

**Final Report**  
**on the Evaluation of the**  
**North Carolina Court Improvement Project**

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## **Executive Summary**

The Court Improvement Project (CIP) was implemented in Judicial Districts 20 and 25 in late 1997 and early 1998. For 2 ½ years, court practices were monitored to test the efficacy of new rules intended to improve the manner in which the courts processed juvenile cases. The new rules governing these cases affected judicial procedures, court administrative procedures, prioritization of cases, and expectations of attorneys representing all parties. New types of conferences and hearings were implemented to expedite progress towards case closure.

The intended results of the new rules were simple and straightforward: reduce the frequency and number of out-of-home placements of children, reduce the duration of out-of-home placements, and reduce the length of time necessary to achieve a mandated form of permanency for the children involved in these cases.

The evaluation of the CIP, discussed in detail in this report, was designed to measure the effectiveness of the new rules in achieving the intended case outcomes, and also to test the courts' ability to implement the new rules to a sufficient degree that the court improvement "model" had a reasonable chance of success. A variety of measures were obtained, including time-related measures on the filing of petitions, adjudications, and dispositions; and frequency-related measures relating to hearings, continuances, reviews, placements, and mandated case outcomes. More than 1,250 cases were reviewed, including 455 cases from the 2 districts to obtain a baseline sample against which to compare the cases processed under the new CIP rules.

Results of the evaluation suggest that the CIP was successfully implemented and that the new CIP rules resulted in very positive and compelling changes in the way juvenile cases were handled. Virtually every statistical indicator of success was positive and statistically significant. These included:

- reductions in cases heard by multiple judges;
- reductions in continuances granted;
- reductions in time to achieve critical junctures in juvenile cases (findings, adjudications, dispositions, etc.);

- reductions in overall duration of cases;
- reductions in the number of out-of-home placements of children;
- accelerated time-to-permanency

Qualitative data gathered by mail survey indicate very strong positive feelings about the CIP from the full spectrum of stakeholders. Even those who entered the CIP with reservations have changed their opinions to strongly support the new rules, generally speaking.

Keys to the success of CIP appear to be strict adherence to the new rules relating to judicial procedures and courtroom practices, as all rules appear to be important and to work in concert with one another. Of particular importance is the day-one conference, which is shown to be a lynchpin of the CIP model.

Results of this demonstration project are sufficiently compelling to warrant serious consideration of deliberate implementation of the CIP rules in all judicial districts in North Carolina.

## **Introduction**

This report is submitted to the Administrative Office of the Courts following a three-year evaluation of North Carolina's Court Improvement Project. The Court Improvement Project was conducted in two judicial districts (District 20, comprising Anson, Richmond, Stanley and Union counties, and District 25, comprising Burke, Caldwell and Catawba counties). These two districts were selected on the basis of competitive bid to demonstrate the effectiveness of using modified court rules to increase the pace at which permanence is achieved for children and families, and to reduce the length of stay of children in foster care.

### **Historical Background**

During the past two decades there have been numerous attempts to reform child welfare practice to improve outcomes for children and families. The most notable of these is Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980. More recently, the Family Preservation and Family Support Act (1993) and the Adoptions and Safe Families Act (1997) have refined and further specified federal policies affecting the public response to child abuse and neglect. Public Law 96-272 was a landmark piece of legislation embodying the federal response to the burgeoning number of children in foster care in this country which had grown to more than half a million children in the mid-1970s, and the recognition that many children were not being well served by the foster care system. Although children in foster care may have been free from abuse or neglect by their former caregivers, they often received few or inadequate social services to address their psychological and emotional well-being. Many children experienced multiple placements and in too many cases children simply "aged out" of the child welfare system without ever having acquired a sense of being a member of a family; even a "substitute" family to replace the one from which they were removed.

PL96-272 refocused child welfare activities by promulgating policy language directing public agencies to provide placement prevention services, rather than relying automatically on foster care as the response to abuse or neglect. Further, the law states that if a child is removed from his or her home, reunification efforts must be made over a reasonable

period of time to reunite the child with the family. If reunification can not be accomplished, the law requires that the public agency pursues termination of parental rights (TPR) and places the child in an adoptive home, or pursues some other “permanent” option for the child.

Each of these tenets is predicated on the notion that children need a permanent home, and to develop a sense of attachment to a family. There is much more that could be said relating to the philosophical underpinnings of PL96-272, and the social policy implication thereof, but other forums are more appropriate for that discussion. The most important point, as it relates to the Court Improvement Project in North Carolina, which is the focus of this report, is that the law caused public child welfare agencies to change their operations in order to accomplish the desired outcomes of the legislation.

It is axiomatic that all of the major case decisions in the life of a child welfare case involve the juvenile court. Another way of stating this is that, while the child welfare agency may be legally charged with responding to allegations of child abuse or neglect, and may have the case management responsibility for abused or neglected children, the child welfare program cannot remove children to foster care nor reunite families without the approval of the court. Thus, while child welfare reform initiatives may be well motivated and may be predicated on sound social policy decisions, these initiatives must involve the courts as an integral part of the initiative.

The large majority of recent reform initiatives have focused on how the public child welfare agencies “do their business.” The courts always have been involved because they have had to approve (or disapprove) the major decisions of the child welfare agencies. However, the laws and initiatives have not forced the courts to alter their operations to any great extent, as compared to the public agencies. For example, the public agencies are required to provide “reasonable efforts” to reunite children with their families, which in some cases required a major restructuring of service delivery strategies and major changes in organizational culture within the agencies. And, while the courts retained the obligation of reviewing and approving the case plans involving custody or placement, the law provided great latitude to the courts for interpretation of the meaning of reasonable efforts, and for directing the pace at which cases progressed towards permanence for the child.

There have been efforts by a number of organizations to clarify the role of the courts in juvenile cases. These organizations include the Youth Law Center, the American Bar Associations Legal Resource Center for Child Advocacy and Protection, and the National Council of Juvenile and Family Court Judges. Each has issued suggestions to the courts about how their operations could affect the desired outcomes of child welfare cases. Yet each has been largely advisory in nature. None has had the “force of law” to cause changes in court operations the way laws have caused changes inside the child welfare agencies.

Recently there has been recognition that the courts must change the way they handle juvenile cases if the desired outcomes of child welfare interventions are to be achieved. This recognition has occurred at the federal, state and local levels, and in North Carolina this recognition has resulted in both legislative and local court decisions to alter, and improve, juvenile court practices.

Federal funding through the Omnibus Budget Reconciliation Act of 1993 provided the opportunity for states to address the issue of court improvements. Several states began work in this important area by commissioning studies of their juvenile court systems. Among those states are Pennsylvania (Hurst, H. Halemba, G.J., Montgomery, I., Torbet, P.M. & Szymanski, L.A., 1998); California (National Center for State Courts, 1997); Michigan (Grasso, K.L., 1997); Washington (Bouch, S.A., Fautsko, T.F., Fleischman, A.L., & Gomez, 1996); Nebraska (Weisz, V., Labode, E., Cooper, M., & Slain, 1996); Kansas (Bouch, S.A., Brackney, C., Bouch, J.C., & Gottlieb, 1996); New Mexico (New Mexico State Administrative Office of the Courts, 1996); New Hampshire (Lyford, G.H., Bouch, S.A., Bouch, J.C. & Gottlieb, 1996); and North Carolina (Powers, L., Wells, S. & Coleman, 1996).

Although the variety of states studied is large, the findings across states were surprisingly similar with respect to problems noted in the manner of handling juvenile cases by the courts. Repeatedly the studies cited problems in the way juvenile cases were docketed and the manner in which hearings were scheduled. Judicial assignment issues were frequently cited, as were problems in child advocacy, and child and parent representation. Hearings were frequently not “finished” and continuances regularly granted. Hearings were often continued for reasons relating to the prioritization of cases (lawyers were frequently

unable to appear due to involvement in cases being heard simultaneously in other courts). Additionally, continuances were frequently granted for “failure to serve notice” to various parties, that failure being unknown until the time of the scheduled hearing. Virtually all of the studies noted that dockets were overscheduled, resulting in inadequate court time available for scheduled hearings. In some cases such long time periods occurred between scheduled hearings that some jurisdictions were out of compliance with laws specifying the timing of adjudication, disposition, and mandatory reviews. There was a notable lack of alternative dispute resolution mechanisms available for juvenile cases. A few studies questioned the competence of lawyers and judges to handle juvenile cases; lack of training or experience was frequently cited in these cases.

North Carolina also took advantage of this funding and commissioned a study of the juvenile court system (Powers, et al., 1996). North Carolina’s study revealed findings similar to those cited in the other studies regarding the operational feature of the courts (that is, the judicial rules under which juvenile cases are processed). In response to these findings, the Administrative Office of the Courts made funds available to undertake the North Carolina Court Improvement Project (CIP). The philosophical underpinning of the North Carolina CIP is that child victims of abuse or neglect should not be further victimized by a lack of efficiency in the legal processes designed to achieve safety and legally mandated permanency for these children.

Under the 1997 Project Implementation Guidelines, the CIP focused on restructuring the judicial rules under which juvenile cases were processed. The new rules prioritized expediency and permanency. These keystones of permanency and expediency were serendipitously aligned with the tenets of the federal Adoption and Safe Families Act of 1997. The CIP rules focused on both the procedures affecting court processes, and upon the “behavior” of various parties in the cases.

### Procedural Rules Affecting Court Processes

The Chief Judges in each of the two demonstration districts issued rules specifying certain actions and time limits that were intended to remedy some of the findings of the juvenile court study. In a few instances one or the other district had already implemented variations on a small number of the rules. However, taken as a whole, the new rules specified the following:

- **Day-One Conference:** This conference is a meeting attended by the majority of parties of standing in the “case,” but is not held before the judge. It is held the 1st business day (hence, day-one) after a petition is filed alleging abuse or neglect, and/or a child is taken into non-secure custody. At the conference, all parties must make full disclosure of allegations, evidence, etc. Parties may stipulate to non-contested aspects of the case, and may even settle some or all aspects of the case and produce a written agreement or recommendation to be reviewed by a judge at the first hearing.
- At the time that the petition is filed, the clerk or judge appoints counsel for each parent named on the petition. Parent(s) and counsel are "served" immediately, so that no one comes to court without counsel, or without prepared counsel.
- At the time that the petition is filed, the judge appoints a Guardian Ad Litem (GAL) for the child. If the GAL is not an attorney, a child attorney advocate is also appointed. The appointment of a GAL in all cases attempts to assure that the child’s interests are represented independently of the parent’s and of the petitioning department.
- Continued non-secure detention hearings are held every seven days (unless waived by all parties) to review need for continued custody. This rule is intended to prevent children from languishing in “temporary” out-of-home care while other parties engage in legal maneuvering, or while the courts attempt to schedule a hearing and serve appropriate parties.
- A pre-adjudication conference is held within 30 days of the filing of the petition. The judge may issue orders at the conclusion of pre-adjudication conference in order to expedite case-resolving activities on the part of one or more parties.
- A maximum of 45 days is allowed to pass from the filing of the petition to the adjudication hearing.
- A pre-disposition conference is held within 2 weeks of adjudication (adjudication and disposition conferences and hearings are frequently combined, particularly in cases where the day-one conference and other new procedures have reduced the number of contested issues, or even resulted in a stipulated agreement). The judge may issue orders at the conclusion of the pre-disposition conference.

- A maximum of 30 days is allowed to pass between adjudication and disposition.
- The first review hearing is scheduled for not more than 90 days post-disposition.
- Subsequent review hearings are scheduled no less frequently than every 6 months. (In practice, in these two administrative districts review hearings tend to occur more frequently than the rules require.)

