

Brief History of the Child Protection Committee

October 1998

- First meeting of the Child Protection Committee. Convened for a one-year term.

1999

- CP Committee applied for and was awarded its first Court Improvement (CIP) Grant. Total awarded: \$112,000.
- First CIP statewide assessment started.

2000

- First Assessment completed. Notable issues:
 - o Should IDHW be a party in child protection cases?
 - o Implementation of Idaho Juvenile Rule 16
 - o Defining reasonable efforts
 - o Defining unstable home environment
 - o No time standards for child protection cases (Adoption and Safe Families Act – ASFA – signed into law in 1998)
 - o Lack of clarity on role and authority of court.
 - o Should TPR case be filed as a part of the CP case or in a separate case?
 - o Little statewide CP data. No statewide court data.
 - o Delay caused by continuing CP case until companion criminal case resolved.
 - o Use of family drug courts in child protection cases.
 - o Lack of training for judges, attorneys, multidisciplinary teams
 - o Pilot project in progress using mediation in TPR cases
 - o CP system is not accountable to children and their needs
 - o Are administrative reviews by a hearing officer and reviewed by the court effective and efficient?
 - o Role of the GAL vs. the role of an attorney for the child
 - o Legal representation for children
 - o Delay caused by paternity issues

2001

- CP Committee begins work on CP Manual
- Revisions to CPA and TPR statutes and rules incorporate ASFA timelines and address some issues raised by 2000 assessment.
- Provide feedback and guidance to Justices/Administrative Office of the Court on expediting appeals in CP cases.
- CP forms developed
- Request to have CP data tracked in ISTARs

2002

- CP Committee hosts first statewide multidisciplinary CP training
- Bench Cards (checklist version) developed
- Tribal representative added to Committee

- “Roundtables” for stakeholders begin around the state
- First “Mini Rule Book” printed
- Youth Advisors to CP Committee begin
- CP funds used to support additional CP judge in Ada County due to high case load (Judge Vehlow).

2003

- Statewide ICWA training
- Partner with IDHW on self-assessment for first CFSR
- Fund pilot project in Bannock County to do onsite drug testing in CP cases.
- CP Committee considers and then declines to act on open adoption legislation.
- CP funds for CP drug courts available. AOC applies.
- Amendments made to the CPA re: emergency medical care, attorney for child
- IDHW/Courts survey
- ASFA training in each district

2004

- CP Committee/AOC awarded \$200,000 SANCA grant to build ISTARs module for CP
- Partner with IDHW on Program Improvement Plan (PIP) I
- CP Committee begins Children’s Advocate and Protector (CAP) Award
- Develop training for new judges training/orientation
- More discussion of party status and legal representation for IDHW
- Additional bench cards developed
- Develop recommendations regarding support for CASA programs and managing allocation
- Discussion re: proposed amendment to Safe Haven Act
- ISTARs CP module beta tested in Bannock, Twin, and Kootenai counties
- More amendments to CPA/TPR statutes

2005

- Training on permanency issues in each judicial district
- Research on guardianship issues
- Extensive proposed changes to Idaho Juvenile Rules, including change of venue process
- Develop process to monitor court order compliance with IV-E requirements as well as process to “cure” orders that lack correct IV-E language
- Commitment to focus on legal representation of parents, child, IDHW, GAL for next three years
- Recommendation to bring GAL programs into “court family”
- Explore requirement for minimum standards and training requirements for attorneys representing parties in CP cases

2006

- Updated bench cards
- Launched CP website
- Focus: Representation of IDHW and party status

- ICWA Expert Witness training
- Amendments to CPA/IJR

2007

- GAL programs return to “court family” – work with programs to develop standards, NCIC check, funding allocation formula
- *In rem/In personam* nature of CP cases addressed
- Children and Families Institute (CFI)
- IJR 30 – Parties and participants proposed (did not pass CP Committee)
- IJR 40 recommended youth age eight and older have right to notice and to appear. Also extended to foster parents.

2008

- Technical assistance on legal representation/party status IDHW; legal representation for children
- Case coordination with family law cases
- SharePoint for CP Committee members
- GAL Statewide Coordinator position hired at AOC
- Placement authority of court (no action taken)
- 2nd Statewide Assessment for CIP
- Review proposed amendments to ICPC
- Work with Juvenile Justice Advisory Team (JJAT) re: proposed amendments to IJR 16 (related to IV-E funding)
- Technical assistance regarding legal representation for youth in CP cases (Andrea Khoury)
- Implement IJR 40
- IDHW party status/legal representation “Strike Team” collaborative effort
- Final Report Issued with results of CFSR II-collaborate with IDHW on development of Program Improvement Plan to address “areas of concern” identified in CFSR II
- CFI in Sun Valley
- 4 CP Drug Courts created

