

**Report of the One Family One Team Planning & Design Committee**  
One Family One Team Pilot Court Program Design  
December 24, 2015

Submitted by the OFOT Planning & Design Committee\*

**Overview**

The intent of the One Family One Team (OFOT) Pilot Court Project is to provide structure, support, funding and evaluation to advance dependency court operations, consistent with Unified Family Court principles. The OFOT Pilot Court program will build on the success of the Family and Juvenile Court Improvement Program, which has led to improved dependency court processes and case timeliness outcomes in the 13 participating FJCIP courts.

The three-year OFOT Pilot Court Program will operate in four demonstration sites, where courts will implement the following practices:

- One Family One Team court model
- Cross-training for team members
- Trained judicial officer assigned to OFOT Court
- Early Resolution Diversion Mediation Program

The OFOT Pilot Court program will be funded through a public-private partnership, which will provide grants to the pilot courts and support program oversight, technical assistance and evaluation.

An innovative and comprehensive outcome evaluation will assess whether the OFOT court practices improve case resolution and well-being outcomes for families involved in the pilot dependency courts, with child safety remaining a priority for the pilot. Based on the experience of the four pilot sites, policy and practice recommendations will provide options for enhancing the effectiveness of dependency courts across the state.

**OFOT Pilot Court Grant Application Requirements**

In order to be eligible for grant funding for the One Family One Team Pilot Court Project, jurisdictions must meet the following criteria.

- 1) Submit letters of intent to fully participate in the pilot program from the Superior Court, Department of Social and Health Services, the Office of the Attorney General and the Office of Public Defense or local public defense agency.

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\* See Appendix F for a list of the Planning & Design Committee members.

- 2) Provide a plan to implement a team-based approach to child welfare cases, where professionals work together toward solving problems facing each family and ensuring children’s safety. (Please see Appendix A).
- 3) Agree to hire OFOT Court Coordinator, whose efforts will be devoted to the development, implementation and evaluation of the OFOT Pilot Court Program. (Please see Appendix B).
- 4) Agree to provide OFOT Court Team professionals with cross-system training in subject areas unique to child welfare proceedings. (Please see Appendix C).
- 5) Commit to assign a specific judicial officer to a court responsible for family and juvenile matters for the full three-year grant period.
- 6) Commit to provide OFOT judicial officers with ongoing training in judicial leadership and issues unique to child welfare courts. (Please see Appendix D).
- 7) Submit a plan to implement a Diversion Mediation Program that complies with the requirements of the OFOT Early Resolution Mediation model. (Please see Appendix E).
- 8) Participate in evaluation activities conducted by a research entity with experience and expertise in child welfare systems research. Participation will include sharing data, identifying treatment and control groups, identifying research questions, and establishing outcome measures for all components in the model for all test sites.
- 9) Agree to work with the Administrative Office of the Courts and the OFOT Program Administrator from Center for Children and Youth Justice (CCYJ) to monitor implementation and describe outcomes of the OFOT Court Pilot Program.

### **Grant Program Schedule**

The three-year OFOT Pilot Court grants will be divided into two phases, a 6 month implementation phase and a 30 month pilot phase.

**Implementation Phase (Months 0-6):** Applicants will work with the OFOT Program Administrator, Technical Assistance providers and Evaluator to establish the foundation for the OFOT Court and Community Teams and the Diversion Mediation program.

Proposed activities must include, but are not limited to, the following:

- Hiring OFOT Court Coordinator and Early Resolution Diversion Mediator.
- Establishing court procedures for assigning, calendaring and tracking dependency cases for the OFOT Pilot Court.
- Creating policies and procedures for Early Resolution Diversion Mediation program.

- Forming the OFOT Court Team -
  - Developing MOUs and information sharing agreements.
  - Engaging in collaboration and team building trainings.
- Providing upfront training for judicial officers and teams.
- Attending first OFOT All-Sites Training.
- Developing local training plan.
- Creating Court Community Collaboration team.

**Pilot Phase (Months 7 to 36):** Pilot Courts will be fully operational by month 7 and serve a full dependency court calendar for the remaining 2.5 years of the grant. During this phase, grantees will continue to collaborate with the OFOT Program Administrator, Technical Assistance providers and Evaluator. Proposed activities must include, but are not limited to, the following:

- Operating the OFOT Court Team model.
- Providing Early Resolution Diversion Mediation.
- Conducting on-going training for judicial officers and teams.
- Attending second OFOT All-Sites Training.
- Hosting quarterly Court Community Collaboration Team meetings.
- Conducting OFOT Pilot Court operational meetings to review court data, identify challenges and develop solutions.
- Collecting data and supporting evaluation efforts.