These rules are intended to: (a) reduce the number of unnecessarily contested cases (without abridging anyone's rights to contest any aspect of the case); (b) reduce the number of days lost (and therefore days that children may spend in out-of-home care) because of continuances granted for purposes of assignment of counsel or other court appointed parties; or (c) to reduce the number of days lost simply due to the failure to schedule, conduct and complete required hearings in a timely manner.

#### Rules Affecting Various Parties

In addition to rules specifying certain time-related requirements, there is an additional set of "rules" that sends a message to all parties about the elevated importance of child welfare cases. The "message" is directed at court clerks, lawyers, social workers and even the judges themselves. These rules include:

- Juvenile cases are to receive top priority from court clerks, lawyers and judges. (The meaning of "top priority" in this "rule" is specified in subsequent rules.)
- Juvenile cases are to be docketed ahead of all other cases except serious violent offenses. This rule is intended to prevent the minimizing of the importance of cases involving children compared to other cases.
- Lawyers representing children or their parents shall appear at scheduled hearings in juvenile cases, even if case scheduling conflicts arise among courts.
- All parties shall make full disclosure of all relevant information to all other parties prior to scheduled hearings. This rule is intended to discourage "trial by ambush" in the courtroom, and is intended to promote the non-contested resolution of juvenile cases when possible and appropriate.
- Future hearings in each case are scheduled and docketed prior to the end of the present hearing. All parties who are present and whose presence will be required at

the next scheduled hearing are "noticed or served" prior to departure from the courtroom. This rule is intended to reduce the number of hearings continued due to "failure to serve."

- The attorney representing the Department of Social Services (the petitioner in virtually every case) shall deliver a written court summary to all relevant parties no later than 21 days prior to the next scheduled hearing. If any party has a disagreement or objection to DSS recommendations, a Pre-Review Conference may be scheduled. This rule is intended to reduce the number of times that parties contest issues during courtroom hearings when the issues could have been resolved prior to coming to court. Again, however, there is no a priori requirement of parents or other parties to stipulate to the contents of the reports, and the court remains available for resolution of contested issues.
- One Judge/One Case: This rule states that whichever judge presides over the initial hearing is to preside over all subsequent hearings unless extraordinary circumstances prevail (e.g. judge retires, loses election, is ill, etc.). This rule is intended to reduce the practice of "judge shopping" and also to increase the likelihood that the presiding judge is familiar with each of the cases he or she hears. Court time was perceived to have been lost as judges needed to be informed about the histories of cases with which they were not familiar.
- Continuances shall not be granted in juvenile cases except in extreme circumstances. This rule is intended to hold all parties accountable for attending scheduled hearings and being prepared at hearings. It also reduces the delaying tactics sometimes employed during cases for purposes of "wearing down" various parties, or simply delaying the various critical junctures in juvenile cases.

Taken as a whole, the new judicial rules and practices of the CIP were intended to expedite the pace of hearings in juvenile cases and to move the cases towards permanency, as required by federal and state law.

## **Evaluation of the Court Improvement Project**

### **Evaluation Design**

The evaluation was designed to determine the effectiveness of the Court Improvement Project with respect to increasing the pace of achieving permanency for children, recognizing that the Project was being implemented in a complex environment. In order to implement a meaningful evaluation of the CIP it was necessary to operationally define “success” for the CIP, and then to develop indicators and measurement systems capable of detecting success if it occurred.

Because a major focus of the CIP was expediency, time-related and frequency-related measures were identified that embodied the expected outcomes of successful implementation of the rules. For example, if successful, the typical case should have a shorter “life” under the new rules than under the prior rules; there should be fewer judges hearing each case; there should be fewer continuances granted; and, there should be shorter average times between critical junctures of the juvenile cases (e.g., between filing of a petition and subsequent adjudication/disposition). To assess these time-related indicators, the following measures were obtained:

- length of time from filing of petition to case closure;
- length of time from petition to adjudication;
- length of time from petition to disposition;
- length of time from petition to TPR;
- length of time from hearing to final written findings of fact and conclusions of law;
- time of appointment of parents’ attorneys;
- time of appointment of GALs;
- out-of-home placements of children (type, number, reasons for change, etc.);
- number of case reviews;
- number, frequency and causes of continuances;
- time from removal to return of child;
- frequency of contested hearings that require non-consecutive court days to complete and the time elapsed before such hearings are completed.

The preceding list of measures addresses directly the issue of expediency. However, the CIP was also intended to address the issue of permanency. If successful, beyond “expediency,” the CIP should result in increased frequency of the more desirable forms of permanency. The different forms of permanency are prioritized, de facto, in law. The most desirable form of permanency is preservation of the family of origin with appropriate services. Second is reunification of the family of origin following a period of out-of-home placement. Third is an alternative form of family continuity, such as long term placement (usually with legal custody) with a relative of the birth parent from whom the child was removed (this may be a grandparent, aunt, uncle, etc). Finally, termination of parental rights (TPR) followed by adoptive placement is the permanence option of last resort. Very recent federal law (Adoptions and Safe Families Act of 1997) has emphasized the need for expedient termination of parental rights if, following reasonable efforts, it is determined that reunification with the family of origin will not occur. Thus, expedited TRP in those cases that proceed to TPR may also be viewed as a desirable outcome. Each of these forms of permanency was also recorded for cases that achieved permanency during the study period.

Finally, evaluators recognized that the changes in the rules were not trivial with respect to perceptions about protecting the legal interests of various parties. There was particular concern among defense attorneys about the potential for the new rules to abrogate the rights of parent’s accused of abuse or neglect. To assess the success of the CIP in avoiding such abrogation of rights, as well as a variety of other qualitative and perceptual issues, the evaluation included a qualitative survey. The survey was sent to a wide variety of persons with a vested interest in both the CIP and the child welfare system, and covered a number of topics relating to child welfare outcomes, parents’ rights, children’s rights, and other aforementioned indicators. The survey was conducted after respondents had approximately two years of experience with the CIP, but before any data from the quantitative evaluation was released. The evaluators wanted to capture respondents’ attitudes and perceptions about CIP prior to revealing the quantitative impacts of CIP on the court-related and child welfare-related measures or expediency and permanency.

To determine the size of any impact of the CIP on the obtained measures, it was necessary to obtain the same measures on court cases processed under the prior rules. In

order to accomplish this comparison, a baseline level of measurement on each of the indicators had to be obtained. The baseline was obtained by performing a case record review of 455 cases from the 7 counties in the two Districts participating in the demonstration project. Only closed cases were reviewed in the baseline period because the issue of “achieving permanency” precluded reviewing cases that might have opened under the old rules but carried forward under the new rules prior to closure. The selection algorithm for the pre-CIP baseline period was that the most recently closed cases in each of the 7 counties was reviewed first, and then older cases were drawn in reverse order of closure until a sufficiently large sample had been obtained from each county. Since cases were drawn for review on the basis of closure date, there was no telling how long a case had been open until it was actually drawn and reviewed.

In contrast to the retrospective baseline measurement strategy, all cases opened under the new rules were tracked until the cases either closed or the study period ended, whichever happened first. This strategy captured all information on the cases that were opened and processed under the new rules, and compared them to a large sample of recently closed cases that were processed to “closure” under the old rules.

There were some cases that transitioned from the “old rules” measurement period into the “new rules” period from which data were not obtained. These cases were excluded from the analysis because it was not possible to dis-aggregate the effects of the old rules and the new rules with respect to the time-related indicators.

This measurement strategy raised some interesting issues with respect to analytic strategies employed. These issues will be discussed in greater detail in the Results section. However, it must be noted that the longest time that a case could possibly have been open under the new rules was approximately 30 months (2 ½ years), whereas a few cases under the old rules were open for as long as 5 or 6 years. Thus, when “closed cases” under the old rules are compared to “closed cases” under the new rules, those comparisons that employ time-related measures will tend to slightly *overestimate* the effect of CIP on the measures. The degree of overestimation should be very small because the measurement period (2.5 years) greatly exceeds the median length of time that cases were open under either the pre-

CIP or post CIP rules (404 days and 245 days respectively). However, the analysis can be adjusted for the compressed time frame under the new rules by looking at “old” cases only for the length of time that they could possibly have been open if they had been processed under the new rules. This analytic strategy does not account for the fact that cases actually did close more quickly under the new rules, and therefore this analytic approach tends to *underestimate* the effect of CIP on time-related measures. The *true* impact of CIP falls between these two analytic approaches.

All data acquired from the baseline cases were obtained manually using a structured case abstraction tool specifically designed for that purpose. Data obtained from cases processed under CIP were obtained from a combination of two sources: an automated management information system designed for use by the GAL program (the GALIS MIS), and a manual case record review necessary to complete the records when data from the GALIS MIS were missing or incomplete (a very similar case abstraction tool was used for these reviews as was used for obtaining the baseline measures).

Throughout the entire measurement period, evaluators periodically communicated with CIP monitors in the 7 counties comprising the two judicial Districts to be sure that the new rules were being followed. Evaluators also occasionally attended District-specific training events or meetings to witness the interactions among the various parties and interests represented at the events. The quality and content of the observed exchanges were very informative to the process of constructing the qualitative survey that was used to gather the perceptions and attitudes of respondents about the CIP.

### Analysis Plan

Simple tabulation of responses from the mail survey indicates the preponderance of qualitative findings. These data are presented in aggregate form to assure confidentiality of respondents.

Measures of the time-related and frequency-related indicators (e.g., “number of days cases are open,” “number of hearings per case,” etc.) are presented as frequencies, means, and percentages. Ranges are also given, when appropriate. These measures were calculated for

the baseline cases and the CIP cases in order to compare the pre-CIP and post-CIP patterns of case processing, and to highlight differences in child welfare outcomes associated with the different rules that dictated court processing of the baseline and CIP cases. Where appropriate, chi-square tests, t-tests or analyses of variance were performed on the data to test for statistical significance attributable to the two different sets of court rules.

For many of the time-related measures, longitudinal analytic models were employed, relying on “cohort tracking” and “survival curve” analyses. Survival curves portray proportional hazard models derived from life tables, and are a dynamic and compelling way of comparing the case process measures under the “old rules” and the CIP rules. Survival curves permit the depiction of dynamic, time-related patterns of events or “judicial system behaviors” that can be legitimately compared even across slightly varying measurement methods. Significance tests of survival distribution equalities are made using the Wilcoxon-Gehan statistic or the LogRank statistic, as appropriate.

## **Results of the Evaluation**

Generally speaking, the results of the evaluation indicate positive changes in all measures associated with the multiple indicators of “success.” The qualitative data from the survey are very positive. Observations made by evaluators at the training events and other gatherings of persons implementing the CIP indicate that virtually all parties took seriously the message that juvenile cases should be prioritized in the demonstration districts. Although evaluation resources did not permit the direct measurement of some court administrative procedures (such as the docketing practices), anecdotal information suggests that juvenile cases were appropriately docketed in accordance with expectations under the CIP. Numerous references were made by clerks, judges and CIP coordinators about the increased efficiencies in scheduling multiple hearings and concluding multiple hearings in a timely manner. After glitches associated with program start-up were addressed, CIP coordinators reported good attendance and cooperative demeanor of most parties at the day-one conferences and pre-adjudication hearings. Judges and clerks seemed to adapt well to the process of scheduling subsequent hearings and “serving notice” to all parties present prior to concluding hearings. The results of these kinds of activities are quite evident in the quantitative data gathered on court operations and related measures.

The time-related measures indicate general reductions in time taken by the courts to process cases under the CIP rules. The same is true of frequency-related measures. Most of the positive changes are also statistically significant. The survival curves show dynamically that the patterns of occurrence of time-related measures change in the desired direction under the CIP rules, and indicate that the CIP was effective with respect to accelerating the pace of achieving permanency for children. Each of these three categories of analyses and results is presented below.

