

# 2006 Pew Plan Update



National Judicial Leadership Summit  
1 Year Later

Submitted to The National Center for State Court by  
The Colorado Supreme Court  
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NATIONAL JUDICIAL LEADERSHIP SUMMIT – 1 YEAR LATER  
COLORADO PEW PLAN UPDATE

**1. Has your state’s Action Plan developed at the Summit been refined or updated? If yes, please send the most recent version of the plan.**

The goals that Colorado established at the Summit (herein referred to as “Colorado Pew Plan,” attached as Exhibit “A”) have remained the same, and both the Colorado Court Improvement Program and the Family Issues Unit have been actively working towards achieving the stated goals. Please see *A Continued Commitment to Colorado Families* which summarizes the efforts being made in Colorado (attached as Exhibit “B”).

**2. Which of the priorities listed in the State Action Plan has your state addressed, to date?**

All of the goals and priorities set forth in the Colorado Pew Plan are presently being addressed, and many action steps have been completed.

**Priority #1: Case Management and Effective Use of Data**

Colorado has made great strides in developing mechanisms that measure court performance in dependency and neglect cases as tools for improved practice. Colorado is developing its case management system to create management reports that measure safety, well-being, permanency and timeliness. The next step will be to incorporate the use of these reports into standard court practice. Districts are encouraged to use best practices<sup>1</sup> as the blueprint for their district’s plan for handling child welfare cases. Colorado continues to measure the effectiveness of expedited child welfare appeals. The following action steps have been completed:

- Compared current state and federal law with Chief Justice Directives implementing best practices in dependency and neglect case processing.
- Developed tools for evaluating court adherence to best practices.
- Started statewide implementation of the Strengthening Abuse and Neglect Act (SANCA) project in October 2005.
- Presented on the best practices of Colorado’s three “Model Courts”<sup>2</sup> at the statewide Family Issues and Child Welfare Conferences.
- Monitored the impact of expedited child welfare appeals on timeliness of final order.

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<sup>1</sup> Colorado looks to the National Council for Juvenile and Family Court Judges’s *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse & Neglect Cases* and the *ADOPTION AND PERMANENCY GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases* as well as Chief Justice Directives 96-08 and 98-02 which outline best practices for the handling of dependency and neglect cases.

<sup>2</sup> Three Colorado jurisdictions (Denver, Colorado Springs/Teller, and Brighton) have been established as Victims Act Model Courts through the National Council for Juvenile and Family Court Judges Permanency Planning for Children Department.

### **Priority #2a: Effective Collaboration**

Colorado is pleased to have increased communication and partnership between the courts and social services in the past year. The Family Issues Unit and Court Improvement have accomplished the following:

- Included Colorado Department of Human Services representative(s) in the Court Improvement Program membership.
- Participated in the initial planning process for the 2008 Child and Family Services Review (CFSR).
- Participated in the “1451 Committee” – a committee established by Human Services to encourage local partnerships between the courts and social services.
- Assisted Model Court Sites (Adams, Denver and El Paso County) in developing collaborative teams.
- Facilitated multidisciplinary, collaborative meetings for the judicial district’s Dependency and Neglect collaborative teams.

### **Priority #2b: Securing Effective Representation**

Colorado has undertaken significant efforts in this area. The Colorado Judicial Branch continues to support Court Appointed Special Advocate (CASA) programs statewide, and to collaborate with the Office of the Child’s Representative. The Family Issues Unit is working with the Office of the Child’s Representative and the University of Colorado Law School on the November 2006 “Voices of Youth in the Courtroom” Symposium. The “Colorado Spirit of Pew Awards” (nomination form attached as Exhibit “C”) will be presented at the symposium, recognizing a judicial officer, parents’ attorney, guardian *ad litem* and county attorney who have contributed to a legal environment that provides equal and effective representation to all parties.

Chief Justice Mullarkey appointed the Respondent Parents' Counsel Task Force in September 2005. Since then, the Respondent Parents’ Counsel Task Force has worked diligently to "improve the well-being of Colorado’s children and families who are involved in our dependency courts by assuring the effective legal representation of parents in dependency and neglect proceedings.” The Task Force has embarked upon a needs-assessment for respondent parents’ counsel in dependency and neglect cases in Colorado. This assessment focuses on service delivery and practice issues, including specific examination of factors such as training, compensation, caseload, and available resources. In addition, current practice will be compared to nationally recognized standards, guidelines, and recommended models. The National Center for State Courts, the National Council of Juvenile and Family Court Judges, and the National Association of Council for Children are partnering to conduct the assessment. The Task Force has published practice standards for comment, and has developed a preliminary training curriculum to be conducted by the National Institute for Trial Advocacy (“NITA”).

With regards to Effective Representation, Colorado has:

- Convened the Respondent Parents’ Counsel Task Force to study compensation, training and practice standards for Respondent Parents’ Counsel.

- Commissioned a statewide needs-assessment of Respondent Parents' Counsel.
- Worked with the Office of the Child's Representative on attorney training.
- Included CASA representative in the Court Improvement Program membership.
- Subsidized CASA programs through the Court Improvement Program.

**Priority #3: Judicial/State Court Administrator Leadership and Training**

Colorado's Supreme Court has championed efforts to improve the handling of dependency and neglect cases historically, and continues to do so with the Colorado Pew Plan. The State Court Administrator has also demonstrated his support in this area. The following actions have been taken:

- In a letter dated November 1, 2005, the Chief Justice informed all chief judges of the Colorado Pew Plan and requested that the chief judges take three actions: 1) to ensure the implementation of best practices in their judicial districts; 2) to convene a meeting of stakeholders to evaluate current practices; and 3) to implement a pre-rotation plan to ensure that the incoming judicial officers have substantial training in both the substantive and procedural aspects of dependency and neglect cases.
- The State Court Administrator established the Family Issues Unit within the Colorado State Court Administrator's Office to devote attention to the handling of cases involving children and families.

**3. Please list significant actions that have been taken in your state, to date, to implement these priorities (e.g., statewide commission formed, state summit held, rules to expedite dependency appeals adopted), and the date(s) on which these actions were taken. Please attach any supporting or explanatory material (e.g., a copy of new rules, conference agendas, commission membership lists and reports).**

September 2005: The Colorado Judicial Department and Colorado Department of Human Services adopted the Colorado Pew Plan.

The Colorado State Court Administrator approved the creation of the Family Issues Unit.

The Chief Justice wrote to Chief Judges about the Colorado Pew Plan.

October 2005: Colorado Court Improvement Program established the Respondent Parents' Counsel Task Force (action plan attached as Exhibit "D").

Colorado Judicial Department and Colorado Department of Human Services began the first pilot of the Strengthening Abuse and Neglect Courts Act (SANCA) in the 20<sup>th</sup> Judicial District (Boulder).

January 2006: Colorado Pew Plan Goals adopted by Court Improvement Program.

Colorado Court Improvement Program restructured to include multi-disciplinary members (roster attached as Exhibit "E").

February 2006: Colorado Court Improvement Program sponsored training of the Colorado Court of Appeals related to expedited child welfare appeals.

The Family Issues presented progress made on the Colorado Pew Plan at the Chief Judges meeting and the District Administrators meeting.

March 2006: The Colorado Judicial Department and Colorado Department of Human Services met to plan for the 2008 CFSR.

April 2006: Colorado State Court Administrators Office contracted with National Center for State Court (NCSC), National Council of Juvenile and Family Court Judges (NCJFCJ) and National Association of Counsel for Children (NACC) to undertake a statewide Respondent Parents' Counsel needs assessment (proposal attached as Exhibit "F").

May 2006: Colorado Judicial Department and Colorado Department of Human Services began to implement Strengthening Abuse and Neglect Courts Act (SANCA) statewide.

The Family Issues Unit held the annual Family Issues Conference (agenda attached as Exhibit "G").

The three Model Court sites presented at the Family Issues and the Child Welfare Conferences on implementing best practices and on the increased attention to dependency and neglect cases.

June 2006: The Family Issues Unit presented on the Colorado's efforts with parents' representation at the States and Tribes meeting in Washington D.C.

The Colorado Supreme Court submitted the Basic Court Improvement Program grant application to the Administration of Children and Families (2006 Court Improvement Program Report attached as Exhibit "H").

The Colorado Judicial Department and the Colorado Department of Human Services began statewide implementation of Strengthening Abuse and Neglect Courts Act (implementation schedule attached as Exhibit "I").

July 2006: The Family Issues Unit presented on the Colorado SANCA project at the National Data and Technology Conference in Washington D.C.

The Respondent Parents' Counsel Task Force finalized draft standards and sent them out to the legal community for comment.

August 2006: The Colorado Supreme Court submitted Court Improvement Program Training and Technology grant applications to Administration of Children and Families (grant applications Attached as “Exhibit J”).

September 2006: The Court Improvement Program will sponsor a session at the 2006 Colorado Judicial Conference titled “Beyond the Collabobabble!” Former Juvenile Court Judge and current Director of the Indiana Department of Human Services Judge James W. Payne will address the participants and discussed the importance of collaboration between juvenile courts and social services agencies. Attendees included multi-disciplinary teams from judicial district i.e., director’s of social service departments, social service managers, guardian *ad litem*, respondent parents’ attorney and city/county attorney and service provider representatives.

Statewide implementation of Strengthening Abuse and Neglect Courts Act (SANCA) project completed in six of Colorado’s 22 Judicial Districts; constituting four of Colorado’s largest judicial districts in terms of dependency and neglect filings.

Court Improvement Program Coordinator and Colorado Department of Human Service staff attended the Child and Family Services Review (CFSR) training in preparation for the 2008 CFSR.

#### **4. What implementation actions are you planning for the coming year?**

Recognizing the accomplishments of the past year, Colorado continues to move forward with the positive momentum established at the National Leadership Summit in 2005. Colorado will continue to implement the Colorado Pew Plan into 2007 through the ongoing efforts of the Chief Justice, Court Improvement Program, Colorado Department of Human Services and Family Issues Unit at the Colorado State Court Administrators Office.

October 2006: Complete Statewide Respondent Parents’ Counsel Needs-Assessment and provide results and recommendations to the Chief Justice, State Court Administrator and the legislature.

Provide ongoing training and technical assistance to juvenile court and social service staff to ensure implementation of the Strengthening Abuse and Neglect Court Act (SANCA) project.

Designate membership of Court Improvement Program sub-committees (Technology, Training, Collaborative Efforts and Legislation and Rules) in order to meet the Colorado Pew Plan Goals.

Recruit stakeholder representatives to join the Court Improvement Program.

- November 2006: “Voices of Youth in the Courtroom” Symposium sponsored by the Office of the Child’s Representative and the University of Colorado Law School. Chief Justice Mary Mullarkey will present, and the “Colorado Spirit of Pew Awards” will be presented, honoring a judicial officer, parents’ attorney, guardian *ad litem* and county attorney who have contributed to a legal environment that provides equal and effective representation to all parties.
- December 2006: Advertise the 2007 Family Issues Conference in conjunction with Colorado Department of Human Services Child Welfare Conference and invite multi-disciplinary teams from each judicial district to attend.
- January 2007: Commence planning with the Court Improvement Program and its sub-committees to develop a five-year strategic plan designed to accomplish and continue efforts with the Colorado Pew Plan.
- Provide specialized Respondent Parents’ Counsel training in partnership with National Institute of Trial Advocacy (NITA).
- Share the Respondent Parents’ Counsel Needs-Assessment and recommendations with the Colorado General Assembly.
- February 2007: Complete implementation of Strengthening Abuse and Neglect Court Act (SANCA) project in all of Colorado’s 22 Judicial Districts.
- Continue to provide ongoing training and technical assistance to juvenile court and social service staff to ensure implementation of the Strengthening Abuse and Neglect Court Act (SANCA) project.
- Sponsor statewide Minority Over-representation (MOR) training through Model Courts project.
- June 2007: Sponsor multi-disciplinary Family Issues Conference in conjunction with Colorado Department of Human Services Child Welfare Conference.
- Submit Court Improvement Program long-term strategic plans to Administration of Children and Families.

## **5. What barriers to implementation has your state encountered?**

The first barrier related to implementation of the Colorado Pew Plan relates to the working partnership of the Colorado Judicial Department and Colorado Department of Human Services (CDHS). This relationship involves close collaboration between the Judicial Branch and Executive Branch of Colorado State Government and requires a careful balance between improving systems and maintaining the separation of powers. At the state level the judicial department and department of social services have taken steps to enhance communication and collaborative efforts related to the Colorado Pew Plan. Some examples of these steps are:

joint planning for the 2008 Child and Family Services Review (CFSR); addition of CDHS to Court Improvement Program; and multidisciplinary training efforts.

Although many steps are being pursued to implement the goals set forth in the Colorado Pew Plan at the state level, implementation of the plan at the local level continues to challenge. The Colorado Judicial Department and CDHS are state-funded, yet each system is locally-administered. Local administration of courts and social services does provide benefit by allowing local officials to devise plans that meet the needs of their communities. This dynamic sometimes leads to varying practices in different areas. Innovations and improvements that are introduced statewide are slower to take.

## **6. How are you overcoming these barriers?**

These barriers are overcome by continued communication and dissemination of information through statewide and regional trainings, and technical support provided to Colorado's twenty-two judicial districts by the Family Issues Unit.

Through the Court Improvement Program, Colorado plans to develop statewide and regional trainings focused on and driven by the Colorado Pew Plan, the report by the Commission on Families in the Colorado Courts, the 2002 Court Improvement Program Re-Assessment, the 2002 CFSR and subsequent PIP, and the 2006 Title IV-E Review. Additionally, the cooperation and participation of the Colorado Judicial Department with the Colorado Department of Human Services in all aspects of Colorado's Child and Family Services Review (CFSR) are planned for the 2008 CFSR.

## **7. What have been the most significant lessons learned during the implementation process?**

Leadership from the top is imperative. Were it not for the support of the Executive Director of the Colorado Department of Human Services, the Chief Justice and the State Court Administrator, Colorado would not have been able to institute these changes. The work of the Colorado Court Improvement Program has also been instrumental.

In order to ensure adoption and implementation of the Colorado Pew Plan, additional efforts to explain the purpose of the Colorado Pew Plan must be increased at the local level. Without the support and buy-in of officials at state and local levels, the potential of the Colorado Pew Plan may not be fully realized. In particular, attention must be paid to creating and supporting local collaborative teams who adopt the Colorado Pew Plan. Our goal is to have the "Colorado Pew Plan" become a household term, understood by stakeholders at all levels.

Finally, we have learned that widespread, systemic change takes considerable time and effort. As a state and as a system, we must remain committed to improving the treatment of the children and families that come before the courts. Colorado has made significant strides, and we must work to maintain the momentum.

**Exhibit A**  
**Colorado Pew Plan**

**COLORADO PEW PLAN UPDATE  
SEPTEMBER 2005 - SEPTEMBER 2006**

PEW	OBJECTIVES	ACTION STEPS	LEAD	DATE	PROGRESS MADE 11/1/05	PROGRESS MADE 2/24/2006	PROGRESS MADE 9/1/2006
<b>Priority #1: Case Management and Effective Use of Data</b>							
<b>Courts are responsible for ensuring that children's rights to safety, permanence, and well-being are met in a timely and complete manner</b>	<b>SANCA (Strengthening Abuse and Neglect Act): implement performance measures to improve case management and service delivery.</b>	1. Continue with development of SANCA objectives	Diana Coffey, SCAO	7/1/2006	SANCA pilot in Boulder November - January	Data transfers successful in Boulder County. Rollout to Jefferson County scheduled for March. Statewide rollout scheduled to complete by September 2006.	<b>Ongoing:</b> Implementation of SANCA in the following court locations: Boulder, Jefferson, El Paso, Teller, Gilpin, Denver Juvenile. Implementation is scheduled to be completed in February 2007. The New Court Improvement Program Technology Grant will be utilized to provide intensive training and technical assistance to judicial districts beginning in Fall 2006.
		2. Develop current reporting mechanism for measuring all judicial districts' time to permanency in D&N cases.	Bill DeLisio, SCAO	11/1/2005	1. State Court Administrators Office (SCAO) is updating CJD 89-01, which draws judicial attention to case processing standards. 2. SCAO Family Unit will run timeline reports for individual districts as part of technical assistance for constructing district plans.	SANCA will provide for judicial department to measure permanency in D&N cases. District plans are being submitted and posted on judicial net.	<b>Ongoing:</b> SANCA will provide for judicial department to measure permanency in D&N cases. District Plans from the following judicial districts (2nd, 3rd, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 17th, 18th, 19th, 20th, 21st) are available on the Colorado Judicial Department Website. Follow up with District Administrators and Chief Judges from judicial districts that have not submitted a district plan is planned for Fall 2006.
	<b>Ensure that Best Practices are observed statewide.</b>	1. Compare current state and federal law with Chief Justice Directives (CJD) implementing Best Practices in Dependency & Neglect case processing (CJDs 98-02 and 96-08).	Bill DeLisio, SCAO	10/1/2005	CJDs appear to encompass current law. Court Improvement Committee will continue to evaluate the need for amendments to CJDs.	Completed	<b>Completed</b>
		2. Develop tool for evaluating court adherence to Best Practices	Bill DeLisio, SCAO	10/1/2005	SCAO Family Unit has created a tool.	Completed	<b>Completed</b>
		3. Disseminate good practices developed in each of the 3 National Council of Juvenile and Family Court Judges (NCJFCJ) "Model Court" sites statewide.	Bill DeLisio, SCAO	5/1/2005	SCAO Family Unit will consider inclusion of Model Courts Practices in 2006 Family Issues Conference.	Model Court Track: Family Issues Conference will feature model court track highlighting the work of the model courts and NCJFCJ faculty.	<b>Ongoing:</b> The 2006 Family Issues Conference and 2006 Child Welfare Conference featured model court track highlighting the work of the model courts and NCJFCJ faculty. Additionally, at the 2006 Family Issues Conference a "Best Practice Gallery Walk" was organized so that judicial districts could share successful practices, projects and protocols. The 2006 Judicial Conference has similar Model Court sessions on the agenda. In February 2007 the Model Court Project is sponsoring a statewide Minority Over Representation (MOR) training.
		4. Establish plan for site visits: court observation, case file review, meetings with stakeholders	Alicia Davis, SCAO	11/1/2005	Site visits are in progress. SCAO Family Unit will present to Chief Judges before January.	Visits will continue	<b>Ongoing:</b> Visits of judicial districts will continue, to date the following sites have been visited: 2nd, 4th, 17th (Adams County), 18th (Arapahoe County), 19th.
5. Consider application of Best Practices in rural jurisdictions	Bill DeLisio, SCAO	10/1/2005	Judge Melonakis/Court Improvement is developing policy recommendations.	In progress	<b>Ongoing:</b>		

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SEPTEMBER 2005 - SEPTEMBER 2006**

Expedited Child Welfare Appeals	1. Monitor Implementation. Consider preparation of the record	Bill DeLisio, SCAO	12/1/2005	In progress through Court Improvement. Decision item for January 2006.	In progress: Colorado Supreme Court Rules Committee will be considering changes to the rule in the future and recommended that the CIC be patient and wait for the rules committee to modify the rules. In the mean time, individual judicial districts have the ability to devise local policy and procedure designed to ensure that unedited transcripts are available in a timely manner.	<b>Ongoing:</b> The Appellate Rules Committee will be considering changes to the rule in the future and recommended that the CIC be patient and wait for the rules committee to modify the rules. In the mean time, individual judicial districts have the ability to devise local policy and procedure designed to ensure that unedited transcripts are available in a timely manner.
	2. Provide additional appellate training	Bill DeLisio, SCAO	9/1/2006	Court Improvement is developing a policy paper providing recommendations for preparation of court transcripts.	February 2006: Judge Ashby and Magistrate Hernandez Sullivan trained the appellate court.	<b>February 2006:</b> Judge Ashby and Magistrate Hernandez Sullivan provided training to the appellate court.
	3. Evaluate time to final order	Bill DeLisio, SCAO	9/1/2006	In progress	In progress	<p><b>Ongoing:</b> In September 2006 Clerk of the Court of Appeals provided the following data:</p> <p><u>Dependency &amp; Neglect appeal filed in the period from Jan. 1, 2004 through Dec. 31, 2004:</u> The total median days from filing the Notice of Appeal to Opinion Announcement was 236 days. There were 110 opinions in dependenc &amp; neglect appeals that calculated into this figure.</p> <p><u>Dependency &amp; Neglect appeal filed in the period from Mar. 1, 2005 through Dec. 31, 2005:</u> The total median days from filing the Notice of Appeal to Opinion Announcement was 114 days. There were 92 opinions in dependenc &amp; neglect appeals that calculated into this figure.</p> <p>These figures represent a decrease of 123 days, or 52%, in the total median time frame from Notice of Appeal to Opinion in dependenc &amp; neglect appeals. This is primarily attributable to the implementation of C.A.R. 3.4. The data will continue to be measured.</p>

**COLORADO PEW PLAN UPDATE  
SEPTEMBER 2005 - SEPTEMBER 2006**

Priority #2a: Effective Collaboration							
<b>Demonstrate effective collaboration on behalf of children.</b>	<b>Develop state and local collaborative teams.</b>	1. Assist 3 Model Courts sites in developing local collaborative teams.	Bill DeLisio, SCAO	5/1/2006	Court Improvement will continue to monitor Model Courts progress	Completed	<b>Completed</b>
		2. Assist other judicial districts with implementing local collaborative teams.	Bill DeLisio, SCAO	5/1/2006	SCAO Family Unit will consider inclusion of Model Courts Practices in 2006 Family Issues Conference.	In progress - providing technical assistance	<b>Ongoing:</b> Providing technical assistance upon request. The Family Issues Unit has facilitated collaborative efforts in the Nineteenth Judicial District.
	<b>Consider HB 04-1451 as a vehicle for local collaborative teams.</b>	1. Family Unit/Child Welfare participation in statewide advisory group.	Bill DeLisio, SCAO	9/1/2006	Done	Done	<b>Ongoing</b>
		2. Assist with development of child welfare performance measures at state and local level.	Alicia Davis, SCAO	9/1/2006	Court Improvement and SCAO Family Unit will consider whether SANCA performance measures can inform the development of performance measures for 1451 Teams.	In progress	<b>Ongoing</b>
		3. Provide technical assistance to districts entering into 1451 collaborative agreements	Bill DeLisio, SCAO	9/1/2006 and continuing	SCAO Family Unit will consult with districts considering 1451 agreements and share Memorandum of Procedure (MOP) from other districts.	In progress	<b>Ongoing</b>
	<b>Invite state and local social services departments to participate on Court Improvement Program (CIP)</b>	1. Develop membership protocol.	Bill DeLisio, SCAO	10/1/2005	Done	Done	<b>Completed</b>
		2. Solicit applications of interest	Bill DeLisio, SCAO	10/1/2005	Done	January Court Improvement Program (CIP) meeting consisted of stakeholder representatives. The CIP will continue to refine and improve the representation of stakeholders in its membership.	<b>Ongoing:</b> January CIP meeting consisted of stakeholder representatives. The CIP identified the following as stakeholders who should be invited to join the committee: Probation, County Director, Respondent Parents Counsel, Division of Youth Corrections, Legislative Members, Colorado Counties, Inc., Substance Abuse Providers, Southern Ute Tribe, Colorado Department of Education, Foster Care Graduates.
	<b>Involve Judicial in 2008 Child and Family Services Review (CFSR) at state and local level.</b>	1. SCAO representation (Bill DeLisio) at CFSR planning meetings.	Charles Perez, DHS	9/1/2005	Ongoing	Plan to develop a Memorandum of Understanding with Colorado Department of Human Services (CDHS) by April 2006	<b>Ongoing:</b> Training sponsored by the Administration of Children and Families (ACF) regarding the 2008 CFSR will be held on September 20 - 21. Bill DeLisio and representatives from CDHS will attend this training.
		2. Seek out local Judicial representatives	Charles Perez, DHS	10/1/2005	Ongoing		<b>Ongoing</b>
		3. Publicize upcoming CFSR and planning efforts	Charles Perez, DHS	9/1/2006	Ongoing		<b>Ongoing:</b> Information related to the 2008 CFSR has been provided to the CIP at the April 2006 and July 2006 meetings.
		Judicial Focus Group re: 2008 CFSR	Alicia Davis, SCAO	9/1/2006	Ongoing		<b>Ongoing</b>

