

## Contact to Closure Project Outline

Revised June 2022

### Background

Currently, there are no national court-related standards for length of time to permanency. However, as part of the Child and Family Services Reviews the Children's Bureau has identified performance measures and standards of 12 months for reunification, 18 months for guardianship, and 24 months for adoption. The Children's Justice Initiative, like court improvement programs across the country, have long been challenged with the question of how to improve length of time to permanency.

Using [Minnesota Judicial Council Policy 601](#) as a foundation, CJI proposes a project which will focus on the progression of cases from contact to closure, as they move toward permanency, focusing on those most at risk of not meeting the Judicial Branch Timing Objectives. <sup>Table 1</sup>

It should be noted that the Judicial Branch has a distinct set of dispositions considered permanency and those may or may not align with the Department of Human Services permanency types and may or may not be true permanency (end of case) for a child. Below is a list of the current permanency types included in the Judicial Branch Timing Objectives data.

- Dismissed without a Permanency Order
- Foster Care for a Specified Period of Time
- Guardianship and Legal Custody to DHS
- Permanency Custody to the Agency
- Non-State Ward for Adoption
- Reunified
- State Ward for Adoption
- Temporary Custody to the Agency
- Termination of Jurisdiction without a Permanency Order

[Minnesota Judicial Branch Policy 501.1](#) details the expectations for time to dispositions. For Juvenile Protection cases (outlined below) 90% of children should achieve permanency within 12 months of removal from the care of the parent, and 99% of children should achieve permanency within 18 months of removal from the care of the parent.

Judicial Branch Timing Objectives have not been met by any district in the state in the previous 5 years, however, individual counties have met both measures.

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The Minnesota Judicial Analytical Database (MNJAD) provides two important data reports to be used in this project. The Length of Time to Permanency (LOTP) report shows only children who have *already had a permanency disposition* determined by the court. This report is important for reviewing the statistics “after the fact” to see how successful jurisdictions are at ensuring children reach timely permanency. This proposed project will rely on another MNJAD report, the Out of Home Placement Summary (OHP) report. This report is important for identifying how long children have been in out of home placement, and as such, have not yet achieved permanency.

This project will focus on individual children, specifically identifying what cases are delayed or at risk of a delay, and what can be done to move the case forward. The practices implemented can be continued after the conclusion of the project as counties who engage in this process become adept at, and committed to, reviewing cases for compliance. It will also assist counties in determining if there are trends and patterns that most often cause delays.

As this project progressed State CJI contemplated that the use of tools to track compliance with Rule and Statutory milestones toward permanency is insufficient to fully capture the entirety of the court process and efforts taken to help kids reach permanency in a timely manner. As a result, additional tools have been implemented to compliment the original plan and is outlined below.

### Project Planning

State CJI staff will initiate this project with an email to the participating county CJI judge, outlining the project and proposal. State CJI staff will then ask to attend a CJI meeting in the county to introduce this project to the team. Participant counties will be determined at a future date.

1. State CJI staff will meet with local CJI team to describe the project's purpose, implementation plan, and goals.
2. State CJI will prepare a court order for the participating judge to sign, allowing the release of confidential information that would not normally be available to all team participants.
3. Within 3 weeks of the project start date, each county will develop a county Permanency Achievement Team. This can be the current CJI team, or a subset of the team. The team will meet consistently throughout the project on a schedule it will set based on need. The county team and State CJI staff will determine the start and end dates.
4. The suggested team members include:
  - District Chief Judge or designee
  - County CJI Judge

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- CJI Team Secretary
- County Court Administrator or designee
- Social Services representative
- Guardian ad Litem representative
- County Attorney or Assistant County Attorney
- Parent Attorney
- Children's Attorney

When reviewing cases on the Out-of-Home Placement Summary Report, the purpose is not to litigate substantive issues for each case, but, instead, to resolve procedural timeline concerns to move the case to permanency and discuss court processes that ensure the focus remains on the length of time the child experiences before permanency is established.

5. Once the team is formed, they will develop an agenda and hold an introductory meeting within 6 weeks of when the team members are identified. The CJI team secretary should be responsible for setting the meeting, requesting agenda items, and distributing the agenda. At the first meeting the team can decide who will handle those tasks going forward. In addition to items the team recommends, the agenda should include the following items:
  - Select a date and time for the entire team to attend the 2.5- hour foundational Permanency Timeline Training developed and conducted by State CJI as a means of reviewing Statutes and Rules related to permanency (if they have not already attended.) State CJI is currently providing this via Zoom.
  - Review the Permanency Achievement Chart provided by State CJI Staff and determine if additional criteria for evaluation should be added, based on the individual county needs. If so, the team secretary will send the request to State CJI Staff using the email address [cji@courts.state.mn.us](mailto:cji@courts.state.mn.us), so the form can be amended.
  - Fill out the first Permanency Achievement Chart on 2-4 children provided by State CJI from the MNJAD Out of Home Placement report. This will allow the team to experience the process and assess if the criteria should be adjusted.
6. Each Permanency Achievement Team will meet at least 4 times per year for a minimum of two years, which will allow time for the data to reflect progress. Agendas for future meetings will include reviewing an updated version of the Permanency Achievement Chart from the prior meeting to see if the action items were completed, along with reviewing new children from

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the report State CJI staff will send. The teams will then be able to see the progress of their efforts each time they meet.

The Permanency Achievement Team designated in each participating county will receive the most recent MNJAD Out of Home Placement Summary report prior to each scheduled meeting. A State CJI staff member will meet with the team to go over the data and give them the names of the children they will review. The team will then meet to complete the permanency achievement chart. They will review 2-4 pending cases in their county every quarter.