### **Survey Results**

The survey of opinions and attitudes about the CIP was mailed to stakeholders in both judicial districts approximately at the end of the second year following CIP implementation. The survey questions covered the full range of topics defining the CIP rule changes. It

solicited respondents' opinions about the influence of each of the new rules on the pace of cases in the courts, whether the new rules helped parents and children survive the experience of being involved in a juvenile court case, and whether the permanency outcomes were achieved more quickly and without infringing on the rights of various parties. Each of the questions was accompanied by a 7-point Likert-type scale on which respondents indicated their degree of agreement or disagreement with the proposition stated in each of the survey items.

The survey was mailed to 220 potential respondents comprising judges, court clerks, law enforcement officers involved with juvenile cases, DSS attorneys, "parents'" attorneys, DSS caseworkers, and guardians ad litem. The lists of potential respondents were obtained from the CIP project coordinators from each of the districts. Completed and returned surveys totaled 154, yielding a 70% response rate. This is a very good response rate for surveys of this type, providing a high degree of statistical reliability of the results. The response rate is also an indicator of the degree of interest generated by the CIP in the two demonstration districts.

Overwhelmingly, respondents expressed positive feelings about the impact that the CIP had on the processing of juvenile court cases. Collapsing the top three response categories on each 7-point scale into an aggregate indicator of "positive affect," the survey results indicate the following:

- 97% of respondents feel that the immediate assignment of counsel helps the cases progress more quickly;
- 92% feel the strategy of "one judge/one case" helps the cases progress more quickly;
- 75% feel that early assignment of a guardian ad litem helps the cases progress more quickly;
- 91% feel that the day-one conferences help the cases progress more quickly;
- 76% feel that the day-one and pre-hearing conferences help parents, with respect to their participation in the cases;
- and 78% feel that the day-one and pre-hearing conferences help children, with respect to their participation in the cases.

The following categories are composite indicators from several survey items on the respective topics. In each case the large majority of respondents expressed positive responses, indicating that the new CIP rules:

- do *not* infringe upon parent's rights to due process;
- do *not* infringe upon children's rights to protection and due process;
- expedite permanency outcomes for families and children;
- result in fewer out-of-home placements;
- result in less time spent in out-of-home care;
- and result in better child welfare outcomes for affected children.

The results of the survey are very supportive of the positive influence of the CIP rules on improving the processing of juvenile cases in the courts. While there were a few individuals who did not express positive feeling about each of the potential influences of the new rules, virtually none expressed strong negative opinions, whereas many (the majority, in most cases) expressed strong positive opinions. Further, the large majority of respondents reported that if they had reservations about the efficacy of the CIP prior to implementation, their opinions of the CIP had become favorable after experiencing the processing of cases under the new rules. It is important to recall that these opinions were given prior to the release of any of the statistical measures of the impact of the CIP rules, and are therefore based upon respondents personal experiences with the CIP from their own vantage points.

### Time-Related and Frequency Measures

Except where noted, the results focus on 455 closed cases comprising the baseline (pre-CIP) cases, and 403 cases that opened *and* closed during the CIP case tracking period of 2½ years.

Looking first at the frequency-related indicators, it would be expected that the most likely measures to show change under the CIP rules would be those that were under the direct control of the judges. These would be the “one judge/one case” assignment strategy, and the practice of granting continuances. As can be seen in Table 1, there was a dramatic reduction in the number of different judges presiding over hearings in each case.

Table 1. Number of Judges Hearing Individual Cases Before and After Court Improvement Project Implementation

<b>Number of Judges</b>	<b>Before CIP</b>	<b>After CIP</b>
<b>One Judge</b>	23 5.1%	100 24.9%
<b>Two Judges</b>	51 11.2%	139 34.7%
<b>Three Judges</b>	99 21.8%	91 22.7%
<b>Four or More Judges</b>	282 62.0%	71 17.7%

(chi-square = 212.86; df = 3; p<.001)

Prior to the CIP, only 5.1% of cases were “heard” by one judge, whereas after CIP, one quarter of all cases (24.9%) were “heard” by only one judge, and a combined total of three fifths (59.6%) of cases were heard by one or two judges. In contrast, prior to CIP, more than three fifths (62%) of cases were heard by four or more judges. This change in distribution of the number of judges hearing cases is statistically significant (chi-square = 212.86; df = 3, p<.001).

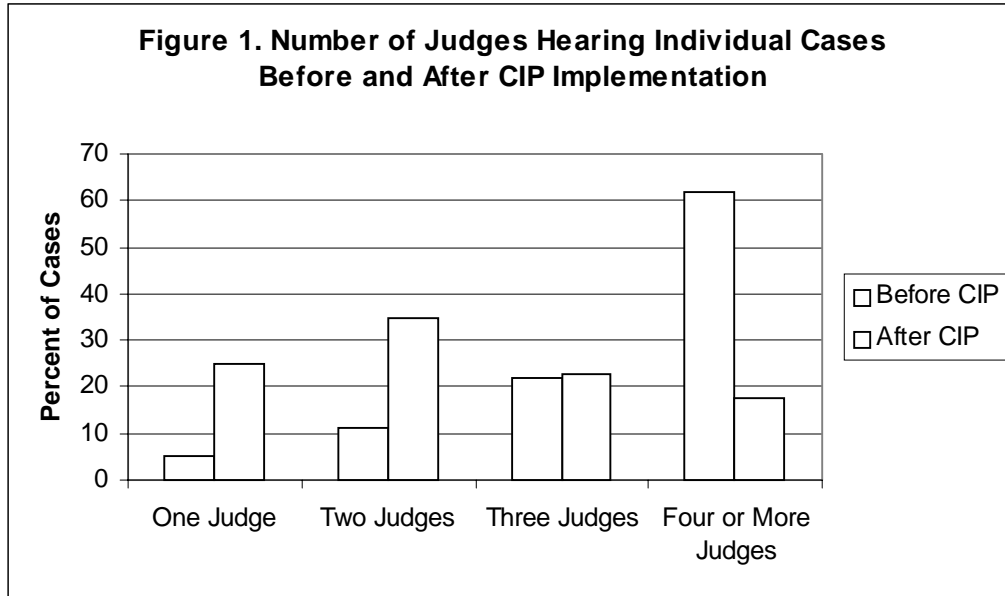


Figure 1 shows these changes in graphic form, illustrating the large shift towards fewer judges hearing each case under the CIP rules.

Table 2 presents the mean, median and other descriptive statistics relating to the number of judges hearing each case before and after the CIP rules were implemented, and the results are consistent with those in Table 1. Table 2 shows that the mean number of judges hearing each case fell from 4.15 to 2.4 (with medians of 4 and 2, respectively), with the difference between means being statistically significant ( $F = 296.5$ ;  $df = 1$ ;  $p < .001$ ).

Table 2. Mean and Median Number of Judges Hearing Individual Cases Before and After Court Improvement Project Implementation

Outcome Measure	Before/ After CIP	N	Mean	Median	SD	Min	Max
Number of Judges	Before	455	4.15	4.00	1.70	1	8
	After	401	2.40	2.00	1.19	1	6

( $F = 296.50$ ;  $df = 1$ ;  $p < .001$ )

Very similar shifts in patterns can be observed with respect to the granting of continuances. Table 3 shows the distribution of cases experiencing various numbers of continuances. It can be seen that prior to the CIP, only 15.4% of cases were resolved without a single continuance, whereas after the CIP rules went into effect, more than two fifths (41.7%) of cases never experienced a continuance. A scant 14.9% of cases experienced three or more continuances after the CIP, compared to a combined 43.8% that experienced three or more continuances prior to the CIP. In fact, more than one quarter (28.6%) of cases experienced four or more continuances prior to CIP. Again, the shift in distribution is statistically significant (chi-square = 117.339; df = 4; p<.001).

Table 3. Number of Hearings Continued Before and After the Court Improvement Project Implementation.

<b>Number of Hearings Continued</b>	<b>Before CIP</b>	<b>After CIP</b>
<b>Zero</b>	70 15.4%	168 41.7%
<b>One</b>	102 22.4%	104 25.8%
<b>Two</b>	84 18.5%	71 17.6%
<b>Three</b>	69 15.2%	31 7.7%
<b>Four or More</b>	130 28.6%	29 7.2%

(chi-square = 117.34; df = 4; p<.001)

These same data are presented graphically in Figure 2. Clearly, the preponderance of cases processed under the CIP experience continuances at rates far below those of cases processed under the pre-CIP rules. This change is further evidence of the seriousness with which the parties involved in these cases understood and upheld the principals of the CIP.

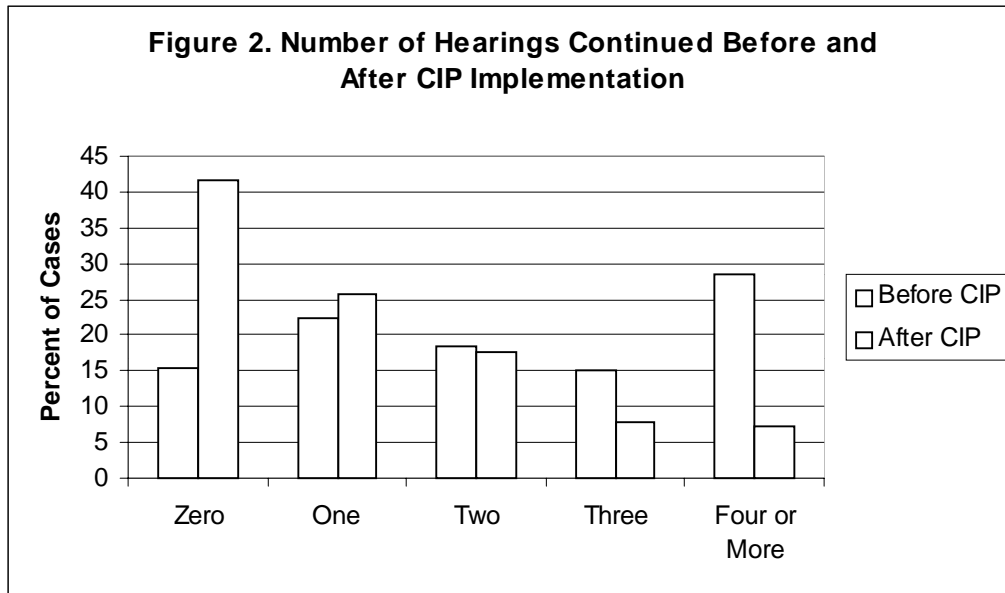


Table 4 presents the mean, median and other descriptive statistics relating to the number of continuances granted before and after CIP implementation, and shows a decrease in the mean from 2.73 per case to 1.19 per case. The difference between the means is statistically significant ( $F = 122.6$ ;  $df = 1$ ;  $p < .001$ ).

Table 4. Mean and Median Number of Continued Hearings Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Number of Hearings Continued	Before	455	2.73	2.00	2.43	0	12
	After	403	1.19	1.00	1.45	0	9

( $F = 122.61$ ;  $df = 1$ ;  $p < .001$ )

The CIP rules are quite specific with regard to the practice of assigning counsel and GALs to families and children immediately after the filing of a petition. Table 5 shows the data on the assignment of counsel to parents alleged to have abused or neglected their children. Although counsel frequently was assigned within the first few days or weeks under the pre-CIP rules, the CIP rules resulted in more than a quarter (28.3%) of cases being assigned counsel on the very day that the petition was filed.

Table 5. Number of Days Between Petition and Assignment of Counsel Before and After the Court Improvement Project Implementation.

