

Court Improvement Program Committee

Meeting Minutes

October 22, 2008

10:00 am – 3:00 pm (CT)

Cedar Shores Resort, Oacoma, SD

1. **Welcome and Introductions:** Judge Davis welcomed everyone to the meeting and asked each member to introduce themselves.
 - a. **Attending:** Judge Jeff Davis, Virgena Wieseler, LuAnn Van Hunnik, Becky Reeves, Roxie Erickson, Vicki Burger, Rep. Carol Pitts, Tony Benning, Judge Scott Myren, Dave Valandra, Amy Benda, and Sara Kelly.
 - b. **Absent:** Sharon Kallemeyn

2. **CIP Overview:**
 - a. **History:** Sara Kelly presented on the history of CIP, where CIP funding comes from, what the grant requirements are, and what the future holds for CIP.
 - b. **Grants:** Sara Kelly reported on the three CIP grants (basic, training, and data collection/analysis) discussing how each grant is focused on improving the permanency outcome of abused and neglected children. South Dakota receives just over \$304,000 (combined total) of CIP grant funds.
 - i. Basic CIP grant is primarily used to support the CASA programs
 - ii. Training grant is for training judges and cross-training judges, attorneys, child welfare staff and advocates, ICWA representatives, anyone who has an interest in child welfare issues.
 - iii. Data grant is to improve the tracking of A&N court cases.

3. **CIP Activities:**
 - a. **Judicial survey results:** Sara Kelly reported on the judicial survey conducted October 2007. The survey served a variety of purposes for both CIP and DSS-CPS. Sara used the survey to evaluate what the judge's beliefs were in regards to meeting ASFA requirements, ICWA requirements, and the relationship between courts and DSS. The survey will also assist in meeting judicial training needs. DSS used the survey results for the statewide assessment, in preparation for the CFSR.
 - b. **Case file review results:** Sara Kelly reported to meet the CIP requirement of court assessment, case file reviews were completed in 2007 and 2008. Sara directed committee member's attention to the review results in their folder. Due to the juvenile tracking system not capable of producing a report on abuse and neglect cases in 2007, Sara conducted a case file review at various court houses in each judicial circuit. Courts were selected by the number of abuse and neglect petitions filed each year. Sara reported that over all results indicate that ASFA and ICWA requirements are met in a timely manner.

- c. Juvenile tracking system results:** Sara Kelly reported she has been working with the UJS IT department to create a tracking report to ultimately be used by judges and staff to track the progression of a case. IT was able to produce a preliminary report, which Sara compares to the DSS tracking report looking for comparable information. Sara drew the committee's attention to the tracking report in their folder and some of the issues found in assessing the juvenile tracking system. Sara reported some of the information in the tracking system was out dated and worked with circuits and counties to address the issue and update the system. Judge Myren reported that the technology committee voted to purchase new software for UJS tracking, but this is at least 2 years from completion. Sara will continue to work with IT to create a useable report in the interim. Sara will work with Judge Davis, Judge Myren, and Tony Benning to review tracking concerns and develop a description of court hearings for coding.
- d. Justice for Children Committee:** Sara Kelly reported on the Justice for Committee, which meets quarterly. The committee was developed by combining the Citizen's Review Panel and the Children's Justice Act Committee. This committee is a requirement of funding DSS receives. The committee met in September and one key item that related to the court system was how to handle the lack of attorney representation or advocacy when assigned to represent a child. Judge Davis commented he does not future assign attorneys that do not represent the client/child well. Judge Myren commented that sometimes the county has a contract with certain attorneys and the list to pick from is limited. Training was discussed; Virgena Wieseler suggested a list of minimal items to do when assigned to a child's case for attorneys to reference. Roxie Erickson suggested talking to the State Bar Association and request to have time at a meeting to present the material.
- e. Other talking points:**
- i.** Judge Davis recommended when providing training to judges to keep it in small segments and focus on best practice information. Judge Myren agreed.
 - ii.** Judge Myren commented on having new state's attorney or one that only deals with an A&N once a year and not knowing what steps to take with the case. Becky Reeves suggested a mentor program. Judge Davis suggested compiling a list of State's Attorneys willing to be on a contact list and then contact the State's Attorney Association for publishing the information.
 - iii.** Vicki Burger stated her concern with law enforcement and their fear of liability and taking custody of children prior to DSS investigating other alternatives to emergency placement. After a healthy discussion, it was agreed that other groups need training as well, some associations/groups to consider for training are, the Sheriff's Association, Police Chief's Association, and police training academy. Judge Myren suggested "Top Ten Points"

training for the groups discussed. Rep. Carol Pitts asked if it would be the same training for each group. The consensus of the committee was to develop a format specific to the target audience. Judge Myren suggested Sara send out an email requesting each member give their thoughts on what they would want a particular group/professional to know or do as it relates to abused and neglected children. Sara will collect and report on the information. This can be done via email and at the next in-person meeting a training format can be developed. Amy Benda suggested using the judicial survey and the state's attorney survey to assist in creating the training format.

- f. **CFSR Overview/PIP Update:** Virgena Wieseler presented information on the federal review of DSS. The department is still waiting for the final report from the Dept. of Health and Human Services, but has begun work on the program improvement plan. Some of the areas the department is focusing on are timeliness to adoption, concurrent planning, involving absent parent, permanency, and collaboration with the courts and tribes.

4. CIP Future Goals

- a. **Training:** Sara reported that Tony Benning, Judith Roberts, Sara Kelly and possibly Judge Davis will attend a "Fundamentals in Case Flow Management: Child Abuse/Neglect Cases" in December. The team will present the information to the committee at the next meeting.
- b. **Data collection/analysis**
 - i. **System software:** This is an ongoing project and updates will be given at future meetings.

- 5. **Future Meetings:** The next meeting is set for January 14, 2009, 11:00 am – 2:00 pm, in Pierre. This will be a working lunch meeting; future emails will be sent out regarding location.