

CENTER

FOR

COURT

INNOVATION

A Public/Private Partnership with the  
New York State Unified Court System

EXECUTIVE SUMMARY

# New York City Family Court

## Blueprint for Change



## **Blueprint for Change Executive Summary**

- 1. Introduction**
- 2. Challenges and Opportunities: Charting the Path Ahead**
- 3. Building Institutional Capacity**
- 4. Enhancing Collaboration**
- 5. Improving Case Flow and Calendar Management**

## 1. INTRODUCTION

Throughout the New York City Family Court, talented, committed people are working to improve outcomes for children and families in an overworked and under-resourced system. Over the last several years, the New York City Family Court has instituted a number of reform initiatives aimed at improving the permanency planning process. These efforts are crucial building blocks that can serve as a foundation for achieving lasting institutional change in the Family Court.

Recognizing this, in September 2002, with the support of the Annie E. Casey Foundation, the New York City Family Court -- working collaboratively with the Center for Court Innovation and the Permanency Planning for Children Department of the National Council of Juvenile and Family Court Judges -- embarked on a year-long study designed to take stock of the permanency planning process from top to bottom. The goal was to develop a "Blueprint for Change" that would offer a coordinated plan for improving the processing of abuse and neglect matters in the Family Court, building upon reforms that are already underway.

Over the course of a year, the Family Court has reached out to stakeholders throughout the Family Court and child welfare community to discuss strategies for reform. Judges, attorneys, court administrators, child welfare professionals, foster care providers, community representatives and advocates, as well as children and parents, were given the opportunity to share their ideas, experience and expertise through a series of structured interviews and focus groups. In addition to soliciting input from key local players, the Blueprint for Change team conducted a comprehensive review of national best practices in the field of permanency planning.

The Blueprint for Change presents the Court administration's vision of the critical areas for reform, establishes short-term and long-term goals, and articulates specific tasks and strategies to achieve those goals. It is the first step in an ongoing, multi-year process of strategic planning and reform.

Three points are worth making about the Blueprint for Change. The first is that the permanency planning process in New York City (as in any city) involves a complicated mix of players, including local executive branch agencies, the judiciary, attorneys for children and parents, non-profit organizations, federal regulators and others. The Blueprint reflects the priorities of the Family Court administration and focuses on the role the Family Court itself plays in the process. In doing so, it does not mean to obscure the reality that all of the various players exist in a state of interdependence. To make a lasting difference in the permanency planning process will require much more than the improvement of the Family Court -- it will require all parts of the system working together to focus on clearly articulated goals.

The second point to make about the Blueprint is that it is not intended to be a detailed implementation plan. Nor is it intended to be a rigorous piece of research documenting the current state of affairs in Family Court. Rather, the Blueprint is an attempt to articulate a specific set of goals for Family Court and a framework for how they might be achieved over the course of the next several years.

Finally, and perhaps most important, the Blueprint is in itself a sign of the Family Court's commitment to change. This Blueprint was *not* imposed on the Family Court by an external force. Nor was it initiated in response to an immediate crisis. Rather, it is a sign of healthy introspection. The leadership of the Family Court recognizes that rigorous self-analysis is an essential prerequisite for lasting, meaningful reform. In taking this step, it hopes that the other parties who play a role in the permanency planning process will follow its lead.

The reform agenda detailed in the Blueprint for Change is based on the following underlying principles:

- **Permanency** – All children are entitled to a safe, permanent and nurturing home in order to reach their full potential as human beings. Wherever appropriate, permanency should be achieved within a child's own family.
- **Leadership** – Family Court is responsible, along with its court partners, for ensuring that children under court jurisdiction are safe and have a permanent home in a timely fashion and that parents/caregivers receive due process of law. Wherever possible, the Family Court seeks to achieve top-to-bottom integration of cases, so that the same judge/referee presides over the entire child welfare case from filing to finish.
- **Problem-Solving** – Family Court seeks to adopt a problem-solving approach to child welfare cases. Court appearances should provide a meaningful step toward permanency. Moreover, in pursuing this goal, the Family Court seeks to operate on appropriate, child-centered time frames.
- **Information** – The Family Court is dedicated to making informed decisions in each case. In order to move cases toward permanency in a fair, timely and effective manner, judges must have access to up-to-date and accurate information about the litigants who appear before them. In order to promote accountability, administrators must have the evaluative capacity they need to assess what is working and what is not within Family Court.
- **Respect** – The Family Court strives to encourage mutual respect and cultural sensitivity among all participants in the child welfare system, including litigants. In particular, the Family Court seeks to promote productive inter-agency collaboration as well as clear communication with litigants.