### **Public-Private Partnership**

The OFOT Public-Private Partnership will support innovation in dependency courts and provide guidance to the OFOT Pilot Court Program. The Partnership will be co-chaired by a representative from the Superior Court Judges' Association and a representative from the private sector.

Partnership membership will include, but not be limited to, representatives of the following groups or organizations, or their designees:

- Washington State Supreme Court, Office of the Chief Justice
- Superior Court Judges' Association
- Washington State Legislators, one from each party
- Governor's Office
- DSHS Children's Administration
- Office of the Attorney General
- Administrative Office of the Courts
- Family and Juvenile Court Improvement Program Advisory Committee
- Office of Public Defense
- Office of Civil Legal Aid
- Dependency CASA
- Juvenile or Superior Court Administrator

- Office of the Superintendent of Public Instruction
- Tribal Representative
- Former dependent youth
- Parent Ally
- Private funders
- Private sector At-Large member

The responsibilities of the OFOT Partnership will include:

- Review progress of the Pilot Court Project to ensure that grant objectives are being met.
- Provide information to public and private funders.
- Review and approve interim and final report from OFOT Program Administrator.
- Provide unique experience, expertise and perspective.

The legislature will establish the OFOT Public-Private Partnership account in the custody of the state treasurer. All funds appropriated by the legislature and funds received from private sources for the OFOT Public-Private Partnership will be deposited in the account. Expenditures from the account may only be used for supporting child welfare court programs and processes that foster judicial leadership, promote innovative practices, including Early Resolution Diversion Mediation, and adhere to a team-based approach. The Administrative Office of the Courts will operate as the lead state agency for the account. Only the Director of the Administrative Office of the Courts or the Director's designee may authorize expenditures from the account.

The OFOT Public-Private Partnership will meet once or twice a year and receive staffing support and meeting space from the Administrative Office of the Courts and the Center for Children & Youth Justice.

### **Grant Process for OFOT Pilot Court Program**

The OFOT Public-Private Partnership will administer a competitive grant process open to Superior Courts that meet the OFOT grant requirements.

To encourage the development of quality grant applications, the Partnership may provide support to courts and communities interested in applying for grant funding. The following are options that could be offered to applicant courts:

- Webinars and information sessions.
- Individual consultation with applicant courts.
- Published FAQs responding to questions from courts.
- Limited funding to support courts' planning and application process.

The OFOT Public-Private Partnership will convene a diverse Selection Committee with dependency court knowledge and subject matter expertise to review all grant applications and select the four pilot court sites. Members of the committee will use a rating system to rank proposals individually, then work together to agree on the final selections.

In selecting the Pilot Court Sites, the OFOT Selection Committee will prioritize the following individual and group court characteristics, to the extent possible:

1. Court dependency filing rate: Courts should have at least 75 new dependency case filings annually. This will ensure a sufficient number of dependency cases to populate the pilot and enable statistically significant evaluation results.
  - a. Groups of smaller courts that share the same judicial officer and have common attorneys and social workers will be eligible to receive grant funding if together they can meet the case filing minimum.
2. Mix of court sizes: Participating courts should represent 1-2 large courts, 1-2 medium courts and 1 smaller court.
3. A court's application should demonstrate a recognition of the court's specific areas of need and how the OFOT model might address them
4. Regional diversity – Pilot Courts should be representative of the three DSHS regions, with a fourth court from any of the regions.
5. Diversity of dependent child population
6. Urban/Rural balance
7. East/West balance
8. Court's ability to provide needed data

### **Outcome and Program Evaluation**

The One Family One Team Evaluation Advisory Committee (OFOT-EAC) will be established to help develop an effective evaluation design and provide guidance to the contracted evaluator. A representative from Washington State Center for Court Research (WSSCR) will chair the committee. The OFOT-EAC will meet at least quarterly from the start of the OFOT Pilot Court Project until the submission of the final report by the OFOT evaluator. Pilot site selection, the choice of the research entity, and the final evaluation design will be accomplished in consultation with the OFOT-EAC. The Program Administrator will provide staff support to the OFOT-EAC.

