



**OHIO
CHILDREN'S JUSTICE
ACT
THREE YEAR
ASSESSMENT**
2018-2020

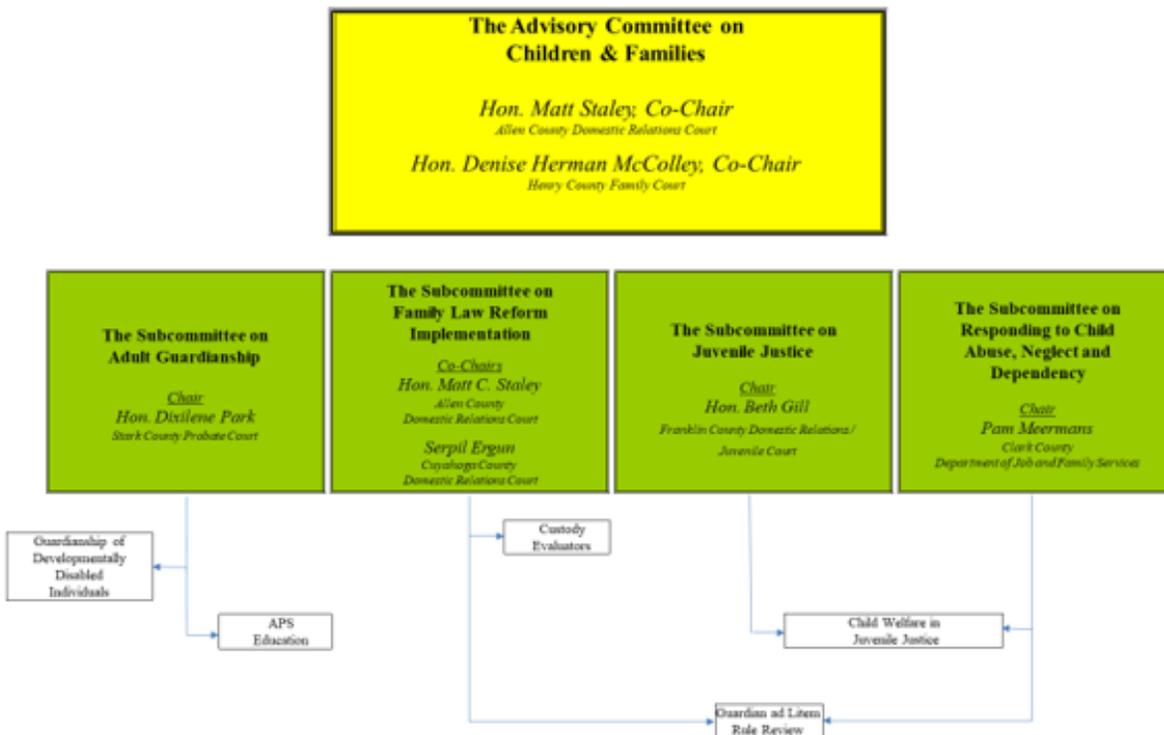
Overview of CJA Task Force

Ohio’s Task Force, the Subcommittee on Responding to Child Abuse, Neglect and Dependency, was established in 2004 by unanimous vote of the Supreme Court of Ohio’s Advisory Committee on Children, Families and the Courts (Advisory Committee) to:

1. Determine if Ohio’s statutory guidelines for the investigation and prosecution of child abuse and neglect properly serve children and families in need of government intervention;
2. Make statutory and administrative recommendations to improve Ohio’s system for accepting and investigating reports of child abuse and neglect; and,
3. Make recommendations to standardize and make uniform Ohio statutes regarding abuse, neglect, and dependency cases.

The Task Force has continued since that time as a standing subcommittee of the Advisory Committee. For the purpose of this report, the terms “Subcommittee” and “Task Force” are used interchangeably.