**COLORADO PEW PLAN UPDATE  
SEPTEMBER 2005 - SEPTEMBER 2006**

Priority #2b: Securing Effective Representation							
<b>Provide Parents and Children with a Direct Voice in Court</b>	<b>Respondent Parents' Counsel (RPC) Task Force</b>	1. Convene Task Force to study compensation, training and practice standards for Respondent Parents' Counsel.	Alicia Davis, SCAO	10/1/2005	Done	Done	<b>Ongoing:</b> Recommendation of the RPC Task Force will be presented at the "Voices of Youth in the Courtroom" Symposium on November 10, 2006.
		2. Develop report and recommendations for Chief Justice, State Court Administrator and selected members of the General Assembly.	Alicia Davis, SCAO	1/1/2007	SCAO Family Unit has developed an action plan for the development of this plan.	Ongoing	<b>Ongoing:</b> Recommendation of the RPC Task Force will be presented to the Chief Justice, State Court Administrator and selected members of the General Assembly in November 2006.
		3. Develop and provide statewide trainings	Alicia Davis, SCAO	9/1/2006	SCAO Family Unit has developed an action plan for the development of this plan.	Ongoing	<b>Ongoing:</b> New CIP Training Grant will be utilized to further multi-disciplinary training. CIP will create a training sub-committee responsible for devising a long term training strategic plan that will be completed by June 2007.
		4. Establish standards of practice for parents' attorneys	Alicia Davis, SCAO	9/1/2006	SCAO Family Unit has developed an action plan for the development of this plan.	Ongoing	<b>Ongoing:</b> The standards of practice for parents' attorneys will be completed by October 2006.
	<b>Customer Satisfaction Surveys</b>	1. Develop statewide survey instrument re: judicial demeanor, attorney representation, service delivery.	Alicia Davis, SCAO	1/1/2006	SCAO Family Unit is administering a Needs Assessment.	Ongoing	<b>Ongoing</b>
	<b>Office of the Child's Representative</b>	1. Continue to partner with the Office of the Child's Representative	Alicia Davis, SCAO	continuing	OCR participates on Court Improvement and the RPC Task Force.	Ongoing	<b>Ongoing</b>
	<b>Court Appointed Special Advocates (CASA)</b>	1. Continue to support the development of CASA programs	Alicia Davis, SCAO	continuing	Will consider continued Court Improvement funding for CASA.	Ongoing: Colorado CASA representative added to CIC	<b>Ongoing:</b> Colorado CASA representative added to CIC

**COLORADO PEW PLAN UPDATE  
SEPTEMBER 2005 - SEPTEMBER 2006**

<b>Priority #3: Judicial/SCA Leadership and Training</b>							
<b>Chief Justice leadership in enacting Pew recommend-ations</b>	<b>Establish "chief judge" in dependency and neglect cases in all judicial districts</b>	1. Send letter to Chief Judges in all judicial districts, asking them to serve in this capacity or to appoint a designee	Chief Justice Mullarkey, Colorado Supreme Court	10/1/2005	Done	Done	<b>Ongoing:</b> Follow up with District Administrators and Chief Judges from judicial districts that have not submitted a district plan is planned for Fall 2006.
		2. Encourage Chief Judges to consider a non-rotation policy for self-selected judges to remain in dependency/family court.	Chief Justice Mullarkey, Colorado Supreme Court	10/1/2005	Done	Done	<b>Ongoing:</b> Follow up with District Administrators and Chief Judges from judicial districts that have not submitted a district plan is planned for Fall 2006.
		3. Provide training for judicial officers on dependency & neglect issues and case management.	Alicia Davis, SCAO	6/1/2006	SCAO Family Unit is developing curriculum for annual Family Issues Spring Conferences	May 17 - 19 Family Issues Conference	<b>Ongoing:</b> Training was provided to judicial officers at the 2006 Family Issues Conference. New CIP Training Grant will be utilized to further multi-disciplinary training. CIP will create a training sub-committee responsible for devising a long term training strategic plan that will be completed by June 2007.
	<b>Establish unit for child and family services and programs</b>		Jerry Marroney, SCAO	7/1/2005	Done	Done	<b>Completed</b>

**Exhibit B**  
**A Continued Commitment to Colorado Families**

## *A CONTINUED COMMITMENT TO COLORADO FAMILIES*

In September 2005, Chief Justice Mary Mullarkey lead a policy team of judicial and social services actors at the “Justice for Children: Changing Lives by Changing Systems”, a National Leadership Summit on the Protection of Children in Bloomington, Minnesota<sup>1</sup>. Reflecting upon the objectives established by the Commission on Families in the Colorado Courts in January 2001, the Chief Justice was pleased with the progress made and continued to support improved practices for cases involving kids and families in Colorado Courts.

At the Summit the Chief Justice led the team in developing a comprehensive plan for improving the processing of cases involving children and families that appear before the Colorado Courts in dependency and neglect cases. Following the summit Chief Justice Mullarkey sent a letter to Chief Judges throughout Colorado which stated the following, “These cases are small in number when compared to the 700,000 cases filed in our trial courts each year but there are none that are more important.”

1. Improved attention to timeliness of proceedings
2. Increased court and agency collaboration to encourage better service-delivery
3. Increased parent- and child-representation in proceedings
4. Greater recognition for the importance of family cases and emphasis on leadership for these changes by judicial officials.”

In the letter Chief Justice Mullarkey also requested Chief Judges take the following three actions:

1. Evaluate the district’s plan for handling dependency and neglect cases pursuant to Chief Justice Directive 98-02.
2. Convene a meeting of the stakeholders to address the handling of dependency and neglect cases.
3. Evaluate current judicial rotation plan in relation to the training of judicial officers before assignments to juvenile dockets are implemented.

## *THE PREVALENCE OF CHILD ABUSE AND NEGLECT IN COLORADO*

For the last 10 years caseloads in Colorado have grown steadily and federal attention to timelines and requirements for each hearing have also increased. The pressures placed upon those handling dependency and neglect cases intensify creating a need for: streamlined procedures, automated case management systems, effective use of data in court planning, effective collaboration among stakeholders, effective representation in courtrooms and ongoing training. The Colorado Pew Plan represents a proactive approach to addressing cases involving children and families enmeshed in the child welfare system.

- In FY 2005 - 26,303 maltreatment reports were filed and 5,923 maltreatment reports were substantiated.

<sup>1</sup> In September 2005 the Colorado Pew Team attended The Justice for Children: Changing Lives by Changing Systems Conference; a National Leadership Summit on the Protection of Children in Bloomington, Minnesota. The Colorado Pew Team consisted of the following individuals: Colorado Chief Justice Mary Mullarkey; Mr. Gerald Marroney, Colorado State Court Administrator; Ms. Marva Livingston Hammons, Executive Director, Colorado Department of Human Services; Judge Karen Ashby, Denver Juvenile Court; Ms. Alicia Davis, Colorado State Court Administrators Office, Family Issues Unit Supervisor. The Colorado Pew Team devised and adopted the Colorado Pew Plan in September 2005. Efforts between the Judicial Department and the Colorado Department of Human Services immediately began to implement the Colorado Pew Plan.

- In FY 2001, 3,313<sup>2</sup> dependency and neglect cases were filed in the Colorado Courts as opposed to 4,195<sup>3</sup> dependency and neglect filings in FY 2005.
- The examination of case filings indicates a 27 % increase in dependency and neglect filings between FY 2001 and FY 2005.
- Of the 4,195 filings in FY 2005, 2,288<sup>4</sup> or 55% of dependency and neglect cases were Expedited Permanency Planning cases.
- In FY 2005, 7,659 children in Colorado were placed in foster care.
- Of the children in foster care 4,593 or 60% of children were returned to their parents;
- 1,054 or 14% of children had their legal relationships with their parents terminated;
- 886 or 12% of children were adopted.

## Colorado Pew Plan Priority #1 Case Management and Effective Use of Data

Courts are responsible for ensuring that children's rights to safety, permanence, and well-being are met in a timely and complete manner

### Strengthening Abuse and Neglect Courts of America Act (SANCA)

Thanks to federal funding, Colorado embarked upon the SANCA Project in 2004 to improve case management capabilities within I-CON/Eclipse for dependency and neglect cases. SANCA will:

- Provide judicial officers with relevant information that will result in more informed decisions.
- Enable court and social service personnel to effectively manage their child welfare caseload through the use of outcome oriented performance measures and reports.
- Ensure children are kept in safe and permanent environments.
- Improve communication through data transfer between Judicial and Colorado Department of Human Services.

The piloting of SANCA capabilities in ICON/Eclipse began in Boulder County in October 2005. One feature in SANCA is the Centralized Information Screen (CIS) which provides judicial officers and family court facilitators with case information. SANCA will allow judicial officers to access the following information:

- Case One: The respondent mother recently had a warrant issued for her arrest in a Misdemeanor case. Magistrate had her arrested at the hearing.

<sup>2</sup> Fiscal Year 2001, Colorado Judicial Branch Annual Statistical Report.

<sup>3</sup> Fiscal Year 2005, Colorado Judicial Branch Annual Statistical Report.

<sup>4</sup> Fiscal Year 2005, Colorado Judicial Branch Annual Statistical Report.

- Case Two: The respondent mother who wanted her kids back because “she’s really got her life together” has been involved in 13 cases since 2000. Two (2) of them were criminal cases filed in 2005.

SANCA will provide judicial officers and family court facilitators with a powerful tool for locating relevant information. Judicial officers and staff need to emphasize reliable data entry for SANCA’s full potential to be realized.

## Plans for Handling Dependency and Neglect Cases

Effective case management practices for dependency and neglect cases are set forth in Chief Justice Directives 96-08 (Concerning the Processing of Dependency and Neglect Cases) and 98-02 (Concerning Permanency Planning in Dependency and Neglect Cases). These two directives allow for significant district-specific judicial discretion in developing district case management plans that promote permanency, safety and well-being as mandated by state and federal law.<sup>5</sup> Chief Justice Directive 96-08 emphasizes early adjudicatory and dispositional proceedings, and encourages interim treatment planning to permit early intervention to resolve the problems which endanger children and bring families before the court. Chief Justice Directive 98-02 includes expedited permanency for children requiring placement in their permanent home within twelve months of removal.

The Family Issues Unit is working with local jurisdictions to update district plans and ensure that district plans make the highest use of limited district resources, and promote permanency, safety and well-being. To download copies of district plans from jurisdictions around the state you can visit the judicial website at:

[www.courts.state.co.us/supct/committees/courtimprovementdocs/districtplan/index.htm](http://www.courts.state.co.us/supct/committees/courtimprovementdocs/districtplan/index.htm) .

## Colorado Model Courts Project

The Colorado Model Courts Project is helping Colorado meet Colorado Pew Plan Priority #2A Effective Collaboration and Pew Plan Priority #1 Case Management and Effective Use of Date. The Model Courts Project supports case management, best practices, stresses the importance of collaborative efforts and aids courts in developing local collaborative teams and goals.

The NCJFCJ Model Court Project is funded by the Colorado Court Improvement Committee (CIC). In 2005 the CIC selected the Second Judicial District (Denver Juvenile Court), Seventeenth Judicial District (Adams County Juvenile Division) and the Fourth Judicial District (El Paso County and Teller County Juvenile Divisions) as “Model Courts” committed to best practices.

The Model Court sites and the Family Issues Unit seek to capitalize on the effective practices developed within the projects by sharing the practices and experiences with other jurisdictions statewide in the form of consultation and/or technical assistance and training. Some of the goals and programs being developed by multidisciplinary Model Courts teams are:

- Reducing the number of children in care who have permanency goals of other permanent planned living arrangement (OPPLA.)

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<sup>5</sup> §19-1-102, C.R.S.; §19-3-100.5, C.R.S.; Adoption Assistance and Child Welfare Act of 1980, 42 U.S.C. §670; Adoption and Safe Families Act of 1997, Public Law 105-89

- Identifying specific areas of minority over-representation and develop a strategy to reduce over-representation by engaging the community in early intervention efforts and family mentoring.
- Refining visitation tools and visitation practices as well as outcome measurements in order to increase visitation for parents involved in D&N cases whenever it is safe to do so.
- Evaluating the status of education assessments for children in foster care and developing specific objectives for cooperative practices to insure educational needs are met and all children have an identified educational plan.
- Identifying domestic violence cases in dependency court, evaluating adequacy of services and instituting discrete domestic violence treatment protocols.
- Reducing the number of terminations and increase reunifications in substance abuse cases through the implementation of evidence based practices.
- Improving coordination between Court and Human Services to improve the timeliness of permanency for children.

The goals developed by Model Court teams represent the type of collaborative efforts that the Pew Plan encourages all judicial districts to develop. As Model Courts develop successful collaborative approaches, protocols and programs related to their stated goals, this best practice information will be disseminated statewide by the Family Issues Unit so that all jurisdictions can learn of successful practices and adapt similar solutions in their jurisdictions.

## Expedited Child Welfare Appeals

Promoted by Court Improvement Committee, in March 2005, Colorado Appellate Rule (C.A.R) 3.4 was enacted to expedite permanency for children during the appeals process. Current data provided to the Family Issues Unit in April 2006 by the Colorado Court of Appeals indicates the following:

Before the enactment of C.A.R. 3,4 the total median days from filing the Notice of Appeal to Opinion Announcement was 236 days. There were 109 opinions in D & N appeals that calculated into this figure. After the enactment of C.A.R. 3.4 the total median days from filing the Notice of Appeal to Opinion Announcement was 113 days. There were 68 opinions in D & N appeals that calculated into this figure.

These figures represent a decrease of 123 days, or 52%, in the total median time frame from Notice of Appeal to Opinion. This decrease of time is primarily attributable to the implementation of C.A.R. 3.4. The Family Issues Unit and Court Improvement Committee continue to monitor implementation of C.A.R. 3.4 with an eye towards improving the process.

## Colorado Pew Plan Priority #2a Effective Collaboration

Demonstrate effective collaboration on behalf of children

## Court Improvement Program (CIP)

The Colorado Court Improvement Program is federal grant intended to develop automated information systems to track cases and measure performance; improve the amount and quality of legal representation for children, parents and agencies; assist courts in effectively managing caseloads; improve the availability and coordination of services for children; improve judicial competence and skills; provide cross-systems training for court and agency personnel<sup>6</sup>. The Court Improvement Program is expected to work on court improvement in collaboration with those who share the responsibility with the judiciary for providing care, representation and protection for children removed from their homes<sup>7</sup>.

The Court Improvement Committee is a multidisciplinary committee consisting of members from the juvenile and domestic judges bench; representatives of the state child welfare agency; representatives of mental health agencies; representatives of substance abuse agencies; representatives of domestic violence agencies; representative of court appointed special advocates (CASA) organization; foster care representative; respondent parents' counsel; guardians ad litem; assistant county attorneys; an individual with ICWA expertise or tribal court representative; and a representative of the U.S. Department of Health and Human Services Administration of Children and Families<sup>8</sup>.

Historically, the Court Improvement Committee has utilized Court Improvement funding and has contributed to the creation of the Office of the Child's Representative, SANCA, family court facilitator position and have awarded mini grants to judicial districts throughout Colorado. In 2005 – 2006 the Court Improvement Committee has funded the Model Courts Project, Respondent Parents' Task Force, Respondent Parents' Statewide Needs Assessment, various training programs, and has awarded mini grants to The Office of the Child's Representative, Colorado CASA, 2<sup>nd</sup> Judicial District, 4<sup>th</sup> Judicial District, 12<sup>th</sup> Judicial District, 19<sup>th</sup> Judicial District and 20<sup>th</sup> Judicial District.

If you are interested in learning more about the Colorado Court Improvement Committee visit <http://www.courts.state.co.us/supct/committees/courtimprovecomm.htm>.

## Division of Child Welfare Services Collaborative Management Program (1451)

In FY 06 seven (7) Colorado counties formed Collaborative Management Programs (CMP's) and will each be eligible to receive funding incentives in the range of \$175,000 - \$544,000.

This voluntary program is a collaborative management process designed to generate cost savings and additional funding to judicial districts that form CMP's. The program requires collaborative management of multi-agency services provided to children and families by county departments of human / social services and other mandatory agencies including local judicial districts, including probation; the local health department, the local school district(s), each community mental health center and each Mental Health Assessment and Service Agency (BHO).

Family Issues Unit representatives serve on the state steering committee and offers assistance to judicial districts interested in forming a CMP, for more information please visit: [http://www.cdhs.state.co.us/cyf/Child\\_Welfare/1451\\_cmp/index.htm](http://www.cdhs.state.co.us/cyf/Child_Welfare/1451_cmp/index.htm)

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<sup>6</sup> ACYF-CB-PI-03-04.

<sup>7</sup> ACYF-CB-PI-03-04.

<sup>8</sup> 2005 Chief Justice Order Authorizing Court Improvement Committee And Committee Charge

## Child and Family Service Reviews (CFSR)

The CFSR is the Federal Report Card on the functioning of a State's Child Welfare System. The CFSR is a reflection on judicial functioning as well as social services' practices. In 2002, Colorado failed its CFSR and judicial participation in the process was minimal. Colorado has been under a "Program Improvement Plan" since that time in order to avoid financial sanctions from the Federal Government.

The second round of the CFSR in Colorado is scheduled for 2008 and it is imperative the judicial department is ready. Judicial participation in the CFSR is imperative. In fact, the Children's Bureau has contracted with Retired Judges Bill Jones and Steve Wrightout as consultants to the ABA National Resource Center on Legal and Judicial Issues. These Retired Judges will be meeting with the Supreme Court Justice of each state and the Chief Judge in each states largest jurisdiction to emphasize the important role judicial plays in the CFSR process.

Family Issues Unit Representatives and the Colorado Court Improvement Committee are working closely with the Colorado Department of Human Services to ensure the CFSR process is collaborative. If you're interested in learning more about the CFSR or actively participating in the CFSR contact the Family Issues Unit.

## Colorado Pew Plan Priority #2B Securing Effective Representation

Provide parents and children with a voice in court

### Respondent Parents' Counsel (RPC) Task Force

In appointing the RPC Task Force in September 2005, Chief Justice Mary Mullarkey stated:

*"The interest of parents in the care, custody, and control of their children is fundamental. Representing the parents faced with severance of the parent-child relationship is difficult work, but the importance of the role is undeniable."*

The RPC Task Force is an effort funded by the Court Improvement Committee, with the assistance of the Standing Committee on Family Issues. The RPC Task Force will focus on three main areas: training, compensation and standards of representation. A small group of professionals with unique knowledge and expertise are developing and assisting in the delivery of training programs, looking at various models of representation and are scheduled to make recommendations to the Supreme Court and selected members of the Colorado General Assembly before the 2007 Legislative Session.

All efforts will be informed by completion of a Statewide Needs Assessment. The purpose of the needs assessment is to identify the impediments to effective representation of families, including service delivery and existing court and attorney practices through comparison of current practice of RPC to widely accepted models of practice. The assessment will be conducted by the National Center for State Courts, National Council of Juvenile and Family Court Judges, and National Association of Counsel for Children and recommendations will be issued in fall 2006.

The final recommendations issued by the Task Force are expected to impact the practice of Respondent Counsel in courtrooms throughout Colorado. These recommendations will also address court practices and court oversight of cases involving court appointed counsel. Additional information can be found at <http://www.courts.state.co.us/supct/committees/courtimprovementdocs/rptf.htm> .

## Office of the Childs Representative (OCR)

In the 2000 Legislative Session Colorado established the Office of Childs Representative (OCR) to provide oversight, training and practice standards for guardians ad litem (GAL), attorneys appointed to represent children in dependency and neglect cases.

The OCR is a member of the Colorado Court Improvement Committee and has also received Court Improvement funding to support the development of training videos targeted to educate attorneys and improve GAL practice in Colorado. The Court Improvement Committee, Family Issues Unit and the OCR continue to work together to improve the effectiveness of representation for children involved in juvenile court.

## Colorado Court Appointed Special Advocates (CASA)

Colorado CASA is the statewide coordinating agency for CASA in Colorado. CASA volunteers are appointed to gather information in child abuse and neglect cases and speak to the court on behalf of the needs of the children. Colorado CASA advocates for the best interest of abused and neglected children by promoting and supporting the development, growth and continuation of quality CASA programs and services to benefit children throughout Colorado<sup>9</sup>.

CASA is a member of the Colorado Court Improvement Committee and has also received Court Improvement Program funding to support the development of CASA programs in Judicial Districts throughout Colorado. The Court Improvement Committee, Family Issues Unit and Colorado CASA continue to work collaboratively to enhance the voice of children involved in dependency and neglect cases.

# Colorado Pew Plan Priority #3 Judicial Leadership and Training

Chief Justice leadership in enacting Pew recommendations

## Judicial Leadership in Dependency Courts

*“Today more than ever before courts are playing an essential role in ensuring the safety, permanency, and well-being of abused and neglected children. Courts play a key role in determining whether children will be removed from their homes, how long they will remain in foster care, and where they will permanently reside. It is absolutely essential that we improve court performance in child and abuse and neglect proceedings – perhaps more so than in any other area of government. Given the number of cases and the high stakes for children and families involved, every effort must be made to measure performance identify areas of need of*

<sup>9</sup> <http://www.coloradocasa.org/>

*improvement, chart progress, and provide the stimulus for society's response to child maltreatment.<sup>10</sup>*

The Chief Justice and Family Issues Unit supports the assignment of judicial officers to juvenile dockets who are willing to take a strong leadership role to ensure compliance with mandated case processing timeframes, ensure the implementation of best practices, initiate collaborative efforts among stakeholder agencies and develop innovative programs to improve outcomes in dependency and neglect cases.

## Judicial Training

The Colorado Court Improvement Committee annually funds a Family Issues Conference designed to educate judges, magistrates, family court facilitators and other judicial employees. The Family Issues Unit is responsible for planning the conference in close consultation with the Judicial Education Unit and Judicial Education Coordinator Kent Wagner. The conference addresses issues related to family law cases with a very narrow focus on child welfare cases. The agenda is developed with the aid of survey responses from judicial officers, family court facilitators and attendees in an effort to determine the areas of need, interest and emphasis. The purpose of the conference is to provide judicial personnel with tools, best practices and state of the art research to improve the handling family law cases.

The Family Issues Unit, Court Improvement Committee and Judicial Education Unit also partner to provide training to new judges. These groups are working to update the "Stepping Up to Juvenile Court" training curriculum which is designed to prepare judges and magistrates for juvenile court dockets. The annual conference and judicial training helps meet Colorado Pew Plan Priority #3.

## Local, Regional and Statewide Multi-Disciplinary Trainings

The Family Issues Unit and Colorado Court Improvement Committee work with local jurisdictions and community partners on an ongoing basis to coordinate and implement multi-disciplinary trainings. These trainings address issues related to family law cases with a narrow focus on child welfare cases. The ongoing training helps meet Colorado Pew Plan Priority #3.

In March 2006 the 4<sup>th</sup> Judicial District Education Committee through a Court Improvement Committee mini-grant and in partnership with the 4<sup>th</sup> Judicial District Model Courts Project and the National Council of Juvenile and Family Court Judges (NCJFCJ) presented a statewide Confidentiality Law Training which consisted of over 200 participants from relevant agencies across Colorado. In April 2006 the Family Issues Unit and Colorado Department of Human Services staff coordinated a statewide training on the Colorado Assessment Continuum (CAC) in which over 80 judges, magistrates, child welfare attorneys, and social services staff from across Colorado attended. Lastly, in August 2006 the Model Courts Projects through Court Improvement Committee funding will present a statewide Minority Over Representation training intended to serve judges, magistrates, family court facilitators and other community partners throughout Colorado.

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<sup>10</sup> Building a Better Court, Measuring and Improving Court Performance and Judicial Workload in Child and Abuse cases. The American Bar Association, Center on Children and the Law. The National Center for State Courts. The National Council of Juvenile and Family Court Judges. 2003.

**Exhibit C**  
**Spirit of Pew Nomination Form**



## 2006 "SPIRIT OF PEW" AWARDS

PRESENTED AT THE "VOICES OF YOUTH IN THE COURTROOM" SYMPOSIUM

University of Colorado Law School  
Friday, November 10<sup>th</sup>, 12:00 p.m.

