

2014 Annual Report

# NEVADA Court Improvement Program



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## Nevada Court Improvement Program 2014 Annual Self-Assessment Report

December 19, 2014

State: **Nevada**

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*Provide a concise description of work completed or underway in FY 2014 (October 2013-September 2014) in the below topical subcategories. Include the purpose of the project or activity, the stage of work the project is in, and how the project or activity will contribute to continuous quality improvement (CQI) in the identified area.*

1. *Identify and briefly describe data projects and activities in the following areas. Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.*

**a. Use of AFCARs or SACWIS data**

**Description:** Since Nevada does not have a unified court system, or a statewide court management system, CIP worked with the Unified Nevada Information Technology for Youth (UNITY, the Nevada SACWIS or State Automated Child Welfare Information System) manager to pull the court timeliness statistics quarterly by county for each of the judicial districts. At this point four of the five timeliness measures are available because UNITY does not have a screen into which to enter the TPR petition filing date. This deficit is being addressed by the Centralized Case Index (CCI) discussed in section 1.b.

Baseline data reports were first distributed to the 10 District Court Judicial Districts in 2012 during the Community Improvement Council (CIC) Summit where the CICs were taught to read and understand them. During each subsequent CIC annual Summit district by district comparative analyses of current and previous years' data are shared with the CIC teams (Appendix 1). The statewide data are also provided to each CIC quarterly (Appendix 2)

Additionally, during the compilation of the Child and Family Services Plan (CFSP), each CIC used AFCARs and NCANDS data with their timeliness reports to guide development of their objectives. This process is described fully in Section 9.

- **Purpose:** The courts and their CICs are provided timeliness data regularly to inform them on the progress they are making to improve court timeliness and implement their annual action plans.
- **Implementation Stage:** Implementing changes. Recently the court timeliness measures quarterly report was modified to provide a comparison of the median days to permanency per year for each judicial district. This enables the courts to quickly assess their progress in improving timeliness.

- CQI Contribution:** The Program Improvement Plan (PIP) outlined several Systemic Factors that would be addressed during the PIP implementation period. Specifically, Primary Strategy (3) “Improve the Timeliness and Appropriateness of Permanency Planning across the Life of the Case” and goal #1 under that strategy “Reduce the number of children in out of home care for 18 months or longer and reduce barrier to adoption and TPR. This strategy and goal addressed this area of needed improvement. The Court Improvement Program (CIP) has worked collaboratively with DCFS on reducing the barriers to TPR and adoption in efforts to achieve timely permanency. As a result Nevada has shown improvement in the timeliness of adoptions. CIP convened workgroups (CICs) by jurisdiction to identify barriers and solutions to those barriers. CIP continues to implement a plan to improve permanency planning across the life of the case.

AFCARS data are used to measure overall impact of improvements in specific court processes on timeliness from year to year. The most recent CFSR data profile provided on April 1, 2014 indicates that Exits to Adoption in less than 24 months is trending positively reflecting that improvement has occurred in timeliness of adoptions. Nevada has surpassed the national median and is now at 27.8%. The national median is 26.8%, and the 75th percentile is 36.6%. The data also indicate that children are exiting to adoption in 29.0 months. The national median is 32.4 months and the 25th percentile is 27.3 months (see chart below).

<b>TIMELINESS OF ADOPTIONS DISCHARGED FROM FOSTER CARE</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
Exits to Adoption in less than 24 Months ( <b>national median 26.8%, 75<sup>th</sup> percentile = 36.6%</b> )	14.6%	18.1%	25.0%	27.8%
Exits to Adoption, median length of stay( <b>national median 32.4 months, 25<sup>th</sup> percentile = 27.3 months</b> )	Median=36.3 months	Median=35.4 months	Median=30.7 months	Median=29.0 months

Source: Nevada CFSP-SFY 2015-2019, page 54

**b. Agency Data sharing projects or efforts**

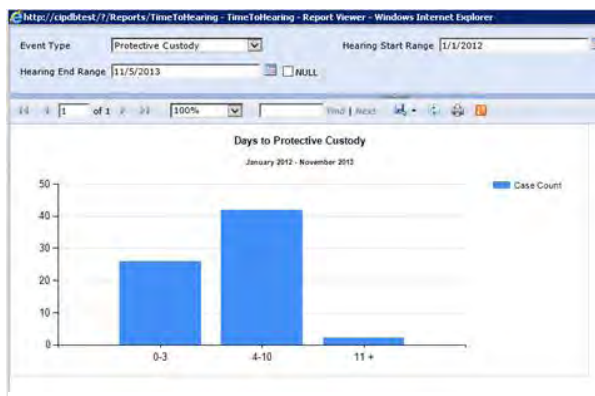
**Description:** In 2010, CIP began assessing data exchange feasibility in Washoe County, followed by a similar assessment in Clark County in 2011. Electronic data exchange possibilities were identified in both judicial districts. In 2012, CIP obtained a \$45,000 technical assistance grant from the National Center for State Courts (NCSC) to implement the Court Event Notification project in Clark County. NRS Chapter 432B mandates that proper notification of court hearings and court reviews regarding the status of a child in custody of a child welfare agency must be provided and that it is necessary to ensure active involvement and participation of parents, foster parents, guardians, pre-adoptive parents, and relative caregivers in the child’s safety, permanency, and well-being. However there has been no direct entry of court hearing dates into UNITY. Because entry of this information has been manual following email or paper notification from the courts, it can be delayed, particularly in the case of change of hearing dates; resulting in the potential for improper notification. CIP embarked on the Court Event Notification project in Clark using the National Information Exchange Model (NIEM), the Global Reference Architecture (GRA) and Extensive Markup Language (XML).

The 8<sup>th</sup> Judicial District Court's IT Manager has been actively involved and supportive of this project, immediately allocating resources to proceed. He has confirmed that the UNITY case number has been entered into Odyssey, the court's case management system, since October 7, 2013. The 8<sup>th</sup> JD now has the ability to export real-time data from Odyssey per the specifications. Using the format defined within the NIEM-based Court Event Notification IEPD, the District Court developed a process to extract and transmit added, modified or deleted court event notifications to the DCFS. It has made the transformation to the National Information Exchange Model format, and it has examples sitting in the Secure File Transfer Protocol (SFTP) site they created for testing this project. They have completed testing and are ready to begin exchanging messages with UNITY. DCFS began software development in September 2014 to consume these messages and is expected to conclude development in late December.

- **Purpose:** To ensure that all parties in a case are properly and consistently notified of hearings.
- **Implementation Stage:** Plans have been developed, testing began in the 8<sup>th</sup> JD, and DCFS has coded this project and expects to complete the debugging process by the end of January 2015. Following one month of testing, Court Event Notification is expected to go-live in March 2015.
- **CQI Contribution:** Once the data exchange is implemented in Clark County, significant portions of the technical architecture can be utilized in Washoe County, and ultimately statewide. Not only will Clark County's information sharing accomplish more efficient, more accurate notice, it will establish an environment of data-sharing and help build the foundation for a more sophisticated data exchange statewide.

### c. Data dashboards

**Description:** As indicated in 1.a above, CIP has been providing court performance measure data to the



**Figure 1 - Timeliness, Protective Custody**

courts quarterly. However, several judicial officers questioned whether this information could be made available in near real-time to help them manage caseload and thereby achieve additional key timeliness milestones and improve outcomes for children. To this end, CIP undertook several technical proofs of concept initiatives. The objective of the first was to determine whether a single, consolidated view of a case could be developed based on information provided by the child welfare agency (e.g., removal date, permanency goals, placement information) and information provided by the family court (e.g., assigned judicial personnel, hearing dates, petition

filing dates, adoption dates). To accomplish this, cases in UNITY were linked with cases in the 2<sup>nd</sup> Judicial District's ASFA System. To identify these links, the CIP developed a custom algorithm that could accurately match 94% of the cases between the two systems.

Using this matching capability, the CIP then undertook a second initiative to create a Centralized Case Index (CCI) which would allow authorized users to view this consolidated information and generate a set of standardized reports. In 2014 this capability was implemented using Microsoft Reporting Services. Figure 1, above, is a screen shot that demonstrates how the user can use configurable parameters to

refine the report. From this screen, a user can click on a vertical bar and generate a more detailed report listing the cases contained in that particular grouping (Figure 2).

**Figure 2 - Grouped Case Listing**

Time to Hearing Detail - Protective Custody (4-10 Days)  
January 2012 - November 2013

Court Case Number	UNITY Case Number	Removal	Event	Child Name
		01/01/2012	01/05/2012	JADE
		01/06/2012	01/10/2012	NEVA
		01/12/2012	01/17/2012	GUEV SOTO
		01/12/2012	01/19/2012	GUEV SOTO
		01/12/2012	01/17/2012	AADE
		01/14/2012	01/19/2012	KIMBE
		01/20/2012	01/24/2012	NEVA
		01/20/2012	01/26/2012	NEVA
		01/25/2012	01/31/2012	RUEZ
		01/26/2012	01/31/2012	DAVIC
		02/01/2012	02/07/2012	PICK J
		02/03/2012	02/07/2012	HAWI MAGA
		02/06/2012	02/09/2012	LORR
		02/09/2012	02/14/2012	JORD
		02/13/2012	02/16/2012	AVYA
		02/13/2012	02/16/2012	JUNIO
		02/14/2012	02/17/2012	ALIBI
		02/16/2012	02/21/2012	DAMI
		02/17/2012	02/23/2012	ANGL
		02/21/2012	02/24/2012	CHAC
		02/23/2012	02/28/2012	MAXX
		02/23/2012	02/28/2012	CONN
		02/24/2012	02/28/2012	VAVV

Finally, as seen in Figure 3, the user can click on an individual case to view pertinent case details and potentially initiate remedial action.

**Figure 3 - Case Detail Screen**



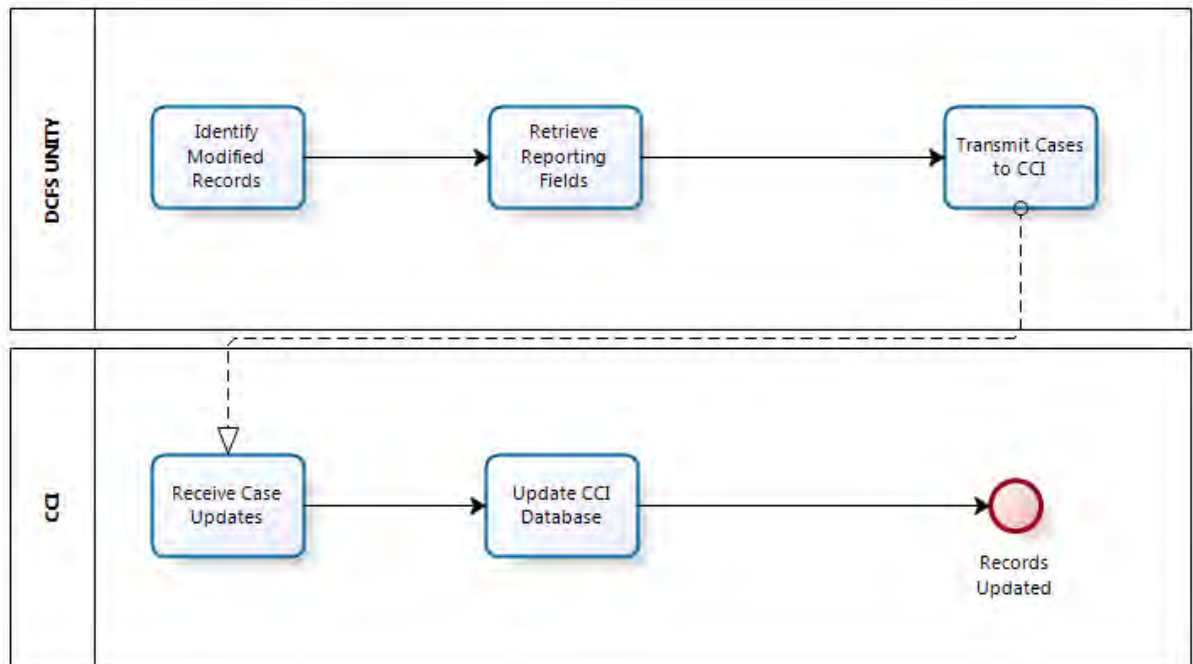
This capability was demonstrated to a number of court stakeholders and all indicated that this system would provide significant value to dependency court personnel. CIP is now developing a productionalized version of the CCI.

- **Purpose:** To provide the judiciary with aggregate data reports into which they may drill down to obtain case specific information helping them manage their caseloads and improve timeliness.
- **Implementation Stage:** This project has been planned, the feasibility has been demonstrated and the productionalized version is in the process of being constructed. In Washoe County, the CCI will receive updated case hearing and event information directly from the 2<sup>nd</sup> Judicial District Court Case Management System.

In Clark County, case information will be first transmitted from the Clark County Family Court to UNITY using the Court Event Notification data exchange (Section 1.b). From UNITY, we intend to pass that court case information to the CCI.

Many of Nevada’s fifteen other counties do not currently have a court case management system. For those courts UNITY will be the primary data source for both child welfare and the manually entered court case information.

The diagram below describes the approach envisioned for passing information from UNITY into the CCI. It envisions a nightly batch job that identifies data that has been modified in the past 24 hours (using the MOD\_DT\_TM column that is available in all tables) and then transmits that updated case information to the CCI. Note that the design expects raw, un-joined data being transmitted to the CCI – table joins and linkage to the court case information will be accomplished within the CCI. The CCI requires information from thirteen UNITY tables.



- **CQI Contribution:** As part of the CIP continual quality improvement efforts, in 2013 CIP embarked on a mission to provide a consolidated view of critical information from a court case management system (CMS) and UNITY (the statewide dependency and neglect CMS). A proof-of-concept (POC) system has been developed that combines information from the 2<sup>nd</sup> Judicial District Court Case Management System and UNITY. Two POCs were designed to prove that:
  - Case and case party information from multiple sources can be combined into a single data store and provide a consolidated view of case information;
  - Timeliness reports can be generated on-demand through a browser based system and presented to the user in an easily understandable format.

Since the POC successfully accomplished both of these objectives; CIP is moving these capabilities into a fully productionalized system, the Centralized Case Index, which will enable near real-time timeliness reporting through an integrated dashboard.

**d. Fostering Court Improvement data projects – Not Applicable**

**e. Education and Health Data Sharing**

**Description:** The CIP has been the impetus behind the Nevada Education, Child Welfare and the Courts Collaborative. This Educational Collaborative among Nevada’s Department of Education (NDOE), Clark County Department of Family Services (CCDFS), Division of Child and Family Services (DCFS), Washoe County Department of Social Services (WCDSS), and the courts has created a statewide committee with the express mission to improve school placement stability and continuity of instruction, specifically reducing the number of school moves and ensuring that if a move is necessary that the transition is eased by making certain that the child’s records are readily available to the new school and that the new school is aware that the child is in foster care. This requires information be shared among the child welfare agency, the school district, and the court. To that end, in 2013 the Nevada Legislature enacted



Senate Bill 31 (SB 31), which defined children in the legal custody of a child welfare agency as being awaiting foster care placement per the federal McKinney-Vento Homeless Assistance Act unless the child is legally adopted or ordered by the court to a permanent placement. The NDOE and the DCFS wrote and distributed a joint letter to all school superintendents, school staff, and child welfare administrators, managers, and supervisors instructing all parties to immediately implement the Uninterrupted Scholars Act. It specifically identified who has a right to access the child's educational records, how they access the records, and how the child welfare agency proves that it has custody of the student (Appendix 3).

This Statewide Collaborative is also responsible for a pilot project to ensure that foster children are identified quickly by the school district and afforded appropriate services. The Washoe County Department of Social Services (WCDSS) and the Washoe County School District have initiated a Pilot Electronic Information sharing plan in which all related fields in the school district's case management system (CMS), Infinite Campus, will populate in real time as social workers enter data into Infinite Campus (system resets every 15 minutes).

This means, among other things, that schools will have updated information about foster children, including the fact that these students are in foster care, as soon as the information is entered into the school district's CMS.

First data runs comparing foster care students to the rest of the student population have been pulled and shared with WCDSS and the Washoe County Commission. These data demonstrate that foster care students are:

- more likely to be suspended,
- more likely to move schools,
- more likely to fail the criterion referenced tests and the high school proficiency tests, and
- less likely to be on pace to graduate high school than the general population of Washoe County students (Appendix 4).

- **Purpose:** To be able to improve educational stability and continuity of instruction for foster children, a state must first know how it is doing and where it needs to improve. These data provide definitive information from the second largest county in the state that was only supposition previously. This pilot will be expanded statewide as Infinite Campus becomes the CMS for school districts throughout the state. Clark County School District is in the process of implementing Infinite Campus. It takes three to five years for a school district to fully implement this new CMS.
- **Implementation Stage:** Data reports from Infinite Campus in Washoe County School District can now be produced and shared. The reports are being evaluated and assessed and some modifications are being made. SB 31 has been implemented. Infinite Campus in Washoe is in the process of being modified to create screens into which caseworkers may directly enter data. Washoe County Department of Social Services is planning how and who will enter these data elements. Additionally, NDOE is planning to conduct a study similar to California's *Invisible Achievement Gap Report* in fiscal year 2016 providing statewide educational data.
- **CQI Contribution:** Baseline data are required to guide improving educational stability and success. Through a technical assistance grant, the Resource Center on Legal and Judicial Issues provided the Educational Collaborative guidance around how to institutionalize and measure these outcomes, so appropriate data are being gathered as improvements are implemented (Appendix 5). They assessed educational data sources available in the State,

what is available in each, and how each could be used. They also recommended next steps which are being implemented by the Collaborative (Appendix 6). The National Council of Juvenile and Family Court Judges is assisting the Education Collaborative integrate CQI principles into its work.

**f. Case management Systems – Not Applicable**

**g. Reports –** Available reports and the distribution plan for each are addressed under each of the categories in this section.

**h. Other – Not Applicable**

**2. Identify and briefly describe projects or activities intended to examine or improve hearing quality. Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.**

**a. Court observation**

**Description:** In preparation for the Community Improvement Council (CIC) Summit October 2 and 3, 2014, at the National Judicial College in Reno, the National Council of Juvenile and Family Court Judges (NCJFCJ) surveyed the CIC team members to identify possible topics and measure the impact the previous Summits have had on the judicial districts. The vast majority (80%) expressed a desire to focus on quality hearing practices with interest in strategies to improve timeliness and time to permanency a second choice (63%).

Due to this strong interest in quality hearing practices, CIP submitted an application to the National Resource Center for Legal and Judicial Issues for technical assistance to assess our hearing practices. NCJFCJ conducted this assessment and presented the results at the CIC Summit.

The aspects examined in the hearings included: parties present; engagement of fathers, mothers, and children; hearing discussion; and reasonable efforts findings. NCJFCJ found that the average hearing statewide lasted 20 minutes while nationally hearings took 17 minutes. Mothers were present at 51% of the hearings observed in Nevada, nationally 64%. Fathers were present 39% of the time in both Nevada and nationally. Children were present at 9% of the hearings observed in Nevada, nationally 24%. Safety issues were discussed in 32% of the observed hearings, as was education. An ICWA inquiry was made on the record in 50% of the observed 72-hour hearings. Reasonable efforts findings were made on the record 24% of the time. It was found that all the courts treated parties respectfully and were familiar with the cases. The courts only used non-technical language some of the time and only occasionally focused on family strengths (Appendix 7).

- **Purpose:** The purpose of this court observation study was to provide each court with some baseline data and a starting point from which to identify strengths and challenges in practice, and to inform action planning for ongoing systems change efforts.
- **Implementation Stage:** The initial court observation study/assessment has been completed and the baseline results were distributed to the CICs. The CICs each developed action plans to improve the quality of their hearings. Each court focused on different aspects of the process for improvement dependent upon where their challenges appeared. The courts are in the process of implementing the changes they believe will improve their hearings.

- **CQI Contribution:** As part of the CIP continual quality improvement effort and at the request of the 10 Judicial Districts, CIP wrote and received technical assistance to have the NCJFCJ observe and assess the quality of dependency hearings in the state. Nine districts chose to participate and received summaries of their hearings at the CIC Summit. As CICs implement their 2015 Action Plans, it is expected that hearing quality will improve.

## b. Process Improvements

**Description:** The 2<sup>nd</sup> Judicial District (JD) has restructured its protective custody (PC) hearing including appointment of counsel and presentation of facts. The 2<sup>nd</sup> JD's mediation program has become institutionalized as all mediation slots are full a month or two in advance. The 8<sup>th</sup> JD continues its efforts to incorporate child safety decision-making in its court processes which was the main focus of their CIC's action plan for 2014. The 3<sup>rd</sup> JD implemented a family drug court. The 10<sup>th</sup> JD implemented its CASA program and dependency mediation, and is planning a family drug court, as well.

All 10 CICs created action plans to improve the quality of their hearings at the CIC Summit.

Some of the highlights of these action plans include:

- All CICs intend to implement *WATCH* – “Why aren’t the children home?”
- 80% of the courts plan to implement case plan summaries (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> JDs). These case plan summaries are designed to provide the parents with a graphic representation of what is expected of them and a timeline in which they are expected to complete the plan. A deputy attorney general requested that the case summary templates, developed by the Honorable Stephen Rubin, Re., be inserted into UNITY (Nevada’s SACWIS) for all to use (Appendix 8).
- Half of the judicial districts intend to increase their efforts to include children in their dependency hearings (the 1<sup>st</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> JDs);
- 40% are planning some sort of system collaboration improvement:
  - The 4<sup>th</sup> JD proposes conducting a training on collaboration for all stakeholders,
  - The 5<sup>th</sup> JD plans to distribute CPS/DCFS packets to all parties to improve process understanding,
  - The 6<sup>th</sup> JD intends to schedule all hearings at the initiation of the case so all parties know when to expect hearings,
  - The 10<sup>th</sup> plans monthly case reviews with all parties involved;
- 40% of the jurisdictions plan to actively engage and/or notify parties:
  - The 1<sup>st</sup> JD – notify and engage parents and foster parents,
  - The 2<sup>nd</sup> JD – engage parents regarding visitation,
  - The 6<sup>th</sup> JD – engage all parties,
  - The 9<sup>th</sup> JD – engage all parties;
- 30% intend to focus on child well-being (the 3<sup>rd</sup> JD – education, the 4<sup>th</sup> and 7<sup>th</sup> JDs);

- 30% plan to do work on case plans (the 6<sup>th</sup> JD – align case plans and petitions, the 8<sup>th</sup> JD – timely filing, and the 9<sup>th</sup> JD – concurrent planning);

OR

- Another 30% would like to integrate mediation or settlement conferences into their dependency processes (the 1<sup>st</sup>, 4<sup>th</sup>, and 6<sup>th</sup> JDs);
- Several (20%) plan to focus on attorney standards, confirming ICWA status, legal representation, safety needs of children, or CASA.

- **Purpose:** These process improvements are as varied as the judicial districts. What they have in common is the goal to improve each specific court's processes where both the data demonstrate and the stakeholders believe will have the greatest impact. These improvements are grass roots driven, data informed, and CIP supported.
- **Implementation Stage:** Implementation of these initiatives is in process in each judicial district.
- **CQI Contribution:** As process improvements are implemented the courts, themselves, are assessing their impact and making modifications as they deem necessary. The 2<sup>nd</sup> JD, for example, began implementation of a newly restructured protective custody (PC) hearing May 2014. The court docket begins with a conference of the professionals, without clients present, for a discussion of the cases to include a description from the social worker and exchange of evidentiary material. The Public Defender's investigators meet with the parents and provide overall case information.

The facts supporting the removal of the child are being orally stipulated to in court. The social workers are sworn-in to confirm that the stipulation reasonably reflects their understanding of the case. Parents are being advised that the petition may address additional safety concerns that may not have been specifically addressed in the stipulation.

The Public Defender's Office indicates that the Office has represented 72 parents at the PC hearing during the first two months this new process has been in place. Earlier parental representation allows the parents to establish a positive and forward looking attitude earlier with less focus on the adversarial portions of the hearing. By the time the petition is filed, the parents know their attorneys.

The Court is now working on possible ways to measure the progress and impact of the restructured process.

These types of information are being shared with every court in the state quarterly via the CIC Newsletter written and distributed by CIP (Appendix 9).

**c. Specialty/Pilot Courts – Not Applicable**

**d. Court orders/IV-E judicial determinations**

**Description:** The court order template project has been CIP's primary capacity building initiative for several years. The first phase concluded at the 2013 CIC Summit when the preliminary templates and a bench guide were introduced after a statewide collaborative worked for over a year on them.

The second phase of court order template project culminated in September 2014. The National Center for State Courts agreed to provide additional work at no additional cost to create dependency court order templates that the courts may use as guides to ensure that their orders contain all required language. The statewide collaborative worked for an additional six months on these template guides. The templates were subject to review by judges, attorneys, child welfare administrators, and other stakeholders throughout the state. The collaborative decided to provide two versions of each template: one version is for cases where the Indian Child Welfare Act (ICWA) is applicable, and the other version is for cases where ICWA is not applicable. Note however, that there is only one version of the template for Protective Custody hearings. The guides have been distributed to all dependency court judges, district attorneys, and child welfare agency managers (Appendix 10). Although their use is not mandatory; the court order guides have been greeted with enthusiasm.

- **Purpose:** To improve the quality of dependency court orders and respond to the Nevada IV-E Corrective Action Plan by ensuring inclusion of appropriate language for judicial determinations regarding contrary to the welfare of the child, reasonable efforts to prevent removal, and reasonable efforts to finalize the permanency plan.
- **Implementation Stage:** The Guides have been planned and developed. The initial phase of implementation is in process.
- **CQI Contribution:** These template guides are intended to ultimately improve the quality of court hearings. Hearing quality was assessed prior to the release of the finalized templates and Nevada intends to conduct another hearing quality assessment in a few years after courts have had an opportunity to implement hearing improvement actions including the templates. Future IV-E reviews will also assess the impact the template guides have on the appropriate language in judicial findings.

#### e. Mediation

**Description:** CIP has helped start mediation programs in the 2<sup>nd</sup>, 5<sup>th</sup>, and 8<sup>th</sup> JDs. The 2<sup>nd</sup> and the 5<sup>th</sup> JDs have sustained their mediation programs. The 8<sup>th</sup> JD's program has been put on hold while the court is focusing on implementing child safety decision-making. However, mediation expanded into the western, rural judicial districts (the 3<sup>rd</sup> and 10<sup>th</sup> JDs) and the Washoe Tribe. The 10<sup>th</sup> JD has held 5 mediations all of which came to agreement. The Washoe Tribe conducted 2 mediations, one came to actionable agreement and the other concluded that the parties would continue communicating. The 9<sup>th</sup> JD has piloted using its Family Mediation Services to mediate dependency cases as well.

- **Purpose:** Mediation is used to improve the quality of dependency process by providing the parties an opportunity to enter into a discussion in which the parties voluntarily resolve the issues that brought the family into the dependency system and produce a written agreement in lieu of a potentially traumatic contest hearing. Mediations tend to focus on the family's strengths. Benefits of mediation in child dependency cases include: time savings, efficiency, parental engagement, and improved outcomes for children.

In the 2<sup>nd</sup> JD's final mediation program report for 2014, reflecting on the Dependency Mediation Program in the 2<sup>nd</sup> Judicial District, Judge Egan Walker observes:

"In cases where the dependency process results in termination of parental rights, mediation is likely one of the few humane processes which we can offer parents. In the great majority of cases which remain, mediation is reaping benefits through earlier participation of parents and

the tantalizing possibility that mediation will be a significant tool with which to accelerate the safe and effective reunification of families. The Dependency Mediation Program is a great example of how a modest investment of dollars early can reap untold rewards in positive outcomes later.”

- **Implementation Stage:** Evaluation and assessment has taken place and programs are implementing changes recommended in the evaluations (Appendix 11).
- **CQI Contribution:** As part of the CIP continual quality improvement efforts, the NCJFCJ completed a process evaluation of dependency mediation in the 5th Judicial District (JD) and an outcome evaluation of the dependency mediation program in the 2<sup>nd</sup> JD. The results of the process evaluation demonstrate that the dependency mediation program in the 5<sup>th</sup> JD has had a successful start. Although only 10 mediations have been held, all ten resolved with agreements. There is a general perception from both parents and stakeholders that mediation was a helpful tool in moving their case forward. Parents felt that they were listened to, their opinions were respected, and that they were part of the decision-making process. The stakeholders found mediation to be an effective tool to increase parental engagement and provide an alternative to litigation while not increasing their workload.

Key findings from the 2<sup>nd</sup> JD’s assessment indicate that mediated cases are more likely to result in reunification of the children with their families when compared to non-mediated cases. Among mediated cases that had closed, 88% have resulted in reunification. Among the non-mediated closed cases, only 50% resulted in reunification. Findings show that fathers who participated in mediation were more engaged and were present at more hearings compared to fathers who did not participate in mediation. Fathers who participated in mediation attended 72% of all hearings, while those who did not participate in mediation only attended 50% of their hearings. These results have been shared with all the courts through the CIC Newsletter, as well as, key stakeholders throughout Washoe County.

The CIP Foundational Business Process (Appendix 12) was designed to ensure sustainability of CIP in Nevada and to integrate CQI into the entire process while institutionalizing the manner in which business is conducted. Part of this plan is to encourage proven best practices to self-perpetuate. CIP is using CQI to help sustain projects proven to be best practices that are having the desired systemic impact on their courts. By holding projects accountable (requiring quantifiable reporting on goals and evaluations) CIP is ultimately providing them with the tools to demonstrate their value to other funders.

The 2<sup>nd</sup> JD’s mediation program has included program sustainability as one of its goals since their first CIP grant; it is now reporting that it has received a grant for nearly one third more than it requested because the program was able to demonstrate positive system impact assessed by an independent and well-respected third party (National Council of Juvenile and Family Court Judges) and a CIP grant match. Additionally, the judiciary and other key stakeholders are collaborating on concrete plans for continuing funding, in part due to the results of the most recent impact evaluation (Appendix 13).

- f. **Appeals** – Not Applicable
- g. **Data reports** – The reports developed and their distribution are outlined in each of the categories above.

#### **h. Other – CIC Summit**

**Description:** Since the inception of the Community Improvement Councils in October 2010, an annual Summit has been held providing subject matter experts to discuss court timeliness measures and one other topic selected by surveying the judiciary. Each judicial district brings a team to the Summit where the team is not only trained on specific topics, but it works together to develop action plans for the upcoming year. Additionally, the teams share and learn from each other. In 2012 and 2013, the selected topic was child safety decision making. In 2012, national experts presented the theoretical basis, while in 2013 practitioners from Florida presented practical application. In 2014 the unanimous choice of topic was improving hearing quality. The Honorable Stephen Rubin, Ret. presented the principles of quality hearings, discussing the attributes of each dependency hearing as prescribed in the National Council of Juvenile and Family Court Judges' (NCJFCJ) new bench cards from its *Enhanced Resource Guidelines*. A new and highly successful feature this year was an additional half day dedicated to a round table discussion among judicial officers facilitated by Nevada Supreme Court Justice Nancy M. Saitta and Judge Rubin (Appendix 14).

- **Purpose:** To improve court case processing, adherence to the ASFA and Nevada Revised Statute timelines, child safety decision making, and the quality of court hearings. The purpose of the round table discussion was to promote sharing among judicial officers of strategies, practices, and activities/accomplishments that have furthered the implementation of best practices.
- **Implementation Stage:** Implemented, assessed, changes implemented, and assessed.
- **CQI Contribution:** It is only by educating the judiciary and their CICs that continual quality improvement will be effectuated throughout the State. The initial assessment of the CIC Summit included participant reaction and degree of learning. One hundred percent (100%) of the participants believed the Summit information would be useful to their daily work, and effectively met their needs in terms of better understanding the importance of quality hearings and what exactly quality hearings involve. The degree of learning was determined by measuring increased knowledge of the subject matter, as well as questions concerning what outcome is likely to improve as a result of applying the information learned. For example, only 57% of the participants felt they were either knowledgeable or very knowledgeable about quality hearings before attending the Summit; whereas over 92% felt they were knowledgeable or very knowledgeable about quality hearing principles after the Summit.

**3. Identify and briefly describe projects intended to improve timeliness of hearings and/or permanency outcomes. Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.**

##### **a. Timeliness (general/ASFA timelines)**

**Description:** In response to the Child and Family Services Review, the courts were asked to identify solutions to overcome barriers to timely permanency, adoption, and termination of parental rights. In November 2010, the Nevada Supreme Court asked each judicial district in the State to convene a Community Improvement Council (CIC) composed of locally selected key stakeholders and other system partners. The initial goal of the CICs included considering the functioning and efficiency of the permanency timeframes by identifying and assessing the challenges and possible solutions specific to the jurisdiction.

Every court created a CIC and each CIC has been meeting for the last four years concentrating on improving the timely processing of dependency cases. Some CICs have been more active or more focused than others, but the combined impact of these workgroups has been noticeable and appreciable.

- **Purpose:** To improve court case processing, adherence to the AFSA and Nevada Revised Statute timelines, child safety decision making, and the quality of court hearings. Additionally, the CICs guide the development and implementation of the CIP Strategic plan.
- **Implementation Stage:** Implemented, assessed, and changes implemented.
- **CQI Contribution:** Providing the judiciary and their CICs with judicial district specific baseline and follow-up data enables them to self-assess their improvement progress and determine where additional efforts are needed. NCJFCJ has been contracted to help facilitate discussion of CQI with the CICs and to identify potential areas and potential data/measurement strategies to promote CQI.

The CICs have been so impactful that the time it takes for the courts to return children to their homes or find safe, permanent placements has been significantly reduced and now stands below the national average. For example, the most recent CFSR data profile provided on April 1, 2014 indicates the median length of time it took for a child to be adopted in Nevada was reduced from 36.3 months in 2010 down to 29.0 months in 2013. Nevada courts and child welfare agencies have now outpaced the national median, which is 32.4 months. Additionally, 27.8% of adopted children are exiting in less than 24 months in 2013 compared to only 14.6% in 2010. Nevada has now exceeded the national median of 26.8% months.

- b. **Timeliness (continuances)** – Not Applicable
- c. **Timeliness (appeals)** – Not Applicable
- d. **Permanency Goals other than APPLA** – Not Applicable
- e. **APPLA and older youth** – Not Applicable
  
- f. **Data reports:** The key to helping implement system’s change is to keep the courts and the CICs fully and regularly informed about the progress they are making by providing them with their own data in a useable format. To that end, not only does CIP provide the courts with timeliness charts from UNITY (see Section 1.a), but one of CIP’s data exchange projects, the Centralized Case Index, will enable near real-time court timeliness reporting through an integrated dashboard (see Section 1.c). Not only will judges eventually be able to obtain aggregate data reports, they will be able to drill down to get case specific information. The intention is to provide a continuous feedback loop to the courts and CICs on how they are doing to help them determine where they may wish to focus additional efforts. Judges and other key partners are already anticipating how the CCI could be expanded to include juvenile justice data (Project One) and education data to help inform and continually improve the quality of other programs and outcomes for children.
  
- g. **Other** – Not Applicable



4. *Identify and briefly describe projects or activities intended to examine or improve the quality of legal representation. Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.*

- a. **Training and resource development**

**Description:** Both the CIP sponsored web-based Specialized Attorney Training Project and the training of pro bono attorneys to represent children in Clark County are intended to enhance the quality and sheer numbers of attorneys trained to practice in dependency court. The Specialized Attorney Training Project will train attorneys on child welfare practice, procedures, and mandates. The Pro Bono Project engages in a number of activities to increase pro bono representation of children in foster care. These include continuing legal education (CLE) trainings, new Children's Attorney Project (CAP) Volunteer Orientation programs, CAP Support Luncheons, recruitment and recognition events and the launch of a new Pro Bono Project website. The Pro Bono Project website is exclusively for current and prospective volunteer attorneys and law students, and/or those seeking law-related opportunities.

The Pro Bono Project staff and a District Court Judge meet with members of local law firms regularly to discuss the legal needs that exist in Clark County, especially the number of children in need of pro bono representation. Pro Bono Project staff and members of the Judiciary also provide presentations on access to justice and pro bono for new lawyers participating in the Transition into Practice (TIP) program. TIP is a six month mandatory program for all attorneys seeking admission to the Nevada Bar. For many of these lawyers, this program is one of the first opportunities to learn about the various ways they can get involved in providing pro bono services as well as the training and support services available to them.

During the last quarter of the fiscal year, the 8<sup>th</sup> JD began a pilot program in one of the child welfare regions of Clark County to begin referring every case for appointment of pro bono counsel immediately upon the children entering the system. Most of these children are infants and toddlers for whom an attorney's advocacy can greatly impact the future of the case. This brings the Project closer to its long term goal of every child in care being provided representation.

- **Purpose:** It is expected that both training projects will increase the number of attorneys qualified to represent parties in dependency cases in Nevada. It is also anticipated the quality of representation will increase, thereby improving the timeliness of child permanency and the outcomes for children.
- **Implementation Stage:** The Specialized Attorney Training Project has been planned and filmed. It is now under development. The Pro Bono Project has been implemented, assessed, and changes have been implemented.
- **CQI Contribution:** Because CIP is interested in developing a model useful throughout the State, the initial process evaluation for the Pro Bono Project focused on the training itself. The numbers of attorneys invited to be trained, the number who are actually trained, the number who are assigned a case and who continue to accept pro bono cases, as well as the number of trainings per year were analyzed. During 3rd quarter of FY 2014, the Pro Bono Project placed 58 Children's Attorney Project (CAP) cases (21 with first-time CAP volunteers and 37 to existing CAP volunteers) and provided a voice to 102 children who received pro bono representation. By comparison, during the entire last fiscal year (2013) the Pro Bono Project placed a total of 67 cases with first-time CAP volunteers and 116 cases with veteran CAP

volunteer attorneys, impacting 338 children in total (122 and 216, respectively). This amounts to a 20% increase in the numbers of cases being handled by the Pro Bono Project in 2014.

Participant surveys are conducted at the conclusion of the trainings to garner participant perceptions of the training content, relevance to their own practice, quality satisfaction with handouts, information, and trainer. Further, process is being evaluated with a count of the number of children in the dependency court and a count of the number of children with an attorney to generate a percentage of children with an attorney. Next steps are being discussed in terms of the following questions regarding impact: If more attorneys are trained and more are available and assigned to cases, what then? How will it affect court practice? Having an advocate on the case for the child may affect child well-being. That can be difficult to measure, but some potential areas of inquiry being considered are (1) reported behavior problems, (2) placement moves, or (3) educational achievement (see Section 1.e). Also, placements can be measured to see if the child is with a relative or fictive kin. Case timeliness and outcomes can also be assessed. Chapin Hall data reports may be used as well to see if increases in the number of attorneys representing children correlates with better permanency outcomes.

Initially, the analysis of the web-based Specialized Attorney Training Project will focus on the training itself. Participant reaction and whether they actually learn something will be accessed via a survey and a pre and post-test using random questions. Interviews with training project participants will help ascertain how the training affects the way they perform their jobs. The Specialized Attorney Training Project will initially be assessed to determine the numbers of attorneys being required by their counties to become trained and the numbers taking the course. This project has some potential for a future process evaluation just by examining the percentage of parents or children who have an attorney present at the hearing, and when the attorney first appears for the parents or children could be identified. From an outcomes perspective, whether the percentage of hearings with a trained attorney or how quickly an attorney is appointed effects case processing - timeliness, continuances, or case outcomes (permanency) - could be assessed. A satisfaction survey may eventually be conducted to see if parents are satisfied with their attorney, especially if there is a training to improve their practice.

If, in the future, time and funds allow, attorney performance could be assessed by tracking the attorneys who have had the training and compare their cases to see if they are more efficient (fewer continuances, better timeliness) and if they have better outcomes (timelier permanency); or if the cases with the trained attorney are more likely to have parents who are more engaged in the case (better compliance with case plan, more likely to attend hearings). All of these can be done with case file review, assuming that the attorneys name is documented in the minute order or court file. Looking at this more globally, the Chapin Hall data could be used to see if the sites who have more trained attorneys are also better at achieving permanency. None of these more advanced evaluations have been planned at this point.

- b. Assessment/Analyzing practices** – Not Applicable
- c. New Practice models/pilots** – Not Applicable
- d. Law School Clinics** – Not Applicable
- e. Data reports** – Not Applicable

f. **Other** – Not Applicable

5. *Identify and briefly describe projects or activities intended to examine or improve notice, engagement, and participation of parties in court proceedings. Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.*

- a. **Youth engagement** - See Section 2.a and b
- b. **Parent engagement** – See Section 2.a, b, and c
- c. **Foster family engagement** – See Section 2.a and b
- d. **Caregiver engagement (grandparents, extended family, fictive kin)**
- e. **Notice to relatives** – See Section 1b
- f. **Limited English proficiency**
- g. **Data reports**
- h. **Other** – Blue Ribbon for Kids Commission

**Description:** Nevada Supreme Court Justice Nancy M. Saitta convened a Blue Ribbon for Kids Commission initially to identify solutions for issues in Clark County’s child welfare system. It became apparent that these issues were universal to one degree or another throughout not only Nevada, but the country. The recommendations of the Commission are expected to be holistic in that they may be utilized throughout the State.

- **Purpose:** To propose a feasible plan of action expeditiously implementing lasting reforms needed in the child welfare system to ensure that the welfare of the children under its charge is its highest priority (Appendix 15).
- **Implementation Stage:** The Commission is in the information gathering phase. Judge Stephen Rubin, Ret. is helping the Commission focus on data-informed decision-making. Dr. Sophia Gatowski will be writing and Judge Rubin will be editing the Commission’s “blueprint for change” to be presented the end of January, 2015. Following this planning phase, Nevada will be looking for technical assistance to guide implementation.
- **CQI Contribution:** The Commission is using all data available upon which to base its decisions including but not limited to UNITY, AFCARS, NCANDS, Chapin Hall data archive, and quarterly timeliness data distributed to the courts by CIP. All dependency courts have determined areas in which they plan to improve. This “blueprint for change” is designed to offer the courts evidence-based, best practices that they may implement. Technical assistance will be sought to assist implementation of the “blueprint” and also sought from an independent third party to conduct process and impact evaluation of the implementation of the “blueprint”.