2018 Table of Organization



The focus of the Task Force’s work is guided by its “Charge to the Subcommittee on Responding to Child Abuse, Neglect and Dependency” (Charge). The activities included within the charge have been identified either through recommendation of the Task Force or through request of the Advisory Committee. Items that are consistent with the subcommittee’s charge may be referred for subcommittee consideration at any time. Topics of concern also may be presented to the Task Force for consideration by request of membership groups represented on the Task Force. To be adopted into the Charge, the item must be developed in the form of a recommendation, approved by vote of the Task Force and presented to the Advisory Committee for voted approval.

The Subcommittee primarily focuses its efforts on initiatives that seek to produce systemic reform. For this reason, activities are, for the most part, multi-year in length and involve the active participation of a range of stakeholders. The Task Force receives quarterly update on the progress of each activity included in its Charge. Its work is complemented with ongoing research, assessment and outreach so the Task Force utilizes the support of the Family and Youth Law Center (Capital University Law School) to provide open-ended administrative support, data collection and analysis. The Subcommittee anticipates completion of the final activities set forth in its current charge, effective July 1, 2018.

Systems Improvements Addressing Previous Three-Year Assessment

Over the past three years, the Task Force has made significant progress on each of the recommendations set forth in its charge. Recommendations are listed below under each category of focus; a brief progress report is included under each. Expanded discussion of each of these activities is available in Ohio’s annual report and applications.

2015-2017

Charge of the Subcommittee on Responding to Child Abuse, Neglect and Dependency (Task Force)

1. Investigative, administrative and judicial handling of child abuse and neglect

- a. Provide advice and guidance for the establishment of a service provider network for child victims of human trafficking (Recommendation 9, Ohio Human Trafficking Task Force), which shall include a training component for first responders.

System Progress: Ohio established a statewide service provider network through the Ohio Network of Children’s Advocacy Centers. CJA supported the development of skills, refinement of practice and enhancement of collaboration. Early funding supported centers’ work to establish connections with existing service agencies investigating and working with adult and minor victims of human trafficking. CJA’s two-year funding transitioned into state-supported dollars with the

expectation of long term self-sustainability.

- b. Provide regional, multidisciplinary training opportunities that encourage stakeholder-driven action planning.

System Progress: This is an ongoing activity of the task force, one that membership has selected to continue into its 2019-2021 Charge. Ohio uses a model of county teams, led by the judge and public children services agency director, assembled for instruction and action planning on specific topics. Examples of events which were held over these past years:

- Dependency Docket Caseflow Management (regional, state-level and local): Teams examine how abuse, neglect and dependency cases progress through the county court, and develop strategies to address priority areas.
- Regional Judicial Trauma Training: The one-day course offered communities the opportunity to examine local practices in developing a trauma-informed system. At the conclusion of the event, each county team is responsible for developing a community action plan. Working collaboratively with input from all members of the county team, the plan is to identify priority areas for trauma informed systems of care and action steps to address those priority areas, as well as identifying how success will be measured.
- Improving Safety and Well-Being: Collaborative Approaches: In this session, teams could attend sessions and agree to community strategies regarding child safety decision-making, advocacy to support quick and safe reunification, and identifying quality treatment for substance use disorder.

2. Support of experimental, model and demonstration programs for testing innovative approaches and techniques.

- a. Complete transition to Ohio-based training to full capacity, and fully implement the “Safe and Together” model for any county that wishes to implement this programming as an intimate partner violence intervention within a differential response framework.

System Progress: More than half of all Ohio counties have been trained in Safe and Together. The program has built a sustainability plan that will provide continued support and expansion as CJA ends its final year of funding.

- b. Support experimental, model and demonstration programming that addresses substance use disorders within the families that come to the attention of the child welfare system.

