Minnesota’s Children’s Justice Initiative: A County-by-County Approach

The Minnesota Supreme Court and the Minnesota Department of Human Services have teamed up for a five-year joint project called the Children’s Justice Initiative (CJI). By working closely with juvenile courts, court administrators, social services, county attorneys, public defenders, guardians ad litem and other key stakeholders in each of the state’s 87 counties, the CJI’s overall goal is to find safe, stable and permanent placements for abused and neglected children in a timely manner through improved case processing.

County Teams
The Children’s Justice Initiative is led by the state’s Chief Justice, with an appointed “lead judge” in each participating county. The lead judges, in turn, each assemble a county team. While composition of the team is mostly left to their discretion, lead judges are asked to include “decision-makers” and “line staff” from court administration, social services, county attorneys, public defenders and guardians ad litem (GALs).

The lead judges are also asked to include other team members such as foster care providers, parents, medical and mental health professionals, service providers, tribal representatives, school officials, law enforcement officials, county commissioners, citizen review panel representatives, and other interested parties.

Core Outcomes, Practice Indicators and Practice Guides
The CJI is designed to improve practice to achieve four core outcomes:

- Child safety: children are safe, protected from abuse and neglect and maintained in their own homes whenever possible
- Child Permanency: children live in permanent, safe homes
- Child-centered Practice: the child’s well-being and sense of time are the focus of practice and procedure
- Due Process: proceedings are conducted in a fair manner with strong judicial oversight

To determine whether the four core outcomes are being achieved statewide, the CJI developed a series of practice indicators and outcome measures. Each county team receives the Core Outcomes along with a Practice Guide that identifies the recommended best practices designed to achieve the core outcomes. The Practice Guide is a self-assessment tool for each county team to review its existing practices and procedures. If a specific best practice is currently not in place, the Guide allows the team to develop an action plan to implement it through a uniform “action plan template.” The template lists state-of-the-art court reforms and calls for the county team to specify how it will put the reforms into effect.

For example, among the practice indicators to achieve the core outcome of child-center practice is the one-family/one-judge principle. A review of a court’s automated data system can reveal how many judges preside over each case. If the one-family/one-judge concept is not in place, the county team can implement an action plan that identifies the team members necessary to implement a change and a target date for the improvement. An inability to implement all best practices due to lack of funding or other challenges would be noted on the team’s action plan.

Statewide Improvements
The Practice Guide and each county’s Action Plan establish baseline data that can be compared to the Resource Guidelines and the Core Outcomes to identify each county’s strengths and weaknesses. Improvements initiated in many counties across the state include, among others:

- Court participants receive training prior to serving in juvenile court and continuing education about juvenile court issues, including information about child development, mental health and chemical dependency issues; legal issues including relevant statutes, court rules and case law; and best practice information
- Rooms are available for attorneys, social workers and GALs to meet with clients so that meetings do not take place in the courtroom hallways
- The same judge handles the case from petition through permanency, including trial(s)
- The same county attorney, guardian ad litem and public defender serve on the case from petition through permanency
- Cases are assigned based on reasonable caseload standards
- Rotation in juvenile court is for no less than two years (and longer if possible)
- Court administration sets time-certain, staggered hearings that are of sufficient length (generally 30 minutes) to fully address all issues
- A “no continuance” policy exists for hearings (except for emergency situations)

One County’s Experience
The Children’s Justice Initiative is best illustrated by examining its implementation in one county. The case management review of Washington County found that

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some practices, such as agency representation expectations, fulfill CJI guidelines and no improvement was necessary. In other areas, however, the review identified needed improvements.

Practical recommendations were made to address those areas needing improvement. For example, the county did not fully meet expectations regarding notice requirements. The review recommended that written notice of the next hearing date be provided at the end of each hearing. It was also suggested that all involved parties bring calendars to the courtroom to avoid scheduling conflicts and the need for continuances. Adopting these recommendations, and the others presented in the review, will help bring Washington County into full compliance with the CJI’s expectations.

Ongoing Assessment

The first 27 counties began participating in the CJI in 2001 and 2002 and have begun to make significant improvements in the way they process child protection cases. The remaining 60 counties began participating in late 2003 and are also expected to see substantial case processing improvements.

Minnesota’s 87 counties are organized into 10 judicial districts. Lead judges from earlier phases of the CJI and project staff have been identified within each district to support the expansion of the initiative statewide. Such district leadership will help motivate and mentor the new teams and assist with monitoring the progress of each county within the district. Over the course of the project, the CJI will regularly assess the counties’ progress and help them make adjustments as appropriate.

Conclusion

Minnesota’s CJI is an innovative initiative to improve child abuse and neglect case handling across the state. The self-assessment tools and ongoing monitoring will provide valuable information for further improvements and for other states to consider in adopting similar approaches.

— Caitlin Kilroy

For additional information on Minnesota’s CJI, contact Judith Nord (651-282-3972; judy.nord@courts.state.mn.us) or Ann Ahlstrom (651-297-1114; ann.ahlstrom @courts.state.mn.us) at the Minnesota Supreme Court. Materials from Minnesota’s CIP are available from the National Resource Center on Legal and Judicial Issues CIP Catalog at www.abanet.org/child/cpcatalog/ home.html, and the action plan template can be found at www.abanet.org/child/cipcatalog/mn-02-04.doc.

For Your Bookshelf

*Children, Families and Foster Care, in The Future of Children.* While calling recent reforms in the child welfare system a step in the right direction, this report calls for better monitoring of child well-being and greater efforts to strengthen and support families. It also presents recommendations for improving the child welfare system in areas such as health assessments, measures of well-being, specialized services, enhanced accountability, transforming frontline practice, and others. The Future of Children (Volume 14, No. 1, Winter 2004) is available on the Web at http://www.futureofchildren.org.

*Midwest Evaluation of the Adult Functioning of Former Foster Youth Wave 1: Three State Findings.* This report presents preliminary findings of a longitudinal study examining the transition from foster care to adulthood for 749 youth in three states. The first wave of data relates to the experiences of 17-year-old youth still under the jurisdiction of the child welfare system. The study found that foster youth experience mental health and substance abuse problems at three times the rate of a comparable national sample; two-thirds of the boys and half the girls had been arrested, convicted of a crime or sent to a correctional facility; and only half read at a 7th grade level, one-third have repeated a grade and nearly 17% have been expelled from school. Available from the Chapin Hall Center for Children at the University of Chicago at www.chapinhall.org.

New Education and Child Welfare Webpage


Topics include:

♦ Educational advocacy in child welfare cases
♦ Foster care manuals for caseworkers and school system designees in Broward County, Florida
♦ Materials about California Assembly Bill 490: “Ensuring Educational Rights and Stability for Foster Youth”

The Center welcomes suggestions for additional links and materials to make this page as useful as possible. The page will be updated regularly. Send comments, questions and other inquiries to Kathleen McNaught at mcnaughk@staff.abanet.org.