

Child Abuse, Neglect, and Dependency Quality Hearing

Self-Assessment Guide

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PURPOSE OF THE SELF-ASSESSMENT GUIDE

The Supreme Court of Ohio is engaged in efforts to improve the quality of child abuse, neglect, and dependency court hearings in the state. These efforts have included structured court observation of shelter care and annual review hearings in 12 courts in 2018, follow-up court observation of 11 courts in 2021, new structured court report forms, and the development of and training on a [Quality Hearing Toolkit for Judicial Use](#) (Toolkit). The Toolkit is a bench guide that includes questions for judicial officers to consider gaining sufficient information to make informed decisions in child abuse, neglect, and dependency hearings. It is based on best practices in child welfare court hearings and the following definition of hearing quality.

Quality hearing is defined as having:

1. The active presence and participation by key parties;
2. Engagement of parents and youth;
3. A discussion of key topics; and
4. Oral (verbal) findings being made on the record.

Hearing quality was defined based on the best practices set forth in the National Council of Juvenile and Family Court Judges [Enhanced Resource Guidelines](#). Actual practice varies widely by court in Ohio. It is important that these recommendations be considered in the context of local court policy and practice as well as priorities that have been established for systems improvement.

This Child Abuse, Neglect, and Dependency Hearing Quality Self-Assessment Guide (Guide) was designed to expand upon prior efforts to collect hearing quality data. Twelve of 88 counties (14%) were able to participate in the first round of data collection.

The Guide was developed by Dr. Alicia Summers of Data Savy Consulting who conducted the hearing observations. It is meant to provide a means for other courts to be able to explore their own practices and identify opportunities for enhancing the child welfare court process.

Importance of Quality Court Hearings

Prior research has shown a relationship between the quality of court hearings and outcomes for children and families. While the research is not causal in nature, it does show relationships between hearing quality factors and case outcomes. Some key findings from prior studies include:

- Judicial engagement of parents has been linked to relative placements, participation of parents at future hearings, and increased rates of timelier permanency.
- Presence of the parents and parents' attorneys at hearings has been linked to reunification and timelier permanency.
- Breadth of discussion (talking about multiple topics) has been linked to reunification and timelier permanency.

METHODS FOR SELF-ASSESSING HEARING QUALITY

There are multiple ways to assess the quality of court hearings. Some methods are more resource intensive than others. Each method is described in more detail in the following sections.

A. Multidisciplinary Team Facilitated Discussion

A facilitated team meeting pulls together child welfare system professionals (e.g., judicial officers, attorneys, case workers, child advocates) and persons with lived experience (i.e., persons over whom the court does not have current jurisdiction over) who can contribute to a meaningful discussion on a given topic. These persons would meet to reflect on current hearing practice, discuss the challenges of conducting a high-quality court hearing, and identify and prioritize opportunities to enhance practice.

PROS	CONS
<ul style="list-style-type: none">• Ensures all professionals have an opportunity to voice their opinions.• Discussions of hearing quality may result in a more nuanced understanding of current challenges and opportunities than quantitative methods.	<ul style="list-style-type: none">• Power imbalances may discourage some from sharing opinions (e.g., caseworkers may not feel comfortable sharing their opinion about the court).• May require the expertise of a neutral facilitator to ensure equal voice.

B. Self-Assessment Survey

All court professionals can reflect on current practice in child abuse, neglect, and dependency court hearings to identify how often specific practices occur. A self-assessment survey can be used for professionals to indicate whether and how often behavior happens. The survey pulls out specific components of hearing quality and asks professionals to reflect on how often these things occur.

PROS	CONS
<ul style="list-style-type: none">• Requires few resources.• Can be used to gather multiple perspectives.• Provides anonymity, which encourages honest and open feedback.	<ul style="list-style-type: none">• May not be as accurate as direct observations.• May not have the opportunity to expand on survey findings with more nuanced detail.• May require reminders and follow-up to encourage a sufficient response rate.

C. Court Observation

The most common way to assess hearing quality is to observe the court using a structured data collection instrument. A coder watches the hearing and then marks items on a sheet, such as who is present, what is discussed, how much discussion is held for each topic, and whether findings are made on the record (yes/no). The court observation instrument used in Ohio is in Appendix A. This method is fairly resource-intensive. To reduce the burden on data collection, court observation can be completed when time is available. Data collection could occur across multiple months (instead of all at one time) to reduce resources. Then the data must be analyzed and reported to the court.

PROS	CONS
<ul style="list-style-type: none">• Allows direct observation of court practices to count behaviors.• Accurate portrayal of what occurs in the court.	<ul style="list-style-type: none">• Resource intensive.• Requires some degree of data analysis to use in systems change efforts.

MULTIDISCIPLINARY TEAM FACILITATED DISCUSSION

What is the goal of the discussion?