## 2. CHALLENGES AND OPPORTUNITIES: CHARTING THE PATH AHEAD

No examination of the permanency planning process in New York City can begin without acknowledging two realities. The first is that there are simply too many cases and too few lawyers and judges in Family Court. The volume and the complexity of Family Court's caseload is astonishing. This caseload – including over 200,000 case filings and 20,000 child protective proceedings annually -- makes timely case resolution exceedingly difficult. It also hampers the Court's ability to provide meaningful oversight of service providers and to conduct in-depth hearings.

The second reality that must be acknowledged is that many of the challenges facing the Family Court are beyond the immediate control of the Court. As powerful an institution as it is, the Family Court by itself does not determine the number of judges assigned to the bench. Nor does it determine the pay scale for lawyers, or the quality of child welfare workers or even the quality of its own physical plant. To improve the quality of the permanency planning process and the outcomes for families in New York City will require change far beyond the scope of Family Court.

While the challenges that confront the Family Court are undeniably enormous, the potential exists to achieve meaningful reform. A number of factors have set the stage for change:

- **Institutional Commitment:** The administration of the New York City Family Court is determined to provide quality service to the public even in the face of difficult working conditions. The Court has shown its commitment to change through the implementation of numerous initiatives. In fact, over forty programs aimed at improving the permanency planning process are currently operating in the court, including the introduction of referees and case coordinators, Adoption Saturdays, Best Practice Parts and mediation.
- **Laboratories for Change:** The existing pilot projects in Family Court are testing new ideas, new strategies and new technologies. The Best Practice Parts, for example, have shown that active judicial oversight can make a difference in achieving better outcomes for families.
- **Assigned Counsel:** After a sixteen-year stalemate, the New York State Legislature acted to raise rates for assigned counsel in Family Court. Additionally, the Legislature did away with the monetary distinction between out-of-court and in-court work.
- **Federal Legislation:** The passage of federal ASFA legislation is also spurring change across the child welfare system. Compliance with ASFA dictates provides a powerful motivator for system players, many of whom stand to lose considerable federal funding if they are found non-compliant.
- **Technology:** The New York City Family Court has implemented a new technology system, the Uniform Case Management System (UCMS); this program will greatly improve the Court's ability to gather, track and disseminate information quickly and effectively.

When asked to identify areas for improvement, the overarching themes expressed by Family Court stakeholders were surprisingly consistent. In particular, stakeholders felt that there needed to be more respect for the court and all parties. They pointed to a need for clearer accountability throughout the Court and a stronger sense of strategic focus and mission. And they encouraged the Court to improve case calendaring, emphasizing both timely decision-making and in-depth hearings.

Based on the research, focus groups and interviews conducted over the course of the past nine months, three areas emerged as crucial to achieving long-term change:

- Institutional Capacity
- Collaboration
- Case Flow/Calendar Management

With the goal of developing a framework for systemic change within child protection and permanency planning, the Blueprint for Change provides recommendations that focus on each of these three areas.

### **3. BUILDING INSTITUTIONAL CAPACITY**

The Family Court must ensure that there is the necessary level of institutional and administrative support to facilitate, coordinate and evaluate reform efforts. This means ensuring that leadership and oversight is exercised both from the administrative offices and from the bench. It means giving administrators the tools and resources they need to develop long-term plans, draft performance measures, articulate benchmarks and collect data on court outcomes. And it means bolstering the Court's capacity for providing ongoing and multi-disciplinary training on a broad range of topics.