System Progress: This is an ongoing activity of the task force, one that membership has selected to continue into its 2019-2021 Charge. The Task Force has overseen a range of activities in tis support, including:

- Judicial Symposium on Addiction and Child Welfare: 56 court teams participated in a day of instruction and case planning. At conclusion, teams identified core local needs and limitations, and developed action steps they could take to support community partners' work and resolve conflicting demands Casey Family Program made implementation dollars available to each county that attended the Symposium and submitted an action plan. These funds were specifically to support continued planning and coordination.
- Competitive Innovation Grants: CJA has an ongoing partnership with Casey Family Programs to provide competitive funding to county public children services agencies that are partners in a certified family dependency treatment court. Funding is directed to specific categories which support state level initiatives such as universal screening, infusion, and competency and efficiency.
- Demonstration Site Funding: To establish a proof of concept regarding the experimental processes being examined in Ohio's Statewide System Reform Planning grant, sites were provided funding to support the systemic improvements required for planning and data collection. The assessment established under this system is allowing the collection of data from courts, public children services agencies, treatment providers and Medicaid.

- c. Establish model approaches for juvenile courts to identify and respond to minors who appear before them and are victims of human trafficking.

System Progress: In addition to offering a range of training activities, this workgroup established a judicial benchcards for use by courts, including application of safe harbor laws, To view:

<http://www.supremecourt.ohio.gov/JCS/domesticViolence/publications/humanTrafficking.pdf>

<http://www.supremecourt.ohio.gov/JCS/CFC/resources/juvenileHumanTrafficking.pdf>

<http://www.supremecourt.ohio.gov/JCS/CFC/resources/traumaInformedCourt.pdf>

- d. Explore model approaches to providing competent and effective representation of parents.

System Progress: This recommendation is being addressed through pilot projects established under Ohio's Court Improvement Program grant.

3. Reform of State laws, ordinances, regulations, protocols, and procedures to provide comprehensive protection for children

- a. Review and recommend revisions to Rule 48 of the Rules of Superintendence as related to juvenile application.

System Progress: The Task Force was charged with reviewing state laws, ordinances, regulations, protocols, and procedures relating to guardian

ad litem (GAL) practice in abuse and neglect cases. This review was conducted in concert with a parallel workgroup examining these items as related to the performance of guardians ad litem in domestic relations court. Together, the workgroups have proposed significant revision related to dual appointment, report content and access, limited scope appointments, pre-service and ongoing training, court oversight and performance evaluation of GAL, management of complaints regarding GAL, and mandated GAL responsibilities. Draft rules underwent initial review, have been released for public comment, and have undergone final review of the workgroup. Final rules will be presented to Ohio's Commission on Rules of Superintendence for final drafting and approval.

- b. Re-examine the proposed Child in Need of Protective Services legislative language.

System Progress: The Task Force continues to study this proposal.

- c. Review and make recommendations regarding instruments to support case functions applicable and appropriate for the unruly and delinquent population served by an agency acting as a child welfare agency.

System Progress: Draft recommendations have been prepared by the workgroup. ODJFS is calendaring production into SACWIS based upon anticipated completion and existing build schedules.

Process Overview

The Task Force's 2019-2021 Three-Year Assessment (Assessment) consisted of a series of data collection and review activities that included:

1. Review of Current Charge.
2. Stakeholder Survey.
3. Recommendations from other work groups and stakeholder groups.

Review of Current Charge

The Task Force reviewed the status of its 2015-2018 charge and to identify and assess items not approaching closure that appeared to require additional attention and support. Three activities were identified:

1. *Support experimental, model and demonstration programming that addresses substance use disorders within the families that come to the attention of the child welfare system.*

As substance use disorders within families continues to overwhelm the child welfare system, the Task Force identified the need to continue to support experimental, model,

and demonstration programming in this area.

2. Provide regional, multidisciplinary training opportunities that encourage stakeholder-driven action planning.

The Task Force views this activity as a fundamental function of its multidisciplinary collaboration.

3. Re-examine the proposed Child in Need of Protective Services legislative language.

After contemplating an approach addressing subcomponents of past Child in Need of Protective Services proposed legislative language, the Task Force identified an interest in returning to the concept of a full legislative proposal and continuing to develop same.