6. *Identify and briefly describe projects or activities intended to examine or improve child well-being outcomes. Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.*

- a. **Education (general)** – See Section 1e
- b. **Early childhood development** – Not Applicable
- c. **Psychotropic Medication** – Not Applicable
- d. **LGBTQ youth** – Not Applicable
- e. **Trauma** – Not Applicable
- f. **Racial disproportionality** – Not Applicable
- g. **Immigration/Unaccompanied Minors/ Special Immigrant Juvenile Status** – Not Applicable
- h. **Training and resources** – Not Applicable

- i. **Data reports** – See Section 1e
- j. **Other** – Not Applicable

7. *Identify and briefly describe projects or activities intended to examine or improve compliance with the Indian Child Welfare Act (ICWA). Clearly categorize the stage of work each project is in: planning, implementation, evaluation/assessment, implementing changes.*

- a. **Training and resource development** – Not Applicable
- b. **Data collection and analysis** – Not Applicable
- c. **State and Tribal court agreements** – Not Applicable
- d. **Tribal collaboration projects**

**Description:** In June of 2013, the Juvenile Court of the Washoe Tribal Court proposed to offer dependency mediation as an alternative to formal neglect and abuse proceedings. Carefully selected, trained mediators conduct the mediation sessions using a *facilitated group mediation model*, consistent with the standards identified in the *Guidelines for Child Protection Mediation* as prepared by the Association of Family and Conciliation Courts. Any agreement achieved in the mediation session is documented and provided to all parties and in appropriate cases, a copy is provided to the Judge. This mediation process, in many cases, negates the need for formal court proceedings.

Mediations may be ordered in two circumstances: 1. Abuse and neglect cases when a child is at risk of removal and family members can be engaged to provide foster care while the parent resolves outstanding issues (voluntary placement agreements) and 2. Abuse and neglect cases when it is determined that it is in the child's best interests to be in the care and control of the Washoe Tribe while the biological parents resolve outstanding issues and become healthy enough to be reunified with their children.

The Washoe Tribe is a federally recognized Indian tribe. Its government structure has three branches and is similar to that of the United States. The Chairperson is the executive, the Tribal Council is the legislative body, and the Tribal Court is the independent and objective tribunal. Many years ago, when the Tribe was first building its infrastructure, the Tribe often adopted state codes and regulations. As such, many of the current Washoe codes and the procedures followed by tribal governmental entities – including for the purposes of this program, the Court, have procedures that will be very familiar to an experienced litigator. Similarly, the Washoe Department of Social Services (WDSS) operates according to procedures that are very similar to those employed by the State of Nevada Division of Child and Family Services.

The Tribe differs from the State in large part because the populations being served are very different. Whereas the State is trying to provide services in diverse places in northern and southern Nevada, the Washoe Tribe provides services to a fairly homogenous population. This fact has its advantages: programs can be tailored to fit specific dynamics and societal norms and are, therefore, likely to be more effective.

Dependency Mediation is a confidential process consistent with Title 8 of the Washoe Law and Order Code unless there are new allegations of child or elder abuse or neglect, or a participant threatens to harm him/herself or someone else. Additionally, if the parties reach an agreement, that agreement will be filed with the court. All statements, oral or written, made during mediation are exempt from discovery and inadmissible as evidence in a child protective services case. No papers generated during mediation, other than the Outcome Memo and Mediation Agreement, will be included in the court file.

- **Purpose:** The Washoe Tribal Court offers dependency mediation as an alternative to judicial proceedings. Mediation that engages the family in a confidential setting results in improved outcomes for the family and in efficient court operations. It provides both families and professionals with an opportunity to discuss emotional issues openly in a confidential, non-judgmental process facilitated by a trained professional and, then, to begin making decisions about what is best for the children.
- **Implementation Stage:** Mediation has been implemented in the Washoe Tribe Juvenile Court.
- **CQI Contribution:** Basic information is collected to allow the program to assess how well the program is meeting the needs of families and stakeholders. Data collected include information necessary to continually improve the program, including but not limited to: the parties' names and contact information, the social service case number, the mediator, the dates of the mediation, whether the parties appeared for mediation, how long the session lasted, whether full or partial agreement was reached, and if any court hearings were vacated as a result of the outcome. Confidential satisfaction surveys are collected from all participants and maintained separately from the specific case information. The surveys from the family participants and the system staff are different instruments. This survey asks all participants about their satisfaction with the mediation process, including perception of most and least helpful parts of mediation. This survey is designed to supplement the process evaluation by providing perceptions of program effectiveness and utility. These surveys will be collected for all mediation participants. To date 2 mediations have been conducted, one came to actionable agreement and the other concluded that the parties would continue communicating.

e. **ICWA notice projects** – Not Applicable

f. **Data reports** – Not Applicable

g. **Other** – Not Applicable

8. *Describe how the CIP will assist with and participate in round three of the CFSR and program improvement processes in an ongoing fashion (include concrete actions and responsibilities that have been identified, or ideas for how best to be involved).*

The CIP Coordinator attended the Federal briefing in Seattle, Washington on the upcoming Child and Family Services Review as an invited member of the Nevada Team. With this enhanced understanding of the systemic factors and what has replaced the composites, and the use of the newly established portal; CIP will assist the courts and CICs understanding

CIP is an active member of the Statewide Quality Improvement Committee (SQIC) which meets monthly to discuss all that is relevant to both the CFSR and the CFSP. CIP is also actively involved in the SQIC Data Sub-Group which meets every other week and is part of continual quality improvement and the CFSP/CFSR process to ensure data quality. The CIP Coordinator is developing a standard operating procedure to ensure that data distribution is consistent and goes to all requisite stakeholders.

CIP is also part of the team reviewing all the CFSR Case Review reports from the jurisdictions. CIP participates in on-going review of the resultant data and discussion concerning how improvement can be made in those items leading up to Nevada's Round 3 CFSR in 2018. The CIP Coordinator will be trained to assist with the CFSR in Nevada and has been provided access to the CFSR On-Line Monitoring System demonstration site. CIP will be training on the proper rating of the items and participate in the Rural Region Review in late February 2015.

The 10 judicially convened Community Improvement Councils (CICs) will be involved in either focus groups or surveys relating to continuous monitoring of the systemic factors. As a matter of fact, several of the CICs have initiated supporting several of the systemic factors. The 6<sup>th</sup> Judicial District (JD) signed an MOU with DCFS to train court staff to recruit, train, and support foster and adoptive families. The 7<sup>th</sup> JD recently included in their quality hearing action plan increasing court involvement in foster care recruitment. The 10<sup>th</sup> JD charged each of its CIC members to approach at least one suitable family about fostering children.

The Nevada court system and CIP partners with child welfare on a variety of fronts as the need arises. The CICs all include their child welfare partners as they develop their action plans to resolve local issues.

- 9. Describe how the CIP will assist with and participate in the CFSP/APSR processes with the child welfare agency in an ongoing fashion (include concrete actions and responsibilities that have been identified, or ideas for how best to be involved).*

Nevada CIP has been actively involved in the Child and Family Services Plan (CFSP) and Annual Program and Services Review (APSR) for many years. CIP continues to forge successful collaborative working relationships with other agencies – specifically, child welfare and education. Nevada CIP develops and implements data-driven, evidence-based, and outcome-focused best practices that advance meaningful and ongoing collaboration among court, child welfare agency, and other stakeholders to achieve safety, permanency, and well-being for children and families in the child welfare system in a fair and timely manner. Nevada CIP projects encompass a myriad of activities at the state and local level with the primary purpose to assess and improve court processes related to child abuse and neglect, and to ensure improved outcomes for children. CIP funding has also been used to develop broad-based systemic reform of courts and court processes related to dependency cases, as is evidenced by the *Blue Ribbon for Kids Commission* that is just getting underway (Section 5.h).

The Nevada court system has partnered with DCFS on a wide variety of fronts the last year focusing many of its efforts on the DCFS Program Improvement Plan (PIP), Title IV-E Corrective Action Plan (CAP), educational stability, and hearing quality activities. The courts assisted in the implementation of the action steps for the PIP, specifically Strategy #3, “Improve the Timeliness and Appropriateness of Permanency Planning across the Life of the Case”, and ensuring that court orders contain appropriate contrary to welfare, reasonable efforts to prevent removal and reasonable efforts to finalize permanency plans, including judicial determinations that reasonable efforts are not required. Within Strategy #3 of the PIP, the courts were asked to identify barriers to permanency, timely adoption, and termination of parental rights. The Community Improvement Councils (CICs) were created in each judicial district to accomplish this and have proven to be so effective that the CIP uses the CIC action plans to help build its Strategic and Funding Plans. CIP’s intent is to institutionalize the CIC process, and use the action plans as part of a systemic improvement process.

To assist with the Title IV-E CAP court order language improvements, CIP contracted with the National Center for State Courts (NCSC) to create court order template guides to include case-specific findings of the “contrary to welfare” and “reasonable efforts” factors and to indicate that court orders clearly specify that the State has the responsibility for placement and care of each child for whom title IV-E payments are claimed. NCSC worked with key stakeholders from throughout the state to develop the template guides. Two senior dependency court judges guided development of the process and focus. A statewide collaborative of judicial officers, district attorneys, child welfare administrators and eligibility

experts, children’s and parents’ representatives, public defenders, and deputy attorney general informed the effort (See Section 2.d).

The need for system actors to better understand the principles of child safety was mentioned in several of the CIC action plans. As a result, CIP contracted with the National Council of Juvenile and Family Court Judges. CIP and DCFS jointly requested TA from the National Resource Center on Legal and Judicial Issues to present an exploratory on the Principles of Child Safety. All 10 judicial CICs participated and created action plans to implement a number of the principles.

In collaboration with the three child welfare agencies and in coordination with the 2012 and 2013 CIC Summits and resultant CIC action plans, CICs have been trained by child welfare in the new SAFE (Washoe and Rural Counties) or SIPS (Clark County) child welfare practice models. The courts have been actively implementing *Child Safety Decision Making: A Guide for Judges and Attorneys* (Jennifer Renne and Terry Roe Lund) into their court processes.

To update members and child welfare partners on other CICs’ accomplishments as action plans are implemented, CIP writes and distributes a CIC Newsletter quarterly. As a result promising and best practices implemented in one JD are being shared and started in others.

CIP and DCFS jointly requested technical assistance from the National Resource Center for Legal and Judicial Issues at the American Bar Association (ABA) to assist Nevada implement the Fostering Connections Act as well as the Child and Family Services Improvement and Innovation Act. This focus is on improving educational outcomes by obtaining educational stability and by improving collaborative interagency system supports for educational achievement of children in Nevada’s foster care system. Research shows that this collaborative approach to service delivery will increase the current and future well-being of youth presently in the foster care system (See Section 1.e).

The Division of Child and Family Services (DCFS) invited CIP’s and the CICs’ input into developing its Federal Child and Family Services Plan (CFSP - 5 year strategic plan). The CIP Coordinator and the DCFS Quality Assurance (QA) Manager attended each CIC’s meeting during which the QA Manager explained the CFSP process and expectations. She discussed in detail the “Stakeholders’ Guide to the CFSP” that she had developed. She shared the preliminary goals that had been developed and asked for help creating interventions and implementation strategies. Each CIC received statewide statistics on outcome and indicator performance and systemic factors, as well as its local CY 2013 court timeliness measures and FFY 2013 permanency composite scores from which it could choose to develop measurable objectives to be included in the CFSP.

The CIP Coordinator attended and participated in subsequent CIC meetings in nine of Nevada’s Judicial Districts helping them develop measurable objectives and interventions for the CFSP. In collaboration with the QA Manager, these were compiled to represent a statewide court perspective and submitted for inclusion in the CFSP. The tables below are examples of some of the courts’ work included in Nevada’s CFSP.

#### **From CFSP 2015-2019 pages 28 and 29**

##### **Intervention/Strategy 3.1.1**

##### **Continue a Statewide Collaborative on Education, Child Welfare, and the Courts.**

Intervention/strategy rationale: A collaborative relationship between the Department of Education, Child Welfare and the Courts is needed to strengthen educational success for children and youth in

foster care. This collaborative will identify outcomes and measurable objectives that will target improvement and demonstrate progress.

**MEASURES OF PROGRESS PROJECTION TIME TABLE**

**Table III: 4 Measures for Goal 3: Children and Youth will have improved Well-Being**

<b>Data Measures/Benchmarks</b>	<b>Benchmark Timetable</b>	<b>Data Baseline</b>	<b>Project Goal FY 16/17</b>	<b>Goal FY 18/19</b>
<b>Courts:</b> Increase the proportion of ASFA hearings during which the child’s education is addressed. (Source: Court hearing observation TA from NRCLJI)	To start in SFY 2015	TBD	Set in SFY 2015 APSR	Set in SFY 2016 APSR
Educational Collaborative: Reduce the barriers for school enrollment when foster youth have to change from school of origin	Joint letter between school district and child welfare for information sharing during FFY 2015-2016 evidence =letter			
Develop a UNITY Report that will measure youth in foster care who graduate from high school or receive a GED	Develop Report during SFY 2015-2016 Evidence=report	[Data not yet available]		
Develop a UNITY Report that will measure educational moves of children in foster care.	Develop Report during SFY 2015-2016 Evidence=report	[Data not yet available]		
Decrease the educational moves of children/youth in foster care.		TBD	Set in SFY 2016 APSR	Set in SFY 2017 APSR
Reduce the barriers for school enrollment when foster youth have to change from school of origin	Joint letter between school district and child welfare for information sharing during FFY 2015-2016 Evidence =letter			

**From CFSP 2015-2019 page 31**  
**Objective 4.4**  
**Develop and expand the Court Centralized Case Index (CCI)**  
**Intervention/strategy 4.4.1**



Explore the feasibility of developing a standardized architecture for combining information from court case management systems (CMSs) with information from UNITY to provide a reporting data warehouse and accompanying tools to facilitate near real-time timeliness reporting. Blend and productionalize information from UNITY and the court CMSs into an integrated dashboard accessible to individual judicial districts across the State.

Maintaining near real-time access to court timeliness measures as well as permanency and placement information will enable the court to ensure they contribute to timely permanency for children in the child welfare system.

**MEASURES OF PROGRESS PROJECTION TIME TABLE**

**Table III: 5 Measures for Goal 4: The state will be able to identify the strengths and needs of the child protective service delivery system.**

Measure/Benchmarks	Benchmark Timetable	Data Baseline	Project Goal FY 16/17	Goal FY 18/19
<b>Courts:</b> Prototype developed and approved for productionlizing.	CIP Select Committee approval of prototype			
<b>Courts:</b> Adjust reporting framework	Selection of a preferred framework that will provide user friendly reports.			
<b>Courts:</b> Implement ongoing feed from UNTY/COURT	Data flows into CCI without error			
<b>Courts:</b> Develop additional reports and data sources	All necessary reports developed and approved by judiciary			
<b>Courts:</b> Expand to other judicial districts	Judicial districts who wish to participate are included			
<b>Courts:</b> Provide access to and train on how to use the dashboards.	Judiciary trained			

**From CFSP 2015-2019 page 33**

**Objective 5.4 (COURTS)**

Decrease median days to termination of parental rights and adoption.

**Intervention/Strategy 5.4.1**

**Continue the Community Improvement Council process of courts identifying barriers and implementing solutions to decreasing median days to termination of parental rights and adoption.** CICs will develop plans and processes to share information and work together. District Attorneys will continue to assist the Deputy Attorney General with case processing, if needed. Information will flow through the CICs.

Intervention/strategy rationale

This work group collaborative process is an evidence-based practice that has demonstrated its value throughout Nevada in the CICs. Diverse, collective intelligence improves innovation and problem solving, contributing to systems change, information sharing, and improved practice.

**From CFSP 2015-2019 page 33-34**

**Objective 5.5 (COURTS)**

Achieve timely permanency for children in the child welfare system.

**Intervention/Strategy 5.5.1**

**Decrease filing time of court reports and decrease travel time for caseworker to attend certain court hearings by utilizing available court resources to electronically submit court reports and allow caseworkers to attend certain, judicially approved court hearings via video-conferencing.**

Intervention strategy rationale

Decreasing filing time of court reports and decreasing travel time for caseworkers is an efficient use of time and resources in efforts to achieve timely permanency for children in the child welfare system.

**MEASURES OF PROGRESS PROJECTION TIME TABLE**

**Table III: 7 Measures for Goal 5: Children and youth will achieve timely permanency through stable and supportive placements.**

Measure/Benchmark	Benchmark Timetable	Data Baseline	Projected Goal FY 16/17	Goal FY18/19
<b>Courts:</b> Decrease the median days to termination of parental rights by 10% (Source: UNITY Report)	Decrease the median days to TPR by 5% by FFY 2018	625 Days	Set in SFY 2015)	Set in SFY 2016

**10. Assess how the CIP is progressing with CQI overall?**

During the last 2½ years, each quarterly CIP Select Committee Meeting included a CQI lesson. A year ago the CIP Foundational Business Process (Appendix 12) was introduced. CQI has been integrated into the CIP business in the strategic plan, the sub-grant application, the data collection tools, the sub-grantee quarterly reports, and it informs the Foundational CIP Business Process. The CIP Select Committee learned how the strategic plan has been retrofitted to include CQI. It also was informed about the revisions that were made to the sub-grant application and why. Data collection and reporting were stressed. The results of assessments and surveys are regularly presented. CIP sub-grantees are required to set measureable goals and plan to begin to collect data immediately.

The CIP Foundational Business Process (Appendix 12) was designed to ensure sustainability of CIP in Nevada and to integrate CQI into the entire process while institutionalizing the manner in which business is conducted. Part of this plan is to encourage proven best practices to self-perpetuate. CIP is using CQI to help sustain projects proven to be best practices that are having the desired systemic impact on the courts. By holding projects accountable (requiring quantifiable reporting on goals and evaluations) and providing appropriate and timely independent assessments CIP is ultimately providing projects with the tools to demonstrate their value to other funders. As explained in Section 2.e, the 2<sup>nd</sup> JD's Dependency Mediation program has done just this.

As process improvements are implemented the courts, themselves, are assessing their impact and making modifications as they deem necessary. The 2<sup>nd</sup> JD, for example, began implementation of a newly restructured protective custody (PC) hearing May 2014. During its monthly CIC meetings, the 2<sup>nd</sup> JD discusses progress and changes that may be required. It is also planning to assess the impact of the new PC hearing structure using data gathered.

CIP employs multiple feedback loops to all child dependency system stakeholders via such avenues as the CIC Newsletters, data and action plan poster boards displayed at the CIC Summits, quarterly data distribution, the APSR, the CFSR, and the IV-E Review.

The Judicial Districts' CICs have been previously mentioned, but their importance to developing and implementing the CIP Strategic plan cannot be overstated. As mentioned earlier, it is only by educating the judiciary and their CICs that continual quality improvement will be effectuated throughout the State. NCJFCJ has been contracted to help facilitate discussion of CQI with the CICs and to identify potential areas and potential data/measurement strategies to promote CQI.

- a. **Describe the largest challenges your CIP faces with implementing CQI into your work.** The three largest overarching challenges to implementing CQI into the work effort of CIP is time, staff, and funding. Additionally, but no less important, is helping the statewide stakeholders' understand the CQI concepts and their importance. As mentioned above, Nevada CIP has incorporated CQI requirements into the sub-grant funding application which initially was difficult for many applicants to complete without assistance.

The lack of a statewide court case management system is a challenge to capturing the timeliness measures, but DCFS has been very helpful in pulling them out of UNITY (SACWIS). The two urban courts have two different court case management systems (CMS). Many of the rural courts do not have a court case management system for dependency. At this point, they are completely reliant on CIP to forward their timeliness measures to them quarterly. Some do pull statistics manually as part of their internal CQI process or in response to grant reporting requirements. Work is underway to attempt to remedy this deficiency, but it is extremely costly. Dashboard interface development for the dependency court judges is badly needed. The CCI (see Section 1.c) will address this need and is expected to go live in April 2015. Courts with a CMS will have access to court generated data combined with UNITY data. Those courts without a CMS will have access to the CCI; however their reports will only reflect UNITY data.

Nevada CIP provides support and training to the 10 judicial Community Improvement Councils (CICs) throughout the state. The work of the CICs drives the creation and implementation of CIP's strategic plan, and directly improves the processing of dependency cases in Nevada. Both the work that CIP does supporting the CICs and the various projects implemented as a result of the strategic plan and the work of the CICs lend themselves to continual quality improvement. Determining if the jurisdiction has implemented the project or practice and how it is working would be the initial process evaluation. This can be accomplished with a survey or discussion with the key stakeholders concerning how often they believe the practice occurs and what the process looks like. Following implementation of the project or program, it should be comparatively easy to track trends in timeliness outcomes using the Chapin Hall database and web tool, some AFCRS data, and/or the CCI. CIP's work effort can also be assessed via survey.

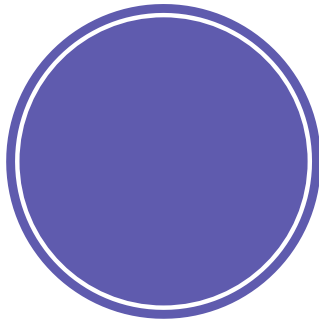
**b. Describe the types of capacity building technical assistance (tools, resources, training opportunities, direct assistance) that would be most helpful to support CQI efforts.**

First and foremost it is most important that accessing help be made even less time consuming and complicated. Nevada's CIP could use assistance in the following areas at this point in time:

- Following completion of the report from the *Blue Ribbon for Kids Commission*, direct assistance implementing the recommendations throughout the State of Nevada;
- Follow-up to and continuation of the court observation technical assistance received in 2014;
- Designing and implementing court systems and processes to improve efficiency and timeliness and building data collection into the design upfront;
- Assessing the impact of the court order template guides as they are implemented, the electronic data exchanges, the pro bono attorneys training project, the web-based specialized training, the educational stability efforts, the CASA programs in the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> JDs, and the CIP CQI implementation efforts;
- Direct assistance with an ICWA implementation study;
- Integrating the Safe/SIPS child welfare practice model into the dependency courts' processes;
- Addressing other well-being measures;
- Using data to identify and support the development of activities identified in the CICs' action plans;
- Direct assistance with implementation of a particular CIC practice or project, for example, dependency mediation; designing CQI based projects and activities to address the barriers identified in the CICs' action plans;
- Educating dependency court system players, particularly attorneys, on the principles of child safety decision-making and engaging them in the process as judicial districts begin implementing specific principles;
- Educating dependency court system players on the value of CQI to them (how they can use it) and their jurisdictions, beyond the fact that it is federally required;
- Data collection and automation, and how CIC members may be able to support the data collection and use the data to support their own processes;
- Identifying sources of data and assistance with the collection;
- Education around data quality, cleaning, and defining;
- Interpreting data to suggest improvements in the process or to support the continued practice or project or not;

This is not intended to be a comprehensive all-inclusive list of Nevada's needs because new issues requiring technical assistance arise as implementation of the strategic plan and the CICs' action plans proceeds.

Appendix



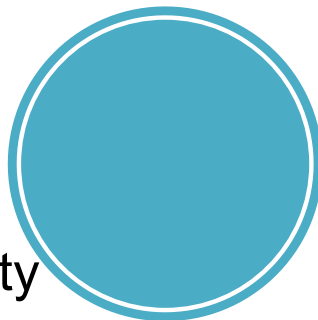
Well-Being



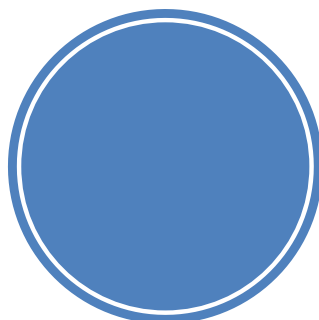
Quality



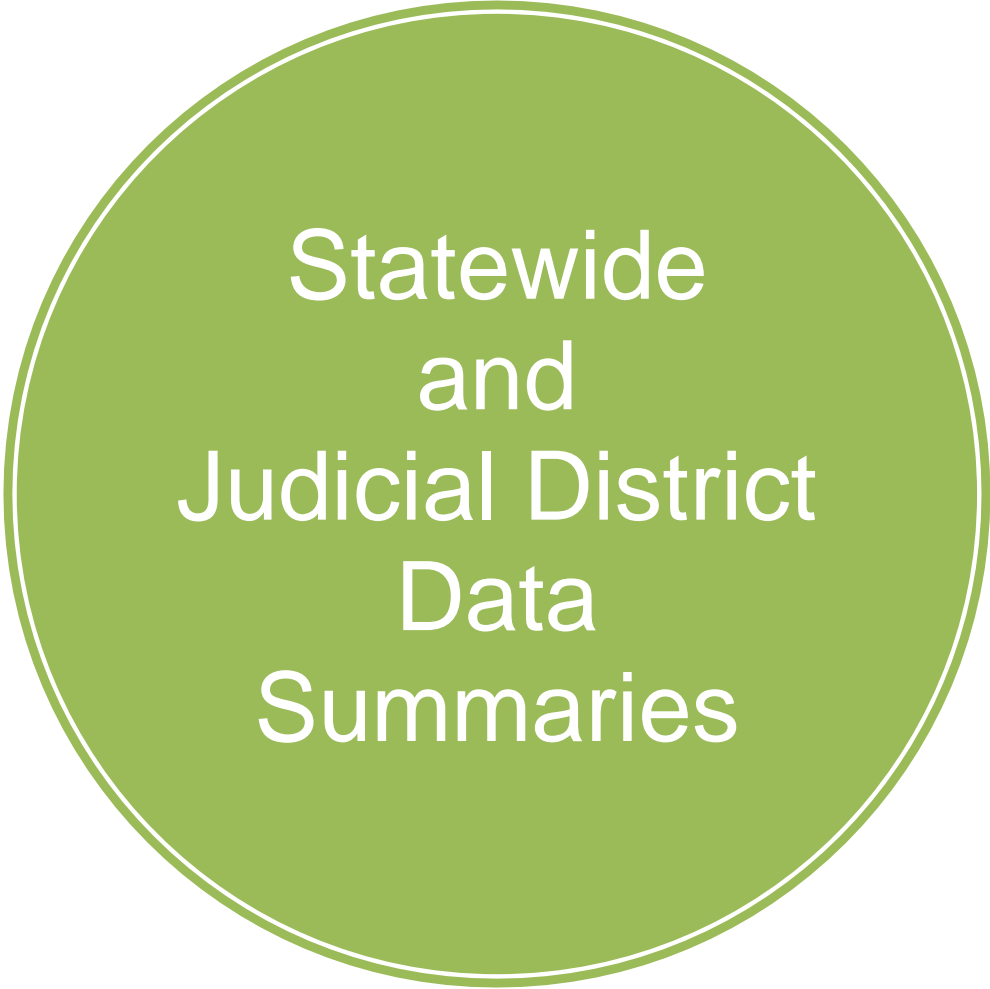
Safety



Stability

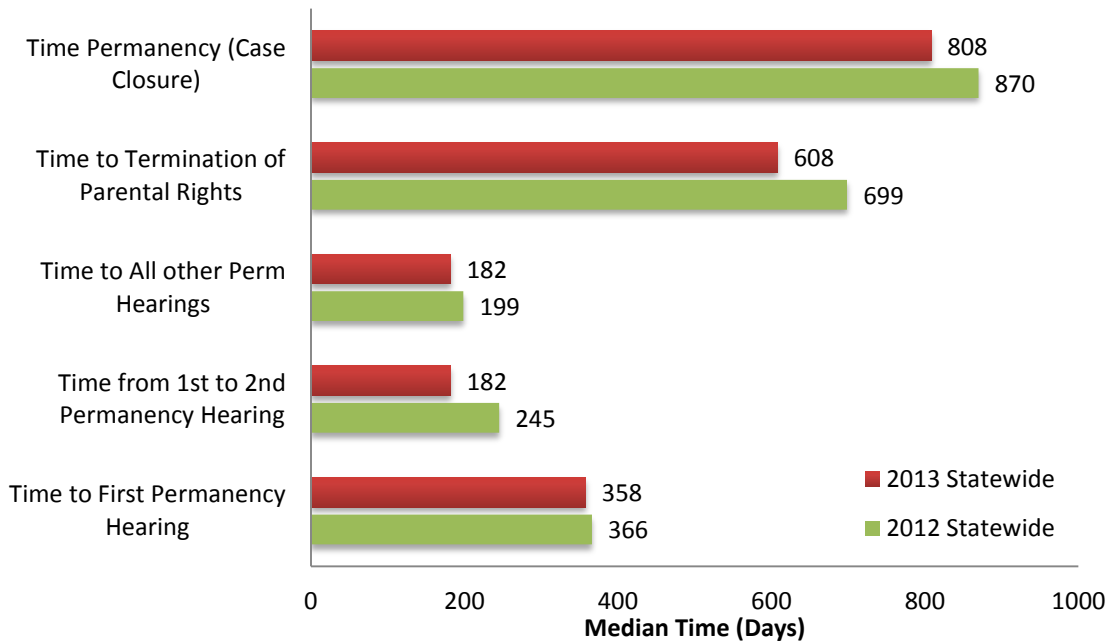


Permanency



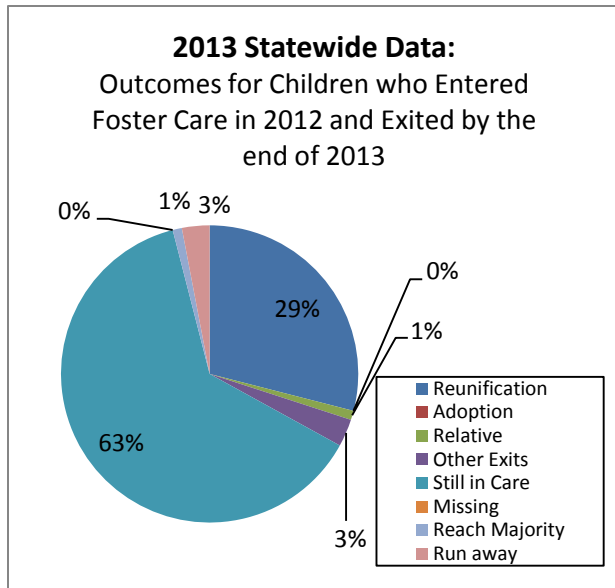
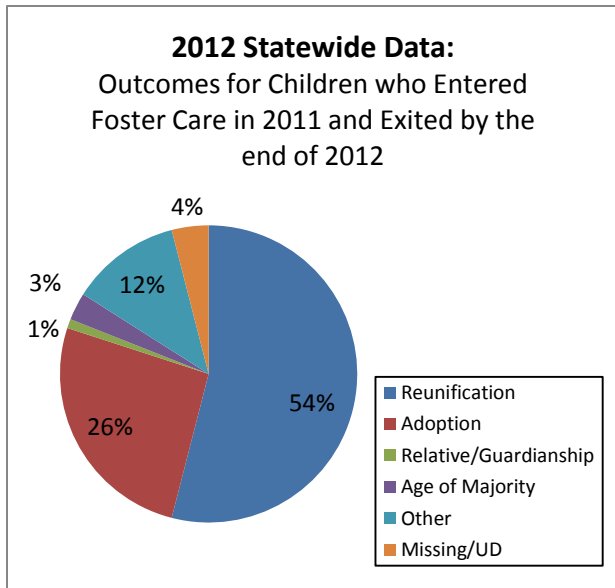
Statewide  
and  
Judicial District  
Data  
Summaries

**Timeliness Measures: 2012 and 2013 Statewide**



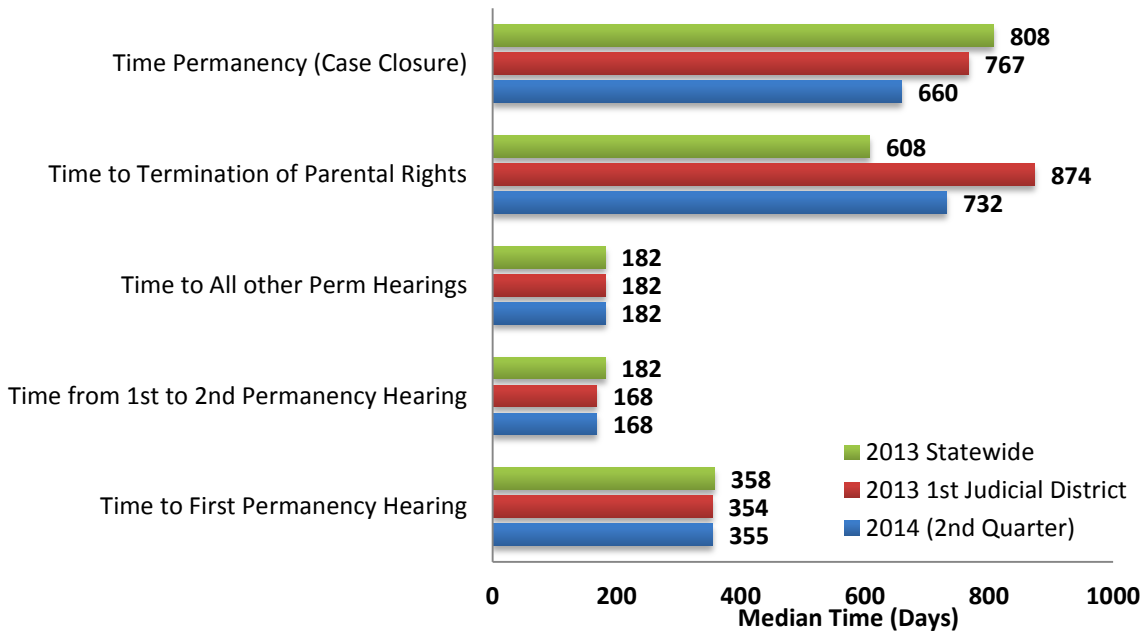
*70% of first permanency hearings met statutory requirements in 2013.*

*67% of first permanency hearings met statutory requirements in 2012.*



Placement Stability, For New Entries for 2011, 2012 and Statewide, % of Placement Moves					
	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>Statewide 2011</b>	26%	30%	28%	15%	1%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 1st Judicial District Timeliness Measures 2013, 2014 and Statewide

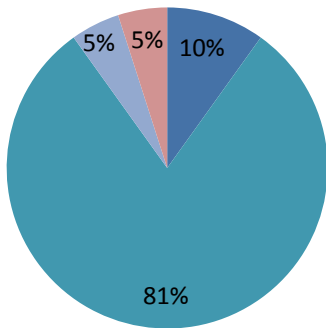


**82% of first permanency hearings met statutory requirements in 2013.**

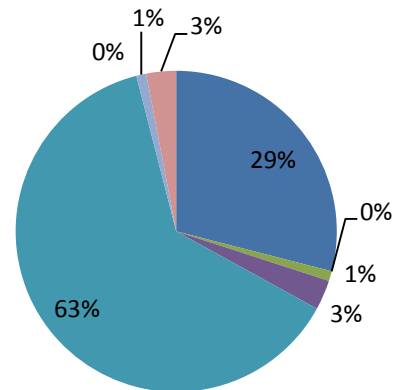
**72% of first permanency hearings met statutory requirements in 2012.**

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

### 1st District



### Statewide

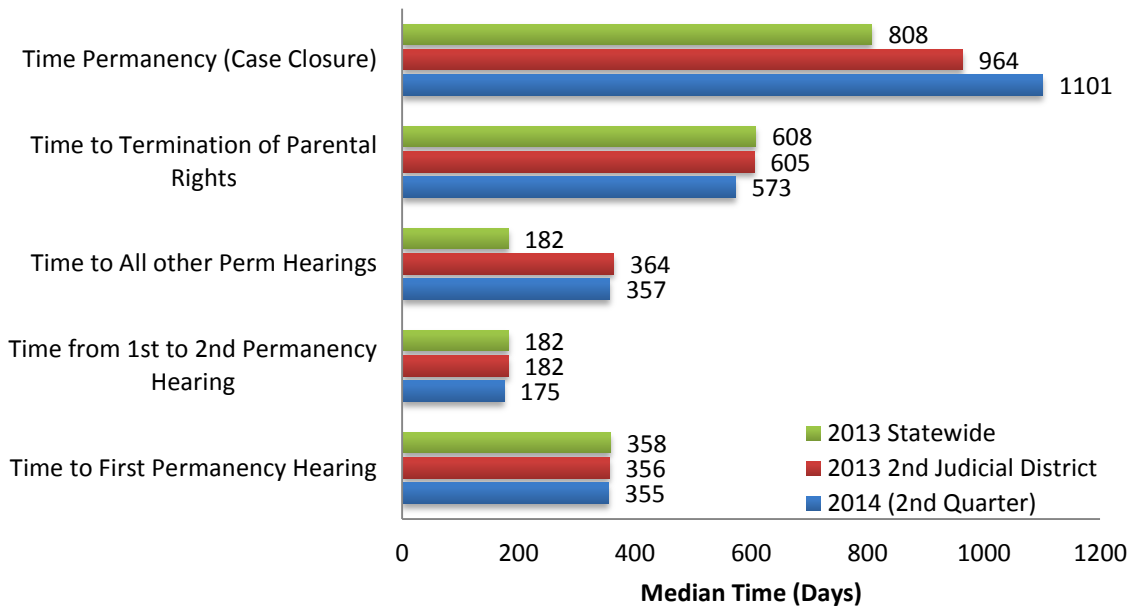


- Reunification
- Adoption
- Relative
- Other Exits
- Still in Care
- Missing
- Reach Majority
- Run away

Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves					
	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	28%	39%	25%	6%	3%
<b>2012</b>	32%	45%	16%	6%	0%
<b>2013</b>	29%	45%	21%	0%	5%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%



## 2nd Judicial District Timeliness Measures 2013, 2014 and Statewide

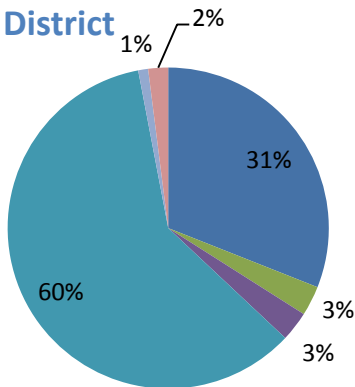


96% of first permanency hearings met statutory requirements in 2013.

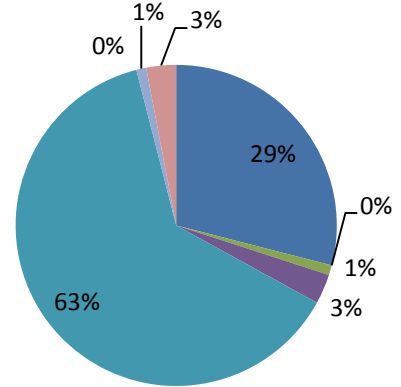
96% of first permanency hearings met statutory requirements in 2012.

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

**2nd District**



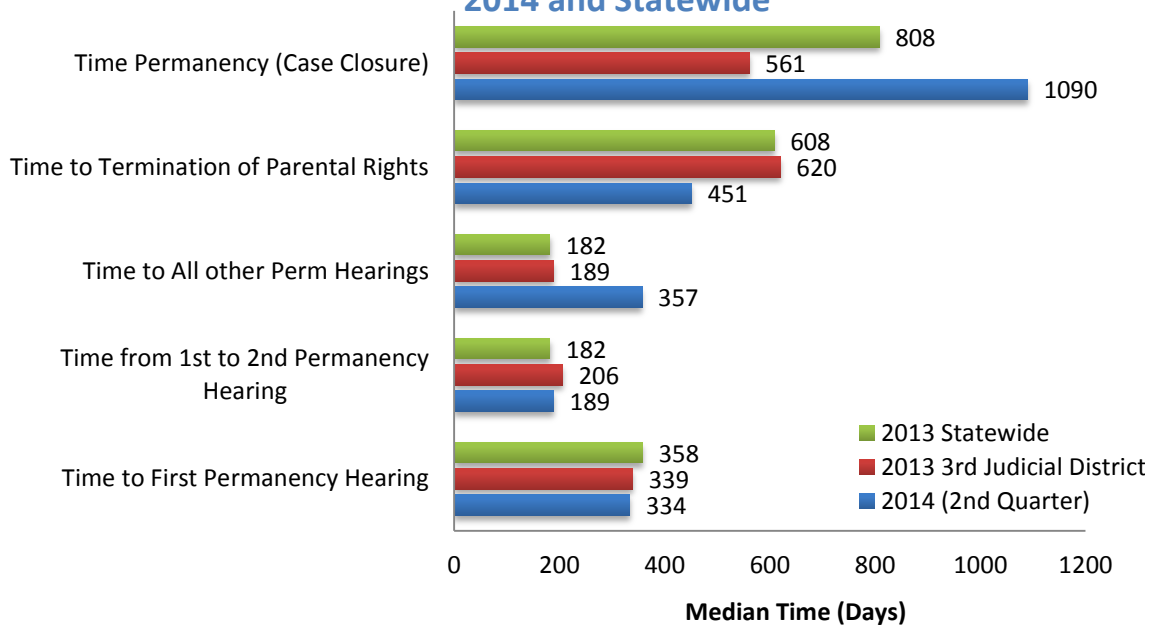
**Statewide**



**Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves**

	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	28%	27%	20%	20%	4%
<b>2012</b>	35%	31%	21%	12%	2%
<b>2013</b>	34%	34%	20%	12%	1%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 3rd Judicial District Timeliness Measures 2013, 2014 and Statewide

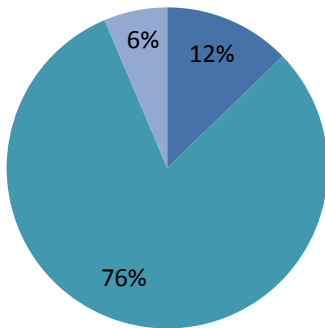


72% of first permanency hearings met statutory requirements in 2013.

