

**OREGON CHILDREN'S JUSTICE ACT TASK FORCE
FULL COMMITTEE
MEETING MINUTES**

Date: Friday, January 8, 2010

Location: HSB – Room 160

Time: 9:00 a.m. – 12:00 p.m.

MEMBERS PRESENT (10): Shary Mason-Chairperson, Steve Atchison (left at 11:30), Susy Isham (left at 11:30), Margaret Semple, Matthew Pearl, David Cummings, Robin Wright, Stacey Ayers, Judge Lorenzo Mejia, Tonia Hunt (by phone; left at noon)

MEMBERS EXCUSED (4): Don Darland, Becky Smith, Steve Duvall, and Carrie Rasmussen

MEMBERS UNEXCUSED (0):

DHS STAFF PRESENT (2): Jan Slick and Heather Mowry

GUESTS (1): Sgt. Stephanie Ingraham, on behalf of Lt. Jeff Hershman

Meeting called to order by Chairperson Shary Mason at 9:00 a.m.

Introductions / Membership and Recruitment Status

The Task Force welcomed David Cummings-CAF Foster Care Coordinator. David has joined the Task Force as the foster care representative.

Shary introduced Sgt. Stephanie Ingraham, from Oregon State Police. Sgt. Ingraham currently supervises the Investigative Support Unit and is attending today's meeting on behalf of Lt. Jeff Hershman. Lt. Jeff Hershman is replacing Steve Duvall on the CJA Task Force, but couldn't attend the meeting today.

We continue to recruit for the positions left vacant by Judges Alta J. Brady and Douglas Van Dyk.

Judge Lorenzo A. Mejia discussed the probability of his resignation. He has assumed a role in criminal court. Judge Mejia has spoken to Judge Lisa Greif about joining this Task Force, as his replacement. Judge Lisa Greif plans to attend the next Task Force meeting, in April.

We anticipate filling the position that Stacy Liskey vacated when the CAMI Coordinator position is filled.

Angela Fasana, Trial Court Administrator for the Confederated Tribes of Grand Ronde, plans to visit us at the April meeting to consider membership.

Deborah Rau, parent mentor with Morrison Child and Family Services, also plans to attend our April meeting to consider membership.

We also need to recruit a health professional, particularly one who works with abused and/or neglected children. Jan Slick will make contact with Tonia Hunt and Dr. Carol Chervenak.

July 10, 2009 Minutes

The October 2009 meeting was canceled.

Jan referred to page 19, Future Agenda Items: Add that the Bylaws were discussed at the last meeting, at which time the revisions were made available.

Margaret made a motion to approve the July 10, 2009 Minutes; Suzy seconded the motion. The Minutes were approved with the above amendment provided by Jan.

Shary asked that the following Action Items (from the July 2009 CJA TF meeting) be carried over to the April 2010 meeting-

- Invite the Casey Project to give a presentation of its work
- Establish an ongoing Training Fund
- Invite Karen Gibbs or other appropriate staff for a discussion about:
 - how DHS responds to sex abuse cases, as it seems the Oregon Safety Model doesn't have clear guidelines about this, and-
 - the work of the DHS Panel that has been working on this issue

CJA Bylaws Amendments

Copies of proposed amendments were handed out.

Jan referred to pages 8 through 10. The amendments will address:

- Meetings by Telephonic or Electronic Communication, and-
- Electronic Vote Outside of Regular Meeting

The group discussed the proposed amendments.

Robin suggested that members be given a timeframe for submitting their vote. Stacey recommended at least 10 working days. Judge Mejia recommended setting the timeframe for one or two weeks, as opposed to 10 working days, as people have different work schedules.

Robin suggested that staff sending out a request for an electronic vote should remind Task Force members to “reply to all” when they respond with their vote.

Robin suggested adding language to require an electronic vote to also meet the definition of a quorum before it can be adopted by the CJA Task Force.

Robin made a motion to accept the Bylaws with the above edits; Margaret seconded the motion. The proposed draft Bylaws were approved, with the suggested edits.

Action Item: Michelle Weber will make the requested edits and then distribute the revised Bylaws out to all members.

Foster Care Subcommittee Report – Phase 3 Projects

- FosterClub Publications Project (teen comic book/magazine and children’s coloring book)

These publications are being developed to give to children who are placed in foster care. They will answer many of the questions children have when they leave their homes. For instance, what has

happened to them, when they will see their siblings, who are some of the people they will meet (attorney, CASA), etc. The FosterClub is very excited about developing publications that will help Oregon children and also have an impact nationally for them.