#### **Strengthen Administrative and Judicial Leadership**

The Administrative Judge of New York City Family Court must be given the necessary tools to spearhead reform efforts. Given the size and complexity of a five county court system – and the different cultures, personalities and resources of each county – exercising this leadership role is incredibly time and resource intensive.

This task is further complicated by a lack of clarity in the roles of central administration staff. The administrative structure of the New York City Family Court should support and reflect the overall mission of the Court. In order to do this effectively, the roles and responsibilities of staff need to be clarified, and communication strategies re-evaluated.

In addition, administrators must be given new staffing resources to match the new demands being placed upon them. And they must receive the training and support that they need to become effective leaders and administrators, not just good judges.

The role of the Administrative and Supervising Judges as managers is particularly crucial when it comes to ensuring judicial accountability. While recognizing and respecting judicial independence and the decision-making power of individual judges, the Court must be able to implement judicial accountability mechanisms, performance expectations and replicate proven best practices throughout the system.

In order to strengthen and streamline administrative leadership in Family Court, the following is recommended:

- Task:** Appoint a project director to oversee the implementation of the recommendations contained in the Blueprint for Change. In addition, a senior research associate should be hired to work with the project director to collect data to inform the Blueprint for Change.
- Task:** Enhance the in-house capacity to engage in data collection and analysis to promote judicial accountability. In conjunction with judges, establish specific, clearly articulated performance expectations and performance standards for the judiciary presiding over abuse and neglect matters. The goal should be to provide administrators and judges (and, ultimately, the public) with caseload and performance data on an ongoing basis.
- Task:** Charge the project director and the senior research associate with using data analysis on judicial caseloads and “case events” to substantiate the Family Court’s need for additional resources.
- Task:** Hire an organizational consultant for a six-month consultancy position. The consultant should be charged with the following: a) Analyzing the staffing and structure of central administration and the various judicial and non-judicial divisions by identifying areas of overlap, patterns of information flow and communication (formal and informal) and overall effectiveness of the current structure; b) providing a similar service at the county level to Supervising Judges; c) examining the internal structure of the New York City Family Court to determine what tools the system administrators need to promote change; d) reviewing existing committees and meetings both borough and citywide to ensure effective coordination of activities and focus, effective use of time, appropriate membership and assessing how they support the overall mission of the Family Court.

### **Clarify the Role of Supervising Judges**

While many outside observers expect the Supervising Judges to exercise the same leadership and administrative role on the county level that the Administrative Judge does on a citywide level, there is no internal consensus about the proper role of the Supervising Judges.

Supervising Judges felt that their potentially important role was hampered by high caseloads and undefined authority. At the moment, Supervising Judges are expected to spearhead local reform efforts, convene meetings, reach out to partners and perform administrative functions while simultaneously managing an active and heavy caseload. Moreover, they are asked to do all this without any additional training or manpower resources.

In order to address these issues, the following is recommended:

- Task:** Clearly define the administrative role and authority of Supervising Judges, including their authority over judicial personnel. Provide ongoing training, executive coaching and mentorship opportunities to Supervising Judges that focus on administrative skill development, organizational management and leading inter-agency partnerships.
- Task:** Assign administrative support to Supervising Judges to facilitate the coordination of reforms with central administration.

**Task:** Analyze the calendars of Supervising Judges with an eye to finding the optimal size that will enable them to fulfill their administrative and leadership responsibilities.

**Task:** In order to help compensate for any loss of bench time, explore the possibility of appointing an acting Family Court judge in each county for at least a two-year duration. Appointment of an acting Family Court judge in each county would also create additional time to focus on “backlogged” cases (e.g., those cases most out of ASFA compliance or those cases delayed at the permanency or TPR stage).

### **Empower Child Protection Judges**

In order for change to take root, judges must be able to act as leaders from the bench. The Family Court judiciary, especially those presiding in child protection parts, must be empowered to implement the oversight and leadership role required by ASFA.