It is important to clearly define the goal of a discussion to ensure it is successful. For hearing quality assessment, the goal is likely some iteration of being able to identify opportunities to improve practice in child abuse, neglect, and dependency hearings.

Who should facilitate the discussion?

Ideally, a neutral third party would facilitate the discussion. If the court has mediation or a similar program, mediation staff could facilitate these conversations. It is possible, although not ideal, for the convener of the group (e.g., the judicial officer) to both facilitate and participate in the discussion. Because the goal is not to collect data, per se, but to facilitate the conversation to better understand the perspectives of multiple parties, the facilitator does not have to be entirely neutral to be effective.

Who should be invited to participate?

A multidisciplinary group of professionals can provide different perspectives on the hearing process and may be helpful in identifying areas of opportunity. Consider judicial officers, state attorneys, caseworkers, parent attorneys, and child advocates as potential participants. Persons with lived experience (i.e., parents, youth, foster parents) would also be beneficial to a group but will require different questions. To best understand practice, these teams should be representative of the opinions of the professions and persons with lived experience.

How many people should be invited?

A multidisciplinary team is not a research method, so there is no suggested size that would make it most representative. The optimal size for a group discussion is approximately 6-8 persons; however, larger groups can be effective with a good facilitator. The most important component is that everyone has a voice. This may mean holding multiple conversations.

How long should a group discussion be?

The timing depends largely on the needs and resources of the group, but generally, this takes about 1 to 2 hours.

Prior to Beginning the Discussion

Encourage all participants to review the [*Quality Hearing Toolkit for Judicial Use*](#) prior to the discussion. The Toolkit provides in-depth recommendations for judicial practice from the bench, as well as information that should be provided from the child welfare agency about key topics for discussion in hearings.

Designate a notetaker prior to the meeting or ask if the discussion can be recorded to review later. The notetaker should record the responses. They should also consider taking notes about who agrees. Often one person will answer, and others will say “yes” or nod their head in agreement. Noting “general consensus” or “2 nods” will help when reviewing notes to recognize when a response was shared by participants.

Beginning the Discussion

To begin the discussion:

- Have all parties introduce themselves

- Identify the goal(s) of the discussion
- Ask if participants have questions
- Be prepared to ask participants to elaborate on responses or provide clarification

Potential Discussion Questions

1. What do you see as the biggest challenge in holding a high-quality court hearing in this jurisdiction (or courtroom)?
 - a. How well are the parents engaged in the process?
 - i. What are the challenges to engaging parents?
 - b. Are there parties that are regularly missing from hearings that should be there?
 - i. Why are they missing?
 - ii. What can be done to encourage presence and participation?
 - c. Do hearings have a meaningful discussion of all relevant topics needed for judicial officers to make informed decisions? (See Toolkit for example topics and questions.)
 - i. What topics are rarely discussed in hearings?
 - ii. Would hearings benefit from more discussion of any topics?
 - iii. Would parents benefit from increased discussion of any topics?
 - d. How often do judicial officers make verbal findings on the record in hearings?
 - i. What are the barriers to making verbal findings on the record?
2. What can the court do to enhance practice in child welfare hearings?
3. If we can only focus on one thing to improve with respect to hearing practice, what should it be?
4. Do you have other thoughts you want to share about improving practice in child abuse, neglect, and dependency court hearings?

If any responses are unclear, ask clarifying questions. Make sure there is an opportunity for people to expand on what they mean, especially if they give a one-word response. Here are some example clarifying questions:

- Can you tell me a little more about that?
- Can you give me an example?
- Can you tell me what that would look like?
- When you say____, what exactly do you mean?

Analyzing Discussion Findings

Because this is not a structured data collection project, the data analysis from the facilitated discussion(s) will include reviewing the notes from the meeting(s) to look for any themes that emerged. Consider the notes from this perspective (i.e., answering these questions provides a framework for the discussion report or summary):

- What responses came up most often? Were there any that everyone agreed on as a challenge or a solution? Were there areas of disagreement?
- Were there responses that participants felt strongly about?
- Were you able to prioritize (question 3 in the list above)? Was there agreement about what to prioritize?

- What ideas were shared about improving practice in child abuse, neglect, and dependency hearings?

SELF-ASSESSMENT SURVEY

The Self-Assessment Survey is a tool that can be used to determine perceptions of how often specific practices occur. The survey was designed in sections related to the four key components of quality court hearings.

Suggestions for administering the survey

Consider which individuals are more appropriate to complete the survey. One person can complete the survey alone, but multiple perspectives inform on specific areas of opportunity. The survey can be administered individually or can be completed as a group. A multidisciplinary team may meet, go over the survey together, and come up with a consensus on the responses.

A good response rate for a survey administered would include 50-80% of the total number of respondents asked to complete the survey. Ideally, all professionals involved with child abuse, neglect, and dependency cases would be asked to complete the survey. If the survey is being completed as a group, it is important all roles be represented.