Heather reported that the FosterClub had indicated that they wanted to sell the publications, for profit. The DHHS/ACY clarified that, if the FosterClub sold the books for profit, they would be required to reimburse ACY a percentage of the sales. As a result of this clarification, DHS was able to propose two alternatives:

- A contract would be written to fund the creation and printing of the publications, with no rights to sell them; or the FosterClub could sell the publications if they returned a percentage of the sales back to ACY; or-
- The FosterClub would assume all expenses and risk of producing and printing the publications with the understanding that the Children's Justice Act would purchase the publications from them.

The FosterClub will continue to meet with the CJA Foster Care Subcommittee and full Task Force, in-person and by email, to complete this project. DHS will partner with the FosterClub to ensure the publications content meets its client policies and values. The FosterClub has agreed to allow us to post selected pages (from the publications) to our Oregon CJA website.

The Task Force allocated \$20,000 for this project. To stay within this budget, we will be able to purchase 10,000 coloring books and 5,000 teen comic book/magazine. As soon as we confirm the total number of publications we will purchase, the FosterClub will provide quote for shipping costs.

Shary said the Foster Care Subcommittee discussed the need to distribute the publications to child welfare, CASAs, Foster Parent Association. She asked the Task Force members if they know of other groups that are first-responders when children initially go into care. There are about 14,000 children who go into care every year. The following age groups represent about 1/3 each of the children who go into care each year: 0 to 5, 6 to 10 and 11 to 18. We are estimating that 10,000 copies of the coloring book will last about two

years and 5,000 publications for the older group of children will last about one year.

The Foster Care Subcommittee is formally requesting an additional \$5,000 to purchase an additional 5,000 copies of the teen comic book/magazine.

● Trauma Training Project

Heather reported that the contract is with PSU and it has been signed. The T.I.P.S (Trauma Informed Practice Strategies) training will be delivered in the Casey Project counties (Multnomah, Tillamook, Jackson, Coos, Deschutes, Malheur, Marion and Washington). Jan noted that the Casey Project is focused on reducing disproportionality of certain populations, and the overall reduction of numbers of children who go into care. The work of the Casey Project seemed to fit well with the T.I.P.S training project and there were groups already established, in each county that PSU could connect with. The trainings will be about 1 ½ hours long.

Topics will be:

- What trauma is and how it affects children, at different ages
- How to identify potential trauma during the investigation, removal and out-of-home placement for child abuse and neglect cases
- How to identify effective practice strategies for reducing trauma to children associated with the investigation, removal and out-of-home placement
- What the benefits are of keeping children in their homes
- What are some of the in-home supports to ensure safety

PSU provided this training at several DHS/CAF Supervisor Quarterly meetings and it was well-received.

The Task Force allocated \$30,000 for this project. PSU's quote came in at \$28,700. All travel for this contract should have been included in the \$28,700 quote. The difference between the \$30,000 allocation and PSU's \$28,700 quote leaves an unexpended balance of \$1,300.

Strategic Planning for Children’s Safety Subcommittee – Phase 3 Project

● **Substance Abuse Summits Project**

Shary reported that we have negotiated with PSU to amend their contract to develop and deliver four additional summits. One difference between these summits, compared to previous summits, is that MDTs will be included in the planning process. MDTs are required to have a drug endangered child protocol and we wanted this to be incorporated into this work. This will require a letter of support from the MDT and that a member of the MDT is on the local summit planning committee.

We also wanted to ensure there is an increased focus on substance abuse. Katharine Cahn has recommended Mary Ann Murphy to train, who has a strong focus on attachment issues that are compromised by substance abuse. Mary Ann Murphy’s program in Spokane is on the registry of evidence-based best practices.

The subcommittee has also requested that Jay Wurscher or Eric Martin, both who have expertise in substance abuse, be involved either in the summit planning or in providing training.

The subcommittee decided that the current summit planning should not involve any of the 16 counties that previously hosted a summit. Five counties requested a summit (Polk, Klamath, Curry, Hood River and Baker). To stay within the allocation, the subcommittee is proposing four summits. PSU will contact these five counties, and then make a recommendation to the SPCS Subcommittee about which four of the five counties would most benefit having a summit. If more than one of the five counties cannot participate, PSU will select from the remaining 11 counties, minus the Casey Counties that will receive the Foster Care Subcommittee Trauma Training.