The OFOT evaluation will be conducted by a research entity with experience in child welfare research. The evaluation will include an assessment of the effect of diversion mediation, judicial leadership training, and court-based team training and handling of dependency cases and court-community collaboration. The evaluation design must meet the standards necessary to determine whether the OFOT model may be

considered a research-based intervention. At a minimum, the evaluation will employ a statistical method for causal inference that is accepted by the scientific community. In the selection of pilot sites, preference shall be given to jurisdictions willing and able to facilitate a randomized controlled trial evaluation design.

The evaluators will produce two reports, a preliminary report at month 24, and a final report at the conclusion of the OFOT program. The content of the preliminary report will be decided in consultation with the OFOT-EAC, but will likely include:

- Assessment of OFOT implementation at the pilot sites.
- Assessment of judicial education and multidisciplinary team training.
- Assessment of diversion mediation programs and potential cost savings for the court and other agencies.
- Interim outcomes related to child safety, permanency and well-being.
- Interim outcomes related to family experiences with the OFOT model.
- Timeliness of court process.
- Timeliness and nature of case resolutions, including child returns to family and other permanent outcomes.

The final report will cover the same issues as the preliminary report, with additional content identified in conjunction with the OFOT-EAC. The additional content will include final measures of safety, permanency, and well-being for families served by the OFOT Pilot Courts.

Support for the evaluation will be provided by the court clerks, members of multidisciplinary teams, and service providers, who shall maintain records regarding services ordered and family engagement with services and provide the records to the evaluator in the manner prescribed by the evaluator. Pilot courts will also assist with administration of survey instruments and other data collection as required by the evaluator. Administrative data pertaining to family risk and needs and to timeliness and outcomes measures, including measures of safety and well-being, shall be provided to the evaluator by the agency or organization responsible for collecting the data, in a manner that protects the privacy of case participants.

### **Program Oversight and Technical Assistance**

The goal of the OFOT Pilot Court Project is to test the OFOT model in four different courts and learn from their experiences. While each court will be required to implement the components of the model, local adaptation and variation will be encouraged and expected. A key component of the demonstration pilot approach is the provision of technical assistance and training to the court sites. The Program Administrator will provide support and guidance throughout the implementation and operation phases of the project, as well as coordinating the work of evaluators and trainers.

The entities that will support and oversee the work of the pilot courts are listed below, along with their key responsibilities to the project.

***Center for Children & Youth Justice (CCYJ) – Program Administrator***

- Manage RFP process for pilot courts and evaluator.
- Monitor and support grant activities in all OFOT Pilot Sites.
- Co-direct work of Technical Assistance providers with AOC.
- Develop and host All Sites Trainings in collaboration with AOC, CITA and NCJFCJ.
- Support evaluation activities.
- Staff Evaluation Advisory Committee.
- Facilitate communication among Pilot Sites and among OFOT Coordinators.
- Report on progress to OFOT Steering Committee and Legislature.
- Coordinate with AOC and FJCIP program.
- Create interim and final reports to OFOT Public-Private Partnership with policy recommendations for improving dependency court outcomes beyond pilot sites.

***Administrative Office of the Courts (AOC) – Fiscal and Policy Support***

- Operate as pass through for funds from the OFOT Public-Private Partnership.
- Distribute funds to Pilot Courts, OFOT Program Administrator, TA providers and OFOT evaluator.
- Provide travel and logistical support for OFOT All Sites Trainings, Evaluation Advisory Committee and OFOT Public-Private Partnership.
- Ensure OFOT Pilot Project efforts are integrated with SCJA, FJCIP, CIP and other programs.
- Serve on OFOT Public-Private Partnership.
- Co-direct work of Technical Assistance providers with CCYJ.
- Coordinate training opportunities with CCYJ and CITA.

***Court Improvement Training Academy (CITA) – Technical Assistance for Team and Judicial Officer Training***

- Develop trainings in response to local court needs and grant requirements.
- Support development of Court Teams.
- Work with OFOT Administrator and AOC to plan and deliver All Sites Trainings.
- Provide training and consultation to OFOT Court Coordinators.
- Work with local courts and community stakeholders to establish Court-Community Collaboration team.

***National Council of Juvenile and Family Court Judges (NCJFCJ) – Technical Assistance for Judicial Leadership Training and Mentorship***

- Develop judicial leadership training component.
- Deliver up-front and ongoing leadership training and support.
- Provide content for OFOT All Sites Trainings.
- Create judicial officer mentorship program with AOC.