Survey Section I. Active Presence & Participation by Key Parties

This section focuses on the presence and participation of key parties. It is important to consider who should be present at hearings. Best practice suggests that parents and youth should be present and have attorneys (or advocates for youth) at the first hearing on the case and every hearing thereafter. If the case is an Indian Child Welfare Act (ICWA) case, a tribal representative should be notified and present. If the jurisdiction also wants foster parents and relative caregivers to be present, consider practices that would encourage their presence. Indicate (with a check or “x” in the appropriate box) how often these behaviors occur.

Indicate how often the following behaviors occur in child abuse, neglect, and dependency hearings.	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
The judicial officer inquires about notice or service for parents.					
The judicial officer inquires about notice or service for the foster parents/relative caregivers.					
The judicial officer asks parents about address or contact information changes.					
If a parent is not present, there is inquiry/discussion of why.					
If the child is not present, there is inquiry/discussion of why.					
If the foster parent or caregiver are not present, there is inquiry/discussion of why.					

Indicate how often the following behaviors occur in child abuse, neglect, and dependency hearings.	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
The judicial officer inquires about the applicability of ICWA.					
Someone identifies all parties on the record by their name <i>and</i> role in the case.					
There is inquiry/discussion about relatives that could be resources for the family.					
Parents, when present, contribute to the discussion in the hearings.					
Youth, when present, contribute to the discussion in hearings					
The next hearing is set on the record so that parties know when the next appearance is.					

Survey Section II. Engagement of Parents & Youth

The engagement of parents and youth is often defined by how the judicial officer interacts with families from the bench. Please indicate how often these practices occur in child abuse, neglect, and dependency hearings.

How often does the judicial officer:	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
Speak directly to the parent (when present).					
Call the parent by name (not mom or dad).					
Explain the purpose of the hearing to parents.					
Use understandable language (e.g., no acronyms or legal jargon).					
Give parents an opportunity to be heard.					
Consult parents about their availability for the next hearing date.					
Speak directly to the child (age appropriate).					
Call the child by name.					
Explain the purpose of the hearing.					
Give the child an opportunity to be heard.					

Survey Section III. Discussion of Key Topics

Best practices indicate that discussion of relevant topics should occur at hearings. Courts may receive reports from the agency, court appointed special advocate, or guardian ad litem prior to the hearings that may include important information regarding the case. These reports may discuss many of the topics identified as relevant for discussion at the hearing, ensuring that information on these topics is provided to judicial officers to make informed decisions. The recommendation for discussion occurring at the hearings assumes that discussion occurring in the court can be used to (a) actively engage parents in the process by ensuring they know the information and have an opportunity to comment on it and (b) ensure that the information is accurate and as up to date as possible.

For each of the topics, consider how much discussion is held in court and how much information is already provided in reports prior to hearings. It is important to consider the breadth and depth of discussion for any given topic.

For example, consider the topic of *safety*. A robust and meaningful discussion of safety should include the following questions and adequate responses so that judicial officers can make an informed decision:

- Why can't the child safely return home today? What needs to happen today for the child to return home?
- What is preventing the child from returning home today?
- What type of safety plan could be developed and implemented for the child to return home today? Is there a possibility of an in-home safety plan or children-in-need-of protective-supervision (COPS) order?
- What is the current and immediate safety threat? Has the threat diminished? How do you know?
- If the safety threat is too high to return the child home, how have the conditions for return been conveyed to the parents, family, and child, and are you satisfied they understand the conditions?
- What are the risk factors? Specifically, how can the risks be ameliorated or removed?
- Will the removal from or addition of any person into the home allow the child to be safe and be placed back into the home?

The Toolkit has an extensive list of questions related to the topical areas in this section. Consider how much information is typically shared in court reports as well as how robust the discussion is in hearings. Information topics are divided into:

- all hearings
- shelter care
- disposition
- annual review/permanency

Review each topic and use the following scale:

0 = No information/no discussion

1 = Little information/little discussion

2 = Some to good information/some to good discussion

3 = Substantive information/substantive discussion of the topic to rate the amount of information contained in reports and discussed in hearings.