Children, parents and caregivers benefit when they have the opportunity to actively participate in court proceedings and so does the quality of decisions. In issuing *Fostering the Future: Permanency, Safety and Well-Being for Children in Foster Care* (2004), the Pew Commission on Children in Foster Care stated:

*To safeguard children's best interests in dependency court proceedings, children and their parents must have a **direct voice in court, effective representation, and the timely input of those who care about them.** Courts should be organized to **enable children and parents to participate in a meaningful way in their own court proceedings.***

The purpose of this award is:

- ◇ To recognize a guardian *ad litem*, respondent parents' attorney and a city/county attorney who have provided exceptional representation and/or other advocacy efforts which have resulted in giving their clients a meaningful voice in the courtroom or outcome of the case.
- ◇ To recognize a judge or magistrate who has created a legal environment that provides equal and effective representation to all parties, e.g. the judicial officer promotes best practices, demands high standards, convenes multidisciplinary meetings, implements the District Plan for Dependency and Neglect cases, etc.

To nominate a candidate, you must submit this completed form and a nomination letter, highlighting specific examples of the candidate's activities or advocacy practices that have significantly promoted effective representation, either on an individual or systemic basis. Nominations may also include the candidate's resume, additional letters of support, photographs, newspaper clippings, narratives, or any other items describing the candidate's efforts.

### CANDIDATE

Name:

Title/Position:

Firm/Organization:

Address:

City, State, Zip: Country

Phone (work):

E-mail:

Position (check the **one** that represents the majority of Candidate's practice)

District Court Judge

Magistrate

Respondent Parents' Counsel

Assistant County/City Attorney

Guardian *ad litem*

### NOMINATOR

Name:

Title/Position:

Firm/Organization:

Address:

City, State, Zip: Country

Phone (work):

All nominations and supportive materials must be submitted by **October 1, 2006**  
by email to [bill.delisio@judicial.state.co.us](mailto:bill.delisio@judicial.state.co.us).

THANK YOU FOR RECOGNIZING AND PROMOTING EXCELLENCE IN CHILD WELFARE ADVOCACY.

**Exhibit D**  
**Respondent Parents' Task Force Action Plan**



*The mission of the Respondent Parents' Counsel Task Force is to improve the well-being of Colorado's children and families who are involved in our dependency courts by assuring the effective legal representation of parents in dependency and neglect proceedings.*

## RESPONDENT PARENTS' COUNSEL TASK FORCE

SPONSORED BY  
COLORADO'S COURT IMPROVEMENT PROGRAM  
IN COLLABORATION WITH  
THE SUPREME COURT STANDING COMMITTEE ON FAMILY ISSUES

### ACTION PLAN - UPDATED APRIL 2006 -

#### **RPC Task Force Executive Committee**

Judge Karen Metzger  
Stanlee West-Watt, Esq.  
Professor Colene Flynn Robinson  
Judge Lael Montgomery  
Alicia Davis (Staff)

#### **Advocacy for Resources**

Stanlee West-Watt (Project Leader)  
Prof. Clare Huntington  
David Migliaccio, Esq.  
Theresa Spahn, Esq.  
Theresa Ehrlich, Esq.  
Carolyn Pelloux, Esq.

#### **Practice Objectives**

Judge Lael Montgomery (Project Leader)  
Prof. Clare Huntington  
Stanlee West-Watt, Esq.  
Toni Gray, Esq.  
Judge Chris Melonakis  
Magistrate Palmer Boyette  
Debra Gans, Esq.  
Carolyn Pelloux, Esq.

#### **Needs-Assessment**

Judge Karen Metzger  
Magistrate Dinsmore Tuttle  
Melinda Taylor  
Stanlee West-Watt, Esq.  
Leah Rose-Goodwin

#### **Structural Outcomes/Models**

Prof. Colene Robinson (Project Leader)  
Anne Vitek, Esq.  
Jim Hustad, Esq.  
Tim Kerns, Esq.  
Laura Eibsen, Esq.  
Debra Campeau, Esq.  
Consuelo Williams, Esq.  
Peter Koelling, Esq.

#### **Training**

Judge Karen Metzger (Project Leader)  
Stanlee West-Watt, Esq.  
Pam Gagel, Esq.  
Judge Robert Lowenbach  
Ann Fox, Esq.  
Judge Charles Buss  
Lynne Hufnagel, Esq.  
Mike Satin, Esq.  
Leigh Taylor, Esq.

## I. Summary

The Respondent Parents' Counsel Task Force convened on October 21, 2005. The following persons were present:

Judge Karen Metzger (Chair), Court Improvement Committee; Justice Rebecca Love Kourlis (ex officio), Colorado Supreme Court; Judge Lael Montgomery, Boulder County; Judge Christine Chauche, Arapahoe County; Judge Charles Buss, Mesa County; Judge Robert Lowenbach, Weld County; Magistrate Palmer L. Boyette, Denver; Theresa Spahn, Director, Office of the Child's Representative; Professor Clare Huntington, University of Colorado School of Law; Professor Colene Flynn Robinson, University of Colorado School of Law; Debra Campeau, El Paso Office of the Guardian *ad Litem*; Lynne Hufnagel, Brownstein Hyatt and Farber; Stanlee West-Watt, Boulder Respondent Parents' Counsel; Tim Kerns, Respondent Parents' Counsel; Leigh Taylor, Respondent Parents' Counsel Mesa County; Anne Vitek, Respondent Parents Counsel, Denver/Adams County; Carolyn Pelloux, President, Juvenile Law Section; Laura Eibsen, County Attorney, Denver; Toni Gray, County Attorney, Boulder; Jim Hustad, Family Court Facilitator, El Paso; Alicia Davis (Staff), Standing Committee on Family Issues; Bill DeLisio, (Staff), Court Improvement Committee.

The Task Force discussed current practice by respondent parents' counsel, considered recent improvements in resources in Colorado's D&N representation in the form of the Office of the Child's Representative, surveyed other states' approaches to parents' representation, and framed objectives for the Task Force.

Representatives of the Task Force expressed the following hopes for the project at large:

- ◇ To create a plan to recommend to the Supreme Court
- ◇ To create a level playing field for all dependency and neglect attorneys
- ◇ To devise a mechanism to support parents' attorneys as the Office of the Child's Representative does for guardians *ad litem*
- ◇ To increase compensation and availability of resources such as investigators and experts to allow for more effective representation
- ◇ To foster advocacy that helps families
- ◇ To facilitate authentic due process for families
- ◇ To encourage this as an area of law that attorneys will choose as a profession
- ◇ To create for respondent parents' counsel a support network of attorneys who can share information and practice experiences
- ◇ To provide training to new attorneys entering the field
- ◇ To ensure that limited resources are put to the highest and best use
- ◇ To see attorney caseloads reduced
- ◇ To impact dependency and neglect law as applied to respondent parents

The work of the Task Force is expected to be intense but not prolonged. The Task Force contemplates that recommendations in the form of a report will be presented to the Supreme Court, State Court Administrator, and selected members of the General Assembly on or before

the 2007 Legislative Session. At that point, the Task Force is expected to sunset. In order to impact resources available to respondent parents' counsel, the Task Force needs to act diligently, and projects need to run concurrently.

The Task Force agreed that the much of the work ahead must focus on pursuing additional funding for attorney compensation. Many of the recommendations, such as the creation of the needs-assessment and the practice guidelines or standards will contribute to this ultimate objective. The discussion reflected that the work before the Task Force can be completed by subcommittees that address each of the following areas:

- ◇ **ADVOCACY FOR RESOURCES FOR RESPONDENT PARENTS' COUNSEL**
  - **NEEDS-ASSESSMENT: PROVIDING LEGAL RESOURCES AND IDENTIFYING AVAILABLE SERVICES TO FAMILIES**
  - **DEVELOPMENT of PRACTICE GUIDELINES or STANDARDS**
- ◇ **PROVIDING SPECIFIC TRAINING FOR PARENTS' COUNSEL**
- ◇ **RESEARCHING AND DEFINING STRUCTURAL OUTCOMES**
- ◇ **INFORMING JUDICIAL RESPONSE/CASE MANAGEMENT (project underway through the Court Improvement Committee)**

Each project has a lead person or "chair" for the accomplishment of the project goals. Staff will provide assistance to each project as much as practicable. The Task Force will convene as a whole as needed, probably quarterly. At these meetings, the various subcommittees will update the group on progress made and will receive input and assistance. The next quarterly meetings are scheduled for

- ◇ Friday, April 28 2006, 12:30-5 pm
- ◇ Friday, July 14 2006, 2-5 pm
- ◇ Friday, October 20 2006, 2-5 pm

The Task Force met again on January 20<sup>th</sup>. The purpose of the second meeting was to assign people and timelines to the action steps for these project areas:

- A. Advocacy for Increased Resources for Parents' Counsel
- A2. **Practice Guidelines or Standards**
- B. Training
- C. Structural Outcomes/"Models"

The Task Force also received an update on progress made on the Needs-Assessment project. Each of the project groups came up with the steps established in this Action Plan.

## II. Projects

The Task Force posed broad objectives: to improve upon resources for the attorneys representing respondent parents, such as compensation for attorneys, legal resources, specialized training, and a support network for attorneys. In December 2005, the Task Force developed the following statement to summarize its mission:

***“The mission of the Respondent Parents’ Counsel Task Force is to improve the well-being of Colorado’s children and families who are involved in our dependency courts by assuring the effective legal representation of parents in dependency and neglect proceedings.”***

The Task Force agreed that the thrust of the work ahead was to pursue additional funding for attorney compensation. Accordingly, many of the recommendations formed for the 2007 Legislative Session will focus on this ultimate objective. However, the group also acknowledged the importance of other efforts in the areas of attorney and stakeholder training.

Below is a description of each project and their objectives listed in more or less chronological order, with the understanding that many of the projects will need to run concurrently. The action steps summarized below are not intended to be all-inclusive or binding, but to frame the first steps of each project.

### A. ADVOCACY FOR RESOURCES FOR RESPONDENT PARENTS’ COUNSEL

Many of the action steps below, such as the creation of practice guidelines/standards and the needs-assessment, contribute to the ultimate goal of advocating for increased compensation for parents’ attorneys.

At the January meeting, the Advocacy Project Group constructed a plan which focuses on putting a face to Advocacy for Parents, and letting others know about the challenges before Respondent Parents’ Counsel. The group is collecting information on how the state will save money by putting in place greater supports for respondent parents’ counsel.

After several meetings, the Advocacy Group decided that they would be best-served to wait for the completion of the Needs-Assessment and to receive information from the other project groups once the objectives related to structural models, training and practice standards were sufficiently defined.

The action steps for the Advocacy Group, and progress made towards each, are as follows:

1. Identify members of the legislature who are most likely to support the work of the Task Force.

In February, the Advocacy Group met with Theresa Spahn as well as Judicial’s Legislative Liaison, Sherry Kester, and Budget Officer David Kribs to discuss the procedure for approaching legislators and members of the Judicial Branch. The Group would like to tell legislators and others about the important role that respondent parents’ counsel performs and the challenges that

they face. If legislation is to be introduced, the Group will contact potential sponsors after the November elections.

2. Gather compelling stories from respondent parents' counsel in Colorado where advocacy on behalf of a parent made a significant and tangible difference in reunifying or preserving a family. These stories will help convey to legislators and decision-makers that good advocacy equates good outcomes for families.

The Advocacy Group has started soliciting these stories and the responses from attorneys contacted have been very positive. Attorneys are also asked to comment on existing resources and how additional resources would have perhaps changed the flow of a case. This was a preliminary effort to assess response to the larger Needs-Assessment. To date, the response has been greater than expected.

3. Prepare a one-page fact sheet for the Respondent Parents' Counsel Task Force that can be disseminated among law-makers.

The group is currently drafting a fact sheet but will wait to finalize it once the Needs-Assessment has been completed and the Task Force is decided in its objectives and goals concerning structural models, training and practice guidelines.

4. Contact the Washington Office of Public Defense for information from their study, ongoing statistics, and progress on the development of the office.

It was determined that this information is available on the website.

## **A1. NEEDS-ASSESSMENT**

A Needs-Assessment will assist in defining the greatest needs for attorneys and the objectives for the structural outcomes and will provide baseline data.

The needs-assessment is expected to gather current financial information, termination and reunification information, and the perceptions of attorneys, stakeholders and clients. A needs-assessment conducted by an external body is likely to provide more thorough data collection and may be viewed by funding sources as being more credible than an assessment conducted in-house.

The assessment will report the greatest barriers to effective representation, including the availability of services for families and will provide baseline data. The Task Force discussed the difficulties presented by the lack of available reunification services for families. The Task Force discussed visitation, inpatient drug treatment and a few of the services that, if more readily available, could assist in reunifying families. The needs for some of these specific resources will be more fully evident during the course of the needs-assessment.

In addition to services for families, the needs-assessment will examine the need for legal resources to assist respondent parents' counsel. Some of the legal resources discussed included appointment of experts early in the case, the provision of investigators to help construct a case

theory, social workers to assist in identifying services and supporting clients, and administrative assistance.

A committee of the task force constructed the deliverables for a proposal. SCAO staff gathered internal information and in constructed the parameters of the evaluation. Action steps include:

- ◇ Collecting RPC financial information from SCAO;
- ◇ Determining outcomes for measurement (Washington used reunification, terminations, time in care, foster care expenses);
- ◇ Securing funding for external needs-assessment;
- ◇ Establishing bid-selection committee for external needs-assessment;
- ◇ Facilitating collection of data by contacting participating stakeholders.

To encourage a competitive process, staff prepared a request for a documented quote for a needs-assessment that would gather data on parents' representation and systemic barriers to positive outcomes. One joint proposal was received from the National Center for State Courts, the National Council of Juvenile and Family Court Judges and the National Association of Counsel for Children. Finding that their proposal represented some of the best minds in this area, that the proposed cost was comparable or lower than similar evaluations, and that the resulting study was most likely to present the credible, reliable, independent data needed to support the effort, the Selection Committee requested and received the support of the Court Improvement Committee to go forward. The study will begin officially in April. At the April 28 meeting, the Task Force will be briefed on the purpose, scope and significance of the needs assessment. The evaluators will describe the role they envision for the task force throughout the process and set forth the roles and responsibilities. Lastly, the evaluators will solicit information from the Task Force as to how the findings and recommendations in the final report will be reached.

## **A2. DEVELOPMENT OF PRACTICE GUIDELINES OR STANDARDS**

Practice guidelines or standards (**hereinafter "Guidelines"**) will set forth best practices for parents' attorneys and will demonstrate to funding sources the type of work an attorney would need to perform on a case to ensure due process and the best outcomes for families. The project group has not yet decided whether "**standards**" or "**guidelines**" are more appropriate, but regardless of their label, the Guidelines need to be considered as a companion to additional funding for Respondent Parents' Counsel.

The 17<sup>th</sup> Judicial District has standards in place, drafted by Judge Melonakis. With input from the Project Group, Judge Melonakis sent out a draft for consideration. The group met on March 10<sup>th</sup> to review all of the standards and comment. The **guidelines, as modified by comments received from the entire subcommittee, will be sent out to the whole task force in advance of the Task Force's April 28 meeting to receive feedback at that meeting. After discussion and finalization by the Task Force, the guidelines will be disseminated among** practicing RPC attorneys, the Juvenile Law Section, county attorneys and others for comment and final drafting.

## **B. SPECIFIC TRAINING FOR PARENTS' COUNSEL**

The group identified that training and communication for juvenile law attorneys, including respondent parents' counsel, currently occurs through the Juvenile Law Section of the Colorado Bar Association. The group discussed that training specific to respondent parents' counsel was limited.

This project group will rely on the results of the Needs-Assessment completed by the National Center for State Courts, the National Council of Juvenile and Family Court Judges and the National Association of Counsel for Children as the foundation of the development of the training curriculum. Once the Needs-Assessment is completed in Fall 2007, the group will consider training needs statewide, and will consider regional trainings, or web-based applications. Upon completion of the Needs-Assessment the Group may develop training materials for new attorneys.

Pending the completion of the Needs-Assessment, the group is focusing its efforts on leveraging training currently being provided through other organizations such as NITA, the ABA, the Kempe Center, the National Association of Counsel for Children, the Colorado Bar Association and CLE.

The Training Group set the following action steps. Many of the action steps have been accomplished. Progress updates are given for each.

**1. Establish a list-serve and website so that RPC attorneys can exchange information, and receive notice of JLS and CLE sponsored trainings.**

SCAO established a statewide Respondent Parents' Counsel list-serve ([coloradorpc@yahoo.com](mailto:coloradorpc@yahoo.com)) in February and began sending all respondent parents' attorneys notice of upcoming training in the community. 92 members are on the list-serve. Through the list-serve, Respondent Parents' Counsel were given information on the ABA Center for Children and the Law list-serve for child welfare practitioners.

SCAO staff is also in the process of developing a website for Respondent Parents' Counsel information. SCAO is working to update some of the materials of the "Stepping Up to Juvenile Court" curriculum and will provide those materials on the list-serve or website when they are available.

## **2. Contact DHS about trainings available to Respondent Parents' Counsel.**

Colorado's Department of Human Services invites Respondent Parents' Counsel to attend all currently offered trainings. Topics relevant to parents' attorneys specifically include child maltreatment, developmental delays, substance abuse issues and others. In sessions that are space-limited, priority is given to caseworkers. Attorneys (and others) can sign up for courses at: [www.cocwtraining.com/](http://www.cocwtraining.com/). Trainings are posted six-months in advance. SCAO will place this link on the RPC Web Page, at [coloradorpc@yahoo.com](mailto:coloradorpc@yahoo.com).

## **3. Contact NITA.**

On April 7<sup>th</sup>, Mark Caldwell, Public Services Program Manager of the National Institute for Trial Advocacy ("NITA") spoke to the Training Group about various training options offered through NITA. NITA is a nationally recognized program that provides experiential learning for the courtroom using the concept of "Tell – Show -- Do." Several of the members of the Task Force currently act as faculty for NITA. Mr. Caldwell invited members of the Task Force to Task Force members visit NITA's Louisville facility to watch the program.

NITA offers a couple of different programs that would be of interest to parents' attorneys. NITA currently provides Persuasive Advocacy in Cases Involving Children, a 4 day program that is normally offered by \$2400. NITA may be able to offer this program to Respondent Parents' Counsel for as little as \$750, \$580 if the attorney is a member of NACC. The attorneys that represent parents in Chicago send 4-5 attorneys to this program every year.

For future and ongoing training efforts, NITA is willing to customize program design, based on the results of the Needs-Assessment. The group discussed regional training opportunities through NITA. Mr. Caldwell recommended against regional trainings for several reasons: 1) you lose the synergy of the group. Only one NITA instructor would be able to present in the regional trainings. 2) In smaller communities, participants may not participate as fully because they are uncomfortable training in front of their peers.

NITA is also able to offer, as a stop-gap measure, a 2 day or 2 ½ day event. The shorter program would entail less repetitions, they would not videotape and they would not do an expert-piece. This would be provided on an experimental basis, with about 25 participants. Members of the Task Force could act as faculty. The shorter program would be provided on a weekend to bring in greater attendance. NITA would be willing to do this as public service, so the only costs would be program materials, mailing costs, CLE administration, and evaluation costs. NITA would evaluate the program for quality of material presented and participants' response to the materials. Such a program may cost about \$100/ person and would fulfill 20 hours CLE out of the 45 hour CLE requirement.

## **4. Contact national organizations such as National Council of Juvenile and Family Court Judges, National Association of Counsel for Children, the ABA Center for Children and the Law to determine what services and resources are available.**

Several national organizations were contacted to determine what services and resources are available. The ABA Center for Children and the Law and the National Association of Counsel for Children provided particularly useful training materials. The ABA Center for Children published a booklet called *Representing Parents in Child Welfare Cases: A Basic Introduction for Attorneys* (2000). This booklet would be ideal for attorneys entering the practice. Although the booklet is not being reprinted, a pdf version is available at: The handbook in a Pdf Version: <http://www.abanet.org/child/rcj/RepresentParents.pdf>. The ABA also provides other useful practice materials, such as the ABA list-serve, referenced above.

The National Association of Counsel for Children may also be considered as a training vehicle in the future. The NACC recently started up a certification program for child welfare attorneys. Board Certification provides formal recognition that a professional is a specialist in a particular area of practice, based on specialization standards, experience, specialized training, peer review, and expertise. Certification encourages the creation of a workforce of highly skilled child welfare attorneys representing parents, children and agencies. The NACC's requirements for certification include:

- ◇ Good Standing
- ◇ Substantial Involvement – 30% / 3 Years
- ◇ Education / CLE – 36 hours / 3 years
- ◇ Peer Review – 5 references including 1 judge
- ◇ Writing Sample – legal analysis / 3 years
- ◇ Disclosure of Conduct – Grievance Record
- ◇ Competence Examination – 4 Hours (2 Essays / 60 Multiple Choice)

There is a cost involved with the certification.

## **NEXT STEPS**

It is expected that the Needs-Assessment completed by the National Center for State Courts, the National Council of Juvenile and Family Court Judges and the National Association of Counsel for Children will be the foundation of the development of training curricula. Once the results of the needs-assessment are in, this project group will consider the development of a long-term curriculum for respondent parents' counsel. The Training Group will assist in the preparation of learning materials, act as faculty, and/or identify community partners to serve in this capacity.

However, continual needs-assessment will need to occur to ensure that ongoing training needs are addressed. The Training Group should consider the RPC list-serve for this purpose.

The Training Group should look to local organizations providing training in this area such as for guardians ad litem, children's legal representatives or for mediators.

Once the results of the needs-assessment are in, this project group will consider the development of curricula for respondent parents' counsel, both short-term and long-term to further add to the existing educational opportunities; assist in the preparation of learning materials; act as faculty, and/or identify community partners to serve in this capacity; arrange for regional trainings.

### C. RESEARCH AND DEFINE STRUCTURAL OUTCOMES

This committee considered the different types of organizations charged with delivery of legal services. The group considered: a small, public advocacy office, public defenders, appointment by local rotation lists, appointment by a central organization, pay by salary, by the hour, by case. Some of the questions that arose were how to utilize support staff (such as investigators and paralegals) and how to handle legal-conflicts.

The Task Force reviewed various models for providing representation to parents. Working from information from the Needs-Assessment, the Structural Outcomes sub-committee will research alternative models as appropriate for Colorado as follows:

- ◇ evaluate what other states are doing to provide counsel for parents;
- ◇ study other oversight models such as through the public defender's office, through a non-profit legal representation office, through legal clinics, or through stand-alone public offices;
- ◇ as appropriate to Colorado, consider those models as applied to Colorado by interviewing local entities (for example: Legal Aid, Public Defenders, University of Colorado School of Law, etc.);
- ◇ consider pilot of Washington model (research Washington model, calculate resources needed for pilot, consider timing of the pilot);
- ◇ Consider Office of Parents' Representation (research contract vs. salary, calculate resources needed, consider staging/timing for implementation).

The project group has constructed an "instrument" or list of questions, to be used during this information gathering phase to ensure greater uniformity in collecting information.

The project group decided to gather information into a chart so that it will be easy to compare and contrast the different models. The project group will present the chart to the entire task force at the next general meeting. Their goal over the next seven months is to gather information, analyze it, and make a recommendation to the entire Task Force.

The project group will not make a final decision of what model or models to recommend until sometime after the needs assessment is completed, tentatively scheduled for October 2006. The project group felt it would be premature to decide on what model or models would be best before looking at the needs statewide.

Should the subcommittee not be able to agree on one model to present to the Task Force, The project group will recommend more than one, perhaps via a panel of subcommittee members discussing the different models and why they are recommending that model in particular.

#### **D. INFORMING JUDICIAL RESPONSE/CASE MANAGEMENT**

The Task Force discussed existing case management protocols, such as Chief Justice Directives 96-08 and 98-02 which provide for best practices in the handling of dependency and neglect cases. The Task Force acknowledged that uniform and consistent application of these case management principles would guarantee due process protections. For example, exchanging court reports during or immediately before a hearing does not conform to CJD 96-08, which encourages the exchange of court reports several days before the hearing.

The Court Improvement Committee is already engaged in the study of districts' case management plans. The Court Improvement Committee also provides training to judicial officers and employees concerning case management in dependency and neglect cases. SCAO's Family Unit provides technical assistance to districts in reviewing existing case management plans statewide. As was suggested at the meeting on October 21<sup>st</sup>, the Court Improvement Committee could consider the drafting of Rules of Juvenile Procedure to further guide processes statewide.