The traditional adjudicatory role of the Family Court judge has been expanded in cases involving child abuse and neglect. The Court must protect procedural due process rights of litigants and determine the sufficiency of petition allegations, but it must also exercise its legislatively articulated oversight role over the child welfare agency. Because court decisions in child welfare cases are interlocking and sequential, and because court decisions shape the nature and scope of state intervention, the Court must perform a more managerial and directive function than in other forms of litigation. Recognizing this, judges in Family Court must be given additional tools to help them manage their calendars and meet statutory timelines.

**Task:** Convene a judicial conference in a non-court setting to explore the role of the judge in child protective cases. At the conference, judges will be asked to identify and define appropriate judicial performance standards.

**Task:** Expand judicial access to technology in order to facilitate case management and information flow.

**Task:** Provide judges with caseload and performance data on an ongoing basis (e.g., caseload information, average case processing timelines, degree of compliance with statutory timelines, identification of cases that are non-compliant and other data.)

**Task:** Consider strategies to prevent burnout among the judiciary (e.g., reinstitute mixed dockets, institute a rotation practice). Care must be taken to ensure that strategies are consistent with identified best practices in permanency planning.

### **Develop Internal Capacity for Ongoing Assessment of Court Performance**

Good data and ongoing evaluation are absolutely essential to ensuring that court reform initiatives ultimately result in a more effective and efficient system and improve outcomes for children and families. Building on one of the best practices identified in New York’s problem-solving courts, the New York City Family Court should adopt an “action research” model, using data on an ongoing basis to assess performance, hold system players accountable, identify gaps in services, make mid-course adjustments and measure success. Moreover, in an era of fiscal constraints, data is crucial for documenting the cost-effectiveness of reform.



Given the roll-out of the new Uniform Case Management System (UCMS), as well as the use of JCATS in model parts, the Family Court should be able to increase its data collection capacity for basic court performance and ASFA-related measures. Moreover, the Court should have the ability to generate meaningful reports with respect to case specific and aggregate data.

In addition to investing in in-house data collection and analysis, the Family Court should, as appropriate, invest in independent evaluation to document both the process and impacts of reform efforts.

**Task:** Hire a dedicated Family Court researcher, reporting to the project director responsible for overseeing reform efforts, and give the researcher a seat at the table when reform initiatives are in the planning phases in order to emphasize the importance of evaluation.

**Task:** Charge the project director and the senior research associate with conducting a formal review of existing Family Court information technology to ensure that it has capacity to collect the data necessary to analyze court performance.

**Task:** In consultation with the line judges (and reflecting the results of the judicial conference), the researcher should establish and track specific and clearly articulated performance expectations and standards for the judges presiding over abuse and neglect matters.

**Task:** Create mechanisms for regularly communicating court performance data not only to judges but also to the general public and to interested stakeholders.

### **Develop an Internal Capacity for Multi-Disciplinary Training**

The Court has already taken a considerable step forward by hiring a city-wide Administrator for Education and Training. This is a critical role – given how fast the field is moving, training needs to be a regular feature of the Family Court, focusing on a wide range of relevant legal and extra-legal subjects.

Judges, too, should receive the benefits of additional training. Several judges and stakeholders commented that programs such as the “Babies Can’t Wait” series provided invaluable information to the judges. Programs like these should be standard fare and attendance by all child protective judges should be expected.

**Task:** The newly-hired Administrator for Education and Training should conduct a training needs assessment in concert with staff from the New York State Judicial Institute.

**Task:** Task the Administrator for Education and Training with creating an annual calendar of training events including both team trainings that bring together diverse stakeholders and role-specific trainings for judges, referees, clerks and others. Trainings should utilize both in-house expertise and experts from outside the Family Court.

**Task:** Collaborate with the appellate courts to institute a cross-training program that includes discussion of ASFA and the importance of timely permanency for children, the oversight role of the Family Court, child development and other related areas.

**Task:** Where possible and appropriate, foster children, parents and foster care providers should be included in training programs.

#### 4. ENHANCING COLLABORATION

The Family Court, along with all of its relevant stakeholders, must reach general consensus on the overall mission of the Court and the key principles that underlie permanency planning. The value of inter-agency collaboration must be consistently reaffirmed, everyone's role in the process must be clearly articulated and accountability mechanisms must be firmly established. Multiple stakeholders must be brought to the table and involved in a strategically focused collaborative process. Everyone involved must be oriented to thinking strategically and working collaboratively toward an improved child welfare system and better outcomes for children and families.

