

Minutes

Child Welfare Improvement Committee Indiana Court Improvement Program January 26, 2024 9:00 a.m. – 11:00 a.m. Remote via Zoom

Members Present:

- Tatiana Alvarez, Indiana Department of Child Services
- Mag. Pauline Beeson, Marion Superior Court
- Mag. Elizabeth Bellin, Elkhart Circuit Court
- Mag. Sally Berish, Boone Circuit Court
- Topacio Boyd, Parent Advisor
- Mag. Ashley Colborn, St. Joseph Probate Court
- Mag. Eleanor Finnell, Marion Circuit Court
- Harmony Gist, Indiana Department of Child Services
- Mag. Valorie Hahn, Hamilton Circuit and Superior Courts
- Hon. Christine Haseman, Monroe Circuit Court
- Hon. Jennifer Hubartt, Marion Superior Court
- Rachael Hudgins, Indiana Department of Child Services
- Haley Inman, Indiana Department of Child Services
- Stephaney Knight, Youth Advisor
- Ashely Krumbach, Indiana Department of Child Services
- Teresa Lyles, Indiana Office of GAL/CASA, Indiana Office of Court Services
- Derrick Mason, Indiana Public Defender Commission
- Joel McGormley, Indiana Department of Child Services
- Mag. Tara Melton, Marion Superior Court
- Karen Mikosz, Department of Social Services, Pokagon Band of Potawatomi
- Michael Moore, Indiana Public Defender Council
- Hon. Lynn Murray, Howard Circuit Court
- Paul Okoli, Youth Advisor
- Kris Rhodes, Indiana Department of Child Services
- Lauren Virgen, Parent Advisor

Staff Present:

- Jeffrey Bercovitz, Indiana Office of Court Services
- Senior Judge Nancy Gettinger
- Senior Judge Heather Mollo
- Lindsey Petitt, Indiana Office of Court Services
- Colleen Saylor, Indiana Office of Court Services

Guests Present:

Julia Stevens, Indiana Public Defender Council

1. Welcome

Magistrate Hubartt welcomed attendees and thanked them for taking the time to attend the meeting.

2. Approval of Minutes

The minutes from November 17, 2023 were approved.

3. CFSR Update

Lindsey Petitt, CIP Administrator, shared an update on the Child and Family Service Review Results.

- a. Lindsey shared an update on CFSR final report and asked for judicial feedback on what they are seeing, and feel may be impacting these outcomes.
- b. She shared CIP will be rolling out a Quality Permanency Hearing project soon as well. CIP FFY 2023 data shows median time to permanency for all permanency outcomes combined has increased, however median time to adoption has continued to decline.
- c. Members asked about the availability of the reports, and it was shared the CFSR Round 4 report was posted publicly by Children's Bureau and that link was provided in the chat. The link for a CFSR quick reference was also provided by DCS.

4. Judicial Feedback on CFSR results and Barriers to Permanency

- a. Case stagnation was identified as one area that contributes to the lag in time to permanency. The court does not feel comfortable returning the child home; services are being provided but not enough progress is happening yet there is some progress, so TPR is not the route wanted. Can't change permanency plan if parents are kind of on track so it does take longer. Parents are kind of putting in effort, not enough to move to adoption and even if you do move to TPR that takes longer and may not motivate the family. TPR is a much different burden of proof. Maybe need to encourage the department to start looking at alternatives to adoption and TPR; third party guardianship by utilizing a mediation. Much more palatable option if the guardianship is a kinship or relative. DCS has become more agreeable to kinship and guardianship and third party custody but still hesitance especially on younger youth.
- b. Stagnation – family member comes in late and then there is hesitancy of DCS to accept this person as a viable option. Early identification of all potential individuals for consideration but understanding that sometimes the family fails to recall or can't locate the address for all family members. Engagement piece for FCM with parents and see them as collaborator. PD identifies potential placement and refer to FCM and get no response. Child may already be in a placement and FCM sees no reason to move. PD's are doing more training on submitting their own information to court on potential placements.
- c. Bill heard (HB1310) yesterday on this issue. Is concurrent planning being used? Some, but they may not be **actively** working on both plans. The judge may set the next hearing as a permanency hearing and instruct the family they need to make significant progress on reunification or that part will be dropped. Use permanency facilitation frequently and talk about every possibility for permanency and invite caregivers and potential caregivers. Permanency facilitation in combination with concurrent plans broadens the thought process.
- d. Lindsey shared that courts could apply for grants to start facilitation/mediations in their jurisdictions.
- e. Members shared turnover with everyone involved in the case has been a huge barrier. DCS attorney, PD, FCM, Service Providers, - burnout is real.
- f. Seldom if ever see a TPR 6 months into case when appropriate. Get kids into the system and hold them to a higher standard than they would other families. They wouldn't do a THV with a family living in a hotel but agreed they would not remove if they got a 310 on that case if that was the only issue. This is something the court can push. If the court sets the first review timely at 6 months from the removal the court can inquire about if the TPR is imminent if it appears likely. Plan from day one and watch timeframes.
- g. One of the goals of CFSR/PIP is to come up with uniform definitions of Safety and Risk. Get away from the idea of safety being the absence of all risk. Need stability as well so there is a

