



**STATE OF COLORADO
WELD COUNTY COMBINED COURTS
Nineteenth Judicial District**

Julie Hoskins, District Court Judge

November 24, 2009

To: Crystal Soderman, Model Court Liaison

From: Julie C. Hoskins
Lead Judge, Weld County Model Court

Re: 2009 Model Court Report

This letter will advise you of the things which have happened in our model court this year, as well as update you from the November 26, 2008 letter.

Since the 2008 Model Court Report, there have been numerous changes in the judicial officers who hear Dependency and Neglect (D & N) cases. First, the Honorable Judge J. Robert Lowenbach retired in mid-January 2009. The undersigned judge took over the Division 9 docket after attending numerous trainings in 2008, and was able to attend the 2009 Model Court All Sites Conference. The Honorable Judge (then Magistrate) Dinsmore Tuttle was appointed to the District Court Bench, which assignment she took in mid-January. Then Magistrate Elizabeth Strobel was assigned to the Division 7 docket and attended CANI in June 2009. Shortly thereafter, she was appointed as a District Court Judge. A new magistrate, the Honorable Magistrate Randall Lococo, was appointed and began presiding over the Division 7 docket on October 1, 2009. He was able to attend the 2009 Model Court All Sites Conference.

Despite all of the personnel changes, the transitions have been very smooth. There does not appear to be any disruption in the services provided to the families who are involved in the Dependency and Neglect system. The case management reports show a consistently high percentage (90+%) of compliance with statutory deadlines, and in comparison with 2008, an overall slight decrease in the median number of days that children are out of home in EPP cases.

There were four goals initially established as follows:

1. Implementation of the Family Treatment Court (FTC)
2. Implementation of a visitation protocol and parent orientation meetings
3. Assessment of the services available for youth transitioning from foster care to independence
4. Reduction of the time from termination of the parent-child relationship to adoption

The following is an outline of the progress made on the four Model Court goals.

Family Treatment Court

The court continues to participate in the Northeast Colorado Child Welfare Project which is the recipient of a three year \$2.7 million grant. During 2009, from January through August, there were two family treatment courts. Starting in September, the two courts were consolidated into one court. This was done for several reasons. First, the population served continued to be eight – twelve families. The stakeholders, including the court, could not justify the resources to staff two separate courts who met on two separate days. Second, when looking at the sustainability of the program after the funding from the grant expires, we continually look at improving efficiencies.

In consolidating to one court, the FTC continues to have space for up to 24 participants. The program is open to mothers and fathers. There was one father who participated for several months, but who was eventually terminated for lack of compliance.

We are starting to see the measurable outcomes from this program. In the control group there are six cases. The average length of the control group case was 14 months. The length of placement out of home was 10.1 months. For those cases that were successful in FTC, the average length of case was 15 months. However, the average length of out of home placement was only 5.9 months, a significant improvement. For those cases in FTC that were unsuccessful, the average length of case was 16 months. The average length of out of home placement was 15 months. By far, the worst timeliness outcome was for the 4 unsuccessful FTC cases. However, the success rate was an impressive 73% (or 11 out of 15 FTC cases). Of those cases which were successful FTC cases, none have re-entered the system.

The barrier we have encountered is that we have not been able to get close to our capacity of 24 families. We have tried different approaches to populate this court, while maintaining the integrity of the program. One simple change was to provide notice to the FTC “screeners” of all emergency hearings. The screeners have advance notice of cases with possible FTC eligibility and are able to talk with the potential client prior to or right after the emergency hearing, and are usually able to schedule the substance abuse evaluation that day. This speeds up the screening process, provides the parent with a set time and date for the evaluation and provides the earliest possible contact between the program and the parent.

The next step is looking at sustainability after the meth grant is complete. We received a three year grant and are just starting year three. After the grant expires, we have determined that the program will likely have a smaller capacity. The capacity will be somewhere between 12 and 15 participants at any one time as opposed to the current 24.

Lessons learned include not relying on monetary incentives. In talking to other courts, so long as there is recognition for staying clean and meeting other goals, there seems to be little or no advantage in using monetary awards as opposed to certificates, books, or other such rewards.

The other lesson learned is the importance of accepting the right persons into the program. The team attended a two day training in Denver during the spring, which helped all of us be on the same page. It does appear that we are accepting the right people into this court, as based upon our training.

Visitation Protocol and Orientation of the Parents

This subcommittee has continued to meet on a regular basis to find the best way to assess the parenting time which should be ordered in any given case. The purpose for having the appropriate amount of parenting is to empower the parents to actively and cooperatively participate in plans to provide for their children's safety, permanency and well-being and to maintain the relationships between children and their parents while in out of home care.

Trying to find an instrument which is user friendly and accurate was not an easy task. There were several instruments tried which were not able to be used in an objective manner. At the 2009 Colorado Summit on Children, Youth and Families, several members of the committee attended a session that discussed an assessment tool in use in El Paso County. The committee then decided to bring this training to Weld County.

The committee's work culminated in a district wide "Visitation Assessment Training" on November 4, 2009. The two judicial officers who preside over D & N cases attended, as well as the majority of Guardian ad Litem, Respondent Parent Attorneys and all three Assistant County Attorneys. Approximately 20 caseworkers attended, as well as the majority of the staff of the Parent Education Center, the CARE visitation staff and several therapists.