Please indicate the level of information or discussion of the topics.	In Court Reports Prior to Hearing				Discussed in Hearing			
	0	1	2	3	0	1	2	3
All Hearing Topics								
Child placement								
Child well-being – education								
Child well-being – physical health								
Child well-being – mental health								
Child well-being – normalcy								
Visitation/family time with parents								
Visitation/family time with siblings (when applicable)								
Safety								
Conditions for return								
Agency efforts to prevent removal/reunify/achieve permanency								
Relative resources								
Shelter Care Hearing Specific Topics	0	1	2	3	0	1	2	3
Parent’s rights/child welfare process/dependency timeframes								
Paternity								
Disposition Specific Topics	0	1	2	3	0	1	2	3
Case plan objectives for parent 1								
Case plan objectives for parent 2								
Case plan for the child								
Benchmarks and deadlines for parents								
Annual Review/Permanency Specific Topics								
Progress with the case plan								
Changes/adjustments needed with the case plan								
Permanency goal								
Concurrent goal								
Caseworker visits								
Barriers to achieving permanency								
Concrete steps to achieve permanency								

Survey Section IV. Verbal Judicial Findings Made on the Record

Best practices suggest that judicial officers should make verbal findings at the conclusion of each hearing. While this is not always possible, as some judicial officers take matters under consideration before rendering an official decision. This practice is recommended because it ensures all parties know what the finding is and allows parents an opportunity to ask their attorneys about the finding or express any concerns or questions that they may have about the finding. It also offers a further opportunity to engage parents who are present at the conclusion of the hearing by letting them know, directly from the judicial officer, what the decision was and why.

How often does the judicial officer do the following on the record?	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
Make a verbal ICWA finding (ICWA does/does not apply)					
Make a verbal reasonable efforts finding					
Make a verbal contrary to welfare finding					
Make a verbal finding that notice/service was provided to parents					
Provide copies of orders to parties at the conclusion of the hearings					

Analyzing Survey Data

Survey data from multiple perspectives can be analyzed with simple descriptive information. Count the number of responses for a given topic. For example, how many participants said the judicial officer makes verbal ICWA findings on the record, from never to rarely, or sometimes?

An analysis might look like this:

How often does the judicial officer do the following on the record?	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
Make a verbal ICWA finding (ICWA does/does not apply)	5	1	1		
Make a verbal reasonable efforts finding			1	2	4
Make a verbal contrary to welfare finding		1		1	5
Make a verbal finding that notice/service was provided to parents			7		
Provide copies of orders to parties at the conclusion of the hearings	1	1	3	1	1

There are two important things to look for in the analysis.

1. **Variability of responses.** Variable responses mean that professionals view the hearings differently. This is an opportunity to increase consistency of practice so that everyone sees it the same. In the table above, the “provide copies of orders to parties at the conclusion of the hearings” has a lot of variability.
2. **Infrequent Behaviors.** Look for practices that stakeholders say *never/almost never or rarely* occur. All the items in the survey are best practices. If something rarely occurs or is rarely discussed in depth, this might be an area to focus on. For example, in the table above, “make verbal ICWA finding” had a large percentage of persons responding “Never/Almost Never.”

COURT OBSERVATION

Court observation is a structured process to collect data about practice in hearings. It can include collecting information on any number of topics. For Ohio, a tool was developed as part of the Supreme Court’s effort to enhance hearing quality. This structured tool was used in two rounds of data collection. The instrument below is the tool used to assess hearing quality. See *Appendix B* for a clean copy.