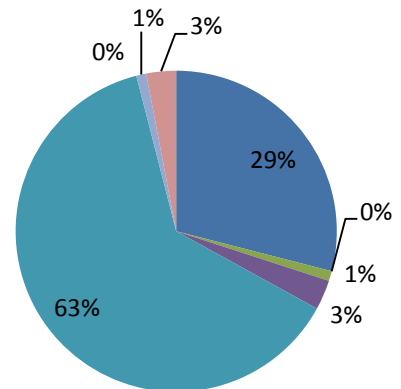
56% of first permanency hearings met statutory requirements in 2012.

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

**3rd District**



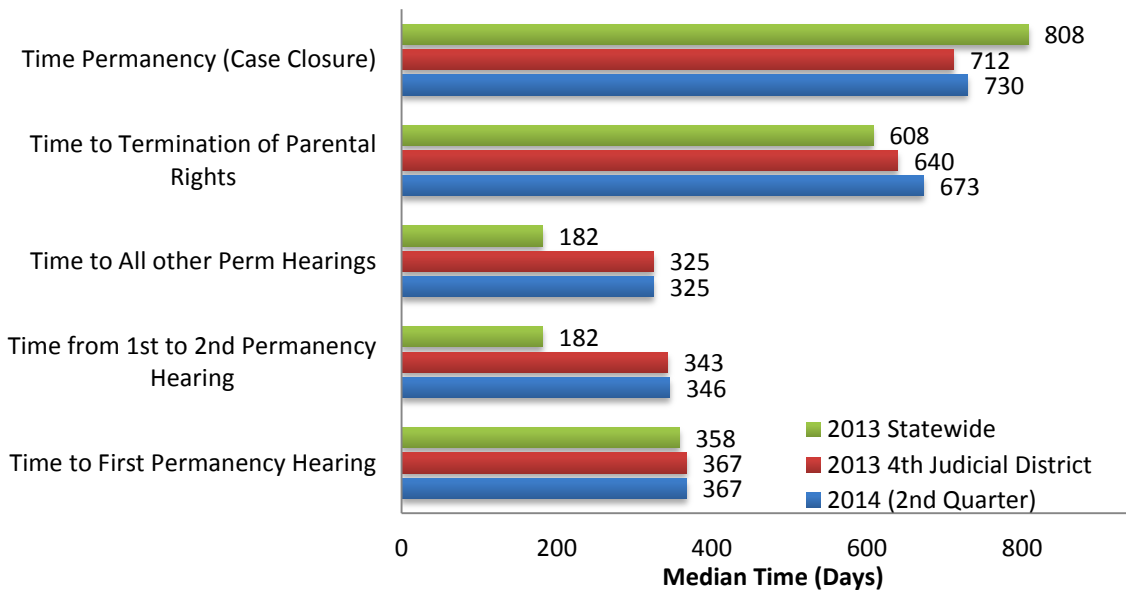
**Statewide**



**Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves**

	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	7%	21%	43%	29%	0%
<b>2012</b>	45%	23%	13%	16%	3%
<b>2013</b>	41%	35%	24%	0%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 4th Judicial District Timeliness Measures 2013, 2014 and Statewide

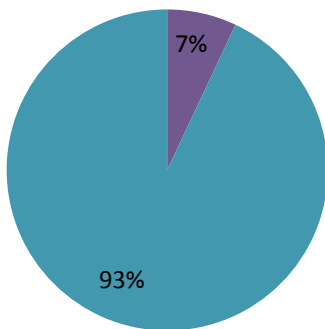


**74% of first permanency hearings met statutory requirements in 2013.**

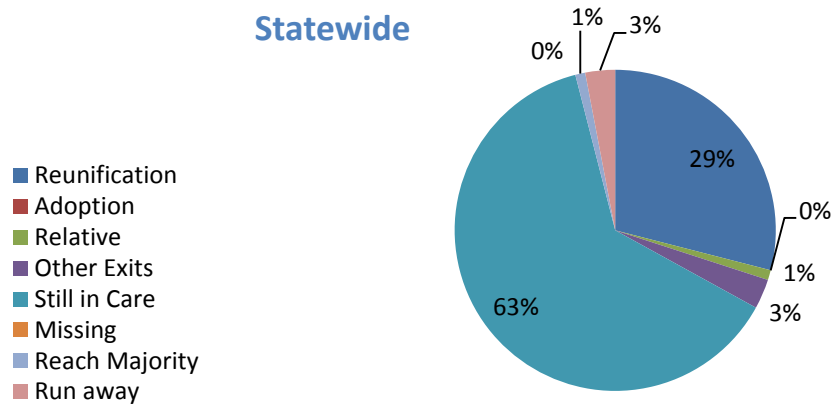
**79% of first permanency hearings met statutory requirements in 2012.**

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

**4th District**

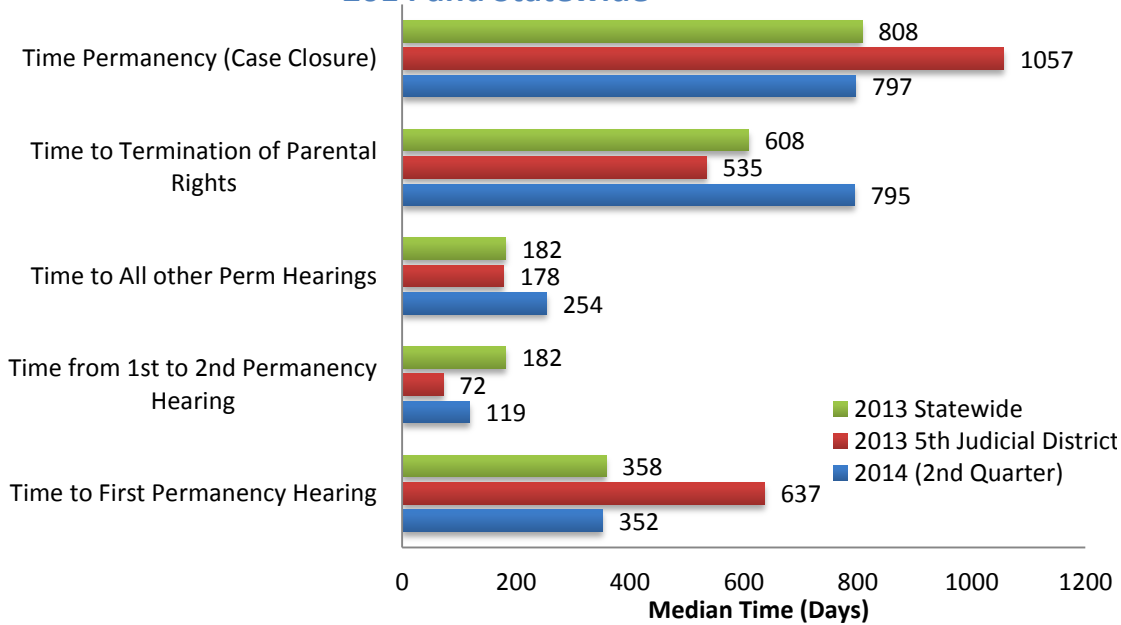


**Statewide**



Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves					
	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	24%	33%	24%	19%	0%
<b>2012</b>	23%	38%	31%	8%	0%
<b>2013</b>	33%	27%	33%	7%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 5th Judicial District Timeliness Measures 2013, 2014 and Statewide

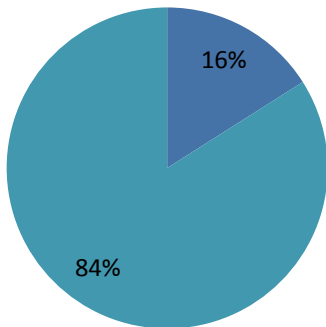


54% of first permanency hearings met statutory requirements in 2013.

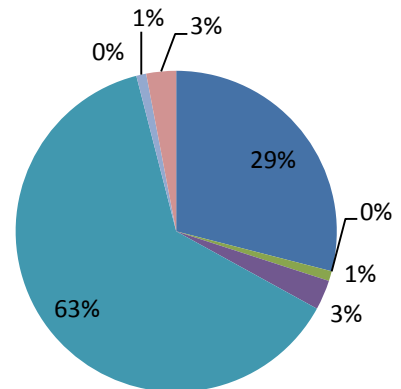
56% of first permanency hearings met statutory requirements in 2012.

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

**5th District**



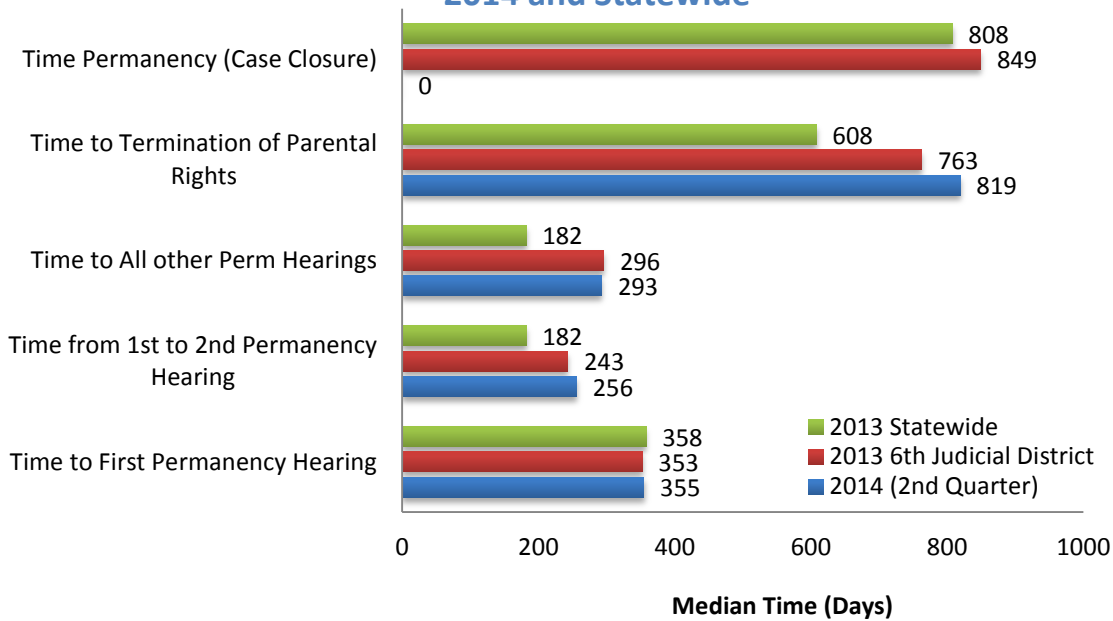
**Statewide**



**Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves**

	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	38%	33%	23%	6%	0%
<b>2012</b>	43%	29%	19%	9%	0%
<b>2013</b>	21%	60%	19%	0%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	35%	35%	23%	8%	0%

## 6th Judicial District Timeliness Measures 2013, 2014 and Statewide

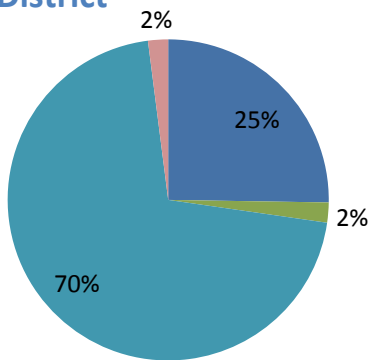


76% of first permanency hearings met statutory requirements in 2013.

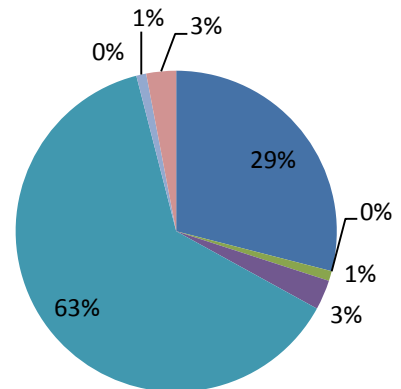
71% of first permanency hearings met statutory requirements in 2012.

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

**6th District**



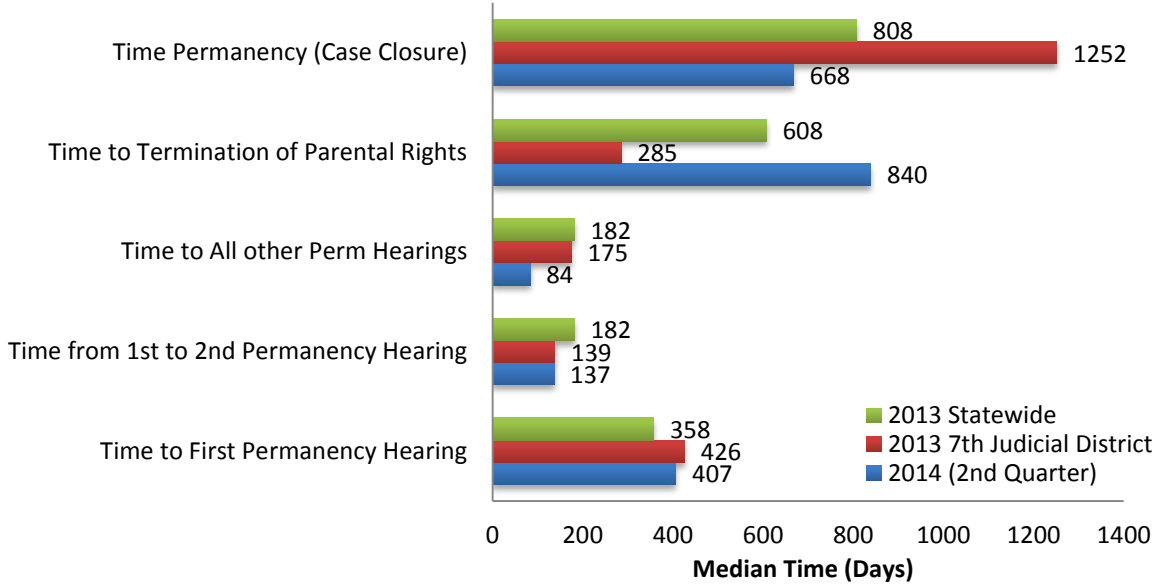
**Statewide**



**Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves**

	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	7%	36%	21%	36%	0%
<b>2012</b>	25%	6%	63%	6%	0%
<b>2013</b>	50%	20%	10%	20%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 7th Judicial District Timeliness Measures 2013, 2014 and Statewide

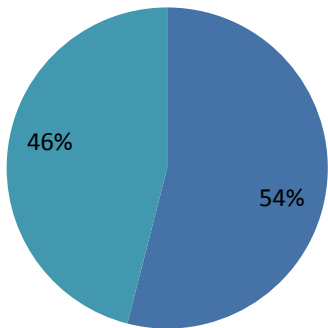


37% of first permanency hearings met statutory requirements in 2013.

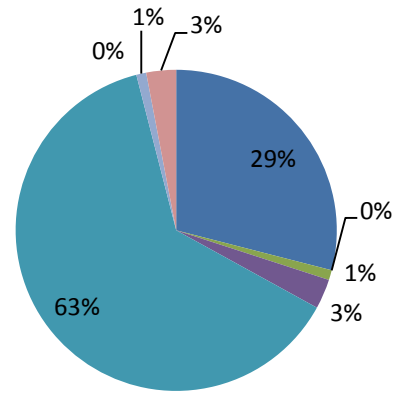
41% of first permanency hearings met statutory requirements in 2012.

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

### 7th District



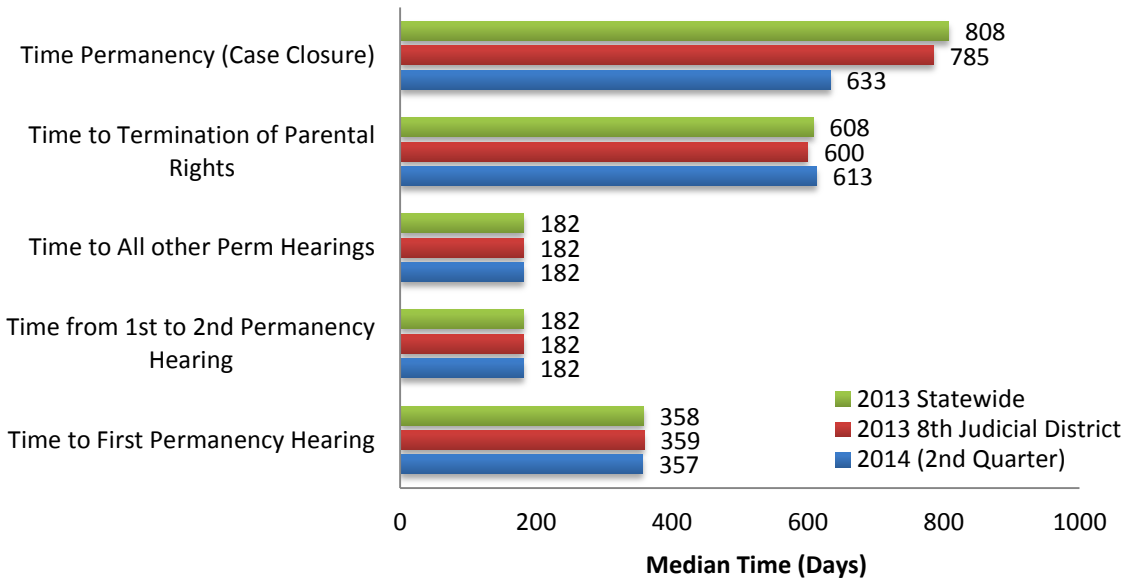
### Statewide



Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves

	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	13%	63%	25%	0%	0%
<b>2012</b>	70%	10%	20%	0%	0%
<b>2013</b>	38%	31%	8%	23%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 8th Judicial District Timeliness Measures 2013, 2014 and Statewide

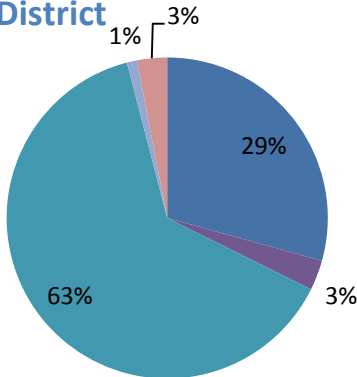


*65% of first permanency hearings met statutory requirements in 2013.*

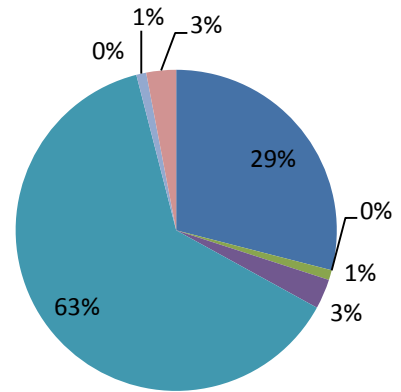
*62% of first permanency hearings met statutory requirements in 2012.*

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

**8th District**



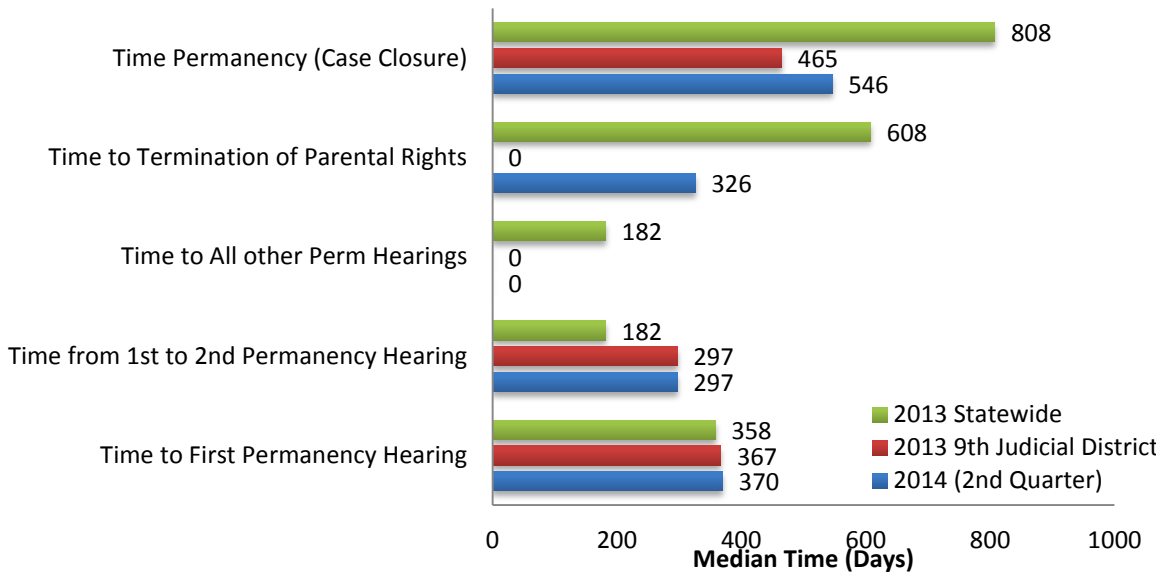
**Statewide**



- Reunification
- Adoption
- Relative
- Other Exits
- Still in Care
- Missing
- Reach Majority
- Run away

Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves					
	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	24%	32%	31%	13%	1%
<b>2012</b>	37%	34%	22%	6%	0%
<b>2013</b>	34%	35%	24%	7%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%

## 9th Judicial District Timeliness Measures 2013, 2014 and Statewide



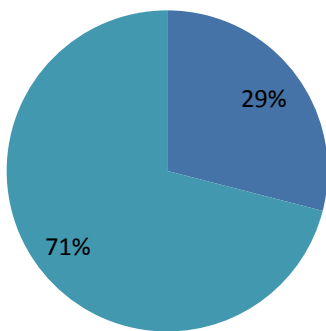
*8% of first permanency hearings met statutory requirements in 2013.*

*26% of first permanency hearings met statutory requirements in 2012.*

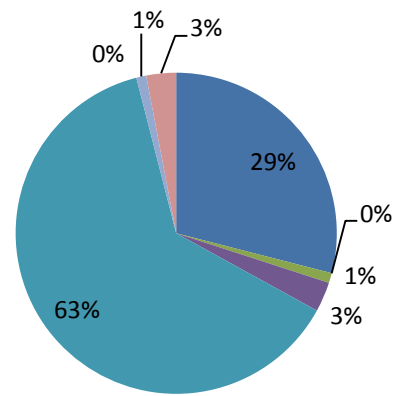
Note. The annual percentage for 2013 was calculated from only 12 cases.

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

### 9th District



### Statewide

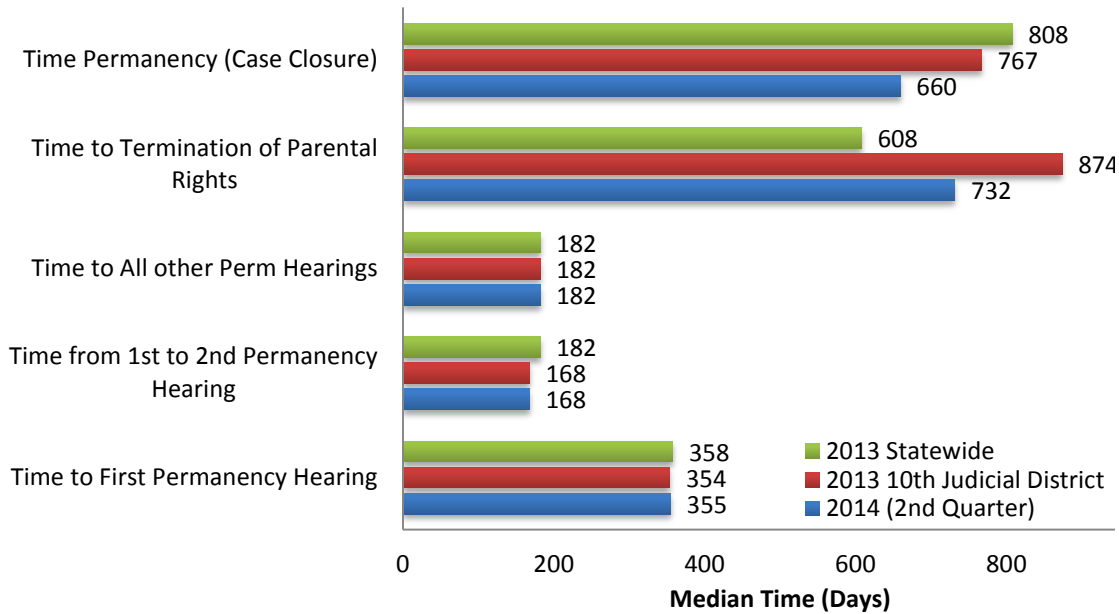


- Reunification
- Adoption
- Relative
- Other Exits
- Still in Care
- Missing
- Reach Majority
- Run away

Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves					
	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	29%	38%	19%	14%	0%
<b>2012</b>	38%	38%	19%	6%	0%
<b>2013</b>	50%	29%	21%	0%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%



## 10th Judicial District Timeliness Measures 2013, 2014 and Statewide

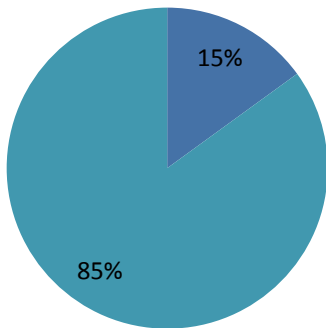


*80% of first permanency hearings met statutory requirements in 2013.*

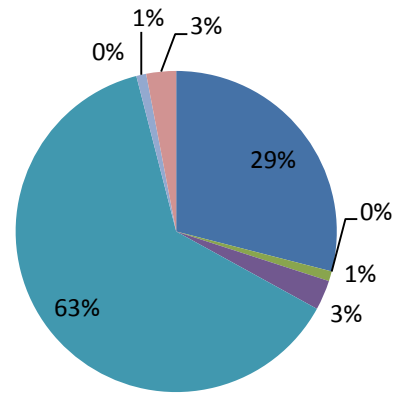
*79% of first permanency hearings met statutory requirements in 2012.*

## Outcomes for Children Who Entered Foster Care in 2012 and Exited by the End of 2013

### 10th District



### Statewide



- Reunification
- Adoption
- Relative
- Other Exits
- Still in Care
- Missing
- Reach Majority
- Run away

Placement Stability, For New Entries for 2011 - 2013 and Statewide, % of Placement Moves					
	No movement	One movement	2 to 3 movements	4 to 10 movements	More than 10 movements
<b>2011</b>	13%	25%	38%	25%	0%
<b>2012</b>	44%	21%	26%	9%	0%
<b>2013</b>	49%	41%	8%	3%	0%
<b>Statewide 2012</b>	38%	33%	22%	7%	0%
<b>Statewide 2013</b>	34%	35%	23%	8%	0%



Court  
Performance  
Measures

**Court Performance Measures**

Statewide

From: 01-01-2013 To: 12-31-2013

Court	Nbr of Children	Median Days to 1st Permanency Hearing	Median Days from 1st to 2nd Permanency Hearing	Median Days from 2nd to 3rd Permanency Hearing	Median Days from 3rd to 4th Permanency Hearing	Median Days from 4th to 5th Permanency Hearing	Median Days for all Subsequent Hearings	Nbr of Parents with Termination	Median Days to Terminate Parental Rights	Nbr of Parents with Relinquishment	Median Days to Relinquishment of Parental Rights	Nbr of Parents with Termination or Relinquishment	Median Days to Termination or Relinquishment of Parental Rights
TOTAL	5203	358	182	182	182	182	182	1805	599	861	629	2666	608
1ST/CARSON	65	362	361	367	349	0	0	7	701	25	624	32	699
1ST/STOREY	2	422	273	21	0	0	0	4	513	0	0	4	513
2ND/WASHOE	870	356	182	182	273	343	364	305	601	207	616	512	605
3RD/LYON	54	339	206	245	217	192	189	16	818	13	434	29	620
4TH/ELKO	37	367	343	203	224	376	325	7	596	12	640	19	640
5TH/ESMERALDA	3	554	0	0	0	0	0	0	0	0	0	0	0
5TH/MINERAL	20	358	35	154	332	294	353	0	0	10	869	10	869
5TH/NYE	97	361	182	181	175	182	182	21	735	28	710	49	735
6TH/HUMBOLDT	14	343	427	201	311	377	367	13	752	0	0	13	752
6TH/LANDER	14	351	30	320	35	91	354	12	963	2	961	14	963
6TH/PERSHING	13	364	273	161	154	182	167	6	574	3	-1556	9	574
7TH/EUREKA	2	480	49	196	14	14	259	0	0	0	0	0	0
7TH/LINCOLN	2	426	150	301	0	0	0	0	0	0	0	0	0
7TH/WHITE PINE	31	373	217	245	97	191	267	6	983	6	856	12	856
8TH/CLARK	3915	359	182	182	182	182	182	1412	593	553	629	1965	600
9TH/DOUGLAS	12	367	297	315	0	0	0	0	0	0	0	0	0
10TH/CHURCHILL	48	354	168	182	161	182	182	18	874	12	722	30	874

**1ST/CARSON**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	9	3.33	8410	853
GRDNSHPRELATIVE	2	2.00	1482	741
RTNTOCARETAKER	4	4.25	2609	657
RTNTOOTHRPRNT	10	1.60	4230	412
Median Days to Permanency for the 1 <sup>st</sup> JD				
Median Days to Permanency per Year		CY 2010		1270
Median Days to Permanency per Year		CY 2011		742
Median Days to Permanency per Year		CY 2012		913
Median Days to Permanency per Year		CY 2013		636

**2ND/WASHOE**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	99	4.10	104088	938
AGED OUT	7	19.29	16126	2295
DEATH OF CHILD	1	5.00	424	424
GRDNSHPRELATIVE	2	14.00	2400	1200
RTNTOCARETAKER	90	2.52	57531	516
RTNTOOTHRPRNT	36	1.97	18127	408
Median Days to Permanency for the 2 <sup>nd</sup> JD				
Median Days to Permanency per Year		CY 2010		894
Median Days to Permanency per Year		CY 2011		1001
Median Days to Permanency per Year		CY 2012		890
Median Days to Permanency per Year		CY 2013		736

**3RD/LYON**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	9	5.78	9264	1001
CUSTODIANSHIP	1	2.00	761	761
GRDNSHPRELATIVE	1	1.00	203	203
RTNTOCARETAKER	5	1.80	2004	339
RTNTOOTHRPRNT	3	3.00	2336	501
Median Days to Permanency for the 3 <sup>rd</sup> JD				
Median Days to Permanency per Year		CY 2010		800
Median Days to Permanency per Year		CY 2011		1314
Median Days to Permanency per Year		CY 2012		625
Median Days to Permanency per Year		CY 2013		693

**4TH/ELKO**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	4	4.00	4214	1197
GRDNSHPRELATIVE	1	1.00	542	542
RTNTOCARETAKER	3	1.00	1933	783
RTNTOOTHRPRNT	7	2.29	4178	612
TRANSFRTOTRIBE	1	2.00	427	427
Median Days to Permanency for the 4 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		1140
Median Days to Permanency per Year		CY 2011		707
Median Days to Permanency per Year		CY 2012		513
Median Days to Permanency per Year		CY 2013		774

**5TH/ESMERALDA**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
RTNTOCARETAKER	3	1.00	1662	554

**5TH/MINERAL**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
GRDNSHPRELATIVE	1	2.00	966	966
RTNTOCARETAKER	5	3.80	2844	422

**5TH/NYE**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	4	5.75	7365	1968
AGED OUT	2	19.00	6364	3182
GRDNSHPNONREL	1	1.00	510	510
GRDNSHPRELATIVE	9	2.11	11322	784
RTNTOCARETAKER	7	2.86	3373	474
RTNTOOHRPRNT	7	1.43	4031	649
Median Days to Permanency for 5 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		1366
Median Days to Permanency per Year		CY 2011		835
Median Days to Permanency per Year		CY 2012		1161
Median Days to Permanency per Year		CY 2013		648

**6TH/HUMBOLDT**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	5	5.00	5462	966
RTNTOOTHRPRNT	1	6.00	533	533

**6TH/LANDER**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	5	9.40	8385	1677

**6TH/PERSHING**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	2	3.00	1154	577
RTNTOCARETAKER	2	3.00	988	494
Median Days to Permanency for 6 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		1036
Median Days to Permanency per Year		CY 2011		1603
Median Days to Permanency per Year		CY 2012		1385
Median Days to Permanency per Year		CY 2013		1035

**7TH/EUREKA**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
RTNTOOTHRPRNT	1	1.00	1656	1656

**7TH/LINCOLN**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
GRDNSHPRELATIVE	1	4.00	775	775

**7TH/WHITE PINE**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	3	1.00	4715	1539
RTNTOOTHRPRNT	3	1.00	3372	1083
RTNTOOTHRRELT	1	1.00	1206	1206
Median Days to Permanency for the 7 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		1184
Median Days to Permanency per Year		CY 2011		751
Median Days to Permanency per Year		CY 2012		1126
Median Days to Permanency per Year		CY 2013		1242

**8TH/CLARK**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	554	3.27	558974	880
AGED OUT	15	8.00	20420	1013
GRDNSHPNONREL	8	3.25	7006	1045
GRDNSHPRELATIVE	46	2.87	29242	599
RTNTOCARETAKER	399	2.77	239653	541
RTNTOOTHRPRNT	300	3.26	184501	532
RTNTOOTHRRELT	5	2.80	2380	454
RUNAWAY	4	1.50	3487	912
TRANSFROTHAGNCY	2	8.50	2176	1088
Median Days to Permanency for the 8 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		795
Median Days to Permanency per Year		CY 2011		855
Median Days to Permanency per Year		CY 2012		842
Median Days to Permanency per Year		CY 2013		692

**9TH/DOUGLAS**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
AGED OUT	1	4.00	531	531
RTNTOOTHRPRNT	4	2.00	1572	399
Median Days to Permanency for the 9 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		419
Median Days to Permanency per Year		CY 2011		603
Median Days to Permanency per Year		CY 2012		641
Median Days to Permanency per Year		CY 2013		425



**10TH/CHURCHILL**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	5	3.60	7906	1144
AGED OUT	2	11.00	2274	1137
GRDNSHPRELATIVE	2	1.50	1300	650
RTNTOCARETAKER	4	2.00	2306	505
RTNTOOTHRPRNT	3	1.00	1305	400
Median Days to Permanency for the 10 <sup>th</sup> JD				
Median Days to Permanency per Year		CY 2010		1224
Median Days to Permanency per Year		CY 2011		691
Median Days to Permanency per Year		CY 2012		603
Median Days to Permanency per Year		CY 2013		782

**STATEWIDE**

Median Days to Permanency Statewide				
Median Days to Permanency per Year		CY 2010		1013
Median Days to Permanency per Year		CY 2011		910
Median Days to Permanency per Year		CY 2012		870
Median Days to Permanency per Year		CY 2013		766

**Court Performance Measures**  
 Statewide  
 From: 07-01-2014 To: 09-30-2014

Court	Nbr of Children	Median Days to 1st Permanency Hearing	Median Days from 1st to 2nd Permanency Hearing	Median Days from 2nd to 3rd Permanency Hearing	Median Days from 3rd to 4th Permanency Hearing	Median Days from 4th to 5th Permanency Hearing	Median Days for all Subsequent Hearings	Nbr of Parents with Termination	Median Days to Terminate Parental Rights	Nbr of Parents with Relinquishment	Median Days to Relinquishment of Parental Rights	Nbr of Parents with Termination or Relinquishment	Median Days to Termination or Relinquishment of Parental Rights
TOTAL	3667	356	182	182	182	182	182	1073	599	586	623	1659	610
1ST/CARSON	41	358	364	383	349	366	0	4	684	4	1071	8	703
1ST/STOREY	3	422	273	21	458	0	0	4	513	0	0	4	513
2ND/WASHOE	716	355	161	182	287	355	357	206	596	141	548	347	574
3RD/LYON	43	328	182	182	182	371	360	15	494	19	638	34	528
4TH/ELKO	33	364	350	371	203	334	347	4	483	16	831	20	817
5TH/MINERAL	11	345	45	301	364	245	350	1	863	13	863	14	863
5TH/NYE	70	360	182	175	175	182	182	14	735	17	373	31	726
6TH/HUMBOLDT	8	339	334	350	310	404	364	3	752	0	0	3	752
6TH/LANDER	13	351	182	157	35	322	354	1	1159	1	1106	2	1132
6TH/PERSHING	8	375	273	77	140	175	167	3	574	0	0	3	574
7TH/EUREKA	1	350	14	0	0	0	0	0	0	0	0	0	0
7TH/LINCOLN	1	430	14	301	21	0	0	1	766	1	864	2	815
7TH/WHITE PINE	12	395	259	245	350	70	167	6	873	4	856	10	864
8TH/CLARK	2663	356	182	182	182	182	182	818	597	370	619	1188	600
9TH/DOUGLAS	16	366	297	14	0	0	0	0	0	0	0	0	0
10TH/CHURCHILL	28	350	128	189	42	189	182	12	732	10	827	22	779

**1ST/CARSON**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	1	5.00	1800	1800
GRDNSHPRELATIVE	2	4.00	1430	715
RTNTOCARETAKER	4	1.75	1588	397
RTNTOOTHRPRNT	1	4.00	563	563
Median Days to Permanency for the 1 <sup>st</sup> JD				
Median Days to Permanency			1 <sup>st</sup> Quarter 2014	717
Median Days to Permanency			2 <sup>nd</sup> Quarter 2014	945
Median Days to Permanency			3 <sup>rd</sup> Quarter 2014	673

**2ND/WASHOE**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	45	3.58	47470	845
AGED OUT	2	24.00	5403	2701
GRDNSHPRELATIVE	4	1.50	2292	604
RTNTOCARETAKER	21	2.29	12046	512
RTNTOOTHRPRNT	9	2.78	5971	363
RTNTOOTHRRELT	1	2.00	669	669
Median Days to Permanency for the 2 <sup>nd</sup> JD				
Median Days to Permanency			1 <sup>st</sup> Quarter 2014	720
Median Days to Permanency			2 <sup>nd</sup> Quarter 2014	787
Median Days to Permanency			3 <sup>rd</sup> Quarter 2014	738

**3RD/LYON**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	1	1.00	949	949
RTNTOCARETAKER	2	2.00	498	249
Median Days to Permanency for the 3 <sup>rd</sup> JD				
Median Days to Permanency			1 <sup>st</sup> Quarter 2014	-----
Median Days to Permanency			2 <sup>nd</sup> Quarter 2014	1090
Median Days to Permanency			3 <sup>rd</sup> Quarter 2014	482

**4TH/ELKO**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	5	1.60	4967	1217
Median Days to Permanency for the 4 <sup>th</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		646
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		730
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		1217

**5TH/MINERAL**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	1	1.00	980	980

**5TH/NYE**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	1	2.00	1053	1053
RTNTOOTHRPRNT	4	1.50	1668	417
Median Days to Permanency for the 5 <sup>th</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		559
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		792
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		616

**6TH/PERSHING**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	1	4.00	1252	1252
Median Days to Permanency for the 2 <sup>nd</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		2602
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		-----
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		1252

**7TH/WHITE PINE**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
Median Days to Permanency for the 7 <sup>th</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		1558
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		668
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		-----

**8TH/CLARK**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
ADOPTIONLEGAL	139	2.84	125228	813
AGED OUT	3	8.00	3214	719
GRDNSHPNONREL	6	3.50	3413	399
GRDNSHPRELATIVE	14	3.79	11004	700
RTNTOCARETAKER	147	2.55	84167	533
RTNTOOTHRPRNT	71	3.20	43059	576
Median Days to Permanency for the 8 <sup>th</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		607
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		627
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		649

**9TH/DOUGLAS**

End Reason	Nbr of Children	Average Nbr of Placements	Total Days in Custody	Median Days till closure
Median Days to Permanency for the 8 <sup>th</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		404
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		546
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		-----

**10TH/CHURCHILL**

<b>End Reason</b>	<b>Nbr of Children</b>	<b>Average Nbr of Placements</b>	<b>Total Days in Custody</b>	<b>Median Days till closure</b>
Median Days to Permanency for the 8 <sup>th</sup> JD				
Median Days to Permanency		1 <sup>st</sup> Quarter 2014		1663
Median Days to Permanency		2 <sup>nd</sup> Quarter 2014		696
Median Days to Permanency		3 <sup>rd</sup> Quarter 2014		-----



Nevada's  
Joint Letter  
on the  
Uninterrupted  
Scholars Act  
of 2013

**STATE OF NEVADA**

**BRIAN SANDOVAL**  
Governor

**NEVADA DEPARTMENT OF EDUCATION**  
700 E. Fifth Street  
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**DALE A.R. ERQUIAGA**  
Superintendent of Public  
Instruction



**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**DIVISION OF CHILD AND FAMILY SERVICES**  
4126 Technology Way – 3<sup>rd</sup> Floor  
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(775) 684-4400

**ROMAINE GILLILAND**  
Director

**AMBER L. HOWELL**  
Administrator

**STATE OF NEVADA DEPARTMENT OF EDUCATION AND DIVISION OF CHILD AND  
FAMILY SERVICES  
JOINT LETTER ON THE UNINTERRUPTED SCHOLARS ACT OF 2013**

This letter, issued by Nevada Department of Education and the Division of Child and Family Services provides guidance on the Uninterrupted Scholars Act, (P.L. 112-278), which was signed into law on January 14, 2013 with an immediate effective date. The Act makes key revisions to the Family Educational Rights and Privacy Act (FERPA) that will make it easier for child welfare agencies to access education records.

The Act specifically authorizes schools and school districts to release a student's education records to "an agency caseworker or other representative of a state or local child welfare agency, or tribal organization" who has the right to access the child's educational records when the agency or organization "is legally responsible" for the care and protection of the student.