Stakeholder Survey

The Task Force prepared and circulated a stakeholder survey to identify areas of focus and future efforts. Survey questions were developed with task force suggestions and input. Survey recipients included: Child protection agencies, Juvenile court personnel (including Judges, Magistrates, and Court Administrators), attorneys, GALs, CASA, Ohio Family Care Association (adoptive, foster, kinship, primary and respite families), Bridges Advisory Council, Ohio Reach (a collaboration that includes PCSAO, the Ohio Department of Higher Education (formerly the Board of Regents), the Ohio Association of Child Caring Agencies and others), and the Ohio Youth Advisory Board (youth who have experienced foster care). Survey recipients were encouraged to share the Survey link with others whose feedback would be useful; Task Force members were asked to share the survey link with their respective constituents as well. The final survey question also provided the opportunity for recipients to suggest additional stakeholders/ contact information for outreach and survey responses.

The survey yielded 270 responses. Categories of respondents were broken down as follows:

GAL/CASA:	30.36%
Other:	21.43%
Defense bar/attorney:	14.73%
Judge:	11.16%
Other court staff:	11.16%
PCSA Director/other senior leader:	1.79%
Prosecutor/assistant prosecutor:	1.34%
PCSA caseworker/case aide:	.45%
Private foster care agency:	.45%
Residential or group home agency:	.45%
Former foster child:	.45%

Those who identified as “other” included the following designations:

- Magistrate
- Attorney for parents
- Domestic violence technical assistance provider
- Pediatric specialist GAL
- Attorney/GAL (dual role)
- Pastor
- Non-attorney GAL/mental health counselor
- CASA director
- Attorney for child
- Mediator
- Professor
- Advocate
- Law enforcement/Sherriff’s office detective
- Probation officer
- Intake
- Executive director
- Parent mentor in schools
- Child advocacy center director
- Mental health & recovery board/ADAMHS CEO
- Legal aid attorney
- Clinical program coordinator for a child advocacy center
- Law enforcement agency investigations supervisor
- Child counselor at domestic violence shelter

The survey was comprised of all open-ended questions to provide opportunity for extensive feedback. Some questions were specifically drafted to elicit big picture suggestions for the Task Force’s future areas of focus while others solicited more detail-oriented feedback.

Recommendations from other work groups and stakeholder groups

The Task Force has selected to support court-connected strategies that are included within Ohio’s Round Three Program Improvement Plan due June 1, 2018.

Policy and Training Recommendations

The assessment has been distilled by the Task Force into general thematic areas which are to be explored. Areas of focus include:

1. In relation to **challenges to the effective investigation, prosecution, and handling of**

abuse and neglect cases, respondents' concerns fell into the following categories:

- Personnel/staff/agency problems: Includes issues with performances and policies of case workers, investigators, retention, and lack of training.
- Issues with access to information: Includes address issues/service issues; sharing of information.
- Court problems: Includes dockets and timely decisions/case processing.
- Placement issues: Includes lack of foster, respite, and residential placement options.
- Time constraints
- Lack of Parental Accountability/Cooperation
- Other: Includes community resource issues, statutory issues, funding, race, domestic violence, and drug-related issues.

2. In relation to **specific areas of the law seen as areas for change in the context of abuse and neglect cases**, suggestions fell into the following categories:

- CHIPS-related (and related definitional changes). These suggestions include returning to the idea of a CHIPS system generally, as well as specific suggestions to amend the definitions of abuse, neglect, and dependency.
- Mandatory reporters. Specific suggestions included requiring court staff to be mandated reporters, to hold mandated reports accountable, and setting systems in place to protect victims/children after a report is made.
- Comprehensive Addiction and Recovery Act (CARA). Respondents suggested defining CARA rules more specifically, particularly regarding the required plan of safe care.
- Planned Permanent Living Arrangement (PPLA). Recommendations related to this umbrella dispositional option for abused, neglected and dependent children 16 years and older included both eliminating and/or further limiting the use of PPLA and returning to old PPLA statutes and age restrictions.
- Drug-specific issues. Suggestions in this topic area varied widely, but include eliminating alternative response for drug abusing parents, more utilization of drug courts/family drug court dockets, and examining penalties for drug-abusing pregnant mothers.
- Reunification. Respondents noted a double standard in the reunification standard for parents v. non-parents and the need to shorten the timeframe for potential reunification to prioritize the need for permanency.
- Changing case timelines (both to speed up and slow down cases). Some suggestions included allowing additional time for law enforcement to investigate a case and allowing additional time for families making progress to achieve case