##### **Clarify and Communicate the Guiding Principles of the Family Court**

Clarifying the mission and role of the Court with respect to permanency planning and the key principle that underlie that mission is essential to making good decisions on a daily basis about policy development, planning, resource allocation, training and project performance. Recognizing this, the Family Court should clarify, in a written policy document, the Court's operating permanency principles, goals and standards and develop an internal communication plan designed to make sure that those goals and standards are understood by judicial, non-judicial, and administrative court staff, as well as the broader community.

**Task:** Engage judges, administrative staff and selected stakeholders in a series of structured conversations about the values and principles that should guide permanency planning. Central administrators should be charged with drafting a clear set of guiding principles based on these conversations.

**Task:** Distribute guiding principles to all child protection judges, court representatives and community stakeholders.

**Task:** Ensure that the guiding principles are incorporated into and reflected by all policy documents, strategic plans and trainings.

##### **Develop Formal and Informal Communication Mechanisms**

The Family Court quarterly newsletter, monthly stakeholder meetings and quarterly county meetings with the Administrative Judge have resulted in improved communication throughout the system. However, numerous Court personnel commented that they were not sure that information always flowed to where it needed to go, or that stakeholder or other meetings were effective in disseminating information.

A wide range of meetings are already being held in the various counties and around the city. These meetings need to be assessed to ensure that they are appropriately coordinated, focused and serving to move issues forward effectively. Moreover, committees and meetings need to be evaluated to ensure that all appropriate decision-makers and stakeholder groups are represented.

**Task:** With the assistance of the organizational consultant, examine existing committees and meetings to ensure effective coordination of activities and focus, effective use of time and appropriate membership. Existing committees must be assessed to determine how they support the overall mission of the Family Court and permanency planning.

**Task:** Use technology to support informal and formal communication (e.g., email, listservs, message boards, community websites).

**Task:** Develop mechanisms by which changes in practice and policy can be formally communicated in a consistent and systematic way to all necessary recipients, both within the Family Court and in the broader stakeholder community.

**Task:** Charge the project director with coordinating the work of central administration with the Supervising Judges in each county.

**Task:** While recognizing that their heavy calendars make this difficult, work on devising strategies to involve the judges more directly in collaborative meetings.

### **Reach Out to the Community**

In addition to fostering improved communication with partners up and down the ladder of institutional hierarchy (from agency heads to line workers), the Family Court should commit to reaching out to the broader community of court consumers (e.g., parents and youth involved in the system). It is particularly critical that the Court work with law guardians to increase children's understanding of the court process.

**Task:** Charge the project director with devising creative ways to engage the public in the work of the Family Court (e.g. Family Court judge for a day programs).

**Task:** Create mechanisms that enable young people to learn more about the court process and provide feedback to policymakers.

**Task:** Ask judges to reach out to community stakeholders to educate them about the Family Court, including presentations at foster care agencies, congregate care facilities and community forums.

## **5. IMPROVING CASE FLOW AND CALENDAR MANAGEMENT**

The Family Court needs to develop a case flow process that is logical, coordinated, meaningful and timely. This means manageable caseloads that facilitate best practice. It means adequate resources, including attorney resources. It means ensuring that up-to-date, relevant, case-specific

information is provided to the Court to support informed decision-making and that calendars are managed to allow in-depth and meaningful case processing. And it means facilitating the front-loading of cases and the early provision of services

Effective calendar and case flow management is not just about procedural reform, it is also about demonstrating and communicating the Family Court's commitment to the key principles of due process and safe, timely permanency for children. Significant obstacles undermine the Family Court's ability to hold timely, meaningful hearings. These obstacles include, but are certainly not limited to, a lack of legal representatives for parents and a decreasing number of legal advocates throughout the system; a high volume caseload per judge; and a lack of timely, accessible, and culturally appropriate services. Overcoming these obstacles will require significant resources and collaboration throughout the system.