The records obtained pursuant to this exception may not be re-disclosed to any other person or entity unless those individuals or entities are engaged in addressing the student's educational needs and authorized by the child welfare agency or organization to receive such disclosure and such disclosure is consistent with state confidentiality laws for student education records. Notably, this new law does not change the ability of child welfare agencies and others to access de-identified or non-student specific education information as long as education records/information cannot be traced to an individual student.

It is the position of both agencies that this Act applies to all children in the legal custody of a child welfare agency.

It is also the position of both agencies that the individuals who can obtain education records under this exception, specifically those who have the right to access the child's educational records, include the following:

- **the child's caseworker from the child welfare agency**
- **the supervisors or managers of the child welfare agency**
- **the education liaison of the child welfare agency**
- **Students in Transition Liaison and Advocate from the LEA**




The child welfare agency will provide proof of custody of the student with one of the following:

- **a written notification on agency letterhead indicating that the agency has legal custody or is otherwise legally responsible for the care and protection of the child**
- **Court order**

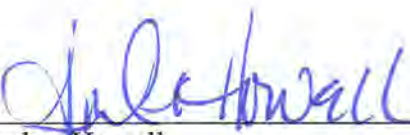
When the child welfare agency requests records, no parent signature or court order is needed to process the request. However, child welfare agencies have a continuing obligation to work collaboratively with families and local education agencies to address the educational needs of children in dependent care. As a result, the child welfare agency representative working with the family should explain to the parent and to the school entity that provides the records that while the agency will have access to the education records, unless the court has limited a parent's educational rights or an educational decision-maker has been appointed, the parent still maintains the right to access the records directly from the school. The child welfare worker and the school should make all efforts to keep parents informed and involved in the child's education.

We ask for your continuing assistance and collaboration in addressing the educational needs of children in out-of-home care by adhering to the new provisions of FERPA and allowing for the sharing of education records. Schools should provide records as soon as possible and no later than 10 calendar days of a request by the child welfare agency.

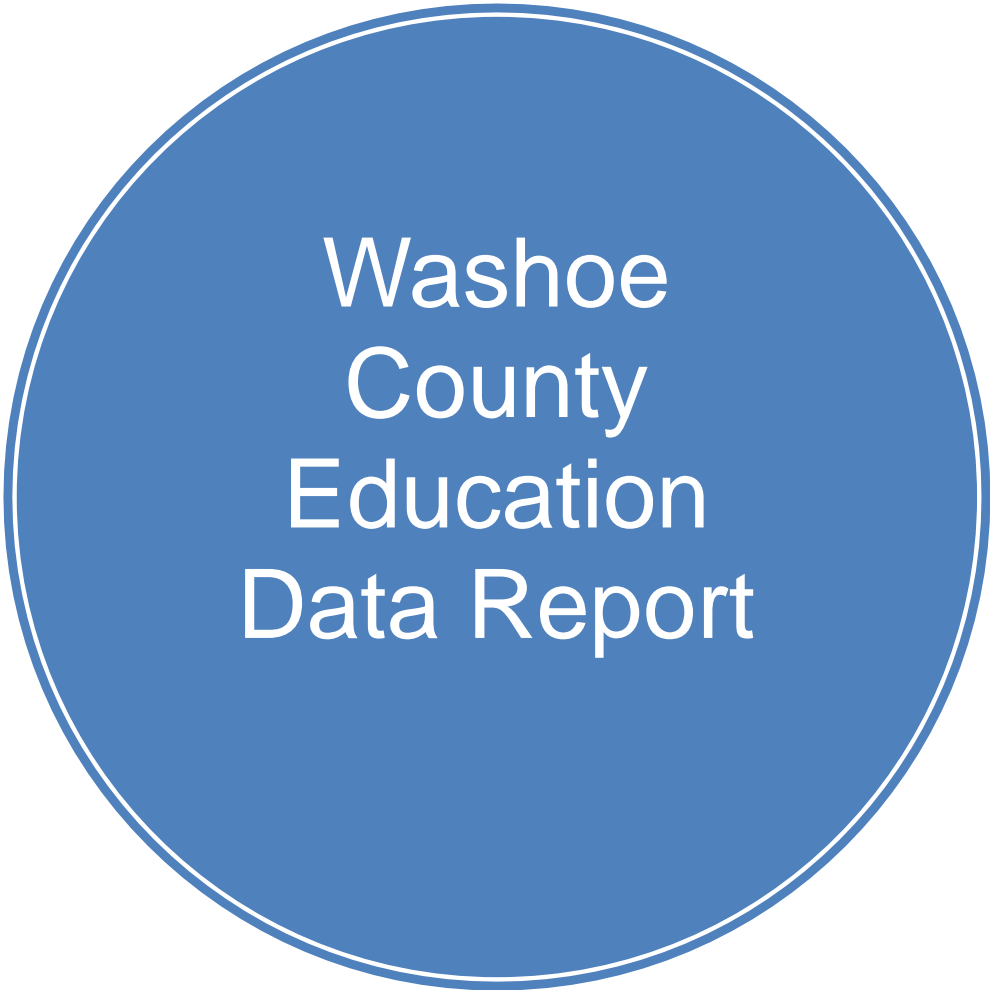
We look forward to working together to improve educational outcomes for these vulnerable students at the state and local level.

  
\_\_\_\_\_  
Dale Erquiaga  
Superintendent of Public Instruction  
Nevada Department of Education

9-16-14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Amber Howell  
Administrator  
Division of Child and Family Services

9-10-14  
\_\_\_\_\_  
Date



Washoe  
County  
Education  
Data Report

Children in Foster Care in the Washoe County School District  
Analysis of the Population and Educational Outcomes for the 2011-12 School Year

An analysis was conducted to gain insight about Washoe County School District (WCSD) students involved in foster care. There were 391 students enrolled in the WCSD during the 2011-12 School Year who were identified as being involved with foster care.<sup>1</sup> This report examines the demographic characteristics of students in foster care, their attendance and behavior in school, their transfer rates between schools, and their academic performance during the 2011-12 School Year.

*Demographics and Key Variables*

The demographic breakdown of the students in foster care and the WCSD count day total student population by grade, gender, and race/ethnicity is presented in Table 1.

**Table 1**  
**Demographics of the Students in Foster Care and the WCSD Count Day Population**

	WCSD Count Day		Students in Foster Care		
	n	%	n	%	
Total	62,215	100%	391	100%	
<b>Grade</b>	Pre K	779	1%	15	4%
	K	4,519	7%	24	6%
	1 <sup>st</sup>	4,847	8%	44	11%
	2 <sup>nd</sup>	4,681	8%	35	9%
	3 <sup>rd</sup>	4,735	8%	29	7%
	4 <sup>th</sup>	4,804	8%	29	7%
	5 <sup>th</sup>	4,812	8%	18	5%
	6 <sup>th</sup>	4,791	8%	21	5%
	7 <sup>th</sup>	4,689	8%	22	6%
	8 <sup>th</sup>	4,771	8%	25	6%
	9 <sup>th</sup>	4,774	8%	35	9%
	10 <sup>th</sup>	4,822	8%	41	11%
	11 <sup>th</sup>	4,620	7%	32	8%
12 <sup>th</sup>	4,285	7%	15	4%	
13 <sup>th</sup> , UG, & AD	286	1%	6	2%	
<b>Gender</b>	Males	32,243	52%	214	55%
	Females	29,972	48%	177	45%
<b>Race/Ethnicity</b>	Caucasian	29,769	48%	212	54%
	African American	1,548	3%	40	10%
	Hispanic	23,374	38%	87	22%
	American Indian	1,063	5%	17	4%
	Asian	2,823	5%	1	1%
	Pacific Islander	568	1%	2	1%
	Multiracial	3,070	5%	32	8%

<sup>1</sup> Whether a student was or was not in foster care was determined if a student had either (a) a “foster parent” listed as their parent of record or (b) marked as a foster child under “District Defined Elements.”

**Analysis:** Students in foster care are clustered in the early grades and in high school. Over 20% of the students in foster care were in Pre-Kindergarten, Kindergarten, or the 1<sup>st</sup> grade, while over a quarter (28%) were in the 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> grade. In addition, students in foster care are disproportionately male, Caucasian, Black or African American, have an Individualized Education Plan, and receive Free or Reduced Lunch.

The WCSD tracks student enrollment in special programs that have been found to be associated with poor academic performance. Students who have an Individualized Education Plan (IEP) have been identified as being in need of special education services. Students who are English Language Learners are affected both while they are Learning English Proficiency (LEP) and after leaving LEP status. Also, students who receive Free or Reduced Lunch (FRL) are at an economic disadvantage compared to other students. The number and proportion of students in foster care as well as the WCSD count day population overall are presented in Table 2.

**Table 2**  
**Representation in Special Programs for**  
**Students in Foster Care and the WCSD Count Day Population**

	WCSD Count Day		Students in Foster Care	
	n	%	n	%
IEP	7,765	13%	168	57%
Current LEP	8,965	14%	19	5%
Former LEP <sup>2</sup>	8,632	14%	8	2%
FRL	29,060	47%	328	84%

**Analysis:** Students in Foster Care are disproportionately represented among the IEP and FRL variables.

*Attendance*

Student Average Daily Attendance (ADA) is calculated as the percent of students who attend on a daily basis. The ADA of students in foster care and the WCSD county day population are compared and presented in Table 3.

**Table 3**  
**Average Daily Attendance of Students in Foster Care and the**  
**WCSD Count Day Population**

	WCSD Count Day	Students in Foster Care
ADA	95%	93%

**Analysis:** There is a smaller proportion of students in foster care who attend school on a daily basis as compared to the students in the WCSD count day population overall.

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<sup>2</sup> Former LEP students were students who earlier in their education were categorized as Learning English Proficiency.

*Behavior*

An indicator of behavior is suspensions. A comparison of the frequency of suspension incidents for the overall WCSD student population and students in foster care is presented in table 4.

**Table 4**  
**Suspensions Among Student in Foster Care and the WCSD Count Day Population**

	WCSD Count Day		Students in Foster Care	
	n	%	n	%
Suspended at Least Once <sup>3</sup>	3,656	6%	49	13%
Suspended More than Once	1,144	2%	22	6%
In School Suspensions (ISS)	1,701	3%	30	8%
ISS More than Once	448	1%	9	2%

**Analysis:** The proportion of students who are suspended from school or are given In School Suspension is higher among the foster care population than the WCSD count day population.

*Transferring Between Schools*

Table 5 presents the proportion of students transferring between schools for both students in foster care and the WCSD count day population.

**Table 5**  
**Transition Data of Student in Foster Care to WCSD Count Day Population**

	WCSD Count Day		Students in Foster Care	
	n	%	n	%
Moved Schools at Least Once	5,102	8%	71	18%
Moved Schools More Than Once	868	1%	24	6%

**Analysis:** A higher proportion of students in foster care moved during the 2011-12 School Year compared to the WCSD population overall. Nearly 1 in 5 foster students transferred to a new a school.

*Academic Performance on Criterion Referenced Tests*

Student academic achievement involves the scholastic successes that are measurable within the school system. The WCSD examines students' performance on Criterion Referenced Testing (CRT) test scores in math, reading and science (for 5<sup>th</sup> and 8<sup>th</sup> graders only) as one indicator of student achievement among elementary students. The average score and pass rate for students involved in foster care and the WCSD count day population are presented in Table 6.

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<sup>3</sup> Suspension refers to *out of school* suspensions.

**Table 6**  
**CRT Data of Student in Foster Care to WCSD Count Day Population**

Grade	Subject	WCSD Count Day		Students in Foster Care	
		Avg.	Pass Rate	Avg.	Pass Rate
3 <sup>rd</sup>	Math	344.05	78% (n=3,564 of 4,545)	314.12	58% (n=5 of 18)
	Reading	331.93	67% (n=3,051 of 4,545)	283.63	38% (n=9 of 24)
4 <sup>th</sup>	Math	336.00	78% (n=3,560 of 4,567)	306.70	54% (n=14 of 26)
	Reading	335.53	73% (n=3,312 of 4,568)	298.44	54% (n=14 of 26)
5 <sup>th</sup>	Math	353.42	75% (n=3,449 of 4,601)	310.71	59% (n=10 of 17)
	Reading	337.52	74% (n=3,425 of 4,602)	290.76	41% (n=7 of 17)
	Sciences	318.52	64% (n=2,952 of 4,599)	285.53	29% (n=5 of 17)
6 <sup>th</sup>	Math	322.28	84% (n=3,838 of 4,571)	268.10	50% (n=10 of 20)
	Reading	330.93	69% (n=3,156 of 4,570)	287.60	45% (n=9 of 20)
7 <sup>th</sup>	Math	318.73	81% (n=3,635 of 4,484)	302.05	76% (n=16 of 21)
	Reading	313.48	60% (n=2,676 of 4,484)	290.81	43% (n=9 of 21)
8 <sup>th</sup>	Math	290.74	70% (n=3,158 of 4,523)	242.38	48% (n=10 of 21)
	Reading	304.24	55% (n=2,502 of 4,521)	262.90	43% (n=9 of 21)
	Science	304.65	52% (n=2,331 of 4,522)	265.90	29% (n=6 of 21)

**Analysis:** Students in foster care have a lower average on every CRT test at every grade level. The subjects that students in foster care are having the most problems with are math and science. The proportion of students in foster care passing these two portions of the CRT was lower than the WCSD count day student population.

*Academic Performance in High School*

Academic success in high school students was determined by examining the proportion of students earning the appropriate amount of credits to graduate in four years and the proportion that pass the High School Proficiency Exams (HSPE). The number and proportion of students who finished the 2011-12 School Year on pace to graduate (and those behind in credits) is presented for students in foster care and the WCSD count day population in Table 7. Table 8 presents the proportion of students who passed the HSPE exams by subject for students in 11<sup>th</sup> grade and beyond for both student populations.

**Table 7**  
**High School Credit Accrual among Students in Foster Care and the WCSD Count Day Population**

	WCSD Count Day		Student in Foster Care	
	n	%	n	%
Total Students (9 <sup>th</sup> -12 <sup>th</sup> Grade)	18,787	100%	123	100%
On Pace	14,210	76%	57	46%
Behind in Credits	4,577	24%	66	54%

**Table 8**  
**High School Proficiency Exam Pass Rates among Students in Foster Care and the WCSD Count Day Population**

	WCSD Count Day		Student in Foster Care	
	n	%	n	%
Math	7,190	79%	26	54%
Science	7,187	79%	29	60%
Writing	7,503	82%	21	44%
Reading	7,852	86%	33	69%
Passed All Four	6,328	69%	13	27%
Total Students (11 <sup>th</sup> , 12 <sup>th</sup> & 13 <sup>th</sup> grade)	9,120	100%	48	100%

**Analysis:** Students in foster care are academically behind their peers in the overall WCSD student population: Less than half (46%) of high school students in foster care maintained the proper credit accrual rate to graduate in four years, and less than one-fourth of students in foster care have passed all their HSPE exams in order to graduate on time.

**Table 1**

Demographics				
	13-14 Count Day		Foster Students	
	N	%	N	%
Total	62986	100%	317	100.0%

GRADE	Pre K	632	1.0%	1	0.3%
	K	4751	7.5%	41	12.9%
	1st	5149	8.2%	39	12.3%
	2nd	4965	7.9%	35	11.0%
	3rd	4810	7.6%	31	9.8%
	4th	4676	7.4%	22	6.9%
	5th	4805	7.6%	27	8.5%
	6th	4834	7.7%	13	4.1%
	7th	4772	7.6%	15	4.7%
	8th	4768	7.6%	21	6.6%
	9th	4800	7.6%	16	5.0%
	10th	4797	7.6%	24	7.6%
	11th	4559	7.2%	24	7.6%
	12th	4569	7.3%	7	2.2%
13th, UG, & AD	99	0.2%	1	0.3%	

GENDER	Males	32696	51.9%	158	49.8%
	Females	30290	48.1%	159	50.2%

RACE/ETHNICITY	Caucasian	29204	46.4%	169	53.3%
	African American	1521	2.4%	29	9.1%
	Hispanic	24482	38.9%	80	25.2%
	American Indian	1013	1.6%	9	2.8%
	Asian	2765	4.4%	0	0.0%
	Pacific Islander	621	1.0%	2	0.6%
	Multiracial	3380	5.4%	28	8.8%

Stu

IEP  
Current LEP  
Former LEP[1]  
FRL

Average Daily Attendance  
Care and the

ADA \*100

Suspended at Least Once[1]  
Suspended More than Once  
In School Suspensions (ISS)  
ISS More than Once



**Table 2**

**Representation in Special Programs for  
Students in Foster Care and the WCSO Count Day Population**

**WCSO****Count Day****Students in Foster Care**

<b>n</b>	<b>%</b>	<b>n</b>	<b>%</b>
8,470	13%	95	30%
10,028	16%	11	3%
7,830	12%	10	3%
30,063	48%	268	85%

**Table 3**

**Attendance of Students in Foster  
Care and the WCSO Count Day Population**

**WCSO****Students in****100th day\*****Foster Care**

94.8%

93.3%

\*100th day of instruction

**Table 4**

**Suspensions Among Student in Foster Care and  
the WCSO Count Day Population**

**WCSO****Count Day****Students in Foster Care**

<b>n</b>	<b>%</b>	<b>n</b>	<b>%</b>
2,780	4.4%	43	14%
920	1.5%	21	7%
747	1.2%	14	4%
333	0.5%	8	3%

**Table 5****Transition Data of Student in Foster Care to WUSD Count Day Population**

	WUSD Count Day		Students in Foster Care	
	n	%	n	%
Moved Schools at Least Once	3,705	6%	83	26%
Moved Schools More	555	1%	21	7%

**Table 7****High School Credit Accrual among Students in Foster Care and the WUSD Count Day Population**

	WUSD Count Day		Student in Foster Care	
	n	%	n	%
Total Students (9th -12th Grade)	18,725	100%	71	100%
On Pace	13,783	74%	36	51%
Behind in Credits	3,828	20%	29	41%

**Table 8****High School Proficiency Exam Pass Rates among Students in Foster Care and the WUSD Count Day Population**

	WUSD Count Day		Student in Foster Care	
	n	%	n	%
Math	7,428	81%	21	68%
Science	7,723	85%	23	74%
Writing	7,510	82%	19	61%
Reading	7,430	81%	24	77%
Passed All Four	6,572	72%	15	48%
Total Students	9,128	100%	31	100%

(11th, 12th & 13th grade)



Nevada  
Education  
Technical  
Assistance  
Work Plan

Date Created: 4/29/13  
Last Updated: June 17, 2013  
Update Completed By: Kristin Kelly  
Date Updates Approved by the Regional Officer or Federal Project Officer:

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## T/TA Network Standard Work or Project Plan

**State, Tribe, Territory, or Court:** Nevada – Court Improvement Program

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Purpose of this form: The work or project plan documents the T/TA planned by one or more NRCs or an IC to meet the needs identified in the original TA request and/or to address any additional issues, conditions or factors identified during further assessment with the State, Tribe, Territory, or Court and other partners that are believed to be critical for successful change.

*To enter text, position your cursor in the text area and start typing.*

*To select a checkbox, position your cursor in the box and type an "X."*

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**Part A – Standard Work or Project Plan Information**

use the areas below the headings to enter your information

**Outcome(s):**

Incorporation of practice, policy, or procedure changes and CQI plan for monitoring implementation and outcomes

**Practice Area(s) to be addressed:**

Interagency collaboration to improve education outcomes for youth in care

**Please describe the scope and details (request/objective) of the planned on-site T/TA:**

The Resource Center on Legal and Judicial Issues will support Nevada around implementation of the Fostering Connections Act and the state plan developed by the team at the November 2011 federal foster care and education summit, as well as the strategic *Roadmap for Educational Success for Foster Children* created as a result of the Nevada Education Summit in February 2012.

The Statewide Collaborative on Education, Child Welfare, and the Courts, chaired by Nevada Supreme Court Justice Nancy Saitta has been created with four subcommittees and an overarching Policy and Planning Group composed of the original team that attended the National Summit. Technical assistance will support the team in implementing their plan including but not limited to:

1. Helping to develop a policy and procedure for addressing issues regarding educational stability and continuity of instruction for children within Nevada's foster care system;
2. Providing guidance to the Collaborative subcommittees and the Policy and Planning Group around how to affect policy and day-to-day operations to improve interagency collaboration and outcomes;
3. Supporting the Collaborative around how to institutionalize and measure these outcomes, so appropriate data is being gathered as improvements are implemented.

<b>T/TA Provider(s) working on this Outcome:</b> <i>if you need more rows, please use a second copy of the form.</i>					
<b>OneNet ID#:</b>	<b>Action Steps</b> <i>(e.g., What broad steps need to be taken to successfully achieve the specified outcome(s)?)</i>	<b>Who is Responsible</b> <i>(e.g., NRC, State/Tribe/County, RO Specialist, etc.)?</i>	<b>Start Date</b> <i>mm/dd/yy</i>	<b>Expected Completion Date</b> <i>mm/dd/yy</i>	<b>Status Update</b> <i>(list most recent work first)</i>
<b>For all action steps below, and to prevent the need to duplicate the entry of information, refer to the attached document: STATEWIDE COLLABORATIVE ON EDUCATION, CHILD WELFARE, AND THE COURTS, Roadmap for Educational Success for Foster Children – 5/31/13</b> <b>Timeframe Covered: February 2012 – December 2014</b> <b>Mission Statement: Strengthening Education Stability and Success for Children and Youth in Foster Care</b>					
ID#1082	Ongoing off-site calls with the leadership team and various subcommittees to identify priorities, streamline activities and determine ways to measure progress	Nevada State Team, CIP and NRCLJI	May 2013	Dec 2014	Offsite calls with the leadership team and subcommittees will occur off and on throughout the implementation of the Roadmap, currently set to be completed Dec 2014
	Work with leadership team to develop tools to meet the strategies as outlined on the Roadmap, such as: Judicial checklists, best interest decision making team forms, training materials, child welfare policy, sample court rules, data sharing tools and MOU's	Nevada State Team, CIP and NRCLJI	June 2013	Ongoing	
	Participate in Nevada TTA coordination calls to assist in identifying areas of integration and collaboration between the CIP, NRCLJI, the Nevada State Team and child welfare and provide updates in details regarding progress to meeting outcomes.	CIP and NRCLJI	June 2013	Ongoing	Ongoing through completion of open TTA.
	On-site meeting with the leadership team to assess priorities, discuss action steps and determine additional TTA needs and support from NRCLJI	Nevada State Team, CIP and NRCLJI	January 2014	June 2014	

	Work with leadership team, subcommittees and CIP to complete any additional tools to complete strategies outlined in the Roadmap.	Nevada State Team, CIP and NRCLJI	June 2014	Dec 2014	
<b><i>Products or processes expected/planned:</i></b>					
<ul style="list-style-type: none"> <li>• Presentation and facilitation on subcommittee calls, and in person as needed.</li> <li>• Prioritization of activities identified in the strategic plan.</li> <li>• Identification of best practices and tools from other jurisdictions.</li> <li>• Develop tools to meet the strategies as outlined on the Roadmap, which may include: Judicial checklists, best interest decision making team forms, training materials, child welfare policy, sample court rules, data sharing tools and MOU's</li> </ul>					
<b><i>PIP Item(s) or other relevant plan areas (as applicable):</i></b>					

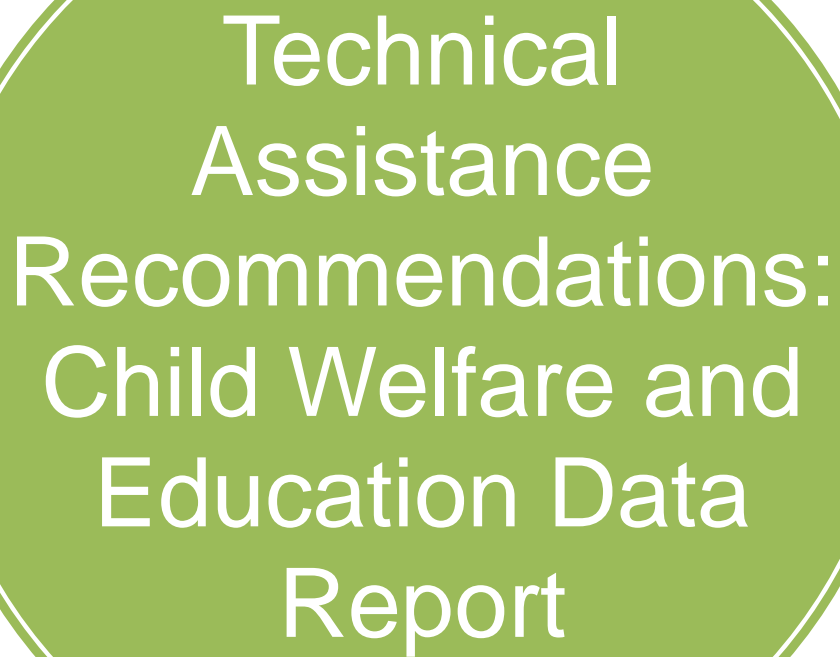
## Part B – Member Specific Tasks (Optional)

To select a checkbox, position your cursor in the box and type an "X." Do not select more than one checkbox.

<input type="checkbox"/>	YES
<input type="checkbox"/>	NO

If YES, see attached.





Technical  
Assistance  
Recommendations:  
Child Welfare and  
Education Data  
Report

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## MEMORANDUM

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**TO:** KATHERINE R. MALZAHN-BASS, COURT IMPROVEMENT PROJECT  
**FROM:** RESOURCE CENTER ON LEGAL AND JUDICIAL ISSUES (KRISTIN KELLY AND ALICIA SUMMERS)  
**SUBJECT:** CHILD WELFARE AND EDUCATION DATA RECOMMENDATIONS  
**DATE:** SEPTEMBER 15, 2014

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The Statewide Collaborative on Education, Child Welfare, and the Courts, chaired by Nevada Supreme Court Justice Nancy Saitta, has been created with four subcommittees and an overarching Policy and Planning Group composed of the original team that attended the National Summit in November 2011. Technical assistance from the National Resource Center on Legal and Judicial Issues (NRCLI) has been provided to support the team in implementing their plan including but not limited to:

1. Helping to develop a policy and procedure for addressing issues regarding educational stability and continuity of instruction for children within Nevada's foster care system;
2. Providing guidance to the Collaborative subcommittees and the Policy and Planning Group around how to affect policy and day-to-day operations to improve interagency collaboration and outcomes;
3. Supporting the Collaborative around how to institutionalize and measure these outcomes, so appropriate data is being gathered as improvements are implemented.

Related to item number 3, the RCLJI facilitated a "data subcommittee" call to discuss current practice related to child welfare and education data collection and information sharing, and to identify priorities. This memo summarizes the recommendations from that call.

Nevada is interested in collecting some baseline information on educational placement stability and educational outcomes for children in care. At present, there are three major data systems that may help inform data collection. The first is with the school systems (Infinite Campus). The second is with the child welfare system (UNITY). The third is with the State Education Agency (SAIN). Additionally, some educational baseline information may be available through the case review process in the court system in a few jurisdictions. Finally, there are opportunities to collect qualitative data from stakeholders through the use of surveys. Below are some notes about current data available, and some general recommendations.

- 1. School System Data (State Department of Education)**
  - **Data System:** SAIN

- State education case management system
- **Jurisdictions Using System:** All the rural counties use SAIN currently.
- **Variables Included in the data system:**
  - Has a **foster child flag** to identify the students.
  - At risk status
  - Disciplinary actions
  - Enrollment and withdrawal dates
  - Current grade level and grades
  - IEP
  - Graduation
- **Reporting Features:**
  - Possibility of identifying only foster child students and getting baseline data on youth outcomes.
  - IT department would have to do this and very backed up right now. Can make an inquiry to see what is possible.
- Superintendent Erquiaga is interested in replicating the recent research study from WestEd on the educational outcomes of children in foster care in California, [The Invisible Achievement Gap](#). It is included in the 2014 State Department of Education Workplan.

## 2. School System Data (School District Data)

- **Data System:** Infinite Campus
  - Case management system for schools
- **Jurisdictions Using System:** Washoe uses Infinite Campus, Clark will be shortly. Plan is to implement statewide eventually.
  - Goal: pilot an information sharing system, where there is a “screen” that caseworkers can enter information directly into Infinite Campus (such as living placement) and can access education information from the on a “real time” basis (similar to parent portal).
  - It would likely take some time (3+years) to fully roll out the system.
- **Variables Included in data system:**
  - Enrollment history (option to enter every school, but may not be consistently completed; not entirely accurate but pretty good)
  - Current grade
  - IEP
  - Transcripts
  - Behavior/Disciplinary actions

- Has a foster care tab (currently gets updated monthly as to who is in care)
  - **Reporting Features:**
    - Extensive reporting capability, including placement stability, educational performance of students in foster care, etc.
    - Currently deciding what reports to build;
    - System is not currently 100% accurate.
- 3. Child Welfare System**
- **Data System:** UNITY
  - **Jurisdictions Using System:** All
    - UNITY is a statewide system but there are differences between jurisdictions regarding how they enter data, and what social (educational) summaries may look like (although they all should have some type of social summary).
  - **Variables Included in data system:**
    - Includes a field to enter # of school placements
      - Not consistently entered, not a “required” field; lack of resources to enter additional data.
    - Paper file (social summaries) may include some school information, including number of placements; this may be available as a file attachment in the database.
      - Not a standard field, so likely inconsistent in reporting, may be more likely in adoption reports (Adoption Social Summary)
  - **Reporting Features:**
    - Can query # of school placements, and also query to identify how much missing data is available.
- 4. Court System Data**
- RCLJI are currently observing court hearings to determine the quality of hearings. One element relates to education. Specifically, to what extent are education issues discussed as part of dependency hearings. This data will provide an opportunity for some baseline data related to court review of education issues (including placement stability and general education needs).
  - Currently, there is no statewide (or county specific) court management system that has information about education.
- 5. Stakeholder Data**

- In 2012, Nevada hosted a statewide educational summit where stakeholders from all systems – child welfare, education, and courts – came together to develop a state plan around foster care and education. The need for better data was one outcome of that meeting. There has not been a statewide survey or other tool to measure stakeholder’s perceptions of the current strengths and areas needing improvement related to the educational needs of children in foster care.

### **Recommendations**

- *Use Infinite Campus to run a preliminary report on educational placement stability for Washoe County only.* While there is concern that the data is not entirely accurate, the RCLJI believes it will provide a good baseline and help other districts to determine the best way to consistently measure school placement stability. For example, it is possible to measure the average number of school placements for all children in foster care for a certain time period, or perhaps it is best to measure the average number of schools a child attended for one school year (Sept 1 – June 1).
- *Use Infinite Campus to run a preliminary report on 2-4 other educational well-being outcomes of interest for Washoe County only.* Identify other educational well-being issues of interest and ask for a report for the foster children in care compared to other students (and ideally, other disadvantaged students, such as those in free and reduced school lunch program). These could include:
  - Attendance rates
  - School discipline
  - Statewide test scores
  - Special education/IEP
  - Current grades/GPA
  - Graduation rates
  - Involvement in extracurricular activities
- *Query educational placement stability and other education information in UNITY to identify (1) what the current data shows and (2) how much missing data there is.* If possible, run by jurisdiction to determine which jurisdictions are more likely to enter this data. Report out findings to inform next steps.
- *Request that the child welfare agency in each jurisdiction **stress** the importance of adding the educational placement information into UNITY.* There are concerns that caseworkers do not have the capacity to enter educational information into UNITY. However, without information about a child’s educational placement and

performance, it is difficult to improve the educational outcomes of children in care. One strategy is to limit the required fields to only school placement, so that caseworkers must only enter the child's school, and school changes.

- *Determine if there is the possibility to get a report from SAIN that includes baseline data on youth outcomes.* The current education case management system that is in use in the rural jurisdictions in Nevada (SAIN) has a foster care child flag. It is unclear as to the consistency of use of this indicator in the system. However, there may be the potential to select only foster children from the system and run some reports that identify outcomes for these youth. This could serve as important baseline data. Follow-up should be conducted to see about the utility of this and whether it is feasible given the resource constraints.
- *Report on state level aggregate outcomes of children in foster care in Nevada on an annual basis.* Contract with WestEd to replicate study from California to gather baseline aggregate data on the educational outcomes of children in foster care and Nevada. Report on data annually.
- *If needed, conduct a small case file review (in UNITY) to explore educational placement stability.* Randomly select 10 cases from each rural jurisdiction and 20 from each urban jurisdiction that include at least one child that is school age. Review the file (and attached documentation) to identify the total number of school placements. Include in coding (1) the jurisdiction, (2) whether the information is available, (3) where it is located in the file, (4) the total number of school placements, and (5) any other educational well-being information available. Compile a summary report that summarizes practice, and makes recommendations
- *Create a survey instrument to collect information about current challenges and strengths related to the education of children in foster care.* The NRCLJI has some example surveys available. Include all stakeholders -- school district staff and administrators, court staff and judges, attorneys and CASAs, state and local child welfare agency staff and administrators about current policies and practice related to education for children in foster care. From this survey, determine the priorities for improvement.



Nevada  
Statewide  
Hearing  
Quality  
Summary

# NEVADA STATEWIDE HEARING QUALITY SUMMARY

## Introduction

There are many factors that may contribute to a high quality dependency hearing. Some identified best court practices are directly observable in court hearings. These include (but are not limited to): ensuring parties (e.g., both parents, child(ren), foster parents) are present at hearings; appointing counsel for parents and children; discussing key topics in order to make informed decisions; and meaningfully engaging the parents and youth in the process. This list is not exhaustive, but provides some ideas as to how a quality hearing might be defined. The data presented herein offer a snapshot of baseline practice of the factors identified above for specific hearing types in your jurisdiction. The sample is of convenience and may not be representative of all hearings. However, the data are a good starting point. ***These data are meant to provide information to the court to help identify strengths and challenges in practice and to inform action planning for ongoing systems change efforts.*** The methodology for this study included observation of recorded court hearings. As such, information provided in reports to the court or written in a court order will not be reflected in the findings.

**Sample Size: 105**

**Hearing Length (average, min, max): 20 minutes, 1 minutes, 202 minutes**

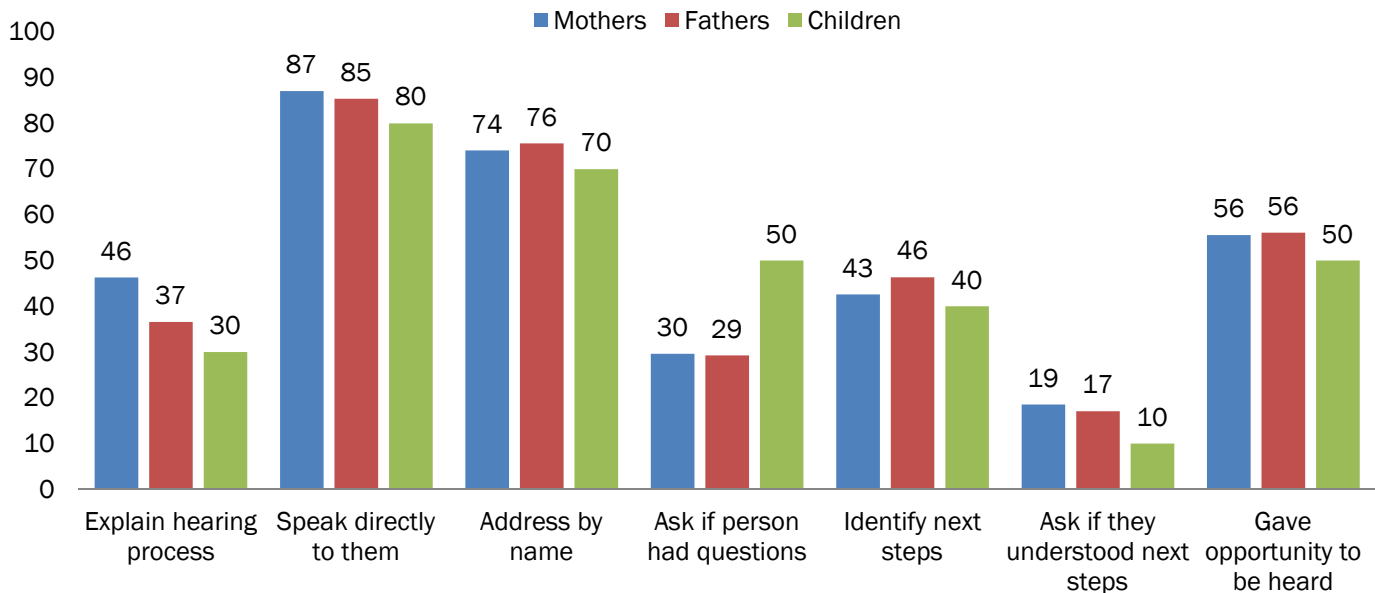
## Parties Present

In the hearings observed, agency attorneys and caseworkers were present 100%. Mothers were present in 51.4% of hearings observed, fathers were present 39%, and children 9.5%. Attorneys for mothers were present in 56.2% of hearings observed, fathers' attorneys for 41.9%, and child representatives for 57.1%. Child representatives were attorneys (40%), CASA (21%), and GAL (8.6%). Foster parents were present for 15.2% hearings observed and relatives for 21.9%. Interpreters were present for 4.8% of hearings observed, tribal representatives for 1.9% and treatment providers for 1%. Other parties were present for 21.9% of hearings observed and these included: AG's office, teachers, significant others, family drug court coordinators, fictive kin, juvenile probation, PACT team, US Marshalls, victim advocates, and witnesses.

## Parent and Youth Engagement

Engagement of parents and youth in the process is considered essential in holding a high quality hearing. Researchers examined judicial behaviors, interactions, and engagement with parents and children. When parents and children were present in court, judges mostly spoke to them directly and addressed them by their names. In half or more of the cases observed, judges gave parents and children an opportunity to be heard. See figure 2 for engagement of mothers, fathers, and children. Figure 1 portrays the percentage of time (when a party was present) that the judicial officers engaged the party in a specific way.

FIG. 1 - JUDICIAL ENGAGEMENT OF MOTHERS, FATHERS, AND CHILDREN





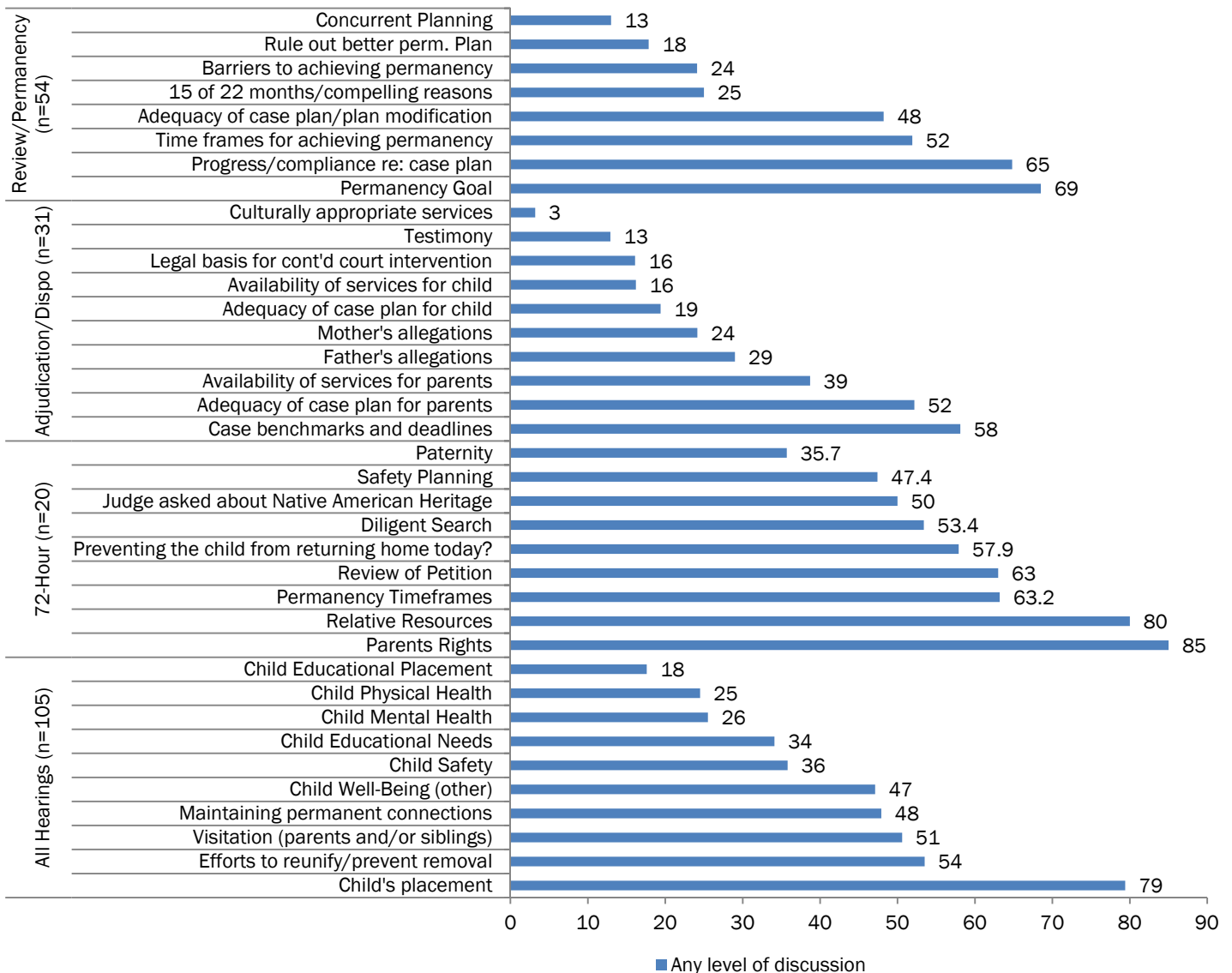
# NEVADA STATEWIDE HEARING QUALITY SUMMARY

## Hearing Discussion

The *Resource Guidelines* identifies areas of discussion and key decisions that should be made at each hearing type. We have included a list (not-exhaustive) of many of the key topics that should be discussed. Some of these items should be discussed at all hearings (e.g., child well-being), whereas others may be specific to the hearing type. Not every topic will be discussed in every hearing (some might be discussed in-depth in reports prior to the hearing).