<b>Number of Days</b>	<b>Before CIP</b>	<b>After CIP</b>
<b>Same day as petition</b>	12 3.7%	84 28.3%
<b>1 to 7 days</b>	161 49.4%	116 39.1%
<b>8 to 14 days</b>	47 14.4%	29 9.8%
<b>15 to 30 days</b>	65 19.9%	45 15.2%
<b>31 or more days</b>	41 12.6%	23 7.7%

(chi-square = 73.08; df = 4; p<.001)

Figure 3 displays these data graphically, and shows the improvement in timely assignment of counsel. The effect of efforts to assign counsel on the day the petition is filed is clearly evident.

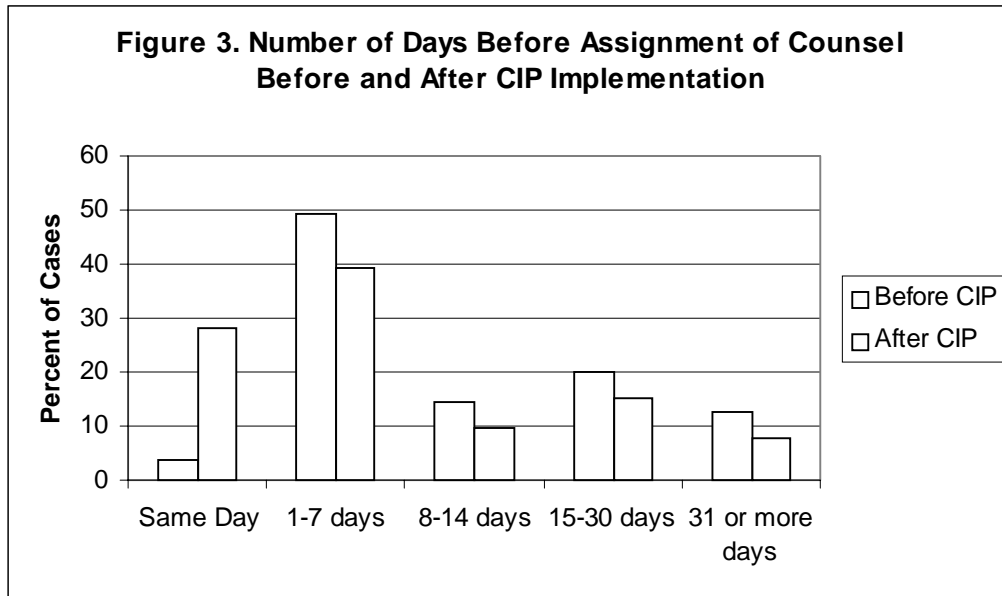


Table 6 provides the mean, median and other descriptive statistics relating to the assignment of counsel before and after the implementation of the CIP. The reduction in mean length of time to assign counsel is statistically significant ( $F = 6.19, df = 1, p < .05$ ).

Table 6. Mean and Median Number of Days from Filing of Petition Until Counsel Assigned Before and After Court Improvement Project Implementation

Outcome Measure	Before/ After CIP	N	Mean	Median	SD	Min	Max
Number of Days to Assign Counsel	Before	326	12.75	7.00	13.1	0	64
	After	297	9.76	2.00	16.8	0	90

( $F = 6.19; df = 1; p < .05$ )

Similar results were obtained for the assignment of GALs to children. Table 7 shows the means, medians and other descriptive statistics for the assignment of GALs. Particularly impressive is the reduction from 4 days to 1 day in the median length of time to assign a GAL. The difference between the pre-CIP and post-CIP lengths of time are statistically significant ( $F = 8.56, df = 1, p < .05$ ).

Table 7. Mean and Median Number of Days from Filing of Petition Until GAL Assigned Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Number of Days to Assign GAL	Before	421	8.60	4.0	19.3	0	238
	After	377	5.01	1.0	14.75	0	103

(F = 8.56; df = 1; p<.05)

Additional attempts were made to limit the time spent processing cases, these attempts specifying the length of time permissible to achieve certain milestones in the lives of the cases. New guidelines for these time-related measures called for pre-trial conferences to be held within 30 days of the filing of the petition; adjudication was to occur within 45 days of the filing of the petition; and, if a review hearing was necessary, it was to occur within 90 days of the disposition. Findings for each of these guidelines are encouraging, although the timelines seem to have been quit ambitious.

Because pre-trial conferences were new to court practices under the CIP, pre-CIP and post-CIP comparisons do not obtain. However, of 240 post-CIP cases that had a pre-trial conference, 65% occurred within the proscribed 30 days. Time-to-adjudication can be compared under pre-CIP and post-CIP rules. Nearly half (48.6%) of the post-CIP cases were adjudicated within 45 days, compared to 39.3% under the old rules. This difference is statistically significant (chi-square = 7.27, df = 1, p<.01). The CIP was also more influential on the scheduling of review hearings. Of cases needing a review, 68% were reviewed in 90 days or less, compared with only 42% of similar cases prior to CIP. Again, this difference is statistically significant (chi-square = 46.84, df = 1, p<.001).

An extension of the accelerated pace of reviews under the CIP rules can be seen in the analysis of the time between successive reviews in those cases that required multiple reviews. The data are presented in Table 8, and show that when more than one review was required to

resolve a case, those reviews happened significantly more quickly under CIP than prior to CIP. The mean length of time between reviews was reduced under the CIP by nearly two weeks (from 89.7 days to 76.8 days), a difference that is statistically significant ( $F = 11.85$ ,  $df = 1$ ,  $p < .001$ ).

Table 8. Mean and Median Number of Days Between Review Hearings for Cases Requiring Multiple Reviews Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Number of Days Between Reviews	Before	1423	89.7	63	87.6	0	734
	After	653	76.8	70	55.9	1	364

( $F = 11.85$ ;  $df = 1$ ;  $p < .001$ )

Another time-related measure for the CIP was the time taken to produce judicial orders, and have them signed and entered into the record. Historically, the time between the issuing of orders at the end of a hearing and the appearance of the signed orders in the case file was seen as a time of diminished case-related activity. There was an effort to produce orders and have them signed on the same day as the hearing, and if that was not possible, to accelerate the normal process of obtaining judges' signatures on orders.

Results of this effort indicate success (statistically significant success) in spite of unanticipated problems encountered in the production of orders. Table 9 displays the number and percent of orders signed on the day of the hearing, within two weeks of the hearing, within one month, within two months, and more than two months after the hearing.

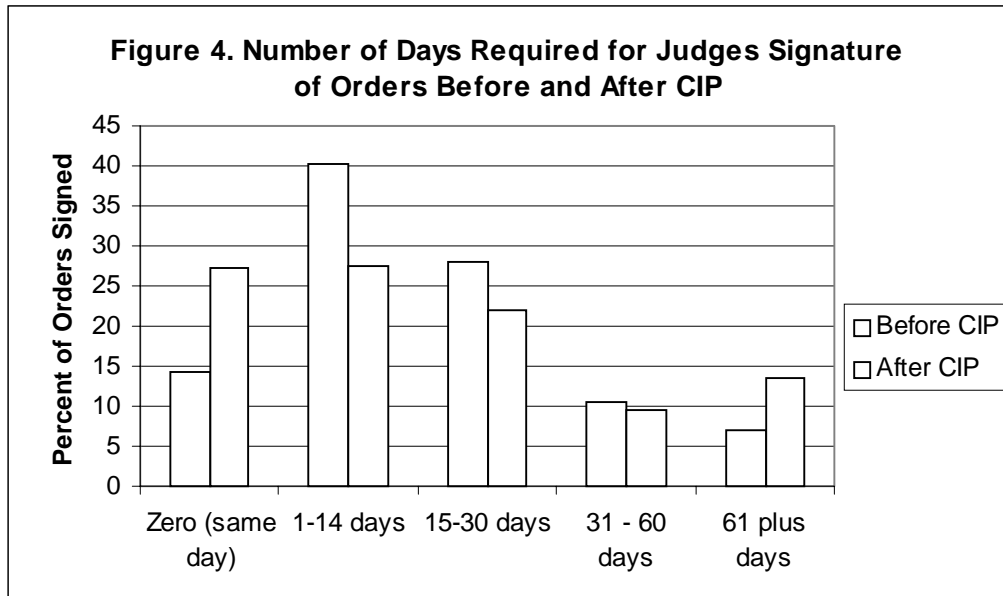
Table 9. Number of Days Required for Signature of Judicial Orders Before and After the Court Improvement Project Implementation.

<b>Number of Days Required</b>	<b>Before CIP</b>	<b>After CIP</b>
<b>Zero (same day)</b>	377 14.3%	625 27.3%
<b>1 to 14 days</b>	1062 40.3%	631 27.5%
<b>15 to 30 days</b>	737 28.0%	506 22.1%
<b>31 to 60 days</b>	275 10.4%	218 9.5%
<b>More than 60 days</b>	183 6.9%	311 13.6%

(chi-square = 231.02; df = 4; p<.001)

Table 9 reveals a substantial increase in the number of orders signed on the day of the hearing under the CIP as compared to pre-CIP. The change in the distribution pattern of “signatures obtained” reflected in the table is statistically significant (chi square = 231.02, df = 4, p<.001). However, there are also a large number of cases under CIP where the process took more than 60 days, compared to pre-CIP. This undesirable shift is believed to be due to several extended periods of vacancies in the county DSS attorneys’ offices during the evaluation period. DSS attorneys are responsible for producing the orders for signature.

These same data are presented graphically in Figure 4. The substantial improvement in number of orders signed on the day of the hearings (same day) is clearly visible, as is the backlog of orders awaiting signature for longer than 60 days. Had the DSS attorney vacancies been filled in a timely manner, it is likely that the backlog would not have been large, and the distribution, or “early signing,” of orders would have shifted even more toward the shorter time periods.



It is quite certain from the preceding tables and figures that the CIP rules changed the operations of the courts with respect to the processing of juvenile cases. If the underlying philosophy of the CIP is valid, there should also be changes in some of the “child welfare” indicators associated with these rule changes. One might expect to see a reduction in the number of children placed in out-of-home care, a reduction in the number of placement changes if placement were necessary, and perhaps a shift in types of placements used. Positive changes were observed on each of these measures.

Beginning with the number of placements experienced by children, Table 10 shows that under the CIP rules, nearly twice as many children avoided placement altogether, compared to pre-CIP placement patterns. Before CIP, only 8.6% of children in juvenile cases that went to court avoided placement, compared to 15.9% after the CIP. If placement was necessary, under CIP, 41.2% of children experienced a single placement. Thus, under CIP, nearly three fifth (57.1%) experienced either no placement, or a single placement. In contrast, before CIP, more than three fifths (60.7%) of children experienced multiple placements. This change in placement patterns is statistically significant (chi-square = 41.237; df = 3; p<.001).

Table 10. Number of Placements of Children Before and After Court Improvement Project Implementation.

Number of Placements	Before CIP	After CIP
<b>Zero</b>	39 8.6%	64 15.9%
<b>One</b>	140 30.8%	166 41.2%
<b>Two</b>	156 34.3%	127 31.5%
<b>Three or More</b>	120 26.4%	46 11.4%

(chi-square = 41.24; df = 3; p<.001)

These data are presented graphically in Figure 5 and show clearly the shift towards reduced numbers of placements after CIP implementation.