#### **III. Conclusion**

In appointing the Respondent Parents' Counsel Task Force in September 2005, Chief Justice Mary Mullarkey said "the interest of parents in the care, custody, and control of their children is fundamental. Representing the parents faced with severance of the parent-child relationship is difficult work, but the importance of the role is undeniable."

The Task Force agreed that there were a significant number of challenges facing respondent parents' counsel in providing the best representation for parents. However, given the importance of this work, significant efforts need to be made to allow attorneys to function at their highest capacity.

**Exhibit E**  
**Court Improvement Program Roster**

Court Improvement Program Membership Roster  
Current as of 9/1/06

Name	Title	Organization
Karen Ashby	Chief Judge	Denver Juvenile Court
Susan L. Blumberg	Child and Family Program Specialist	Administration for Children and Families, Region 8
Lori Burkey	Director	Colorado CASA
Charles Buss	Retired Judge	Twenty-First Judicial District
Christine Chauche	County Court Judge	Eighteenth Judicial District
Alicia Davis	Family Unit Supervisor	SCAO
Bill DeLisio	Court Improvement Coordinator	SCAO
Sarah Ehrlich	Staff Attorney	OCR
Michelle Gaschler	<a href="#">Child Friendly Coordinator</a>	Seventeenth Judicial District
Evelyn Hernandez-Sullivan	Magistrate	Fourth Judicial District
Peg Long	Executive Director	CAFCA
Robert Lowenbach	District Court Judge	Nineteenth Judicial District
Karen Metzger	Retired Judge	Judicial
Chris Melonakis	District Court Judge	Seventeenth Judicial District
Sabra Millett	Clerk	Denver District Court
Simon Mole	Family Court Facilitator	Seventeenth Judicial District
Karen Mooney	Treatment Field Manager, Coordinator of Women's Treatment	Alcohol and Drug Abuse Division
Babette Norton	Magistrate	First Judicial District
Michael O'Hara	Chief Judge	Fourteenth Judicial District
Tina Olsen	County Court Judge	First Judicial District
Steven Patrick	Chief Judge	Seventh Judicial District
Victor Reyes	District Court Judge	Tenth Judicial District
Steve Schapanski	Magistrate	Eighth Judicial District

Court Improvement Program Membership Roster  
Current as of 9/1/06

Kathy Snell	Manager of Child and Adolescent Programs	Division of Mental Health
Melinda Taylor	District Administrator	Seventeenth Judicial District
Jill Tompkins	Director	American Indian Law Clinic
Ted Trujillo	Director	Division of Child Welfare
Dea Wheeler	Assistant County Attorney	Boulder County Attorneys Office

**MEMBERS TO BE ADDED IN 2006 – 2007**

**Probation Representative(s)**

**County Department of Social Services Director Representative(s)**

**Respondent Parents' Counsel Representative(s)**

**Division of Youth Corrections Representative(s)**

**General Assembly Representative(s)**

**Colorado Counties, Inc. Representative(s)**

**Substance Abuse Provider Representative(s)**

**Southern Ute Tribe Representative(s)**

**Colorado Department of Education Representative(s)**

**Foster Care Graduate Representative(s)**

**Exhibit F**  
**Colorado Respondent Parents' Counsel**  
**Need Assessment Proposal**



**STATE OF COLORADO  
JUDICIAL DEPARTMENT**

**Revised Proposal for the Respondent Parents Counsel  
Taskforce Statewide Needs Assessment  
JUD-RDQ-06-SCAO-107**

**March 10, 2006**

**Submitted By  
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**In partnership with  
National Council of Juvenile and Family Court Judges**



**and  
National Association of Counsel for Children**



**STATE OF COLORADO  
JUDICIAL DEPARTMENT**

**Revised Proposal for the Respondent Parents Counsel  
Taskforce Statewide Needs Assessment  
JUD-RDQ-06-SCAO-107**

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### III. OWNERS OR OPERATORS RECEIVING RETIREMENT BENEFITS

Daniel J. Hall, Vice President, Court Consulting Services of the National Center for State Courts is receiving retirement benefits from Colorado Public Employees Retirement Association. The partner organizations do not have any owners or operators receiving retirement benefits from Colorado Public Employees Retirement Association.

### IV. REFERENCES

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**V. APPROACH TO PROJECT**

The National Center for State Courts submits this revised documented quote to the State of Colorado Judicial Department, through its State Court Administrators Office, in response to its request for consultant services to conduct a Statewide Needs Assessment to identify the impediments to effective representation of families in child neglect and dependency cases. According to the Request for Documented Quotes (RDQ), the proposed study and resulting report and recommendations will be used to inform the work of the Respondent Parents' Counsel (RPC) Task Force as it examines the issues facing respondent parents' counsel and formulates recommendations for the Supreme Court and Legislature. The needs assessment is to focus on service delivery and practice issues and include specific examination of factors such as training, compensation, caseload, and available resources. In addition, current practice is to be compared to nationally recognized standards, guidelines, and recommended models. The National Center understands that the Judicial Department and RPC Task Force are interested in findings and recommendations that are based on valid and reliable qualitative and quantitative information that is representative of the variations in practice that exist statewide, reflects the perceptions and viewpoints of all key stakeholders, and is based on a sound research methodology.

The National Center for State Courts (NCSC) will be the lead organization for the Statewide Needs Assessment, execute any contracts and agreements, serve as the primary point of contact with the Judicial Department and RPC Task Force, and ultimately be responsible for project management, project deliverables, timelines, and budget. In order to enhance its expertise and experience in the areas deemed critical for the project, NCSC will partner with the Permanency Planning for Children Department (PPCD) of the National Council of Juvenile and Family Court Judges (NCJFCJ) and the National Association of Counsel for Children (NACC). NCSC has a history of collaboration with these organizations, including, most recently, a partnership in presenting *Justice For Children: Changing Lives by Changing Systems – A National Leadership Summit on the Protection of Children* with funding from the Pew Charitable Trusts.

NCSC and its partners, NCJFCJ and NACC, bring unique strengths to the proposed project, including:

- Broad knowledge of federal and state child welfare law and policies
- Familiarity with existing and recommended models of practice and standards for child and respondent parents' counsel through research and work with jurisdictions nationwide
- Considerable practical experience working with judges, court personnel, attorneys, agency workers, and service providers who are involved in child welfare cases through training and technical assistance efforts
- Specific experience in providing training and technical assistance to attorneys working in the areas of child welfare, juvenile justice, and family law systems
- A history of conducting applied research in the area, including Court Improvement Program (CIP) assessments and reassessments, studies focused exclusively on the issue of legal representation of parents and children, and efforts to develop and test court performance and workload measures for child welfare cases
- Extensive involvement in the development and promulgation of best practices, guidelines, and policy recommendations for courts and related agencies and organizations involved in child welfare cases
- Specific expertise in the development of guidelines and certification requirements to improve the delivery of legal services to abused and neglected children

The proposed Statewide Needs Assessment is designed to identify the impediments to effective representation of families, including service delivery and existing court and attorney practices through comparison of current practice of Respondent Parents' Counsel to widely accepted best practice models, including:

- The National Council of Juvenile and Family Court Judges' *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases*<sup>1</sup>
- The American Bar Association (ABA) *Representing Parents in Child Welfare Cases: A Basic Introduction for Attorneys*<sup>2</sup>
- *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*<sup>3</sup>; specifically the applicable due process measures addressing legal counsel for parents
- Applicable NACC standards outlined in: *The ABA (NACC Revised) Standards of Practice for Lawyers Who Represent Children in Abuse and Neglect Cases, NACC Recommendations for Representation of Children in Abuse and Neglect Cases, Best Practice Guidelines for Organizational Legal Representation of Children in Abuse, Neglect, and Dependency Cases*<sup>4,5</sup>

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<sup>1</sup> National Council of Juvenile and Family Court Judges, *Resource Guidelines: Improving Court Practice in Child Abuse & Neglect Cases* (Reno, Nev.: National Council of Juvenile and Family Court Judges, 1995.).

<sup>2</sup> American Bar Association Center on Children and the Law, 2000.

<sup>3</sup> ABA Center on Children and the Law, National Center for State Courts, and National Council of Juvenile and Family Court Judges Permanency Planning Department (Spring 2004) *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*.

[http://www.ncsconline.org/WC/Publications/Res\\_CtPerS\\_TCPS\\_PackGde4-04Pub.pdf](http://www.ncsconline.org/WC/Publications/Res_CtPerS_TCPS_PackGde4-04Pub.pdf).

<sup>4</sup> National Association of Counsel for Children, publication pending.

<sup>5</sup> While these standards are focused on attorney representation of children and child welfare agencies, there is tremendous overlap in the standards to parent representation. Specifically, the duty to provide independent and competent legal counsel to parents. This is a fundamental obligation of all counsel and includes the duty to: (1) meet with and advise client; (2) explain options and potential outcomes throughout the litigation; (3) participate actively in trial (e.g., investigate allegations, introduce evidence, call witnesses, file briefs and memoranda); (4) advise client of ultimate outcome; and (5) explain appellate options.

## **1. Court Culture**

Because the proposed examination of Respondent Parent Counsel practice is statewide in focus, it is critical that a significant number of professionals practicing throughout the state are represented in the needs assessment and that project sites selected for inclusion in the assessment are representative of statewide practice.

It is anticipated that three judicial districts will be selected to serve as project sites. To ensure the representativeness of project sites, the racial, economic, educational, and population density of each county within Colorado will be analyzed and compared to their respective state averages in order to identify which judicial districts are most representative of the Colorado population. For example, working from the 2002 Census Data, three judicial districts will be selected from the six potential project sites outlined below. Project sites will represent two urban/suburban and one rural jurisdictions. The final decision as to which districts to study will be determined in collaboration with the RPC Taskforce and submitted as part of the final methodological model (*Project Management Milestone #1*).

The decision with respect to final project site selection will be driven by a need to ensure that the sites selected are representative of the overall state of Colorado, ensuring that any findings, conclusions, and recommendations identified by the researchers will be reliable, valid, and able to detect factors that significantly impact parent representatives. For that reason statistics, such as those listed in Table 1, on the number of dependency/neglect and expedited permanency placement case filings and out-of-home placements will also be reviewed for each potential site. It is anticipated that, on average, a three-day on-site visit will be made to each of the urban sites and a two-day on-site visit will be made to each of the rural sites. Two members of the PPCD project team, two members of the NCSC project team, and one member of NACC will participate in the on-site data collection visits.

### Potential Project Sites: (See Figure 1)

- Fourth Judicial District: The Fourth Judicial District encompasses two counties, El Paso and Teller, which according to the Census Bureau, are highly representative of the overall state population.
- Second Judicial District: The Second Judicial District encompasses the states most populated county, Denver County. It is the most populated county in the state, where minorities are overrepresented. This judicial district was selected to add representation of these minorities to ensure the sample is comparable to the state average. This county was also selected as it represents the most number of children in care. See Table 1.
- Seventeenth Judicial District: Adams County encompasses the entire Seventeenth District. Adams County is very representative of the overall racial composition of the state.
- Sixth Judicial District: The Sixth Judicial District encompasses three counties, Archuleta, La Plata, and San Juan, which when combined, is racially, economically, and educationally very representative of the overall state.
- Nineteenth Judicial District: The Nineteenth Judicial District encompasses one county, Weld, which is somewhat representative of state totals; except for an over-representation of Hispanics.
- Fourteenth Judicial District: The Fourteenth Judicial District is comprised of three rural counties, Grand, Moffat, and Routt, which although predominately white, does have some Hispanic representation.

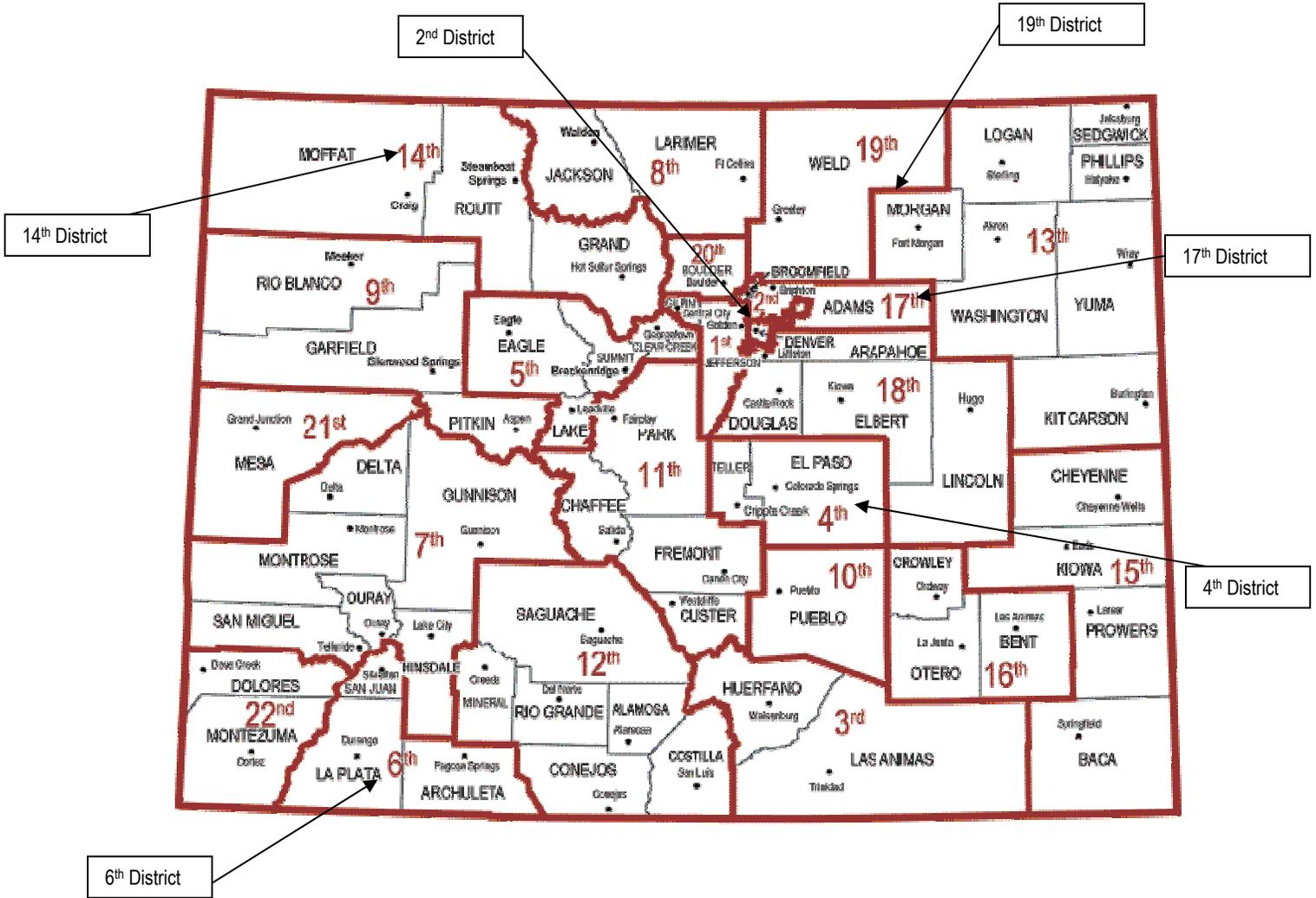
<b>Table 1. Number of Case Filings and Out-of-Home Placement Cases: Fiscal Year 2005</b>				
<b>DISTRICT</b>	<b>COUNTY</b>	<b># OF DEPENDENCY/NEGLECT FILINGS<sup>6</sup></b>	<b># OF EXPEDITED PLACEMENT FILINGS<sup>7</sup></b>	<b># OF OUT-OF- HOME PLACEMENT CASES<sup>8</sup></b>
2	Denver	117	226	2,202
4	El Paso	236	338	1,314
	Teller	25	11	56
6	Archuleta	2	4	16
	La Plata	13	11	76
	San Juan	0	0	0
14	Grand	7	2	22
	Moffat	10	9	47
	Routt	7	0	8
17	Adams	163	336	1,254
	Broomfield	14	4	53
19	Weld	87	122	702

<sup>6</sup> Source: Colorado Judicial Branch Fiscal Year 2005 Annual Statistical Report at <http://www.courts.state.co.us/panda/statrep/ar2005/ar2005toc.htm>.

<sup>7</sup> Source: Colorado Judicial Branch Fiscal Year 2005 Annual Statistical Report at <http://www.courts.state.co.us/panda/statrep/ar2005/ar2005toc.htm>.

<sup>8</sup> Source: Colorado Department of Human Services, Child Welfare Services Mitigation at [http://www.cdhs.state.co.us/cyf/Child\\_Welfare/Mitigation/index.htm](http://www.cdhs.state.co.us/cyf/Child_Welfare/Mitigation/index.htm).

Figure 1. RPC Project: Potential Project Sites



**2. Participants**

A broad range of stakeholders will be tapped to provide data about parents' representation practice and needs. Using survey and interview methodology (see proposed methods section below), the following stakeholder groups (statewide and at the local project site levels) will be included participants in this needs assessment:

- Judicial Officers hearing dependency and neglect cases in each of the project sites (Judges, Magistrates)
- Juvenile Family Court Facilitators
- Judicial Assistants
- Guardians *ad Litem*, Attorneys for Children
- Court Appointed Special Advocates
- Department of Human Services, Child Welfare Services Caseworkers
- County Attorneys
- Respondent Parents' Attorneys
- Respondent Parents

Specific stakeholders for inclusion in the assessment will be identified in consultation with the RPC Taskforce, however stakeholders will be those individuals with sufficient experience with, and knowledge of, child abuse and neglect case processing and the involvement of parents' representatives in that process, to inform the assessment.

### **3. Proposed Methodology**

The Needs Assessment methodology will include a statewide web-based survey of major stakeholders (including: parents' attorneys, prosecuting attorneys, and attorneys for children, judges, referees, commissioners, parents, foster parents, court appointed special advocates, etc.), semi-structured in-person interviews, court hearing observations using a standardized coding process, standardized case file review, and analysis of automated management information system data, if available. This combination of qualitative and quantitative methods will explore previously recognized problems in parents' representation and search for newly developing dilemmas in Colorado's juvenile courts.

While the method and associated instrumentation will be finalized after consultation with the RPC Taskforce and submitted as part of the final methodological model (*Project Management Milestone #1*), the proposed Statewide Needs Assessment employs multiple modes of data collection from a wide range of stakeholders throughout the state, including:

- An online (web-based) survey of system stakeholders
- Semi-structured in-person interviews with system stakeholders in project sites, with special attention to interviews with respondents' counsel in project sites
- Analysis of court records and court orders
- Analysis of management information systems data where available
- Structured observation of child abuse and neglect case hearing practice
- Semi-structured in-person interviews with parents (or a focus group of parents)

More detail about each of these methods is provided in the sections that follow.

#### **3.1 Online Survey of System Stakeholders**

An online (web-based) survey will be designed to elicit responses from a broad range of system stakeholders from throughout the state including representatives from the "participant list" above. The surveys will be designed to measure degree of satisfaction with parents' representation, opinions about need for improvement, and descriptive information about hearing practice and outcomes. Specifically, the survey will be designed to elicit opinions with respect to the following general categories of information: (1) General court performance; (2) Permanency outcomes in dependency cases; (3) Timeliness of appointment of respondent parents' counsel; (4) Quality of parents' representatives advocacy; (5) Best practices and system strengths with respect to parents' representation; (6) Impediments to effective parents' representation; and (7) Recommendations for improvement. Due to the short duration of the project, the online survey will consist of primarily close-ended, forced-choice questions to facilitate coding and analysis.

#### **3.2 Semi-Structured In-Person Interviews with Stakeholders**

In addition to the statewide online survey, semi-structured in-person interviews will be conducted with stakeholders in each of the project sites. Interviews will be designed to elicit information about:

- Attorney roles and responsibilities
- Caseloads (workloads)

- Level and frequency of client contact
- Training needs
- Appointment practices
- Compensation levels
- Challenges or impediments to effective practice
- Recommendations for practice improvements

Interviews will also include questions concerning general perceptions of court performance with respect to child abuse and neglect case processing; identification of innovative programs and initiatives in each jurisdiction; perceptions of the degree of, and effectiveness of, multi-system collaboration; perceptions of success of reform initiatives; identification of strengths and challenges of systems change; identification of areas in need of improvement; and identification of priority areas for reform.

#### ↪ **Interviews with Respondent Parents**

The project team will explore the feasibility of including interviews, either individual or focus group interviews, with respondent parents as part of this needs assessment. Access to parents who have been involved in civil child abuse and neglect litigation, and who can comment about the quality of the representation they received, needs to be negotiated in accordance with provisions for the protection of privacy. A final determination of how this study may include the voice of respondent parents will be included in the methodological model submitted no later than June 1, 2006.

### **3.3 Analysis of Court Records and Court Orders**

Case file reviews will supplement qualitative methods (e.g., survey and interview data) indicating patterns across a large number of cases. Case file reviews can also qualify concerns voiced by major stakeholders in surveys and interviews with reference to system deficiencies, practice standards, level and types of attorney involvement at various stages of the proceedings, caseloads, resource availability, and more.

Court records and court orders will be reviewed and coded to determine the timeliness of appointment of parents' counsel, continuity of counsel, appearance rates at hearings, information about petition allegations and reunification rates. The final sampling strategy will be submitted as part of the methodological model (*Project Management Milestone #1*), but will be based on the total population of closed child abuse and neglect cases in the project sites. Specifically, a random sample of closed cases in each project site will be drawn for inclusion in the file review. Cases drawn for file review not only will be recent enough to reflect current practice but will also have closed in order for an outcome to be determined (i.e., a final permanency disposition).

#### ↪ **Finalizing a Case File Review Instrument**

A standardized case file review instrument will be developed. This instrument will be adapted from prior studies assessing parents' representation conducted by the project partners to accurately capture representation practice in Colorado. The resulting instrument will be pre-tested on a small number of case files and modifications will be made as necessary. Categories of information in the file review instrument will include (but not necessarily be limited to):

Basic Case Demographic Information	Case Flow	Parents' Counsel Information
<ul style="list-style-type: none"><li>• Gender of child</li><li>• Age of child</li><li>• Number of siblings involved</li><li>• Primary allegations</li><li>• Child placement history</li><li>• Previous history with the Department</li><li>• Previous history with the Court</li><li>• ICPC and ICWA, if relevant</li></ul>	<ul style="list-style-type: none"><li>• Date of removal</li><li>• Date of petition filing</li><li>• Dates of each hearing and review</li><li>• Outcome of case (by type of outcome)</li><li>• Date of dismissal</li></ul>	<ul style="list-style-type: none"><li>• Date of appointment of parent's counsel</li><li>• Number of counsel changes per case</li><li>• Number of continuances for absence of parents' attorney</li></ul>

#### ↪ **Coding and Data Analysis Strategies**

The files will be coded onto a case file coding sheet, and then entered into a statistical database (SPSS) for analysis. Frequencies, cross-tabulations, and regressions will be run on variables of interest.

### **3.4 Analysis of Management Information Systems**

Prior to submitting the final methodological plan, the research team will determine whether data relevant to this study can be reliably (and readily) obtained from ICON, the Colorado Judicial Department's automated management information systems. Randomly selected case file reviews/Management Information Systems increase generalizability by providing a larger number of possible cases to be analyzed. Randomly selected cases that have been selected and analyzed based upon the deficiency concerns stated earlier are then compared to the demographics of larger populations within Colorado to guarantee that outcome patterns are consistent or inconsistent throughout the state as a result of gender, race, class, education, population density, geography, etcetera.

### **3.5 Structured Court Observation**

Court hearing observations will provide the research team with an opportunity to assess representation practice; rates of appointment, parent representation, and differing professional practice standards. The project partners' in-depth experience of conducting court observation for research purposes has led to the creation of a standard coding process which will be adapted for use in this study. Observation instruments will be pre-tested on a small sample of cases and any necessary modifications to the instruments will be made. Hearing observation will be conducted by experienced coders with knowledge of child abuse and neglect hearing practice, attorney practice, and general best practice in these cases.

## **4. Areas of Focus**

As discussed in Section 3. Methodology, the project team will ensure that the data collection instruments and strategies and the subsequent analyses address the issues of interest to the RPC Task Force, including training needs, system deficiencies, compensation levels, different representation models, practice standards, caseloads and experience levels of parents' counsel, the level and type of parents' counsel at different stages of proceedings, and the resources available to counsel.