Researchers used a standardized instrument to collect data about various aspects of each hearing provided. The instrument measured various topic areas (e.g. permanency goal, concurrent planning, case plan progress, etc.) as it related to specific hearing types and topics that should be discussed at all hearings (e.g. child's placement, education, health, etc.). Figure 2 portrays the percentage of time (when applicable) that a topic was discussed at the hearing. As noted in the figure below, sections with a hearing type include topics are those most relevant to that specific hearing, whereas All Hearings includes topics that should be discussed at any dependency hearing

FIG. 2 - PERCENTAGE OF TIME TOPICS WERE DISCUSSED AT HEARINGS



# NEVADA STATEWIDE HEARING QUALITY SUMMARY

In addition to the general topics identified in the *Resource Guidelines*, Nevada has recognized the importance of several case issues and has focused efforts on improving court practice related to (1) safety decision-making, (2) educational well-being of youth in foster care, and (3) compliance with the Indian Child Welfare Act (ICWA).

## Safety

Stakeholders discussed child's safety in 34 out of 105 hearings (32%). There was substantive discussion of child safety in 19%, statement only/sufficient discussion in 13.3% and no discussion in 58.1% of hearings. Stakeholders discussed safety planning in nine out of 20 shelter care (72-hour) hearings. There was substantive discussion in 40%, statement only/sufficient discussion in 5% and no discussion in 50% of hearings.

## Education

Stakeholders discussed child's educational needs in 29 out of 89 hearings (32%; 16 hearings this did not apply) and child's educational placement in 14 out of 86 hearings (16%; 19 hearings this did not apply). There was substantive discussion of educational needs in 22%, statement only/sufficient discussion in 10% and no discussion in 62.9% of hearings. There was substantive discussion of educational placement in 10.5%, statement only/sufficient discussion in 5.8% and no discussion in 76.7% of hearings.

## ICWA

At the 72-hour hearings observed, someone inquired about Native American heritage 50% of the time. However, there were ICWA findings on the record in only five out of 105 cases (5%). In three cases, it was indicated that ICWA did (or might) apply. Of those three cases, judicial officers did not consistently make the findings required by ICWA. In one case, a tribal representative was there and the judge made an active efforts finding. There were 93 cases where researchers were unable to determine if ICWA applied.

## Qualitative Impressions

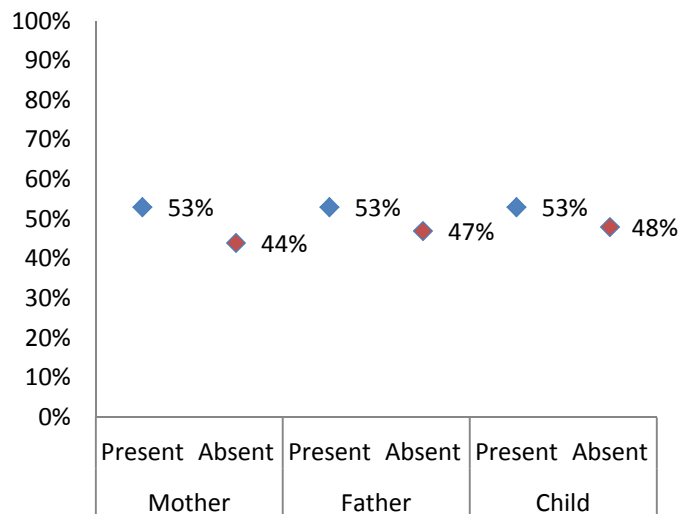
Researchers examined different aspects of each court case for overall qualitative impressions. The scale ranged from 0 – not at all, 1 – somewhat, to 2 – definitely. Generally, judicial officers in Nevada treated parents with respect (1.74) and were familiar with cases (1.38). Judicial officers only used non-technical language some of the time (1.32) and only somewhat focused on family strengths (1.09).

**Judicial Officers made reasonable efforts findings orally on the record in 24% of hearings observed.**

## Hearing Discussion & Parties Present

Researchers examined the relationship between parties being present at the hearing and the level of discussion. Discussion is calculated as a breadth variable, indicating the percentage of applicable items discussed. This could range from 0 to 100%. As indicated in Figure 3, the presence of the parties (parents or youth) was related to a slight increase in discussion. This was most true for the presence of mothers at the hearing.

FIGURE 3. BREADTH OF DISCUSSION BY PARTIES PRESENT





Case Plan  
Summary  
Templates

## Child Protective Services/Pima County Juvenile Court Case Plan Summary (Non-Substance Abuse)

Name:	Preliminary Protective Hearing	Settlement Conference & Disposition			1st Dependency Review			2nd Dependency Review				Permanency Hearing
Court Case #:												
Preliminary Protective Hearing Date:												
Task:	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Maintain Contact with your CPS Case Manager.												
Participate in Visitation												
Participate in Family Team Meetings (Child and Family Team & Adult Recovery Team Meetings)												
Complete a Mental Health Assessment												
Complete a Psychiatric Evaluation (if recommended)												
Establish Paternity												
Participate in Random Drug/Alcohol Testing (if required)												
Complete Psychological Evaluation (if recommended by CPS consulting psychologist)												
Participate in Other Recommended Treatment (may include: psychiatric evaluation, individual therapy, group therapy, family therapy, etc.)												
Participate in Parenting Education												
Participate in Therapy to Address Domestic Violence Issues												
Obtain and Maintain Legal Income												
Obtain and Maintain Safe and Secure Housing												
Other:												
Other:												
Other:												

**\*\*If you want to complete any of these tasks before the target dates, you are encouraged to do so.\*\***

Your court dates may vary from above.

Revised 12/07

## Child Protective Services/Pima County Juvenile Court Case Plan Summary (Substance Abuse)

Name:	Preliminary Protective Hearing	Settlement Conference & Disposition			1st Dependency Review			2nd Dependency Review				Permanency Hearing
Court Case #:												
Preliminary Protective Hearing Date:												
Task:	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Maintain Contact with your CPS Case Manager.												
Participate in Visitation												
Participate in Drug/Alcohol Testing												
Participate in Family Team Meetings (Child and Family Team & Adult Recovery Team Meetings)												
Complete a Substance Abuse/Mental Health Assessment												
Observe 1 Session of Family Drug Court												
Establish Paternity												
Complete Psychological Evaluation (if recommended by CPS consulting psychologist)												
Participate in Substance Abuse Treatment												
Participate in Parenting Education												
Participate in Other Recommended Treatment (may include: psychiatric evaluation, individual therapy, group therapy, family therapy, etc.)												
Participate in Therapy to Address Domestic Violence Issues												
Provide CPS with a Relapse Prevention Plan (Obtain a guide from your CPS investigator)												
Obtain and Maintain Legal Income												
Obtain and Maintain Safe and Secure Housing												
Other:												
Other:												

**\*\*If you want to complete any of these tasks before the target dates, you are encouraged to do so.\*\***

Your court dates may vary from above.

Revised 12/07



Community  
Improvement  
Councils  
Quarterly News -  
Issues 1-4



## Court Improvement Program

# Community Improvement Councils Quarterly News Oct-Dec 2013

Issue 1

January 2014

### Inside this issue:

Safety Practice Model Training	2
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Nevada Courts Outpace National Average	2
Court Timeliness Measures	3
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## 4th Judicial District Attorney Training

Local and state dependency experts conducted a day-long seminar on the Adoption and Safe Families Act (ASFA) and NRS 432B. The 4th JD CIC sponsored training covered everything from ASFA to attendance at the Family Drug Court, including a graduation.

Special guest speaker, Nevada Supreme Court Justice Nancy Saitta joined a panel discussion sharing her experiences with 432B matters, and explaining the Court Improvement Program and the concept and intent of the Community Improvement Councils.

Nevada Deputy Attorney General Ross Armstrong discussed the perspective and responsibilities of the Nevada Attorney General for NRS 432B proceedings.

Kristen McQueary, Elko County Chief Civil Deputy District Attorney, shared the Elko County DA's assessment of 432B proceedings.

Local attorneys Travis W. Gerber and Michelle Rodriguez reviewed ASFA history and policy; and procedure and application of NRS 432B.

The impact of CASA and Family Drug Court on dependency cases was explained by Alana McKinney, Director of CASA Northeastern Nevada, and Court Master Andrew Mierins.

The impetus behind this seminar was to overcome a barrier to timely processing of dependency cases that the 4th JD had identified: attorneys and stakeholders without adequate training and expertise in the child welfare process.

Each participant received a comprehensive resource binder for their reference.

For Additional Information Contact:

[Julie Thuemler](mailto:jthuemler@elkocountynevada.net), Judicial Administrator at 775-753-4601 or [jthuemler@elkocountynevada.net](mailto:jthuemler@elkocountynevada.net)

For Additional  
Information Contact:

Kathie  
Malzahn-Bass

## Centralized Case Index

One of CIP's data exchange projects, the Centralized Case Index, will enable near real-time court timeliness reporting through an integrated dashboard. Information from DCFS and court case management systems will be blended into a single reporting database to facilitate this capability. By

February 28th, the five court timeliness measures as well as time to each of the dependency court hearings will be implemented in a proof of concept using data from the 2<sup>nd</sup> JD. Not only will judges eventually be able to obtain aggregate data reports, they will be able to drill down to get case spe-

cific information. The intention is to provide a continuous feedback loop to the courts and CICs on how they are doing to help them determine where they may wish to focus additional efforts.

For Additional Information Contact:

Molly Taylor  
molly.taylor@dcfs.nv.gov  
775-687-4943- ext. 235  
Brandy Holbrook  
bholbrook@dcfs.nv.gov

## Child Welfare Safety Practice Model Training for the Courts

A new child welfare safety practice model is being introduced to the CICs. Seven CICs, the 2nd, 3rd, 5th, 6th, 7th, 9th, and 10th judicial districts, have already trained their key stakeholders to incorporate the new

model and the rest are soon to follow. The training in the rural region was conducted by the Division of Child and Family Services' (DCFS) Safe Model experts and focused on: 1)reading the Nevada Initial

Assessment, 2)learning to identify impending danger, 3)safety plan determination, 4)conditions for return, and 5)safety planning.

## 10th JD CIC Submits Block Grant for New CASA Program

The 10th JD's CIC has applied for a \$75,000 Community Development Block Grant to begin a CASA program under the Churchill County Board of Commissioners. The CASA Steering Committee included: the court and legal stakehold-

ers; the Fallon Paiute Shoshone Tribe; NAS Fallon Fleet, DCFS; a County Commissioner; County Social Services; County Juvenile Probation and Detention; and an ad hoc member from the public.

For Additional Information Contact:  
Sue Sevon  
ssevon@churchillcourts.org  
(775) 423-6088 ext. 257

## Nevada Courts Outpace National Average

Time to adoption 30.7 months in 2012, down from 36.3 months in 2010
---

The Community Improvement Councils (CICs) have been working to overcome the barriers to termination of parental rights and to adoption for two years.

The CICs have been so impactful that the time it takes for the courts to return children to their homes or find safe, permanent placements has been significantly reduced and now stands below the national average. For example, in its 2013 Annual Progress and Services Report, the Division of Child and Family Services (DCFS) reports that the median length of time it took for a

child to be adopted in Nevada in 2012 was reduced to 30.7 months down from 36.3 months in 2010. Nevada courts and child welfare agencies have now outpaced the national median, which is 32.4 months.

District court judges across the state are to be congratulated for the tremendous efforts they have put into improving outcomes for the most vulnerable of our children. Most CICs are meeting quarterly, many monthly, to implement their action plans that enhance the well-being of children in care. Some courts are holding hearings

more frequently to make certain the cases involving these children are foremost in the system.

Several courts are now involved in electronic data exchange projects to promote timely notice to the parties to encourage their meaningful participation in the court process. All courts have refocused their efforts on meeting both federal and state timelines and they now have access to current data to help them track the impact of their efforts.



## Court Timeliness Measures

The chart below, outlining five court timeliness measures, is a testament to the amazing work of the CICs statewide. In just under two years the time to termination of parental rights has decreased statewide by 135 days from 764 in 2011 to 629 by June 2013.

Attachment D: Page 1 of 1

### Timeliness Measure Reporting Template

Court Function Indicator <i>[Specific, observable, and measurable indicators to track change toward the desirable outcomes]</i>	Initial Baseline Rate in Days or Level <i>[Baseline level of the measure at beginning of granting period]</i> Jan 1, 2011 - Dec 31, 2011	Target Improvement (if applicable) <i>[Projected levels of improvement in performance measure by end of granting period]</i>	Annual Rate or Level Year 1 <i>[Level of performance measure after one year of program implementation]</i>	Timeframe <i>[Period of time covered by data]</i>	Difference From Previous Annual Rate <i>[Difference in annual level at end of fiscal year from rate at start of fiscal year. If appropriate, note significant change.]</i>	Difference From Baseline <i>[Difference in the annual level from the baseline. If appropriate, note significant changes.]</i>	CIP Project Targeting Measure (if applicable) <i>[If this measure was targeted by an intervention, please list the project or activity impacting the measure]</i>
<b>Timeliness Indicators</b>							
4G. Time to First Permanency Hearing	359	NRS requires permanency hearings within 1 year	366	Jan 1, 2012 - Dec 31, 2012	7	7	Dependency mediation, CASA, attorney training and pro bono programs
			358	Jan 1, 2013 - Oct 31, 2013	-8	-1	
Time to Subsequent Permanency Hearings	367	NRS requires permanency hearings within 1 year	199	Jan 1, 2012 - Dec 31, 2012	-168	-168	Dependency mediation, CASA, attorney training and pro bono programs
			330	Jan 1, 2013 - Oct 31, 2013	131	-37	
4A. Time to Permanent Placement	945	DCFS PIP Strategy 3, Goal 1 timely permanency reduce barriers to adoption & TPR	870	Jan 1, 2012 - Dec 31, 2012	-75	-75	CICs focus on eliminating barriers to timely placement in their judicial districts
			890	Jan 1, 2013 - Oct 31, 2013	20	-55	
4H. Time to Termination of Parental Rights Petition	Not Available (N/A)		N/A				
			N/A				
4I. Time to Termination of Parental Rights	764	DCFS PIP Strategy 3, Goal 1 timely permanency reduce barriers to adoption & TPR	699	Jan 1, 2012 - Dec 31, 2012	-65	-65	CICs focus on eliminating barriers to timely placement in their judicial districts
			629	Jan 1, 2013 - June 30, 2013	-70	-135	

**Narrative:**

The Community Improvement Councils (CICs) have been reviewing their local data regularly to help identify where adjustments in process may be needed. The CICs have created three (3) separate annual action plans to address improving timeliness to permanency.

Nevada Administrative Office of the Courts

2013 CIP Annual Report

Katherine R. Malzahn-Bass, Program Coordinator

## Help Managing Your Court Data to Improve Outcomes

As courts become more data oriented, opportunities to improve outcomes for children and families increase.

Alicia Summers, Ph.D., the National Council of Juvenile and Family Court Judges' Program Director, Research and Evaluation, is available to help each CIC pull and interpret its court data.

In addition to court timeliness data from the Division

of Child and Family Services' case management system, UNITY, Alicia can also pull Nevada dependency court information from the data base at Chapin Hall Center for Children at the University of Chicago.

The Chapin Hall data is uploaded from UNITY every six months. Formulas or "recipes" have been written to create standardized re-

ports providing aggregate, trend, and comparisons to data from other judicial districts or states.

Judges may obtain access to the database by contacting Kathie Malzahn-Bass for a User ID and Password.

For help obtaining and understanding your court data contact Alicia Summers at NCJFCJ, (775)784-7570 or [asummers@ncjfcj.org](mailto:asummers@ncjfcj.org)

Understand your court data

For Further Information Contact:

Alicia Summers  
NCJFCJ

NEVADA SUPREME COURT  
 ADMINISTRATIVE OFFICE OF THE COURTS  
 COURT IMPROVEMENT PROGRAM  
 201 S. CARSON STREET, SUITE 250  
 CARSON CITY, NV 89701

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 Phone: 775-687-9809  
 Fax: 775-687-9811  
 Email: [kmalzahn-bass@nvcourts.nv.gov](mailto:kmalzahn-bass@nvcourts.nv.gov)

Robbie Taft  
 Administrative Assistant III  
 Phone: 775-687-9812  
 Fax: 775-687-9811  
 Email: [rtaft@nvcourts.nv.gov](mailto:rtaft@nvcourts.nv.gov)

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. 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.

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 index.php/  
 courtimprovementprogram](http://www.nevadajudiciary.us/index.php/courtimprovementprogram)

**CIP Working for the Protection &  
 Permanency of Dependent Children**

## Judicial Districts' CIC Future Meetings/Events Schedules

Judicial District	Meeting / Event	Date	For Additional Information Contact
1 <sup>st</sup> JD	Child Safety Training	2/12/14	Juvenile Master Kristin Luis <a href="mailto:kluis@carson.org">kluis@carson.org</a>
2 <sup>nd</sup> JD	CIC Retreat	2/14/14	Rachel Anderline
3 <sup>rd</sup> JD	CIC Meeting	3/3/14	Debbie Gilmore
5 <sup>th</sup> JD	CIC Meeting	2/19/14	Tim Sutton
6 <sup>th</sup> JD	CIC Meeting	2/25/14	Judge Michael Montero
8 <sup>th</sup> JD	Child Safety Training	3/11-12/14	Judge Frank Sullivan
9 <sup>th</sup> JD	CIC Meeting	3/13/14	Judge Nathan Tod Young <a href="mailto:ntyoung@douglas.nv.gov">ntyoung@douglas.nv.gov</a>
10 <sup>th</sup> JD	CIC Meeting	3/18/14	Judge Thomas Stockard



## Court Improvement Program

# Community Improvement Councils Quarterly News Jan-Mar 2014

Issue 2

April 2014

### Save the Date for the 2014 CIC Summit

#### Inside this issue:

3rd JD Shares ASFA Timeline Chart	2
National Child Abuse Prevention month	2
DCFS Seeking CICs' Input Into Their Next Five Year Plan	2
ASFA Timeline Chart	3
CIP Contact Information	4
Judicial Districts' CIC Future Meetings/ Events Schedule	4

Mark your calendars for October 2 and 3, 2014, in Reno to join your fellow CIC members to learn and plan your next court improvement efforts. The National Council of Juvenile and Family Court Judges will be surveying all CIC members to ascertain topic preferences for our time together. Please be certain to respond to this survey to ensure that your ideas are included.

For Additional Information Contact:

Franz Braun, Site Manager at (775) 784-6521 or [fbraun@ncjfcj.org](mailto:fbraun@ncjfcj.org)

### 8<sup>TH</sup> Judicial District Implements Protective Custody Findings and Order Template

As part of its continuing efforts to improve the quality of its hearings, the 8<sup>th</sup> Judicial District (JD) has created a Protective Custody Findings and Order template which includes all the required NRS and federal findings as well as following best practices. Not only are party noticing, ICWA inquiry,

right to representation, reasonable cause, and reasonable efforts very specifically included, but relative and fictive kin inquiry, and placing siblings together are also outlined. All findings cite NRS. Court orders specific to the case include: necessary searches to locate missing parents, paternity test-

ing, drug testing, appointment of attorneys for the parents and the children, and next court date. It is succinct and inclusive. If you are interested in receiving a copy, please contact Lori Parr, JEA for the Honorable Judge Sullivan or Kathie Malzahn-Bass, CIP Coordinator.

For Additional  
Information  
Contact:  
Lori Parr  
[ParrL@clarkcounty  
courts.us](mailto:ParrL@clarkcounty<br/>courts.us)

Janice Wolf, Esq., Director of the Children's Attorney Project at Legal Aid Center of Southern Nevada, has been awarded Certification as a **Child Welfare Law Specialist (CWLS)** in the State of Nevada. She has passed the National Association of Counsel for Children (NACC) Child Welfare Law Examination and satisfied all of the criteria for Child Welfare Law Attorney Certification.

## 3rd Judicial District Shares ASFA Timeline Chart

For Additional  
Information Contact:

Debbie Gilmore  
dgilmore@lyon-county.org

Sue Sevon  
ssevon@churchillcourts.org

Within 3 days following the 2012 CIC Summit, the 3<sup>rd</sup> Judicial District (JD) convened a meeting to discuss and problem solve issues pertaining to the timeliness of 432B cases and adherence to timelines set forth in NRS and the Adoption and Safe Families Act (ASFA). As a result, the ASFA Timeline Chart (shown on page 3) was created and is, now, included

in all 432B court files. Its brilliance is that it is low-tech, low-cost, and resolves multiple issues.

At the 72 hour hearing, the dates for the subsequent hearings are set. Attorneys in the 3<sup>rd</sup> JD are now appointed at the 72 hour hearing and new standard orders appointing counsel and set-

ting arraignment dates included in each file are completed and sent to all attorneys. This process has been so successful in the 3<sup>rd</sup> JD that the 1<sup>st</sup>, 9<sup>th</sup>, and 10<sup>th</sup> JDs are adopting it. The 10<sup>th</sup> JD has modified the chart slightly to correspond with its practices.

## National Child Abuse Prevention Month

April is [National Child Abuse Prevention Month](#). The theme for this year's observance is "Making Meaningful Connections." During the month of April and throughout the year, communities are encouraged to share their child abuse and neglect prevention awareness strategies and activities and promote prevention across the country. In observance, the National Criminal Justice Reference Service has posted "Special Feature: Child Abuse," a compilation of publications and resources on the prevalence, prevention, and responses to child abuse

## Division of Child and Family Services Seeking CICs' Input Into Their Next Five Year Plan

The Child and Family Services Plan (CFSP) is a five-year strategic plan that sets forth the vision and the goals to be accomplished to strengthen Nevada's overall child welfare system. A CFSP is required for federal child welfare funding under Title IV-B of the Social Security Act. Title IV-B funding is primarily devoted to child abuse prevention and child protective services, and includes funding for foster youth to attend college and services to foster youth to

help them transition to adulthood. A new CFSP is required for the upcoming years 2015 through 2019.

The DCFS is seeking the CICs' input into this plan, specifically around the development of measureable objectives and activities for the following goals:

1. Children and youth will be SAFE in out-of-home placement;

2. Children and youth will be SAFE in their own homes;  
3. Children and youth will have improved well-being;  
4. The State will be able to identify the strengths and needs of the child protective service delivery system;  
5. Children and youth will have permanency and stability.

This is a tremendous opportunity for the courts to have input into the future of our child welfare system. If you

haven't already been contacted for input, please contact Jan Fragale for information on how your voice can be heard.

For Additional  
Information  
Contact:  
Jan Fragale  
[jfragale@dcsf.nv.gov](mailto:jfragale@dcsf.nv.gov)

# ASFA Timeline Chart

\*For full sized chart see article on page 2 for contact information

Case No: \_\_\_\_\_

Department: \_\_\_\_\_

Case Name: \_\_\_\_\_

### Timelines

**72 hour hearing/Removal**

- \* Appoint Attorneys for all parties
- \* Set for Arraignment (Admit/Deny) hearing on 3<sup>rd</sup> L&M from 72 hr hrg
- \* Order appointing attorneys and setting hearing for arraignment on Petition (3<sup>rd</sup> L&M at 1:30 pm)

\_\_\_\_\_

Date of Removal /  
Date of 72 hr Hrg

7-10 Days  
Petition filed

\_\_\_\_\_

Date Petition Filed

**ARRAIGNMENT**  
(Either Dept)  
(no DCFS report needed)

\_\_\_\_\_

Date of  
Arraignment

**DENY**

**ADJUDICATORY /  
EVIDENTIARY HEARING**  
Must occur within 30 days of  
filing of petition

\_\_\_\_\_

Date of  
Evidentiary Hrg

**ADMIT**

**FINDING**  
Set Dispositional Hearing  
(2 weeks)

**NO FINDING**  
Dismiss

**DISPOSITIONAL HEARING**  
(within 60 days of removal)  
*DCFS to provide safety plan, condition for  
return, reasonable efforts and case plan*  
\*Set dates for 6 mo and 12 mo permanency  
hearings

\_\_\_\_\_

Date of Dispositional Hrg

\_\_\_\_\_

Date of 6 mo review hearing

\_\_\_\_\_

Date of 12 mo permanency hrg

**NEVADA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
COURT IMPROVEMENT PROGRAM  
201 S. CARSON STREET, SUITE 250  
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Katherine Malzahn-Bass  
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Phone: 775-687-9809  
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Email: [kmalzahn-bass@nvcourts.nv.gov](mailto:kmalzahn-bass@nvcourts.nv.gov)

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Fax: 775-687-9811  
Email: [rtaft@nvcourts.nv.gov](mailto:rtaft@nvcourts.nv.gov)

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. 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.

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index.php/  
courtimprovementprogram](http://www.nevadajudiciary.us/index.php/courtimprovementprogram)

**CIP Working for the Protection &  
Permanency of Dependent Children**

## Judicial Districts' CIC Future Meetings/Events Schedules

Judicial District	Meeting / Event	Date	For Additional Information Contact
1 <sup>st</sup> JD	CIC Meeting	April 28	Maribel Gutierrez <a href="mailto:mgutierrez@carson.org">mgutierrez@carson.org</a>
2 <sup>nd</sup> JD	CIC Meeting	May 5	Rachel Anderline <a href="mailto:Rachel.Anderline@washocourts.us">Rachel.Anderline@washocourts.us</a>
3 <sup>rd</sup> JD	CIC Meeting	April 28	Debbie Gilmore <a href="mailto:dgilmore@lyon-county.org">dgilmore@lyon-county.org</a>
4 <sup>th</sup> JD	CIC Meeting	4th Friday of every month	Julie L. Thuemler <a href="mailto:jthuemler@elkocountynv.net">jthuemler@elkocountynv.net</a>
5 <sup>th</sup> JD	CIC Meeting	3rd Wednesday of every month	Tim Sutton <a href="mailto:tsutton@co.nye.nv.us">tsutton@co.nye.nv.us</a>
6 <sup>th</sup> JD	CIC Meeting	April 22	Rosa Sanchez <a href="mailto:rosas54@hcdenv.com">rosas54@hcdenv.com</a>
7 <sup>th</sup> JD	CIC Meeting	April 17	Faye Cavender <a href="mailto:fcavender@dcs.nv.gov">fcavender@dcs.nv.gov</a>
8 <sup>th</sup> JD	CIC Meeting	April 29	Lori Parr <a href="mailto:parr@clarkcountycourts.us">parr@clarkcountycourts.us</a>
9 <sup>th</sup> JD	CIC Meeting	May 29	Bobbie Williams <a href="mailto:bwilliams@douglas.nv.gov">bwilliams@douglas.nv.gov</a>
10 <sup>th</sup> JD	CIC Meeting	June 17	Sue Sevon <a href="mailto:ssevon@churchillcounty.org">ssevon@churchillcounty.org</a>



## Court Improvement Program

# Community Improvement Councils Quarterly News Apr-Jun 2014

Issue 3

July 2014

**SAVE THE DATE ~ 2014 CIC SUMMIT ~ OCTOBER 2-3  
AT THE NATIONAL JUDICIAL COLLEGE ~ RENO**

### Inside this issue:

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ABA Center on Children and the Law to Create Immigration Checklist	2
9th JD Action Plan	3
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### The CICs Have Spoken –

#### CIC Summit will Focus on Quality Hearing Practices

In a survey conducted by the National Council of Juvenile and Family Court Judges, nearly 100% of the respondents indicated that they would like the next CIC Summit to focus on strategies for quality hearing practices. Another 63% were also interested in strategies to improve timeliness and time to permanency. Judicial officers will join Justice Saitta the morning of October 2<sup>nd</sup> for a round table discussion on hearing quality and court timeliness. The other CIC members will join their judges for the remaining 1½ days to learn about strategies to improve hearing quality and court timeliness; and determine what and how their districts wish to implement.

A technical assistance grant through the National Council for Juvenile and Family Court Judges will fund compilation of baseline court practice data for each judicial district to guide the next steps they may wish to take.

### Eventful Quarter for State's CICs



**April 2014  
Pinwheels for  
Prevention  
National Child Abuse  
Prevention Month**

The majority of the Community Improvement Councils contributed to child welfare's 5-year strategic plan by offering intervention strategies and measurable objectives for the following goals: children and youth will be safe in out of home care and in their own homes; children and youth will have improved well-being; the state will be able to identify the strengths and needs of the child protective delivery system utilizing continual quality improvement;

and children and youth will achieve timely permanency through stable and supportive placements.

In April the 3<sup>rd</sup> JD implemented a family drug court with Judges Blake and Breen presiding, and the 10<sup>th</sup> JD has initiated discussions with Judge Blake regarding starting a family drug court, as well. The 10<sup>th</sup> JD, also, launched its CASA program. Following a newspaper article, 8 volunteers have already

stepped forward to be trained by Temporary Acting Coordinator, DeVere Karlson, who can be contacted at: [dkarlson@churchillcounty.org](mailto:dkarlson@churchillcounty.org)

The 2<sup>nd</sup> JD's restructured Protective Custody Hearings, including parent representation and presentation of facts, became effective May 1, 2014. For more information contact Rachel Anderline at: [rachel.anderline@washoecourts.us](mailto:rachel.anderline@washoecourts.us)

**Child Welfare Information Gateway** connects child welfare and related professionals to comprehensive information and resources to help protect children and strengthen families. They feature the latest on topics from prevention to permanency, including child abuse and neglect, foster care, and adoption. See all they have to offer at:

<https://www.childwelfare.gov/>

## National Council of Juvenile and Family Court Judges Finalizes Two Evaluations for CIP

### *The 2<sup>nd</sup> and 5<sup>th</sup> Judicial Districts' Mediation Programs Top-Rated*

For Additional  
Information Contact:

Alicia Summers  
Research Director  
National Council of Juvenile  
and Family Court Judges

asummers@ncjfcj.org

As part of CIP's continual quality improvement efforts, the NCJFCJ completed a process evaluation of the implementation of dependency mediation in the 5<sup>th</sup> JD and an outcome evaluation of the dependency mediation program in the 2<sup>nd</sup> JD.

The 5<sup>th</sup> JD's process evaluation demonstrates that their mediation program is off to a successful start with those mediations conducted thus far all resolving with agree-

ment. All parties agree that mediation is a useful tool. Parents feel they are listened to, their opinions are respected, and they are part of the decision-making process. The stakeholders find mediation increased parental engagement and provided a valuable alternative to litigation while not increasing their workload.

The keys findings from the 2<sup>nd</sup> JD's outcome assessment were very significant. Medi-

ated cases are more likely to result in reunification (88% compared to 50% non-mediated cases).

Fathers who participated in mediation were more engaged (72% compared to 50% in non-mediated cases).

## Planning for Action in the 9<sup>th</sup> Judicial District

During the 2013 CIC Summit, each CIC was asked to create an action plan around court timeliness at their next CIC meeting. The 9<sup>th</sup> JD's CIC developed and has been implementing their Court Timeliness Action Plan (see page 3) with the specific goals of:

1. Avoiding contentious fact finding hearings
2. Improving relationships
3. Shrinking total court time

## ABA Center on Children and the Law to Create Immigration Checklist

The American Bar Association's (ABA) Center on Children and the Law is developing a "Child Welfare and Immigration" checklist specifically for Nevada attorneys representing parents and children in dependency court. This document will highlight federal and state law and state resources for child welfare cases that involve immigrant families. It will include items for

attorneys to consider when working with clients who are not U.S. citizens to help them protect their clients' rights and children's best interests.

According to the U.S. Census, Nevada has the second largest population (37%) of families with one member not born in the U.S.

Jeff Martin, Washoe County Deputy District Attorney,

Kathy O'Leary, Washoe County Chief Deputy Public Defender, and Janice Wolf, Director of the Children's Attorney Project at the Legal Aid Center of Southern Nevada have volunteered to work with the ABA on this valuable project.





## **ACTION PLAN**

### **Court Timeliness**

**Date and Time:** May 29, 2014

**Location:** 9th JD Courthouse

**Topic:** Adhere to ASFA, NRS 432B, and NRS 128 time requirements

**Needs Statement:**

**Outcome:** Dates of Community Improvement Council Meetings: 2/6/2014, 3/13/2014, 5/29/14, 6/26/14, **8/28/14**

PRIORITY ITEMS TO IMPLEMENT CHILD SAFETY IN THE COURTS	CONCRETE STEPS TO IMPLEMENT	ADDITIONAL INFORMATION OR ASSISTANCE NEEDED	RESPONSIBLE PARTIES ANTICIPATED COMPLETION DATE
Shorten Time Between Hearings	Conduct hearings every 90 days versus every six months.		Owner: Judge Young Status: Complete & On-Going
Concurrent Plan Progress Updates	Have Caseworkers document specific progress on the concurrent plan in every DCFS report to the Court.		Owner: DCFS Status: In Place & On-Going
Initiate Mediation in Douglas County	<b>Conduct mediation w/ family, Def Attys, DCFS prior to fact finding</b>		<b>Owner: Defense Attorneys, DCFS</b>  <b>Status: OPEN</b>  <b>Next Steps: Mediation will be implemented. Status Update at next meetings</b>
Court Request: Notice to the Court within 72 hours for every child removed from the home and placed with a relative where no petition is filed			<b>Owner: Judge/DCFS/DA</b>  <b>Status: Open</b>  <b>Next Steps: DCFS will contact DAG re: possible waiver</b>

**NEVADA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
COURT IMPROVEMENT PROGRAM  
201 S. CARSON STREET, SUITE 250  
CARSON CITY, NV 89701**

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Phone: 775-687-9809  
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Robbie Taft  
Administrative Assistant III  
Phone: 775-687-9812  
Fax: 775-687-9811  
Email: [rtaft@nvcourts.nv.gov](mailto:rtaft@nvcourts.nv.gov)

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. 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.

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index.php/  
courtimprovementprogram](http://www.nevadajudiciary.us/index.php/courtimprovementprogram)

**CIP Working for the Protection &  
Permanency of Dependent Children**

## Judicial Districts' CIC Future Meetings/Events Schedules

Judicial District	Meeting / Event	Date	For Additional Information Contact
1 <sup>st</sup> JD	CIC Meeting	July 21	Maribel Gutierrez <a href="mailto:mgutierrez@carson.org">mgutierrez@carson.org</a>
2 <sup>nd</sup> JD	CIC Meeting	July 21	Rachel Anderline <a href="mailto:Rachel.Anderline@washocourts.us">Rachel.Anderline@washocourts.us</a>
3 <sup>rd</sup> JD	CIC Meeting		Debbie Gilmore <a href="mailto:dgilmore@lyon-county.org">dgilmore@lyon-county.org</a>
4 <sup>th</sup> JD	CIC Meeting	4th Friday of every month	Julie L. Thuemler <a href="mailto:jthuemler@elkocountynv.net">jthuemler@elkocountynv.net</a>
5 <sup>th</sup> JD	CIC Meeting	3rd Wednesday of every month	Tim Sutton <a href="mailto:tsutton@co.nye.nv.us">tsutton@co.nye.nv.us</a>
6 <sup>th</sup> JD	CIC Meeting	July 15	Kathy Brumm <a href="mailto:kbrumm@hcdenv.com">kbrumm@hcdenv.com</a>
7 <sup>th</sup> JD	CIC Meeting	July 10	Faye Cavender <a href="mailto:fcavender@dcfs.nv.gov">fcavender@dcfs.nv.gov</a>
8 <sup>th</sup> JD	CIC Meeting	July 23	Lori Parr <a href="mailto:parrl@clarkcountycourts.us">parrl@clarkcountycourts.us</a>
9 <sup>th</sup> JD	CIC Meeting	August 28	Bobbie Williams <a href="mailto:bwilliams@douglas.nv.gov">bwilliams@douglas.nv.gov</a>
10 <sup>th</sup> JD	CIC Meeting	October 2-3	Sue Sevon <a href="mailto:ssevon@churchillcounty.org">ssevon@churchillcounty.org</a>



## Court Improvement Program

# Community Improvement Councils Quarterly News Apr-Jun 2014

Issue 4

October 2014

### 8<sup>th</sup> Judicial District Receives Technical Assistance to Help Court Improve Information Quality

#### Inside this issue:

7th JD Parental No Contact Orders	2
Judge Rogers Honored	2
2nd JD Protective Custody Restructuring	2
10th JD CASA of Churchill County	3
National Adoption Month	3
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Judicial Districts' CIC Contact Information	4

On September 25 and 26, the 8<sup>th</sup> Judicial District Court conducted a meeting with all dependency court judicial officers to discuss how the court can support quality information gathering necessary to make child safety decisions at the initial hearing as advocated in Bench Card A from the *Child Safety: A Guide for Judges and Attorneys*.

They considered both the court's capacity to prepare for the initial hearing and its capacity going forward to the next hearing. They discussed what the Clark County Department of Family Services (DFS) should expect the judges to ask them; what the judges can expect DFS to have done and to provide the court; how the court can work with DFS at that initial hearing to determine what needs to be done before the next hearing.

How does the bench have to work differently at the initial hearing to improve the quality of information available to make decisions about child safety and what does it have to do to prepare itself to do that?

Once those questions are answered how will the court know it is actually doing those things and what the impact of what they are doing is on outcomes?

DFS has a plan to improve its capacity to gather the information. As the maker of reasonable and active efforts findings the court plans to develop the capacity to know what the agency is supposed to be doing and hold hearings that verify the agency is doing it. The ultimate objective is to collaborate on the common goal of ensuring that sufficient information is available to make decisions about child safety.

### Leadership: Credibility in Action

Presented by Judge Kevin S. Burke

The Nevada Association of Court Executives and AOC Judicial Education presented a webinar in which Kevin Burke, a District Judge in Hennepin County, Minnesota, discussed how court leaders can foster change and trust, and work to improve morale and the administration of justice. To access Judge Burke's presentation and the course materials, copy and paste the link below.

<http://nvcourtsdistanceed.com/course/view.php?id=54>

For additional  
Information  
Or  
Help Logging In  
Contact:  
Evie Lancaster  
687-9855  
elancas-  
ter@nvcourts.nv.gov

## 7<sup>th</sup> Judicial District's CIC Considering Process to Handle Parental Orders of No Contact with Their Removed Children

For Additional  
Information Contact:

Wendy Lopez  
Judicial Assistant

wmarich@mwpower.net

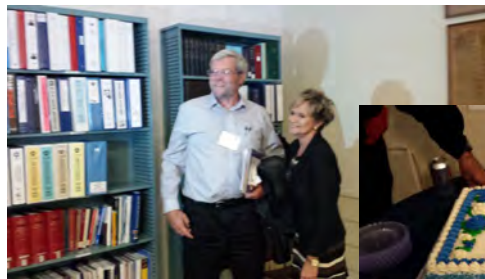
During its recent CIC meeting, the 7<sup>th</sup> Judicial District discussed how to handle the situation in which another court currently exercising jurisdiction in a criminal case has ordered parents to have no contact with their children while

child welfare is advocating in their safety or case plan that it is in the children's best interest to visit with their parents. If other courts are grappling with situations in which no contact orders may be appropriate in the criminal case, but

not necessarily in the child's best interest please consider sharing your solutions or ideas with either Judge Dobrescu or Judge Fairman.

## Judge Rogers Honored

During the 2014 CIC Summit, Judge Rogers, 3<sup>rd</sup> Judicial District (JD) Court, was recognized by Justice Saitta for his outstanding contributions to the success of the 3<sup>rd</sup> JD's CIC and for his dedication to improving the safety, well-being and permanency of children.



## 2<sup>nd</sup> Judicial District's Protective Custody Restructuring

The 2<sup>nd</sup> Judicial District Court began implementation of a newly restructured protective custody (PC) hearing last May. The court docket begins with a conference of the professionals, without clients present, for a discussion of the cases to include a description from the social worker and exchange of evidentiary material. The Public Defender's investigators meet with the parents and provide overall information.

The facts supporting the removal of the child are being orally stipulated to in court. The social workers are sworn-in to confirm that the stipulation reasonably reflects their understanding of the case. Parents are being advised that the petition may address additional safety concerns that may not have been specifically addressed in the stipulation.

The Public Defender's Office

indicates that the Office has represented 72 parents at the PC hearing during the first two months this new process was in place. Earlier parental representation allows the parents to establish a positive and forward looking attitude earlier with less focus on the adversarial portions of the hearing. By the time the petition is filed, the parents know their attorneys.

The Court is now working on possible ways to measure the progress of the restructured process.

For Additional  
Information Contact:

Kathy O'Leary  
KOleary@washoeconomy.us

## CASA of Churchill County off to a Quick Start

For Additional  
Information  
Contact:

Sue Sevon  
Court Administrator

ssevon@  
churchillcourts.org

CASA of Churchill County in the 10<sup>th</sup> Judicial District (JD) kicked off with an Informational Event which attracted 35 attendees. Of the 35, 15 indicated a strong interest in becoming advocates and the others were willing to be a Friend of CASA and volunteer to fund raise or assist in other areas. They have developed training manuals and standard operating procedures, and began a "Kids' Klostet" that is

run by the Friends of CASA. The CASA Project Manager has been sworn in as a CASA and has been assigned two cases. She started training 10 new CASAs in September. Weekly training includes attending court hearings, a mock court hearing, how to write court reports, and on-line National CASA classes. The Project Manager is practicing the principles of continual quality improvement.

When it was noted that the class was overwhelmed by the amount of new information, she postponed moving on to the next scheduled class and repeated the training. The 10<sup>th</sup> JD is also evaluating its need for a full-time project manager given that she is actually monitoring the CASAs to ensure that their tasks are completed and they are following the procedures developed.