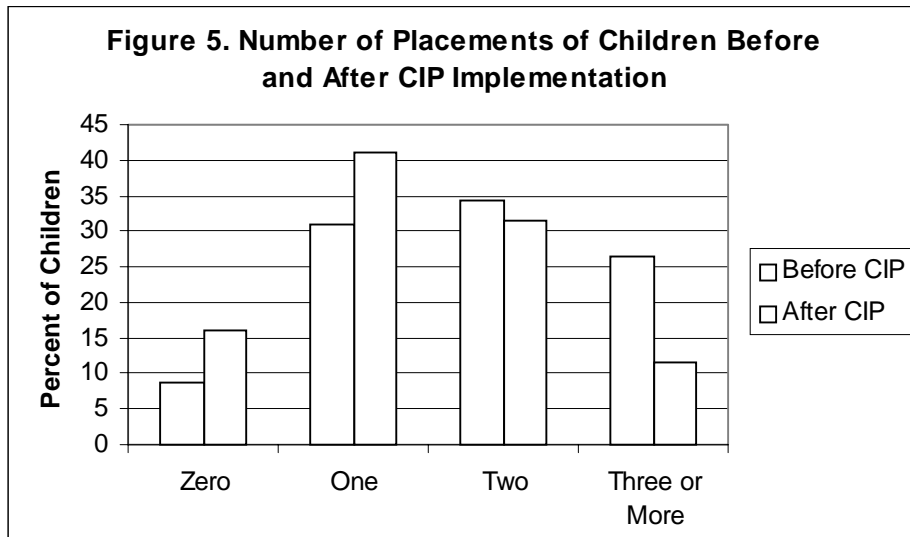


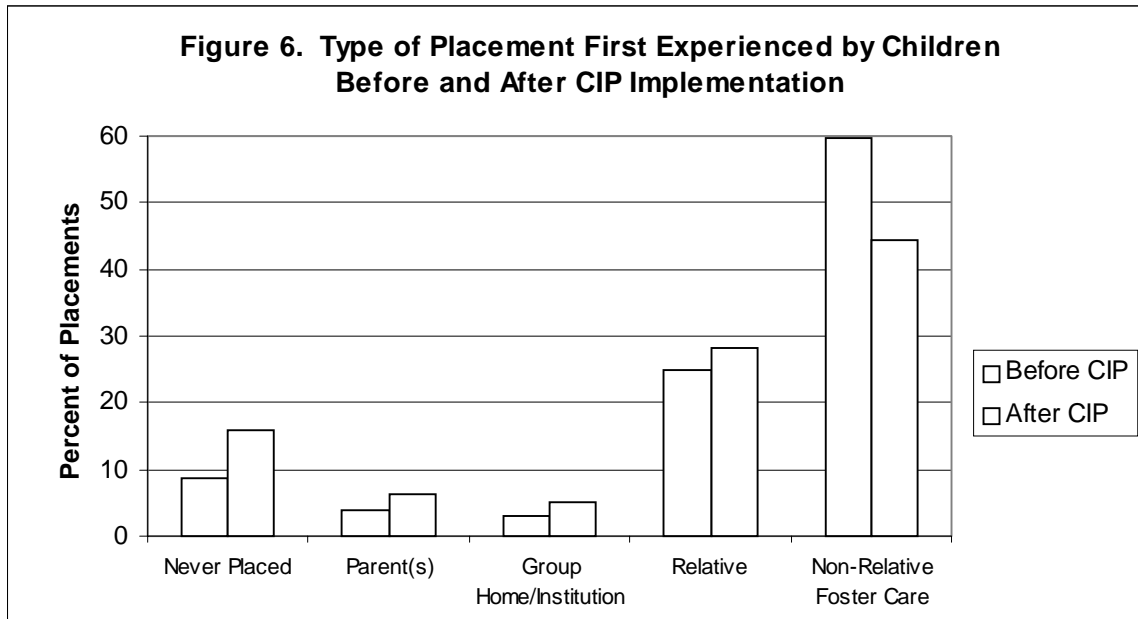
Table 11 illustrates changes in the utilization of different types of placements under the CIP. In addition to the near doubling of children “never placed,” post-CIP placement patterns show an increase in utilization of “parent” placement (that is, the child is placed under protective supervision by the court, but the child is not removed to foster care), an increase in reliance on “relative care,” and a decrease in reliance on “unrelated foster care.” These shifts in placement patterns are statistically significant (chi-square = 25.02; df = 5;  $p < .001$ ).

Table 11. Type of First Placement of Children Before and After Court Improvement Project Implementation.

<b>Type of Placements</b>	<b>Before CIP</b>	<b>After CIP</b>
<b>Never Placed</b>	39 8.6%	64 15.9%
<b>Mom/Dad/Parents</b>	18 4.0%	25 6.2%
<b>Group Home/ Shelter/Institution</b>	14 3.1%	20 5.0%
<b>Relative</b>	113 24.8%	114 28.3%
<b>Foster Care/Non-Relative</b>	271 59.6%	179 44.4%

(chi-square = 25.02; df = 5;  $p < .001$ )

Figure 6 displays graphically the type of placements first experienced by children under the pre-CIP and post-CIP rules. The shifts are clearly evident towards placement prevention and reliance on relatives, and away from non-relative foster care.



The permanency outcomes for children also merit examination, and the data show some interesting shifts under the CIP rules. These data are presented in Table 12. Most notable is the more than doubling of the number of cases dismissed under CIP rules compared to pre-CIP rules. Almost all of this shift appears to be accounted for by small reductions in the number of reunifications and relative placements, and is probably due to the influence of the Day-One Conferences and other early case efforts to resolve cases prior to the need for evidentiary hearings and the subsequent need to make an adjudication. This is speculation, however, that must be tempered by the realization that under ASFA there is likely to be an increase in the number of TPRs pursued.

Table 12. Types of Permanency Achieved for Children Before and After Court Improvement Project Implementation.

Type of Permanency	Before CIP	After CIP
<b>Dismissed</b>	33 7.3%	65 16.1%
<b>Reunification</b>	192 42.2%	152 37.7%
<b>Relative Placement</b>	131 28.8%	93 23.1%
<b>Foster Care/Non-Relative</b>	5 1.1%	8 2.0%
<b>Case Authority Transfer</b>	9 2.0%	15 3.7%
<b>Aged Out/Emancipated</b>	7 1.5%	3 0.7%
<b>Other</b>	3 0.7%	5 0.6%

(chi-square = 23.19; df = 7; p<.01)

The next groups of measures of interest are those relating to the passage of time between critical case junctures. Perhaps the two most important time-related measure are the times between the filing of the petition and (a) the case finding, and (b) the closure of the case. Tables 13 and 14 present the measured reductions in times to these two significant case junctures.

Table 13 shows that the mean time necessary to reach a “finding” was reduced from about 73 days to about 61 days (the medians being 57 days and 47 days, respectively). This reduction is statistically significant ( $F = 11.406$ ;  $df = 1$ ;  $p = .001$ ).

Table 13. Mean and Median Number of Days from Petition to Case Finding Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Days from Petition To Case Finding	Before	440	72.98	57.00	58.96	0	318
	After	393	60.66	47.00	44.25	2	307

(F = 11.41; df = 1; p<.001)

Table 14 shows a reduction in the average length of time that a case is open under the pre-CIP and post-CIP rules. The mean case duration under the pre-CIP rules was 479 days, compared with 259 days post-CIP (medians are 404 days and 245 days, respectively). This reduction in time is also statistically significant (F = 109.10; df = 1; p<.001).

Table 14. Mean and Median Number of Days from Petition to Case Closure Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Number of Days to Case Closure	Before	455	479.12	404.00	389.93	6	3140
	After	403	259.49	245.00	171.76	2	483

(F = 109.10; df = 1; p<.001)

The total number of hearings and the number of required review hearings show reductions concomitant with the data in the preceding tables. Tables 15 and 16 show the total number of hearings and reviews required under the old and new rules.

Table 15. Mean and Median Total Number of Hearings Per Case Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Total Number of Hearings Per Case	Before	455	7.70	7.00	4.28	1	23
	After	403	5.94	6	3.13	0	17

(F = 46.86; df = 1; p<.001)

Table 15 shows that the total number of hearings required to resolve cases was reduced from an average of 7.7 hearings per case to an average of 5.9 hearings per case. This difference is statistically significant (F = 46.86; df = 1; p<.001). Table 16 shows that the number of review hearings required to resolve cases after disposition was reduced from 4.1 hearings per case to 2.44 hearings per case. This difference is also statistically significant (F = 68.47, df = 1, p<.001)

Table 16. Mean and Median Number of Review Hearings Per Case Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Number of Review Hearings	Before	455	4.11	3.00	3.52	0	18
	After	403	2.44	2.00	2.10	0	9

(F = 68.47; df = 1; p<.001)

Even when the case resolves badly for the family of origin, and reunification is determined not to be an option, it is better for the children involved to have that decision made early. Table 17 shows that, in those cases where a TPR petition is filed, the petitions are being filed more expediently. Prior to CIP, the average number of days to the filing of a TPR petition was 634 days (about a year and 9 months) compared to an average of 362 days (about one year) under the CIP rules. This difference is statistically significant ( $F = 12.458$ ;  $df = 1$ ;  $p < .001$ ).

Table 17. Mean and Median Number of Days from Initial Petition to TPR Petition Before and After Court Improvement Project Implementation

<b>Outcome Measure</b>	<b>Before/ After CIP</b>	<b>N</b>	<b>Mean</b>	<b>Median</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
Number of Days To TPR Petition	Before	55	636.65	495	400.83	187	1805
	After	28	361.82	342	127.13	156	621

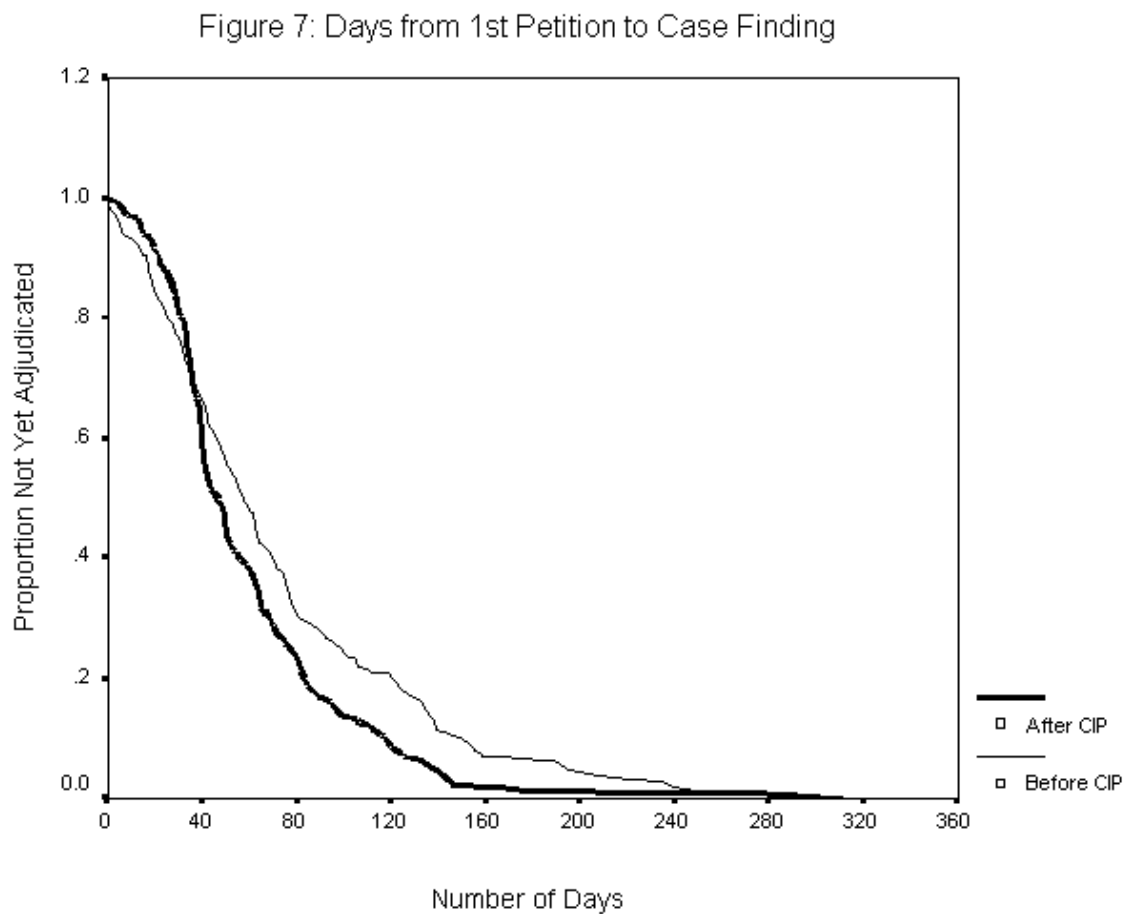
( $F = 12.46$ ;  $df = 1$ ;  $p < .001$ )

### Survival Analyses

Changes in the average numbers of days to critical events are useful to know, but they only tell part of the story. A clearer picture of the impact of the CIP rules on the “behavior” of the juvenile courts can be seen by examining “survival curves” of children along their legal paths to permanency. It should be noted that in the phrase “survival curve analysis,” the word “survival” is a statistical term, not a literal one. The term refers to the length of time that children “survive” in a particular state of affairs. We might start counting the number of

days a child “survives” in foster care and then consider the child’s reunification with his or her family of origin to be a positive case outcome, marked by the exit of the child from foster care. We can aggregate all children in foster care into a single cohort, and plot the “survival rate” of children in foster care to see if the CIP rules change the shape of the curve. This approach produces compelling pictures of the results of interventions intending to change the dynamic behavior of the child welfare system. The following figures depict some of the changes associated with the Court Improvement Project.