## **5. Evaluation of Data**

Data entry and analysis will be ongoing throughout all phases of the research, including interview transcriptions, transcription of observation field notes, etc. Data will be entered into a SPSS database for analysis. Frequencies, cross-tabulations, and regressions will be run on all variables of interest. All data and findings will be integrated into the final report.

## **6. Judicial Assistance**

It is anticipated that local professionals would assist in drawing the sample of case files for review and provide dockets for child abuse and neglect hearing observations. A list of assistance required from local professionals will include, but is not limited to the following:

1. The arranging of dates and times in which researchers will be allowed to conduct court observation.
2. Generation of names and contact information for important stakeholders within the Colorado Family Court System to participate in structured interviews.
3. Generation of names and contact information for important stakeholders within the Colorado Family Court System to participate in surveys distributed via the internet.
4. Arrange for a transfer of data from ICON, the Colorado Judicial Department MIS case file data to be sent to the research team to be analyzed.

## **7. Project Narrative**

### **7.1 Descriptions of the Partnering Organizations**

#### **National Center for State Courts (NCSC)**

The National Center for State Courts (NCSC) is a non-profit corporation, headquartered in Williamsburg, Virginia, dedicated to the modernization of the nation's courts. NCSC has been providing research, education, information, technology, and direct consulting services to state and local court systems for more than 30 years. NCSC brings a broad range of resources to justice system studies, including an expert staff, a history of work with diverse jurisdictions nationally and internationally, and institutional links to other national court-related organizations. NCSC has performed evaluations and management studies in all areas of court management from small technical assistance projects in one-judge rural courts to comprehensive evaluations of entire state court systems. Currently, NCSC delivers its services and programs through six divisions:

- Institute for Court Management
- Association Services – Government Relations Office
- Court Consulting Services
- Research and Technology Services
- Strategic Development – Knowledge and Information Services
- International Programs

Through original research, consulting services, publications, and national educational programs, the Center serves as a catalyst for implementing standards of fair and expeditious judicial administration and determining and disseminating solutions and best practices to courts that are facing challenges or want to improve their performance. NCSC is recognized, nationally and internationally, for its contribution in promoting justice systems through establishment of measures and benchmarks for court operations and performance.

The National Center for State Courts is uniquely qualified to conduct this statewide needs assessment given its extensive experience in conducting evaluation research, organizational and administrative reviews, and process analysis at all levels of the court system and in all areas of court operations. NCSC has specific experience with court improvement, process improvement, caseload management, and program evaluation in child welfare cases. NCSC is a significant force in advancing the child welfare movement at both the national and state level. Both NCSC's Court Consulting Services and Research Services Divisions have specialized practice areas devoted to juvenile and family law issues. The staff has both substantive and operational knowledge as well as direct court experience with child welfare issues. NCSC has conducted evaluations of pilot programs, reviewed organizational structures, assessed the delivery of services to children, youth, and families, and prepared improvement plans for service delivery.

This project will be under the direction of the Court Consulting Services Division of the National Center for State Courts, which is located in Denver, Colorado. The National Center for State Courts is the lead agency for this three organization partnership and collaboration.

### **National Council of Juvenile and Family Court Judges (NCJFCJ)**

Founded in 1937, the National Council of Juvenile and Family Court Judges (NCJFCJ), located on the campus of the University of Nevada, Reno, is the oldest and largest national judicial membership organization in the United States. The NCJFCJ is dedicated to serving the nation's children and families by improving the courts of juvenile and family jurisdiction. Its overall mission is to improve the justice system through education and applied research and to improve the standards, practices, and effectiveness of the juvenile and family court system. Through its various Departments and special initiatives, the NCJFCJ has a long history of providing meaningful assistance to the judges, court administrators, and related professionals in whose care the concerns of children and their families have been entrusted. Through the provision of technical assistance and the establishment of best practices, policy recommendations, and applied research, the NCJFCJ is successfully facilitating significant systems reform at the local, state, and federal levels in the areas of permanency planning, juvenile justice, family violence, and domestic relations.

For over thirty years, the Permanency Planning for Children Department (PPCD) of the National Council of Juvenile and Family Court Judges (NCJFCJ) has focused its efforts on improving court practice in the handling of child abuse and neglect cases and improving outcomes for the nation's most vulnerable children and their families. Today, PPCD initiatives involve a wide range of activities including training and technical assistance at the local, regional, and national levels; applied research and evaluation; authorship and dissemination of publications; and curriculum and policy development.

The Permanency Planning for Children Department of the NCJFCJ is uniquely qualified to conduct this statewide needs assessment given its extensive experience in establishing best practice standards, providing on-site technical assistance to courts across the country, conducting evaluation research, organizational and administrative reviews, and process analysis at all levels of the court system and in all areas of court operations. PPCD also has prior experience evaluating the effectiveness of counsel in child abuse and neglect cases, including assessments of the effectiveness and needs of respondent parents' counsel. PPCD has considerable experience with court improvement, process improvement, caseload management, and program evaluation in child welfare cases. PPCD is a significant force in advancing the child welfare movement at the local, state, and national levels.

PPCD staff has both substantive and operational knowledge as well as direct court experience with child welfare issues. PPCD staff work with 31 Model Court jurisdictions across the nation, providing ongoing

consultation, technical assistance, and evaluation aimed at improving court practice and improving outcomes for children and families. The PPCD also provides training and technical assistance to almost every state in the nation on a wide variety of issues related to best practices, systems reform, collaboration, and improved outcomes, including training and technical assistance related to parents' representation and best practices. The PPCD has conducted evaluations of programs, court improvement efforts, and systems' change initiatives and provided jurisdictions with meaningful, concrete recommendations.

The NCJFCJ maintains a staff of over 100 individuals representing a wide variety of professional disciplines, including law, corrections and probation, criminal justice, social work, psychology, education, and journalism. In addition to these substantive backgrounds, NCJFCJ staff members have extensive experience in professional education and in juvenile justice and family law. The NCJFCJ has the staff capability, experience, and national prestige necessary to accomplish the goals of this project.

The NCJFCJ undergoes an annual audit, conducted by an independent certified public accountant. The Office of the Comptroller, U.S. Department of Justice, conducts annual audits of grants awarded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and reviews the NCJFCJ's private audit during indirect cost negotiations. The NCJFCJ is a Nevada-based corporation with a tax classification of 501(C)(3).

### **National Association of Counsel for Children (NACC)**

The National Association of Counsel for Children (NACC) is a non profit child advocacy and professional membership association headquartered at the Kempe Children's Center at The Children's Hospital in Denver, CO. The mission of the NACC is to provide high quality legal services to children and families in the child welfare, juvenile justice, and family law systems. NACC members are primarily attorneys and judges but many physicians, social workers, CASAs, therapists, and other advocates make up the NACC's 2200 members throughout the country. Through its programs, the NACC provides training and technical assistance and works to improve the practice of juvenile and family. The NACC also engages in policy advocacy to improve our family service systems.

In 2003, the NACC began the country's first effort to credential attorneys representing children, families, and agencies in child abuse and neglect cases. The program certifies lawyers who demonstrate high proficiency as Child Welfare Law Specialists. It is sponsored by the U.S. Dept. of Health and Human Services (HHS) Children's Bureau and is part of the NACC's and the federal government's goal to improve child welfare by achieving safety, permanence, and well-being for children. The country's first child welfare law specialists will receive their certification credentials in the spring of 2006.

In 2005, the NACC published *Child Welfare Law and Practice: Representing Children, Parents, and State Agencies in Abuse, Neglect, and Dependency Cases*. This publication is quickly becoming the leading resource for child welfare attorneys, regardless of the specific client or interest.

### **7.2 Compliance with the Requirements of the Request for Documented Quotes (RDQ)**

This documented quote complies with all requirements of the RDQ. Each of the eight specific areas required to be addressed in the Statement of Work (RDQ, pages 7 – 8) are included, and the response format conforms in content and sequence to the outline provided (RDQ, page 9).

**Exhibit G**  
**2006 Family Issues Conference Agenda and Abstract**

# 2006 FAMILY ISSUES CONFERENCE

## "Tools for Managing Risk and Safety in Family Court" Session Outlines and Presenter Bios

May 17–19, 2006 Vail Marriott

### **Creating a New Normal**

(Thursday, May 18<sup>th</sup>, 9:00 – 10:30)

**Presenter: Mr. Lou Tice, The Pacific Institute, Inc.**

Chief Justice Mullarkey created the Commission on Families in the Colorado Court in January 2001 to examine the ways in which Colorado courts serve families and to recommend changes that would improve the policies and procedures that affect families involved in the judicial system. Since then, the judicial department and local jurisdictions have made dramatic improvements in case management. Some examples worth noting are districts' attention to timely resolution of family cases, the establishment of the family court facilitator position in each judicial district, the creation of a family issues unit within SCAO, the establishment of the Office of the Child's Representative, expedited child welfare appeals, C.R.C.P. Rule 16.2, and improvements to ICON/Eclipse through the SANCA grant. Despite the tremendous progress achieved in Colorado over the past decade, important work remains ahead.

In this uplifting presentation, Fortune 500 presenter Lou Tice will address the "*Challenge of Change*" for organizations, their leaders, and staff and provide insight on how to meet the challenges change brings to any organization. One of the favorite presenters at the Pew Summit, *A National Leadership Summit on the Protection of Children*, this presentation will challenge attendees to recognize their biases and to consider adapting court practices in a manner that better meets the changing needs of children and families involved in the court process.

**Mr. Tice's presentation is generously sponsored by the Colorado Judicial Institute.**

### **Pew Commission Recommendations & Juvenile Resource Guidelines**

(Thursday, May 18<sup>th</sup>, 10:45 – Noon)

**Presenter: Judge Sharon McCully, Immediate Past President - NCJFCJ, Salt Lake City, Utah**

Dependency and Neglect Case Processing ~ so many requirements, so little time. Victims of child abuse and neglect need timely decision-making and protection from further harm. With crowded dockets and heavy oversight responsibilities, how can a judicial officer make the most of each proceeding?

In response to the premise above, the National Council of Juvenile and Family Court Judges published guidelines to aid courts in understanding and meeting the mandates placed upon them in juvenile cases. The *Resource Guidelines* and the *Adoption and Permanency Guidelines* of the National Council of Juvenile in 1995. In September 2005 the Pew Charitable Trusts along with the National Center for State Courts, Conference of Chief Justices, Conference of State Court Administrators and the National Council of Juvenile and Family Court Judges supported *A National Leadership Summit on the Protection of Children* to encourage improved outcomes for families through judicial leadership. Chief Justice Mary Mullarkey assisted in developing the *Colorado Pew Plan* which built on Colorado's existing improvements in handling juvenile cases in Colorado.

This session will help ensure that courts understand the expectations and mandates for juvenile case management. The recommendations of the Pew Commission on Children in Foster Care (2004), the Resource Guidelines, and the Adoption and Permanency Guidelines of the National Council of Juvenile and Family Court Judges will be highlighted with emphasis on:

- avoiding separation of children and families;
- ensuring “reasonable efforts” are made;
- collaboration with stakeholders;
- timely finalization of permanent alternatives home;
- timely decision making;
- NCJFCJ Delinquency Guidelines (2005)

### ***Establishing Effective Orders in Family Violence Cases***

(Thursday, May 18<sup>th</sup>, 10:45 - Noon)

**Presenters: Honorable Carol Haller and Peter Koelling**

Effective orders are those that protect children and other family members from continued acts of violence. They also respect the rights of all parties and to the extent possible allow parties to meet the rights and responsibilities of parents. This session will cover the elements of effective orders including: jurisdiction, court to court relations, temporary protection orders, permanent protection and other final orders, and the rights and responsibilities of parents. Some effective tools are the use of supervised parenting time and supervised exchange services. The session will cover how to integrate these services and explore resources that are available to make certain these services can be provided in the community.

### ***Best Practices with 16.2 and Mock 16.2 Cases***

(Thursday, May 18<sup>th</sup>, 10:45 – Noon)

**Presenters: Judge Ann Mansfield, 2<sup>nd</sup> JD; Anne Marie Kirchoff, Family Court Facilitator-Domestic, 2<sup>nd</sup> JD; Judge Dennis Friedrich, 7<sup>th</sup> JD; Judge Fran Wasserman, 17<sup>th</sup> JD**

With one year of experience with Rule 16.2, judicial officers statewide are developing creative ways to manage their cases efficiently and effectively. From making the best use of teleconferences, to tag-teaming with your court facilitator, from big cities to smaller communities, this session will address the application of 16.2 and highlight effective practices that are being utilized statewide. Presenters will demonstrate efficient and effective strategies in the application of 16.2 that can be replicated in other jurisdictions.

### ***Building and Planning a Problem Solving Court*** (Thursday, May 18<sup>th</sup>, 1:00 - 2:15)

**Presenters: Judge Sharon P. McCully, Immediate Past President, National Council of Juvenile and Family Court Judges (NCJFCJ) Salt Lake City, Utah; Shirley Dobbin, PhD, National Council of Juvenile and Family Court Judges (NCJFCJ) Reno, Nevada**

You have likely learned of successful court programs such as drug, mental health, treatment and restorative justice courts. You may have set a goal to start an effective program in your jurisdiction but don't know where to start or how to take the next step. If this sounds like you, then this workshop can certainly provide you the practical tools to reach your goal.

This session will address the important components of research, planning, implementation, outcome measurement and oversight of specialty courts and specialty dockets. Judge Sharon McCully will share outcomes she achieved with her successful and cost-effective, “Therapeutic Justice Court.” Dr. Shirley Dobbin, Permanency Planning for Children Department of NCJFCJ, will share practical start-up tips to implement these courts.

### ***Partner Violence in Contested Parenting Cases***

(Thursday, May 18<sup>th</sup>, 1:00 - 2:15)

**Presenter: William G. Austin, PhD., Steamboat Springs, CO**

The issue of partner violence arises frequently in contested domestic relations cases. If you handle contested domestic relations cases where partner violence is alleged, you likely face difficult decisions when crafting parenting plans contemplating questions such as:

- What to do when there are allegations of past partner violence, but there is no criminal conviction?
- How should the factor be translated into a parenting plan when it has been documented?
- Should the severity of the partner violence subtype be considered?
- What if it was minor in severity and children were not involved?
- Is it a minor incident that precipitated the marital separation and pending divorce?
- How should domestic violence be handled in pre and post-decree cases?
- What is the relevance of partner violence in post-decree relocation cases when there is a stable parenting plan in place?
- What if it is a severe subtype and the parent wants to relocate with the child at the time of dissolution?

This session will focus on a risk assessment model of partner violence to be used as a framework for translating the questions listed above and applying the answers when crafting parenting plans and entering orders. The rebuttable presumption against having shared decision making when there has been spousal abuse will also be discussed.

### ***Model Courts: Learning From Your Neighbor***

(Thursday, May 18<sup>th</sup>, 2:30 – 3:45)

**Presenters: Judge Karen Ashby, 2<sup>nd</sup> JD; Judge Theresa Cisneros, 4<sup>th</sup> JD; Judge Chris Melonakis, 17<sup>th</sup> JD; Judge Tom Kennedy, 4<sup>th</sup> JD; Jim Hustad, Family Court Facilitator, 4<sup>th</sup> JD; Jennifer Mendoza, Family Court Facilitator, 17<sup>th</sup> JD**

In 2005, the Colorado Court Improvement Committee selected three judicial districts (Denver Juvenile, Adams County and El Paso County) as National Council of Juvenile and Family Court Judges (NCJFCJ) “Model Courts.” National Council Model Courts serve as both advocates and models for change in child protection cases. Drawing upon the best practice principles of the Resource Guidelines and Adoption and Permanency Guidelines, these model courts are assessing child abuse and neglect case processing, focusing on barriers to timely permanency, developing and instituting plans for court improvement, and working collaboratively to effect systems change. Model courts serve as national “laboratories” for meaningful change in how child abuse and neglect cases are processed through the court and through the child protection system. Moreover, lead judges and model court team members develop expertise in a wide variety of areas related to improved court practice and systems change efforts.

This session will cover the goals adopted by Colorado’s three model courts and detail the successful and innovative programs and protocols that have been implemented.

### ***Impact of Violence on Children***

(Thursday, May 18<sup>th</sup>, 2:30 – 3:45)

**Presenter: Justice Janice M. Rosa, Supreme Court, 8<sup>th</sup> JD-New York, and National Council of Juvenile and Family Court Judges (NCJFCJ), Buffalo, New York**

It is common in family violence cases for treatment to be ordered for the adult perpetrator and adult victim. However, do you routinely order child evaluations to determine the impact

of family violence on their emotional health at the beginning of case? Do you order treatment and therapy for children who have been witnesses and often victims of family violence?

This session will highlight recent research and findings on domestic violence with particular focus on the child victims and strategies of how the courts can better manage the needs of the children before they begin acting out violently. Additionally, the Integrated Domestic Violence Court Model will be discussed and the benefits of having one judge preside over criminal, domestic relations, parenting time, support and dependency.

### ***Co-occurring Disorders: Substance Abuse and Mental Health***

(Thursday, May 18<sup>th</sup>, 2:30 – 3:45)

**Presenter: M. Jean Armour, LPC, BSN, CAC III, Arvada, Colorado**

Sometimes it may feel like every family law case involves issues concerning either substance abuse or mental health. In many instances, the court encounters individuals with co-occurring disorders.

This session will provide attendees with the latest evidence-based research on how to most effectively identify and manage the population of court clients with co-occurring disorders. The research will provide the tools to develop effective protocols and strategies to counter delays in the delivery of mental health and substance abuse services.

### ***Parenting Time in Dependency and Neglect Cases: The Naughty Mistakes We Make***

(Thursday, May 18<sup>th</sup>, 4:00 – 5:15)

**Presenter: Julia Roguski, Savio House, Colorado Springs, Colorado**

When parental abuse and neglect results in the filing of a dependency and neglect case, it may be due to flaws in parental skills. The parental missteps are sometimes compounded by the failure of the system to properly manage and protect children who become wards of the court.

This session will address parenting time in dependency and neglect cases and the mistakes that are made in crafting parenting plans. Attendees will learn mandated assessment tools that departments of social services utilize when making removal decisions, crafting parenting plans and deciding to return children home.

### ***Hot Topics in Child Support***

(Thursday, May 18<sup>th</sup>, 4:00 – 5:15)

**Presenters: Maureen Leif, Child Support Enforcement Family Coordinator, CO Judicial Branch; Robert Lung, District Court Magistrate, 18<sup>th</sup> JD**

This interactive session focuses on what has changed in child support and what is on the horizon. An update will be given on new legislation and case law, including the impact of the recent Federal Budget Reconciliation Act on local child support agencies and the potential impact on the courts. This session will also provide a brief overview of the federal demonstration grants that are taking place in Colorado and how these grants may impact the way we conduct business. We will look at new and innovative ways courts are handling child support nationwide. Join the discussion about hot topics in child support and problem arrears, such as imputation of income, extrapolation from the guidelines and others.

### ***LGBT Issues - Sexual Orientation and the Courts***

(Thursday, May 18<sup>th</sup>, 4:00 – 5:15)

**Presenters: Todd Browsers, Professor of Constitutional Law-Western State University College of Law, CA; R. Bradley Sears-Executive Director, The Williams Institute, Gina B. Weitzenkorn, CO Women's Bar Association's Representative to the CO Bar Assoc. Board of Governors, Colorado Supreme Court Standing Committee on**

## Family Issues.

The legal system in Colorado increasingly confronts sexual orientation issues-including parental rights, the impact of out of state same-sex marriages and civil unions and other family law topics. This panel will present an overview of the national legal cases and trends as well as how these issues specifically affect Colorado courts now and in the future. The speakers will discuss the most recent demographic studies showing the characteristics of lesbian, gay, bisexual and transgender families nationally and in Colorado to identify the potential for LGBT issues to appear in divorce, parenting and custody matters before courts throughout the state. Speakers will include national experts in sexual orientation law and research, professors and practitioners in Colorado.

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### The Williams Institute Mission Statement

The Charles R. Williams Institute on Sexual Orientation Law is a national think tank dedicated to the field of sexual orientation law and public policy. It advances law and public policy through rigorous, independent research and scholarship. Drawing on the intellectual and material resources of UCLA, one of the world's leading research universities, The Williams Institute provides a national center for the interdisciplinary exploration of the issues central to sexual orientation law by scholars, judges, practitioners, advocates, and students. The Institute assists scholars in generating new ideas, and producing published legal scholarship and policy analysis. It also works to disseminate research and scholarship to law and policy-makers, the media, and the public through regular conferences, meetings, and published materials.

For more information, please see <http://www.law.ucla.edu/users/williamsinstitute/home.html>

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### **Gallery Walk Featuring Model Courts, Statewide Best Practices and SANCA Demonstration**

(Thursday, May 18<sup>th</sup>, 5:30-6:30 Reception)

The gallery walk provides conference participants an opportunity to network and visit with old friends and colleagues. Additionally, resource tables will be set up for each judicial district with materials outlining promising practices and innovative programs. **Bring any materials from your district that highlights promising practices to share with your colleagues.**

SANCA will have a demonstration highlighting the new features in ICON/Eclipse specific to juvenile cases and data exchanges with CDHS. See the Centralized Information Screen (CIS) which displays multiple cases, placement information and much more on one easy to use screen. Judicial Officers and Family Court Facilitators you will want to preview this technology.

### **Family & Juvenile Case Management: Ensuring Meaningful Events**

(Friday, May 19<sup>th</sup>, 8:30 – 10:30)

**Presenter: Douglas Somerlot, Judicial Management Institute, Yorkville, IL**

The goal of case management is to create an environment that assures that justice is achieved in a fair, timely and effective manner. Case management is the foundation of what every court does. Without effective case management courts are not capable of achieving their fundamental purposes in dispute resolution.

This session is designed to teach judicial officers and family court facilitators the definition of a meaningful event and how to use the meaningful event as an analytical tool. After attending this session you will have the basic skills and knowledge to improve the case management in your court and the ability to develop or update improvement plans.

### **Assessing the Impact of Multiple Placements on Children**

(Friday, May 19<sup>th</sup>, 10:45 - Noon)

**Presenter: Terri James-Banks, MSW, LCSW, Kempe Community Caring, Denver**

Dependency and neglect cases involve focus and effort on rehabilitating respondent parents. During this process, children may unintentionally be harmed and may experience high levels of stress, anxiety and depression.

This session will address the impact of multiple moves on permanency for children, post traumatic stress disorder experienced by children, and developmental stages in relation to age-appropriate behavior. The presentation will educate judges on how to determine what is in the best interest of a child and what behavior can be labeled “normal” and what should raise concerns.

### **Parenting Evaluation for the Relocation Cases in Light of the New Case Law**

(Friday, May 19<sup>th</sup>, 10:45 – Noon)

**Presenter: William G. Austin, Ph.D., Steamboat Springs, CO**

Relocation cases are always complex and delicate in nature. They present evaluators and courts with psychological quagmires in need of resolution. The new case law, *In re Marriage of Spahmer* and *In re Marriage of Ciesluk*, present new challenges and require a new approach to data gathering and analysis formation.

This session will present the risk assessment tool and integrated model for evaluating relocation cases and the application of a protocol for evaluating and analyzing pre and post-decree cases.

### **Strengthening Abuse & Neglect Courts of America (SANCA): Enhancing ICON/Eclipse for Dependency and Neglect Cases**

(Friday, May 19<sup>th</sup>, 10:45 - Noon)

**Presenters: Diana Coffey, SCAO, Family Unit; Magistrate Carolyn Mclean, 20<sup>th</sup> JD; Debbie Crosser, Clerk of Court, 20<sup>th</sup> JD**

In the middle of a D&N hearing, one of the attorneys mentions a concurrent criminal case or a protective order proceeding. . . or the attorney for the parents wants you to order a specific form of treatment, but social services says you've already been down that path. You'd like more information about the parties' history before the court. You could spend hours pulling paper files... or you could use SANCA. Come see the Centralized Information Screen (CIS) developed through the SANCA project which displays multiple cases, placement information and much more on one easy to use screen in ICON/Eclipse. Judicial Officers and Family Court Facilitators must preview this technology which will be arriving in local courts this Fall 2006.

The session will provide background on the SANCA project and highlight the new features in ICON/Eclipse system specific to juvenile cases and data exchanges with the Colorado Department of Human Services. Tips on training staff and successfully utilizing the new features in ICON/Eclipse will be addressed.