plan goals and lengthening case deadlines, specifically to give drug-addicted parents time to work on recovery. Oppositely, others recommended speeding up cases to expedite permanency.

- Parent representation/parental rights issues. The suggestions falling into this category include ensuring due process is afforded to parents as well as ensuring the provision of adequate counsel.
- Temporary custody extension clarification. Clarification regarding extensions of temporary custody was a repeated suggestion in this category.

3. In relation to ideas for other subjects/topic areas that should be included in the subcommittee's work in the next three years, responses fell into the following categories:

- Agency consistency/agency practice issues
- Opioid epidemic/drug abuse issues
- Training
- Community issues
- Older youth
- Services/Access to
- Court concerns
- Funding
- Special needs/mental health
- Victim and/or Abuser issues
- Trauma
- Foster care
- School/education
- Legislation
- Relative/kinship placement
- GAL-related
- AR
- CASA
- Father's Rights/Related Issues
- Human Trafficking
- Misc.

Task Force Recommendations

After review of the data collected through the Three-Year Assessment, the Task Force made the following recommendations:

1. *Complete the remaining activities in the existing Task Force charge and provide a final report on said activities to the Advisory Committee at the summer 2018 meeting. Following the final report, the Task Force will identify its new areas of focus based upon the thematic areas recommended through the survey.*
2. *Carry over the activities that have been identified into the new charge for 2018-2020.*
3. *Incorporate the stakeholder request to support Ohio's Program Improvement Plan strategies.*

2018

Charge of the Subcommittee on Responding to Child Abuse, Neglect and Dependency (Task Force)

1. **Investigative, administrative and judicial handling of child abuse and neglect**
 - a. Provide regional, multidisciplinary training opportunities that encourage stakeholder-driven action planning.
2. **Support of experimental, model and demonstration programs for testing innovative approaches and techniques.**
 - a. Support experimental, model and demonstration programming that addresses substance use disorders within the families that come to the attention of the child welfare system.
 - b. Support court-connected strategies that are included within Ohio's Round Three Program Improvement Plan
3. **Reform of State laws, ordinances, regulations, protocols, and procedures to provide comprehensive protection for children**
 - a. Re-examine the proposed Child in Need of Protective Services legislative language.

Description of Task Force Plans

While the specific plan of work is not yet confirmed, the Task Force has identified certain activities it wishes to explore:

Provide regional, multidisciplinary training opportunities that encourage stakeholder-driven

action planning.

- Regional team training regarding the investigation and prosecution of unexplained child deaths.

Support experimental, model and demonstration programming that addresses substance use disorders within the families that come to the attention of the child welfare system.

- Incorporate the work of Ohio's Collaborative Community Court Teams federal grant into Task Force strategies.

Support court-connected strategies that are included within Ohio's Round Three Program Improvement Plan.

Although Ohio's plan is not yet submitted or approved, the Task Force has examined the areas needing improvement and are looking at the following strategies:

- Creation of a bench card that to assist Judges with their questioning of various parties at various hearing. These will include specific questions for each party (case workers, parents, youth, attorneys, guardians ad litem) that the judge should consider asking at specific points in the process.
- Pre- and post-court observations using a standard observation checklist.
- Development of a menu of court practices that CFSR counties select to implement.

Re-examine the proposed Child in Need of Protective Services legislative language.

- Schedule a series of focus groups to lay groundwork for forward movement and receive feedback on options.