

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 3

In Support of Strengthening Court Oversight and Performance in Child Abuse and Neglect Cases

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

WHEREAS, the Conference recognizes that state court leaders have a responsibility to promote and implement reforms within the state court systems to improve court oversight of these cases and amend court procedures and practices to more efficiently and effectively handle these cases; and

WHEREAS, the Conference further recognizes that state court leaders are uniquely positioned to lead and facilitate collaboration between the courts and the state executive agencies to improve the child welfare system; and

WHEREAS, the National Center for State Courts, the National Council of Juvenile and Family Court Judges, and the American Bar Association Center on Children and the Law, in a collaborative effort, developed performance measures and, in April 2004, published them in *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*; and

WHEREAS, the publication serves as a guide to assist courts in handling child abuse and neglect cases to make real and sustained advances in improving outcomes for abused and neglected children; and

WHEREAS, using the process outlined in the publication, courts are able to establish reliable baseline measures of performance and workload and to establish a process to make continuous improvements; and

WHEREAS, in Resolution 17, *In Support of Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*, which was adopted on July 29, 2004, the Conference encouraged its members to make every effort to measure performance, identify areas in need of improvement, chart progress and provide the stimulus to improve society's response to child maltreatment and endorsed the *Building a Better Court* publication and encouraged the use of this valuable tool; and

WHEREAS, in Resolution 15, *In Support of the Recommendations Made by the Pew Commission on Children in Foster Care*, which was also adopted on July 29, 2004,

the Conference applauded the formation of the Pew Commission on Children in Foster Care, a nonpartisan, multi-disciplinary group 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 Conference further endorsed the Pew Commission's recommendations for strengthening courts that were included in their final report, *Fostering the Future: Safety, Permanence, and Well-Being for Children in Foster Care*, which was issued in May 2004. The court-related recommendations focused on four general strategies:

- o Courts should adopt court performance measures to ensure that they can track cases, to increase accountability and to inform decisions about the allocation of court resources;
- o Incentives and requirements should be established to require effective collaboration between the courts and child welfare agencies in the development of plans and programs on behalf of children in foster care;
- o Children and parents should have a strong voice in court and effective representation by trained attorneys and advocates; and
- o Chief Justices and other state court leaders should spearhead 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 referenced the performance measures included in the *Building a Better Court* publication as an example of performance measures for states to consider and in Appendix B in their *Fostering the Future* report; and

WHEREAS, subsequently, the National Center for State Courts, the National Council of Juvenile and Family Court Judges, and the American Bar Association Center on Children and the Law worked cooperatively to develop a *Tool-Kit for Court Performance Measurement in Child Abuse and Neglect Cases* to further assist state courts in implementing the above referenced performance measurements.

NOW, THEREFORE, BE IT RESOLVED that the Conference continues to encourage its members to make every effort to measure performance, identify areas in need of improvement, chart progress and provide the stimulus to improve society's response to child maltreatment and affirms its endorsement of the *Building a Better Court* publication; and

BE IT FURTHER RESOLVED that the Conference affirms its support for the recommendations made by the Pew Commission on Children in Foster Care and the Conference's commitment to an action agenda to implement the Pew Commission's recommendations; and

BE IT FURTHER RESOLVED that the Conference endorses the above referenced *Tool-Kit for Court Performance Measurement in Child Abuse and Neglect Cases* and encourages its members to use the tools.

Adopted as proposed by the COSCA Courts, Children and Families Committee at the Midyear Meeting on December 4, 2008.