judge Rubin has a strong interest in the continuing education of both judges and lawyers. He has served as faculty in numerous programs on both on local and national levels, including the National Council of Juvenile and Family Court Judges' National College of Juvenile Law in Reno, Nevada. In fact, he is a co-creator of the Child Abuse and Neglect Institute offered annually at the National College of Juvenile Law. Judge Rubin has served on the board of directors of the Boys and Girls Clubs of Tucson and on the Casa de los Ninos Crisis Nursery. Judge Rubin will speak to us this morning on a topic of vital interest: Collaboration Works, Ten Years of Progress in Improving Outcomes for Children and Families. No one is better suited to speak of this topic. Please join me in welcoming Judge Rubin. (Applause)

Judge Stephen Rubin

Thank you, Emily, very much, and good morning everyone. I hope that the Starbucks level has risen to a point where I'll be able to keep you awake till the next break!

I've had the opportunity over the last six years or so to get to know Joan, and on a national level through her collaboration with the National Council. She's attended a number of our meetings, and it's been really enjoyable to have her there and to work closely with her. But this is not what you all would think of as the classic bureaucrat, or as the director of some federal agency. This is a hard-working woman. We have in Tucson a lawyer song-writer, and she wrote a song called "the hard working woman," and she talked about how to hit the road and get things done, and that's Joan. She's a hard working woman. She hits the road, she gets things done, she's been in Tucson, she's been to the Navajo Nation, she comes to court, and she goes to our collaborative meetings. I mean, she's right in there in the courts. So she's not sitting in D.C. telling us what to do, she's living it. She did it yesterday—she was in Portland yesterday, looking at the juvenile court meeting with their collaborative. That's what she's been doing in her position, and it's been a thrill for me to watch the effort and the energy that Joan has brought to the work that we all do. So on my behalf, thank you. (Applause)

I got here yesterday, and one of the first people I ran into was Christine Swanson Smith, who is sitting right there. She is the Division Director for Child and Family Services in our courts and she said, "You should have been here this morning—Juan Williams was incredible!" She said he was a fabulous keynote speaker, he held the audience in the palm of his hand. He was funny, he was articulate, and he didn't use a single note, so I'm sure that you will be a disappointment. (I added the last part.)

So, the topic here is "Collaboration Works: One community's efforts at system reform and what we've been doing for the past ten years (1997-2007)." I apologize in advance for my inability to use technology. I have actual paper in front of me. (It's a new product; they make some up here in the Pacific Northwest, I understand.)

Pima County Arizona, which is where I live (referred to also as Baja Arizona). Once upon a time, in a galaxy far, far away, in 1996, Judge Nanette Warner of our court and I attended a conference. And at that conference, we had a presentation on this thing called Model Dependency Court, and I said, "What is that?" and Judge Nanette said, "We need to be that, whatever that is. We need to be that, Stephen."

So, we signed up. We applied to become a Model Dependency Court for the National Council of Juvenile and Family Court Judges, and we were accepted, and we became one of the first ten courts in the country to be designated a model court. And for the last ten years, we've been getting grief about that from just about everyone in the country. "Who died and made you a model court? You are not such a model." So, we had to explain to them, "It doesn't mean we are a model and that you should hold up and look at us and go, 'Aren't they wonderful? They are a model.'" It doesn't mean that we are modeling. It doesn't mean any of those things. It means that we've committed to be a laboratory for systems change. That was our commitment. We made that commitment ten years ago. We committed to implementing the resource guidelines and improving court practice in child abuse and neglect cases. The resource guidelines were written by a multi-disciplinary collaborative team. It took three years to write them. Can you imagine? They argued about every word. Can you imagine hearing a bunch of lawyers, judges, social workers in the same room for three years?

But finally, they agreed on it. It was published in 1995, and it started being disseminated to the world. So we agreed. We said we would do it.

The principles were to expedite cases and services to achieve early permanency, something that in 1996 was news. In 2007, it shouldn't be. We enacted reforms locally, and we had about five minutes of the legislature's attention. Not usually a very good blend (the legislature and the bench). But we had about five minutes of their attention, and these reforms were then enacted into state law and began to be implemented statewide.