***Children’s Home Society – Technical Assistance for Parent Ally Development***

- In jurisdictions without an established Parent Ally program, identify, train and provide support to parents who have successfully navigated the dependency system and are hired to work with the OFOT Court Team.

## APPENDIX A

### OFOT Multi-Disciplinary Team Model

OFOT Pilot Courts will operate two multi-disciplinary teams:

- **Court Team** – works at the case level to improve outcomes for children and families with active dependency cases.
- **Court-Community Collaboration** – works at the system level to engage community stakeholders and address gaps in services needed by families in the child welfare system.

#### Court Team

A dedicated OFOT Court Team will adhere to the following principles:

- Each family’s case is heard by one judicial officer and served by one team.
- Team members engage in on-going, cross-system training.
- Parties develop information sharing and decision-making agreements.
- Collaboration seeks to improve access to needed services and support.
- Judicial supervision includes the provision of services and child and parental participation in the case plan.
- Strength-based family and youth engagement is core to court and team interactions with families.

The OFOT approach is designed to enable a court to better know and serve families by providing consistency and accountability. The dedicated judicial officer provides accountability for the provision of appropriate services and effective participation by families. Members of the Court Team collaborate outside of the courtroom to proactively coordinate, schedule, and monitor families’ cases and service plans. Access to social and treatment services should improve because the Court Team is connected to external service providers who work with children and families. The team is focused on strength-based engagement of families in the court process and in their services, which is anticipated to improve compliance and child safety.

OFOT Pilot Court Teams must include, but are not limited to, the following individuals:

- Judicial Officer
- OFOT Coordinator
- Children’s Administration child welfare social workers
- Assistant Attorney Generals
- Parents’ attorneys
- CASAs
- Children’s attorneys
- Parent Allies/parent partners

- Tribal Representative (or Qualified Expert for ICWA cases with no tribal representative participation after notification)

Jurisdictions applying for the OFOT Pilot Court grant must agree to implement the One Family One Team court structure to serve families in regular dependency court. Cases will remain in the OFOT Pilot Court from initial shelter care through the establishment of permanency and case dismissal. Applicants will be asked to develop an OFOT Plan with a description of how the court will operate, including case calendaring and the assignment Court Team members to the OFOT project.

Applicants' OFOT Plans will identify the processes by which Court Team members, excluding the judicial officer, will collaborate outside of court on case coordination and family engagement. Teams may utilize existing structures, such as FTDM, Permanency Planning, Shared Planning, and 17.5 meetings. Court Teams are also free to develop other case planning and coordination structures.

In some dependency cases, the efficient resolution of family law issues can expedite permanency for children and families. OFOT Pilot Court applications will identify a process through which the family law needs of participating families will be identified and resolved. Facilitating resolution of family law issues may be included in the OFOT Court Coordinator duties.

A Team will handle up to 110 open dependency cases at a time. For the purposes of the grant, 100 - 110 cases will be considered a full Team caseload, though teams can serve less than a full caseload. Applicants' OFOT Plans must include caseload targets for the Court Team, and for each of the team members. Judicial officers and other team members may handle other, non-OFOT dependency cases, outside of the team structure. Court Team caseload numbers will be used to calculate grant award amounts.

Pilot Courts will spend the first six months of the grant period refining and implementing their court model. Pilot Court Teams will work together to formalize their court's purpose, practices and structure. This process will include developing agreed-upon protocols and MOUs for the timely sharing of case-related information, such as service, visitation and educational reports.

Pilot Courts will be fully operational by month 7 and serve a dependency calendar for the remaining 2.5 years of the grant. During this time, Court Teams will conduct periodic operational meetings to review court data, identify challenges and develop solutions. Teams will also engage in on-going training.

For jurisdictions without an existing Parent Ally/Parent Partner program, limited grant funds will be available for the court to work with Children's Home Society to identify, train and support two or more parents who have successfully navigated the dependency

system to work with the OFOT Team. Applicants seeking this funding must include a plan for developing Parent Ally resources.

Pilot Court Teams will engage community partners with knowledge of and access to services needed by families in dependency court. Courts will decide how best to incorporate community partners, including:

- Consultation on individual cases
- Training for the Court Team
- System improvement efforts

Courts applying for an OFOT grant are encouraged to provide letters of commitment to support the OFOT Pilot from community provider partners with expertise in one or more of the following areas:

- Education
- Foster youth transition (independent living, extended foster care services)
- Early childhood
- Mentoring
- Behavioral health
- Chemical dependency
- Domestic violence
- Housing
- Trauma
- Faith-based support
- Culturally-based support

### **Court-Community Collaboration**

Ensuring child safety and healing families and children who have experienced trauma, neglect, abuse, family violence, chemical dependency and other challenges requires multiple partners working together. By engaging local organizations and agencies, the court will encourage the community to prioritize the safety of children and the well being of families involved in the child welfare system.