### **Legislative and Case Law Update**

(May 18<sup>th</sup>, Noon – 1:30)

**Presenter: Professor Clare Huntington, Juvenile Law Clinic, Colorado University School of Law, Boulder, CO**

A plenary session highlighting the latest family case law and legislative updates from the 2006 legislative session.

### ***Residential Treatment Center (RTC) Redesign***

(Friday, May 19<sup>th</sup>, 1:30 – 3:30)

**Presenter: Judy Rodriguez, Colorado Department of Human Services**

Have you heard about the RTC redesign? Have you wondered how this change will affect your caseload and the children currently placed in RTC's?

In this session representatives from CDHS will field questions from judges, magistrates and family court facilitators on what to expect when the changes to the RTC system go into effect.

### ***Ethics in Family Law***

(Friday, May 19<sup>th</sup>, 1:30 – 3:30)

**Presenters: Honorable Rebecca Love Kourlis, Judge Kathy Delgado, 17<sup>th</sup> JD, Pam Gagel, Director of the Institute for the Advancement of the American Legal System, University of Denver; Dave Johnson, Esq., Kane Donley & Johnson**

In 2005, 20% of the complaints filed in the Supreme Court Office of Attorney Regulation involved domestic relations attorneys. As the judge, you're charged with overseeing their practice. In the context of 16.2 and the sharing of information, you have ethics concerns of your own.

This session will involve the following:

- The Judge's role under 16.2: traditional neutral arbiter vs. involved judging
- Ex parte communications from DR professionals or pro se parties.
- Attorney disclosure issues – duty to report D&N
- Common RPC violations, fee issues, failure to pay child support

# LOU TICE

## Keynote Speaker

**Family Issues Conference  
Thursday, May 18, 9:00-10:30 a.m.**

He may have started out as a high school teacher and football coach, but a belief in “no limits” has led Lou Tice to become one of the most highly respected educators in the world today. His singular style of teaching – taking the complex concepts and current research results from the fields of cognitive psychology and social learning theory, and making them easy to understand and even easier to use – has brought him students from all over the globe.

Lou Tice believes that excellence is a process – an achievable, continuous process that inevitably results when we learn to control how we think, what we expect and what we believe. International business, political and military leaders consult with him on how to do more with less and bring out the best in those with whom they work. Top athletes come to him for help with mastering the psychological aspects of peak performance. He works with educators on strategies that motivate both staff and students to set and achieve meaningful goals.

Lou’s experience in working with Fortune 1000 companies spans over 35 years. When working with organizations, Lou translates his message into practical applications that impact corporate culture and group performance. He is a much sought after speaker because of his practical approach and commitment to high performance.

Lou’s ability as a consummate teacher and mentor has brought him to some of the world’s hot spots: to the leaders of Northern Ireland, where he has worked since the mid-80’s; to Guatemala, where he has worked since the signing of the Peace Accords in 1995; and to South Africa, from before the end of the era of apartheid to this very day. In 2004, he brought his considerable talents to bear in an on-going partnership with University of Southern California head football coach, Pete Carroll, to make a positive difference in South Los Angeles.

Born and raised in Seattle, Washington where he and Diane, his wife, still make their home, Lou received his bachelor’s degree from Seattle University. He went on to earn an MA in Education from the University of Washington, with a major focus in the mental health sciences. Lou is the inter-nationally recognized author of the popular books, *Smart Talk for Achieving Your Potential* and *Personal Coaching for Results*. He is co-author of *Leadership is a Performance Art* with USC Head Football Coach Pete Carroll.

In the final analysis, Lou Tice is a masterful business leader, teacher and educator, who is remarkably successful at empowering individuals to achieve their full potential.

***“Change the way you think and you change the way you run your life.”***

---

1709 Harbor Avenue SW • Seattle, Washington 98126-2049  
206.628.4800 • 800.426.3660 • Fax 206.587.6007  
[www.thepaci.cinstitute.com](http://www.thepaci.cinstitute.com)

**Exhibit H**  
**2006 Colorado Court Improvement Program Report**

# SUPREME COURT OF COLORADO

STATE JUDICIAL BUILDING  
2 EAST 14TH AVENUE  
DENVER, COLORADO 80203-2116

MARY J. MULLARKEY  
CHIEF JUSTICE

(303) 837-3771

June 30, 2006

Dr. Susan Blumberg  
Children and Families Program Specialist  
Administration for Children and Families  
1961 Stout Street, Office 926  
Denver, Colorado 80294-3538

RE: 2005-2006 Program Year Report

Dear Dr. Blumberg:

## **I. Introduction**

Pursuant to ACF ACYF-CB-PI-03-04, Colorado's Court Improvement (Program) Committee ("CIC") hereby submits its annual Program Report to the ACF Regional Administrator as well as to the National Child Welfare Resource Center on Legal and Judicial Issues. The report addresses the outcomes of court improvement activities and how they help provide for the safety, well-being, and permanence of children in foster care. CIC's Strategic Plan is attached to this document and includes a description of targeted efforts with strategies and timelines (Appendix 1, CIC Strategic Plan.) The following areas are also covered in this report as required by the program instruction:

1. Request for FFY 2006 funding for program years 2006-2008;
2. Report on progress in relation to Colorado's re-assessment and activities supported by CIC during current program period;
3. Plan for Court Improvement Program for program year 2006-2007.

## **II. Request for FFY 2006 funding for program years 2006-2008**

This report serves as the official letter and request from the Colorado Supreme Court for Fiscal Year 2006 Court Improvement Program funds in the amount of \$219,124. The Supreme Court ensures utilization of funds in accordance with ACF ACYF-CB-PI-03-04.

The Colorado Supreme Court also plans to submit separate applications for the two new CIP grants (Data Collection and Analysis Grants \$174,349; Training Grants \$174,349) due August 1, 2006 in accordance with application requirements set forth in ACF ACYF-CB-PI-06-05 and the Budget Reduction Act of 2005.

### **III. Colorado's overall progress in relation to its re-assessment and description of activities undertaken during the program period to implement improvements to the courts**

#### **A. Progress in Relation to 2002 Re-Assessment**

Colorado performed its initial assessment in 1996, and a reassessment in 2002. It is encouraging to note the strides made from 1996-2002 and continuing on to the present. The major study areas of the assessment were: timeliness of events and case management, respect for juvenile law, training opportunities and party representation. Evaluating progress made towards the Reassessment, CIC identified areas that continued to present themselves for improvement through a statewide need assessment performed in 2005, which established the priority areas and programs described herein.

#### **B. Description of Activities in program year 2005-2006**

All activities overseen by the CIC and described below were consistent with the goals set forth in the CIC strategic plan and ACYF-CB-PI-03-04.

##### **1. Improving the amount and quality of legal representation for children, parents and agencies**

###### **a. Court Improvement Committee**

The Colorado CIC reorganized its membership and added several community partners who share responsibility with the Colorado Judicial Department for providing care and protection of children removed from their homes (Appendix 2, Chief Justice Order Authorizing CIC and Charge.)

###### **b. Respondent Parents' Counsel Task Force**

With the support of the Court Improvement Project, a Respondent Parents' Counsel Task Force was convened in October 2005 to 1) study current issues facing Respondent Parents' Counsel, locally and nationally, 2) to develop and present training and 3) interact with community partners (Appendix 3, Action Plan and Task Force Membership Roster.)

At the kick off meeting the ABA Center on Children and the Law presented information on attorney standards, training issues and alternative oversight models. Speakers included Joanne

Moore, the Director of Washington State's highly successful parents' defense programs and Mimi Laver, Training Director, ABA Center on Children and the Law.

In April 2006 the RPC Task Force agreed to contract with the National Center for State Courts, National Council of Juvenile and Family Court Judges, and the National Association of Counsel for Children to perform a statewide evaluation of respondent parents' counsel practice. The final report is expected to be complete in October 2006 and presented to the Colorado Supreme Court and General Assembly in time for the 2007 legislative session (Appendix 4, Statewide RPC Needs Assessment Methodological Model Colorado Supreme Court.)

**c. Office of the Child's Representative**

The CIC provided funds to the Office of the Child's Representative to produce CLE-approved training videos as part of a CD-Rom project. The informative training videos are narrowly focused on issues related to representing children in child welfare and delinquency matters. The videos provide a core curriculum which includes the following topics: Anatomy of a Dependency and Neglect Case, Delinquency Basics, Home Visits and the GAL Investigation, Child and Adolescent Development, Diagnosing Child Abuse, Unintended Harms of the Child Welfare System, Domestic Violence, Substance Abuse, and Mental Illness. Finished products will be replicated and distributed to the over 300 attorneys in the state with whom OCR contracts. Plans to make the CDs available to new judges and court facilitators throughout the state are also underway.

**d. Colorado Court Appointed Special Advocate (CASA)**

The Colorado CIC supported the development of CASA programs throughout the state by awarding a mini-grant to Colorado CASA. CASA programs are effective in that they provide, among many things, an impartial viewpoint on troublesome cases. CASA involvement in a case helps to contribute to overall improvements in safety, permanency and well-being. Resources have been devoted to Colorado CASA in order to help set up new programs, such as in Montrose, Cortez, and all seven counties within the 13<sup>th</sup> Judicial District. It is anticipated that CIC will again contribute to Colorado CASA to help them develop programs in every jurisdiction around the state.

**e. University of Colorado School of Law Juvenile Law Clinic**

With the support of CIC funds, the University of Colorado Juvenile Law Clinic opened in August 2005. The clinic was fully subscribed within five minutes of opening for registration, with a long waiting list. Currently, the clinic is representing approximately 45 children and youth as guardians *ad litem* in dependency and neglect cases and delinquency cases. The Clinic also represents two school districts in truancy cases in Adams County.

The goals of the student attorneys working at the clinic during the 2006 school year has been to learn the substantive federal and state law impacting their clients, develop strong attorney client

relationships, and explore community services. Student attorneys have completed over 42 hours of classroom instruction and have attended trainings in the community such as North Metro task force methamphetamine training, and training on attachment and the effects of abuse and neglect at the Kempe Center. The student attorneys have visited with their child clients at least once a month, and alternate between seeing them in their placement and school or daycare. Additionally, student attorneys are required to visit the respondent parents in their homes when appropriate and must observe family visits at least once during a semester.

All of the cases assigned to the clinic are in compliance with the principles of expedited permanency planning statutes. As early as three months into the case, student attorneys are advocating for identifying permanent homes and reunifying siblings when appropriate. The treatment plans have been specific and extensive, and student attorneys have had great success working with the Department to develop treatment plans. The challenges remain in identifying services and obtaining them in a timely fashion, especially when the vast majority of the clients are placed outside of Broomfield County.

Lastly, mock child welfare trials between University of Denver College of Law and the Rocky Mountain Children's Law Clinic were conducted in April 2006. The event involved a partnership among the Colorado Supreme Court, Colorado State Court Administrators Office, Office of the Child's Representative, and the Seventeenth Judicial District (Appendix 5, Press Release.)

## **2. Assisting courts in effectively managing caseloads**

*The 1996 assessment focused on improving **timeliness of events**. As reported by the 2002 Reassessment and the 2003 EPP Report to the Legislature, the most recent data shows that the significant majority of children are achieving permanency within one year of removal or within a few months thereafter. Further, local and statewide data demonstrates improved timeliness in all events within a dependency and neglect case. The 2002 reassessment dealt with the importance of ensuring that each district has a protocol for implementing state and federal timelines for children in dependency and neglect cases. While every judicial district now maintains such a plan, the CIC is vitally interested in ensuring that these plans are living documents that enhance and change court culture. Doing so will not only ensure continued improvement in the timeliness of events, it is also expected to improve the quality of court events.*

### **a. District Plans for Handling Dependency and Neglect Cases**

CIC has made funds available for evaluating the efficacy of CJD 98-02 and Memorandum of Procedures in implementing case management and achieving court reform in the dependency and neglect process. Collection of District Plans for Handling Dependency and Neglect Cases which are mandatory per CJD 98-02 are being collected from all of Colorado's Twenty-Two Judicial Districts. These plans are being posted on the Court Improvement Website: <http://www.courts.state.co.us/supct/committees/courtimprovementdocs/districtplan/index.htm>. Efforts to aid judicial districts in updating and implementing plans are being conducted by the Family Issues Unit.

**b. Expedited Child Welfare Appeals**

Court Improvement participated in Project UPLIFT with the Colorado Department of Human Services which focused on reducing appellate delays. Real-time and digital recording technology was purchased for courtrooms performing termination trials. In addition, funds were used to support the development of draft rules to improve the appellate process, i.e., shortening the time lines and providing new forms. In January 2005 the Supreme Court unanimously approved the Colorado Appellate Rule (C.A.R) 3.4, effective March 1, 2005. In February 2006 training was provided by members of the CIC to the Colorado Court Appeals.

Preliminary outcome data results due to the adoption of Colorado Adoption Rule (C.A.R.) 3.4 are as follows:

D&N appeals filed in the period from Jan. 1, 2004 through Dec. 31, 2005:

The total median days from filing the Notice of Appeal to Opinion Announcement was 236 days. There were 109 opinions in D & N appeals that calculated into this figure.

D&N appeals filed in the period from Mar. 1, 2005 through Dec. 31, 2005:

The total median days from filing the Notice of Appeal to Opinion Announcement was 113 days. There were 68 opinions in D & N appeals that calculated into this figure.

These figures represent a decrease of 123 days, or 52%, in the total median time frame from Notice of Appeal to Opinion in D & N appeals. This is primarily attributable to the implementation of C.A.R. 3.4.

**3. Improving the availability and coordination of services for children**

*Colorado is engaged in several efforts to draw community stakeholders together to improve outcomes for families.*

**a. Court Improvement Committee**

The Colorado CIC reorganized its membership and added several community partners who share responsibility with the Colorado Judicial Department for providing care and protection of children removed from their homes (Appendix 2, Chief Justice Order Authorizing CIC and Charge).

**b. Colorado Pew Plan**

The Pew Commission Report on Children in Foster Care encourages systems to work collaboratively with stakeholders to improve the availability of services. The Colorado Pew Plan was adopted in October 2005. (Appendix 6, Colorado Pew Plan.)

**c. Model Court Project**

Colorado has three sites participating in the National Council of Juvenile and Family Court Judges' Model Courts Program. Three sites were selected across the state, to be funded by Court Improvement: a rural (4<sup>th</sup> District: Teller and El Paso counties); mid-sized (17<sup>th</sup> District: Adams County) and urban (2<sup>nd</sup> District: Denver Juvenile Court). These three sites are representative of other similarly situated jurisdictions across the state and are generating information and innovative processes for replication across the state (Appendix 7, Model Court Program Reports and Goals.) Model Court teams presented at the statewide Family Issues Conference in May 2006 and in June 2006 Model Court Teams presented at the statewide Child Welfare Conference.

**d. Child Welfare Collaborative (CWC), Nineteenth Judicial District**

The CIC provided partial funding for a collaborative project in Colorado's Nineteenth Judicial District in Weld County. Nineteen stakeholders have joined the Child Welfare Collaborative, including judicial officers; attorneys (County Attorney, GAL, RPC); Department of Social Services personnel; drug treatment and evaluation providers; mental health providers; CASA; child abuse education providers; domestic violence providers; consumers and community members. In addition, the collaborative secured the services of an intern with the University of Northern Colorado to assist in the collaborative process. Through collaborative meetings funded with the CIC grant, significant progress has been made in breaking down barriers to communication and collaboration in child welfare cases within the 19<sup>th</sup> Judicial District.

Throughout 2006 -2007 the Child Welfare Collaborative met on a monthly basis and actively planned strategies to improve the child welfare system for children and families. The collaborative conducted a retreat in March 2006 which was facilitated by the Family Issues Unit Supervisor and Court Improvement Coordinator. At this meeting the CWC developed a mission statement, goal statement and identified several program goals and priorities.

Due to a large percentage of cases that involved the use of illicit drugs, specifically methamphetamine, one specific goal identified by the collaborative was the creation of a Family Drug Treatment Court (FDTC) modeled after the Santa Clara County, California FDTC. In furtherance of goals and through CIP Funds, members of the collaborative visited the 17<sup>th</sup> Judicial District in Colorado to observe the Integrated Family Drug Court and the Santa Clara County, California Integrated Family Drug Court April 3-5, 2006. Members of the collaborative also attended and the Integrated Family Drug Court Training held in Boulder County in May 2006.

**e. Denver Juvenile Court**

The CIC provided funds to the Denver Juvenile Court for language interpreters in Dependency and Neglect mediations beginning in August 2005. Funds provided interpreters for non-English speaking clients in eight mediations that otherwise would not have been possible. This

utilization of mediation helped the court avoid contested hearings and more efficiently manage the cases.

**e. Truancy Pilot 20<sup>th</sup> Judicial District**

The CIC provided funds to the Boulder County Truancy project which is in its second year of providing enhanced services to the truant youth in the Boulder Valley School District. The primary goals of the project are to:

- Improve the quality of truancy services to the youth of Boulder County
- Help reduce Court caseloads
- Improve the Courts ability to effectively manage growing truancy dockets
- Reduce the numbers of truant students that come before the court
- Reduce recidivism

During 2005 – 2006 the project consisted of mediation and an attendance tracking program for students who were truant or exhibited signs of having truant problems. Mediators conducted approximately 40 mediations which resulted in children being placed on the attendance tracking program.

To further prevention, the juvenile magistrate handling the truancy docket in Boulder County and project attendance trackers actively visit local schools discussing truancy with students. Project staff has also conducted meetings with school administrators on the benefits of the truancy project and explained the types of resources available through the collaborative efforts with social services, mental health and other agencies.

**D. Improving judicial competence and skills**

In furthering the objectives of Colorado's Program Improvement Plan, Colorado CIP continues to focus on training. The areas identified in the PIP included visitation and best practices in processing dependency and neglect cases. In addition to the training events listed below, judicial officers and family court facilitators are frequently offered opportunities to attend national trainings to increase their knowledge of juvenile and family issues. Such exposure to training allows judges, court staff, and others to keep abreast of the most current trends in juvenile and family law.

**1. Family Issues Conference**

CIC sponsored the annual Family Issues Conference in the spring of 2006. The conference was a collaborative effort between Judicial and the Office of the Child's Representative. Topics presented included Visitation, Best Practices for Dependency Courts, Problem Solving Courts, Model Courts, SANCA, Violence and its Impact on Children, Residential Treatment Center Redesign, Substance Abuse, and a Juvenile Law update specific to Colorado law and policy changes. Conference evaluations consistently rated in the "excellent" or "good" category and

many participants commented that the training would assist them in decision-making. (Appendix 8, Conference Abstracts.)

## **2. Minority Overrepresentation Training**

The CIC sponsored through the National Council of Juvenile and Family Court Judges (NCJFCJ) Model Courts Project, Statewide Multidisciplinary Cultural Competency training to address some of the issues surrounding minority over-representation in the child welfare system which will be held in September or October 2006 (Agenda being developed.)

## **3. Child Welfare Confidentiality Training**

In March 2006, 4<sup>th</sup> District Model Court Project sponsored a statewide multidisciplinary Confidentiality Training along with CIC and the National Council of Juvenile and Family Court Judges. The training addressed some of the issues surrounding the exchange of information in the child welfare system. The one day training was attended by approximately 150 participants from agencies from around the state.

## **4. Colorado Assessment Continuum (CAC) Training**

The CIC coordinated a statewide training in partnership with the Colorado Department of Human Services Child Welfare Division. The training was attended by nearly eighty judicial, legal and child welfare professionals involved in handling child welfare cases. The training focused on the Colorado Assessment Continuum (CAC.) The CAC is a series of mandatory assessment tools used to measure the safety and risk present in a family. The tools provide professionals with an objective tool to inform out of home placement decisions and also measures change over time helping to inform decisions related to returning children home. (Appendix 9, Training Agenda)

## **5. Integrated Family Drug Court Training**

The CIC sponsored two statewide multi-disciplinary Integrated Family Drug Court Trainings led by the National Drug Court Institute in May 2006. The trainings were multi-disciplinary and designed to aid local jurisdictions in researching, planning and implementing drug courts for child welfare families struggling with addiction. The trainings were held in the Twelfth Judicial District in Alamosa, Colorado and the Twentieth Judicial District Boulder, Colorado. (Appendix 9, Alamosa Training Agenda.)

### **E. Developing automated information systems to track cases and measure performance**

Colorado was awarded the Strengthening Abuse and Neglect Court Act Grant in 2004. Since that time efforts have been underway in improving the automated case management system and data exchanges between CHDS and judicial.

## **1. Strengthening Abuse and Neglect Court Act (SANCA) Project**

CIC applied for and received funding for a SANCA grant in response to the recommendation for the development of a centralized case management procedure. The Colorado SANCA project has four main focus areas that correlate with the objectives stated on the project plan: data transfer between DHS and judicial; document/report generation; development of centralized information screen; and incorporation of stand alone juvenile Excel database into Colorado's management information system, ICON/Eclipse. Colorado anticipates that this SANCA effort is just the beginning of a long and fruitful exchange of data between the courts and DHS. This collaborative effort will allow Colorado to track performance measures related to the safety, well-being and permanence of children statewide. By creating reports based on the Performance Measures, Colorado will establish baseline measurements for future improvements.

The SANCA program and data transfers commenced between Colorado Judicial Department and DHS in the Boulder County District Court Juvenile Court Division in September 2005. In May 2005 the program went live in the second pilot site in Jefferson County. Rollout of SANCA statewide is expected to be completed by March 2007 (Appendix 10, Monthly Progress Reports.)

### **IV. Plan for Court Improvement Activities through FY 2005 – FY 2006**

#### **A. Respondent Parents' Counsel (RPC) Task Force**

Ongoing efforts of the RPC Task Force to publicize the results of the statewide RPC Needs Assessment, the implementation of the RPC Task Force recommendations and training programs for RPC from July 2006 – September 2007 will be supported through Court Improvement Program funds.

#### **B. Family Issues Conference**

The Annual Statewide Family Issues Conference which focuses on training judicial officers and court personnel on issues related to the handling of child welfare cases will be held in spring 2007 through Court Improvement Program funds.

#### **C. SANCA**

Statewide rollout and implementation of the SANCA program will occur throughout 2006 and 2007. In conjunction with rollout and implementation, the training of court personnel, judicial officers and future planning efforts will be conducted from July 2006 - September 2007 through Court Improvement Program funds (Appendix 10, Statewide Rollout Schedule.)

#### **D. Model Courts**

Continued support of the three model court sites (4<sup>th</sup> District: Teller and El Paso counties); (17<sup>th</sup> District: Adams County) and (2<sup>nd</sup> District: Denver Juvenile Court) will continue from July 2006 – September 2007. A presentation for interested judicial officers explaining the Model Court

Project will be conducted at the 2006 Colorado Judicial Conference in September 2006. There are ongoing plans to invite county department officials to join the half day meeting. The goal of the meeting is to identify additional judicial districts interested in becoming Model Courts. All Model Court efforts will be conducted from July 2006 – September 2007 through Court Improvement Program funds.

#### **E. University of Colorado School of Law Juvenile Law Clinic**

The University Of Colorado School Of Law Juvenile Law Clinic designed to train and prepare student attorneys will be supported on an ongoing basis from July 2006 – September 2007 through Court Improvement Program funds.

#### **F. Mini-Grants**

In July 2006 -2007 the CIC plans to make available Court Improvement Program funds via mini-grants to judicial districts and community partners. The mini-grants are designed to support local projects for implementing court improvement recommendations consistent with the CIC strategic plan and in accordance with the guidelines set forth in the program instruction.

#### **H. Strategic Planning**

During the period of July 2006 – September 2007, the CIC will conduct ongoing strategic planning efforts related to FY 2006 - 2010 CIP funds. Additionally, the CIC will conduct ongoing strategic planning efforts for the two new Court Improvement Program grants (Data Collection and Analysis Grants \$174,349; Training Grants \$174,349) made available in ACF ACYF-CB-PI-06-05 and The Budget Reduction Act of 2005.

#### **I. Training**

All planned activities listed above include training for judicial officers, court personnel and community partners. Throughout July 2006 – September 2007, the CIC will also plan and coordinate additional trainings consistent with CIC strategic plan.

