

Massachusetts Court Improvement Program 2018 Annual Self-Assessment Report

This self-assessment is intended as an opportunity for Court Improvement Programs (CIPs) to review progress on required CIP projects, joint program planning and improvement efforts with the child welfare agency, and ability to integrate CQI successfully into practice. Questions are designed to solicit candid responses that help CIPs apply CQI and identify support that may be helpful.

- I. **CQI Analyses of Required CIP Projects** (Joint Project with Agency and Hearing Quality Project) *It is ok to cut and paste responses from last year, but please update according to where you currently are in the process.*

Joint Project with the Child Welfare Agency:

Provide a concise description of the joint project selected in your jurisdiction.

Develop a guide on confidentiality and information sharing for professionals who work with children and families in Massachusetts. The purpose of this guide is to inform a wide range of professionals working with children and families about confidentiality and privilege laws, thus promoting adherence to the law when making decisions about the disclosure of information and minimizing any unintended negative consequences. The Guide on the Disclosure of Confidential Information has been completed, printed, placed on the mass.gov website, and distributed statewide. Training is underway and will continue.

Identify the specific safety, permanency, or well-being outcome this project is intended to address.

Privacy is essential to establish trust and build relationships among children, youth and families and the systems that serve them. Where disclosure of confidential information is allowed, but not required, it should be done for the purpose of promoting positive outcomes for children, youth, and families, and any possible unintended consequences of disclosure should be considered. The Guide on the Disclosure of Confidential Information is designed to improve quality legal representation and increase well-being outcomes by protecting privacy and developing trust.

Approximate date that the project began: December 2013

Which stage of the CQI process best describes the current status of project work?

The project is at CQI phase IV: Plan, Prepare and Implement.

How was the need for this project identified? (Phase I)

A Juvenile Court judge on the CIP Steering Committee voiced her concern with information being shared in violation of the law, which sometimes had a negative impact on youth in care, especially affecting their education and their increased referral into the juvenile justice system. Her participation with other CIP representatives in a conference held at Georgetown University in December 2013 on information sharing, solidified the need for the development of The Guide on the Disclosure of Confidential Information for Massachusetts. The CIP Steering Committee decided that information is frequently shared without compliance with federal and state privilege and confidentiality laws. The laws are complicated and there wasn't a Massachusetts reference guide to inform decision making on sharing information concerning children and families, especially those in state care. While the sharing of information is usually intended to support children and families, sometimes there are unintended negative consequences. A comprehensive compilation of the federal and state laws governing confidentiality and information sharing was needed to address these concerns.

What is the theory of change for the project? (Phase II) *If you do not yet have a theory of change and/or would like assistance, please indicate such in the space below.*

Mass CIP will improve well-being for children and youth in care and improve quality legal representation by expanding knowledge of state and federal confidentiality and privilege law and the sharing of information. The development and publication of The Guide on the Disclosure of Confidential Information, along with cross-training, will lead to the legal sharing of information so that children and families will have more positive outcomes.

Have you identified a solution/intervention that you will implement? If yes, what is it? (Phase III)

The solution we identified was convening representatives from all professionals working with children in care to create a guide based on state and federal law and policy.

What has been done to implement the project? (Phase IV)

After three years of collaborative work, a guide was completed and 5,000 copies were printed. The guide was placed on the mass.gov website at: <https://www.mass.gov/handbook/guide-on-the-disclosure-of-confidential-information> . CIP and other collaborators from DCF and CAFL completed one pilot training, and are developing further trainings on the law, policy and practice surrounding confidentiality and information-sharing.

What is being done or how do you intend to monitor the progress of the project? (Phase V). *Be specific in terms of what type of evaluation (e.g., fidelity or outcome, comparison group, etc.) or data efforts you have in place or plan to have in place to assess your efforts. If you have already evaluated your effort, how did you use this data to modify or expand the project?*

CIP will keep track of how many copies of the guide have been distributed and to whom, how many trainings have taken place, and will develop pre-and post-assessment tools for measuring training effectiveness.