Utilizing the inherent authority of the court, the OFOT judicial officer will convene the Court-Community Collaboration team at least quarterly. The OFOT Court Coordinator will provide staff support for the collaboration. CITA will be available to provide facilitation and other support, as needed. Ongoing meetings should identify shared goals, develop strategies for improving access to services for families, and monitor progress. Court data regarding children and families' access to services will inform the collaboration's work.

Pilot Courts will partner with agencies and systems with authority and resources to address family needs. It will be advantageous to courts to include in their application letters of commitment from community partners such as:

- Schools and early learning centers
- Child care providers
- Behavioral health providers
- Regional Service Network
- Public Health Agency
- Chemical dependency treatment agencies
- Domestic violence services
- Housing resources
- Employment services
- Local funders, including United Way

## APPENDIX B

### OFOT Court Coordinator Role and Funding

#### OFOT Court Coordinator Position

- Coordinator must be a court employee
- Duties must include, but are not limited to, the following:
  - Facilitate the operation and training of the Court Team
  - Conduct outreach to community providers
  - Serve as liaison between court and community providers
  - Support implementation of Early Resolution Diversion Mediation program
  - Track data to measure court and family progress
  - Identify involvement of family members in criminal, juvenile and/or family law cases. Facilitate information sharing across different parts of the court system.
  - Provide staff support to the Court-Community Collaboration
  - Work directly with OFOT Program Administrator, Evaluator and Technical Assistance providers to coordinate grant-related activities
  - Help establish OFOT evaluation processes and procedures

#### Funding for Court Coordinator

- For purposes of this grant application, each court is automatically allocated a .5 FTE Court Coordinator. Courts may request up to a full 1.0 FTE for the Court Coordinator position.
  - Funding allocation (percentage of FTE) will be determined by county size, court caseload and duties assigned to the position.
- Applicant Courts must include a salary amount, based on county cost of living factors and the AWC salary survey, in their application budget.
- For current FJCIP Courts, the OFOT Court Coordinator allocation will be in addition to existing FJCIP Coordinator resources.

## APPENDIX C

### OFOT Court Team Training

#### Cross-System Training

Pilot Court Teams will participate in on-going, cross-system training during the grant period.

Court Teams from each of the sites will train together during two OFOT All Sites Meetings, which will occur within the first 6 months and between months 20 and 24. The purposes of the All Sites Meetings are to orient the teams to the core principles of the OFOT Project, network and team build, and provide a shared training experience in several of the core components. Travel and pro-tem coverage costs for the All Sites meetings will be provided by the grant. All Sites Trainings will be designed and staffed by OFOT Technical Assistance Providers, the OFOT Program Administrator and AOC.

Pilot Courts will also create and implement a local training plan. Local cross-system trainings will be scheduled and organized by the OFOT Court Coordinator, with support from OFOT Technical Assistance providers, as needed. Courts will use local training grant funds for pro tem coverage, food, materials, and other reasonably related expenditures.

Courts applying for the OFOT Pilot Court grant must include in their OFOT Plan a team training outline that identifies training priorities, potential providers and a schedule for ensuring the team receives on-going education.

Core training components required by this grant include:

- Collaboration:
  - Roles and responsibilities of court team partners.
  - Development of a shared court team mission and vision.
  - Communication and information sharing.
- Child safety assessment and planning.
- Involvement of relatives and kin in child safety.
- Trauma and ACES.
- Addiction, treatment and recovery.
- Behavioral health.
- Child development.
- Education and early learning.
- Domestic violence.
- Cultural competency.
- Children's Administration procedures and policy:
  - Safety assessment and planning.
  - Risk assessment.

- Case planning.
- Dependency law:
  - ICWA.
  - Permanency.
  - Timelines.
- Visitation:
  - Best practices.
  - Legal requirements.
- Family and youth engagement:
  - Youth and family voices.
  - Motivational interviewing.
- Under-recognized populations:
  - LGBTQ youth.
  - Children and youth of incarcerated parents.
  - Developmentally delayed parents and children.
  - Commercially sexually exploited children and youth.