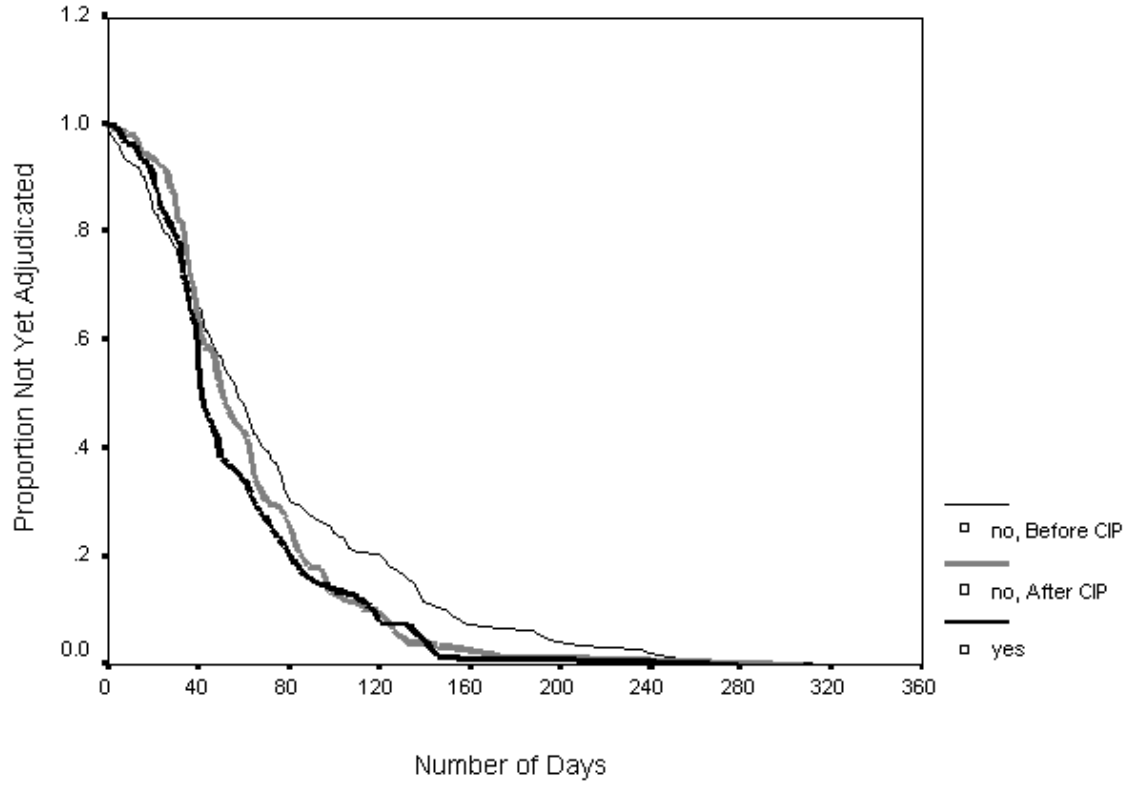
Figure 7 portrays the pace with which a case finding is made following the filing of a petition. The thin line represents the process prior to CIP, and the heavy dark line represents this process under the CIP rules.



The heavy dark (CIP) line descends more steeply than the pre-CIP line, indicating that cases are adjudicated more quickly under CIP than prior to CIP. Notice the interesting crossover of the lines that occurs at about day-40. This crossover means that the initial pace of adjudication under CIP (during the first 40 days, approximately) is slightly slower than was the case under the pre-CIP rules. However, this is likely due to the new conferences and pre-trial hearings that are part of the CIP rules. It is likely that these early, deliberate case activities under CIP rules result in the subsequent increase in the pace of adjudication over the next 200 days. The difference between these two lines is statistically significant (Wilcoxon-Gehan = 4.69,  $df = 1$ ,  $p < .05$ ), with the results favoring the CIP rules.

Figure 8 shows the impact of the day-one conference on reaching a finding in a case. It also shows the impact of the CIP rules *other* than the day-one conference, since not all cases under the CIP rules had a day-one. The absence of day-one conferences sometimes occurred during the start-up period of the CIP, and also during periods of staff turnover among CIP case managers.

Figure 8: Days from 1st Petition to Case Finding  
by Cases with a Day-One Conference



In Figure 8, the thin dark line represents the pace for cases to reach a finding prior to the CIP. The gray line represents the pace after implementation of CIP but for cases that did not have a day-one conference, and the thick black line represents the pace for cases processed under the CIP and that did have a day-one. The overall effect of having a day-one conference is statistically significant (Wilcoxon-Gehan = 7.65,  $df = 2$ ,  $p < .02$ ), with the steepness of the curve indicating that cases having a day-one conference arrive at a case finding more quickly than those that do not. Pair-wise comparisons between all three lines indicate that the biggest difference is between the cases processed under the pre-CIP rules and those processed after the CIP with a day-one conference (Wilcoxon-Gehan = 6.99,  $df = 1$ ,  $p < .01$ ). While there is a difference between the two post-CIP curves (those with and without a day-one conference), the difference is not statistically significant. This may be interpreted as meaning that all the CIP rules affecting early case activity are important to reaching a finding in a timely manner, and the day-one conference is particularly important. This is the first of several indications that the day-one conference is a lynchpin of the CIP.

Figure 9 is among the most dramatic of the survival curves, and shows the effect of the CIP on the case closure pattern of cases. Again, the CIP line descends more steeply than the pre-CIP line, indicating a more rapid pace of case closures. The difference between these two lines is statistically significant (Wilcoxon-Gehan = 87.23,  $df = 1$ ,  $p < .001$ ), and it is also dramatic. To assist in understanding the magnitude of the difference between these two lines, imagine a horizontal line departing the y-axis at the .5 level. The .5 level is equivalent to the 50% level of case activity being measured. That line will cross the post-CIP line at day 245, and it will cross the pre-CIP line at day 404. You may recall these numbers from Table 14, presenting the median length of time that cases were open under the two different sets of rules.

Figure 9: Days from 1st Petition to Case Closure

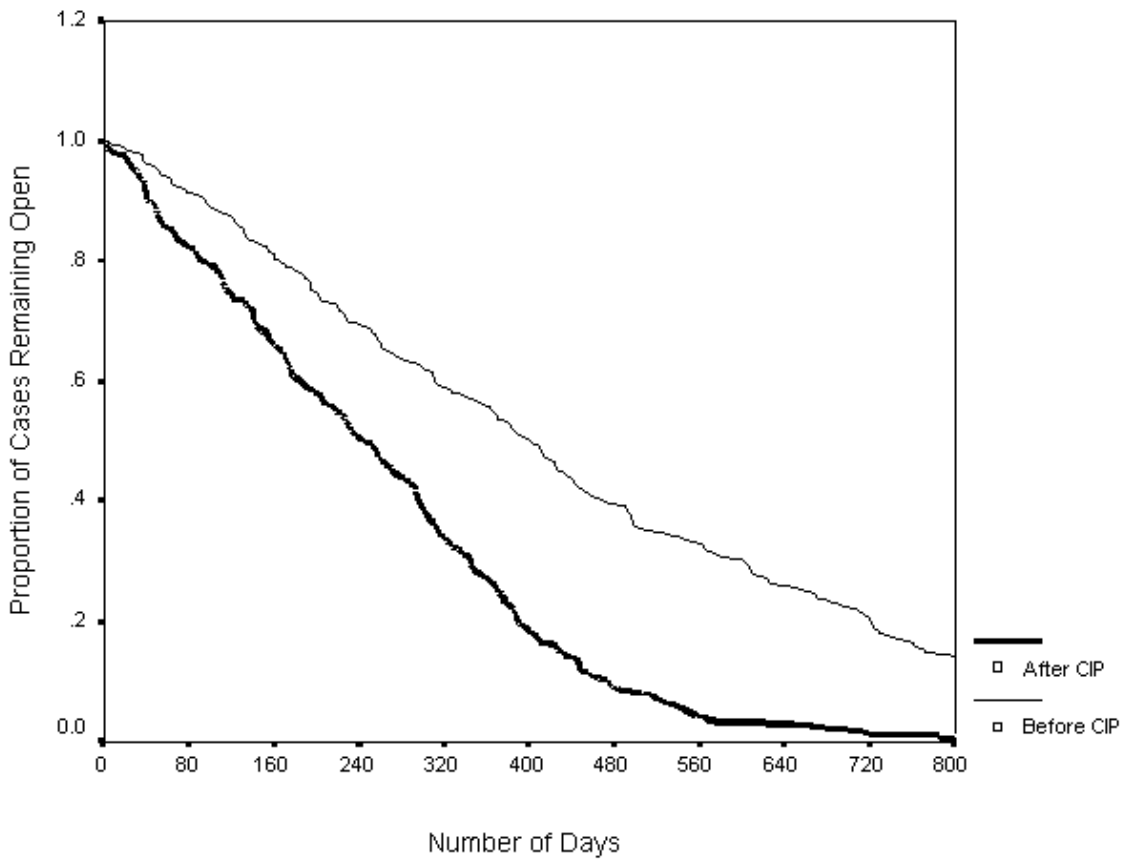


Figure 10 clearly demonstrates the importance of the day-one conferences to the CIP. Whereas Figure 8 indicated that day-one conferences are important to reaching a finding, Figure 10 illustrates their critical contribution to achieving permanency. The overall contribution of the CIP and day-one conference is statistically significant (Wilcoxon-Gehan = 96.03,  $df = 2$ ,  $p < .001$ ). However, the pair-wise comparisons are most informative.

The pair-wise comparisons show that the CIP rules *without* the day-one conference (the gray line in Figure 10) significantly accelerate the pace of cases towards closure, as the line is steeper and lower than the pre-CIP (no day-one conference) line (Wilcoxon-Gehan = 29.35,  $df = 1$ ,  $p < .001$ ). Comparing the solid dark line, representing those cases under CIP

that did have a day-one, to the pre-CIP line shows the largest difference and the most dynamic acceleration of the cases towards closure (Wilcoxon-Gehan = 86.71, df = 1, p<.001). However, the “post-CIP with day-one” curve (solid black) is statistically more compelling than the “post-CIP without day-one” curve (gray), further indicating the critical contribution that the day-one conference makes to the whole process of case facilitation under CIP (Wilcoxon-Gehan = 11.28, df = 1, p<.01).