What assistance or support would be helpful from the CBCC or Children's Bureau to help move the project forward?

Additional suggestions for evaluating the effectiveness of trainings.

Hearing Quality Project:

Provide a concise description of the joint project selected in your jurisdiction.

To improve the substance and timeliness of permanency hearings for children in state custody by revising, updating, and providing training on the court rule governing permanency hearings, which should lead to improved well-being outcomes for children and youth.

Approximate date that the project began: January 2015

Which stage of the CQI process best describes the current status of project work?

The project is at CQI phase IV: Plan, Prepare and Implement. The new rule for permanency hearings was approved by the Trial Court, the Supreme Judicial Court, and went into effect on March 1, 2018. Development of training is beginning.

How was the need for this project identified? (Phase I)

CIP staff and Steering Committee evaluated data on timeliness of permanency hearings, discussed anecdotal evidence from judges on hearing quality, and analyzed data indicating poor participation of youth in permanency hearings. As a result CIP staff and Steering Committee recognized the need to incorporate federal and state requirements for permanency hearings into a new rule.

What is the theory of change for the project? (Phase II) *If you do not yet have a theory of change and/or would like assistance, please indicate such in the space below.*

Redrafting and implementing a new rule will improve substantive and timely permanency hearings. Engaging family and youth in permanency planning and hearings will lead to better well-being outcomes for children and youth by decreasing time to permanency.

Have you identified a solution/intervention that you will implement? If yes, what is it? (Phase III)

The Trial Court Rule VI was redrafted in compliance with state and federal law. CIP will support initiatives that will assist in implementing the rule through training of professionals working on permanency hearings.

What has been done to implement the project? (Phase IV)

The new rule became effective March 1, 2018. In April 2018 CIP sent three attorneys from Massachusetts to a national CIP meeting in D.C. to work with a CIP consultant to develop an implementation plan. The theory of change was to develop and implement multi-disciplinary statewide trainings that would apply best practices, new law and policy contained within Rule VI.

What is being done or how do you intend to monitor the progress of the project? (Phase V)

Be specific in terms of what type of evaluation (e.g., fidelity or outcome, comparison group, etc.) or data efforts you have in place or plan to have in place to assess your efforts. If you have already evaluated your effort, how did you use this data to modify or expand the project?

CIP collaborators will develop pre/post assessments of trainings on Rule VI. CIP will analyze data on timeliness of hearings, and time to permanency to determine whether the new rule improves timeliness measures.

What assistance or support would be helpful from the CBCC or Children's Bureau to help move the project forward?

CIP would welcome assistance from CBCC or Children's Bureau to develop our assessment instruments.

II. Trainings, Projects, and Activities For questions 1-9, provide a *concise* description of work completed or underway to date in FY 2018 (October 2017-June 2018) in the below topical subcategories.

For question 1, focus on significant training events or initiatives held or developed in FY 2018 and answer the corresponding questions.

1. Trainings

<i>Topical Area</i>	<i>Did you hold or develop a training on this topic?</i>	<i>Who was the target audience?</i>	<i>How many persons attended?</i>	<i>What type of training is it? (e.g., conference, training curriculum/program, webinar)</i>	<i>What were the intended training outcomes?</i>
Data	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CIP Steering Committee	10	Presentation	Educate on utilizing business intelligence software
		Administrative Office of Juvenile Court	4	Presentation and evaluation of dashboards	Educate juvenile court administrators on functionality of business intelligence tools to aid in case management.
		Data/Performance analysts from Trial Court	5	Virtual personal instruction	Analysts were trained in basic functionality of creating Tableau dashboards.
Hearing quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Attorneys	450	Attorney trainings on substantive and procedural law, trial practice.	Improve skills needed to represent children and parents.
Improving timeliness/permanency	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CIP Steering Committee	9	Quarterly presentations	Educate on timeliness and permanency measures.
		CIP funded facilitator at statewide permanency conference	85	Conference	Deepen and expand collaborative efforts to advance permanency of children and youth
Quality legal representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Attorneys, judges, social workers	450	Conferences, workshops, weeklong trainings	Improve quality legal representation for children and families

