

Child Protection: Meeting the Challenge

"Nothing you do for children is ever wasted." ~ Garrison Keillor

For the past decade, the Idaho Supreme Court's Child Protection Committee has worked diligently to develop recommendations to strengthen and enhance the court's role in the child protection process and improve outcomes for Idaho's most vulnerable children. Improving outcomes for Idaho's abused and neglected children means, in part, ensuring that they have a permanent placement in a timely manner. The permanent placement may be a return home, adoption by a loving family or a guardianship with relatives or others. In the past decade, much has been accomplished in the area of child protection. Much remains to be done.

FY2009 Accomplishments

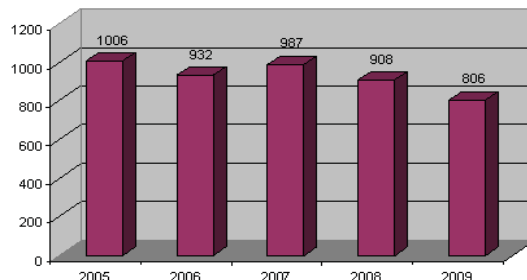
In FY2009, the Child Protection Committee focused its efforts on identifying and supporting the implementation of evidence based best practice in local child protection courts and effective engagement of children, youth and foster parents in child protection hearings. The accomplishments of the Child Protection Committee include:

- Validation of case management data which will be used to provide reports to judges on the timeliness of child protection hearings;
- National recognition of the highly effective collaborative working relationship between the courts and the Idaho Department of Health and Welfare (IDHW);
- Support for and evaluation of the effectiveness of efforts in five Idaho child protection courts to engage children, youth and foster parents in child protection hearings;
- Statewide multidisciplinary training by nationally recognized speaker Judge Leonard Edwards on effective tools for engaging children, youth and foster parents in child protection hearings; and
- Sending a multidisciplinary team from Idaho, led by Chief Justice Daniel Eismann, to the Third National Judicial Leadership Summit on the Protection of Children. At the Summit, the Idaho team developed strategies to strengthen legal representation for the department, share data between systems, improve educational outcomes for children in care and assess disproportionate representation of minority children in foster care.

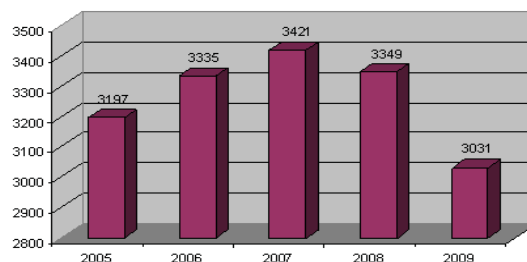
Recent Trends in Number of Petitions Filed and Number of Children in Care

Between FY2005 and FY2008, the number of child protection petitions filed in Idaho hovered between 900 and 1000. In FY2009, for reasons that are not yet fully understood, there was a notable drop in the number of child protection petitions filed. Similarly, while the number of children in foster care increased steadily between FY2005 and FY2008, this number decreased by nearly 10% in FY2009.

**Number of
Child Protection Petitions
Filed in Idaho**



**Number of
Children in Foster Care**



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Report to
Governor
C.L. "Butch" Otter
and the
2nd Regular Session
of the
60th Idaho Legislature

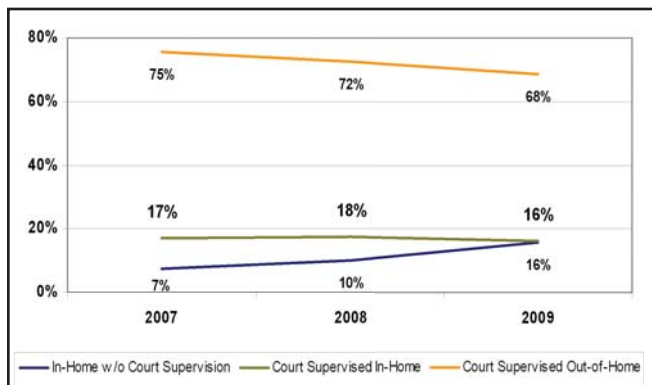
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Some factors that may have contributed to the recent reduction in petitions filed and children in care are:

- A more than twofold increase in the number of cases in which in-home services have been provided to families to prevent the need for removal of children;
- A reduction in the caseload per social worker resulting from the 18 FTP authorized by the legislature in FY2008;
- An increase in the number of experienced social workers due to a reduction in IDHW turnover;
- Aggressive efforts by IDHW and the courts to finalize permanent placements for children who have been in care for longer than 24 months; and
- A significant reduction in the availability of methamphetamine in Idaho.

In FY2009, 62% of child protection petitions statewide were filed in five Idaho counties: Ada, Canyon, Kootenai, Bannock and Twin Falls. In FY2008, 67% of all petitions were filed in these same five counties.

The cost of foster care in Idaho dropped from \$16.8 million in FY2008 to \$14.9 million in FY2009. Savings in the cost of foster care were used by IDHW to create additional capacity to provide in-home services to Idaho families.