Figure 10: Days from 1st Petition to Case Closure  
by Cases with a Day-One Conference

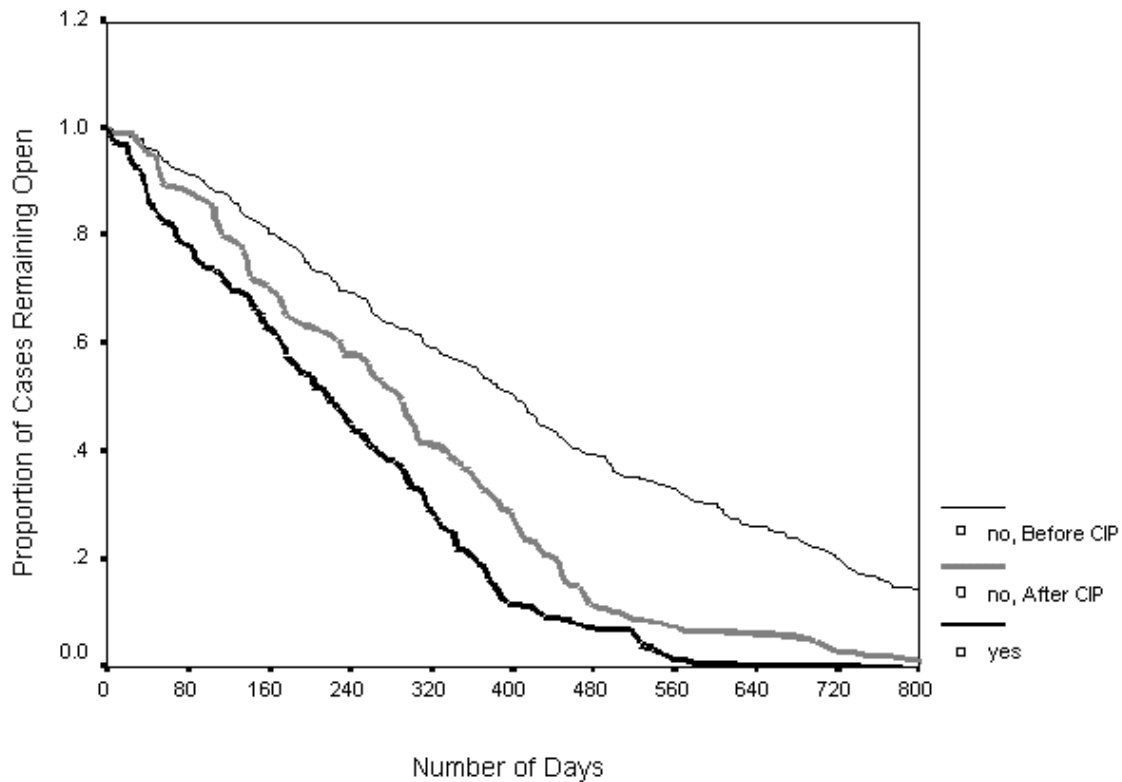
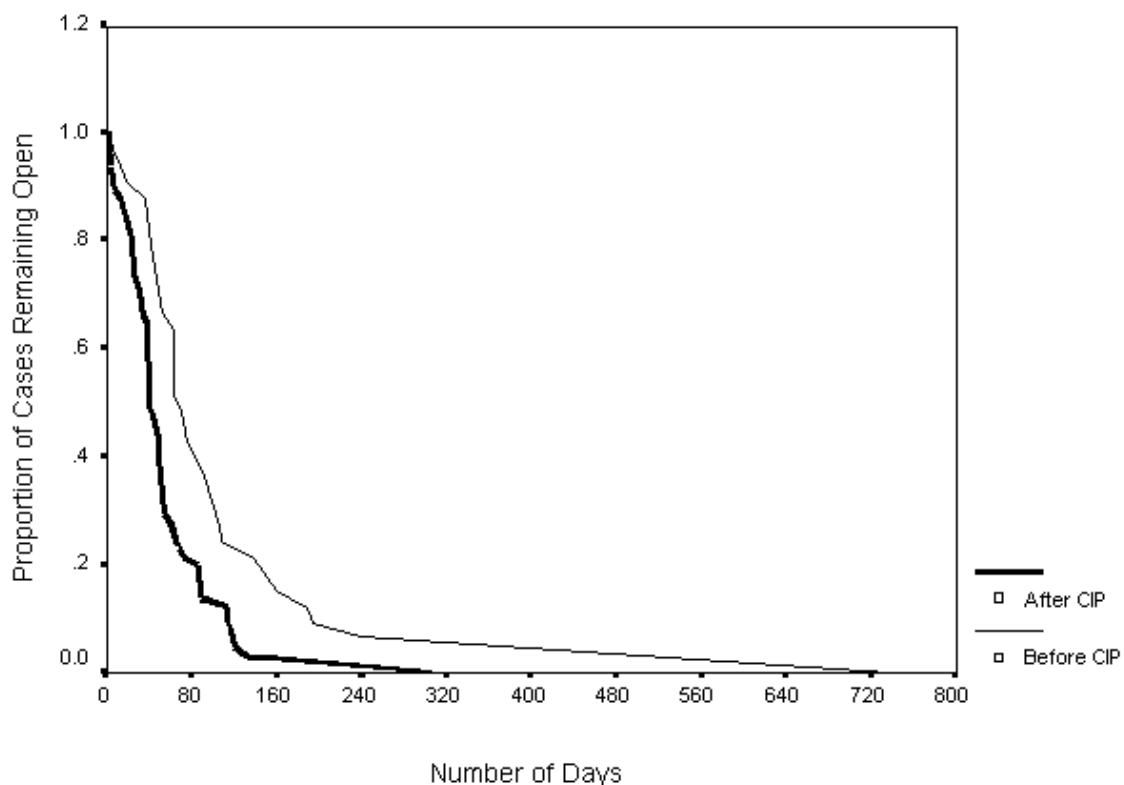


Figure 11 portrays the pace of case closing for cases that are closed by dismissal. The issue if dismissal is not straightforward. A case might be dismissed because it lacks merit, because all parties agreed that dismissal was in the best interest of the family and children even if there was evidence that abuse or neglect had occurred, or due to a legal technicality

preventing the case from being successfully prosecuted. The reasons for dismissal might not always be desirable. However, it can be argued that if a case is going to be dismissed, the sooner that occurs, the better. Figure 11 shows that under CIP rules, cases are dismissed more quickly than under pre-CIP rules. This effect is statistically significant (Wilcoxon-Gehan = 10.88,  $df = 1$ ,  $p < .01$ ).

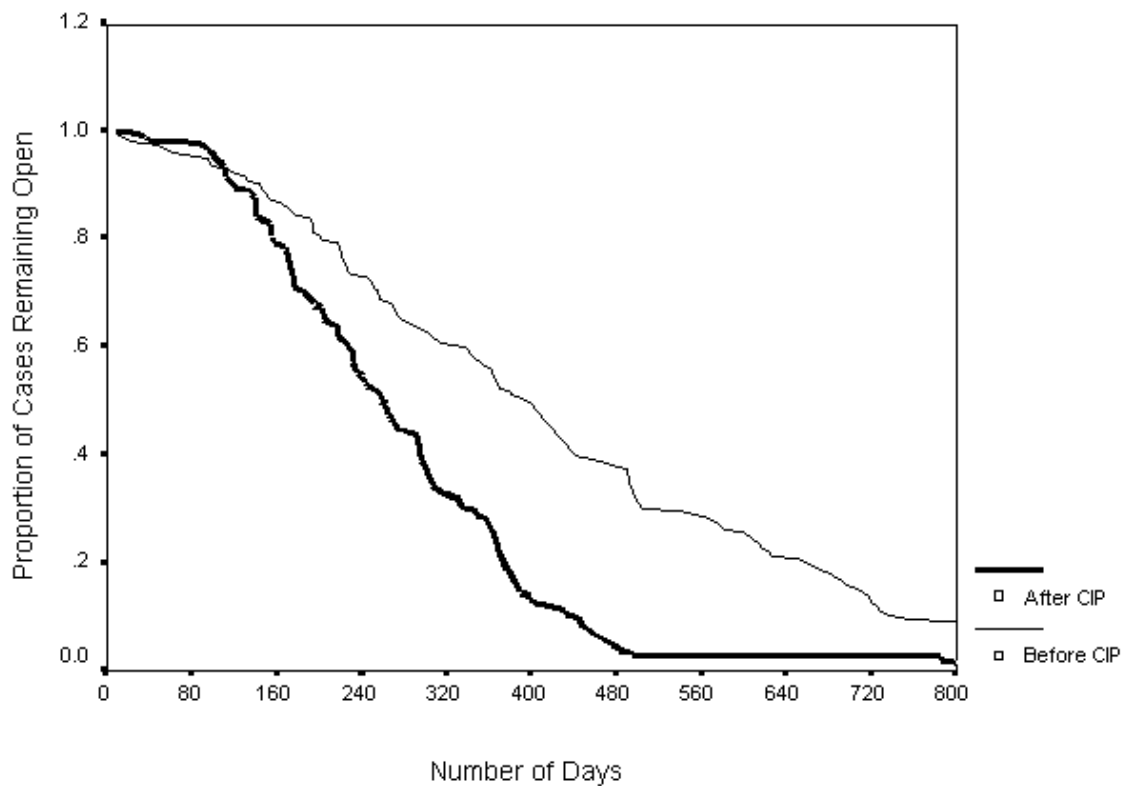
Figure 11: Days from 1st Petition to Case Closure  
for Cases Closed by Dismissal



The remaining three figures relate to the pace of closing cases for cases that are closed under different forms of permanency. Figure 12 shows the effect of CIP on how quickly reunification occurs in those cases when it is the terminal form of permanency. The curves show that CIP is much more expeditious in achieving reunification in those cases that end that way (Wilcoxon-Gehan = 33.08,  $df = 1$ ,  $p < .001$ ). Using the technique of extending the

imaginary “50% line” from the y-axis until it crosses both curves, you can see that it crosses the “CIP line” at about 260 days, and the “pre-CIP line at about 420 days. Further, it appears that virtually all reunifications under CIP have occurred within 500 days, whereas some of the pre-CIP cases that will eventually end in reunification are still open at 800 days, and are still awaiting reunification.