<i>Topical Area</i>	<i>Did you hold or develop a training on this topic?</i>	<i>Who was the target audience?</i>	<i>How many persons attended?</i>	<i>What type of training is it? (e.g., conference, training curriculum/program, webinar)</i>	<i>What were the intended training outcomes?</i>
Engagement & participation of parties	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Social work staff for residential training centers	30	Workshop	Improve knowledge of rights of youth in care
Well-being	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Attorneys and social workers	350	Conference	Improve awareness on racial bias.
		Youth at Risk Conference	15	Workshop at conference	Improve understanding of information sharing and confidentiality
ICWA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Juvenile Court judges	50	Workshop at Juvenile Judges' conference	Understand and improve compliance with new ICWA regulations
Sex Trafficking	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Other:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

On average, with ordinary funding levels, how many training events do you hold per year?

CIP plans four training events and supports over 25 conferences and training workshops for our collaborative partners.

What is your best prediction for the number of attorneys and judges that attend a training annually?

Approximately 800 attorneys and judges attended training in FY2018.

The Families First Prevention Services Act amends the Social Security Act adding an eligibility criterion for the training of judges and attorneys on the congregate care provisions of the Act. See the highlighted portion below.

(1)¹ IN GENERAL.— In order to be eligible to receive a grant under this section, a highest State court shall have in effect a rule requiring State courts to ensure that foster parents, pre- adoptive parents, and relative caregivers of a child in foster care under the responsibility of the State are notified of any proceeding to be held with respect to the child, *shall provide for the training of judges, attorneys, and other legal personnel in*

¹ Sec. 50741(c) of P.L. 115-123 revised sec. 438(b)(1) to add language regarding training. Effective as if enacted on 1/1/18 (sec. 50746(a)(1) of P.L. 115-123).

child welfare cases on Federal child welfare policies and payment limitations with respect to children in foster care who are placed in settings that are not a foster family home, and shall submit to the Secretary an application at such time, in such form, and including such information and assurances as the Secretary may require, including–

- 2. Data Projects.** Data projects include any work with administrative data sets (e.g, AFCARS, SACWIS), data dashboards, data reports, fostering court improvement data, case management systems, and data sharing efforts.

Do you have a data project/activity? ☒ Yes ☐ No (skip to #3)

Project Description	How would you categorize this project?	Work Stage (if applicable)
Designing Data-Driven Directions for School Success of Children in Care	Education and Health Data Sharing	Implementation
Provided data reports to Steering Committee and Juvenile Court Administrative Office	Data dashboards	Implementation
Supported a pilot to improve case management by providing business intelligence software (Tableau) to pilot courts to improve case management and bought data visualization software, Tableau interactor licenses, and training on Tableau.	Data dashboards	Evaluation/Assessment
Increased training capacity of Dept. of Research and Planning by updating hardware.	Data dashboards	Evaluation/Assessment
CIP funded child welfare contact liaison at CAFL to collect data on attorney contact with clients.	Case management systems	Evaluation/Assessment
Increased case management and training capacity of Juvenile Court Administrative Office. by providing tablets for Administrative Office of Juvenile Court.	Case management systems	Implementation
Hired a temporary data analyst to continue data collection and reporting established by previous child welfare data analyst.	Data dashboards	Evaluation/Assessment

(a) **Do you have data reports that you consistently view?** ☒ Yes ☐ No

- (b) **How are these reports used to support your work?** Quarterly reports on timeliness and permanency assist in identifying and assessing needs. Data informs development of theories of change.

- 3. Hearing Quality.** Hearing quality projects include any efforts you have made to improve the quality of dependency hearings, including court observation/assessment projects, process improvements, specialty/pilot court projects, projects related to court orders or title IV-E determinations, mediation, or appeals.