Professional continuing education credit should be offered whenever possible, for all members of the Court Team. Temporary Assistance for Needy Families (TANF) hours and community college credit should be provided for veteran parents and foster youth.

Local training may be delivered by a range of providers, including:

- OFOT Technical Assistance providers:
  - UW Court Improvement Training Academy.
  - National Council of Juvenile and Family Court Judges.
- Training organizations associated with partner agencies:
  - Children’s Administration Social Work Training Alliance.
  - Office of the Superintendent of Public Instruction and Educational Service Districts.
- Local, state and national level organizations with expertise, such as Mockingbird Society, Passion to Action, Youth Care and Parents for Parents.
- Local service providers.
- Colleges, community colleges and universities.

## APPENDIX D

### OFOT Judicial Leadership Training

#### Guiding Principles

Judicial leadership development and continuing education are central components of the OFOT project.

The guiding principles for Judicial Leadership under the OFOT grant are:

- Be engaged.
- Believe in the purpose of the pilot project.
- Prioritize child safety.
- Be trauma responsive.
- Be a learner and foster learning.
- Create an open space for voices.
- Have/demonstrate respect for all stakeholders invariably.
- Be strength-based.
- Persevere.
- Be a good steward of the vision – eye on the prize.
- Must not impart own family values.
- Promote autonomy, creativity, purpose (empowerment).
- Advocate for team vision.
- Be a role model.
- Be knowledgeable about services that are available (or should be) in the community.

#### Attributes, Knowledge, and Practice Skills of a Juvenile and Family Court Judicial Officer

These guiding principles require a judicial officer to possess a mixture of innate and learned knowledge, skills, and attributes. The following lists the ideal attributes, knowledge, and practice skills a judge should embody to preside over dependency proceedings.

##### Personal Attributes

- High ethical standards & integrity in professional and personal dealings.
- Ability & willingness to raise potentially controversial issues/encourages dialogue.
- Flexibility, responsiveness and willingness to consider change.
- Ability & willingness to listen to others.
- Capability for a wide perspective on issues.

- Ability to work as a team member.

#### Knowledge – Areas of knowledge (parts of core training program)

- Child development.
- Relevant areas of the law, including Dependency law (13.34), 13.36 Guardianship, ICWA, Federal Child Welfare Law, criminal justice system interaction with dependency cases, etc.
- Roles and ethical responsibilities of system players.
- Child maltreatment and causation.
- Working with relatives and kin to maintain child safety and protection.
- Domestic Violence.
- Medical/Mental health.
- Understanding family dynamics, effects of core competency areas on families.
- Substance abuse and addiction.
- Education system.

#### Practice Skills

- Culture competence.
- Understanding one's own biases.
- Demonstrate judicial leadership skills on and off the bench -
  - Team-based leadership and coaching.
- Active listening.
- Understanding a poverty lens.
- Awareness of trauma -
  - System-participation-related trauma.
  - Adverse Childhood Experiences.
  - Vicarious trauma.
  - Parent experience of trauma.
- Effective engagement with parents and youth from the bench.
- Administrative capacity.
- Stress management.

#### **Judicial Training Requirements**

Courts must provide judicial officers with sufficient duty time to participate in the training requirements outlined below.

- Attend OFOT All Sites Meetings.
- Complete 30 hours of specialized training, as required for officers in FJCIP courts, **prior to or within 6 months** of assignment to OFOT court. Courts should strongly encourage judicial officers to receive training before assignment to the family and juvenile court bench.

- Participate in ongoing judicial training in at least two or more of the core competency areas and/or practice skill areas, with the goal of enhancing Personal Attributes of a judicial officer.
- Participate in OFOT Judicial Officer Mentorship Program, coordinated by the National Council of Juvenile and Family Court Judges in conjunction with the Superior Court Judges' Association. The peer mentorship program will pair OFOT judicial officers with judicial officers familiar with dependency best practices in Washington and nationally.

Courts applying for OFOT Pilot Court funding should include a judicial training schedule as part of their OFOT Plan.

To ensure that judicial officers can achieve expectations of the judicial leadership and education requirements, the grant will provide support, including:

- Support from AOC and OFOT Program Administrator to announce, plan and schedule training opportunities sufficiently in advance to fulfill the above requirements.
- Provide funds for Pro Tem support through local training plans.
- Cover costs related to travel and attendance at All Sites Meetings.

