

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 1

In Support of Legislation to Improve the Handling of Cases for Children in Foster Care

WHEREAS, the Conference of State Court Administrators recognizes the importance of securing safe and permanent homes for children and the importance of moving children in state custody to permanent and safe homes as quickly as possible through the efficient and effective handling of child abuse and neglect cases; and

WHEREAS, the Conference applauded the formation of the Pew Commission on Children in Foster Care, a nonpartisan, multi-disciplinary group, that was dedicated to examining strategies for improving the child welfare system and recognized the critical role that courts play in overseeing the system; and

WHEREAS, the Pew Commission issued a series of recommendations for strengthening courts after thoughtful study. These recommendations focused on four general strategies:

- Courts should adopt court performance measures to ensure that they can track cases, to increase accountability, and inform decisions about the allocation of court resources;
- Incentives and requirements should be established for effective collaboration between courts and child welfare agencies on behalf of children in foster care;
- Children and parents should have a strong voice in court and effective representation by trained attorneys and volunteer advocates; and
- Chief Justices and other state court leaders should lead efforts to organize courts to better serve children, provide training for judges, and promote more effective standards for dependency courts, judges, and attorneys; and

WHEREAS, the Pew Commission also made recommendations to provide states with more financial flexibility in utilizing federal resources to improve child welfare services, thus enhancing child safety and family permanency; and

WHEREAS, the 109th Congress will be considering legislation to implement the Pew Commission's recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Conference urges Congress to consider including the following provisions in any legislation to reform the child welfare system:

- Reauthorization and increased entitlement funding for the Court Improvement Program as included in the Child SAFE Act of 2004;
- A requirement that state child welfare agencies collaborate with the state court leadership in a meaningful way in the development of IV-E State Plans and Program Improvement

Plans and that any decision to change the finance structure insure that state courts can access federal funds to carry out their responsibilities under Title IV-E;

- Authorization and appropriation for \$10 million in start-up funds for the development of improved case tracking systems for courts and such sums as necessary in later years to build capacity to track and analyze caseloads;
- Authorization and appropriation for \$10 million to train court personnel, a portion of which should be designated for joint training of court personnel, child welfare agency staff and others involved in protecting and caring for children;
- Authorization and appropriation for \$5 million to expand Court Appointed Special Advocate (CASA) programs;
- States should be provided with options to increase the flexibility for administering the Title IV-E program, such as allowing IV-E funding to be used for services to children and families as well as for maintenance payments and allowing states to fund subsidized guardianships.

Adopted as proposed by the Courts, Children and Families Committee at the COSCA 2004 Midyear Meeting, New Orleans, Louisiana, December 3, 2004