Do you have a hearing quality project/activity? ☒ Yes ☐ No (skip to #4)

Project Description	How would you categorize this project?	Work Stage (if applicable)
Mediation Project: Several meetings to discuss using mediation in Springfield to provide alternative resolution of child welfare issues.	Mediation	Identifying/Assessing Needs
Probate and Family Court - Drug Court: CIP sent participants to 2 day drug court training.	Specialty/Pilot Courts	Implementation
Springfield Project: Initiatives to ensure that all parties have legal representation in a timely fashion; funded DOCKIT to attract attorneys practicing outside Springfield area; convened Springfield Summit with over 100 legislators, judges, social workers and attorneys participating.	Process Improvements	Develop Theory of Change

- 4. Improving Timeliness of Hearings or Permanency Outcomes.** Timeliness and permanency projects include any activities or projects meant to improve the timeliness of case processing or achievement of timely permanency. This could include general timeliness, focus on continuances or appeals, working on permanency goals other than APPLA, or focus on APPLA and older youth.

Do you have a Timeliness or permanency project/activity? ☒ Yes ☐ No (skip to #5)

Project Description	How would you categorize this project?	Work Stage (if applicable)
Purchased redaction software for DCF to assist DCF in complying with timely discovery and to reduce continuances and time to permanency.	Continuances	Implementation
Springfield Project: CIP supported the development and implementation of numerous strategies to improve the availability of child welfare attorneys in Springfield Juvenile Court to improve the timeliness of case processing and timely permanency.	Continuances	Implementation

- 5. Quality of Legal Representation.** Quality of legal representation projects may include any activities/efforts related to improvement of representation for parents, youth, or the agency. This might include assessments or analyzing current practice, implementing new practice models, working with law school clinics, or other activities in this area.

Do you have a quality legal representation project/activity? ☒ Yes ☐ No (skip to #6)

Project Description	How would you categorize this project?	Work Stage (if applicable)
Legal training: CIP supported training of approximately 100 new attorneys; advanced NITA training for 20 attorneys; collaborative child welfare/juvenile justice conference for 400 attorneys, judges, and social workers; and other specialized legal trainings.	Other	Implementation
Springfield Project: See #3 and #4 above		

- 6. Engagement & Participation of Parties.** Engagement and participation of parties includes any efforts centered around youth, parent, foster family, or caregiver engagement, as well as projects related to notice to relatives, limited English proficiency, or other efforts to increase presence and engagement at the hearing.

Do you have an engagement or participation of parties project/activity? ☒ Yes ☐ No

Project Description	How would you categorize this project?	Work Stage (if applicable)
Placed the material in <u>The Answer Book</u> (a guide for youth in or leaving foster care) onto the new mass.gov website.	Youth Engagement	Implementation
CIP funded client contact position at CAFL to ensure lawyers are meeting with clients as required by legal standards.	Other	Implementation
CIP provided training on legal rights of youth to staff at large residential treatment center	Youth Engagement	Implementation
Supported National Adoption Day	Caregiver Engagement	Implementation

- 7. Well-Being.** Well-being projects include any efforts related to improving the well-being of youth. Projects could focus on education, early childhood development, psychotropic

medication, LGBTQ youth, trauma, racial disproportionality/disparity, immigration, or other well-being related topics.

Do you have any projects/activities focused on well-being? ☒ Yes ☐ No (skip to #8)

Project Description	How would you categorize this project?	Work Stage (if applicable)
CIP supported multiple trainings on racial disparity and disproportionality including main speaker at annual MCLE conference.	Racial Disproportionality	Implementation
CIP supported CAFL training of attorneys on trauma and mental health.	Trauma	Implementation
CIP Training committee organized training on immigration to take place July 11, 2018	Immigration/Unaccompanied Minors	Selecting Solution
Funded social worker position at CAFL to support private lawyers representing children and parents learn how to gain services and supports.	Immigration/Unaccompanied Minors	Selecting Solution

8. ICWA. ICWA projects could include any efforts to enhance state and tribal collaboration, state and tribal court agreements, data collection and analysis of ICWA compliance, or ICWA notice projects.