The fundamental principle of all of this is an ongoing collaboration to improve the outcomes for the children and the families that come before the court. There are six foundational principles for the source guidelines. The first one is leadership. And it's not just judicial leadership—it's agency, behavioral health, education, tribal courts. Leadership from everywhere needs to come together to make this work.

Timely Decision-Making: we were a court that was in a "mess." Parents didn't come to court for the first time until sometimes 21 to 30 days after their children were removed from them. During that period of time, they probably didn't have any visitation. They had no communication with council, with the agency. It was upside-down. We had kids in the system forever. Timely Decision-Making, Accountability, Due Process, and Creating a Problem-Solving Culture. We always hear that the juvenile court was the original problem solving court. At least we always say that. Well, that wasn't really true. We weren't really solving too many problems. We were creating a number of them. "Problem-Solving Culture" and really critically important was monitoring what we were doing and how we performing. That was unheard of in 1996. We actually were paying attention to what we were doing. This is a little snapshot of where we are today (Slide).

We have 1429 cases pending in our court, involving 2,486 children. That number is down from 3,300 children two years ago. I'm not sure what that means, but we'd like to think that we are making some progress. We had 861 petitions in 2006, and here is a little example of how statistics don't always give you an accurate picture. Petitions are up 36.2% over 6 years. Here is a graph of the number of cases from 2000 to 2006, and I want you to look at 2005 and 2006. Even though petitions were up 32.2% between 2000 and 2006, between 2005 and 2006 those petitions were down 12.5%. Why? Is it working? Is the accumulative change in ten years of system reform finally achieving the goal that we sought to achieve? I don't know. It was the first drop in ten years. A substantial drop, and so far this year we're down another 6% over that number. That's a lot of resources; a drop of 12.5% in cases. That's 125 cases in our jurisdiction. That's at least 375 appointments of counsel at a savings of \$375,000. Not to mention the savings in foster care, court time and the like. So assessing the impact of our reforms, this may be one thing that we can look at. You can certainly argue that there are other reasons for this reduction in numbers, and I'll argue that in a minute or two.

These are the numbers (slide). 37.6% of our cases returned to parents, 28.7% adopted, 13.3% were placed in permanent guardianship, and 9% remained in foster care until age 18. This is kind of a misleading number also, because what that means is that in the year 2006, there were 9% of our kids who had a case plan or another plan for permanent living arrangement,

not 9% who aged out without a permanent home. That 9% number bothers me and has bothered me for a while, and I'll talk about what we are doing to address that in a minute.

I discovered something on Wednesday that I didn't know before (and I need to talk to you about that, Chris and Paul). We have on the next graph an "other" category, and I never knew we had an "other" category—literally—until Wednesday, when I was looking at this graph. What's an "Other?" If we had the stats from the last added up, it doesn't add up to a 100%. So I found out there's an "Other." I don't know what that is. Do you know? Who are the "Other"? What are the cases that are the "Other"? You can tell me. It's a mystery to me. So anyway, we have some "others," and I'm hoping to find who these children are and where they are, and I'm hoping to find out real soon.

We couldn't do this without collaboration with CIP. We couldn't do the work that we do in our court without that collaboration. CIP currently funds five full-time and three part-time positions in our court—pre-hearing conference facilitators, data specialists, intake specialists, dependency specialists, and they are funding a full-time IT person as we develop our new juvenile online tracking system A-Z, our second generation, specifically focusing on dependency, the dependency module of that statewide data system. So thank you CIP, Rob, Shelley, we couldn't do this without you.

I've had my arguments about data, but we are going to talk about that too. We had no numbers. We didn't know what we were doing. We didn't know what was happening for the children we were serving, so we decided maybe we needed to do something about that. Model court requires the setting of measurable goals and objectives, and our working committee establishes those goals each year. Some years, we are low-key, some years we are completely out of our minds. As you will see, some of our goals are not achieved in the year they were originally set, or the second year in which they were set, or the third year in which they were set, or the fifth year in which they were set, on some cases, the 9th year in which they were set—but that doesn't mean that they are not goals, and it doesn't mean that it's not our intention to achieve them.