GENERAL HEARING CHECKLIST																			
Type of Hearing: <input type="checkbox"/> Shelter Care Hearing, <input type="checkbox"/> Review, <input type="checkbox"/> Annual/Permanency, <input type="checkbox"/> Other:																			
Case No:	Date:	County			Reviewer:														
Start Time:	End Time:	Hearing delayed? Y N UD			Hearing continued? Y N NA														
Reason for Delay or Continuance: UD																			
PERSONS PRESENT																			
<input type="checkbox"/> Attorney for Agency/Prosecutor			<input type="checkbox"/> Assigned Caseworker			<input type="checkbox"/> Other Caseworker													
<input type="checkbox"/> Attorney for Mother			<input type="checkbox"/> Biological Mother			<input type="checkbox"/> Relative(s)													
<input type="checkbox"/> Attorney for Father			<input type="checkbox"/> Father(s): If more than one, how many: _____			<input type="checkbox"/> Adoptive Parent													
<input type="checkbox"/> GAL or CASA for child			<input type="checkbox"/> Child(ren) Reason not? _____			<input type="checkbox"/> Treatment/Service Provider													
<input type="checkbox"/> Attorney for Child			<input type="checkbox"/> Foster Parent or other Caregiver			<input type="checkbox"/> Others (Specify): _____													
ALL HEARINGS																			
Persons not present, inquiry into:					Other inquiries/discussion														
1. Notice perfected on parties:					0	1	2	3	NA	4. ICWA – Applicability					0	1	2	3	NA
2. Efforts to locate missing parties:					0	1	2	3	NA	5. Outstanding orders					0	1	2	3	NA
3. Notice to Foster Parents/Caregivers:					0	1	2	3	NA	6. Paternity					0	1	2	3	NA
Judicial Engagement		Mother	Father	Child	Placement	Attorney Advocacy			Mother	Father	Child								
1. Explain the hearing purpose		Y N NA	Y N NA	Y N NA	Y N NA	1. Refer to findings/orders from this hearing			Y N NA	Y N NA	Y N NA								
2. Speak directly to the person		Y N NA	Y N NA	Y N NA	Y N NA	2. Refer to report(s)			Y N NA	Y N NA	Y N NA								
3. Call them by name		Y N NA	Y N NA	Y N NA	Y N NA	3. Refer to other meetings (CFT, TDM, etc.)			Y N NA	Y N NA	Y N NA								
4. Use understandable language		Y N NA	Y N NA	Y N NA	Y N NA	4. Advocate for services, visitation, placement			0 1 2 3 NA	0 1 2 3 NA	0 1 2 3 NA								
5. Provide opportunity to be heard		Y N NA	Y N NA	Y N NA	Y N NA	5. GAL – Advocate for best interest					0 1 2 3 NA								
Participation					If party unrepresented, did court:														
Mother	Father	Child	Caseworker	GAL/CASA	Have counsel available to be appointed:			Yes No											
0 1 2 NA	0 1 2 NA	0 1 2 NA	0 1 2 NA	0 1 2 NA	Information on how to obtain counsel:			Yes No											
Safety, Well Being – The following were addressed:																			
1. Child’s placement					0	1	2	3	NA	Home Kinship Foster Residential Group Home Other Unknown <i>(circle one)</i>									
2. Child’s educational needs					0	1	2	3	NA	8. Less restrictive placement			0	1	2	3	NA		
3. Child’s physical health					0	1	2	3	NA	9. Anticipated or recent move			0	1	2	3	NA		
4. Child’s mental health					0	1	2	3	NA	10. Conditions for return			0	1	2	3	NA		
5. Normalcy for child					0	1	2	3	NA	11. Efforts to reunify			0	1	2	3	NA		
6. Visitation with parents(s)					0	1	2	3	NA	12. Efforts to identify other family			0	1	2	3	NA		
7. Visitation with sibling(s)					0	1	2	3	NA	13. Possibility of in-home safety plan			0	1	2	3	NA		
SHELTER CARE HEARING					FINDINGS (All Hearings)														
The following were addressed:					Entered findings as to:														
1. Review of the petition					0	1	2	3	NA	1. Notification and service			Yes	No	NA				
2. Paternity					0	1	2	3	NA	2. Whether contrary to welfare to remain in the home			Yes	No	NA				
3. Relative resources					0	1	2	3	NA	3. Reasonable efforts to prevent removal/ finalize perm			Yes	No	NA				
4. Parent’s rights, permanency time frames					0	1	2	3	NA	4. Factual basis for the reasonable efforts			Yes	No	NA				
										5. ICWA applies/does not apply			Yes	No	NA				

ANNUAL PERMANENCY OR REVIEW HEARING									
The following were addressed:									
1. Progress with case plan	0	1	2	3 NA	8. Agency efforts to implement case plan	0	1	2	3 NA
2. Changes to case plan	0	1	2	3 NA	9. Caseworker visitation	0	1	2	3 NA
3. Permanency goal	0	1	2	3 NA	10. Concurrent goal	0	1	2	3 NA
4. Barriers to achieving permanency	0	1	2	3 NA	11. Concrete steps to achieving permanency	0	1	2	3 NA
5. If permanency goal is not TPR, compelling reasons	0	1	2	3 NA	12. If TPR, efforts to locate adoptive home	0	1	2	3 NA
6. If permanency goal is PPLA, rule out other plans	0	1	2	3 NA	13. If PPLA, child's desired permanency outcome	0	1	2	3 NA
7. If legal custody, review of best interest	0	1	2	3 NA	14. If legal custody, Statement of Understanding	0	1	2	3 NA
SCHEDULING									
Set next hearing on the record	Yes	No	NA		Next hearing set within timelines	Y	N	NA	
Court Orders provided to parties	Yes	No	NA		Next hearing type & date:				
Consult parent(s) about next hearing date	Yes	No	NA						

Scoring Index: 0 = no discussion; 1 = statement; 2 = moderate discussion; 3 = substantive discussion; NA = not applicable.

How many hearings should you observe?

To get a good sense of practice, you should observe a minimum of five hearings by the same judicial officer and of the same hearing type (e.g., five shelter care hearings by the same judicial officer). This allows for an overview of practice. If you have sufficient resources, increase that number to 10 for each hearing type and each judicial officer.

Tips for court observation:

- Review the court observation instrument in depth to learn what all the sections are and what information is being requested.
- The instrument can be simplified by removing items that are not of interest (or are not a priority). Sit through a hearing and practice using the instrument.
- It typically takes practicing using the tool on a few hearings to learn the tool. Use a pencil so that you can erase if needed.
- Take notes in the margin for context so that you can refer to them later.
- If you have access to recorded hearings, they are perfect for practice. You can pause the hearing to get caught up on the tool until you are familiar with it.
- It is helpful if coders have knowledge of the child abuse, neglect, and dependency court process so that they understand what is occurring in the hearing.
- If possible, have two coders observe the same hearings and compare responses to ensure everyone is observing the same thing.