Do you have any projects/activities focused on ICWA? ☒ Yes ☐ No (skip to #9)

Project Description	How would you categorize this project?	Work Stage (if applicable)
Revised ICWA bench card and made laminated copies for distribution to DCF staff and other attorneys and judges.	ICWA Notice	Implementing Changes
Funded Juvenile Court Judges' conference which included workshop on ICWA updates.	ICWA Notice	Implementing Changes
CIP supported sending DCF staff to national conference on ICWA.	ICWA Notice	Implementing Changes

9. Preventing Sex Trafficking and Strengthening Families Act (PSTFSA). PSTFSA projects could include any work around domestic child sex trafficking, the reasonable and prudent parent standard, a focus on runaway youth, focus on normalcy, collaboration with

other agencies around this topic, data collection and analysis, data sharing, or other efforts to fully implement the act into practice.

Do you have any projects/activities focused on PSTSFA? ☒ Yes ☐ No

Project Description	How would you categorize this project?	Work Stage (if applicable)
Juvenile Court Chief Justice Nechtem sent to national conference on sex trafficking.	Sex Trafficking	Implementation
Trial Court Rule VI updated to include PSTSFA	Reasonable & Prudent Parent	Implementation

III. CIP Collaboration in Child Welfare Program Planning and Improvement Efforts

Please describe how the CIP was involved with the state's CFSP due June 30, 2019.

CIP staff participated with the DCF Commissioner and Assistant Commissioner and other stakeholders from Massachusetts in the State Team Planning Meeting in Washington, DC. CIP looks forward to collaborating with DCF on developing the CFSP due in 2019.

Please describe how the CIP was or will be involved in the most recent/upcoming title IV-E Foster Care Eligibility Review in your state.

CIP looks forward to participating with DCF in the recent/upcoming title IV-E Foster Care Eligibility Review.

Please describe how the CIP is or was involved in preparing and completing round 3 of the CFSR and PIP, if required, in your state. Please check all the ways that the CIP or Court Personnel were involved (or plan to be involved) in the CFSR and PIP Process. Feel free to add additional narrative to explain your involvement in the process.

- ☐ were not involved at all
- ☐ were involved in planning the statewide assessment
- ☐ were CFSR reviewers
- ☒ were interviewed for CFSR
- ☐ were invited to the exit conference at the close of the CFSR review
- ☐ were invited to the final CFSR results session at the conclusion of the report
- ☐ Final CFSR report was shared with you
- ☐ Final CFSR report shared with courts broadly across the state
- ☐ were a part of a large group of stakeholders engaged to assist in design of the PIP
- ☐ high level of inclusion during the entire PIP process
- ☐ made suggestions for inclusion in the PIP
- ☐ suggestions made by CIP for inclusion in the PIP were put forward by the child welfare agency

- ☐ court strategies are contained in the current version of the PIP
- ☐ court/agency shared strategies (e.g., joint project) are contained in the current version of the PIP
- ☐ had an opportunity to review and provide feedback on the PIP before it was submitted
- ☐ meet (or plan to meet) ongoing with the child welfare agency to monitor PIP Implementation

What strategies or processes are in place in your state that you feel are particularly effective in supporting joint child welfare program planning and improvement?

The CIP Steering Committee meets six times a year and discusses joint child welfare program planning and improvement. The CIP Training Subcommittee meets at least quarterly to develop and plan collaborative trainings.

What barriers exist in your state that make effective joint child welfare program planning and improvement challenging?

Priorities of state agencies and courts may vary and collaborative efforts are challenging.

Does the state child welfare agency currently offer professional partner training to judges, attorneys, and court personnel as part of its title IV-E Training Plan? No.

If yes, please provide a brief description of what is provided and how.

If no, have you met with child welfare agency leadership to discuss and explore utilizing professional partner training for judges, attorneys and court personnel? Yes.

Which category or categories of activity best describe current CIP data efforts with the child welfare agency?