Although the Court cannot do this alone, it can continue to develop, assess and implement best practices to facilitate more effective calendar and case flow management. In so doing, it sends a clear and visible message that individual judges, and the Court system as a whole, are committed to better outcomes for children and families. It is also sends a clear and visible message that the Court is going to hold everyone accountable for those outcomes.

*Every* court event should move the case forward toward permanency, whether by reunification or adoption. The objective should be to complete a task at each hearing, whether it is the completion of testimony or other clear objective. The hallmarks include the following:

- Events must be heard at a time certain at which all parties and legal advocates appear on time and are prepared;
- Parties must receive sufficient and appropriate notice of hearings;
- Adequate hearing time must be available to address issues;
- There must be clearly communicated expectations for the purpose of the hearing and what is to be accomplished;
- All parties must have effective legal advocates;
- Attorneys must have met with their clients prior to the hearing;
- Meaningful, up-to-date information must be provided to the bench in a timely manner to support informed decision-making;
- All parties must have the opportunity to be heard; and
- Clear, case-specific orders must be generated from the bench and disseminated to all parties at the conclusion of the hearing.

### **Improve Communication with Litigants**

Case processing is not intelligible to litigants. Parents and children interviewed reported that they did not understand what was happening in their cases and felt that the current system provides them with no real opportunity to be heard. Without a clear and articulated purpose to each individual hearing or conference, litigants are confused about their responsibilities and unable to take charge of their own cases.

**Task:** The Court should set a clear expectation that parents' attorneys have met with their clients prior to each hearing. Judges and referees should ask parents in open court if they

have had an opportunity to speak with their attorneys. Accountability mechanisms should be reviewed and strengthened.

**Task:** Ensure that educational materials that outline the Court process, purpose and expectations for each hearing, parental rights, etc. (including “A Parents’ Survival Guide”) are widely available and easily accessible to parents and children in multiple languages.

**Task:** At the beginning of each hearing, the judge or referee should state the purpose of the hearing. If parents are not present in court, the judge should ask what steps were taken to ensure their presence.

**Task:** Judges and advocates should use language that is comprehensible to all parties.

**Task:** Steps should be taken to ensure that children of appropriate age should be informed about and feel connected to the Court process.

### **Take Full Advantage of the Potential of Referees and Case Coordinators**

In an effort to improve calendar management, the Family Court has recently made several important changes, including the introduction of referees and case coordinators. Both judges and referees commented that there was wide diversity in way that these positions have been implemented. To maximize the potential of these positions, the roles and responsibilities of the referees and case coordinators need to be clarified and fully articulated and their impact on the timeliness and efficiency of the process evaluated.

**Task:** Clarify the role of the referees and develop mechanisms to streamline communication and information sharing between judges, referees and other members of the team.

**Task:** Establish guidelines for what types of issues need frequent review by a judge or referee, how often cases should be reviewed, etc.

**Task:** Clarify role and supervision of case coordinators and institute regular meetings among coordinators.

**Task:** Charge the research team with evaluating the impact of referees and case coordinators on the timeliness and efficiency of the case process.

### **Improve Calendar Management**

Despite recent improvements in the back-office processing of cases, significant obstacles must still be overcome before the Family Court succeeds in reducing the waiting time for litigants and increasing the productivity of court appearances. Reducing judicial caseloads, of course, would allow both timelier and more comprehensive court appearances. Short of this, to ensure a timely, logical and meaningful court process, the following series of changes should be made in how cases are scheduled:

**Task:** Institute time certain beginning and ending calendaring, beginning with (at minimum) an AM/PM call.

- Task:** Working with key partners and improved technology to develop strategies that will promote sequential trial time.
- Task:** Institute time standards for court hearings according to hearing type and purpose.
- Task:** Document time-savings and other improvements from new case processing strategies being implemented in Queens Family Court.
- Task:** Charge research team with evaluating specialization and attorney part assignments and their impacts on the quality of case processing and outcomes, overall operational efficiency of the Court, and judicial workload. If in-court timesavings are documented, expand pilot initiatives to additional locations.