Analyzing Court Observation Data

A structured tool is meant to provide a way to quantify data from hearings. Like the surveys, it will be important to count the data. Data can be reported as a percentage of the total. Some descriptive data might include:

- In what percentage of hearings are parties (e.g., parent 1, parent 2, child, parent 1's attorney) present?
- How often is a specific topic discussed in hearings (percentage of 1, 2, or 3 responses)?
- How often is a specific topic discussed more than a statement in hearings (percentage of 2 and 3 hearings)?
- How often does the judicial officer explain the hearing process to a parent (percentage of yeses when parent is present)?
- How often does the judicial officer make a verbal finding on the record (e.g., reasonable efforts finding; percentage of yeses when applicable)?

MAKING MEANING OF THE SELF-ASSESSMENT DATA

It is important to consider how to make the data meaningful after you have collected it. The first step is to analyze the data. This does not have to be a complex analysis in any way. All the methods describe simple ways to analyze the data so that you can describe the information that you have collected. Often there may be a lot of data and it may be a challenge to determine where to start any efforts to improve practice. Of course, the first step is to identify where there are practices that are not occurring or rarely occurring. However, there may be several practice areas that could be increased. It helps to consider ways to prioritize the findings.

Prioritizing Change Efforts

Findings might reveal multiple opportunities to enhance practice. How do you decide which changes to prioritize? Consider these three tips.

1. **Focus on changes that are most related to positive outcomes for children and families.** What do you know about research in child welfare? Use that knowledge base to identify practices areas. For example, we know from hearing quality research that presence and engagement of parents are related to better outcomes for children and families. Focus on the items related to presence and engagement. We also know that visitation is a good predictor of reunification. If the discussion of visitation is low, this might be an area to expand upon. Prior studies have also found that discussion of barriers to achieve permanency and concrete steps to achieving permanency may be related to timelier permanency. Consider which items have research to support them as well as any items that could theoretically be related to better outcomes. Prioritize these changes.
2. **Consider statewide priorities for child abuse, neglect, and dependency cases.** Are there areas that the state would like to improve? For example, parent engagement has been noted as an area of improvement for the state. Can your local efforts align with statewide priorities? What are the findings from the most recent round of Child & Family Services Reviews? Which areas did they identify as a priority, and can your efforts align with those? Most states have plans for statewide improvement. Can your local efforts align with the Supreme Court's Court Improvement Program grant?
3. **Think about changes that would be easy to integrate or could be done immediately.** Some practice changes may be as simple as the judicial officer making a brief statement or asking one additional question at the beginning of hearings. Think about how easy or difficult a change would be to a given focus area. If change can be simple and will enhance practice, it should be a priority.

Action Planning for Systems Change

The final step in the process is to create a plan of action to change practice. Using the data you have collected from the self-assessment and the priorities you have set, create a plan for system change. Consider these questions:

- What is your goal?
- Where are the biggest/most important areas of opportunity?
- What would need to look different in practice for change to occur?
- Who will be responsible for implementing change?
- What is the timeframe for implementing change?

A good action plan should include a goal statement, the **finding**/challenge that you want to address, the **strategy** for changing practice, **who** is responsible, and **when** it will occur. A blank template action plan is available in the Appendix.

Example Action Plan

Goal: Improve the quality of court hearings.

Finding From Self-Assessment	Expected Change in Practice	Responsible Person	Timelines
Judicial officers rarely explain the hearing process	Judicial officers will explain the hearing process at the beginning of all hearings	Judicial officer	Immediately
Parents are only at 50% of hearings	Judicial officer will encourage parent participation by asking if they understand the process	Judicial officer	Immediately
Foster parents/ caregivers are rarely at hearings	Agency will provide notice to foster parents	State attorney	1-2 Months
	Judicial officers will inquire about foster parents at all hearings when they are not present	Judicial officer	Immediately

CONCLUSION

The Self-Assessment Guide is meant to provide a starting point for courts to assess their own hearing quality practice. It is designed to be used by systems professionals in the child welfare field and encourages use by a multidisciplinary team to best understand the varying perspectives of attorneys, agency workers, and judicial officers in these cases. The data gathered from the methods outlined in the toolkit are intended to be used in a meaningful way to reflect on areas of opportunity to improve practice toward best practices recommendations. The Guide is also designed to supplement the Quality Hearing Toolkit which offers extensive recommendations around judicial practice, areas of inquiry, and information for hearings.