## APPENDIX E

### OFOT Early Resolution Diversion Mediation

#### Rationale for Early Resolution Diversion Mediation

Somewhere between initial Department intervention and establishing dependency, there are cases that can be diverted from a dependency finding while maintaining the safety of the child. The proposition is that, with the involvement of a judicial officer and other court professionals, cases can be resolved in this early stage.

Cases that involve children who have been severely abused, neglected or sexually abused, necessitating medical intervention or treatment, will not be referred for early resolution.

#### Goals of the program

Within 6 months of a dependency petition filing, the child(ren) named in a petition are safely residing with a parent or in another permanent home, such that the court can dismiss the petition without requiring a dependency finding. The parent(s) and OFOT professionals are actively engaged in developing and following through with a plan of safety for the child(ren) and a case plan agreed upon by the parent(s) and all parties, which addresses issues impacting their ability to safely parent their child(ren) and reduces the risk of re-abuse. The plans will be determined via mediation within seven (7) days of the initial shelter care hearing. The court regularly reviews progress toward dismissal, providing accountability and encouragement.

Courts can likely expect a reduction in workload and/or cost savings associated with the successful diversion and resolution of Diversion Mediation cases in a shorter time frame, six months instead of 15 months or longer. Reduced workload for the OFOT Court Team may provide opportunities for more substantial case management and hearing time available for non-diversion OFOT cases. Courts and agencies may also see cost savings and improved efficiency, as cases resolve via diversion and enable the handling of new cases by the OFOT Court Team. The evaluation will attempt to quantify cost and time savings, as well as the impact of the program on federal timelines and requirements.

#### Program Requirements

1. Within 7 days of the initial shelter care hearing, parties will engage in Early Resolution Mediation to seek a Diversion agreement.
  - Diversion agreement will focus on child safety, engage protective relatives, kin and other supports in the family's life, and be strengths-based. The agreement will outline the following:

- Expected behaviors and requirements that families need to meet in order for their dependency case to be dismissed within six months.
  - Services and support referrals for the parents that the DCFS caseworker will provide.
  - Placement and visitation plan, as needed.
  - Support to be provided by OFOT Team members.
  - Mediation will be facilitated by a trained, neutral mediator employed by the court.
  - The mediation will align with the Children’s Administration’s Family Team Decision Making (FTDM) policy. Children’s Administration will authorize waiving the FTDM policy when the mediation program begins. It is intended that the parent and family not be expected to participate in meetings that, from their perspective, are duplicative.
  - All participants in a case (the OFOT Team) should participate in Early Resolution Mediation, excluding the judicial officer.
  - Inclusion of Parent Allies in this process is encouraged.
2. A Diversion agreement, when entered or agreed upon by the court, moves the case to a separate Diversion process.
3. The Diversion process is one where the case is reviewed on a frequent basis – at least every 14-30 days – and culminates in a hearing at six months.
- Purpose is to review the case with the intent to resolve the Court’s involvement with a family within six months, while maintaining the safety of the child(ren) named in the dependency petition. If parent(s) are actively engaged and adequately progressing in their case plan and the child(ren) remain safe, review hearings will continue to be set every 14-30 days.
  - The Court will set an Early Resolution Hearing six months from the initial 72 Hour Hearing, where it will determine whether the case will be dismissed or set for a dependency trial, within 30 days. Parties may submit agreed resolution, or this can be a contested hearing.
    - Local courts have discretion to determine the procedure for the contested hearing.
    - Courts will determine how to schedule Early Resolution hearings and trial dates. Both dates can be scheduled at the start of the process to avoid delays.
  - If a party or the court believes an Early Resolution case is not proceeding as needed to meet the six month target for dismissal, the case can be brought to court for hearing. If the judicial officer determines that the case is “unsuccessful” then it shall exit the Early Resolution track and re-enter the regular shelter care process.
  - The Early Resolution process will comply with state and federal law concerning children in the dependency process.

- Either party can petition the court to end the agreement and return to regular court process. Independently, the court can also opt to terminate the agreement.

4. All cases are presumed appropriate for a Diversion Mediation referral, subject to program parameters developed by the Court, in consultation with the OFOT Program Administrator and Evaluator. Program parameters, including a clear case triage process, will be developed in the first six months of the grant.

- Court has discretion at the 72 Hour Shelter Care Hearing to order the case to Diversion Mediation, despite the agreement or not of the parties at that hearing.
- Parties may ask the Court at the 72 Hour Shelter Care Hearing to be relieved of the obligation to engage in the Diversion process.