desire to want to leave the case open three months to ensure they can maintain before closing. Help set up the family with ways to access services should they need them after the case closes.

- h. DCS shared they heard from families they struggled to access services without the support of DCS as they would end up with a waiting list or just no availability. Cheer them on and help find a better mechanism to provide some support but not keep them reliant. There is free peer support across Indiana, lack of knowledge, awareness, or marketing of these resources.

5. Ideas to overcome barriers to permanency

HYBRID MODELS

- a. Arizona had a process with Prefiling mediation? Parents had a lawyer and felt safe. And Indiana had this at one point. Pre-petition involvement? There are programs that have met standard, and the federal government will fund. PD Commission has been looking at this. PD social workers are a great resource that is available in some areas. Would be great to see this widespread
- b. PD Commission would be open to funding a pre-petition mediation pilot. They are already funding several other pilots. Already shaving off time when the child is out of the home with system navigators. They have funds available.
- c. Marion County is doing hybrid hearings with some testimony remote. Reviews and pretrials are remote but contested are in person. Feel the families we work with are benefiting. Appearance rates are better. Real positive is that kids are being seen much more. Kids more willing to talk remotely than in person. Kids appear with a school representative who can give an update on progress in school as well.

Is there a way to offer services without over supervising? Appetite to talk about “should DCS be able to offer services without having a case open”?

6. Overview of Jurist in Residence Program from CIP

- a. Lindsey shared a summary of what the Jurist in Residence do with CIP; offer their services and ask for input moving forward. Resource to assist with projects and expertise in working with counties to reduce time to permanency. Intended to support projects by facilitating projects, meetings or covering the bench so the judicial officer could implement projects.
- b. Could coach/mentor new judicial officers. Court observations and provide feedback.

7. Other Matters

- a. Lindsey shared that CIP is working with Judge Morgan to work with Vermont in starting a Facilitation program.
- b. [2024 National Conference on Access to Justice](#) announcement ABA 4/9 and 4/10 and 4/11 and 4/12
 - a. CIP reminded CWIC of availability of CIP PD Scholarship and how to apply.
- c. February will be busy for Judicial Officers due to weighted caseload time study.
 - a. May consider changing/canceling the March meeting but will advise.
- d. Ask for topics for future meetings:
 - a. Haley suggested for May 24 to update on PIP since the final report is due April 1
 - b. At July meeting – legislation that passed having to do with Child Welfare

Next meetings:

2024 Meeting Dates

Table 5. 2024 Committee Meeting Dates Remaining

Date	Time	Format
March 22, 2024	9:00 – 11:00 am	Zoom

Date	Time	Format
May 24, 2024	10:00 – 12:00 pm	In Person*
July 26, 2024	9:00 – 11:00 am	Zoom
September 27, 2024	9:00 – 11:00 am	Zoom
November 22, 2024	9:00 – 11:00 am	Zoom

*Will be held at Office of Court Services – Fuse West Conference Room
251 N Illinois Street, Indianapolis, IN 46204