The Supreme Court's Court Improvement Program Grant should be considered a resource in these efforts if assistance is needed with assessing practice, understanding statewide priorities, or action planning for systems change. It is important to note, as well that improving the quality of child abuse, neglect, and dependency court hearings is an ongoing process. Some changes may be immediate and easy to implement, while others may take some time for all stakeholders to adjust to new practices. All changes, however small they may seem, may be important pieces in improving lives for children and families.

*“Never doubt that a small group of thoughtful, committed, citizens can change the world.
Indeed, it is the only thing that ever has.”
– Margaret Mead*

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Appendix A: Self-Assessment Survey

Section I. Active Presence & Participation by Key Parties

Indicate how often the following behaviors occur in child abuse, neglect, and dependency hearings.	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
The judicial officer inquires about notice or service for parents					
The judicial officer inquires about notice or service for the foster parents/relative caregivers					
The judicial officer asks parents about address or contact information changes					
If a parent is not present, there is inquiry/discussion of why					
If the child is not present, there is inquiry/discussion of why					
If the foster parent or caregiver are not present, there is inquiry/discussion of why					
The judicial officer inquires about the applicability of ICWA					
Someone identifies all parties on the record by their name <i>and</i> role in the case					
There is inquiry/discussion about relatives that could be resources for the family					
Parents, when present, contribute to the discussion in the hearings					
Youth, when present, contribute to the discussion in hearings					
The next hearing is set on the record so that parties know when the next appearance is					

Section II. Engagement of Parents & Youth

How often does the judicial officer:	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
Speak directly to the parent (when present)					
Call the parent by name (not mom or dad)					
Explain the purpose of the hearing to parents					
Use understandable language (e.g., no acronyms or legal jargon)					
Give parents an opportunity to be heard					
Consult parents about their availability for the next hearing date					
Speak directly to the child (age appropriate)					
Call the child by name					
Explain the purpose of the hearing					
Give the child an opportunity to be heard					

Section III. Discussion of Key Topics

Please indicate the level of information or discussion of the topics.	In Court Reports Prior to Hearing				Discussed in Hearing			
	0	1	2	3	0	1	2	3
All Hearing Topics								
Child placement								
Child well-being – education								
Child well-being – physical health								
Child well-being – mental health								
Child well-being – normalcy								
Visitation/family time with parents								
Visitation/family time with siblings (when applicable)								
Safety								
Conditions for return								
Agency efforts to prevent removal/reunify/achieve permanency								
Relative resources								
Shelter Care Hearing Specific Topics	0	1	2	3	0	1	2	3
Parent's rights/child welfare process/dependency timeframes								
Paternity								

Disposition Specific Topics	0	1	2	3	0	1	2	3
Case plan objectives for parent 1								
Case plan objectives for parent 2								
Case plan for the child								
Benchmarks and deadlines for parents								
Annual Review/Permanency Specific Topics	0	1	2	3	0	1	2	3
Progress with the case plan								
Changes/adjustments needed with the case plan								
Permanency goal								
Concurrent goal								
Caseworker visits								
Barriers to achieving permanency								
Concrete steps to achieve permanency								

Section IV. Verbal Judicial Findings Made on the Record

How often does the judicial officer do the following on the record?	Never/ Almost Never	Rarely	Sometimes	Regularly	Always/ Almost Always
Make a verbal ICWA finding (ICWA does/does not apply)					
Make a verbal reasonable efforts finding					
Make a verbal contrary to welfare finding					
Make a verbal finding that notice/service was provided to parents					
Provide copies of orders to parties at the conclusion of the hearings					