- ☒ Contributing data ☒ Receiving data ☒ Jointly using data
- ☒ Collaborative meetings ☒ Collaborative systems change project(s)
- ☐ Other: _____

IV. CQI Current Capacity Assessment

1. Has your ability to integrate CQI into practice changed this year? If yes, what do you attribute the increase in ability to?

Yes. We incorporated CQI work phases into our practice, but continue to need assistance in developing evaluation and assessment tools.

2. Which of the following CBCC Events/Services have you/your staff engaged in in the 2018 Fiscal Year?

- ☒ Designing & Evaluating Effective Trainings Workshop
- ☒ CQI Consult (*Topic:* Education Stability _____)
- ☒ Constituency Group- Hearing Quality ☒ Constituency Group- Safety Decision Making

- | | |
|--|--|
| <input type="checkbox"/> Constituency Group- CFSR | <input checked="" type="checkbox"/> Constituency Group- Quality Legal Rep |
| <input checked="" type="checkbox"/> Constituency Group – ICWA | <input checked="" type="checkbox"/> Constituency Group – Anti-Trafficking |
| <input checked="" type="checkbox"/> Constituency Group – New Directors | <input checked="" type="checkbox"/> Constituency Group – APPLA/Older Youth |
| <input checked="" type="checkbox"/> CIP All Call — <i>What % of All Calls does your CIP participate in?</i> <u>_100_</u> % | |

3. Do you have any of the following resources to help you integrate CQI into practice?

- ☒ CIP staff with CQI (e.g., data, evaluation) expertise ☐ Consultants with CQI expertise
- ☐ a University partnership ☐ Contracts with external individuals or organizations to assist with CQI efforts
- ☐ Other resources: _____

4. Consider the phases of change management and how you integrate these into practice. Are there phases of the process (e.g., Phase I-need assessment, Phase II-theory of change) that you struggle with integrating more than others?

Evaluation

5. Is there a topic or practice area that you would find useful from the Capacity Building Center for Courts? Be as specific as possible (e.g., data analysis, how to evaluate trainings, more information on research about quality legal representation, how to facilitate group meetings, etc.)

We need assistance in developing assessment tools for CIP funded projects.

APPENDIX A: DEFINITIONS

Definitions of Evidence

Evidence-based practice – evidence-based practices are practice that have been empirically tested in a rigorous way (involving random assignment to groups), have demonstrated effectiveness related to specific outcomes, have been replicated in practice at least one, and have findings published in peer reviewed journal articles.

Empirically-supported- less rigorous than evidence-based practices are empirically-supported practices. To be empirically supported, a program must have been evaluated in some way and have demonstrated some relationship to a positive outcome. This may not meet the rigor of evidence-base, but still has some support for effectiveness.

Best-practices – best practices are often those widely accepted in the field as good practice. They may or may not have empirical support as to effectiveness, but are often derived from teams of experts in the field.

Definitions for Work Stages

Identifying and Assessing Needs – This phase is the earliest phase in the process, where you are identifying a need to be addressed. The assessing needs phase includes identifying the need, determining if there is available data demonstrating that this a problem, forming teams to address the issue.

Develop theory of change—This phase focuses on the theorizing the causes of a problem. In this phase you would identify what you think might be causing the problem and develop a “theory of change”. The theory of change is essentially how you think your activities (or intervention) will improve outcomes.

Develop/select solution—This phase includes developing or selecting a solution. In this phase, you might be exploring potential best-practices or evidence-based practices that you may want to implement as a solution to the identified need. You might also be developing a specific training, program, or practice that you want to implement.

Implementation – the implementation phase of work is when an intervention is being piloted or tested. This includes adapting programs or practices to meet your needs, and developing implementation supports.

Evaluation/assessment – the evaluation and assessment phase includes any efforts to collect data about the fidelity (process measures: was it implemented as planned?) or effectiveness (outcome measures: is the intervention making a difference?) of the project. The evaluation assessment phase also includes post-evaluation efforts to apply findings, such as making changes to the program/practice and using the data to inform next steps.