Baseline data from the Judicial Council's Annual Performance Measures Report on CHIPS cases for LOTP from January 2020 through June 2021 will be used to determine the statewide and individual county's permanency rates and will be shared with each participant county at the first meeting. The same data using the will be reviewed at the conclusion of the project and compared with the baseline data to determine the level of success.

### Methodology and Theory of Change

1. Problem identification: No district in the state is meeting the Judicial Council Timing Objective which states 90% of children in out of home placement will achieve permanency within 12 months of removal, and 99% of children in out of home placement will achieve permanency within 18 months of removal.
2. Target Population: This will begin with one county who is interested in improving outcomes and stability for children by making a positive change to their permanency data.
3. Intervention Overview:
  - a. Participant county will establish a Permanency Achievement Team.
  - b. Permanency Achievement Team will review quarterly the children most at risk of not meeting permanency timing objectives as indicated on MNJAD reports provided by State CJI, or those children already beyond the permanency timeline expectation.
  - c. Permanency Achievement Teams will determine if certain points on the permanency continuum are met, including, scheduling of filing orders, holding the permanency progress review by day 180 and filing the permanency petition by day 335.
  - d. Permanency Achievement Teams will discuss and agree on changes to how hearings are conducted, including beginning each hearing with the Judicial Officer restating the number

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of days each child has been out of the care of their parent(s), what the permanency goal is and what the parent(s) needs to do to reach that goal.

- e. Permanency Achievement Teams will determine if they can identify factors that led to any delays and create a plan to remedy factors.
  - f. Permanency Achievement Teams will consider the use of Model Order templates to ensure consistency and inclusion of all language needed for accurate MNCIS entry by court staff.
4. Intervention Detail: This project will consider three types of measures: Process Measures, Practice Measures and Outcome Measures.
- a. Process Measures are statute and rule driven, concrete and retrievable through MNJAD or MNICS, and include:
    - i. Was a Scheduling Order filed within 15 days of the Admit/Deny Hearing?
    - ii. Was the Out of Home Placement Plan filed within 30 days of placement (60 days during the COVID-19 waiver which ended August 2021)?
    - iii. How many days did it take to adjudicate the case?
    - iv. How many Admit/Deny Hearings were held prior to adjudication?
    - v. How many Pre trials were held prior to adjudication?
    - vi. Was a Permanency Progress Review held within 180 days of placement?
    - vii. Was a Permanency Petition filed within 335 days of placement?
  - b. Practice measures are goal and language driven and intend to change the way in which teams approach child protection hearings. They will be measured by individual stakeholder interviews and court observation and include:
    - i. Setting the date of the Permanency Progress Review Hearing (PPR) at the EPC or Admit/Deny
    - ii. At the beginning of each hearing the judge will state on the record the number of days the child(ren) has been out of the care of their parent(s).
    - iii. At the beginning of each hearing the judge will state the goal of the case. If the goal remains reunification, state what the parent or

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parents must do to be successful. If the goal is something other than reunification, state what must be done to reach permanency and what permanency options are being considered.

- iv. Each team will make an agreement to limit the number of Admit/Deny and Pre-Trial hearings to 3 total, and to set a trial date at the first Pre-trial.

- c. Outcome measures will be both qualitative and quantitative. Participating counties will either meet the Judicial Branch Timing Objectives or decrease the length of time to permanency by 10%, whichever is greater. State CJI staff will observe hearings and interview stakeholder for feedback on the implementation and success of practice measures.

### 5. Assumptions

- a. The timing objectives set by the judicial council are achievable.
- b. Committing to the Process and Practice measures will improve the outcome measure of length of time to permanency for children.
- c. The 8th District Judge Specialization project focused on many of these same measures and saw an improvement in their length of time to permanency. This project could provide further evidence that compliance with Rules and Statutes, along with in depth case reviews will lead to improved time to permanency for children removed from the care of their parent.

- 6. Theory of Change: This project includes the development of a Permanency Achievement Team, who will review the children most at risk of not meeting permanency timing objectives as indicated on MNJAD reports, follow all statutory and rule required processes and improve in-court hearing practices so that each hearing begins by stating a child's out of home days, permanency goal and what the parent must do to reunify, so that all stakeholders are aware of each child's path to permanency so that they can do their best to support each child and family in reaching timely permanency.

- 7. Desired long- term change: Long -term change will include increased accountability for ensuring children get to permanency timely, which will be reflected in each participant county seeing either a 10% improvement, and/or achieving 99% (in 18 months) in their length of time to permanency at the end of the two -year project.

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### Project Timeline

This project will run October 1, 2021 – July 31, 2023. Two years is the minimum amount of time to allow data to indicate progress. State CJI staff will document data for each county's Permanency Achievement Team on a quarterly basis so they can see in real time the affect their work is having on their goals.

### Project Outcome Goals

Each county participating in the project will be provided with the percent of children reaching permanency in both 12 and 18 months for the time - period January 2020 – June 2021. Participant counties will either increase this percentage by 10%, and/or meet the judicial council timing objectives over the course of the two- year project.

### Data Collection

Permanency Achievement Teams will fill out and submit their permanency achievement chart to State CJI quarterly using the email address [cji@courts.state.mn.us](mailto:cji@courts.state.mn.us). Children selected for review will be done so by the State CJI staff.

### Evaluation

Progress will be evaluated at the mid-point and end of this project. Permanency Achievement Teams will also see improvement quarterly as updated reports are sent to them by State CJI Staff. MNJAD data for Length of Time to Permanency will be compared on the following dates:

June 30, 2021 \*baseline

June 30, 2022

June 30, 2023

This outcome measure will include the percent of children who achieved permanency within 12 months of removal from parent and 18 months of removal from parent. The baseline measure will be from January 2020 through June 2021.