In 1997 and 1998, when we were just getting started, we turned the practice of child welfare law in our community upside down, and it started with the formation of a multi-disciplinary, inter-agency work group called a collaborative. We actually called it the Model Court Working Committee, but it's a collaborative, and initially that included the Court Child Protective Services attorneys and the tribes who operate in our area (a small group). They always say that if a judge calls a meeting, people will come, and that's true—but it's really only true if she promises lunch. So Judge Warner called a meeting and promised lunch and people came, but just because people come to a meeting, it doesn't mean that anything is going to get done. It doesn't mean that the spirit of cooperation is really there. For example, when she called the first meeting, the head of the Child Protective Service Agency of our county in our region called the court and said, "There must be some kind of a mistake." And the judge said, "No, there's not a mistake." "This says, 'invitation'; the only time I've ever come to the court before, it said 'subpoena,' so are you sure this is not some kind of ruse to get me into court and you really mean 'subpoena'?" And we assured him that no, it really was an invitation and he ought to come.

So that was the beginning of getting people together around the notion of improving court practice in child abuse and neglect cases, and getting them to see how it was indeed everybody's job, not just the courts', not just the agencies', and move forward. As you will see, the group has gotten a little bigger since we started, but this was the beginning of the collaborative process.

Implementing a one-family, one-judge system—that's the first thing we did. It sounds simple, but we still have problems with it. We still have times when cases come in the door that should have been with Judge X and end up with Judge Y, or we get a delinquent kid that comes in the door that's dependent with Judge X and ends up with Judge Y. Even today, even though we implemented it ten years ago, we still struggle from time to time with it—and we are really struggling with it around the whole notion of duly adjudicated youth.

The next thing we did was to implement a preliminary, protective hearing and a pre-hearing conference, a new calendar system, training the attorneys, establishing a mediation program and creating mandatory settlement conferences. This was the year when we really turned the court upside down (1997-1998) to go to a total front-loading of the system, a complete change from prior practice.

The next year we decided again, no small goals (1998-1999)—full implementation of the mediation program, full implementation and evaluation of Data Collection and the Management System. Our system (juvenile online tracking system), although state-of-the-art, was really delinquency-based. So it took some work to adapt it to try to get the kind of information that we wanted to get, and we started looking at that fairly early on. Training, Training, Training; multidisciplinary training.

Here is the next one: Collaborate with the agency to enhance services. That did not happen very well in 1998 and 1999. We wanted to expand visitation, increase testing, facilitate quicker evaluations, develop an information center for parents, and provide a calendar to all the parents. Many of you, I think, have seen our dependency calendar; we hand it out at our first hearing to every parent. The calendar, I think, is 18 months now. It contains frequently asked questions. It contains important phone numbers. And you know that when you have a parent who's really engaged in the case process, you know when they come to court with their calendar and they have the date of every meeting marked in that calendar, and when the visits are, when the parenting classes are, you know that that's working, that's certainly available.

The next year (1999-2000) [you notice there are more words on every slide], we decided to develop a better collaborative case management process for duly-referred kids. It didn't happen. We finally got around to that in 2005. Collaborate with CPS and behavioral health to enhance the timely assessment of and delivery of appropriate services to substance abusing parents. We decided we were going to do that in 1999. I can ask the table over there. In what year did we achieve this? (Pause) We are doing it now (2007). We just implemented assessments at the courthouse, and the attendance of the adult substance abuse service providers at our first hearings, we just did it. We wanted to do it in 1995, but it took baby steps to get everybody on board, and we got it done.

Continued collaboration with CPS, expand visitation resources, implement family group conferencing, implement the calendar program, collaborate with CPS and behavioral health to develop and implement early comprehensive assessment of children. Does that sound like stuff that we all want to do? But we didn't get there in 1999 or 2000, but we kept trying. Continuing to work with the National Council and the National Center for Juvenile Justice to evaluate the impact of what we were doing. Our goal of early, safe permanency for children, collect the data. We didn't have the ability to collect and report the information—at least I didn't.

Apparently, as I came to understand, there is a computer somewhere that has the information in it, but it's a little like 2001 Space Odyssey. "Now, Judge, you are not authorized to receive that information." So it took us a while to try to figure out what we were doing, and guess what? We are still trying to do it, develop relevant reports. I go to conferences and sometimes I listen and somebody says, "How many cases do you have where kids have been in the system over a year?" I don't know. How many cases do you have when they have been in the system over two years? I don't know.