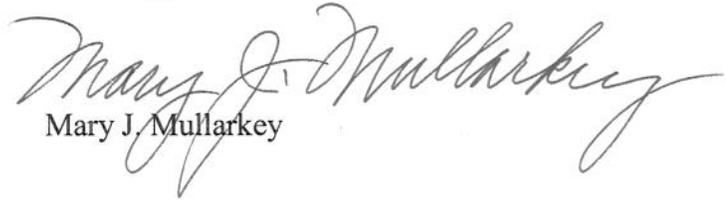
#### **V. Conclusion**

Colorado has utilized its Court Improvement Program funding to continue to improve many aspects of how the state handles child welfare cases. Much attention continues to be devoted to training in the area of juvenile law and family violence as a whole, as well as continued support for pilot projects, their creation, and evaluation. In short, the Colorado Court Improvement Project has spearheaded many new projects, continued several existing projects, and committed itself to the optimal handling of cases involving children. CIC is committed to improving the lives of children and families as they progress through the Colorado Courts.

June 30, 2006  
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If you have any questions concerning the report please contact Bill DeLisio  
([bill.delisio@judicial.state.co.us](mailto:bill.delisio@judicial.state.co.us)) at (303) 837-3623. Thank you for your continued support of  
the Colorado Court Improvement Project.

Sincerely,

A handwritten signature in cursive script, reading "Mary J. Mullarkey". The signature is written in black ink and is positioned above the printed name.

Mary J. Mullarkey

Enc.: SF 424  
SF 424 A  
Certifications

**Exhibit I**  
**Strengthening Abuse and Neglect Act (SANCA)**  
**Implementation Schedule**

**SANCA Statewide Rollout Schedule  
June 22, 2006**

<b>Date</b>	<b>Judicial District</b>	<b>Court Location/County</b>
May 8, 2006	1 <sup>st</sup>	30-Jefferson
July 31, 2006	4 <sup>th</sup>	21-El Paso; 60-Teller; 24-Gilpin
August 21, 2006	2 <sup>nd*</sup>	69-Denver Juvenile (to include Denver District Court, ct loc 016, in assignment of pseudo client id process)
September 11, 2006	18 <sup>th*</sup>	03-Arapahoe (to include Aurora, ct loc 070, and Littleton, ct loc 071, in assignment of pseudo client id process); 18-Douglas; 20-Elbert; 37-Lincoln
October 2, 2006	17 <sup>th</sup>	01-Brighton; 80-Broomfield (to include Broomfield Municipal, ct loc 081 in assignment of pseudo client id process);
October 23, 2006	9 <sup>th*</sup> , 21 <sup>st</sup>	23-Garfield (to include Rifle, ct loc 064, in assignment of pseudo client id process); 49-Pitkin; 52-Rio Blanco (to include Rangely, ct loc 065 in assignment of pseudo client id process); 39-Mesa
November 13, 2006	6 <sup>th</sup> , 7 <sup>th*</sup> , 22 <sup>nd</sup>	04-Archuleta; 34-La Plata; 56-San Juan; 15-Delta; 26-Gunnison; 27-Hinsdale; 43-Montrose (to include Nucla, court loc 067 in assignment of pseudo client id process); 46-Ouray; 57-San Miguel; 17-Dolores; 42-Montezuma
December 4, 2006	5 <sup>th*</sup> , 14 <sup>th</sup>	10-Clear Creek; 19-Eagle (to include Basalt, ct loc 066 in assignment of pseudo client id process); 33-Lake; 59-Summit; 25-Grand; 41-Moffat; 54-Routt
January 8, 2007	3 <sup>rd</sup> , 10 <sup>th</sup> , 15 <sup>th</sup> , 16 <sup>th</sup>	28-Huerfano; 36-Las Animas; 51-Pueblo; 05-Baca; 09-Cheyenne; 31-Kiowa; 50-Prowers; 13-Crowley; 45-Otero; 06-Bent
January 29, 2007	11 <sup>th</sup> , 12 <sup>th</sup>	08-Chaffee; 14-Custer; 22-Fremont; 47-Park; 02-Alamosa; 11-Conejos; 12-Costilla; 40-Mineral; 53-Rio Grande; 55-Saguache
February 26, 2007 (The 19 <sup>th</sup> is president's day?)	8 <sup>th</sup> , 13 <sup>th</sup> , 19 <sup>th</sup>	29-Jackson; 35-Larimer ; 32-Kit Carson; 38-Logan; 44-Morgan (to include Fort Morgan Municipal, ct loc 100 in assignment of pseudo client id process); 48-Phillips; 58-Sedgwick; 61-Washington; 63-Yuma; 62-Weld

**Exhibit J**  
**2006 Court Improvement Program Training and  
Technology Grant Applications**

# SUPREME COURT OF COLORADO

STATE JUDICIAL BUILDING  
2 EAST 14TH AVENUE  
DENVER, COLORADO 80203-2116

MARY J. MULLARKEY  
CHIEF JUSTICE

(303) 837-3771

August 1, 2006

Dear Dr. Blumberg:  
Dr. Susan Blumberg  
Children and Families Program Specialist  
Administration for Children and Families  
1961 Stout Street, Office 926  
Denver, Colorado 80294-3538

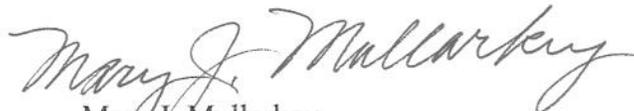
RE: FFY 06 Training Grant Application

Dear Dr. Blumberg:

Pursuant to ACYF-CB-PI-06-05, Colorado's Court Improvement (Program) Committee ("CIC") hereby submits FFY 2006 training grant proposal in the amount of \$172,839. CIC's detailed grant proposal is attached to this letter and outlines the steps CIC will take to effectively and efficiently utilize the training grant funds. Colorado will also develop and implement an assessment of programs and activities conducted under the new training grant.

Thank you in advance for your time and consideration!

Sincerely,

  
Mary J. Mullarkey

# STATE OF COLORADO



**Colorado Department of Human Services**

*people who help people*

**OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES**

Stephan K. Bates, Director

**DIVISION OF CHILD WELFARE**

1575 Sherman Street

Denver, Colorado 80203-1714

Phone 303-866-4365

FAX 303-866-5563

[www.cdhs.state.co.us](http://www.cdhs.state.co.us)

Ted Trujillo, Director



Bill Owens

Governor

Marva Livingston Hammons

Executive Director

July 31, 2006

Dr. Susan Blumberg  
Children and Families Program Specialist  
Administration for Children and Families  
1961 Stout Street, Office 926  
Denver, Colorado 80294-3538

RE: CIP Grant: Training Grant

Dear Dr. Blumberg:

Please accept this letter in support of the Colorado's Judicial Branch application for the Training Grant through Court Improvement Project Grant.

Child Welfare has worked in partnership with the Judicial Branch in several projects over the past year. We look forward to continuing that collaboration and see the Training Grant as an opportunity to provide resources for training activities that should result in improved coordination and communication. Additionally, we are hopeful that the Training Grant will assist Colorado in its performance on the upcoming Child and Family Services Review.

Thank you for your consideration of Colorado's request in this important endeavor.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Trujillo', written over a horizontal line.

Ted Trujillo, Director  
Division of Child Welfare Services

Cc: Bill DeLisio, Court Improvement Coordinator

**Colorado Court Improvement  
2006 Training Grant  
August 1, 2006**

I. Introduction

Pursuant to ACF ACYF-CB-PI-06-05, Colorado's Court Improvement (Program) Committee (CIC) hereby submits its Training Grant for Federal Fiscal Year (FFY) 2006 funding. Included with this proposal are a letter from the Colorado Supreme Court requesting funding and a letter of support from Colorado Department of Human Services (CDHS) assuring ongoing collaboration with the Colorado State Court Administrators Office (SCAO.) Also included are all mandatory certifications, financial forms, budgets and budget justifications.

This proposal describes the ongoing training activities and future planning efforts by the CIC to address multi-disciplinary training of judicial, legal child welfare and other relevant personnel. All training grant activities will provide safety, well being, and permanence for children in foster care and will be driven by the goals of the Colorado Pew Plan; and the recommendations contained in the 2002 Court Improvement Program Re-assessment; 2002 Child and Family Service Review (CFSR) and subsequent Program Improvement Plan (PIP); and 2006 Title IV-E Review. The Colorado Judicial Department also plans to work closely with the CDHS in all aspects of Colorado's CFSR scheduled to commence in January 2008 as set forth in the 2005 Colorado Pew Plan.

II. Description of Training Activities and How Stakeholders Will Meaningfully Collaborate

**a. Summary of CIC 2005 – 2006 Training Programs**

In furthering the objectives of Colorado's Program Improvement Plan, Colorado CIP continues to focus on training. In addition to the 2005 – 2006 training events listed below, multi-disciplinary trainings are being planned for the 2006 Colorado Judicial Conference (September 2006) and the 2007 Colorado Family Issues Conference (Spring 2007.)

**i. Family Issues Conference**

CIC sponsored the annual Family Issues Conference in the spring of 2006. The conference was a collaborative effort between Judicial and the Office of the Child's Representative. Topics presented included Visitation, Best Practices for Dependency Courts, Problem Solving Courts, Model Courts, SANCA, Violence and its Impact on Children, Residential Treatment Center Redesign, Substance Abuse, and a Juvenile Law update specific to Colorado law and policy changes. Conference evaluations consistently rated in the "excellent" or "good" category and many participants commented that the training would assist them in decision-making.

**ii. Minority Over-representation Training**

Through the National Council of Juvenile and Family Court Judges (NCJFCJ) Model Courts Project the CIC sponsored a Statewide Multidisciplinary Cultural Competency symposium. This training will address some of the issues surrounding minority over-representation in the child welfare system which will be held in early 2007.

**iii. Child Welfare Confidentiality Training**

In March 2006, 4<sup>th</sup> District Model Court Project sponsored a statewide multidisciplinary Confidentiality Training along with CIC and the NCJFCJ. The training addressed some of the issues surrounding the exchange of information in the child welfare system. The one day training was attended by approximately 150 participants from agencies from around the state.

**iv. Colorado Assessment Continuum (CAC) Training**

The CIC coordinated a statewide training in partnership with the Colorado Department of Human Services Child Welfare Division. The training was attended by nearly eighty judicial, legal and child welfare professionals involved in handling child welfare cases. The training focused on the Colorado Assessment Continuum (CAC.) The CAC is a series of mandatory assessment tools used to measure the safety and risk present in a family.

**v. Integrated Family Drug Court Training**

The CIC sponsored two statewide multi-disciplinary Integrated Family Drug Court Trainings led by the National Drug Court Institute in May 2006. The trainings were multi-disciplinary and designed to aid local jurisdictions in researching, planning and implementing drug courts for child welfare families struggling with addiction. The trainings were held in the Twelfth Judicial District in Alamosa, Colorado and the Twentieth Judicial District Boulder, Colorado.

**b. FFY 2006 Multi-Disciplinary Training Grant Proposal**

The Colorado CIC plans to utilize the FFY 2006 training grant funds to support ongoing multi-disciplinary training efforts and to undertake the steps listed below to develop a five year strategic training plan.

**i. Create CIC Training Sub-Committee**

The CIC agreed that no later than January 2007, they will establish a training sub-committee. This new committee will be a sub-committee of the CIC and will be designated the training sub-committee. The expectation is that the committee will be a broad, cross-disciplinary group, comprised of children's advocates, county attorneys, respondent parents' counsel, guardians ad litem, judicial officers, state and local court, caseworkers, and representatives of the departments of human services. This sub-committee will at a minimum include representatives from the following:

- representatives of the State child welfare, health, mental health, and substance abuse agencies;
- services providers and other outside agency personnel;
- juvenile and family court judges;
- tribal court representation, or an individual with ICWA expertise;
- representatives of the foster care citizen review board, if any;
- defense attorneys;
- court-appointed special advocates (CASAs);
- guardians *ad litem*; and
- attorneys who represent child welfare agencies.

## **ii. Hire Training Analyst**

Training activities will be adequately funded through the training grant. Project success depends critically on the development of a multi-year, coordinated training curriculum and well-planned training events.

Hiring a part time training analyst would provide sufficient staffing of training sub-committee. This person would also be responsible for performing a statewide needs assessment of existing training programs and working closely with stakeholder agencies in the development of training curricula. The training analyst will perform the following job duties: conduct training sub-committee meetings, develop training curricula, develop online training resources, negotiate with speakers and training sites, schedule training events and draft and distribute all proposals, minutes and reports, and develop evaluative tools to assess efficacy and impact of training programs. The position will also act as a liaison and coordinate contact with Colorado Court Improvement Committee, Supreme Court, SCAO and other stakeholder agencies. The training analyst position is described in more detail in the budget justification which is contained in Appendix 1 (Standard Forms and Budget) of this proposal.

## **iii. Meaningful Collaboration**

The CIC training sub-committee will be a standing, working committee that provides ongoing and meaningful collaboration, oversight, recommendations to CIC, and help develop momentum and support for the training project in the local districts, and in the community as a whole. Having representatives from other systems on the sub-committee will help with statewide support for the project.

The training sub-committee will meet monthly beginning in January 2007. The purpose of the training sub-committee will be to identify training needs and develop and implement a statewide multi-disciplinary, multi-year training program. The sub-committee will address the following areas in development of the five year strategic plan:

- Review Colorado Pew Plan, the recommendations contained in the 2002 Court Improvement Program Re-assessment, 2002 Child and Family Service Review (CFSR) and subsequent Program Improvement Plan (PIP), and 2006 Title IV-E Review;
- Identify barriers that prevent utilization of training opportunities;
- Devise a training schedule which involves statewide multi-disciplinary conference and regional trainings;
- Identify the specific skills and areas of knowledge that judges, attorneys, and other legal personnel need to best serve children and families;
- Develop curricula that address those skills and areas of knowledge and employ the most effective methods for imparting them;
- Ensure that all who need such training will receive it, such as by making participation convenient, providing inducements for attendance or imposing requirements for attendance, and tracking attendance;
- Ensure that those attending training actually obtain the identified skills and knowledge, such as through online testing and refresher training;
- Use technology such as online training and training videos;
- Convene local meetings and groups to participate in training developed in remote locations, such as through use of videos or videoconferences;
- Provide cross-system, multidisciplinary training on topics of mutual interest to different participants in the system, such as mental health, substance abuse, minority over representation, child specific court orders, education of children in foster care, the role of caseworkers in court, and the preparation and use of court reports;
- Co-locate judicial, court employee, and agency training, when practical, to allow a combination of cross-system training and separate training on specialized topics.

#### **iv. Judicial Participation in 2008 Child and Family Service Review (CFSR)**

Through the establishment of the Colorado Pew Plan the CIC believes that broad multi-disciplinary participation in the 2008 CFSR is critical to achieving improvements in safety, permanency and well-being for children. To that end, participation in the CFSR is a goal set forth in the Colorado Pew Plan and will include the following:

- Judicial participation in the evaluation of outcomes for children and families in preparation for 2008 CFSR;
- Judicial participation in CFSR on-site reviews;
- Judicial participation in development of Program Improvement Plans following the 2008 CFSR;
- Judicial participation in ACF training following the 2008 CFSR;

- Judicial participation in implementation of Program Improvement Plan Following 2008 CFSR.

### III. Description of Collaboration that has Taken Place in Preparing Grant Proposal

#### a. Colorado CIC

On July 14, 2006 the CIC held its quarterly meeting and discussed the new training grant pursuant to ACF ACYF-CB-PI-06-05. The program instruction was disseminated to the CIC prior to the meeting so that the members had an opportunity to review the requirements of the new training grant. During the meeting, CIC developed recommendations and strategies which were used to write this proposal and are explained in more detail in Section V.a.i.

### IV. Description of Membership of Statewide Multi-Disciplinary Committee

#### a. Colorado CIC Membership

The Colorado CIC is a broad multi –disciplinary group, comprised of those who share responsibility with the judiciary for providing care, representation and protection for children removed from their home. They are: Karen Ashby - Chief Judge in Denver Juvenile Court, Dr. Susan Blumberg – Child and Family Program Specialist ACF Region 8, Lori Burkey – Director of Colorado CASA, Charles Buss – Retired Judge, Christine Chauche – County Court Judge Eighteenth Judicial District, Alicia Davis – Family Unit Supervisor Colorado State Court Administrators Office, Bill DeLisio – Court Improvement Coordinator Colorado State Court Administrators Office, Sarah Ehrlich – Staff Attorney Office of the Child’s Representative, Michelle Gaschler – Child Friendly Coordinator Seventeenth Judicial District, Evelyn Hernandez-Sullivan – District Court Magistrate Fourth Judicial District, Peg Long – Executive Director Colorado Association of Children and Families, Robert Lowenbach – District Court Judge Nineteenth Judicial District, Chris Melonakis – District Court Judge Seventeenth Judicial District, Simon Mole – Family Court Facilitator Seventeenth Judicial District, Karen Mooney – Treatment Field Manager Colorado Department of Human Services Alcohol and Drug Abuse Division, Babette Norton – District Court Magistrate First Judicial District, Michael O’Hara Chief Judge Fourteenth Judicial District, Tina Olsen – County Court Judge First Judicial District, Steven Patrick – Chief Judge Tenth Judicial District, Victor Reyes – District Court Judge Tenth Judicial District, Steve Schapanski District Court Magistrate Eight Judicial District, Kathy Snell – Manager of Child and Adolescent Programs Colorado Department of Human Services Division of Mental Health, Melinda Taylor – District Administrator Seventeenth Judicial District, Jill Tompkins – Director American Indian Law Clinic, Ted Trujillo – Director Colorado Department of Human Services Division of Child Welfare, Dea Wheeler – Assistant County Attorney Boulder County Attorneys Office.

#### b. Addition of New CIC Members

The CIC recognized the need to add new members to the committee at the July 14, 2006 meeting and agreed to invite representatives from the following groups to join CIC prior to January 2007:

- Department of Probation Services
- Director of County Departments of Social Services Representatives
- Respondent Parents' Counsel
- Division of Youth Corrections Representatives
- Member of Colorado Legislature
- Colorado Counties Incorporated Representatives
- Substance Abuse Provider Representatives
- Southern Ute Tribe Representatives
- Colorado Department of Education Representatives

**c. Creation of the CIC Training Sub-Committee (See Section II.b.i)**

**V. Proposed Five Year Strategic Plan**

Due to the limited time between the distribution of ACF ACYF-CB-PI-06-05 (June 15, 2006) and the application deadline of August 1, 2006 the CIC agreed to utilize the FFY 2006 training grant funds to further planning efforts. At the July 14, 2006 CIC meeting the committee did not devise a five year strategic plan. However the committee did devise broad goals for the strategic plan and a FFY 2006 work plan which would enable Colorado to develop a five year strategic plan.

**a. Summary of 2006 – 2010 Strategic Plan Goals**

**i. 2006 Proposed Plan: Identify Training Needs**

The training sub-committee will meet and develop training curricula for multi-disciplinary child welfare trainings by June 2007. The final strategic plan will be adopted by the CIC and Supreme Court and implementation will begin in 2007. The CIC identified the following specific areas of emphasis at the July 14, 2006 meeting that will be incorporated into the final strategic plan:

- **Assessment of Each Systems Current Training Activities:** Create an inventory of existing training opportunities system wide in order to identify existing training programs.
- **Utilization of Existing Goals and Priorities:** The Colorado Pew Plan; and the recommendations contained in the 2002 Court Improvement Program Re-Assessment; 2002 Child and Family Services Review (CFSR) and subsequent Program Improvement Plan (PIP); and 2006 Title IV-E Review will be the basis for establishing training goals and priorities.

- **Development of Training Curriculum:** Identification of core competencies to provide a basic foundation of knowledge for all professionals attending multi-disciplinary training, i.e. leadership, collaboration and role definition, reasonable effort findings, education, treatment interventions and emancipation.
- **Scheduling Annual Training Activities:** Scheduling regional training activities in conjunction with a statewide annual conference in order to increase availability of training.
- **Engaging Individuals to Participate in Training:** Strategies to engage individuals to participate in training activities begin with holding an initial conference and inviting multi-disciplinary teams from each county to attend. The initial statewide conference will be combined with ongoing follow up with local multi-disciplinary teams and required reports back at regional trainings and annual conference. Additionally, the CDHS has committed to working the judicial department to aid in securing participation of local county departments of social services in training.
- **Measuring Effectiveness:** Establishment of baseline data and measurable goals which illustrate the effectiveness of training and impact on system change, i.e. pre and post tests of training participants, tracking percentage of staff system wide that completes core competency training, development of local multi-disciplinary training committees, development of local training plans. Special attention will also be paid to determining how best to evaluate the impact of training programs on practice and policy reform.
- **Development of Online Training Materials:** Establish a website which functions as a clearinghouse for training materials, schedules and outcome data.

**ii. 2007 Proposed Plan: Complete Initial Curricula Development**

By December 2007, the training sub-committee will complete development of the comprehensive multi-disciplinary training programs and begin to deliver limited trainings on a statewide and regional basis.

**iii. 2008 Proposed Plan: Establish Training System**

By January 2008, the training sub-committee will have established comprehensive multi-disciplinary training programs; delivering these trainings on a regular basis both regionally and statewide.

**iv. 2009 Proposed Plan: Perform Training Assessment**

By December 2009, the training sub-committee will measure the effectiveness of the comprehensive multi-disciplinary training programs by performing a training assessment. A target goal of 70% represents the percentage of legal and child welfare professionals the training sub-committee aspires to train by December 2009. Other components of the 2009 training assessment include but are not limited to the following:

- Identification of new rules, regulations and legislation enacted during training grant period 2006 – 2009 which overcome barriers to safety, permanency and child and family well-being at the State and local level.
- Identification of 2005 Colorado Pew Plan Goals achieved or accomplished during training grant period 2006 – 2009 which have lead to systemic changes and have improved safety, permanency and child and family well-being.
- Identification of mandatory training programs developed during training grant period 2006 – 2009 which have been institutionalized and integrated across systems into standard operating procedure.
- Identification of local training meetings and training events developed as a result of final strategic training plan.
- Measure the level of participation by judicial personnel and the broader legal community in 2008 CFSR and Title IV-E reviews.
- Measure compliance and implementation of child welfare outcomes during training grant period 2006-2009 based on Program Improvement Plans (PIP) resulting from CFSR's and Title IV-E reviews.
- Measure the effectiveness of technology in reaching participants from multiple systems and remote locations, i.e. online training, training videos and video conferences.
- Measure the level of knowledge gained by participants in training activities through the use of pre and post tests and online surveys.

**v. 2010 Proposed Plan: Complete Training Assessment**

By December 2010, the training sub-committee will complete the final training assessment of the comprehensive multi-disciplinary training programs. A target goal of 90% will represent the percentage of legal and child welfare professional the training sub-committee aspires to train by December 2010. Other components of the 2010 training assessment include but are not limited to the following:

- Identification of new rules, regulations and legislation enacted during training grant period 2006 – 2010 which overcome barriers to safety, permanency and child and family well-being at the State and local level.
- Identification of 2005 Colorado Pew Plan Goals achieved or accomplished during training grant period 2006 – 2010 which have lead to systemic changes and have improved safety, permanency and child and family well-being.

- Identification of mandatory training programs developed during training grant period 2006 – 2010 which have been institutionalized and integrated across systems into standard operating procedure.
- Identification of local training meetings and training events developed as a result of final strategic training plan.
- Measure the level of participation by judicial personnel and the broader legal community in 2008 CFSR and Title IV-E reviews.
- Measure compliance and implementation of child welfare outcomes during training grant period 2006-2010 based on Program Improvement Plans (PIP) resulting from CFSR’s and Title IV-E reviews.
- Measure the effectiveness of technology in reaching participants from multiple systems and remote locations, i.e. online training, training videos and video conferences.
- Measure the level of knowledge gained by participants in training activities through the use of pre and post tests and online surveys.