## November is National Adoption Month



### National Adoption Month Website Launches

The Children's Bureau, within the U.S. Department of Health and Human Services' Administration for Children and Families, is pleased to announce the launch of the 2014 National Adoption Month website, created in partnership with Child Welfare Information Gateway, it's information service, and AdoptUSKids.

National Adoption Month (NAM) draws attention to the urgent need for permanent families for the more than 102,000 children and youth waiting for adoption in foster care. This year's NAM theme, "Promoting and Supporting Sibling Connections," emphasizes the critical role sibling relationships play in helping to promote permanency for children in care. The NAM website offers a variety of audience-specific resources:

**Professionals** can find information to help them promote and support sibling connections, recruit adoptive families, and see examples of how other States are promoting permanency for siblings and youth.

**Adoptive parents** can find information on adopting siblings from foster care, learn what permanency means, and view powerful videos from youth and other adoptive families.

**Adopted people** can find information on openness in adoption and search and reunion.

**Birth parents** can find information on kinship adoption/adoption by relatives, openness in adoption, and search and reunion.

**Youth** can learn about how to get involved in their permanency plans, stay connected with adults and other teens through social media, find out about the benefits of being safe online, and more.

For more information copy and paste the link below:

<https://www.childwelfare.gov/adoption/nam/#twtr=pro>

NEVADA SUPREME COURT  
 ADMINISTRATIVE OFFICE OF THE COURTS  
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 Phone: 775-687-9812  
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 Email: [rtaft@nvcourts.nv.gov](mailto:rtaft@nvcourts.nv.gov)

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. 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.

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 index.php/  
 courtimprovementprogram](http://www.nevadajudiciary.us/index.php/courtimprovementprogram)

### For Judicial Districts' CIC Information Contact:

1st JD	Maribel Gutierrez <a href="mailto:mgutierrez@carson.org">mgutierrez@carson.org</a>
2nd JD	Laura Watts-Vial <a href="mailto:Laura.Watts-Vial@washocourts.us">Laura.Watts-Vial@washocourts.us</a>
3rd JD	Debbie Gilmore <a href="mailto:dgilmore@lyon-county.org">dgilmore@lyon-county.org</a>
4th JD	Julie L. Thuemler <a href="mailto:jthuemler@elkocountynv.net">jthuemler@elkocountynv.net</a>
5th JD	Tim Sutton <a href="mailto:tsutton@co.nye.nv.us">tsutton@co.nye.nv.us</a>
6th JD	Kathy Brumm <a href="mailto:kbrumm@hcdenv.com">kbrumm@hcdenv.com</a>
7th JD	Faye Cavender <a href="mailto:fcavender@dcs.nv.gov">fcavender@dcs.nv.gov</a>
8th JD	Lori Parr <a href="mailto:parrl@clarkcountycourts.us">parrl@clarkcountycourts.us</a>
9th JD	Brenda Hoelzen <a href="mailto:bhoelzen@douglas.nv.gov">bhoelzen@douglas.nv.gov</a>
10th JD	Sue Sevon <a href="mailto:ssevon@churchillcounty.org">ssevon@churchillcounty.org</a>



Court Order  
Templates  
Guides

1 **\*\* JUDICIAL DISTRICT COURT**

2 **\*\* COUNTY, NEVADA**

3  
4 In the Matter of:

CASE NO.:

5  
6 Date of Birth:

Age:

7  
8 Natural Mother's Name:

9 Natural Father's Name:

10 **PROTECTIVE CUSTODY FINDINGS AND ORDER**

11 This matter having come before the Court on \*\*, 2014, for a protective custody hearing pursuant  
12 to NRS 432B.470 and NRS 432B.480. Present in Court for the hearing were \*\* *[child(ren) and*  
13 *parent(s)]*, \*\* of the *[Child Welfare Agency]*, Deputy District Attorney \*\*, and \*\*, and based on the  
14 statements made and the report that was submitted:

15 **THE COURT FINDS** that the mother of the child(ren) is \*\* and that the father of the child(ren)  
16 is \*\*.

17 **THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\* *[ where*  
18 *paternity has not been established]*.

19 **THE COURT FURTHER FINDS** that notification of this protective custody hearing to the  
20 mother, Ms. \*\*, was made by:

- 21 \_\_\_personal service of written notice;  
22 \_\_\_oral notice and by mail to the last known address;  
23 \_\_\_by mail to the last known address;  
24 \_\_\_other:

25 OR

26 \_\_\_the *[Child Welfare Agency]* investigator could not verify if notice of the hearing had been  
27 sent to the last known address.  
28



1 \_\_\_\_\_notification to mother, Ms. \*\*, has not been made as her current address is unknown to the  
2 *[Child Welfare Agency]*.

3 **THE COURT FURTHER FINDS** that notification of this protective custody hearing to the  
4 named father, Mr. \*\*, was made by:

- 5 \_\_\_\_\_ personal service of written notice;
- 6 \_\_\_\_\_ oral notice and by mail to the last known address;
- 7 \_\_\_\_\_ by mail to the last known address;
- 8 \_\_\_\_\_ other:

9 OR

10 \_\_\_\_\_ the *[Child Welfare Agency]* investigator could not verify if notice had been sent by mail to  
11 the last known address.

12 \_\_\_\_\_ notification to the named father, Mr. \*\*, has not been made as his current address is  
13 unknown to the *[Child Welfare Agency]*.

14 **THE COURT FURTHER FINDS** that:

15 \_\_\_\_\_ pursuant to NRS 432B.397 an inquiry was made into whether the child(ren) is an Indian  
16 Child as defined by NRS 432B.067. At this time, the *[Child Welfare Agency]* has no information  
17 indicating that the child(ren) is an Indian Child(ren).

18 \_\_\_\_\_ pursuant to NRS 432B.397 an inquiry was made into whether the child(ren) is an Indian  
19 Child(ren) as defined by NRS 432B.067. \*\* stated there may be Native American heritage. In  
20 accordance with Nevada law, the *[Child Welfare Agency]* will investigate further.

21 \_\_\_\_\_The *[Child Welfare Agency]* was unable to verify if an inquiry has been made pursuant to  
22 NRS 432B.397. In accordance with Nevada law, the *[Child Welfare Agency]* will investigate  
23 further.

24 \_\_\_\_\_The *[Child Welfare Agency]* has been unable to make the inquiries required by NRS  
25 432B.397 having made the following efforts \*\*. In accordance with Nevada law, the *[Child*  
26 *Welfare Agency]* will investigate further.

27  
28

1           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\* have been advised of their/his/her right  
2 to be represented by an attorney and their/his/her right to present statements regarding the protective  
3 custody of the child(ren).

4           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\* have not been advised of their/his/her  
5 right to be represented by an attorney and their/his/her right to present statements regarding the protective  
6 custody of the child(ren) because they/he/she were/was not present at the hearing.

7           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\* have been advised of their/his/her right  
8 to examine reports and other documents pursuant to 25 USC 1912(c) and have been advised of  
9 their/his/her right to request an additional twenty days to prepare for the hearing pursuant to 25 USC  
10 1912(a)[*in cases where ICWA applies*].

11           **THE COURT FURTHER FINDS** there is reasonable cause to believe that it would be contrary  
12 to the welfare of the child(ren) to remain at their/his/her home, and that it is in the best interest of the  
13 child(ren) to be placed out of the home due to \*\*.

14           **THE COURT FURTHER FINDS** there is clear and convincing evidence, including testimony  
15 of qualified expert witnesses, that the continued custody of the child(ren) by the parent or Indian  
16 custodian is likely to result in serious emotional or physical damage to the child(ren).  
17

18           **THE COURT FURTHER FINDS** the child(ren) were placed in protective custody on \*\*.

19           **THE COURT FURTHER FINDS** that  
20           \_\_\_ the child(ren) should remain in protective custody pending a disposition of the Court;  
21           \_\_\_ the child(ren) should be released to\*\* pending a disposition of the Court;  
22           \_\_\_ the child(ren) should remain with \*\* pending a disposition by the Court.

23           **THE COURT FURTHER FINDS** that it has inquired about relatives and fictive kin to the  
24 child(ren) and pursuant to NRS 432B.480(2) it is in the best interest of the child(ren) to place  
25 them/him/her in the physical custody of \*\*. Specifically Ms. \*\* has established a meaningful  
26 relationship with the child(ren). No one has come forward to request placement at this time.

27           **THE COURT FURTHER FINDS** that it is in the best interest of the subject minors to be  
28 placed together pursuant to NRS 432B.550.



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\_\_\_\_\_  
Judicial Executive Assistant

**CERTIFICATE OF MAILING**

I hereby certify that on the above file stamped date I mailed, *via* first-class mail, postage fully prepaid the foregoing PROTECTIVE CUSTODY FINDINGS AND ORDER to:

Mother-

Father-

\_\_\_\_\_  
Judicial Executive Assistant

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**\*\* JUDICIAL DISTRICT COURT**

**\*\* COUNTY, NEVADA**

In the Matter of:  
  
Date of Birth:                      Age:

CASE NO.:

Natural Mother's Name:

Natural Father's Name:

**FINDINGS AND ORDER AFTER AJUDICATION HEARING**

This matter having come before the Court on \*\*, 2014, for an adjudication hearing pursuant to NRS 432B.530 and NRS 432B.540. Present in Court for the hearing were \*\* [child(ren) and parent(s)], \*\* of the \*\* [Child Welfare Agency], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based on the statements made and the Petition for Hearing that was submitted:

**THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B

**THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of the child(ren) is \*\*.

**THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\* [where paternity has not been established].

**THE COURT FURTHER FINDS** that notification of this adjudication hearing to the mother, Ms. \*\*, was made by:

- \_\_\_ service of summons
- \_\_\_ personal service of written notice;
- \_\_\_ by mail to the last known address;
- \_\_\_ other due diligence as evidenced by \*\*:

**THE COURT FURTHER FINDS** that notification of this adjudication hearing to the named father, Mr. \*\*, was made by:

- 1       \_\_\_ service of summons
- 2       \_\_\_ personal service of written notice;
- 3       \_\_\_ by mail to the last known address;
- 4       \_\_\_ other due diligence as evidenced by \*\*:

5       **THE COURT FURTHER FINDS** that notification of this adjudication hearing to the current  
6 care provider of the child(ren) \*\*, was made by:

- 7       \_\_\_ service of summons
- 8       \_\_\_ personal service of written notice;
- 9       \_\_\_ by mail to the last known address;
- 10      \_\_\_ other due diligence as evidenced by \*\*:

11      **THE COURT FURTHER FINDS** that Ms.\*\*/ Mr.\*\* have been advised of their/his/her right to  
12 be represented by an attorney and their/his/her right to present statements regarding the protective  
13 custody of the child(ren).

14      **THE COURT FURTHER FINDS** that Ms.\*\*/Mr.\*\*, the current care provider of the child(ren),  
15 have been advised of their/his/her right to retain and be represented by an attorney and their/his/her right  
16 to present statements regarding the protective custody of the child(ren).

17      **THE COURT FURTHER FINDS** that the mother/father submits/admits[*including no*  
18 *contest*]/denies the allegations contained in the Petition for Hearing.

19      **THE COURT FURTHER FINDS** that allegations of dependency/abuse or neglect contained in  
20 the Petition for Hearing are not sustained by the evidence and the petition should be dismissed and the  
21 child(ren) returned home immediately to the parents or legal guardians.

22      **THE COURT FURTHER FINDS** that allegations of dependency/abuse or neglect contained in  
23 the Petition for Hearing are sustained by the evidence and are legally sufficient to support state  
24 intervention on behalf of the child(ren), as follows: \*\*[*add findings from the petition*].

25      **THE COURT FURTHER FINDS** that an order of protective custody was issued on \*\*.

26      **THE COURT FURTHER FINDS** that pursuant to NRS 4323B.397, an inquiry was made into  
27 whether the child(ren) is an Indian Child(ren) as defined by NRS 432B.067. At this time, the [*Child*  
28 *Welfare Agency*] has no information indicating that the child(ren) is an Indian Child(ren).

1           **THE COURT FURTHER FINDS** that by a preponderance of the evidence the child(ren)  
2 were/were not in need of protection at the time of removal from the home.

3           **THE COURT FURTHER FINDS** that the child(ren) is/is not in need of protection pursuant to  
4 NRS 432B.330 in that they are \*\*.

5           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has made reasonable  
6 efforts to avoid protective placement of the child(ren), as evidenced by \*\*, NRS 432B.393(1).

7           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has not made reasonable  
8 efforts to avoid protective placement of the child(ren), as evidenced by \*\*, NRS 432B.393(1), or that  
9 circumstances exist so that such reasonable efforts are not required.

10           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
11 shall be supervised by the [*Child Welfare Agency*][*Only if there is a dispute as to visitation*]

12           **IT IS ORDERED** that the Petition for Hearing is hereby dismissed and the child(ren) be  
13 returned home immediately to the parents or legal guardians.

14           **IT IS ORDERED** that the \*\* [*Child Welfare Agency*] provide for the placement, care and  
15 supervision of the child(ren) until further order of the Court.

16           **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] conduct the necessary  
17 searches to locate Ms. \*\*/ Mr. \*\* in order to notify her/him/them of the Court proceedings regarding the  
18 child(ren).

19           **IT IS FURTHER ORDERED** that all orders previously entered herein shall remain in full force  
20 and effect.

21           **IT IS FURTHER ORDERED** that a disposition hearing is set for \*\*, 2014 [*within 15 working*  
22 *days*] at 9:00 a.m. in Courtroom \*\*.

23 Dated: \*\*, 2014.

24           **NRS 125.510(6) regarding abduction, concealment or detention of a child: PENALTY FOR**  
25 **VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN**  
26 **VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**  
27 **NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or**  
28 **any parent having no right of custody to the child who willfully detains, conceals or removes the child**





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**\*\* JUDICIAL DISTRICT COURT**

**\*\* COUNTY, NEVADA**

In the Matter of:	
Date of Birth:	Age:

CASE NO.:

Natural Mother's Name:

Natural Father's Name:

**FINDINGS AND ORDER AFTER ADJUDICATION HEARING (ICWA)**

This matter having come before the Court on \*\*, 2014, for an adjudication hearing pursuant to NRS 432B.530 and NRS 432B.540. Present in Court for the hearing were \*\* [child(ren) and parent(s)], \*\* of the \*\* [Child Welfare Agency], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based on the statements made and the Petition for Hearing that was submitted:

**THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B.

**THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of the child(ren) is \*\*.

**THE COURT FURTHER FINDS** that Ms.\*\* has named \*\* as the father of \*\* [ *where paternity has not been established* ].

**THE COURT FURTHER FINDS** that notification of this adjudication hearing to the mother, Ms.\*\*, was made by:

- \_\_\_ service of summons
- \_\_\_ personal service of written notice;
- \_\_\_ by mail to the last known address;
- \_\_\_ other due diligence as evidenced by \*\*.

**THE COURT FURTHER FINDS** that notification of this adjudication hearing to the named father, Mr. \*\*, was made by:

- 1       \_\_\_ service of summons
- 2       \_\_\_ personal service of written notice;
- 3       \_\_\_ by mail to the last known address;
- 4       \_\_\_ other due diligence as evidenced by \*\*.

5       **THE COURT FURTHER FINDS** that notification of this adjudication hearing to the current  
6 care provider of the child(ren) \*\*, was made by:

- 7       \_\_\_ service of summons
- 8       \_\_\_ personal service of written notice;
- 9       \_\_\_ by mail to the last known address;
- 10      \_\_\_ other due diligence as evidenced by \*\*:

11      **THE COURT FURTHER FINDS** that:

12      \_\_\_ pursuant to NRS 432B.397 an inquiry was made into whether the child(ren) is an Indian  
13 Child(ren) as defined by NRS 432B.067. \*\* stated there may be Native American heritage. In  
14 accordance with Nevada law, the [*Child Welfare Agency*] will make all necessary inquiries to  
15 determine whether the child(ren) is an Indian child(ren).

16      \_\_\_The \*\* [*Child Welfare Agency*] was unable to verify if an inquiry was made pursuant to  
17 NRS 432B.397. In accordance with Nevada law, the [*Child Welfare Agency*] will make all  
18 necessary inquiries to determine whether the child(ren) is an Indian child(ren).

19      \_\_\_The \*\* [*Child Welfare Agency*] has been unable to make the inquiries required by NRS  
20 432B.397 having made the following efforts \*\*. In accordance with Nevada law, the [*Child*  
21 *Welfare Agency*] will make all necessary inquiries to determine whether the child(ren) is an  
22 Indian child(ren).

23      **THE COURT FURTHER FINDS** that:

24      \_\_\_Pursuant to NRS 432B.425, the \*\* [*Child Welfare Agency*] has provided required notice and  
25 advice of rights to the tribes to which the child(ren) may be eligible.

26      \_\_\_Notices were sent by registered mail, return receipt requested.

27      \_\_\_Timely notice was/was not provided to the Indian Tribe and all parties.

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1           **THE COURT FURTHER FINDS** that:

2           \_\_\_At the time of the removal the child(ren) was not already a ward of a tribal court, thereby  
3           depriving the state of court jurisdiction per 25 USC 1911(a).

4           \_\_\_At the time of the removal the child(ren) was already a ward of a tribal court, thereby  
5           depriving the state of court jurisdiction per 25 USC 1911(a), and the Petition for Hearing should  
6           be dismissed.

7           **THE COURT FURTHER FINDS** that Ms.\*\*/ Mr.\*\* have been provided counsel.

8           **THE COURT FURTHER FINDS** that the child(ren) have been provided counsel.

9           **THE COURT FURTHER FINDS** that Ms.\*\*/ Mr.\*\*, the current care provider of the  
10          child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
11          their/his/her right to present statements regarding the protective custody of the child(ren).

12          **THE COURT FURTHER FINDS** that an order of protective custody was issued on \*\*.

13          **THE COURT FURTHER FINDS** that the mother/father submits/admits[*including no*  
14          *contest*]/denies the allegations contained in the Petition for Hearing.

15          **THE COURT FURTHER FINDS** that allegations of dependency/abuse or neglect contained in  
16          the Petition for Hearing are not sustained by the evidence and the petition should be dismissed and the  
17          child(ren) returned home immediately to the parents or legal guardians.

18          **THE COURT FURTHER FINDS** that allegations of dependency/abuse or neglect contained in  
19          the Petition for Hearing are sustained by the evidence and are legally sufficient to support state  
20          intervention on behalf of the child(ren), as follows: \*\*[*add findings from the petition*].

21          **THE COURT FURTHER FINDS** that, pursuant to 25 USC 1912(d), the \*\* [*Child Welfare*  
22          *Agency*] has/has not implemented active efforts prior to the removal of the child(ren) to provide remedial  
23          services and rehabilitative programs designed to prevent the break-up of the family and said efforts were  
24          unsuccessful., Those efforts consisted of \*\*.

25          **THE COURT FURTHER FINDS** that, as required by 25 USC 1912(e), by clear and  
26          convincing evidence, including testimony of a qualified expert, that continued custody by the  
27          parent/Indian custodian is likely to result in serious emotional or physical damage to the child(ren) based  
28          on these facts \*\*.

1           **THE COURT FURTHER FINDS** that the child(ren) is/is not in need of protection pursuant to  
2 NRS 432B.330 in that he/she/they are \*\*.

3           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
4 shall be supervised by the *[Child Welfare Agency][Only if there is a dispute as to visitation]*

5           **IT IS ORDERED** that the Petition for Hearing is hereby dismissed and the child(ren) be  
6 returned home immediately to the parents or legal guardians.

7           **IT IS ORDERED** that the \*\* *[Child Welfare Agency]* provide for the placement, care and  
8 supervision of the child(ren) until further order of the Court.

9           **IT IS FURTHER ORDERED** that the \*\* *[Child Welfare Agency]* conduct the necessary  
10 searches to locate Ms.\*\*/ Mr.\*\* in order to notify her/him/them of the Court proceedings regarding the  
11 child(ren).

12           **IT IS FURTHER ORDERED** that all orders previously entered herein shall remain in full force  
13 and effect.

14           **IT IS FURTHER ORDERED** that a disposition hearing is set for \*\*, 2014 *[within 15 working*  
15 *days]* at 9:00 a.m. in Courtroom \*\*.

16 Dated: \*\*, 2014.

17           **NRS 125.510(6) regarding abduction, concealment or detention of a child: PENALTY FOR**  
18 **VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN**  
19 **VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**  
20 **NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or**  
21 **any parent having no right of custody to the child who willfully detains, conceals or removes the child**  
22 **from a parent, guardian or other person having lawful custody or a right of visitation of the child in**  
23 **violation of an order of this court, or removes the child from the jurisdiction of the court without the**  
24 **consent of either the court or all persons who have the right to custody or visitation is subject to being**  
25 **punished for a category D felony as provided in NRS 193.130.**

26 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980, adopted by the 14th  
27 Session of The Hague Conference on Private International Law, apply if a parent abducts or wrongfully  
28 retains a child in a foreign country.



1 **\*\* JUDICIAL DISTRICT COURT**

2 **\*\* COUNTY, NEVADA**

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5 In the Matter of:

CASE NO.:

6 Date of Birth:

Age:

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8 Natural Mother's Name:

9 Natural Father's Name:

10 **FINDINGS AND ORDER AFTER DISPOSITION HEARING**

11 This matter having come before the Court on \*\*, 2014, for a disposition hearing pursuant to NRS  
12 432B.530 and NRS 432B.540. Present in Court for the hearing were \*\* [*child(ren) and parent(s)*], \*\* of  
13 the \*\* [*Child Welfare Agency*], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based on the  
14 statements made and the Petition for Hearing that was submitted:  
15

16 **THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B

17 **THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of  
18 the child(ren) is \*\*.

19 **THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\* [*where*  
20 *paternity has not been established*].

21 **THE COURT FURTHER FINDS** that notification of this disposition hearing to the mother,  
22 Ms. \*\*, was made by:

23 \_\_\_\_ personal service of written notice;

24 \_\_\_\_ by mail to the last known address;

25 \_\_\_\_ other due diligence as evidenced by \*\*:

26 **THE COURT FURTHER FINDS** that notification of this disposition hearing to the named  
27 father, Mr. \*\*, was made by:

28 \_\_\_\_ personal service of written notice;

1           \_\_\_ mail to the last known address;  
2           \_\_\_ other due diligence as evidenced by \*\*:

3           **THE COURT FURTHER FINDS** that notification of this disposition hearing to the current  
4 care provider of the child(ren) \*\*, was made by:

5           \_\_\_personal service of written notice;  
6           \_\_\_ by mail to the last known address;  
7           \_\_\_other due diligence as evidenced by \*\*:

8           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\* have been advised of their/his/her right  
9 to be represented by an attorney and their/his/her right to present statements regarding the protective  
10 custody of the child(ren).

11           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\*, the current care provider of the  
12 child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
13 their/his/her right to present statements regarding the protective custody of the child(ren).

14           **THE COURT FURTHER FINDS** that an order of adjudication was issued on \*\*.

15           **THE COURT FURTHER FINDS** that pursuant to NRS 4323B.397, an inquiry was made into  
16 whether the child(ren) is an Indian Child(ren) as defined by NRS 432B.067. At this time, the [*Child*  
17 *Welfare Agency*] has no information indicating that the child is an Indian Child.

18           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has made reasonable  
19 efforts to avoid protective placement of the child(ren), as evidenced by \*\*, NRS 432B.393(1).

20           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has not made reasonable  
21 efforts to avoid protective placement of the child(ren), as evidenced by \*\*, NRS 432B.393(1), or that  
22 circumstances exist so that such reasonable efforts are not required.

23           **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
24 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Ms. \*\*, mother.

25           **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
26 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Mr. \*\*, father.

27           **THE COURT FURTHER FINDS** that the current placement of the minor child(ren) with \*\* is  
28 appropriate, the least restrictive, and in the best interests of the child(ren).

1           **THE COURT FURTHER FINDS** that it has inquired about relatives and fictive kin to the  
2 child(ren) and pursuant to NRS 432B.480(2) it is in the best interest of the child(ren) to place  
3 them/him/her in the physical custody of \*\*. Specifically Ms.\*\* has established a meaningful relationship  
4 with the child(ren). No one has come forward to request placement at this time.

5           **THE COURT FURTHER FINDS** that it is/is not in the best interest of the child(ren) to be  
6 placed together pursuant to NRS 432B.550.

7           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
8 shall be supervised by the \*\* [*Child Welfare Agency*] [*Only if there is a dispute as to visitation*].

9           **IT IS ORDERED** that legal and physical custody of the child(ren) shall remain with the \*\*  
10 [*Child Welfare Agency*].

11           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
12 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

13           **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
14 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

15           **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] conduct the necessary  
16 searches to locate Ms. \*\*/ Mr. \*\* in order to notify her/him of the Court proceedings regarding her/his  
17 child(ren).

18           **IT IS FURTHER ORDERED** that the named father, \*\*, of the child(ren), submit to paternity  
19 testing forthwith.

20           **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] may consent to any and all  
21 necessary and/or emergency medical/dental treatment for the child(ren) while they remain in the custody  
22 of the \*\* [*Child Welfare Agency*].

23           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* provide the \*\* [*Child Welfare Agency*]  
24 completed financial statements .

25           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* reimburse the \*\* [*Child Welfare Agency*] for  
26 costs of care according to statutory limits, per NRS 4328.560(2), as per the Child Support Order filed  
27 herein.

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in the Office of the Clerk of the Court.

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\*\*  
Judicial Executive Assistant

**CERTIFICATE OF MAILING**

I hereby certify that on the above file stamped date I mailed, *via* first-class mail, postage fully prepaid the foregoing DISPOSITION FINDINGS AND ORDER to:

Mother-

Father-

\_\_\_\_\_  
\*\*  
Judicial Executive Assistant

1 **\*\* JUDICIAL DISTRICT COURT**

2 **\*\* COUNTY, NEVADA**

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5 In the Matter of:

CASE NO.:

6 Date of Birth:

Age:

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8 Natural Mother's Name:

9 Natural Father's Name:

10 **FINDINGS AND ORDER AFTER DISPOSITION HEARING (ICWA)**

11 This matter having come before the Court on \*\*, 2014, for a disposition hearing pursuant to NRS  
12 432B.530 and NRS 432B.540. Present in Court for the hearing were \*\* *[child(ren) and parent(s)]*,\*\* of  
13 the \*\* *[Child Welfare Agency]*, Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based on the  
14 statements made and the Petition for Hearing that was submitted:  
15

16 **THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B.

17 **THE COURT FURTHER FINDS** that, pursuant to NRS 432B.425, the \*\* *[Child Welfare*  
18 *Agency]* has provided the required notice and advice of rights to the tribes to which the child(ren)  
19 may be eligible.

20 \_\_\_Notices were sent by registered mail, return receipt requested.

21 \_\_\_Timely notice was/was not provided to the Indian Tribe and all parties.

22 **THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of  
23 the child(ren) is \*\*.

24 **THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\**[ where*  
25 *paternity has not been established]*.

26 **THE COURT FURTHER FINDS** that notification of this disposition hearing to the mother,  
27 Ms. \*\*, was made by:

28 \_\_\_personal service of written notice;

1           \_\_\_ mail to the last known address;

2           \_\_\_ other due diligence as evidenced by \*\*

3           **THE COURT FURTHER FINDS** that notification of this disposition hearing to the named  
4 father, Mr. \*\*, was made by:

5           \_\_\_ personal service of written notice;

6           \_\_\_ by mail to the last known address;

7           \_\_\_ other due diligence as evidenced by \*\*

8           **THE COURT FURTHER FINDS** that notification of this disposition hearing to the current  
9 care provider of the child(ren) \*\*, was made by:

10          \_\_\_ personal service of written notice;

11          \_\_\_ by mail to the last known address;

12          \_\_\_ other due diligence as evidenced by \*\*

13          **THE COURT FURTHER FINDS** that, pursuant to 25 USC 1912(b), Ms. \*\*/Mr.\*\* have been  
14 provided counsel.

15          **THE COURT FURTHER FINDS** that the child(ren) have been provided counsel.

16          **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\*, the current care provider of the  
17 child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
18 their/his/her right to present statements regarding the protective custody of the child(ren).

19          **THE COURT FURTHER FINDS** that an order of adjudication was issued on \*\*.

20          **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has/has not implemented  
21 active efforts prior to the removal of the child(ren) to provide remedial services and rehabilitative  
22 programs designed to prevent the break-up of the family. Those efforts included \*\*. Said efforts have not  
23 been successful/appear to be successful, based on these facts \*\*. 25 USC 1912(d).

24          **THE COURT FURTHER FINDS** that by clear and convincing evidence, including testimony  
25 of a qualified expert, that continued custody by the parent/Indian custodian is likely to result in serious  
26 emotional or physical damage to the child(ren) based on these facts \*\*. 25 USC 1912(e).

27          **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
28 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Ms. \*\*, mother.

1           **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
2 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Mr. \*\*, father.

3           **THE COURT FURTHER FINDS** that the current placement of the minor child(ren) with \*\* is  
4 appropriate and in the best interests of the child(ren).

5           **THE COURT FURTHER FINDS** that it has inquired about relatives and fictive kin to the  
6 child(ren) and pursuant to NRS 432B.480(2) it is in the best interest of the child(ren) to place  
7 them/him/her in the physical custody of \*\*. Specifically Ms.\*\* has established a meaningful relationship  
8 with the child(ren). No one has come forward to request placement at this time.

9           **THE COURT FURTHER FINDS** that the current placement is in accordance with the  
10 placement preferences found at 25 USC 1915(b).

11           **THE COURT FURTHER FINDS** that it is/is not in the best interest of the child(ren) to be  
12 placed together pursuant to NRS 432B.550 [*If not part of the visitation plan*].

13           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
14 shall be supervised by the \*\* [*Child Welfare Agency*][*Only if there is a dispute as to visitation*].

15           **IT IS ORDERED** that legal and physical custody of the child(ren) shall remain with the \*\*  
16 [*Child Welfare Agency*].

17           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
18 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

19           **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] conduct the necessary  
20 searches to locate Ms. \*\*/ Mr. \*\* in order to notify him of the Court proceedings regarding his child(ren).

21           **IT IS FURTHER ORDERED** that the named father, \*\*, of the child(ren) submit to paternity  
22 testing forthwith.

23           **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] may consent to any and all  
24 necessary and/or emergency medical/dental treatment for the child(ren) while they remain in the custody  
25 of the \*\* [*Child Welfare Agency*].

26           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* provide the \*\* [*Child Welfare Agency*]  
27 completed financial statements .

28

1           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* reimburse the \*\* [*Child Welfare*  
2 *Agency*] for costs of care according to statutory limits, per NRS 4328.560(2), as per the Child Support  
3 Order filed herein.

4           **IT IS FURTHER ORDERED** that \*\*, Esq., be appointed to represent the natural  
5 mother, and \*\*, Esq., be appointed to represent the natural/putative father, Mr. \*\*, and an attorney be  
6 appointed to represent subject minor(s).

7           **IT IS FURTHER ORDERED** that all orders previously entered herein shall remain in full force  
8 and effect.

9           **IT IS FURTHER ORDERED** that a semi-annual hearing is set for \*\*, 2014 at 9:00 a.m. in  
10 Courtroom \*\*. [*To be set no more than six months from the date that the child(ren) entered foster care.*]

11 Dated: \*\*, 2014.

12           **NRS 125.510(6) regarding abduction, concealment or detention of a child: PENALTY FOR**  
13 **VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN**  
14 **VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**  
15 **NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or**  
16 **any parent having no right of custody to the child who willfully detains, conceals or removes the child**  
17 **from a parent, guardian or other person having lawful custody or a right of visitation of the child in**  
18 **violation of an order of this court, or removes the child from the jurisdiction of the court without the**  
19 **consent of either the court or all persons who have the right to custody or visitation is subject to being**  
20 **punished for a category D felony as provided in NRS 193.130.**

21 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980, adopted by the 14th  
22 Session of The Hague Conference on Private International Law, apply if a parent abducts or wrongfully  
23 retains a child in a foreign country.

24  
25 \_\_\_\_\_  
26 \*\*  
27 **DISTRICT JUDGE**

28           **CERTIFICATE OF SERVICE**

I hereby certify that on the above stamped date, I placed a copy of the foregoing in the folder(s)

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of Attorney(s):

\*\* , DDA

\*\* , Esq.

\*\* , PD  
in the Office of the Clerk of the Court.

\_\_\_\_\_

\*\*

Judicial Executive Assistant

**CERTIFICATE OF MAILING**

I hereby certify that on the above file stamped date I mailed, *via* first-class mail, postage fully prepaid the foregoing DISPOSITION FINDINGS AND ORDER to:

Mother-

Father-

\_\_\_\_\_

\*\*

Judicial Executive Assistant

1 **\*\* JUDICIAL DISTRICT COURT**

2  
3 **\*\* COUNTY, NEVADA**

4  
5 In the Matter of:

CASE NO.:

6 Date of Birth:

Age:

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8 Natural Mother's Name:

9 Natural Father's Name:

10 **FINDINGS AND ORDER AFTER SEMIANNUAL STATUS REVIEW HEARING**

11 This matter having come before the Court on \*\*, 2014, for a status review hearing pursuant to  
12 NRS 432B.580. Present in Court for the hearing were \*\* [*child(ren) and parent(s)*], \*\* of the \*\* [*Child*  
13 *Welfare Agency*], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based on the statements  
14 made and the Petition for Hearing that was submitted:  
15

16 **THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B.

17 **THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of  
18 the child(ren) is \*\*.

19 **THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\* [*where*  
20 *paternity has not been established*].

21 **THE COURT FURTHER FINDS** that notification of this hearing to the mother, Ms. \*\*, was  
22 made by:

23 \_\_\_\_personal service of written notice;

24 \_\_\_\_ by mail to the last known address;

25 \_\_\_\_other due diligence as evidenced by \*\*.

26 **THE COURT FURTHER FINDS** that notification of this hearing to the named father, Mr. \*\*,  
27 was made by:

28 \_\_\_\_ personal service of written notice;



1           \_\_\_ by mail to the last known address;  
2           \_\_\_ other due diligence as evidenced by \*\*.

3           **THE COURT FURTHER FINDS** that notification of this hearing to the current care provider  
4 of the child(ren) \*\*, was made by:

5           \_\_\_personal service of written notice;  
6           \_\_\_ by mail to the last known address;  
7           \_\_\_other due diligence as evidenced by \*\*.

8           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\* have been advised of their/his/her right  
9 to be represented by an attorney and their/his/her right to present statements regarding the protective  
10 custody of the child(ren).

11           **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\*, the current care provider of the  
12 child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
13 their/his/her right to present statements regarding the protective custody of the child(ren).

14           **THE COURT FURTHER FINDS** that an order of adjudication was issued on \*\* and that an  
15 order of disposition was issued on \*\*.

16           **THE COURT FURTHER FINDS** that pursuant to NRS 4323B.397, an inquiry was made into  
17 whether the child(ren) is an Indian Child(ren) as defined by NRS 432B.067. At this time, the [*Child*  
18 *Welfare Agency*] has no information indicating that the child(ren) is an Indian Child(ren).

19           **THE COURT FURTHER FINDS** that the child(ren) are/are not in need of protection pursuant  
20 to NRS 432B in that they are \*\*.

21           **THE COURT FURTHER FINDS** that the current placement of the minor child(ren) with \*\*  
22 continues to be necessary, appropriate, least restrictive, and in the best interests of the child(ren), as  
23 evidenced by \*\*.

24           **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
25 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Ms. \*\*, mother.

26           **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
27 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Mr. \*\*, father.

28

1           **THE COURT FURTHER FINDS** the following elements indicating progress made in  
2 alleviating the problem which resulted in the placement of the child(ren): \*\*.

3           **THE COURT FURTHER FINDS** that \*\* is the date by which the child(ren) may be returned  
4 to and safely maintained in the home or placed for adoption or under a legal guardianship.

5           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
6 shall be supervised by the *[Child Welfare Agency][Only if there is a dispute as to visitation]*

7           **IT IS ORDERED** that legal and physical custody of the child(ren) shall remain with the \*\*  
8 *[Child Welfare Agency]*.

9           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
10 contained in the Case Plan and Service Agreement entered into with the \*\* *[Child Welfare Agency]*.

11           **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
12 contained in the Case Plan and Service Agreement entered into with the \*\* *[Child Welfare Agency]*.

13           **IT IS FURTHER ORDERED** that the \*\* *[Child Welfare Agency]* may consent to any and all  
14 necessary and/or emergency medical/dental treatment for the child(ren) while they remain in the custody  
15 of the \*\* *[Child Welfare Agency]*.

16           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* provide the \*\* *[Child Welfare Agency]*  
17 completed financial statements .

18           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* reimburse the \*\* *[Child Welfare*  
19 *Agency]* for costs of care according to statutory limits, per NRS 4328.560(2), as per the Child Support  
20 Order filed herein.

21           **IT IS FURTHER ORDERED** that \*\*, Esq., be appointed to represent the natural  
22 mother, and \*\*, Esq., be appointed to represent the natural/putative father, Mr. \*\*, and an attorney be  
23 appointed to represent subject minor(s).

24           **IT IS FURTHER ORDERED** that in-state and out-of-state placement options be considered.

25           **IT IS FURTHER ORDERED** that all orders previously entered herein shall remain in full force  
26 and effect.

27           **IT IS FURTHER ORDERED** that a semi-annual hearing is set for \*\*, 2014 at 9:00 a.m. in  
28 Courtroom \*\*. *[To be set no more than six months from the date of this hearing.]*

1 Dated: \*\*, 2014.

2 **NRS 125.510(6) regarding abduction, concealment or detention of a child: PENALTY FOR**  
3 **VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN**  
4 **VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**  
5 **NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or**  
6 **any parent having no right of custody to the child who willfully detains, conceals or removes the child**  
7 **from a parent, guardian or other person having lawful custody or a right of visitation of the child in**  
8 **violation of an order of this court, or removes the child from the jurisdiction of the court without the**  
9 **consent of either the court or all persons who have the right to custody or visitation is subject to being**  
10 **punished for a category D felony as provided in NRS 193.130.**

11 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980, adopted by the 14th  
12 Session of The Hague Conference on Private International Law, apply if a parent abducts or wrongfully  
13 retains a child in a foreign country.

14  
15 \_\_\_\_\_  
16 \*\*

17 **DISTRICT JUDGE**

18 **CERTIFICATE OF SERVICE**

19 I hereby certify that on the above stamped date, I placed a copy of the foregoing in the folder(s)  
20 of Attorney(s):

21 \*\*, DDA

21 \*\*, Esq.

22 \*\*, PD

23 in the Office of the Clerk of the Court.

24 \_\_\_\_\_  
25 \*\*

25 Judicial Executive Assistant

26 **CERTIFICATE OF MAILING**

27 I hereby certify that on the above file stamped date I mailed, *via* first-class mail, postage fully  
28 prepaid the foregoing FINDINGS AND ORDER to:

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Mother-

Father-

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\*\*  
Judicial Executive Assistant

1 **\*\* JUDICIAL DISTRICT COURT**

2  
3 **\*\* COUNTY, NEVADA**

4  
5 In the Matter of:

CASE NO.:

6 Date of Birth:

Age:

7  
8 Natural Mother's Name:

9 Natural Father's Name:

10 **FINDINGS AND ORDER AFTER SEMIANNUAL STATUS REVIEW HEARING (ICWA)**

11 This matter having come before the Court on \*\*, 2014, for a status review hearing pursuant to  
12 NRS 432B.580. Present in Court for the hearing were \*\* [*child(ren) and parent(s)*],\*\* of the \*\* [*Child*  
13 *Welfare Agency*], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based on the statements  
14 made and the Petition for Hearing that was submitted:  
15

16 **THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B

17 **THE COURT FURTHER FINDS** that, pursuant to NRS 432B.425, the \*\* [*Child Welfare*  
18 *Agency*] has provided the required notice and advice of rights to the tribes to which the child(ren)  
19 may be eligible.

20 \_\_\_Notices were sent by registered mail, return receipt requested..

21 \_\_\_Timely notice was/was not provided to the Indian Tribe and all parties..

22 **THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of  
23 the child(ren) is \*\*.

24 **THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\* [*where*  
25 *paternity has not been established*].

26 **THE COURT FURTHER FINDS** that notification of this hearing to the mother, Ms. \*\*, was  
27 made by:

28 \_\_\_personal service of written notice;

1           \_\_\_ by mail to the last known address;  
2           \_\_\_ other due diligence as evidenced by \*\*.

3           **THE COURT FURTHER FINDS** that notification of this hearing to the named father, Mr. \*\*,  
4 was made by:

5           \_\_\_ personal service of written notice;  
6           \_\_\_ by mail to the last known address;  
7           \_\_\_ other due diligence as evidenced by \*\*.

8           **THE COURT FURTHER FINDS** that notification of this hearing to the current care provider  
9 of the child(ren) \*\*, was made by:

10          \_\_\_ personal service of written notice;  
11          \_\_\_ by mail to the last known address;  
12          \_\_\_ other due diligence as evidenced by \*\*.

13          **THE COURT FURTHER FINDS** that, pursuant to 25 USC 1912(b), Ms. \*\*/Mr.\*\* have been  
14 provided counsel.

15          **THE COURT FURTHER FINDS** that the child(ren) have been provided counsel.

16          **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\*, the current care provider of the  
17 child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
18 their/his/her right to present statements regarding the protective custody of the child(ren).

19          **THE COURT FURTHER FINDS** that an order of adjudication was issued on \*\* and that an  
20 order of disposition was issued on \*\*.

21          **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has/has not implemented  
22 active efforts prior to the removal of the child to provide remedial services and rehabilitative programs  
23 designed to prevent the break-up of the family. Those efforts included \*\*. Said efforts have not been  
24 successful/appear to be successful, based on these facts\*\*. 25 USC 1912(d).

25          **THE COURT FURTHER FINDS** that by clear and convincing evidence that continued custody  
26 by the parent/Indian custodian is likely to result in serious emotional or physical damage to the child(ren)  
27 based on these facts \*\*. 25 USC 1912(e).