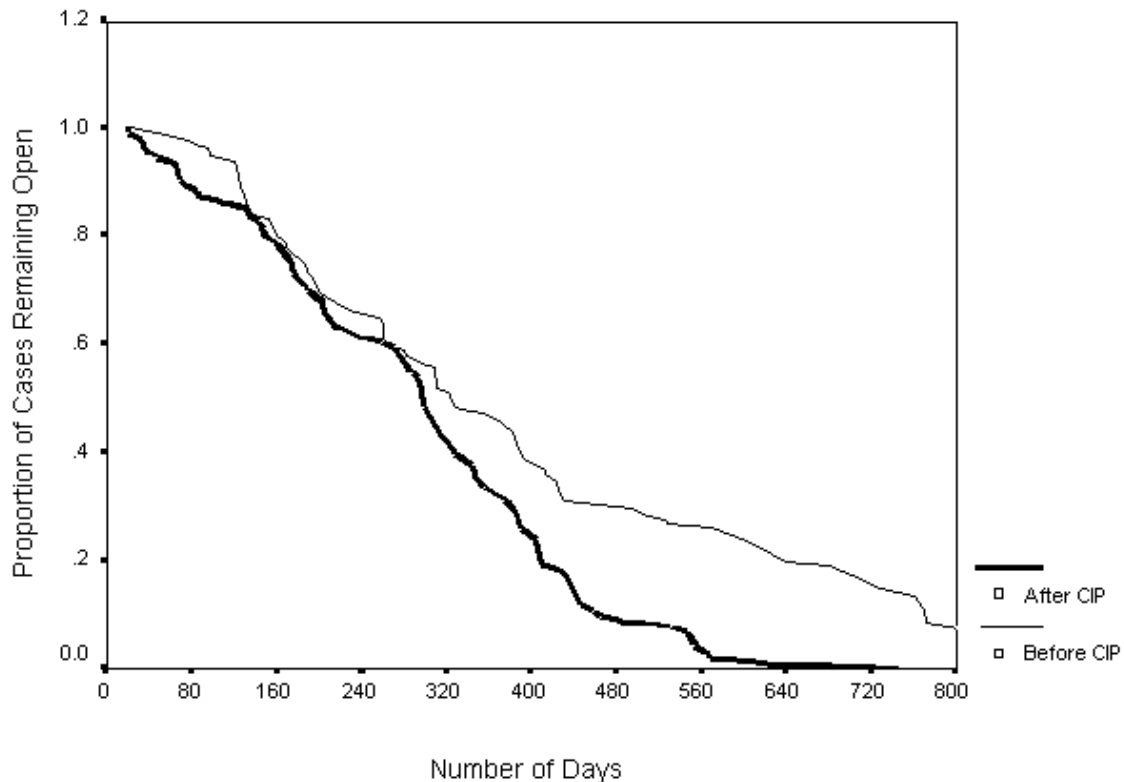
Figure 12: Days from 1st Petition to Case Closure  
for Cases Closed by Reunification



The pre-CIP and post-CIP curves in Figure 13 are interesting because of their changes in shape and slope over time. This figure portrays the pace towards case closure with permanency defined by “relative placement.” It appears, due to the “co-mingling” of the curves over the first 9 months or so of case activity, that there are case activities that must occur when considering relative placement that dictate a fairly stable rate of case closure over this 9-month period of time. (This does not necessarily mean that other interventions might

not alter this apparent arithmetic function, only that the pre-CIP and post-CIP curves are very similar up to this point.) However, at about day 270, the post-CIP curve departs from the pre-CIP curve and significantly increases the pace towards resolution of these cases (Wilcoxon-Gehan = 5.05, df = 1, p<.05).

Figure 13: Days from 1st Petition to Case Closure  
for Cases Closed by Relative Placement

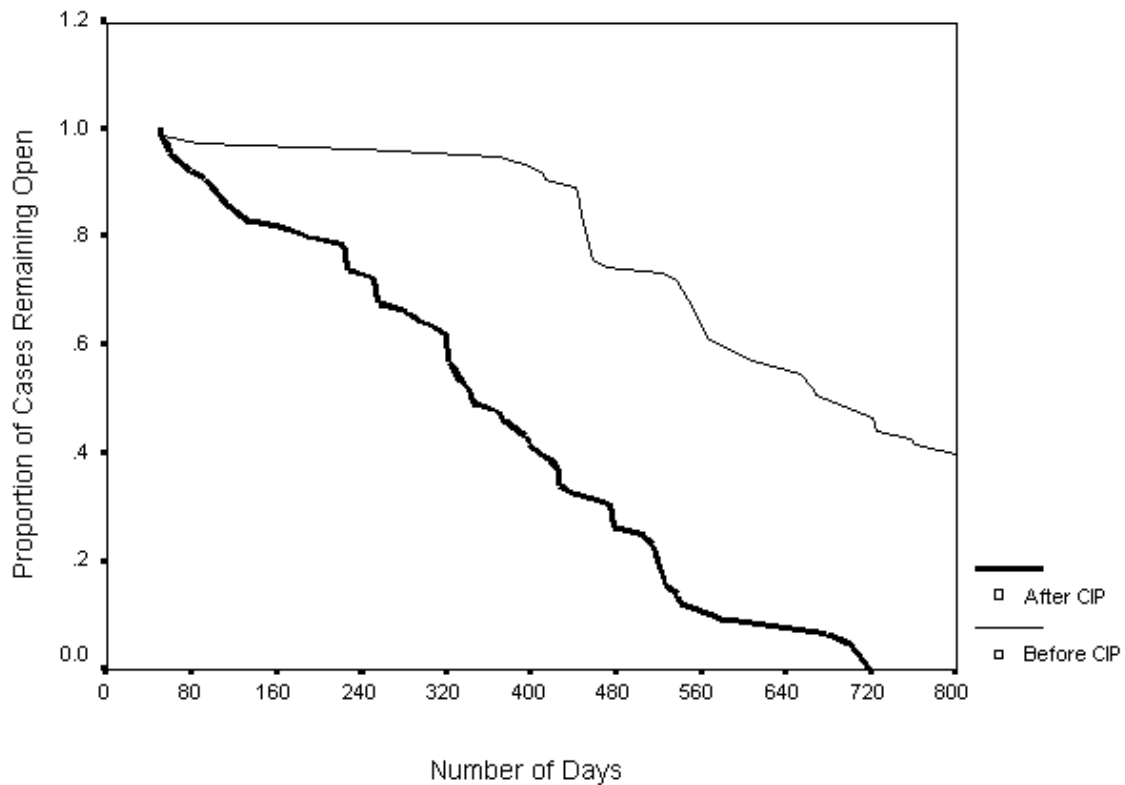


Finally, Figure 14 displays the influence of the CIP on movement towards TPR and relinquishment. It is tenuous to attribute all of the apparent difference between the curves in Figure 14 to the CIP, because the accelerated TPR guidelines under the Adoption and Safe Families Act of 1997 were being implemented at the same time as the CIP. Furthermore, it is difficult to statistically parse the differences between relinquishment and the finalization of a TPR. In Figure 14 these two types of case closure are combined. However, Figure 14 does

show clearly that for cases that are going to end in either TPR or relinquishment, the post CIP cases show a much more rapid pace towards these ends (Wilcoxon-Gehan = 54.49, df = 1,  $p < .001$ ).

Using the “50% line” technique, it is apparent that under the CIP, 50% of TPR/relinquishments occur at about 340 days, whereas 50% of cases closed for these reasons was not achieved until about 680 days under pre-CIP rules.

Figure 14: Days from 1st Petition to Case Closure  
for Cases Closed by TPR/Relinquishment



### Endnote: Discussion of the Validity of the Analytic Approach

Earlier in the discussion of the evaluation design and methods, it was suggested that examining *only cases that opened and closed* under the CIP would slightly overestimate the true effect of the CIP intervention on time-related measures. This overestimation is due to the compressed time frame during the post-CIP case tracking period compared to the pre-CIP baseline period during which it was possible for cases to be open for a longer period of time. It was also suggested that the degree of overestimation would be small because the measurement period greatly exceeded the median length of time that cases were open in either the baseline or CIP study measurement periods. Because the effects of the CIP appear to be both large and positive, it is advisable to establish a level of confidence in the analytic approach. Such confidence serves to increase the utility of the findings, and to diffuse potential criticism of the evaluation design.

In order to see if the fundamental findings of the evaluation were unduly influenced by the compressed time frame of the CIP intervention, an adjustment was made to the analytic data set. The measure relating to the duration of cases was analyzed under the “adjusted” data set to see if the treatment effects of the CIP intervention were still evident. The logic of this approach is that if the main treatment effects of the CIP are as strong as they appear to be, then they should also be evident even if the analytic sample is deliberately biased in the opposite direction, or other sources of measurement error are allowed to influence the results.

The alternative construction of the analytic data set was performed by arbitrarily truncating the baseline (pre-CIP) database at 2.5 years before the implementation of the CIP. This limitation allowed only cases that *opened and closed* during the 2.5 years before the CIP to be compared to the 2.5 years that post-CIP cases were tracked. However, because the baseline cases were selected originally on the basis of having already closed, no potentially long-term cases are retained in the pre-CIP database under the 2.5 year limit. In fact, only 35.8% of the cases that opened in the 2.5 years prior to CIP also closed in that time period,

compared with 54.2% of the cases processed under the CIP rules. It could be argued that the disproportionately small number of cases that closed quickly in the baseline period represent types of cases that are less challenging, less complicated and less problematic for the courts than the longer term cases. Logically, therefore, they are more likely to be the types of cases that would close quickly without the need for the new CIP rules. This type of case selection biases the data set in a way that mitigates detecting the effect of the CIP rules.

Again, the different methods of constructing the analytic database introduce different sources of measurement error, and the alternative data set used in this post hoc analysis introduces bias *against* detecting positive treatment effects. However, if the effects of the CIP are strong, then the effects should “overpower” the biases and those effects should still be evident, regardless of the approach used. If the effects are evident, and statistically significant in both approaches, then a high degree of confidence in the findings may be assumed.

In fact, the differences between the pre-CIP and post-CIP cases maintain across both analytic approaches. Using the data set containing only cases that opened and closed within the 2.5 years immediately preceding the CIP and the full measurement period of CIP, the mean length-of-case among baseline cases is 297.4 days, versus 259.5 days for cases processed under the CIP. This difference, although smaller than the difference observed in the full data set, remains statistically significant ( $F = 6.85$ ,  $df = 1$ ,  $p < .01$ ). In addition to the means being significantly different, survival analysis confirms that the survival distributions are not equal, with the results favoring the cases processed under the CIP rules (LogRank = 5.22,  $df = 1$ ,  $p < .05$ ).

## **Discussion and Conclusions**

There can be no question that the CIP is a successful program. The results of the evaluation strongly and definitively reveal the success of the CIP in achieving its intended results. The tenets of the model appear to have been well implemented, and feedback from stakeholders in the two demonstration Districts suggests strong popular support for the CIP.

It is important to consider the CIP project as a “whole” rather than as a collection of parts. The evaluation design did not permit a detailed analysis of causal relationships between various CIP component parts and the results achieved with the juvenile cases processed under the CIP rules. Although measures were obtained on a variety of individual CIP components (e.g., judicial assignments, number of continuances, etc.) there is no way to separate out the effects of the individual CIP components on the results achieved by the whole program. Thus, if the CIP is replicated elsewhere, all component parts must be included if similar results are to be expected.

There were a few instances where serendipity permitted some level of detailed analysis. An example of this is the number of cases processed under the CIP rules but which did not have a day-one conference. The absence of these day-one conferences in these cases was due to lags associated with program start up, and also with periodic vacancies in CIP case managers. The fact that all remaining data were available for these cases allowed the dramatic demonstration (using survival analyses) of the importance of the day-one conferences to accelerating case processes and towards achieving expedited permanency. Another example is the back-log of unsigned judicial orders that occurred during DSS attorney vacancies. Even these serendipitous analyses must be viewed with caution, because they were not “designed” into the evaluation, and therefore the extent of causality can only be asserted.

Even deferring to the inherent limitations of the design, the results obtained on the success measures are strong, and the logic model of CIP is sound. It is quite likely, for example, that the decrease in the number of initial placements is due to the decrease in the

number of early contested hearings due, in turn, to the day-one conferences. It is also likely that the expedited paths to permanency for children in these cases is due to the reduction in the number of continuances granted, the increased frequency of reviews, and the changes in docketing practices that permitted more hearings to be successfully concluded on any given court day. Still, these CIP program components must be viewed as a “package” and the individual contribution of each component will need to be determined in future research studies designed for that purpose.

In conclusion, it appears that the CIP was well conceptualized, well planned and successfully implemented. The results achieved are compelling, all are in the desired direction, and most of the effects are large and statistically significant. A large part of the success of the CIP must be attributed to the vigor of its implementation and to the sustained adherence to the tenets of the CIP by all stakeholders. The role of the CIP case managers is key to this success, as is the sustained commitment of the judges to vigorously upholding the CIP rules. The CIP achieved a high level of popular support among stakeholders, even those who view the CIP with skepticism during its implementation. The CIP is a clearly successful model of improved processing of juvenile cases and should be considered for replication on a statewide basis.

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