



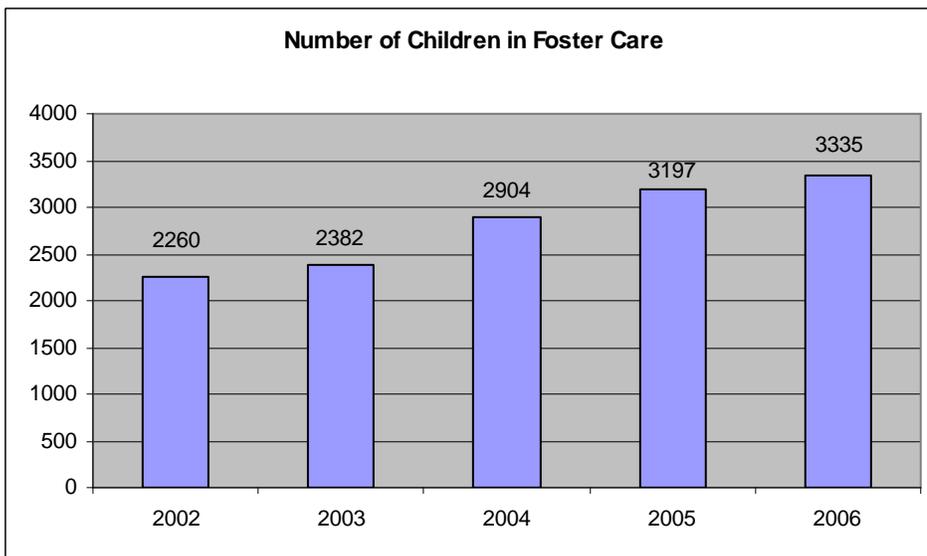
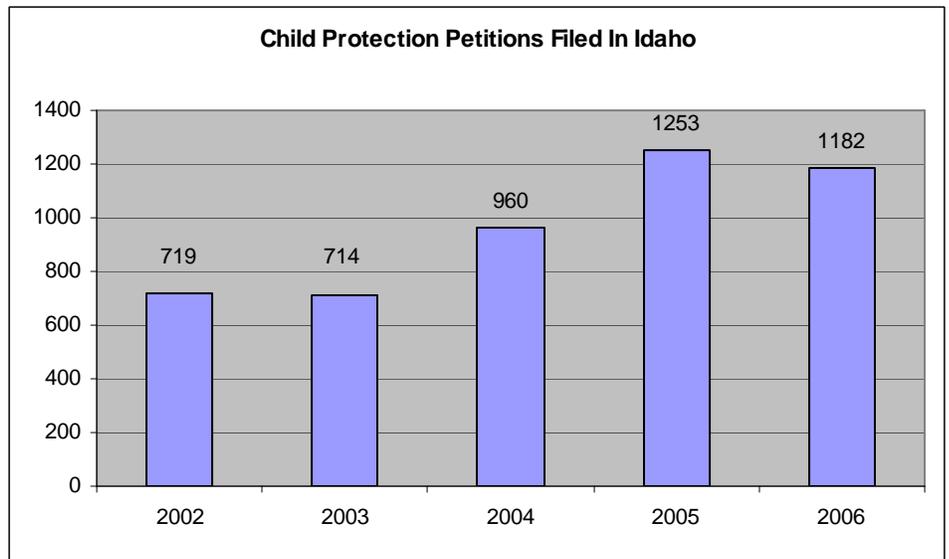
# Child Protection: Meeting the Challenge in 2007

## Report to Governor Butch Otter and the Second Regular Session of the 59th Idaho Legislature

The number of child protection petitions filed in Idaho has risen steadily over the past five years, from 719 child protection petitions filed in 2002 to almost 1,200 in 2006, a 64% increase.

In fiscal year 2006, 59% of the child protection petitions statewide were filed in five Idaho counties: Ada, Canyon, Kootenai, Bannock and Twin Falls.

The number of children in foster care has also risen steadily in the past five years. In fiscal year 2002, 2260 Idaho children were in foster care. In fiscal year 2006, the number of Idaho children in care increased to 3335. Cumulatively, the number of children in care has increased on average 9.1% per year, with an overall increase of 48% since fiscal year 2002.



The Idaho Supreme Court Child Protection Committee has, for the past nine years, worked hard to develop recommendations to strengthen and enhance the court’s role in the child protection system and improve outcomes for Idaho’s most vulnerable children.

In 2007 the Idaho Supreme Court was again awarded three federal “Court Improvement” grants to expand court improvement efforts in two critical areas: training and technology. (The three court improvement grants are renewable annually through 2010.)

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## **Extensive Multidisciplinary Training Underway**

In May of 2006, approximately 250 magistrate judges, prosecutors, public defenders, caseworkers and supervisors from the Idaho Department of Health and Welfare (IDHW), CASA staff and volunteers, and mental health practitioners attended a Children and Families Institute. The Institute provided training on the “nuts and bolts” of child protection practice in Idaho, current state and national child protection developments and law, the impact of abuse, neglect, removal from home and time in foster care on the development of secure attachment and bonding for children, and an opportunity for child protection professionals in each county to review and discuss local child protection practices. The Institute was very well received by attendees and has promoted ongoing dialogue on improving the child protection process in Idaho counties.