Appendix B: General Hearing Checklist

GENERAL HEARING CHECKLIST													
Type of Hearing: <input type="checkbox"/> Shelter Care Hearing, <input type="checkbox"/> Review, <input type="checkbox"/> Annual/Permanency, <input type="checkbox"/> Other:													
Case No:		Date:		County			Reviewer:						
Start Time:		End Time:		Hearing delayed? Y N UD			Hearing continued? Y N NA						
Reason for Delay or Continuance: UD													
PERSONS PRESENT													
<input type="checkbox"/> Attorney for Agency/Prosecutor			<input type="checkbox"/> Assigned Caseworker			<input type="checkbox"/> Other Caseworker							
<input type="checkbox"/> Attorney for Mother			<input type="checkbox"/> Biological Mother			<input type="checkbox"/> Relative(s)							
<input type="checkbox"/> Attorney for Father			<input type="checkbox"/> Father(s): If more than one, how many: _____			<input type="checkbox"/> Adoptive Parent							
<input type="checkbox"/> GAL or CASA for child			<input type="checkbox"/> Child(ren) <i>Reason not?</i> _____			<input type="checkbox"/> Treatment/Service Provider							
<input type="checkbox"/> Attorney for Child			<input type="checkbox"/> Foster Parent or other Caregiver			<input type="checkbox"/> Others (Specify): _____							
ALL HEARINGS													
Persons not present, inquiry into:					Other inquiries/discussion								
1. Notice perfected on parties:					0 1 2 3 NA		6. ICWA – Applicability			0 1 2 3 NA			
2. Efforts to locate missing parties:					0 1 2 3 NA		7. Outstanding orders			0 1 2 3 NA			
3. Notice to Foster Parents/Caregivers:					0 1 2 3 NA		6. Paternity			0 1 2 3 NA			
Judicial Engagement		Mother	Father	Child	Placement	Attorney Advocacy		Mother	Father	Child			
1. Explain the hearing purpose		Y N NA	Y N NA	Y N NA	Y N NA	6. Refer to findings/orders from this hearing		Y N NA	Y N NA	Y N NA			
2. Speak directly to the person		Y N NA	Y N NA	Y N NA	Y N NA	7. Refer to report(s)		Y N NA	Y N NA	Y N NA			
3. Call them by name		Y N NA	Y N NA	Y N NA	Y N NA	8. Refer to other meetings (CFT, TDM, etc.)		Y N NA	Y N NA	Y N NA			
4. Use understandable language		Y N NA	Y N NA	Y N NA	Y N NA	9. Advocate for services, visitation, placement		0 1 2 3 NA	0 1 2 3 NA	0 1 2 3 NA			
5. Provide opportunity to be heard		Y N NA	Y N NA	Y N NA	Y N NA	10. GAL – Advocate for best interest				0 1 2 3 NA			
Participation					If party unrepresented, did court:								
Mother		Father		Child		Caseworker		GAL/CASA		Have counsel available to be appointed:			
0 1 2 NA		0 1 2 NA		0 1 2 NA		0 1 2 NA		0 1 2 NA		Yes No			
					Information on how to obtain counsel:					Yes No			
Safety, Well Being – The following were addressed:													
1. Child's placement					0 1 2 3 NA		Home Kinship Foster Residential Group Home Other Unknown <i>(circle one)</i>						
2. Child's educational needs					0 1 2 3 NA		8. Less restrictive placement			0 1 2 3 NA			
3. Child's physical health					0 1 2 3 NA		9. Anticipated or recent move			0 1 2 3 NA			
4. Child's mental health					0 1 2 3 NA		10. Conditions for return			0 1 2 3 NA			
5. Normalcy for child					0 1 2 3 NA		11. Efforts to reunify			0 1 2 3 NA			
6. Visitation with parents(s)					0 1 2 3 NA		12. Efforts to identify other family			0 1 2 3 NA			
7. Visitation with sibling(s)					0 1 2 3 NA		13. Possibility of in-home safety plan			0 1 2 3 NA			
SHELTER CARE HEARING						FINDINGS (All Hearings)							
The following were addressed:						Entered findings as to:							
1. Review of the petition						0 1 2 3 NA		1. Notification and service			Yes No NA		
2. Paternity						0 1 2 3 NA		2. Whether contrary to welfare to remain in the home			Yes No NA		
3. Relative resources						0 1 2 3 NA		3. Reasonable efforts to prevent removal/ finalize perm			Yes No NA		
4. Parent's rights, permanency time frames						0 1 2 3 NA		4. Factual basis for the reasonable efforts			Yes No NA		
								5. ICWA applies/does not apply			Yes No NA		

ANNUAL PERMANENCY OR REVIEW HEARING									
The following were addressed:									
1. Progress with case plan	0	1	2	3 NA	8. Agency efforts to implement case plan	0	1	2	3 NA
2. Changes to case plan	0	1	2	3 NA	9. Caseworker visitation	0	1	2	3 NA
3. Permanency goal	0	1	2	3 NA	10. Concurrent goal	0	1	2	3 NA
4. Barriers to achieving permanency	0	1	2	3 NA	11. Concrete steps to achieving permanency	0	1	2	3 NA
5. If permanency goal is not TPR, compelling reasons	0	1	2	3 NA	12. If TPR, efforts to locate adoptive home	0	1	2	3 NA
6. If permanency goal is PPLA, rule out other plans	0	1	2	3 NA	13. If PPLA, child's desired permanency outcome	0	1	2	3 NA
7. If legal custody, review of best interest	0	1	2	3 NA	14. If legal custody, Statement of Understanding	0	1	2	3 NA
SCHEDULING									
Set next hearing on the record	Yes	No	NA		Next hearing set within timelines	Y	N	NA	
Court Orders provided to parties	Yes	No	NA		Next hearing type & date:				
Consult parent(s) about next hearing date	Yes	No	NA						

Scoring Index: 0 = no discussion; 1 = statement; 2 = moderate discussion; 3 = substantive discussion; NA = not applicable.

Appendix C: Action Plan Template

Goal:

Finding From Self-Assessment	Expected Change in Practice	Responsible Person	Timelines