2009

- Statute re: voluntary in home placement
- Review IDHW drug test protocol
- Expedited appeals in CP cases
- Non-offending parent issue revisited
- Approve **concept** of legal representation for youth
- Report to the Court re: IDHW/GAL

2010

- CFI by teleconference
- Put proposed amendments to §16-1614 and IJR 40 on hold due to recession
- Researched discovery rule for CP cases
- CPDC evaluation results

- Drafted model GAL appointment order
- Forms updated for ICWA compliance

2011

- Start major rewrite of CPA/IJR (2 year project)
- Advancing Justice; supporting Court's overall Standards/Timelines project
- Update CPDC model

2012

- CP Committee becomes Subject Matter Experts for CPDCs, responsible for working with Problem Solving Courts (PSC)
- Advancing Justice continues
- IDHW Blue Ribbon Panel – Partner with IDHW to implement recommendations
- IJR 40 implementation assessment conducted.

2013

- Shared data/Odyssey data needs
- Child Protection Drug Courts self-assessment training--co-manage Enhancement Grant
- National Association of Council for Children (NACC) Child Welfare Specialist Certification Program Approved and Offered in Idaho
- Legal representation for youth age eight and older – Revised §16-1614 passes and becomes law
- Training for CP Attorneys
- Child Protection Advisory Team (CPAT) convened--two judges from each district.

2014

- National Conference support and training
- Implementation of changes to I.C. 16-1614 and 16-1622
- Work on Federal policy implementation of Immigration and Customs Enforcement regarding impact on CP parents
- Research and work on Psychotropic Medication for foster kids. Update data, training and materials up-date
- Advancing Justice – Develop statewide case-flow management template Work on sharing data work group and training
- Rule 40 notice to children 8 and over
- Attend national conferences on Preventing Sex Trafficking and Strengthening Families Act and begin to explore issue in Idaho.
- Study of need for “Safe Harbor” legislation and rules
- Monitoring use of rule 16
- IJR 37 right to counsel
- Review of legislation I.C. 16-16-1608, 1602, and 33-213
- Family Treatment court support and training

2015

- Youth panel involved in critical decision making issues
- Work on statute and rule book update
- Bench card up-date
- Final Judgments issue and CP cases
- Case flow management –convene statewide work group by districts to review and customize case flow management template to reflect local practice.
- Tracking changes coming to BIA guideline and new ICWA requirements
- OPE Study requested on Child Welfare System
- Implementation of court questions from Preventing Sex Trafficking and changes to APPLA and work being done by State Appellate Public Defenders on the issue
- Study needed changes to Termination Act
- Rule changes supported for 39, 40, and 45
- Youth voice in court for independent living plans
- Planning on how to support CASA programs
- Apply for admission to Georgetown Multisystem Certification Project about how collaborative efforts by multiple systems can improve service to and outcomes for cross-over youth

2016

- Collaborate on IDHW Self-Assessment –initial phase of Children and Family Services Review III (CFSR)
- Georgetown Crossover Youth Team awarded Multi System Certification from Georgetown University. Team develops Capstone Project and reviews all case files on 6 crossover youth who ended child welfare system and subsequently also entered juvenile justice system.
- Up-date roles and responsibilities of CP Committee Members
- Develop Member Handbook
- Up-date bench cards and new ICWA bench card to reflect new ICWA regulations
- Support of information and data for proposed legislation and rule changes
- Debra Alsaker-Burke receives national award from ABA
- Creation of process for review of placement decision by H&W (IJR 43)
- Discovery problems presented by public defenders CP cases that all have short time schedules.
- Transition of APPLA youth to successful adulthood, Youth advisors how courts should review transition plans, questions and content
- Strengthening Legal Representation-assist with child protection training for public defenders
- Sharing data by use of common tracking number between H&W and courts

2017

- Collaborate with IDHW in development of PIP III
- Collaborate with IDHW on Fostering Court Improvement Data Dashboard.
- Collaborate with IDHW to update reports to the court-Report of Investigation.

- Quality of hearing study plan developed-judicial survey completed. Scope of shelter care hearings reviewed
- Support and management of CASA programs: update financial policies and processes, grant application process, data management handbook, site visit process updated.
- Host joint training for Idaho magistrates on Domestic Violence and Child Protection
- Explore process for institutionalizing training for attorneys, PAs, PDs, and private bar members
- Work on how to manage and expand family treatment drug courts
- OPE reports on GAL Programs and Crossover Youth-provide data and information for reports
- Convene workgroup to update child protection manual to incorporate 2016 changes in CPA.
- Convene work group to update ICWA chapter of Child Protection Manual to incorporate new ICWA regulations.
- Study and working with other court committees on notice and service in termination actions
- Draft proposed amendments to rules and statutes that may be necessary