



Court Improvement Program

Community Improvement Councils News January-March 2018

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2018 Community Improvement Council Summit Fast Approaching

**SAME TIME, SAME PLACE,
ONE YEAR LATER**

September 26 -28, 2018

Dependency Mediation Use Mushrooms in Second Year

Nine more mediators completed the CIP's second 40-hour juvenile dependency mediation program to accommodate the state's burgeoning demand for dependency mediation. It is projected that by the end of June, 240 cases will be referred to the Statewide Juvenile Dependency Mediation Program, JDMP, as compared to 144 in SFY 2017.

For example, Clark County alone has increased the number of mediations conducted per month from 4.7 during the first year to 9.7 during each of these last eight months – slightly more than doubling its use of the program. As a result, the VOCA funding for mediations was completely consumed by mid-January 2018 and other grant funding was sought to keep the program solvent.

Feedback from the confidential survey's collected at the end of each mediation session demonstrates that the demand is justified.

- Mother's Attorney: "My client started to get upset and asked for a continuance but the mediator caucused and talked to her calmly explaining the option. Without this input the mediation would not have been a success."
- Foster Parent: "A place of peace and hope for discussion without yelling."
- Father: "It was a great start to hopefully a great relationship."
- Social Workers: "Honest Communication." "All came prepared. Attorneys very proactive and thought outside the box to help the child."
- District Attorney: "Having a neutral party to step in was incredibly helpful to decrease tension and move to a solution that was best for the child."

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Access to Significant Data Pool Coming Your Way Soon

The collaborative efforts of the Division of Child and Family Services, the University of North Carolina – Chapel Hill, and CIP, bring an easy to navigate data tool to Nevada child welfare and courts. This tool uses the National Child Abuse and Neglect Data Systems (NCANDS) and the Adoption and Foster Care Analysis and Reporting System (AFCARS) data to generate numerous charts and tables on CPS reports, child removals, foster care population, discharges from the system, child and family services review, and court improvement program. Christopher Church, JD, MM, Children's Law Center, USC School of law, who presented to the 2017 CIC

Summit, invited Nevada to participate in the University of North Carolina – Chapel Hill's *Fostering Court Improvement Data Project*.

This is an aggressive data analyzing project in which AFCARS and NCANDS data are used to create a platform of shared data that the courts and child welfare agencies can collaboratively use to make informed decisions, manage operations, and monitor performance and systemic changes to improve outcomes for children and families.

Once Nevada's data has been uploaded into the *Data Project* and reviewed

for accuracy, each CIC will be sent the link to the state's data. To date, sixteen states are participating in this project. To check out the data in some of the other states, copy and paste this link into your browser to access the State Websites: http://www.fosteringcourtimprovement.org/state_websites.php. Click on one of the green states to examine their da-

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Courts and Stakeholders Helping with the Child and Family Services Review

Periodic reviews of state child welfare systems, called Child and Family Services Reviews or CFSRs are conducted by the U.S. Department of Health and Human Services' Children's Bureau in partnership with all 50 states. The CFSRs monitor state child welfare agencies to ensure conformity with federal laws such as the Adoption and Safe Families Act, determine what is actually happening with children and families involved in the child welfare system, and assist states enhance their ability to help children and families achieve positive outcomes in the areas of safety, permanency, and well-being.

The first round of CFSRs took place between 2001 and 2004. Nevada is embarking on the third round which began in 2015 and ends in 2018. Nevada is among the last states to be reviewed to assess its strengths and areas in need of improvement.

Both the judiciary and attorneys involved in child dependency across the state are being invited to participate in focus groups as part of the CFSR process. The Children's Bureau representatives will spend about an hour with the Judicial Focus Group on June 4 and with the Attorney Focus Group on a yet to be scheduled date during the week of June 4.

Among the issues to be discussed are the timeliness of periodic review hearings, the availability of services for children and families, and the ability to individualize these services. The Children's Bureau would also like to talk about how well the foster and adoptive parent licensing, recruitment, and retention system is functioning to ensure that the process for use of cross-jurisdictional resources to facilitate timely adoptive or permanent placement placements for waiting children is occurring. This would have to do with delays in permanency across jurisdictions like from Reno to Las Vegas or out of state placements via ICPC.