The trainers were Sue Eilertson and Marion Garza of the Family Visitation Center in Colorado Springs, Colorado. They presented on trauma and neglect, bonding and attachment, disorganized attachment and the visitation assessment tool that is used in their Visitation Center.

The assessment tool was developed by their Best Practices Court Visitation Committee. Use of the assessment tool in Weld County should reflect what El Paso County found-increased consistency, improved visitation for children and families, maximized resources, and a shared understanding for professionals of what is happening during parenting time.

As the team has recently made the decision on which instrument to use to assess optimal visitation between the parent and the child, there are no measurable outcomes at this time. Outcomes will need to be measured based upon the permanency achieved in the cases after the use of the tool is implemented.

Assessment of the services available for youth transitioning from foster care to independence.

The goal of this committee was in part to develop a resource guide for youth transitioning from foster care to independence. This committee stalled shortly into the year. The committee has recently (October 2009) become active again.

The committee has not developed a resource guide as described above. Further, the group has not been able to bring *Bridging the Gap* to Weld County, although they continue to work on that effort. It is expected that either this program will be brought to Weld County, or a different program will be put into place to assist youth transitioning from foster care to independence.

While not a specific goal, the Model Court team who participated in the cross-site visit to Salt Lake City in July 2009 received information about what Utah does. We were able to receive Lifestart kits put together by Christmas Box International. We have now started providing those to youth emancipating from placement, whether through a dependency and neglect case or through the delinquency court.

During the cross-site visit, the team was also provided specific checklists used by caseworkers in Utah to help ensure that the youth who are transitioning have the skills they need as young, independent adults. The undersigned judge will continue to work with this committee as she is able to make sure our youth in Weld County are the best prepared they can be.

Goals for next year have to include what the specific goals for this sub-committee are. It appears to be a re-energized and motivated committee. The committee is actively organizing a Youth Advisory Board of current and former foster youth who will provide input for various community efforts that are aimed to serve their needs-including the Model Court program, efforts through the Juvenile Assessment Center, and North Range Behavioral Health's implementation of the Transition to Independence Process (TIP) program, which should be up and running by March 2010. If and when "Bridging the Gap" is implemented in Weld County, the Youth Advisory Board will already be in place and will be able to provide advice and assistance and provide a collaborative group of youth who are actively involved in improving and streamlining available resources.

Reducing the Time from Termination to Adoption

The Permanency Committee was established to develop strategies to reduce the time from termination of the parent-child relationship to adoption. The specific goal established by the Committee was to reduce the time spent waiting by 45 days by the end of the first year of Model Court.

At this time, there is no Court barrier to earlier adoptions. The court has set aside specific time each month for agency adoptions. In July, a barrier was identified as

insufficient court time being set aside, and some matters having to be set over an additional 30 days. This has been corrected by setting aside additional court time.

Case management reports show that 84% of adoptions are finalized within three months of the filing of the petition for adoption, and the percentage of adoptions finalized within one month has increased from 25% in 2008 to around 35% so far in 2009. Unfortunately, the time period between the termination of parental rights and the filing of an adoption petition for most children remains too long.

The goal of reducing the waiting time by 45 days has not been met. This will continue to be monitored. It does appear that the new cases coming into the adoption unit are being finalized earlier. However, there continues to be a backlog of older cases which are increasing the average wait time significantly.

Other Activities

An additional goal which has been achieved during this year is the creation of exit surveys for those families whose cases have been terminated, either successfully or not. The Model Court created a committee to create the survey. They were able to meet several times, and receive input from the Department of Human Services, respondent parent's counsel, and the Guardian ad Litem.

The exit survey has been handed out since approximately August 1. We have thus far received very few back. Ultimately, we are hopeful that these surveys can help us assess how the participants in Dependency and Neglect cases perceive their treatment, including perceptions as to racial and/or ethnically appropriate services.

The Model Court team is also working on a standardized approach to meeting the requirements of the Indian Child Welfare Act. The Colorado Court of Appeals has recently reversed several terminations of parental rights because of lack of compliance with the Indian Child Welfare Act. This includes one case in Weld County. This issue became a priority and did take away some time and energy from other stated goals. The end result has been a standardized questionnaire to be used by caseworkers. The goal is to ensure compliance in the front end of a case so that a child does not risk losing placement after becoming bonded to a family, perhaps years later.

Regarding the Courts Catalyzing Change initiative the Model Court is taking several steps to promote this initiative. First, four members of the Model Court team attended a one day training for Disparate Treatment at the University of Colorado law school. This was a statewide conference/training.

Through this training, the team is making progress to have our "courageous conversation". The first step will be a small group viewing of the "Race: Power of an Illusion" video, then a larger group viewing with a facilitator to lead discussion afterwards. The barrier has been finding a qualified and affordable facilitator for this and we are exploring local universities and a group called "Everyday Democracy" out of

Colorado Springs that works on racial equity issues. We are also waiting for county specific data from the Colorado Disparities Resource Center (www.colodrc.org) which will provide reliable statistics on both over- and underrepresentation of different groups overall, and will also show disparities in services and outcomes.

Please feel free to contact me if you have any questions or concerns regarding the Weld County Model Court.

Sincerely,

Judge Julie C. Hoskins
19th Judicial District
Weld County, Colorado