5. Courts applying for an OFOT Pilot Court grant will describe how the Diversion Mediation process will operate within the OFOT model. It is anticipated that at least ten percent of a pilot court's cases will be diverted to the Early Resolution Mediation program.

## APPENDIX F

### OFOT Planning & Design Committee

The OFOT Planning & Design Committee was convened in August 2015 to create a plan for piloting and evaluating a court model intended to improve outcomes for children and families in dependency proceedings. A private funder, the Thomas V. Giddens Jr. Foundation, matched a \$75,000 legislative allocation to fund the planning and design process. The Administrative Office of the Courts and the Center for Children and Youth Justice provided staffing support for the effort.

The members of the OFOT Planning & Design Committee and Work Groups are listed below:

#### Co-Chairs

Judge Patricia Clark (ret.)

Richard Watkins, Thomas V. Giddens Jr. Foundation

Justice Barbara Madsen, Washington State Supreme Court

Judge Linda Krese, Snohomish County Superior Court

Judge Stephen Brown, Grays Harbor County Superior Court (work group)

Judge Anne Hirsch, Thurston County Superior Court (work group)

Judge Richard Okrent, Snohomish County Superior Court (work group)

Judge Cindy Smith, Suquamish Tribal Court (work group)

Judge Tom Tremaine, Kalispel Tribal Court (work group)

Judge Scott Wolfram, Walla Walla County Superior Court (work group)

Justice Bobbe Bridge (ret.), Center for Children & Youth Justice

Commissioner Jennie Laird, King County Superior Court (work group)

Commissioner Michelle Ressa, Spokane County Superior Court (work group)

Commissioner David Turplesmith, Stevens County Superior Court (work group)

Representative Ruth Kagi, Washington State Legislature

Jennifer Strus, Children's Administration

Nachshon Ben-Ami, Children's Administration

Tammy Cordova, Children's Administration (work group)

David Del Villar Fox, Children's Administration

Toni Sebastian, Children's Administration

Joyce Murphy, Children's Administration

David Marshall, Department of Social and Health Services

Sean Dannen, Washington Federation of State Employees

Susanna Fenner, Washington Federation of State Employees

Paul Cavanaugh, Thomas V. Giddens Jr. Foundation

John Morse, Amara

Benjamin de Haan, Partners for Our Children

Laurie Lippold, Partners for Our Children

Kathy Brennan, Partners for Our Children (work group)  
Joseph Mienko, Partners for Our Children (work group)  
Caitlin Fleming, Office of the Attorney General (work group)  
Lisa Lydon, Office of the Attorney General  
Michael Shinn, Office of the Attorney General  
Anthony Gipe, Washington State Bar Association  
Joanne Moore, Office of Public Defense  
Brett Ballew, Office of Public Defense (work group)  
Jason Bragg, Office of Public Defense (work group)  
Kimberly Mays, Office of Public Defense  
Jill Malat, Office of Civil Legal Aid  
Sharonda Amamilo, Thurston County Assigned Counsel  
Adam Ballout, ABC Law Group (work group)  
Casey Trupin, Columbia Legal Services  
Mary Van Cleve, Columbia Legal Services  
Lillian Hewko, Washington Defender Association  
Ryan Murrey, Washington Dependency CASA  
Laurie Tuff, Snohomish County CASA (work group)  
Callie Dietz, Administrative Office of the Courts  
Danielle Pugh-Markie, Administrative Office of the Courts  
Carl McCurley, Washington State Center for Court Research  
Matt Orme, Washington State Center for Court Research (work group)  
Robert Wyman, UW Court Improvement Training Academy  
Sally Mednansky, Pierce County Superior Court (work group)  
Stacy Keen, King County Superior Court (work group)  
Barbara Miner, King County Superior Court  
Kim Morrison, Chelan County Superior Court  
Jill Murphy, King County Superior Court (work group)  
Jorene Reiber, King County Superior Court (work group)  
Fona Sugg, Chelan County Superior Court  
Alise Hagle, Children's Home Society  
Larisa Koenig, Tribal Representative and Adoptive Parent  
Jeannie Kee, Former Foster Youth  
Ron Hertel, Office of the Superintendent of Public Instruction (work group)

Kelly Warner-King, Center for Children & Youth Justice (staff)  
Katherine McKeon, Center for Children & Youth Justice (staff)