To help those involved in the focus groups and others interested in the CFSR process, the Children's Bureau created a brief 15 minute video to better explaining the process. Please cut and paste the link below into your browser to view:

<https://training.cfsrportal.acf.hhs.gov/cfsr-overview>

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Nation's Response to Opioid Crisis

On July 22, 2016, the federal Comprehensive Addiction and Recovery Act (CARA) was enacted. CARA is in response to the national opioid epidemic which includes an increase of the incidence of Neonatal Abstinence Syndrome from 1.20 hospital births in 2000 to 5.80 in 2010. In addition, the rate of neonatal intensive care unit (NICU) admissions across the country was increased from 7 cases per 1,000 admissions in 2004 to 27 cases per 1000 admissions in 2013. The CARA legislation modifies the Child Abuse and Prevention Treatment Act (CAPTA) requiring each state to address the needs of infants born with and identified as being affected by all substance abuse or withdrawal symptoms resulting from prenatal drug exposure or Fetal Alcohol Spectrum Disorder through a "Plan of Safe Care". The Plan of Safe Care addresses the ongoing health, development and well-being needs of the infant, as well as those of the parent. The goal of CARA is not to remove children or punish mothers for drug use, but to ensure child safety and address the health and substance use disorder treatment needs of both the affected infant and family or caregiver.

In response to CAPTA CARA requirements, Nevada Revised Statute 432B.220 was revised during the 2017 legislative session through Senate Bill 480 which states:

"Any person who delivers or provides medical services to a newborn infant and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by a fetal alcohol spectrum disorder or ~~illegal~~ prenatal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure shall, as soon as practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for appropriate counseling, training, or other services."

The statute added fetal alcohol spectrum disorder and removed illegal from prenatal substance abuse to address the federal requirements.

The State Division of Child and Family Services (DCFS) in collaboration with the Division of Public and Behavioral Health (DBPH), and local child welfare agencies have been working together to meet the requirements of CARA. CAPTA requires the State to develop and monitor plans of safe care for both infants screened in for assessment by child protective services and those that are screened out and referred to community agencies. The DBPH is currently developing regulations to clarify a hospital's role in the development of the plan of safe care. DBPH has also developed the Substance Use During Pregnancy Toolkit which provides resource information in Nevada and nationally. <http://dphh.nv.gov/uploadedFiles/dphhgov/content/Programs/MIP/Final%20Substance%20Use%20During%20Pregnancy%20Toolkit.docx.pdf>

Court Improvement Still Awaiting Distribution of Funds from Children's Bureau

The President signed the *Bipartisan Budget Act of 2018*, Public Law (P.L.) 115-123 into law on February 9, 2018. P.L. 115-123 includes the *Family First Prevention Services Act* (FFPSA) in Di-

vision E, Title VII. FFPSA amends the title IV-B, subparts 1 and 2 programs to reauthorize and make other revisions, including Court Improvement Program, at current statutory funding levels

through FY2021.

CIP, however, has only received funding for the FFY 2018 Basic CIP grant in the amount of \$132,818. The Training and Data Grants have yet to be funded.

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As the JDMP continues, mediators relate stories such as the following: A recent mediation involving the biological father, the child and the prospective adoptive parents took place. The child is 17 and very mature. He wanted to participate in the mediation. Everyone was a bit nervous because the last interaction in court with the father had not gone well at all. During the session, both father and son expressed a desire to have a private conversation with the mediator monitoring. Father is in prison and was on the telephone. They had a wonderful discussion. The child wants to change his name and he explained the reasoning to his dad but also told him that he would always be his son and that he planned to visit him. The father expressed that he loved his son and would support whatever decision he made. Both of them left the session feeling very happy to have had this opportunity.

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In 2010, each of the State's ten judicial districts created a Community Improvement Council (CIC) that focused on identifying barriers to timely permanent placement of children at risk. July 2015, the 11th JD was created. The CICs have been meeting regularly in their communities and at annual Summits where they have learned to interpret data specific to their districts, while creating strategies to reduce the amount of time that it takes to move cases involving children at risk through the court process. The overriding focus, in addition to the safety of the child, is to create an environment where the best decisions are made for each child.

**CIP Working for the Protection &
 Permanency of Dependent Children**
 Visit Our Web Site
<http://cip.nvcourts.gov>

For Judicial Districts' CIC Information Contact:

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