**b. FFY 2006 Technology Project Work Plan**

Issues to be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Indicator (s)
Addition of New Members to CIC.	Invite new stakeholders to serve on the CIC.	CIC	1/07	Finalize list of names at 10/06 CIC meeting.	New members attend 1/07 CIC meeting.
Creation of CIC Training Sub-Committee.	Create and identify members of training subcommittee.	CIC	1/07	Appoint members of training sub-committee at 10/06 CIC meeting.	Training sub-committee begins meeting regularly in 1/07.
Hire part time (.50 FTE) management analyst II	Post job announcement and interview candidates.	SCAO	10/06	Approval of the CIC to hire employee.	Training analyst begins working prior to 1/07 CIC meeting.
Completion of 2007 Finalized Strategic Plan.	Compile information from CFSR, IV-E Audit, CIP Reassessment, and Colorado Pew Plan.	CIC/ Training Sub-Committee	1/07	Provide information to the CIC.	Training analysts will review data and develop recommendations for training sub-committee.
	Review Data.	CIC/ Training Sub-Committee	1/07	Hold monthly training sub-committee	Training analysts will review data and develop

				meeting.	recommendations for training sub-committee.
	Identify Training Needs.	CIC/ Training Sub-Committee	1/07	Hold monthly training sub-committee meeting.	Training sub-committee identify training needs.
	Establish the goals for the projects or trainings.	CIC/ Training Sub-Committee	2/07	Hold monthly training sub-committee meeting.	Develop and distribute goals of project to the CIC.
	Prioritize the projects and goals for 2007 – 2010.	CIC/ Training Sub-Committee	3/07	Hold monthly training sub-committee meeting.	Prioritize and distribute goals to the CIC.
	Establish how the trainings will be evaluated.	CIC/ Training Sub-Committee	4/07	Hold monthly training sub-committee meeting.	Establish evaluation methodology and provide to the CIC.
	Review rough draft of final strategic plan.	CIC/ Training Sub-Committee	5/07	Hold monthly training sub-committee meeting.	Distribute rough draft to the CIC.
	Submit final strategic plan to Supreme Court.	CIC/ Training Sub-Committee	5/07	Hold monthly training sub-committee meeting.	Approval of final plan by chief justice.
	Submit plan to ACF for approval.	CIC/ Training Sub-Committee	6/07	Hold monthly training sub-committee meeting.	Distribute plan to the CIC.
	Implement final strategic plan.	CIC/ Training Sub-Committee	2007 - 2009	Hold monthly training sub-committee meeting to monitor implementation.	Provide regular updates to the CIC.
	Evaluate projects and trainings.	CIC, SCAO, Training Sub-Committee	2010	Drafting the evaluation report.	Provide results to the CIC and stakeholders.

V. Standard Forms and Budget (See Appendix 1)

VI. Certifications (See Appendix 2)

**Colorado Court Improvement  
2006 Data Collection and Analysis Grant  
August 1, 2006**

I. Introduction

Pursuant to ACF ACYF-CB-PI-06-05, Colorado's Court Improvement (Program) Committee (CIC) hereby submits its Data Collection and Analysis (Technology) Grant for Federal Fiscal Year (FFY) 2006 funding. Included with this proposal are a letter from the Colorado Supreme Court requesting funding and a letter of support from Colorado Department of Human Services (CDHS) assuring ongoing collaboration with the Colorado State Court Administrators Office (SCAO). Also included are all mandatory certifications, financial forms, budgets and budget justifications.

This proposal describes the ongoing technology activities and future planning efforts of the CIC to address technology related issues. All technology activities will provide safety, well-being, and permanence for children in foster care and will be driven by the goals of the Colorado Pew Plan; and the recommendations contained in the 2002 Court Improvement Program Re-Assessment; 2002 Child and Family Services Review (CFSR) and subsequent Program Improvement Plan (PIP); and 2006 Title IV-E Review. The Colorado Judicial Department also plans to work closely with the CDHS in all aspects of Colorado's CFSR scheduled to commence in January 2008 as set forth in the 2005 Colorado Pew Plan.

Colorado is well on its way to establishing a permanent management information system that allows for collaborative data-sharing to improve upon child outcomes in abuse and neglect cases. By continuing and expanding its training and implementation county by county and to multiple stakeholders, the Colorado Judicial Department will be able to enlarge and enrich the ICON/Eclipse program (the statewide case management system). This grant will allow Colorado to continue to be a pioneer in using information technology to help children and improve outcomes.

II. Description of Data Collection and Analysis Activities and How Stakeholders will Meaningfully Collaborate

**a. Summary of Colorado's Strengthening Abuse and Neglect Courts Act (SANCA) Project**

The Colorado SANCA project is enhancing the capabilities of the Colorado Judicial statewide court case management system – ICON/Eclipse and the CDHS child welfare information system – Colorado TRAILS. The CDHS is a full partner in the SANCA project. Both ICON and the CDHS TRAILS system are being modified to support new production data exchanges as part of this project. These data exchanges are being implemented using the Global Justice XML Data Model or GJXDM; these data exchanges are providing the following:

- Enabling CDHS case workers to view ICON data in TRAILS.
- Enabling court staff to view TRAILS data in ICON.
- Enhancing case worker and judicial worker knowledge, efficiency and effectiveness.
- Avoiding redundant data entry.
- Creating outcome based management reports related to safety, permanency, timeliness and due process.

#### i. Completed Goals and Objectives of SANCA Project

- **Enable court personnel to effectively manage their child welfare caseload.** The modified systems help court staff improve control of their cases by better tracking timeframes, monitoring compliance, and trouble-shooting specific issues. Implementation of the performance measures allow court staff to gain better visibility into how children are faring once in the system. Although this information was previously available in case files, it was not available as data in ICON. Now, judges can produce management reports with appropriate performance information to focus and direct multi-disciplinary training efforts.
- **Enable judicial officers to render more informed and capable decisions.** The new case history screen lets judicial officers view information about the child and family across multiple cases and case types. This capability supports family courts by helping judges do a better job of ordering and coordinating services to a family. It also helps judges reduce instances of conflicting orders.
- **Keep children in safe, permanent environments.** The outputs of the project will support and improve the use of the performance measures. These outputs include modified case screens, improved document generation, improved outcome based management reports, additional information capture and the exchange of data with CDHS. The court can now better understand how current business processes impact safety issues for children and utilize the new case management features and outcome based management reports in the court planning process with stakeholder agencies.
- **Improve communication and data transfer across agencies.** This goal is the basis for the achievement of the preceding goals. Cases involving dependent, neglected, and abused children require significant sharing of information between the CDHS and the courts. Traditionally, this information was shared on a case basis using paper documents or by individual communications. By implementing electronic data exchanges, this project helps resolve operational issues in both departments and provide non-redundant data for performance measures.

The specific SANCA grant objectives which Colorado has achieved were to:

- Incorporate performance measures into ICON.
- Establish data transfers between TRAILS and ICON.
- Incorporate the functionality of the stand-alone juvenile Excel program into ICON.

- Develop a centralized case history screen in ICON.
- Generate new supporting documents.
- Generate new supporting reports.

## **ii. Summary of Business Practices Changes Due to SANCA Project**

Like other states with SANCA projects, Colorado identified a number of business process changes during the project that were not directly tied to the production of the performance measures, but that indirectly improved both data quality and overall business process quality.

- The judges agreed to use a standard format for the family case plans, instead of each judge requiring CDHS to tailor the case plans to his or her individual preferences.
- Business process for changing or adding codes for data shared by multiple state agencies was adopted for SANCA performance measure data.
- Business process for ensuring data quality control will be used for the SANCA performance measure data.
- Stakeholders expressed concern about the ethics of seeing new information at inappropriate times in the case process. The issue was resolved by creating protocols and standards for what information the judge could see, and when they could see the information and how information is shared with courtroom litigants. The standards were created through a process that included participation of the Court Improvement Committee, the project steering committee, an ethics committee and the state court administrator.
- Colorado decided to create a chart that shows why each data element is transferred between CDHS and the court agency and how it will be helpful to the courts. This analysis formally justifies the data exchange and helps educate business process participants on the value of the performance measures.
- The data exchange infrastructure from this project will be systematically reused by the two agencies and other state organizations to create a broader array of family-related data exchanges using a common technical solution.

## **b. Implementation and Progress of SANCA Project**

The first step to effectively implement the new SANCA requirements statewide was to pilot in two jurisdictions. Colorado Judicial Department and CDHS selected Boulder County (November 2005) and Jefferson County (May 2006) as pilot sites.

The implementation process involves the statewide roll-out, of the plans and processes that have been set-up, to each and every juvenile court within each judicial district and county department of social services to make sure that they are set up correctly and to provide additional training where needed. With the exception of the

Second and Nineteenth Judicial Districts all other judicial districts are comprised of multiple counties. The implementation process has already begun and is to be completed by February 26<sup>th</sup>, 2007. The following is a list of what sites will be visited and at what times and dates the Judicial Department and CDHS will implement the SANCA Project.

**i. SANCA Statewide Implementation Schedule (as of 8/1/06)**

<b>Date</b>	<b>Judicial District</b>	<b>Court Location/County</b>
May 8, 2006	1 <sup>st</sup>	Jefferson
July 31, 2006	4 <sup>th</sup> , 1 <sup>st</sup>	El Paso; Teller; Gilpin
August 21, 2006	2 <sup>nd</sup> *	Denver Juvenile (to include Denver District Court)
September 11, 2006	18 <sup>th</sup> *	Arapahoe; Douglas; Elbert; Lincoln
October 2, 2006	17 <sup>th</sup>	Adams; Broomfield
October 23, 2006	9 <sup>th</sup> *, 21 <sup>st</sup>	Garfield ; Pitkin; Rio Blanco; Mesa
November 13, 2006	6 <sup>th</sup> , 7 <sup>th</sup> *, 22 <sup>nd</sup>	Archuleta; La Plata; San Juan; Delta; Gunnison; Hinsdale; Montrose; 46-Ouray; San Miguel; Dolores; Montezuma
December 4, 2006	5 <sup>th</sup> *, 14 <sup>th</sup>	Clear Creek; Eagle; 33-Lake; Summit; Grand; Moffat; Routt
January 8, 2007	3 <sup>rd</sup> , 10 <sup>th</sup> , 15 <sup>th</sup> , 16 <sup>th</sup>	Huerfano; Las Animas; Pueblo; Baca; Cheyenne; Kiowa; Prowers; Crowley; Otero; Bent
January 29, 2007	11 <sup>th</sup> , 12 <sup>th</sup>	Chaffee; Custer; Fremont; Park; Alamosa; Conejos; Costilla; Mineral; Rio Grande; Saguache
February 26, 2007	8 <sup>th</sup> , 13 <sup>th</sup> , 19 <sup>th</sup>	Jackson; Larimer ; Kit Carson; Logan; Morgan; Phillips; Sedgwick; Washington; Yuma; Weld

**c. FFY 2006 Technology Grant Proposal**

**i. Creation of CIC Family Justice Information System (FAMJIS) Sub-Committee**

The CIC agreed that no later than January 2007, the CIC will reconvene the SANCA Steering Committee as a sub-committee of the CIC and designated the FAMJIS sub-committee. The expectation is that the committee will be a broad, cross-disciplinary group, comprised of children’s advocates, county attorneys, respondent parents’ counsel, guardians ad litem, judicial officers, state and local court personnel, caseworkers, and representatives of the departments of human services. They are: Karen Ashby – Presiding Juvenile Judge in Denver Juvenile Court, Jane Beveridge – Office Manager of the Division of Family and Child Services of the Colorado Department of Human Services (CDHS), Carol Wahlgren - CDHS, Theresa Spahn – Director of the Office of

the Child's Representative (OCR), Lori Burkey – Director of Colorado CASA, Shari Shink – Director of Rocky Mountain Children's Legal Services, Laurie Mckager – District Administrator for the 18<sup>th</sup> Judicial District, Bradley Bittan – GAL and parents' counsel, Terry Nyberg – Family Court Facilitator 18<sup>th</sup> Judicial District, Simon Mole – Family Court Facilitator 18<sup>th</sup> Judicial District, Carolyn McLean – District Court Magistrate 20<sup>th</sup> Judicial District, Amy Naes – Broomfield County Attorney, Sara Ehrlich – Staff Attorney OCR, Peg Long - Executive Director of Colorado Association of Foster Care Agencies, Phil Able – Computer Consultant, Gayle Ziska Stack – Director Administrative Review Division CDHS, Adoree Blair – CO Foster Parent Association, John Thirkell – Jefferson County Assistant County Attorney, Maureen Leif – Child Support Enforcement Coordinator SCAO, and Diana Coffey – Management Analyst SCAO.

The new FAMJIS sub-committee will focus their efforts on two specific areas:

- **Identify SANCA implementation problems.** One of the major difficulties is being able to identify and manage implementation of SANCA and FAMJIS on a district by district and a county by county level. The FAMJIS sub-committee will effectively monitor each county and ensure that all necessary changes and improvements to the system are completed.
- **Identify new areas of data exchanged.** The FAMJIS sub-committee will work to identify enhancements, updates and new areas of data exchange.

#### ii. Hire 1.75 FAMJIS Analysts

As described above in Section II.b.i, Colorado is in the process of implementing the large scale changes that have been made as a result of the SANCA Project. Future success depends critically on adequate training so that staff perform new business processes correctly and ensure necessary data quality.

Hiring two FAMJIS Analysts would allow Colorado to track changes that occur within the system and ensuring that each county has effectively implemented the new program. The FAMJIS Analysts would be responsible for evaluating jurisdictions and ensuring that implementation is occurring in a timely matter and being applied effectively and efficiently. They will also help in data sharing. By having staff directly responsible for overseeing the roll-out and implementation of SANCA/FAMJIS, they can help to ensure that courts and CDHS are disseminating information effectively to be able to better effect child outcome and placement. The two FAMJIS Analyst positions are described in more detail in the budget justification which is contained in Appendix 1 (Standard Forms and Budget) of this proposal.

### **iii. Meaningful Collaboration**

The CIC FAMJIS sub-committee will be a standing and working committee. The sub-committee will provide ongoing and meaningful collaboration, oversight, recommendations to CIC related to the five year strategic plan, and help develop momentum and support for the project in the local districts, and in the community as a whole. Having representatives from other systems on the sub-committee will help with statewide support for the project.

The FAMJIS sub-committee will meet monthly beginning in January 2007. The purpose of the meetings will be to develop the five year strategic plan for technology grant funds. The sub-committee will report to the CIC which will act as a steering committee responsible for charging the sub-committee with their tasks. The sub-committee will address the following areas in development of the five year strategic plan:

- Identifying and correcting State law and policy barriers to data collection and analysis, particularly to data exchange;
- Developing and implementing policies and procedures that assist court employees to collect and use data in a more effective manner;
- Identifying children who remain in foster care for extended periods of time or whose cases are delayed at particular stages of the court process and analyzing demographic information regarding such children;
- Developing and using specific tools and automating court functions, such as the following:
  - Electronic filing of court documents;
  - Creation and printing of documents;
  - Downloading of data from court documents (e.g., court orders) into the management information system database;
- Developing and implementing quality assurance and quality improvement for court operations and performance;
- Collaborating and training on improving data collection and analysis.

### **III. Description of Collaboration that has Taken Place in Preparing Grant Proposal**

#### **a. July CIC 2006 Grant Planning Meeting**

On July 14, 2006 the CIC held its quarterly meeting and discussed the new technology grant pursuant to ACF ACYF-CB-PI-06-05. The program instruction was disseminated to the CIC prior to the meeting, so that the members had an opportunity to review the requirements of the new technology grant. During the meeting the CIC was asked to develop recommendations to be included in the grant application. The following recommendations approved at the meeting were used to develop this grant application:

- Establish FAMJIS sub-committee.

- Provide ongoing training and technical assistance to local jurisdictions during implementation of SANCA/FAMJIS.
- Focus training efforts on data and outcome based management reports.
- Hire 1.75 staff to support FAMJIS sub-committee and local training efforts.

**b. SANCA Management Team**

On July 28, 2006 the SANCA management team met to discuss the technology grant and agreed to adopt the recommendations of the CIC. This group has been meeting monthly since summer 2005 to monitor SANCA Project implementation. The SANCA management team is comprised of managers, analysts and programmers from the Colorado Judicial Department and CDHS. They are: Linda Bowers – 411 Unit Supervisor, Colorado State Court Administrator Office, Diana Coffey – Management Analyst, Colorado State Court Administrators Office, Chad Cornelius – SANCA Programmer, Colorado State Court Administrators Office, Alicia Davis – Family Unit Supervisor, Colorado State Court Administrators Office, Bill DeLisio – Court Improvement Coordinator, Colorado State Court Administrators Office, Greg Smith – SANCA Project Coordinator, Colorado Department of Human Services, Prasanna Bennabhaktula - SANCA Programmer, Colorado Department of Human Services, Ron Ozga – Deputy Information Officer, Colorado Department of Human Services, Robert Roper, Chief Information Officer Colorado State Court Administrators Office, Boni Wasilik, Management Analyst Colorado State Court Administrators Office.

**IV. Description of Membership of Statewide Multi-Disciplinary Committee**

**a. Colorado CIC**

The Colorado CIC is a broad cross –disciplinary group, comprised of those who share responsibility with the judiciary for providing care, representation and protection for children removed from their home. They are: Karen Ashby - Chief Judge in Denver Juvenile Court, Dr. Susan Blumberg – Child and Family Program Specialist ACF Region 8, Lori Burkey – Director of Colorado CASA, Charles Buss – Retired Judge, Christine Chauche – County Court Judge Eighteenth Judicial District, Alicia Davis – Family Unit Supervisor Colorado State Court Administrators Office, Bill DeLisio – Court Improvement Coordinator Colorado State Court Administrators Office, Sarah Ehrlich – Staff Attorney Office of the Child’s Representative, Michelle Gaschler – Child Friendly Coordinator Seventeenth Judicial District, Evelyn Hernandez-Sullivan – District Court Magistrate Fourth Judicial District, Peg Long – Executive Director Colorado Association of Children and Families, Robert Lowenbach – District Court Judge Nineteenth Judicial District, Chris Melonakis – District Court Judge Seventeenth Judicial District, Simon Mole – Family Court Facilitator Seventeenth Judicial District, Karen Mooney – Treatment Field Manager Colorado Department of Human Services Alcohol and Drug Abuse Division, Babette Norton – District Court Magistrate First Judicial District, Michael O’Hara Chief Judge Fourteenth Judicial District, Tina Olsen – County Court Judge First Judicial District, Steven Patrick – Chief Judge Tenth Judicial District, Victor

Reyes – District Court Judge Tenth Judicial District, Steve Schapanski District Court Magistrate Eight Judicial District, Kathy Snell – Manager of Child and Adolescent Programs Colorado Department of Human Services Division of Mental Health, Melinda Taylor – District Administrator Seventeenth Judicial District, Jill Tompkins – Director American Indian Law Clinic, Ted Trujillo – Director Colorado Department of Human Services Division of Child Welfare, Dea Wheeler – Assistant County Attorney Boulder County Attorneys Office.

**b. Addition of New CIC Members**

The CIC recognized the need to add new members to the committee at the July 14, 2006 meeting and agreed to invite representatives from the following groups to join CIC prior to January 2007:

- Department of Probation Services
- Director of County Departments of Social Services Representatives
- Respondent Parents' Counsel
- Division of Youth Corrections Representatives
- Member of Colorado Legislature
- Colorado Counties Incorporated Representatives
- Substance Abuse Provider Representatives
- Southern Ute Tribe Representatives
- Colorado Department of Education Representatives

**c. Creation of the CIC Technology (FAMJIS) Sub-Committee  
(See Section II.c.i)**

**V. Proposed Five Year Strategic Plan**

Due to the limited time between the distribution of ACF ACYF-CB-PI-06-05 (June 15, 2006) and the application deadline of August 1, 2006 the CIC agreed to utilize the FFY 2006 technology grant funds to further planning efforts and support implementation of the SANCA Project. At the July 14, 2006 CIC meeting the committee did not devise a five year strategic plan. However the committee did devise broad goals for the strategic plan and a FFY 2006 work plan which would enable Colorado to develop a five year strategic plan.

**a. Summary of Strategic Plan Goals**

**i. 2006 Proposed Plan: Complete Implementation  
of SANCA/FAMJIS and Provide On-site  
Training Statewide**

The technology sub-committee will monitor the implementation of SANCA/FAMJIS through February 2007. Additionally, the committee will identify and

recommend a final strategic plan to the SANCA/FAMJIS by June 2007. The final strategic plan will be adopted by the CIC and Supreme Court and implementation will begin in 2007.

**ii. 2007 Proposed Plan: Implement Updates to SANCA/FAMJIS**

The technology sub-committee will continue to monitor implementation of SANCA/FAMJIS. By December 2007 all updates to SANCA/FAMJIS will be identified and implementation of updates will commence.

**iii. 2008 Proposed Plan: Monitor Implementation and Analyze Impact**

The technology sub-committee will continue to monitor implementation of new SANCA/FAMJIS updates. By December 2008 the sub-committee will begin to utilize data to analyze the impact of SANCA/FAMJIS on business practices and issue a report to CIC which contains an action plan to insure effective implementation of SANCA/FAMJIS statewide.

**iv. 2009 Proposed Plan: Measure Effectiveness**

The technology sub-committee will continue to monitor implementation of new SANCA/FAMJIS updates. By December 2009 the sub-committee will begin to utilize data to analyze the impact of SANCA/FAMJIS on business practices and issue recommendations on updates. A target goal of 90% represents the percentage of counties and courts that the technology sub-committee expects to be effectively utilizing SANCA/FAMJIS.

**v. 2010 Proposed Plan: Complete Technology Assessment**

By December 2010 the technology sub-committee will continue to monitor implementation and begin to monitor effectiveness of new SANCA/FAMJIS. By December 2010 the sub-committee will complete a final report. A target goal of 100% represents the percentage of counties that the technology sub-committee expects to be effectively utilizing SANCA/FAMJIS.

**b. FFY 2006 Technology Project Work Plan**

Issues to be Addressed	Activity	Responsibility	Timeline	Interim Benchmark	Indicator (s)
Implementation and rollout of SANCA/FAMJIS.	Train in all judicial districts and counties.	SCAO and CDHS	10/06 – 2/07	Adherence to implementation schedule (included above in section II.b.i.)	Completion of SANCA/FAMJIS implementation.
Ongoing training and technical assistance in judicial districts and counties.	Provide onsite training.	SCAO and CDHS	10/06 – 9/07	Regularly scheduled onsite trainings.	Successful implementation of SANCA/FAMJIS.
Hire management analyst II (.75 FTE) and management analyst I (1 FTE.)	Post job announcement and interview candidates	SCAO	10/06	Approval of the CIC to hire employee.	New analysts begin work prior to 1/07 CIC meeting.
Creation of CIC Technology Sub-Committee.	Create and identify members of technology sub-committee.	CIC	1/07	Appoint members of training sub-committee at 10/06 CIC meeting.	Training sub-committee begins meeting regularly in 1/07.
Completion of 2007 Finalized Strategic Plan.	Identification of fixes and proposed updates to SANCA/FAMJIS.	CIC technology sub-committee	1/07	Ongoing monitoring of SANCA implementation by FAMJIS sub-committee.	Develop and distribute list of fixes and updates to CIC.
	Review fixes and proposed updates.	CIC technology sub-committee	1/07	Monthly FAMJIS sub-committee meetings.	Monitor implementation of fixes and updates.
	Establish the goals for the project.	CIC technology sub-committee	1/07	Monthly FAMJIS sub-committee meetings.	Develop and distribute goals of project to CIC.
	Prioritize the goals for 2007 – 2010.	CIC technology sub-committee	2/07	Monthly FAMJIS sub-committee meetings.	Prioritize and distribute goals to CIC.

	Establish how project will be evaluated.	CIC technology sub-committee	3/07	Monthly FAMJIS sub-committee meetings.	Establish evaluation methodology and provide to the CIC.
	Review rough draft of final strategic plan.	CIC and CIC technology sub-committee	4/07	Monthly FAMJIS sub-committee meetings.	Distribute rough draft to the CIC.
	Submit final strategic plan to Supreme Court.	CIC	5/07	Monthly FAMJIS sub-committee meetings.	Approval of final plan by chief justice.
	Submit plan to ACF for approval.	CIC and SCAO	6/07	Monthly FAMJIS sub-committee meetings.	Distribute plan to the CIC.
	Implement final strategic plan.	CIC, SCAO and CIC technology sub-committee	2007 - 2009	Hold monthly training sub-committee meeting to monitor implementation.	Provide regular updates to the CIC.
	Evaluate technology projects.	CIC, SCAO and CIC technology sub-committee	2010	Drafting of evaluation report.	Provide results to the CIC and stakeholders.

VI. Standard Forms and Budget (See Appendix 1)

VII. Certifications (See Appendix 2)