28

1           **THE COURT FURTHER FINDS** that the child(ren) are/are not in need of protection pursuant  
2 to NRS 432B in that they are \*\*.

3           **THE COURT FURTHER FINDS** that the current placement of the minor child(ren) with \*\*  
4 continues to be necessary, appropriate, least restrictive, and in the best interests of the child(ren), as  
5 evidenced by \*\*.

6           **THE COURT FURTHER FINDS** that the current placement is in accordance with the  
7 placement preference found at 25 USC 1915(b).

8           **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
9 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Ms. \*\*, mother.

10          **THE COURT FURTHER FINDS** that the tasks and goals contained in the Case Plan and  
11 Service Agreement entered into with the \*\* [*Child Welfare Agency*] are appropriate as to Mr. \*\*, father.

12          **THE COURT FURTHER FINDS** the following elements indicating progress made in  
13 alleviating the problem which resulted in the placement of the child(ren): \*\*.

14          **THE COURT FURTHER FINDS** that \*\* is the date by which the child(ren) may be returned  
15 to and safely maintained in the home or placed for adoption or under a legal guardianship.

16          **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
17 shall be supervised by the [*Child Welfare Agency*][*Only if there is a dispute as to visitation*]

18          **IT IS ORDERED** that legal and physical custody of the child(ren) shall remain with the \*\*  
19 [*Child Welfare Agency*].

20          **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
21 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

22          **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
23 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

24          **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] may consent to any and all  
25 necessary and/or emergency medical/dental treatment for the child(ren) while they remain in the custody  
26 of the \*\* [*Child Welfare Agency*].

27          **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* provide the \*\* [*Child Welfare Agency*]  
28 completed financial statements.

1           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* reimburse the \*\* [*Child Welfare*  
2 *Agency*] for costs of care according to statutory limits, per NRS 4328.560(2), as per the Child Support  
3 Order filed herein.

4           **IT IS FURTHER ORDERED** that \*\*, Esq., be appointed to represent the natural  
5 mother, and \*\*, Esq., be appointed to represent the natural/putative father, Mr. \*\*, and an attorney be  
6 appointed to represent subject minor(s).

7           **IT IS FURTHER ORDERED** that in-state and out-of-state placement options be considered.

8           **IT IS FURTHER ORDERED** that all orders previously entered herein shall remain in full force  
9 and effect.

10          **IT IS FURTHER ORDERED** that a semi-annual hearing is set for \*\*, 2014 at 9:00 a.m. in  
11 Courtroom \*\*. [*To be set no more than six months from the date of this hearing.*]

12 Dated: \*\*, 2014.

13           **NRS 125.510(6) regarding abduction, concealment or detention of a child: PENALTY FOR**  
14 **VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN**  
15 **VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**  
16 **NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or**  
17 **any parent having no right of custody to the child who willfully detains, conceals or removes the child**  
18 **from a parent, guardian or other person having lawful custody or a right of visitation of the child in**  
19 **violation of an order of this court, or removes the child from the jurisdiction of the court without the**  
20 **consent of either the court or all persons who have the right to custody or visitation is subject to being**  
21 **punished for a category D felony as provided in NRS 193.130.**

22 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980, adopted by the 14th  
23 Session of The Hague Conference on Private International Law, apply if a parent abducts or wrongfully  
24 retains a child in a foreign country.

25  
26 \_\_\_\_\_  
27 \*\*  
28 **DISTRICT JUDGE**

**CERTIFICATE OF SERVICE**





1 **\*\* JUDICIAL DISTRICT COURT**

2 **\*\* COUNTY, NEVADA**

3  
4  
5 In the Matter of:

CASE NO.:

6 Date of Birth:

Age:

7  
8 Natural Mother's Name:

9 Natural Father's Name:

10 **FINDINGS AND ORDER AFTER PERMANENCY/POST-PERMANENCY REVIEW HEARING**

11 This matter having come before the Court on \*\*, 2014, for a Permanency/Post-Permanency  
12 hearing pursuant to NRS 432B.590. Present in Court for the hearing were \*\* [*child(ren) and parent(s)*],  
13 \*\* of the \*\* [*Child Welfare Agency*], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based  
14 on the statements made and the Petition for Hearing that was submitted:  
15

16 **THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B.

17 **THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of  
18 the child(ren) is \*\*.

19 **THE COURT FURTHER FINDS that** Ms. \*\* has named \*\* as the father of \*\* [*where*  
20 *paternity has not been established*].

21 **THE COURT FURTHER FINDS** that notification of this hearing to the mother, Ms. \*\*, was  
22 made by:

23 \_\_\_ personal service of written notice;

24 \_\_\_ by mail to the last known address;

25 \_\_\_ other due diligence as evidenced by \*\*.

26 **THE COURT FURTHER FINDS** that notification of this hearing to the named father, Mr. \*\*,  
27 was made by:

28 \_\_\_ personal service of written notice;

1 \_\_\_\_\_ by mail to the last known address;  
2 \_\_\_\_\_ other due diligence as evidenced by \*\*.

3 **THE COURT FURTHER FINDS** that notification of this hearing to the current care provider  
4 of the child(ren) \*\*, was made by:

5 \_\_\_\_\_personal service of written notice;  
6 \_\_\_\_\_ by mail to the last known address;  
7 \_\_\_\_\_other due diligence as evidenced by \*\*.

8 **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\* have been advised of their/his/her right  
9 to be represented by an attorney and their/his/her right to present statements regarding the protective  
10 custody of the child(ren).

11 **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\*, the current care provider of the  
12 child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
13 their/his/her right to present statements regarding the protective custody of the child(ren).

14 **THE COURT FURTHER FINDS** that pursuant to NRS 4323B.397, an inquiry was made into  
15 whether the child(ren) is an Indian Child(ren) as defined by NRS 432B.067. At this time, the [*Child*  
16 *Welfare Agency*] has no information indicating that the child(ren) is an Indian Child(ren).

17 **THE COURT FURTHER FINDS** that the child(ren) are/are not in need of protection pursuant  
18 to NRS 432B in that they are \*\*.

19 **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has adopted a plan for  
20 the permanent placement of the child(ren) and has/ made reasonable efforts to finalize the previously  
21 adopted plan for the placement of the child(ren), as evidenced by \*\*.

22 **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has adopted a plan for  
23 the permanent placement of the child(ren) and has not made reasonable efforts to finalize the previously  
24 adopted plan for the placement of the child(ren), as evidenced by \*\*.

25 **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has not adopted a plan  
26 for the permanent placement of the child(ren).

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1           **THE COURT FURTHER FINDS** that the permanency plan for the child(ren) is  
2 reunification/adoption/guardianship/another permanent living arrangement, and that the \*\* [*Child*  
3 *Welfare Agency*] has made reasonable efforts to facilitate the plan as evidenced by \*\*.

4           **THE COURT FURTHER FINDS** that the permanency plan for the child(ren) is  
5 reunification/adoption/guardianship/another permanent living arrangement, and that the \*\* [*Child*  
6 *Welfare Agency*] has not made reasonable efforts to facilitate the plan as evidenced by \*\*.

7           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has made reasonable  
8 efforts to rehabilitate the family and eliminate the need for placement of the child(ren).

9           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has not made reasonable  
10 efforts to rehabilitate the family and eliminate the need for placement of the child(ren).

11           **THE COURT FURTHER FINDS** the child(ren) should/should not be returned to the parents of  
12 the child(ren) or placed with other relatives on \*\*(date) as evidenced by:\*\*.

13           **THE COURT FURTHER FINDS** that it is in the best interests of the child(ren) to initiate  
14 proceedings to terminate parental rights pursuant to NRS 128 so that the child(ren) can be placed for  
15 adoption, as evidenced by \*\*.

16           **THE COURT FURTHER FINDS** that it is in the best interests of the child(ren) to initiate  
17 proceedings to establish a guardianship pursuant to NRS 159, as evidenced by \*\*.

18           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
19 shall be supervised by the [*Child Welfare Agency*][*Only if there is a dispute as to visitation*]

20           **THE COURT FURTHER FINDS** that it is in the best interests of the child(ren) to initiate  
21 proceedings to establish a guardianship in accordance with NRS 432B.466 to 432B.468 inclusive, as  
22 evidenced by \*\*.

23           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has produced  
24 documentation of its conclusion and that there is a compelling reason for the placement of the child(ren)  
25 in another permanent living arrangement, as evidenced by \*\*.

26           **THE COURT FURTHER FINDS** that \*\* [*Child Welfare Agency*]' plan for the permanent  
27 placement of the child(ren) includes services needed to assist the child(ren) in making the transition from  
28 foster care to independent living, pursuant to NRS 432B.595. [*For child(ren) 16 years of age or older.*]

1           **IT IS ORDERED** that legal and physical custody of the child(ren) shall remain with the \*\*  
2 [Child Welfare Agency].

3           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
4 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

5           **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
6 contained in the Case Plan and Service Agreement entered into with the \*\* [*Child Welfare Agency*].

7           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
8 contained in the Permanency Plan adopted by the \*\* [*Child Welfare Agency*].

9           **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
10 contained in the Permanency Plan adopted by the \*\* [*Child Welfare Agency*].

11           **IT IS FURTHER ORDERED** that the \*\* [*Child Welfare Agency*] may consent to any and all  
12 necessary and/or emergency medical/dental treatment for the child(ren) while they remain in the custody  
13 of the \*\* [Child Welfare Agency].

14           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* provide the \*\* [*Child Welfare Agency*]  
15 completed financial statements .

16           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* reimburse the \*\* [*Child Welfare*  
17 *Agency*] for costs of care according to statutory limits, per NRS 4328.560(2), as per the Child Support  
18 Order filed herein.

19           **IT IS FURTHER ORDERED** that \*\*, Esq., be appointed to represent the natural  
20 mother, and \*\*, Esq., be appointed to represent the natural/putative father, Mr. \*\*, and an attorney be  
21 appointed to represent subject minor(s).

22           **IT IS FURTHER ORDERED** that the child(ren) be returned to the parents of the child(ren) or  
23 placed with other relatives on \*\*[*date*].

24           **IT IS FURTHER ORDERED** that proceedings be initiated to terminate parental rights so that  
25 the child(ren) can be placed for adoption.

26           **IT IS FURTHER ORDERED** that proceedings be initiated to establish a guardianship over the  
27 child(ren).  
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**CERTIFICATE OF MAILING**

I hereby certify that on the above file stamped date I mailed, *via* first-class mail, postage fully prepaid the foregoing FINDINGS AND ORDER to:

Mother-

Father-

\_\_\_\_\_  
\*\*  
Judicial Executive Assistant

1 **\*\* JUDICIAL DISTRICT COURT**

2 **\*\* COUNTY, NEVADA**

3  
4  
5 In the Matter of:

CASE NO.:

6 Date of Birth:

Age:

7  
8 Natural Mother's Name:

9 Natural Father's Name:

10 **FINDINGS AND ORDER AFTER PERMANENCY/POST-PERMANENCY REVIEW HEARING**

11 **(ICWA)**

12 This matter having come before the Court on \*\*, 2014, for a Permanency/Post-Permanency  
13 hearing pursuant to NRS 432B.590. Present in Court for the hearing were \*\* [*child(ren) and parent(s)*],  
14 \*\* of the \*\* [*Child Welfare Agency*], Deputy District Attorney \*\*, and \*\*, represented by \*\*, and based  
15 on the statements made and the Petition for Hearing that was submitted:  
16

17 **THE COURT FINDS** that it has jurisdiction in this matter pursuant to NRS Chapter 432B

18 **THE COURT FURTHER FINDS** that The \*\* [*Child Welfare Agency*] has provided the  
19 required notice and advice of rights to the Tribes to which the child(ren) may be eligible pursuant  
20 to NRS 432B.425

21 \_\_\_Notices were sent by registered mail, return receipt requested..

22 \_\_\_Timely notice was/was not provided to the Indian Tribe and all parties..

23 \_\_\_At the time of the removal the child(ren) was/was not already a ward of a tribal court,  
24 thereby depriving the state of court jurisdiction per 25 USC 1911(a).

25 **THE COURT FURTHER FINDS** that the mother of the child(ren) is \*\* and that the father of  
26 the child(ren) is \*\*.

27 **THE COURT FURTHER FINDS** that Ms. \*\* has named \*\* as the father of \*\* [*where*  
28 *paternity has not been established*].



1           **THE COURT FURTHER FINDS** that notification of this hearing to the mother, Ms. \*\*, was  
2 made by:

- 3           \_\_\_ personal service of written notice;
- 4           \_\_\_ by mail to the last known address;
- 5           \_\_\_ other due diligence as evidenced by \*\*.

6           **THE COURT FURTHER FINDS** that notification of this hearing to the named father, Mr. \*\*,  
7 was made by:

- 8           \_\_\_ personal service of written notice;
- 9           \_\_\_ by mail to the last known address;
- 10          \_\_\_ other due diligence as evidenced by \*\*.

11          **THE COURT FURTHER FINDS** that notification of this hearing to the current care provider  
12 of the child(ren) \*\*, was made by:

- 13          \_\_\_ personal service of written notice;
- 14          \_\_\_ by mail to the last known address;
- 15          \_\_\_ other due diligence as evidenced by \*\*.

16          **THE COURT FURTHER FINDS** that Ms. \*\*/Mr. \*\*  
17          \_\_\_ have been provided counsel as required by 25 USC §1912(b).  
18          \_\_\_ were not eligible for counsel as required by 25 USC §1912(b).

19          **THE COURT FURTHER FINDS** that the child(ren) been provided counsel.

20          **THE COURT FURTHER FINDS** that Ms. \*\*/ Mr. \*\*, the current care provider of the  
21 child(ren), have been advised of their/his/her right to retain and be represented by an attorney and  
22 their/his/her right to present statements regarding the protective custody of the child(ren).

23          **THE COURT FURTHER FINDS** that by clear and convincing evidence that continued custody  
24 by the parent/Indian custodian is likely to result in serious emotional or physical damage to the child(ren)  
25 based on these facts \*\*. 25 USC 1912(e).

26          **THE COURT FURTHER FINDS** that the child(ren) are/are not in need of protection pursuant  
27 to NRS 432B in that they are \*\*.

28

1           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] did/did not implement  
2 active efforts to provide remedial services and rehabilitative programs designed to prevent the break-up  
3 of the family, consisting of \*\*, and said efforts were successful/unsuccessful, as evidenced by \*\*.

4           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has/has not adopted a  
5 plan for the permanent placement of the child(ren) and has/has not made reasonable efforts to finalize the  
6 previously adopted plan for the permanent placement of the child(ren), as evidenced by \*\*.

7           **THE COURT FURTHER FINDS** that the permanency plan for the child(ren) is  
8 reunification/adoption/guardianship/another permanent living arrangement, and that the \*\* [*Child*  
9 *Welfare Agency*] has made reasonable efforts to facilitate the plan as evidenced by \*\*.

10           **THE COURT FURTHER FINDS** the child(ren) should/should not be returned to the parents of  
11 the child(ren) or placed with other relatives on \*\* (date) as evidenced by: \*\*.

12           **THE COURT FURTHER FINDS** that the evidence, including the testimony by a qualified  
13 expert, shows beyond a reasonable doubt that the continued custody of the child(ren) by the parent or  
14 Indian custodian is likely to result in serious emotional or physical damage to the child(ren) 25 USC  
15 §1912(f). Such evidence includes \*\*.

16           **THE COURT FURTHER FINDS** that it is in the best interests of the child(ren) to initiate  
17 proceedings to establish a guardianship pursuant to NRS 159, as evidenced by \*\*.

18           **THE COURT FURTHER FINDS** that it is in the best interests of the child(ren) to initiate  
19 proceedings to establish a guardianship in accordance with NRS 432B.466 to 432B.468 inclusive, as  
20 evidenced by \*\*.

21           **THE COURT FURTHER FINDS** that the \*\* [*Child Welfare Agency*] has produced  
22 documentation of its conclusion and that there is a compelling reason for the placement of the child(ren)  
23 in another permanent living arrangement, as evidenced by \*\*.

24           **THE COURT FURTHER FINDS** that \*\* [*Child Welfare Agency*]’ plan for the permanent  
25 placement of the child(ren) includes services needed to assist the child(ren) in making the transition from  
26 foster care to independent living, pursuant to NRS 432B.595. [*For child(ren) 16 years of age or older.*]

27           **THE COURT FURTHER FINDS** that visitation between Ms. \*\*/ Mr. \*\* with the child(ren)  
28 shall be supervised by the [*Child Welfare Agency*][*Only if there is a dispute as to visitation*]

1           **IT IS ORDERED** that legal and physical custody of the child(ren) shall remain with the \*\*  
2 [Child Welfare Agency].

3           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
4 contained in the Case Plan and Service Agreement entered into with the \*\* [Child Welfare Agency].

5           **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
6 contained in the Case Plan and Service Agreement entered into with the \*\* [Child Welfare Agency].

7           **IT IS FURTHER ORDERED** that Ms. \*\*, mother, shall comply with the tasks and goals  
8 contained in the Permanency Plan adopted by the \*\* [Child Welfare Agency].

9           **IT IS FURTHER ORDERED** that Mr. \*\*, father, shall comply with the tasks and goals  
10 contained in the Permanency Plan adopted by the \*\* [Child Welfare Agency].

11           **IT IS FURTHER ORDERED** that the \*\* [Child Welfare Agency] may consent to any and all  
12 necessary and/or emergency medical/dental treatment for the child(ren) while they remain in the custody  
13 of the \*\* [Child Welfare Agency].

14           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* provide the \*\* [Child Welfare Agency]  
15 completed financial statements .

16           **IT IS FURTHER ORDERED** that that Ms. \*\*/ Mr. \*\* reimburse the \*\* [Child Welfare  
17 Agency] for costs of care according to statutory limits, per NRS 4328.560(2), as per the Child Support  
18 Order filed herein.

19           **IT IS FURTHER ORDERED** that \*\*, Esq., be appointed to represent the natural  
20 mother, and \*\*, Esq., be appointed to represent the natural/putative father, Mr. \*\*, and an attorney be  
21 appointed to represent subject minor(s).

22           **IT IS FURTHER ORDERED** that the child(ren) be returned to the parents of the child(ren) or  
23 placed with other relatives on \*\*(date).

24           **IT IS FURTHER ORDERED** that proceedings be initiated to terminate parental rights so that  
25 the child(ren) can be placed for adoption.

26           **IT IS FURTHER ORDERED** that proceedings be initiated to establish a guardianship over the  
27 child(ren).  
28

1           **IT IS FURTHER ORDERED** that all orders previously entered herein shall remain in full force  
2 and effect.

3           **IT IS FURTHER ORDERED** that a Post Permanency hearing is set for \*\*, 2014 at 9:00 a.m. in  
4 Courtroom \*\*.

5 Dated: \*\*, 2014.

6           **NRS 125.510(6) regarding abduction, concealment or detention of a child: PENALTY FOR**  
7 **VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN**  
8 **VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**  
9 **NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or**  
10 **any parent having no right of custody to the child who willfully detains, conceals or removes the child**  
11 **from a parent, guardian or other person having lawful custody or a right of visitation of the child in**  
12 **violation of an order of this court, or removes the child from the jurisdiction of the court without the**  
13 **consent of either the court or all persons who have the right to custody or visitation is subject to being**  
14 **punished for a category D felony as provided in NRS 193.130.**

15 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980, adopted by the 14th  
16 Session of The Hague Conference on Private International Law, apply if a parent abducts or wrongfully  
17 retains a child in a foreign country.

18  
19 \_\_\_\_\_  
\*\*

20 **DISTRICT JUDGE**

21 **CERTIFICATE OF SERVICE**

22 I hereby certify that on the above stamped date, I placed a copy of the foregoing in the folder(s)  
23 of Attorney(s):

24 \*\*, DDA

\*\*, Esq.

25 \*\*, PD  
26 in the Office of the Clerk of the Court.

27 \_\_\_\_\_  
\*\*

28 **Judicial Executive Assistant**

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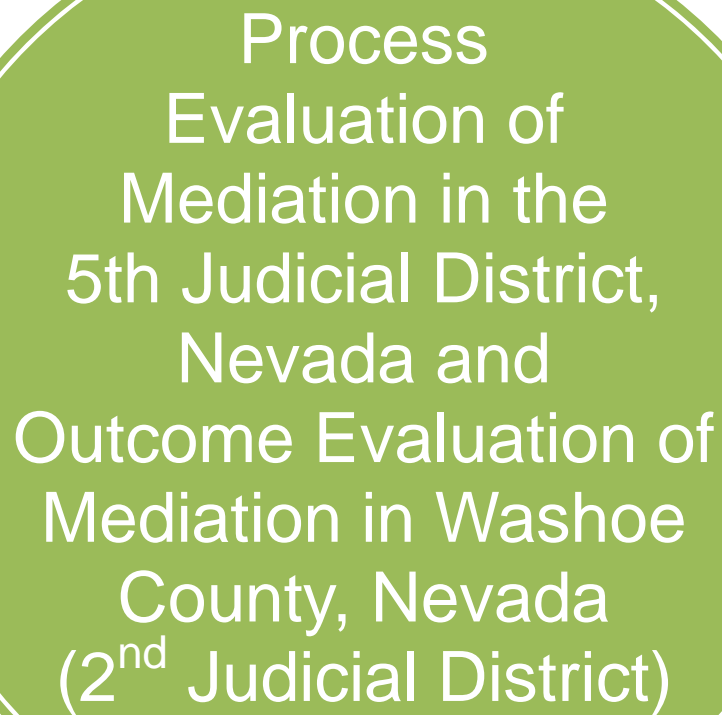
**CERTIFICATE OF MAILING**

I hereby certify that on the above file stamped date I mailed, *via* first-class mail, postage fully prepaid the foregoing FINDINGS AND ORDER to:

Mother-

Father-

\_\_\_\_\_  
\*\*  
Judicial Executive Assistant



Process  
Evaluation of  
Mediation in the  
5th Judicial District,  
Nevada and  
Outcome Evaluation of  
Mediation in Washoe  
County, Nevada  
(2<sup>nd</sup> Judicial District)

RESEARCH REPORT

PROCESS EVALUATION OF MEDIATION IN  
THE FIFTH JUDICIAL DISTRICT, NEVADA



NATIONAL COUNCIL OF  
JUVENILE AND FAMILY  
COURT JUDGES

JUVENILE LAW PROGRAMS

FEBRUARY 2014

The National Council of Juvenile and Family Court Judges® (NCJFCJ) headquartered on the University of Nevada campus in Reno since 1969, provides cutting-edge training, wide-ranging technical assistance, and research to help the nation's courts, judges, and staff in their important work. Since its founding in 1937 by a group of judges dedicated to improving the effectiveness of the nation's juvenile courts, the NCJFCJ has pursued a mission to improve courts and systems practice and raise awareness of the core issues that touch the lives of many of our nation's children and families.

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Mari Kay Bickett, J.D., Chief Executive Officer, NCJFCJ

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## EXECUTIVE SUMMARY

### Fifth Judicial District Mediation

In early 2013, the Fifth Judicial District of Nevada (Nye, Mineral and Esmeralda Counties) implemented a mediation program for parents and stakeholders involved in the child abuse and neglect (dependency) system. The overarching goal of mediation is to avoid further litigation through voluntary case resolution, which can enhance case processing and improve outcomes in juvenile dependency cases. Parties can come together to address the issues surrounding the case and what options are available given the status of the case, through the assistance of a neutral third-party.

Through a contract with Nevada Administrative Office of the Courts (AOC), the National Council of Juvenile and Family Court Judges (NCJFCJ) conducted an assessment of the juvenile dependency mediation program. The assessment included a process and satisfaction evaluation. The mediation program in the 5<sup>th</sup> judicial district is fairly new and has currently mediated fewer than ten cases. It appeared there were initial issues with the referral process and a new referral protocol was implemented. This new protocol includes direct referrals to mediation from the Division of Child and Family Services (DCFS). The courts have approved this protocol which no longer requires a court order, but court ordered mediations are still accepted.

The dependency mediation program in the 5<sup>th</sup> Judicial District (NV) is still in the initial phases and adjusting according to needs. The process evaluation demonstrated promising results for this new program. The mediation program could consider monitoring long-term outcomes of cases that have been mediated and compare to those that have not been to understand how mediation can impact a case from start to finish. Key findings and recommendations from the evaluation are listed below.

#### KEY FINDINGS

- Parental engagement in the program has been productive and positive
- Overall positive attitudes about mediation program from stakeholders and parents
- Parents felt respected and heard during the mediation sessions
- Lack of buy-in from defense attorneys
- Referral process issues and adjustments

#### RECOMMENDATIONS

- Additional training and education opportunities to help stakeholders understand mediation and its purpose to build buy-in
- Employ SMART Objectives when setting yearly goals and objectives
- Increase the number of cases referred to mediation from child welfare agency and court
- Judicial leadership to ensure a successful program
- Explore utilizing mediations in other points in the case instead of only at the initial phases
- Long term follow up study to examine outcomes

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## Introduction

Distrust, anger, and confusion are common feelings that parents may have when their children are removed from home by child protection services (CPS) due to allegations of child abuse and neglect. An adversarial relationship may develop and the need for collaboration and resolution are evident. Mediation may be an option to get to a resolution. Mediation has been used for decades to improve case processing and outcomes in juvenile dependency (child abuse and neglect) cases.<sup>1</sup> Alternative dispute resolution, such as mediation, brings together all concerned parties to negotiate and resolve issues with the assistance of a neutral third party (mediator). Facilitating a discussion where parties voluntarily resolve the issues that brought a family into the dependency system and produce a written agreement, in lieu of a traumatic contested hearing can be a productive alternative to litigation.<sup>2</sup> Parents, CPS, attorneys, and all others that may be involved in the case (e.g., guardian ad litem, Court Appointed Special Advocates (CASA), foster parents, other family members, etc.) can be involved in the mediation session.

The topics discussed may include: petition allegations, case planning, custody, visitation, shared

### BENEFITS OF MEDIATION IN JUVENILE DEPENDENCY CASES

- Time savings for attorneys, courts and social workers
- Parental engagement
- Focus on family strengths
- Non-adversarial environment
- Alternative to litigation
- Improved outcomes for children and families

parental responsibility, temporary and long-term placement, foster care, relative placement, non-relative placement, shelter care, family dynamics, parent education, available services to families, family reunification, termination of parental rights, and/or adoption.<sup>3</sup> Focusing on the family's strengths, creating an environment where parents are part of decision making about their children, and preventing any further abuse or neglect for the child should be the main objectives of mediation in juvenile dependency cases.<sup>2</sup> Time savings, efficiency, parent engagement, and improved outcomes for children involved are all potential benefits of mediation.

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<sup>1</sup> Giovannucci, M., and Largent, K. (2009). A guide to effective child protection mediation: Lessons from 25 years of practice. *Family Court Review*, 47, 38-52.

<sup>2</sup> Superior Court of California, County of Alameda. *Dependency Mediation*. Retrieved from: <http://www.alameda.courts.ca.gov/Resources/Documents/Dependency%20Mediation.pdf>

<sup>3</sup> Eighth Judicial Circuit of Florida. *Frequently Asked Questions: Juvenile Dependency*. Retrieved from: <http://circuit8.org/mediation/dependency-mediation>

Time-savings may occur for courts, attorneys, and social workers, through the avoidance of further litigation and the trial preparation.<sup>4</sup> Although mediation can take several hours to resolve, this can save the courts countless hours and provide more time for other cases to be processed. The mediation process may enhance parental engagement. Before mediation, a parent may feel a range of emotions (angry, distrustful, confused) that their child has been removed from their home, but after they may leave feeling empowered with a better understanding of the child welfare agency and the dependency process. If mediation is conducted by an experienced professional, in a confidential and respectful place,<sup>2</sup> it can foster an environment where parents feel they can be honest because it will not be used against them. Resolution (either full or partial) can be quite common and may result in faster case progression, and ultimately may result in shorter times to permanency for children and families.

Although benefits to mediation are ample, there are limitations, which include no-show parents, disjointed buy-in from stakeholders, and lack of facilitation skills on the part of mediators. With careful evaluation of each court's mediation process, many of these limitations can be mitigated with improved outcomes for the dependency system. For this reason, it is important to assess mediation programs, both in terms of the process of the mediation program, determining if it is being implemented as expected, and the outcomes of evaluation in terms of how it may meet case goals.

### **Program Background**

In early 2013, the Fifth Judicial District (5th JD) of Nevada (Nye, Esmeralda, and Mineral Counties) established a juvenile dependency mediation program. This new program is funded by the Court Improvement Program (CIP), a U.S. Department of Health and Human Services program designed to support court initiatives related to improving outcomes for maltreated children involved in the court system.<sup>5</sup> The 5<sup>th</sup> JD's Community Improvement Council (CIC) was instrumental in program start-up and implementation efforts. One mediator with many years of experience mediating a variety of issues was recruited for the program, and the program is administered in part by Nye County staff. The program has held a total of five mediations to date and more are scheduled in the future. The program has confidentiality and domestic violence protocols in place. The initial objective was to mediate a total of 20 cases within the first year.

---

<sup>4</sup> Summers, A., Wood, S. and Russell, J. (2011) Assessing Efficiency and Workload Implications of the King County Mediation Pilot. *OJJDP Journal of Juvenile Justice*, 1, 48-59. Retrieved from: <http://www.ncjfcj.org/sites/default/files/King%20County%20Mediation%20Pilot%20Article.pdf>

<sup>5</sup> Crowley, M. (2012). Dependency Mediation. *Nevada Family Law Review*, 25, 12-17.

## PROCESS EVALUATION RESULTS

The Nevada Administrative Office of the Courts (AOC) contracted the National Council of Juvenile and Family Court Judges (NCJFCJ) to conduct an assessment of the juvenile dependency mediation program in the Fifth Judicial District of Nevada (Nye, Mineral and Esmeralda Counties). As the program is in its early stages, an outcome evaluation was not feasible, but may be useful moving forward. A process evaluation was conducted to assess the strengths and challenges the program implementation experienced. The current study seeks to answer the following questions.

### Process Evaluation

1. What were the challenges and successes with program implementation?
2. What could have improved the program implementation process?
3. Is the mediation program successfully engaging parents and stakeholders?
4. Does mediation save court time/reduce workload?
5. In what ways could the program be improved?

### Satisfaction Evaluation

1. How are parents treated during mediation sessions?
2. Do stakeholders and parents perceive that mediation as helpful?
3. What did participants find most and least helpful about the mediation session?

For the process evaluation, an online survey was sent to stakeholders involved with the juvenile dependency mediation program to learn more about successes and challenges with program implementation, how the program is currently functioning, mediation utilization barriers, how mediation affects workload, and how the program can be improved in the future. Follow-up interviews with stakeholders were conducted to gain a full understanding of program implementation and functioning.

As part of ongoing efforts to gauge program satisfaction, the mediator gives all mediation participants—parents and stakeholders—a survey after each mediation session. Participants are asked to place their completed surveys in an envelope to ensure confidentiality. The survey asks participants whether an agreement was reached, if participants had opportunities to voice their opinions and be a part of problem resolution, if participants felt like they had been treated with respect and truly listened to, if the mediation session was conducted fairly, if they believed the mediated agreement would work, and what they found the most and least helpful. Satisfaction surveys (n =28) were given to NCJFCJ researchers to explore perceptions of parents and stakeholders and answer the research questions.

## PROCESS EVALUATION RESULTS

To assess the mediation process, researchers administered an online survey to system stakeholders and conducted follow-up in-depth interviews with key mediation participants (i.e., mediators, attorneys, etc.). The online survey was sent to child welfare stakeholders and mediators in December, 2013. Seven responded to the online survey and indicated their role (Table 1).

Seven respondents indicated how many mediation sessions they attend per month on average. Over half of the respondents (57.1%) said they attend one to two mediation sessions per month. The remaining 42.9% indicated they never attend mediation sessions.

	N	%
Administrator	3	42.9
Agency Attorney	2	28.6
Parent's Attorney	0	0.0
Social Work Supervisor	0	0.0
Child Advocate	1	14.3
Mediator	1	14.3
<b>Total</b>	<b>7</b>	<b>100</b>

### Implementation

To understand how the mediation program was implemented, stakeholders involved in the implementation process answered the following questions in the online survey:

- What were the barriers or challenges in implementation?
- What were the strengths in implementation?
- Were there things that could have been done to improve the implementation process?

### Implementation Strengths & Barriers

In the Fifth Judicial District, the Dependency Mediation Program (DMP) was expected to begin in April 2013. The first mediation took place on April 11, 2013. Seventy-five percent of respondents of the online survey said they believed the program started on-time. An official contract was established in May of 2013 between Nye County District Attorney's office and the DMP administrator.

#### *Worked Well*

Participants were asked what worked well during project start up. Survey participants were asked to rate stakeholder buy-in at the beginning of program start-up. Fifty percent of respondents rated the start-up as "Excellent", while 25% rated it as "Good." Twenty-five percent of respondents rated start up as "Fair" and were asked to explain why. There were no explanations provided as to why it was rated this way. No

**"THERE HAVE ONLY BEEN 5 CASES MEDIATED, AND MOST VIEWED BY SOME PARTNERS AS 'NOT RESOLVABLE'. AGREEMENTS WERE REACHED IN ALL CASES."**

## PROCESS EVALUATION RESULTS

respondents rated the start-up as “Poor.”

When the question was posed “do you believe that everyone that should have been involved with program start-up activities was involved,” respondents were split 50/50. Those who said not everyone was not involved, cited a lack of defense attorneys’ participation and social workers.

### *Strengths*

Participants were asked what strengths they saw during implementation. Among those who answered the question, respondents cited that Department of Child and Family Services (DCFS) and Court Appointed Special Advocates (CASA) were very involved. There was a strong commitment from stakeholders to identify an alternative means to resolve challenges in child welfare. Good communication and enthusiasm for the program were also cited as strength to program implementation.

### *Barriers*

Participants were also asked to identify barriers and challenges to program implementation. Two respondents acknowledged lack of public defender participation and buy-in as major challenges to program start-up. There was a lag time in understanding how the program would work, which is to be expected with implementation of a new program. The lack of cases being referred to mediation was identified as a barrier to implementation.

### **Improving Implementation Process**

Participants were asked what could have been done to improve the implementation process. Responses varied from unreasonable implementation goals, awareness of staff members, and participation from the defense attorneys. During program start up, goals and objectives are established in order to evaluate

### PROGRAM GOALS

Respondents were asked to explain the program goals. Their answers included:

- “To help get the cases closed sooner.”
- “To help participants reach a better understanding of each other’s position in regards to reaching reunification.”
- “To help resolve child protection case issues.”
- “The DMP was developed as an alternative to trial, based on the premise that a confidential conversation with all parties may result in improved outcomes for the family and a savings in court time and expense.”
- “To reach an understanding with all parties on the things that needs to be done in order to bring this action to a swift close.”
- “To increase timely permanency for children placed out of home and thus reduce trauma on the children. Additionally, shorter case span will reduce use of court and community resources.”

## PROCESS EVALUATION RESULTS

outcomes during a specific time frame. It is important to ensure that these goals are attainable, appropriate, and within the control and influence of the program. In the 5<sup>th</sup> Judicial District, the initial goal of the dependency mediation program was to mediate 20 new cases within the first year from start-up. A recommendation would be to have included new cases entering the system, but also identify older cases that are already under court supervision.

### Policies and Procedures

Respondents identified specific policies and procedures related to the dependency mediation program. There are policies related to the referral process and how session should be conducted. In addition, there are policies around confidentiality and how agreements should be written. Sixty-six percent of respondents believed the policies/procedures were being followed and the other 33.3% responded “Other.” The other response: referrals to mediation are not as frequent as could be helpful to families in conflict with the child welfare agency.

The dependency mediation program in the 5<sup>th</sup> Judicial District does have Domestic Violence Protocol. This protocol provides the steps that are needed to ensure safety for the victim and that their rights are protected during mediation. It assumes the responsibility of ascertaining if domestic violence is present in a case is held by Division of Child and Family Services (DCFS). If DCFS identifies domestic violence in a dependency case, they will need to inform the mediation program. If domestic violence is involved, options are provided to the victim including: holding separate sessions for victim and perpetrator, inviting an advocate to the session, the victim’s attorney can serve as advocate, or any other options that are introduced from stakeholders and/or victim. The protocol does state that domestic violence itself will never be mediated.

### Program Functioning

Survey participants were asked to rate their level of agreement on several response items related to implementation, participation, and effects of mediation. Table 2 presents the results for all responses along a five-point scale, with 1 being “strongly disagree” and 5 being “strongly agree.” The higher numbers indicate more agreement with the statement.

Table 2. Average Response Ratings	
Mediations sessions are successful in reaching agreements. (n=6)	4.17
Mediation reduces the time to case resolution. (n=6)	4.00
The implementation of the mediation program was a success. (n=6)	3.67



## PROCESS EVALUATION RESULTS

Mediation is a good alternative to court. (n=6)	4.00
All stakeholders, who are invited, attend mediation sessions. (n=5)	4.00
All stakeholders at mediation sessions are prepared. (n=5)	4.60
All stakeholders at mediation sessions work toward reaching an agreement. (n=5)	4.80
All stakeholders get a voice at mediation sessions. (n=5)	5.00
Parents, who are invited, attend mediation sessions. (n=6)	4.75
Parents at mediation sessions work toward reaching agreement. (n=6)	4.50
Parents at mediation session are engaged in the process. (n=6)	5.00
Parents get a voice during mediation session. (n=6)	5.00
Age appropriate children are invited to attend mediation. (n=6)	4.25

As shown in the table, the average response for most items ranged between somewhat agree and strongly agree. One notable exception was respondents indicated less agreement with “The implementation of the mediation program was a success.” All survey participants strongly agreed to the following questions: “All stakeholders get a voice at mediation sessions,” “Parents get a voice during mediation sessions,” and “Parents at mediation session are engaged in the process.”

Participants were also asked several open ended questions:

- What are the barriers to utilizing mediation for parents?
- What are the barriers to utilizing mediation for stakeholders?
- In moving forward with the mediation program, what are some ways in which the program could be improved?

### **Utilization Barriers: Parents**

No barriers were identified for parents from those responding to the survey. It was noted that caseworkers provide transportation when necessary. In addition, one respondent said that the mediation process is thoroughly explained to parents, so they understand what is going to happen.

### **Utilization Barriers: Stakeholders**

Barriers that were identified for stakeholders included: court buy-in, increase amount of time spent in mediation, and lack of defense participation in the program. One respondent felt that even though there was a perception that mediation can take a good amount of time upfront, it results in more engaged parents and this could increase the likelihood of faster resolution. Some responses indicated there is some confusion about the process of referring to mediation and that attorneys may not want their clients to participate in the event they “admit” to something during the process.

## PROCESS EVALUATION RESULTS

There were also several respondents who did not feel there were any barriers that stakeholders experience. In fact, those respondents felt that the mediator does a good job of accommodating stakeholders' needs and is flexible. There were additional positive comments regarding the mediator.

*“EFFORTS TO KEEP MEDIATION AT THE ‘TOP OF THE MIND’ WHEN ENCOUNTERING A CASE IN DISPUTE, HAVE NOT BEEN ENTIRELY SUCCESSFUL.”*

### Program Improvement

Areas for improvement broadly included: absence of referrals for mediations either from the court of child welfare agency, lack of participation from defense attorneys, streamlined process, and lack of training for attorneys. One participant also said that more visible court support of the program would be useful. Judicial leadership can be a critical component to a successful juvenile dependency mediation program.

A participant indicated that training for attorneys and caseworkers about mediation and its purposes would greatly benefit the program. Mediation advocacy trainings should be explored to assist those new to mediation to understand the process and the added benefits to dependency cases.

### Workload

Survey participants were asked how mediation affected their workload. The answers are reported in Table 3. Generally speaking respondents did not feel that mediation adds to their workload. One person who responded “Other” stated “It has not affected my workload at this time, but I anticipate that it could reduce my workload in the long run.” Other responses also included: “Does not affect my personal workload” and “...my answer does not appear relevant here.” This is a positive finding because if stakeholders view mediation as a means to reduce workload, there will be increasing buy-in for the program and therefore an increased number of cases that will be referred.

Mediation reduces my workload (n=1)	14.3%
Mediation requires the same amount of time as going to court (n=1)	14.3%
Mediation adds to my workload (n=1)	14.3%
Other (n=4)	57.1%

## Mediation Satisfaction (Parents and Stakeholders)

### *WHAT DID YOU FIND MOST HELPFUL ABOUT MEDIATION?*

- *A chance to talk without a judge or attorney*
- *The mediator*
- *Being able to open up*
- *Being part of the solution*
- *Communication*
- *Forum to allow parents to be heard*
- *Respectful discussion and no negativity*
- *Solutions for reunification are planned*
- *We were all able to sit down and talk*

Satisfaction surveys are distributed after a mediation session to stakeholders and parents who just participated. These surveys were provided to researchers at NCJFCJ to examine trends and report how stakeholders and parents perceive the program. A total of 28 surveys, from four of the five mediation sessions, were sent to researchers (15 from stakeholders and 13 from parents or other family members). The fifth mediation

occurred after data had been analyzed.

All the mediation sessions that have occurred in the 5<sup>th</sup> Judicial District have resulted in either all or partial agreements. This is a positive accomplishment for the program. Many of the stakeholders who filled out the survey felt that the agreement was comparable to one that might be reached in court.

Parents had positive experiences with mediation among those who completed the satisfaction surveys. When asked “Did the mediator explain the process clearly so you knew what to expect,” all respondents either strongly agreed (72.7%) or agreed (27.3%). When asked “Did you have a chance to voice your opinion,” all respondents either strongly agreed (76.9%) or agreed (23.1%). Sixty-one percent of parents strongly agreed and 38% agreed they felt listened to. One hundred percent of parents either strongly agreed or agreed to the statements “Was your mediation session conducted fairly” and “Were you able to be part of finding answers to problems discussed.” Only one parent responded negatively regarding the statement “Were you treated with respect” and the other 92% of respondents either strongly agreed or agreed.