So I went back to court and I said to the folks there, "How come I don't know this?" Their response was, "We don't know." So we decided to go on a quest to find out. And because we didn't think we could track what we were doing if we didn't have a clue what we were doing, it's hard to do, right? So I decided we needed to get a clue.

We had to report to the National Council as part of our model court project some data like how many kids do you have in care, what is your timeline for doing your cases, what are the outcomes—you know, what's going on in your courts. Give us a snapshot of what is going on in your court and our snapshot looked just like this. This was our snapshot, it was blank. I looked in the back of the book where there is a status report, and I went online at the National Council website (and the status reports for all the model courts for every year are actually available online); and if you look at 1999-2000, 2000-2001 data report for our court, it is literally blank. It says N/A, N/A, N/A. Embarrassing! Not only is it embarrassing, but also, how can you operate effectively without knowing what your numbers are? So we decided we were going to find out, and so we did it, and we still are.

In 1999 and 2000, we decided we were going to collaborate with the criminal bench, and we never did that—that we were going to celebrate children and families by holding special events—we didn't do that, and beginning in January 2000, use our juvenile court facility to enhance dependency court proceedings and services. My review of the 1999-2000 goals came down to, "We were building a new court house. We were busy. Don't bother us with this court reform stuff. Leave us alone." But we kept going. We moved into the new building, and we decided it was time to implement a Family Drug Court Pilot program, which we used to improve collaboration through the development of the Community Advisory Committee, which we did.

Again, you might have seen in '98 and '99 and previous years the word "Data" mentioned. (I may have mentioned that we had a data problem). Improve dependence data collection systems to streamline case management and monitor ASFA Compliance. What a concept! Could it be that at some point there might be something called the Child and Family Service

Review where you might need to know what your numbers are? Where you might be held accountable for complying with Federal law? What a concept! We have to comply with Federal law. People said, "What's ASFA?" They thought it was the little dog from the "Thin Man." No, that's Asta. ASFA is something else, and we have to comply.

There are time limits, there is Federal legislation. It's now state legislation. It's the law. It's not just because I've been to too many meetings, or had too much coffee. We need to do this. Kind of a tough sell, but we are still talking about numbers, and why would that be? Would that be because we might get audited? Would that be because if we get audited, we might fail the audit? Would it because we would like to know how we are doing? We would like to know about the well-being of the children and families that we are trying to help? Alright, then, somebody had an idea that we've been kind of compulsive for the past five or six years and trying to do a lot, and so we ought to get back. As a former resident of Tuscan, Arizona wrote, "Get back to where we once belonged." Get back to the basics. Look at where we've come from and recognize past accomplishments and build on what we have. Work from the bottom up.

We had a sense that we were rushing ahead with this, and we weren't really sure whether we were just doing it for the sake of doing it or whether we were really making progress, so we did. We stepped back, and we conducted a massive look at everything we had been doing and whether it was working and whether we should keep doing it or not. The Presiding Judge at that time said, "Working smarter, not harder," because we were working a lot harder. If you go back to the numbers (2001-2002) [slide], you can see that we were working a lot harder and look at the next goal. I know it will be surprising to you to see this one up there: continue to assess and enhance data collection and reporting to increase reliability, improve access, expand reporting capabilities, and realize the importance of good data to funding and to accountability. That's a new goal right? We've never see that one before. Continue to review and monitor our Family Drug Court Process.

Alright. 2002 and 2003, again, improve disclosure, work smarter not harder. We've been getting overwhelmed with paper work. We decided to improve our disclosure. Look at the next goal. It's again another new one: improve data collection and retrieval to monitor ASFA Compliance. I had that the third or fourth year in a row? Clearly, we had not gotten to where we needed to get.

Seek out and apply for funding sources to sustain the drug court. We did that. That year we conducted a huge training and I couldn't remember the numbers. 400, 350? We conducted a one-day training through the Permanency Planning Department of National Council. 350 people from our community attended our one-day training on what we were doing. Focus on where we had been and where we were going. We talked about roles and responsibilities of the stakeholders. We talked about changes we were making to the court process, unveiling the new protocols, creating a parent education program, creating a video on roles and responsibilities of council, case worker, and the court, but we were getting overwhelmed with petitions and so we had to restructure the next year of the calendar to absorb the work. Again, improve the quality and quantity of visitation, increase the use of ADR.