### **Front-Load the Court Process**

Front-loading refers to setting procedures in place to ensure that, at the earliest point possible, all parties to a court proceeding begin doing all they can to minimize the length of time that children remain in temporary placement. Positive impacts include reductions in length of time children remain in temporary placements (and therefore substantial savings in placement expenditures), reductions in the amount of time needed for cases to complete the pre-adjudicatory and dispositional phases of court processing, as well as making hearings more substantive and meaningful.

- Task:** Strengthen the gate-keeping role of the judge by making reasonable efforts findings and contrary to welfare findings. At the initial hearing, judges should continue to take an *active* role in determining whether the appropriate removal decision was made and whether reasonable efforts were taken to prevent removal. The Court must actively explore the scope and nature of reasonable efforts. When reasonable efforts have not been made, the Court must enter a no reasonable efforts finding.
- Task:** Strengthen the comprehensiveness of the initial hearing to include a focus on reasonable efforts, services, visitation, and early engagement of parents.
- Task:** Improve coordination and information flow between ACS 72-hour safety conferences and the Court at initial hearing. Ideally, the safety conference should be held prior to the initial court appearance and the information and service issues discussed during the safety conference should be presented to the Court as appropriate.

### **Adopt Oversight Accountability Guidelines**

To improve accountability and timeliness, the Family Court should adopt strict time standards and pursue a non-continuance policy. The Court should also ensure that clear expectations for performance are communicated from the bench to both lawyers and service providers. Ideally, the child protection judges, as a bench, should establish a list of clear, minimum practice expectations for each individual court event (e.g., expected level of preparation, discovery timelines and issues, issues expected to be addressed). The proposed judicial conference should be used as a forum for developing these minimum practice expectations.

- Task:** Institute a strict timeline for all court events and, to every extent possible, schedule court hearings in accordance with those timelines.
- Task:** Explore how to implement trial management techniques that will foster expeditious completion of trials.
- Task:** By judicial consensus, establish a list of clear minimum expectations for each individual court event (e.g., expected level of preparation, what information case workers are expected to bring/issues expected to address).
- Task:** Charge Administrator for Education and Training with facilitating multi-disciplinary training of all system professionals on the articulated list of minimum expectations.
- Task:** Enhance the sanctioning power of the Family Court to enable the Court to take action when professionals do not meet practice expectations and professional conduct standards. Enhancing the sanctioning power of the Court could involve a number of strategies, including legislation and formal feedback loops with ACS supervisors and contract agencies with respect to poor performance and lack of preparation on the part of individual professionals, monetary fines for late reports and the like. This would include all counsel appearing before the court as well.

### **Improve the Quality of Court Orders**

At the conclusion of each hearing, the Court must generate a detailed and case-specific court order that includes all relevant ASFA-related findings (i.e., reasonable efforts and best interest findings), clearly articulates court-ordered expectations and tasks for *all* parties, sets appropriate timeframes for accomplishment of tasks, and includes the time and date of the next hearing. Court orders must be disseminated to all parties, including respondent parents, at the conclusion of each hearing.

- Task:** Provide child protection judges with guidelines for generating detailed court orders at the conclusion of each hearing and disseminate to all parties, including respondent parents.
- Task:** Charge the project director with investigating whether technological innovations could advance the generation of these court orders and help make them more intelligible.

### **Explore Neighborhood-Based Strategies**

In recent years, as part of its own reform efforts, ACS has emphasized community-based service delivery. The Family Court should explore whether restructuring parts and calendars to support community-based services would enhance the permanency planning process. For example, court parts could be geographically aligned (i.e., specific parts could serve specific communities within their counties). This would enable judges to become more familiar with the specific strengths and problems within the communities, familial and cultural issues, service resources and limitations, and so forth.

- Task:** Test efficacy of locating hearings where litigants reside and where services are provided by hearing Article 10 cases at one of New York's existing community courts on a pilot basis.
- Task:** Explore the possibility of a neighborhood-based test of innovative parental representation and diversion strategies (e.g. pre-adjudication mediation).
- Task:** Charge research team with evaluating the success of all neighborhood-based experiments.