### *WHAT DID YOU FIND LEAST HELPFUL ABOUT MEDIATION?*

- *I felt uncomfortable and nervous*
- *Mom did not always listen*
- *Needed more information when to speak up*
- *Not binding to Judge*
- *Verbal sparing*
- *Uncompromising*

## PROCESS EVALUATION RESULTS

Like parents, stakeholders also had generally positive experiences with mediation according to those who completed the satisfaction surveys. When asked “did your client have a chance to voice their opinion,” 100% of respondents answered strongly agree (93.3%) or agree (6.7%). When asked “was your client really listened to,” 100% of respondents answered strongly agree (80%) or agree (20%). All stakeholders answered strongly agree to the question “were you treated with respect.” When asked “was your mediation session conducted fairly,” 100% of respondents answered strongly agree (93.3%) or agree (6.7%).

*“I LIKE REMOVING THE WHOLE SYSTEM FROM THE CASE. YOU STEP INTO A COURTROOM AND...PEOPLE GET CONFRONTATIONAL. IN MEDIATION, YOU LOOK AT A PERSON FACE-TO-FACE AND IT’S NOT DICTATED BY THE PROTOCOLS OF COURT.”*

## DISCUSSION

The results of this process evaluation demonstrate that the juvenile dependency mediation program in the 5<sup>th</sup> Judicial District of Nevada has had a fairly successful start. From the online survey and satisfaction surveys, there is a general perception from both parents and stakeholders that they found mediation to be a very helpful tool in moving their case forward.

Parents who participated in the satisfaction survey given to them after their mediation, expressed they felt they were listened to and their opinions were respected. Parents also felt that they were made part of the decision process. These are all positive findings because parental engagement during the life of a dependency case can be problematic. If there is a way to keep parents engaged in the process and feel they have a forum to speak, this can improve the likelihood of reunification.

Stakeholders who participated in the online and satisfaction surveys and interviews also had similar feelings toward mediation as parents did. Overall, the majority of stakeholders found mediation to be an effective tool in increasing parental engagement and providing an alternative to litigation. An issue that was brought up several times as a challenge with the program start-up was a lack of participation from defense attorneys. Since the initial buy-in was low from defense attorneys, this may need to be addressed for the program to be successful moving forward. This can be addressed in multiple ways by either increasing efforts to gain buy-in from attorneys or exploring models where no parties have attorneys (not having an attorney will mean that extra care should be given to ensuring that parents are not coerced into decisions).

In addition, stakeholder survey responses and interviews revealed high satisfaction with the current mediator and her skills in mediation. Respondents noted the mediator's ability to keep the discussion civil and on-track. Stakeholders noted that the mediator can recognize when parents begin to disengage and get them engaged again.

One limitation to this process evaluation that should be noted was low survey response. There were no defense/parent attorneys who responded to either the online survey or requests for phone interviews. The other limitation to this process evaluation was the fact that few mediation sessions had taken place at the time of the assessment. It may be early to draw many conclusions about the program as it still needs to evaluate and make adjustments to function in its capacity to meet yearly goals and objectives.

## CONCLUSION

These are all positive signs for a successful mediation program. Court Improvement Program (CIP) directors and coordinators are encouraged to continue incorporating Continuous Quality Improvement (CQI) into their strategic plans. Continued support, evaluation and guidance for on-going and beginning mediation programs would be advantageous. It is also important for the administrators of the mediation program to incorporate CQI techniques and strategies to always improve their programs to ensure the best possible results for children and families. This is done by 1) utilizing the data collected from such programs to inform the needs of the program, 2) continuously monitor and measure effectiveness, and 3) provide feedback to the stakeholders involved with the program. For example, dependency mediation programs should track and monitor the progress of individual cases before and after mediation. The long-term outcomes (e.g. time to permanency, re-entry rates, reunification rates, etc.) of mediated cases could be compared to cases that did not get referred to mediation to explore the differences. Yearly reports could be generated for dissemination to stakeholders that could help them identify places for improvement. Continuous quality improvement includes making data-driven decisions to improve the functioning of a program to ultimately improve outcomes for children and families.

## CONCLUSION

Although the dependency mediation program is still new, there were positive perceptions among those who participated in the online and in-person survey. It is also important to understand the benefits of a juvenile dependency mediation program and to continue to monitor outcomes of this current program in the 5<sup>th</sup> judicial district. Benefits that can be seen from an effective mediation program can include: time savings, parental engagement, focus on family strengths, non-adversarial environment, an alternative to lengthy litigation, and improved outcomes for children and families.

The key findings from the process evaluation were that parental engagement in the program has been productive and positive. Stakeholders and parents generally have positive experiences when in mediation. Parents felt they had a forum to speak and respected during the mediation. Program start-up was generally successful except for a lack of participation from defense attorneys.

General recommendations to the program include exploring additional training opportunities for stakeholders involved in mediation and those who might be new to it. This may help increase buy-in and understanding how mediation is beneficial. Judicial leadership is also needed for this program to be successful. Exploring the use of mediation at different stages of dependency case progression might increase the number of cases referred to mediation. In addition, referring cases that are in other phases of the dependency case progression might change the trajectory of a case. For instance, mediation could take a case that is non-resolvable or heading towards termination of parental rights and completely turn it around. It could also engage parents who are not complying with their case plan to renew their commitment and get back on-track. Currently, mediations are only held at the initial phases of the case, but mediation can be used at all stages, including termination of parental rights.

*"I THINK MEDIATION SHOULD BE USED AT ALL STAGES OF THE CASE. I HAD A FAMILY WHO WAS HEADED TO TERMINATING THEIR PARENTAL RIGHTS AND NOW REUNIFICATION IS THE GOAL!"*

As with all research and evaluation, continued monitoring and data collection are needed to ensure the program is functioning in the capacity as intended. A well-structured outcome evaluation can dig deeper into the long term effects of mediation on the outcomes for children and families. As more mediation sessions are scheduled in the 5<sup>th</sup> judicial district, mediation administrators and other stakeholders should consider monitoring the outcomes of those families that have participated. The

## CONCLUSION

mediation program is already seeing parental engagement, among those parents who have participated and positive feelings towards mediation. Findings from interviews and online survey responses show a strong commitment to the program's success.



2013

RESEARCH REPORT  
OUTCOME EVALUATION OF MEDIATION  
IN WASHOE COUNTY, NEVADA



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DECEMBER 2013

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## EXECUTIVE SUMMARY

In August of 2011, the Second Judicial District of Nevada (Washoe County) implemented a mediation program for parents and stakeholders who are in the midst of the child abuse and neglect court system. The goal of mediation is to avoid further litigation through voluntary case resolution, which can enhance case processing and improve outcomes in juvenile dependency cases. Parties can come together in a neutral setting to address the issues surrounding the case, and what options are available given the status of the case, through the assistance of an impartial third party.

In 2012, Nevada Administrative Office of the Courts (AOC) contracted the NCJFCJ to assess mediation. The assessment included a process evaluation, a satisfaction evaluation, and an outcome evaluation. The initial outcome evaluation focused on only termination of parental rights (TPR) cases. When the mediation program first began in Washoe County, these cases were primarily referred to mediation. An additional outcome evaluation was recently conducted to assess differences between dependency cases that were referred to mediation to those that were not. This study expands on the first outcome evaluation by examining the effectiveness of mediation earlier in the case. This follow-up study excluded any cases that were in the TPR phase because this had already been examined during the first outcome evaluation, and included a case file review of 27 mediated cases compared to 25 cases that had not been mediated with the use of a standardized instrument.

### Key Findings

Key findings included:

- Mediated cases were more likely to result in reunification when compared to non-mediated cases.
- Fathers who participated in mediation were present at more hearings compared to fathers who did not participate.
- Mothers and fathers who participated in mediation were less likely to stipulate to allegations listed on the petition compared to parents who did not participate.

This outcome evaluation demonstrated that many of the variables of interest trended in a positive direction, but did lack statistical significance. The study was limited in sample size and a larger sample size may have yielded more significant findings. A very positive finding from this outcome evaluation was that mediated cases result in more reunifications compared to non-mediated cases and that fathers were more engaged in the process. The Washoe County Mediation program has demonstrated that cases referred mediation can result in more reunified families.

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## Introduction

Mediation is utilized to improve case processing and outcomes in juvenile dependency cases, as it helps to avoid further litigation.<sup>1</sup> Mediation is a form of alternative dispute resolution that resolves issues with the assistance of a neutral third party (mediator). The main objective of mediation is to facilitate a discussion where parties voluntarily resolve the issues that brought a family into the dependency system and produce a written agreement, in lieu of a traumatic contested hearing.<sup>2</sup> Parties that may attend mediation can include parents, child protective services, attorneys, and all others that may be involved in the case. During mediation, there is a focus on the family's strengths. The topics discussed depend largely on what issues are contested and may include: petition allegations, case planning, custody, visitation, shared parental responsibility, temporary and long-term placement, foster care, relative placement, shelter care, family dynamics, parent education, available services to families, family reunification, termination of parental rights, and/or adoption.<sup>3</sup>

Benefits to mediation in child dependency cases can include: time savings, efficiency, parent engagement, and improved outcomes for children involved. Time savings may occur for courts, attorneys, and social workers through potential lightened workload by the avoidance of additional litigation and the trial preparation.<sup>4</sup> Although mediation can take several hours, if resolution occurs, this can save the courts countless hours and provide time for other cases to be processed. The mediation process can also engage parents. It is not uncommon for parents to feel angry, distrustful, and confused prior to mediation and, after mediation, feel empowered and like they have a voice in the process. Mediation is conducted by an experienced professional, in a confidential and respectful place that will foster an environment where parents feel they can be honest.<sup>2</sup> Anything disclosed during mediation cannot be used against the parents later in the case. Resolution (either full or partial) can be quite common and can result in faster case progression, which ultimately may result in shorter times to permanency for children and families.

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<sup>1</sup> Giovannucci, M., and Largent, K. (2009). A guide to effective child protection mediation: Lessons from 25 years of practice. *Family Court Review*, 47, 38-52.

<sup>2</sup> Superior Court of California, County of Alameda. *Dependency Mediation*. Retrieved from: <http://www.alameda.courts.ca.gov/Resources/Documents/Dependency%20Mediation.pdf>

<sup>3</sup> Eighth Judicial Circuit of Florida. *Frequently Asked Questions: Juvenile Dependency*. Retrieved from: <http://circuit8.org/mediation/dependency-mediation>

<sup>4</sup> Summers, A., Wood, S. and Russell, J. (2011) Assessing Efficiency and Workload Implications of the King County Mediation Pilot. *OJJDP Journal of Juvenile Justice*, 1, 48-59. Retrieved from: <http://www.ncjfcj.org/sites/default/files/King%20County%20Mediation%20Pilot%20Article.pdf>

## Program Background

In August of 2011, the Nevada Court Improvement Program (CIP) funded the Second Judicial District of Nevada (Washoe County) to establish a juvenile dependency mediation program. This program was modeled after a mediation program that ran in the district in the early 2000s. Four mediators with years of experience mediating a variety of issues were recruited for the program. Mediation is administered by staff of the Second Judicial District. In Washoe County, juvenile dependency cases are automatically ordered to mediation by the court if there is a contested termination of parental rights (TPR) petition, contested permanency planning hearing, or other contested case issues. The date and time of the mediation session is set by the court, and formalized through a court order; participation by all parties to the case is mandatory. Three hours are set aside for each mediation session.

On the day of mediation, the mediator provides each parent a brief overview of the mediation process. All parties sign a confidentiality statement prior to the mediation. Mediators use a facilitative model of mediation, a style where the mediator does not present his or her own views of the case or of the agreement, and is instead focused on ensuring that all parties have an opportunity to be heard and that parties reach an agreement that meets everyone's needs.<sup>5</sup> If an agreement is reached at the conclusion of mediation, a written agreement is printed and signed by those who have authority and each party receives a copy. The agreement is then entered into the electronic case management system and forwarded to the judge, who has to then sign the agreement and file a court order. All participants are then asked to complete a short survey regarding their perceptions of the mediation, the outcome and how they were treated.

A previous process and outcome evaluation was conducted by National Council of Juvenile and Family Court through a contract with the Nevada Administrative Office of the Courts. A multi-method approach was used, including structured interviews, online surveys, satisfaction surveys, and case file review. The results of the original process and outcome evaluation were positive, with high satisfaction with the program. The implementation process of the mediation program was highlighted, as well as outcome differences between mediated and non-mediated termination of parental rights cases. The full report can be found at [http://www.ncjfcj.org/sites/default/files/Assessing%20Mediation%20in%20Nevada\\_Washoe.pdf](http://www.ncjfcj.org/sites/default/files/Assessing%20Mediation%20in%20Nevada_Washoe.pdf)

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<sup>5</sup> Imperati, S.J. (1997). Mediator practice models: The intersection of ethics and stylistic practices in mediation. *Willamette Law Review*, 33, 703.

## STUDY OVERVIEW

The Nevada Administrative Office of the Courts (AOC) contracted the National Council of Juvenile and Family Court Judges (NCJFCJ) to conduct an assessment of the juvenile dependency mediation program in Washoe County. The Nevada Court Improvement Program (CIP) supports mediation as one method for improving timeliness of case process. The current outcome evaluation sought to assess what impact the mediation program might have on outcomes for maltreated children. The previous outcome evaluation only examined cases that were in the TPR phase, whereas this study excluded those cases and focused instead on cases mediated early in the process (typically pre-adjudication). Along these lines, the current study seeks to answer the following questions:

- Does mediation result in different outcomes for children and families?
- Does mediation improve engagement of parents in the process, in terms of:
  - a. Increased participation in the hearings?
  - b. Differences in the number of services offered to parents?
  - c. Compliance with case plans?
- Does mediation result in timelier outcomes for children and families?
- Does mediation result in time savings in terms of number of hearings and case continuances?

In Washoe County, enough cases had been mediated to assess the program's effect on case outcomes and timeliness of case processing. The inclusion criteria for this study were cases that were mediated from August 2011 through the end of 2012. These mediated cases were matched to non-mediated cases whose petition was initiated in August 2011 through the end of 2012. Using a standardized case file review instrument, researchers coded a sample (n = 27) of cases that had been mediated and a sample of cases (n = 25) that were not mediated for. It should be noted that 32 cases were referred to mediation within this period; however, five cases were vacated due to various reason and were placed in the non-mediated sample for comparison. Common reasons for mediation being vacated were parents not showing up to participate, an agreement was reached before mediation, or contested hearings. Because the previous outcome evaluated focused only on cases that had filed a petition to terminate parental rights, these cases were excluded from review and the focus was on cases that were referred to mediation for other reasons (i.e. contested petition).

## OUTCOME EVALUATION RESULTS

For the outcome evaluation, researchers employed a systematic review of the court case files using a structured data collection instrument. Three coders collected data on 52 cases that had filed a juvenile dependency petition; 32 cases had been referred to mediation and 20 that had not been referred to mediation. Although 32 cases were referred to mediation, only 27 were mediated and 5 were vacated. To be considered a mediated case, it had to meet two criteria. First, the mediation could not be vacated. Second, one or both parents must have attended the mediation. Using these criteria, 27 mediated cases and 25 non-mediated cases were used to answer the following research questions:

- Does mediation result in different outcomes for children and families?
- Does mediation improve engagement of parents in the process?
- Does mediation result in timelier outcomes for children and families?
- Does mediation result in time savings in terms of number of hearing and case continuances?

### Case Characteristics

To ensure mediated and non-mediated cases had similar characteristics when they entered the dependency system, several variables were examined. These included total average number of allegations listed on the petition, total average number of presenting problems and child's race.

The total average number of allegations against mothers listed on the petition did not vary much between mediated (1.22) and non-mediated (1.24) cases. For mothers, the average total number of presenting problems also did not vary greatly between mediated (2.2) and non-mediate cases (2.3).

The total average number of allegations against fathers listed on the petition did not vary much between mediated (0.71) and non-mediated (0.68) cases. For fathers, the average total number of presenting problems was 1.5 for mediated cases and 1.2 for non-mediated cases.

Child's race was collected during case reviews, and there did not appear to be major differences between mediated and non-mediated cases. See table 1 for full description. Based on the averages of the allegations, presenting problems and children's race, we can say the groups are statistically comparable and did not appear to be different coming in to the courts.



## OUTCOME EVALUATION RESULTS

TABLE 1. CHILD'S RACE		
Race	Mediated % (n)	Non-mediated % (n)
African American	7.1% (1)	9.1% (2)
Hispanic	7.1% (1)	13.6% (3)
Caucasian	42.9% (6)	40.9% (9)
Native American	7.1% (1)	0% (0)
Undetermined	35.7% (5)	27.3% (6)
Missing Data	(13)	(3)

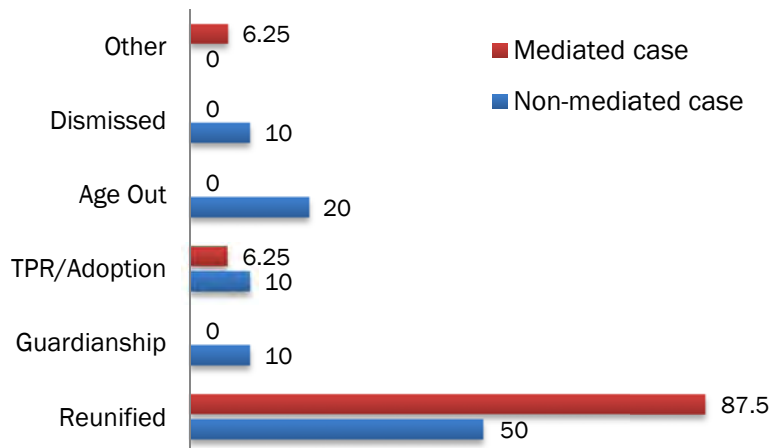
### Outcomes

#### *Does mediation result in different outcomes for children and families?*

Fifty percent of all the cases had closed at the time of case file review. Of the mediated cases, 59% had closed and of the non-mediated cases, 40% had closed. Among mediated and closed cases, 87.5% of cases had reunified, 6.3% resulted in termination of parental rights (TPR)/Adoption and 6.3% were other outcomes. Among the non-mediated closed cases, only 50% had reunified, 10% guardianship, 10% TPR/adoption, 20% aged out, and 10% had been dismissed. This descriptive analysis demonstrates that more mediated cases had been closed at time of review and there were higher rates of reunification.

Chi-square tests of independence were conducted to examine the relationship between mediation and case outcomes. There was a significant difference between mediated and non-mediated cases and the likelihood of reunification compared to all other outcomes ( $p=0.037$ ). Cases referred to mediation were more likely to result in reunification compared to cases not referred to mediation (see Figure 1).

**FIG. 1 - CASE OUTCOME AS A PERCENTAGE OF CLOSED CASES**



## OUTCOME EVALUATION RESULTS

Children whose parents participated in mediation had slightly fewer placements compared those who did not participate. Cases that were referred to mediation resulted in an average of 2.1 placements compared to 2.7 among those who did not participate. This difference was not statistically significant ( $p = .27$ ).

### Parental Engagement

#### *Does mediation improve engagement of parents in the process?*

Engagement of parents in the process was conceptualized in two ways. First, we assessed parents participation in hearings (i.e., how often across the life of the case did a parent attend the hearings). This measure is reported as a percentage (ranging from 0 to 100). Second, we examined the number of services ordered for each party. While this may not affect parent's engagement in the process, it illustrates the amount of effort that the agency is requiring of the parent. Third, we examined case plan compliance (i.e., findings at the review or permanency hearing as to how much the parent has complied with their plan). In theory, parents that are more engaged in the case will likely have higher compliance with their plan.

#### *Hearing Participation*

Overall, mothers were present 87% of all possible hearings. Mothers who participated in mediation attended 88% of hearings possible. Mothers who did not participate in mediation attended 85% of hearings possible. Participation in mediation slightly increased mother's presence at hearing, but not significantly.

Overall, fathers were present 62% of all possible hearings. Fathers who participated in mediation attended 72% of hearings possible. Fathers who did not participate in mediation only attended 50% of hearings possible. Participation in mediation significantly increased father's presence at hearings compared to fathers who did not participate in mediation ( $p=0.057$ ).

#### *Services Ordered*

On average mothers who participated in mediation were referred and ordered to 4.1 services in their case plan. Mothers who did not participate in mediation were referred and ordered to an average of 4.8 services in their case plan. It is important to note that other services (i.e. home visits, compliance with parole, family drug court, etc.) were captured in an "other" category and not counted within this

## OUTCOME EVALUATION RESULTS

analysis. Independent t-tests did not demonstrate statistically significant differences between the two groups.

On average fathers who participated in mediation were referred and ordered to 2.6 services in their case plan. Fathers who did not participate in mediation were referred and ordered to an average of 1.6 services in their case plan. Independent t-tests did not demonstrate statistically significant differences between the two groups.

### *Case Plan Compliance*

Case plan compliance was also examined to explore any relationship with mediation. No statistically significant associations were found between mediation and case plan compliance. See Table 2 for descriptive analysis.

TABLE 2. SERVICE COMPLIANCE AT REVIEW AND PERMANENCY HEARINGS		
Hearing	Mediated % (n)	Non-mediated % (n)
Review hearing (mother)		
None	25% (5)	27.3% (6)
Partial	37.5% (9)	45.5% (10)
Full	37.5% (9)	27.3% (6)
Permanency hearing (mother)		
None	22.7% (5)	33.3% (6)
Partial	40.9% (9)	27.8% (5)
Full	36.4% (8)	38.9% (7)
Review hearing (father)		
None	38.9% (7)	30.8% (4)
Partial	38.9% (7)	38.5% (5)
Full	22.2% (4)	30.8% (4)
Permanency hearing (father)		
None	43.8% (7)	50% (6)
Partial	37.5% (6)	33.3% (4)
Full	18.8% (3)	16.7% (2)

### *Stipulations*

Data were also collected on whether parents stipulated to charges in the petition. A stipulation is a situation where the parents agreed to (or did not contest) the allegations found in the petition. This variable was coded to either a parent stipulating or not at any point in the case. Overall, parents were less likely to stipulate to one or more allegations if they participated in mediation compared to parents who did not participate. This association was significant for fathers ( $p=0.01$ ) and mothers ( $p=0.08$ ).

## OUTCOME EVALUATION RESULTS

### Timeliness

Removing children from their homes is traumatic for all involved parties. Moreover, federal and state legislation (e.g., ASFA) exists to ensure timeliness to final case outcomes. For these reasons, several independent samples t-tests were conducted to examine mediated and non-mediated cases with regard to differences in timeliness to case outcomes (i.e., time from initial removal to case closure, time from petition filing to adjudication, and time from petition to permanency hearing) for mediated and non-mediated cases. See Table 3 for the average number of days for each timeliness measure.

	Mediated	Non-mediated
Initial Removal to Case Closure	474	487
Petition Filing to Adjudication	65	34
Petition Filing to Permanency Hearing	356	341
Petition Filing to Mediation	190	n/a
Mediation Referral to Mediation Occurrence	30	n/a

There were no significant differences between mediated and non-mediated cases in the amount of time between initial removal to case closure, petition filing to adjudication, and petition filing to permanency hearing.

Continuances were examined at adjudication and total average number of continuances within the case. Mediated cases resulted in an average of 0.70 continuances at adjudication and non-mediated cases resulted in 0.64. Mediated cases resulted in an average of 1.48 total continuances and non-mediated cases resulted in 1.26. These differences were not statistically significant.

### Limitations of Case File Review

It should be noted that the results of the case file review only demonstrated associations of mediation with case outcomes and fathers presence at hearings. The study design does inhibit causal inference. That is, we cannot draw cause and effect conclusions, or say that mediation causes changes. In particular, time may be the biggest indicator of change. An additional limitation to this study was a small sample size. While we cannot say for certain that mediation created the differences in cases, we can say there appears to be an association between mediation and some positive outcomes.

## DISCUSSION

Association findings between mediated cases and outcomes, parental engagement, and timeliness indicators were limited. Mediated cases were more likely than non-mediated cases to result in reunification when compared to all other outcomes. Fathers who attended mediation were more likely to be present at hearings. Referring fathers to mediation may be a useful way to engage them in the juvenile dependency process. Fathers were also less likely to stipulate to allegations compared to fathers who were not referred to mediation. Mothers were also less likely to stipulate to allegations when they were referred to mediation. There were not statistically significant differences between services for mothers and fathers, average number of continuances, and timeliness indicators (i.e., case closure, petition to adjudication and permanency).

The previous process and outcome evaluations also demonstrated positive findings that should be emphasized. In the previous study of Washoe County's mediation program satisfaction surveys showed that both parents and stakeholders agreed that mediation generally speaking is successful. Stakeholders agreed that mediation lessened their workload in preparation and hearings and is a good alternative to court. Parents also agreed that they felt heard, respected, and treated fairly during the process. When parents felt part of the process and when the mediators clearly explained the process, this was associated with a higher level of agreement. In terms of outcomes, mediation appeared to reduce the number of default orders for mothers and fathers.

These types of findings are limited to surveys and the nuanced benefits of a mediation program may be lost in case file reviews. This case file review is a cross-sectional analysis, which cannot demonstrate long term benefits. Continued follow-up studies may be conducted to observe trends in case outcomes and re-entry into the system as a result of participating in mediation. Mediation observation could also be conducted to further understand and improve the current program.

## CONCLUSION

This study demonstrated that mediated cases were more likely to result in reunification compared to cases not referred to mediation. This may indicate that mediation may be particularly useful as a tool for reunification. Mediation was also related to an increase engagement among fathers who participated in mediation. Fathers attended more hearings compared to fathers who do not attend mediation. Referring fathers to mediation may increase their overall participation in the dependency process and increase the likelihood of reunifying with their children.

The previous and current studies have shown that the mediation program in Washoe County can be an important piece to improve outcomes for children and families. Previous satisfaction surveys from parents showed that those who attend mediation are engaged, have a voice and believe it is helpful. Stakeholders also felt that the process is helpful. To demonstrate long-term results, it is important that the program monitor and track case outcomes and other key indicators.

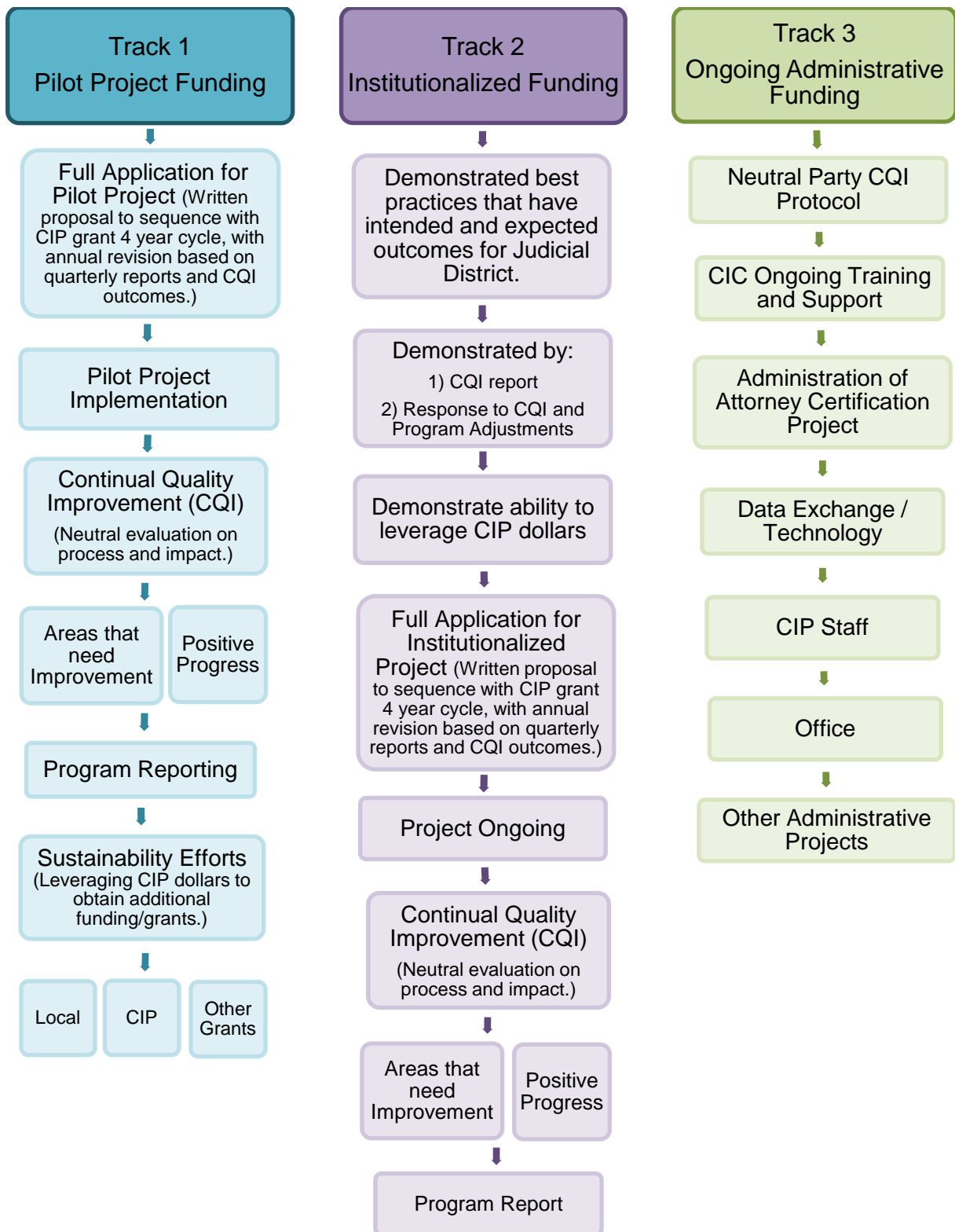
Although the statistically significant findings in this study were limited, this may be a result a low sample size and it should not be interpreted to mean that mediation is not an important program for families involved in the dependency system. Washoe County's mediation program has been successful in meeting several of its goals since its implementation in 2011.

This outcome evaluation sought to answer if mediation impacts outcomes for children and families and the results demonstrated that families referred to mediation are more likely to reunify with their children compared to those who were not referred. Researchers look at parental engagement and found that fathers referred to mediation attended more hearings compared to fathers who were not referred. Researchers also sought to answer if mediation results in timelier outcomes and time savings for the court. Although there were no statistically significant findings with these two questions, it is important to point out that many of the cases were not closed at the time of case file review making it difficult to ascertain differences. Many of the variables collected that were analyzed trended in a positive direction for cases that were mediated. Since many of the cases were not closed at the time of case file review, additional research may help to understand the long term impacts of mediation.




Nevada Court  
Improvement  
Program  
Business  
Process Chart

# FOUNDATIONAL NEVADA CIP BUSINESS PROCESS







Program  
Sustainability  
Success –  
2<sup>nd</sup> Judicial  
District

## Malzahn-Bass, Katherine

---

**From:** Herzik, Mary <Mary.Herzik@washocourts.us>  
**Sent:** Tuesday, December 09, 2014 2:57 PM  
**To:** Malzahn-Bass, Katherine  
**Subject:** Update - Dependency Mediation in the 2nd JD

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Kathie: I wanted to share some very positive and encouraging progress regarding our ongoing efforts to sustain the 2<sup>nd</sup> JD's Juvenile Dependency Mediation program. As you're well aware, program sustainability has been one of the goals that we've been thinking about and planning for since the very first CIP grant; now I can report some concrete progress on additional funding and I'm confident our project stakeholders are on board and at the table – almost wholly due to CIP initially supporting this project, sticking in there to continue to provide funding and committing CIP resources to contract with NCJFCJ to do two independent assessments.

On the funding front, as you may recall in our most recent CIP grant request we noted that we were seeking additional funding from a local foundation ( Lee F. Del Grande Foundation) to support an expansion in mediation. The backdrop was that there had been a growing demand for additional mediation in dependency cases and "competition" for the slots we already have in place. Our thought was to find a funding partner to CIP in the short term, allowing us to offer more dependency mediation plus time to put together a long term partnership of stakeholders who each have ownership of the program and commit dollars. When I wrote the grant request to the Del Grande Foundation this fall, I was able to provide solid and convincing data on mediation referrals and outcomes along with the results of the two independent research studies on mediation done by NCJFCJ. Our request was for \$25,000 but we were notified that the grant committee agreed to go over the amount requested by \$10,000! That's almost unheard of in the funding world. For the coming year we will have CIP funds totaling \$50,000 plus \$35,000 from the Lee Del Grande Foundation. We can increase the number of mediation slots by 25 – 30%.

We are indebted to CIP for giving us this opportunity. I had a meeting yesterday with Judge Walker and other key stakeholders to discuss sustainability and I walked out with a strong sense of collaboration and "let's do this" attitude. The discussion is now focused on the mechanics of how multiple partners will commit dollars, not whether they'll do it or not.

I'll keep you updated of course but I did want to share the positive developments and acknowledge the role that CIP has played in helping us go from start up to where we are now. Regards, Mary

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Nevada  
Community  
Improvement  
Council  
2014 Summit  
Agendas



# Nevada Community Improvement Council Judicial Officer 2014 Dependency Summit

Hosted by  
Nevada Court Improvement Program  
&  
National Council of Juvenile and Family Court Judges

THE NATIONAL JUDICIAL COLLEGE, BUILDING MS 358  
UNIVERSITY OF NEVADA, RENO  
RENO, NV  
OCTOBER 2, 2014

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## *Principles of Quality Hearings*

**Thursday: October 2, 2014**

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|----------------------|--|
| <b>8:15 – 8:45</b>   | <b>Registration &amp; Breakfast</b>  |
| <b>8:45 – 9:00</b>   | <b>Welcome &amp; Opening Remarks</b><br><i>Honorable Nancy M. Saitta, Associate Justice<br/>Supreme Court of Nevada</i><br><i>Honorable Stephen Rubin (Ret.)<br/>Judicial Educator/Consultant, Tucson, AZ</i>  |
| <b>9:00—10:15</b>    | <b>Round Table Discussion</b><br>This session will cover major federal and state legislation in the areas of child protection, child welfare and adoption. Several key laws and issues will be discussed, including the Adoption and Safe Families Act of 1997 (ASFA) and the Nevada Revised Statutes 432B. Ethical considerations related to dependency cases will also be discussed.<br><i>Honorable Nancy M. Saitta, Associate Justice</i><br><i>Honorable Stephen Rubin (Ret.)</i> |
| <b>10:15 – 10:30</b> | <b>Break</b>   |
| <b>10:30 – 11:25</b> | <b>Round Table Discussion cont.</b><br><i>Honorable Nancy M. Saitta, Associate Justice</i><br><i>Honorable Stephen Rubin (Ret.)</i>  |
| <b>11:25—11:45</b>   | <b>Quality Hearing Data Discussion</b><br><i>Alicia Summers, PhD, National Council of Juvenile and Family Court Judges</i>   |
| <b>11:45—Noon</b>    | <b>Evaluations, Next Steps, and Closing Remarks</b>  |



## Nevada Community Improvement Council 2014 Summit

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RENO, NV  
OCTOBER 2-3, 2014

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### *Principles of Quality Hearings*

**Thursday: October 2, 2014**

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**Noon – 1:00**                      **Registration & Lunch**

**1:00 – 1:15**                      **Welcome & Opening Remarks**  
*Mari Kay Bickett, JD*  
*Chief Executive Officer, National Council of Juvenile and Family Court Judges*

*Honorable Nancy M. Saitta, Associate Justice*  
*Supreme Court of Nevada*

*Honorable Stephen Rubin (Ret.)*  
*Judicial Educator/Consultant, Tucson, AZ*

**1:15 – 2:15**                      **What's Changed?**  
The purpose of this activity is to promote sharing across teams, of strategies, practices, activities and/or accomplishments that have furthered the implementation of best practices allowing the CIC's to benefit from one another's experiences and expertise. Each team will designate a spokesperson to share what their CIC has done since the last summit.  
*Franz J. Braun, Site Manager, National Council of Juvenile and Family Court Judges*

**2:15 – 3:15**                      **72 Hour Protective Custody Hearing**  
In this session, participants will be introduced to the NCJFCJ Enhanced Guidelines regarding the protective custody hearings. This session will cover major federal and state legislation in the areas of child protection, child welfare and adoption. Ethical considerations related to this hearing will be discussed.  
*Honorable Stephen Rubin (Ret.)*

**3:15 – 3:30**                      **Break**

\* This conference has been funded by the State Court Improvement Program grant CFDA 93.586) through the Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families. Sec. 438, [42 U.S.C. 629th].

**3:30 – 4:30**

**Adjudicatory/Disposition Hearing**

In this session, participants will be introduced to the NCJFCJ Enhanced Guidelines regarding the adjudicatory and disposition hearings. This session will cover major federal and state legislation in the areas of child protection, child welfare and adoption. Ethical considerations related to these hearings will be discussed.

*Honorable Stephen Rubin (Ret.)*

***Principles of Quality Hearings and Enhancing Hearing Practice***

**Friday: October 3, 2014**

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**8:00—8:30**

**Breakfast NJC Cafeteria**

**8:30 – 8:45**

**What's On Your Mind?**

Participants will have an opportunity to ask questions and share experiences regarding court practices and identified challenges

*Honorable Stephen Rubin (Ret.)*

**8:45-10:15**

**Review and Permanency Hearing**

In this session, participants will be introduced to the NCJFCJ Enhanced Guidelines regarding the review and permanency hearings. This session will cover major federal and state legislation in the areas of child protection, child welfare and adoption. Ethical considerations related to these hearings will be discussed.

*Honorable Stephen Rubin (Ret.)*

**10:15 – 10:30**

**Break**

**10:30 – 12:00**

**Quality Hearings—What Does the Data say?**

Each CIC will receive packets with their quality hearing and timeliness data. Faculty will discuss the statewide findings and outline strategies to move forward.

*Alicia Summers, PhD, National Council of Juvenile and Family Court Judges*

**Noon – 1:00**

**Lunch (provided)**

**1:00 – 1:30**

**Now what? Facilitated Group Discussion**

*Honorable Stephen Rubin (Ret.) and Franz J. Braun*

**1:30 – 3:15**

**Action Planning**

*Franz J. Braun and Alicia Summers*

**3:15 – 3:30**

**Break**

**3:30 – 4:15**

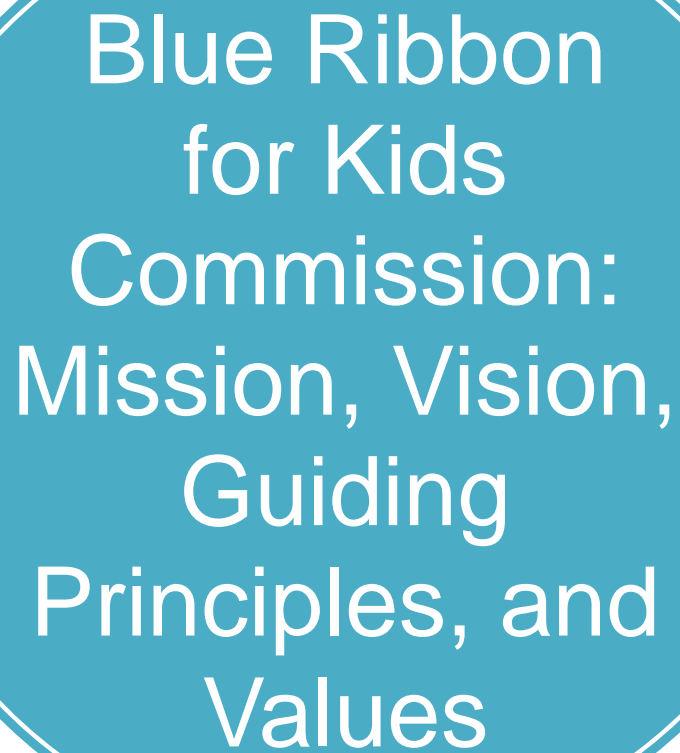
**Action Planning report outs continued**

**4:15 – 4:30**

**Evaluations, Next Steps, and Closing Remarks**

*Justice Nancy M. Saitta, Judge Stephen Rubin (Ret.), and Franz J. Braun*

*\* This conference has been funded by the State Court Improvement Program grant CFDA 93.586) through the Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families. Sec. 438, [42 U.S.C. 629th].*



Blue Ribbon  
for Kids  
Commission:  
Mission, Vision,  
Guiding  
Principles, and  
Values

# THE BLUE RIBBON FOR KIDS COMMISSION

## IT'S ABOUT THE CHILDREN

The **mission** of *The Blue Ribbon for Kids Commission* is to propose a feasible plan of action expeditiously implementing lasting reforms needed in the child dependency system to ensure that the welfare of the children under its charge is its highest priority.

The **vision** of *The Blue Ribbon for Kids Commission* is a child dependency system in which all efforts and resources are organized in a manner that places the child's welfare first.

### Principles Guiding the Commission's Work:

- All children are equal and deserve safe and permanent homes;
- The entire dependency system is child-centered;
- Efforts to improve the foster care system focus on improving safety, permanency, well-being, and fairness for children;
- Community-wide collaboration, partnerships, and respect are essential for achieving the best possible outcomes for children and families;
- Courts perform an important statutory role in overseeing children, families, and services in the dependency system;
- Courts function consistently;
- Children and families have a say in decisions that affect their lives; and
- Government agencies need adequate and flexible federal funding to provide the best outcomes for children in the child dependency system.

### Values Informing the Commission's work:

- |                         |                         |
|-------------------------|-------------------------|
| ▪ Children First        | ▪ Inclusiveness         |
| ▪ Child safety          | ▪ Permanency            |
| ▪ Children and Families | ▪ Shared responsibility |
| ▪ Collaboration         | ▪ Accountability        |
| ▪ Youth Voice           | ▪ Leadership            |