A second two-day multidisciplinary Institute on child protection issues will be held May 19-20, 2008. Topics will include: a comprehensive examination of best practices for child (ren) in Idaho from the point of view of each of the key participants; a nationally known speaker who will speak about legal representation for children in child protection cases; a review of current state and national child protection developments and law; a presentation by Dr. Joan Kelly, another nationally known speaker, on critical developmental issues for children from birth to 3 years; and, roundtable discussions of local child protection practice.

Seven magistrate judges will attend a one-week intensive training on child protection issues, hosted by the National Council of Juvenile and Family Court Judges in Reno, Nevada. A comprehensive statewide child protection training curriculum for judges and other key professionals involved in the child protection process is being developed.

## **Technology Effort Expanded**

Accurate local and statewide data are critical to effectively identifying the strengths of and areas of concern for Idaho’s child protection courts, and for measuring the success of court improvement efforts. The ISTARs child protection module is currently in use in all forty-four (44) Idaho counties. The ISTARs child protection module measures the court’s performance on 18 national outcome measures to ensure timely permanent placement for Idaho’s most vulnerable children.

### **Child Protection Performance Measures**

#### **Safety**

- no subsequent maltreatment petitions
- Subsequent maltreatment petitions

#### **Permanency**

- Percentage of children who achieve legal permanency after removal
- Percentage of children who do not achieve legal permanency after removal
- Percentage of children returned to foster care
- Children transferred

#### **Timeliness**

- Time from removal to adjudication
- Time from removal to disposition
- Time from removal to permanent placement
- Time from removal to termination of parental rights
- Time from disposition to filing termination petition
- Time from termination petition to order
- Time from termination order to adoption petition
- Time from adoption petition to finalization of adoption
- Timeliness of required hearings (summary report)
- Timeliness—reasons for non-compliance

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Validation of statewide data from ISTARs for courts hearing child protection cases will be completed this year. A second year of training for clerks and judges on the use of the new ISTARs module was conducted in October. New reports for sharing data among key players in Idaho's child protection process are being developed.

## **Strengthening Legal Representation**

Child protection cases are complex and profoundly affect the lives of Idaho's abused and neglected children and their families. National experience demonstrates that effective legal representation in child protection cases is critical to improving outcomes for abused and neglected children. Examining the effectiveness and consistency of the current system of legal representation for the Department of Health and Welfare in child protection cases and exploring options for strengthening legal representation for the Department will be a primary focus of improvement efforts in FY08. In keeping with Idaho's strong, nationally recognized collaborative problem solving approach on child protection issues, a team of key stakeholders, including representatives of the Office of the Attorney General, the Idaho Department of Health and Welfare, the Idaho Prosecutor's Association and the courts will convene to discuss and, where possible, implement long and short term recommendations for improving legal representation for the Department of Health and Welfare in Idaho child protection cases.

## **Supporting Guardian Ad Litem Programs**

In FY06, 508 volunteers from Idaho's seven guardian ad litem (GAL) programs represented 3,352 abused and neglected children in Idaho's child protection courts. Volunteer guardians ad litem speak for and keep the focus on the child in the child protection process. The extensively trained volunteer guardians ad litem provided an invaluable, independent source of information for judges asked to make Solomonesque decisions in regard to abused and neglected children and their families. Unfortunately, only 65% of Idaho's abused and neglected children were appointed a volunteer guardian ad litem to advocate on their behalf.

Significant new funding for guardian ad litem programs, approved by the 2007 Legislature, is being used to increase community awareness of the guardian ad litem programs and the critical need for guardian ad litem volunteers for these most fragile children. In the first four months of FY 2007:

- Guardian ad litem programs increased by **36** the number of volunteer guardians ad litem available statewide for appointment in child protection cases.
- Guardians ad litem contributed **8,392** hours of volunteer service on behalf of Idaho's abused and neglected children.
- Local attorneys donated **658** hours of pro bono legal service to guardian ad litem programs.
- Guardian ad litem programs raised **\$178,465** in additional funds to support the work of the local programs.

## **Working with IDHW to Increase Federal Financial Support for Idaho Children in Foster Care**

In early 2005, the Office of Performance Evaluation issued a report, which stated that federal foster care maintenance payments for Idaho children in foster care had been lost in the preceding year, due, in part, to child protection orders that did not include federally mandated language or child protection hearings that were not timely held. A joint effort by the Court and the Department of Health and Welfare in the past year has increased to 98% the percentage of initial orders of removal that meet the federal requirements to qualify otherwise eligible children for federal foster care maintenance funds. As a result of the joint effort of the Court and the Department, Idaho has seen a significant increase in federal foster care match payments for Idaho children in foster care. The Court and the Department will continue to focus on improving the timeliness of permanency hearings to ensure that eligibility for federal foster care match payments is maintained for Idaho children throughout their stay in foster care.

### **Contact**

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