This now is going to overwhelm you because it overwhelms me (2005-2006). We got a new presiding judge at the Juvenile Court, and she has a background in community organization. She was the woman of the year in our county at one point in time, and she had these notions that not only should we have goals and objectives, but we also should have action steps that attach to each of our goals. Instead of just talking about the goals, we should actually do something and have action steps for each of the goals, so it gets a little bit more compulsive as we move forward. Obviously, we knew we had a serious problem with methamphetamine, and we decided that we needed to put that as a top priority, and we worked to do so.

Develop and implement strategies to achieve permanency. This was again as a result of all our work with the numbers and I talked about—the 9% of kids in another planned permanent living arrangement way back at the beginning. As a result of our obsession—my obsession, I admit it—with the numbers, we realized that we now knew the answers to some of our previous questions. I asked for an aging sheet. I want to know how these cases are aging. How many cases a year? How many two years? How many three years? And I want to look at them, and I finally was given the sheet. “Here it is Judge. Here are the numbers.”

“OK,” I said, “now that we have the numbers what are we going to do with it?” So we decided we were going to closely examine the cases of each child who was in care for more than two years regardless of age, and try to develop some strategies to achieve permanency for those kids, to look at them again. And you can see from the slide how we went about doing that. We looked at some other alternatives. We looked at the benchmark hearings out of Chicago, we looked at Judge McCauley every Friday afternoon until the kids were adopted or drove you crazy, whichever first occurred. We looked at all the different models for trying to figure out how to do that, and I’ll talk a little bit about that in a couple of minutes. We decided it might be a good idea at some point to involve the parents, the extended family, and other community support persons to talk about case plans and forms or services. Remember way back we talked about collaborating about services? It took seven years, but we are really there.

Here we go; those are the goals for this year (2007). I think it’s time to retire. These are our current goals and objectives for this year, and if you look at some of these, you’ll see that we are still implementing what we just talked about before that was originally a goal back in 1999. And, of course, sustainability is important.

This is the organizational chart for our model court collaborative. Is that a nightmare or what? I won’t begin to tell you how difficult it was to get that on a PowerPoint, but that is the organizational chart for the committees for this year. We have some inactive committees and they still exist, but we only use them a little bit at a time.

[This is] a quick view of some of the key reforms. We implemented the pre-hearing conference from the resource guidelines, and this is what the preliminary or first hearing ought to do according to the guidelines. This is the Alternative Dispute Resolution (ADR). It’s the first contact with the families. The facilitators, many of whom are funded by CIP, have an essential and important role in front-loading the case, and this is what they do, and they do it anywhere from 15 to 23 times a week in our court. This was the key reform from the court process prospective that totally front-loaded the system and gets everybody on the

same page. It engages the parents, it deals with crucial issues at the very beginning of the case, and what it also does, it avoids litigation. These are the agreements that are reached. (Slide) and the last things that are done at that time, take the time to explore relative placements! Family Drug court works! Good numbers. 194 parents had joined, 65 parents have graduated, 18 [are] drug-free babies, 61% of our graduates have their children back, and a total of 121 children went home. That's pretty impressive, I think, and it shows that Family Drug court works.

Here's an example of a committee run amuck, or "this is our educational committee." You heard Commissioner Ohl talk about education and engaging the educational community. This has been very difficult. This has been one of our toughest things to do.

The original focus of the educational committee was for the model dependency court to get very simply education on the radar screens of the court and the agency, and we have done that. Sharing information. We have done that. These are the original actions that the group took. These are the current goals. This is just of the educational committee. These are their goals and strategies for this year. Look at this number, the umbrella committee. This is just one committee—100 members, including the superintendent of schools, the community college, the county attorney, the public defenders, foster care providers, group care facilities, contract attorneys, CPS, CASA, Attorney General, Probation, Detention and the court. One committee, over 100 members, and our other committees are equally collaborative.