Percentage of Cases in which In-Home Services Provided

Multidisciplinary Training Ongoing

In light of Idaho's current economy, the Court cancelled the annual Children and Families Institute. Instead, the Institute was convened in each judicial district in November of 2009. Presenters simultaneously broadcast a live web stream from the Idaho Supreme Court to each judicial district. Magistrate judges, trial court administrators, prosecutors, public defenders, caseworkers and supervisors from the IDHW, CASA staff and volunteers and behavioral health practitioners attended the Institute. The Institute focused on engaging children, youth, and foster parents in the child protection process and provided training on the following topics:

- Summary of research on engaging children and youth in five Idaho child protection courts;
- The impact of adolescent brain development on youth decision making; and
- Tools to assist judges to engage adolescents and children in child protection proceedings.

The Institute also provided an opportunity for child protection professionals in each district to review and discuss local practice for engaging children, youth, and foster parents in court as well as other local child protection issues. The Institute was well received, and provided an effective venue of promoting ongoing dialogue to improve the child protection system across the state.

Strengthening Practice in Local Child Protection Courts

In FY2008, five Idaho counties (Kootenai, Canyon, Ada, Twin Falls and Jerome), four of which are Idaho's highest volume child protection courts (Kootenai, Canyon, Ada and Twin Falls), agreed to participate in a pilot project to validate ISTARs child protection data and identify successful practices for engaging children, youth, and foster parents in the court process. In the past year, each of the pilot counties reviewed local child protection practice and explored options for enhancing the usefulness of ISTARs as a data collection and case management tool. In addition, each pilot county participated in a study to gather baseline data on the implementation of Idaho Juvenile Rule 40, which requires that foster parents and children age eight and over be given notice of and an opportunity to be heard at all post-adjudicatory hearings. The Child Protection Committee supports the pilot project counties with training, resources and, as available, funds from the Federal Court Improvement Technology and Training grants.

Technology: Use of National Performance Measures Will Increase Timely Permanence

Accurate local and statewide data are critical to effectively identifying the strengths and areas of concern for Idaho's child protection courts, and for measuring the success of court improvement efforts.

The ISTARs child protection module measures the court's performance on 16 national performance measures to ensure timely permanent placement for Idaho's most vulnerable children.



Validation of statewide data from the ISTARs data collection/case management system for courts hearing child protection cases is ongoing. The first ISTARs case management report, which measures the timeliness of the shelter care, adjudicatory, six month review and permanency hearings, will be released to judges in early 2010. Additional performance measure reports will be validated and released to judges over the next three years.

Strengthening Legal Representation

Child protection cases are complex and profoundly affect the lives of Idaho's abused and neglected children and their families. There is a clear, positive relationship between strong, effective legal representation in child protection cases and improved outcomes for abused and neglected children. Examining the effectiveness and consistency of the current system of legal representation for the Department in child protection cases and exploring options for strengthening legal representation for the Department were the primary focuses of child protection system improvement efforts in FY2009.

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In keeping with Idaho's strong, nationally recognized collaborative problem-solving approach on child protection issues, a team of key stakeholders, including representatives of the Office of the Attorney General, IDHW, the Idaho Prosecutors Association, and the courts reviewed data gathered by the IDHW and developed a plan to provide local training and mentoring for new prosecutors working in the area of child protection. In addition, Chief Justice Daniel Eismann led the Idaho multidisciplinary team that attended the Third National Judicial Leadership Summit on the Protection of Children in October 2009. At the Summit, the Idaho team developed a plan for further strengthening legal representation for the Department. Implementation of that plan will be a primary focus of child protection system improvement efforts in FY2010.

Supporting Guardian Ad Litem Programs

Guardian ad litem (GAL) volunteers provide a critical service to the child welfare system. Idaho Code §16-1614 requires the court to appoint a guardian ad litem for each child, to serve at each stage of a child protection proceeding. Guardians provide independent investigative information to the presiding magistrate judge and advocate for the best interest of Idaho's abused and/or neglected children and youth, in and out of court.

The assignment of a GAL volunteer to advocate for the best interest of each child for the entire length of the child protection proceeding is a statewide priority. In FY2009, 3464 children, 71% of Idaho's abused and neglected children in care, were assigned a GAL volunteer, up nearly 22% since last year. This improvement is attributed to an increase in funding approved by the legislature in FY2007, increased community awareness of the need of volunteers, and improved training and screening processes.

A successful statewide effort to honor GAL volunteers and increase community awareness was initiated in October 2009 with the first annual No Forgotten Children Event. The event included 386 life-size cutouts of foster children which were placed in Boise's Capitol Park. Each child held a message to the community about foster care or foster youth. The cutouts represented the average number of Idaho children entering foster care in a three-month period. The event culminated with Chief Justice Eismann reading a proclamation honoring the more than 500 Idaho volunteers who generously give their time to provide a voice for an abused or neglected child. Finally, the Idaho State Guardian Ad Litem Office honored two outstanding volunteers from Sandpoint with the GAL Volunteer of the Year award.

In FY2009, major successes for Idaho's guardian ad litem programs include:

- Guardian ad litem volunteers donated over 26,753 hours on behalf of Idaho's children;
- The number of guardian ad litem volunteers increased 17%, from 436 to 511; and
- Despite lean economic times, fundraising by the local guardian ad litem programs increased by 16%, from \$879,353 to \$1,021,144.

The Idaho Supreme Court applied for and was again awarded three federal "Court Improvement" grants for FY2010. The court improvement grants will be used to expand the Child Protection Committee's court improvement efforts in two critical areas: training and technology.

