



# Child Protection

## *Keeping Idaho's Children Safe, Healthy, and Home*

*There can be no keener revelation of a society's soul than the way in which it treats its children. ~ Nelson Mandela*

For almost a decade and a half, Idaho courts have worked diligently to strengthen and enhance the role of the courts in Idaho's child protection process and thereby improve outcomes for Idaho's most vulnerable children and families.

### ***Idaho's Child Welfare System Ranked #1 in the Nation***

Late last summer, the Foundation for Government Accountability, a not-for-profit organization that describes itself as nonpartisan and committed to promoting "public policies that achieve limited, constitutional government, and a robust economy," ranked Idaho's child welfare system number one in the nation. The Foundation for Government Accountability analyzed data provided by the fifty states to the federal government each year. Idaho achieved the top ranking based on scores in eleven key outcome areas and forty-one different data measures involving children and families. The key outcome measures include stopping the cycle of abuse and neglect, returning children home quickly and safely, and moving children to a permanent family within twenty-four months from removal.

*"This annual ranking is the first of its kind. It measures each state's job performance in serving the most vulnerable kids, and identifies the leader states we can look to for inspiration and advice."*

~ 2012 Right for Kids Ranking  
Foundation for Government Accountability

The collaborative, focused efforts of the Idaho Department of Health and Welfare, the Courts, and other key child protection stakeholders over the last decade have resulted in not only significantly improved outcomes for Idaho families and children, but in a nationally recognized child welfare system.

### ***Outcomes Continue to Improve for Idaho Children and Families***

The coordinated efforts of the Courts and the Idaho Department of Health and Welfare (IDHW) -the core of Idaho's recognition as the number one child welfare system in the country last year - continued in FY2013. In FY2013, Idaho families and children experienced the following positive outcomes:

- **Continued Decline in the Number of Children in Care.** The number of Idaho children placed in out-of-home care in FY2013 declined by 5% when compared to FY2012 and by an impressive 17% when compared to the five-year high in FY2009.
- **Continued Decline in the Number of Child Protection Cases Filed.** The number of child protection petitions filed this year continued in a downward trend, declining by one 1% when compared to last year, and by a notable 16% when compared to the five-year high in FY2010.
- **Cost of Foster Care Remains Stable.** The cost of foster care remained stable, rising by less than 1%, or about \$100,000 in FY2013, when compared to the cost of foster care in FY2012. It is an extraordinary reduction of 24% over the cost of foster care when compared to the five-year high in FY2009.

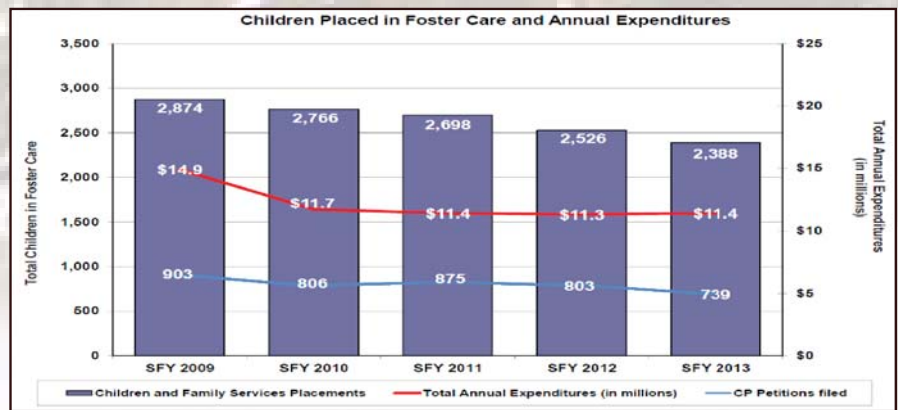
The courts and the Department of Health and Welfare continue to maintain a strong commitment to keeping Idaho children at home whenever possible and to place them in out-of-home care only when there is no way for them to remain safely at home.

***Report to Governor C.L. "Butch" Otter  
and the 2nd Regular Session of the 62nd Idaho Legislature***

### **High Risk-High Need Families Receive Treatment, Enhanced Services, and Support**

Families with a child protection case and a substance use disorder are among Idaho's highest risk, highest need, and most challenging families. Idaho's four child protection drug courts (CPDCs) provide enhanced treatment, services, and support to families who have a child protection case, meet the drug court criteria (high risk and high need), and who voluntarily agree to participate in a child protection drug court.

The enhanced services and support include assistance with transportation, housing, childcare, employment, and medical and dental care not covered by other funding sources. In FY2013, Idaho's four CPDCs served a total of sixty families, including 183 children. As a result of the enhanced services and support provided by the child protection drug courts, seventeen family members achieved and maintained a sober lifestyle and graduated from a child protection drug court. Twenty-five families were reunited and seven substance free babies were born.



*"Even though some young people emerge from [child protection] proceedings successfully, despite poor legal representation or legal representation in name only, the weight of academic and practitioner opinion suggests that without the legal representation, a child has little prospect of successfully navigating the complexities of [a child protection] proceeding."*

~ Child Representation in America: Progress  
Report from the National Quality Improvement  
Center, Duquette and Darwall, p. 90 (2012)

### **Keeping the Focus on the Children**

The Idaho Legislature took a significant step toward protecting the rights of Idaho's children and ensuring that children remain the focus of a child protection case by requiring that children and youth be represented by attorneys in child protection cases. Every child age 11 and under will continue to be appointed a guardian *ad litem*; however, effective July 1, 2013, the court must also appoint an attorney to represent the guardian *ad litem*. Also effective July 1, youth age 12 and over will be appointed legal counsel, unless the court finds that appointment of counsel is inappropriate or impracticable. The court may also appoint a

guardian *ad litem* for the youth. The appointment of counsel for children in Idaho child protection cases is both a return to an earlier policy in Idaho and a step in the direction of an emerging national trend.<sup>1</sup>

### **Guardian Ad Litem Programs: By the Numbers**

The number of new child protection petitions decreased 5% over FY2012, down to 735. The number of children who were the subject of a child protection case in FY2013 also declined, although by a more modest 2%. Of the children in care, 69% benefitted from the compassionate advocacy of a volunteer guardian *ad litem*, a slight decrease of 3% over last fiscal year. Local CASA programs trained 126 new guardians *ad litem* in FY2013, a number equal to their efforts in FY2012. The citizens of Idaho continue to give generously of their time and financial resources to benefit Idaho's abused, abandoned and neglected children. Idaho guardians *ad litem* donated 25,625 hours, the equivalent of 12.3 full time positions, investigating and advocating on behalf of "their" children. The guardian *ad litem* programs asked their local communities to provide additional financial support to assist the programs in serving abused, abandoned and neglected children, and the communities responded robustly by donating an impressive \$295,923 in additional funds. This amount is more than one-third of the funds provided to the programs by the legislature.

Much has been accomplished to improve outcomes for Idaho's most fragile families and children in the past year. Much remains to be done.

<sup>1</sup> Between 1976 and 1985, all children, regardless of age, were appointed counsel in child protection cases. In 1985, the Child Protective Act was amended to allow the court to appoint either legal counsel or a guardian *ad litem*.