We talked about that 9% again and the data obsession, and so what we came up with after that work was something called a Collaborative Permanency Review. We didn't have enough hearings, so we decided to create another one, and it's called the Collaborative Permanency Review. It's a pilot program involving two judges, one really nice judge and me. Obviously, we examined extensively our data. We reviewed all of our children in care for over two years. We have a child and family team that meets for two hours just prior to the hearing.

Those of you [not] familiar with what a child and family team is—a child and family team is the creation of the Behavioral Health Department and their contribution to the Collaborative. Every dependent child has a child and family team that is made of a representative of behavioral health, the child, the family and all the people who are connected or involved with that child as the child moves through the system. This was a major contribution of the behavioral health to our collaborative work. Among other contributions, co-locating the juvenile networks in our building, having the liaison of behavioral health in our building so we can actually walk across the hall and communicate with behavioral health by some way other than by subpoena. A fabulous collaborative with behavioral health.

So we have this child and family team meeting, and then the parties all come to court to intensively explore all the options, and the agency and the child and family team are using this permanency checklist to get themselves ready for the hearings (and we can make the PowerPoint available if you are interested in looking at this), and these are the things that we are looking at to decide what we can do with these kids. So far, I think we've conducted only 8 of these. One child has been placed permanently, there is another child on the verge of being placed, and I'm starting to review my cases, to do my first of these next week.

The other judges on the bench are a little bit jealous that we are doing this as a pilot, and they want to do it now. They want to look at their numbers, and they want to figure out who these kids are, and they want to do it now. But we felt we needed to do it first, and we needed to evaluate, do some data collection, see if we are getting anywhere, before we spread it out to the rest of the bench. But they are anxious to do it!

One of the things that the agency has done, I think, that's contributed to the reduction in numbers as we talked about before is they established team decision making, and this is what TDM is all about. Many of you have probably heard of this. I hope that you have, whether or not you are doing decision making on all cases prior to removal. I think this is a reason for the reduction in the cases, and these are the beliefs that it is based upon, and you can take a look at this.

Family Decision Making: I think you all know what that is. The agency also has done that, and these are the operating principles for that. What a concept! Families care for their children better than we do. Collaboration with family is necessary. Families can decide what service they need. Families can find services. We also have a commitment to training our lawyers and to training other stakeholders, and these are some of the topics of the brown bag sessions that we've had so far, I think, this year.

And let's leave it on a positive note. We do something else at our court every year, and every week, and I want to talk a little bit about that, too, because it's a subject near and dear to my heart, and it is this. [A photo slide is shown] This is Adoption Day, and there is the little short, bold Jewish Judge there with his robe on out in the park handing out teddy bears at adoption day, and that's me, and that's our last adoption day, and that's a "ramada." Anybody knows what a ramada is? A ramada is when you live in the desert. It's a structure that blocks the sun. That's called a ramada. At least that's what is called in Tucson. That's a ramada in a public park (picture). The largest public park in Tucson, and we do the adoptions outside in the park on adoption day, and this time 100 children were adopted on a Saturday in the park.

I wrote this up for the National Council so they could publish it, and I wrote that we did the adoptions at the ramada, and so they published, "The court used the Ramada Inn to do the adoptions." No, it's not the Ramada Inn, it's actually the "ramada out," but I'm out of time. I want to thank you all very much for being here, for all the work you do, for your commitment to the children and families that we serve. I want to thank you for inviting me. We have been blessed to have a collaborative that I think has done great things in our community. Judge Rutinel from Prescott is doing this in his county, as well. We are trying to do it statewide. Thank you for sticking with it. Thank you for reaching out to make life better for everyone, and thanks again for having me. (Applause)

Emily Cooke

Judge Rubin, I think you are right up there with Juan Williams. Thank you for a wonderful keynote address. We've come to the conclusion of a remarkable plenary. The presentations have stimulated thought, as well as raising some very important questions. The presentations

remind us that even though we may be members of different disciplines, we are united by a single vision, that there are safe children, strong families, and nurturing communities that are responsive to the best interests of our children.

Coffee service is available in the exhibit hall. Please take advantage of this opportunity to visit our dedicated exhibitors who have come great distances to share their important information and resources with you. Thank you for attending. I hope you will leave this conference refreshed in spirit and intellect, and have a productive day.