Stacey Daeschner identified the safety threats most associated with addiction as #3, #8, #10 and #11. They are in the order of most used to the least used. See

http://www.dhs.state.or.us/caf/safety_model/procedure_manual/appendices/ch2-app/2-4.pdf

Communities will also be required to include mental health, drug and alcohol, parole and probation and law enforcement in the summit planning process. The subcommittee requested that PSU develop a template for communities to use in their planning process to help them stay focused on safety and how it relates to substance abuse.

The Strategic Planning for Children's Safety Subcommittee is formally requesting an additional \$6,500 to allow all five counties to participate in a summit, instead of four.

Children with Disabilities Subcommittee – Phase 3 Project

- **First Responders Who Interview Children with Disabilities Project**

Margaret reported that we are currently negotiating a contract with Scott Modell to do three, two-day trainings, in locations around the state in June 2010. We are currently working on securing training locations in Medford (Smullins Center) with possible VCON to two eastern Oregon sites, Salem (DPSST) and Eastern Oregon. Scott is a nationally recognized expert in interviewing children with developmental disabilities.

The first day of training will be provided to a large group (approximately 125) that will cover various aspects of interviewing and cultural issues. The second day of training will be limited to a small group (approximately 50) of individuals, who are first-responders, and will include intensive, hands-on, work group activities.

A Flyer is being developed that we will send electronically to CJA Task Force members and the subcommittee asks that they share with their disciplines. We hope to have the Flyer completed by the first or second week of March.

Margaret shared that Nora Baladarian who is also an expert in this field, contacted Margaret's office recently about a grant she received to do this type of training in 10 states. Nora has requested

Oregon to be one of the pilot states. Nora knows and has worked with Scott Modell.

Shary added that she had a conversation with Scott regarding a federal law that requires courts to provide age-appropriate consultation with children at permanency hearings. Scott thinks this is appropriate to his training and will be incorporating it into his curriculum.

The Children with Disabilities Subcommittee will be formally requesting additional funding to:

- do three, two-day trainings, instead of only two that were initially approved by the Task Force, and-
- provide travel scholarships for attendees

Budget Allocation Discussion and Vote on Unobligated Funds (10/1/08 – 9/30/10 Award)

Shary reported that when the October 1, 2007 – September 30, 2009 award was closed out, approximately \$3,270 was carried over to the October 1, 2008 – September 30, 2010 award.

Presently, we have projected approximately \$22,600 of uncommitted funds. These uncommitted funds need to be spent by September 30, 2010.

Today, the Task Force will make decisions about how the \$22,600 will be allocated.

Follow are subcommittee requests for additional funding, for Phase 3 projects-

| Subcommittee | Project | Add'l Funding Request |
|---------------------|---|------------------------------|
| Foster Care | 5,000 additional copies of the teen comic book/magazine | \$5,000 |
| Foster Care | Stipend for miscellaneous expenses, to be divided between 8 counties for the T.I.P.S. trauma training | \$1,200 |
| Strategic | Additional Substance Abuse | \$6,500 |

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|--------------------------------|--|---------|
| Planning for Children's Safety | Summit | |
| Children with Disabilities | A third, two-day training by Scott Modell (eastern Oregon) | \$7,500 |
| Children with Disabilities | Travel scholarships for the Scott Modell trainings | \$3,900 |

As of September 30, 2010, the work of the three subcommittees (noted above in the table) will be done.

Question: How did we end up with unexpended funds when we try to project out the whole award when we receive it?

Answer: We project expenses that we *know* we are going to have (i.e., payroll, member and staff travel, historical expenses like Shoulder to Shoulder Conference scholarships, supplies, etc). Then we add project allocations that are voted on and approved by the Task Force; these are based on projects that are developed by subcommittees. If subcommittees develop projects that total less than the remainder of the award, those dollars are unexpended. Another example of when we have unexpended funds is when we have a vacant staff position, unanticipated furlough days, or Task Force member loss (less travel). Staff changes could result in higher expenditures than expected, also. CJA expenses fluctuate, depending on a variety of activities. Because of these fluctuations, we present regular budget updates that provide an avenue for the Task Force to evaluate funding decisions about subcommittee projects, training and other expenditures.

Judge Mejia made a motion to approve the subcommittee requests noted above in the table; Robin seconded the motion. The requests were approved unanimously.

Note: At the April 9, 2010 CJA Task Force meeting, Shary noted that the Task Force approved a total of \$24,100 to be spent on subcommittee projects (see above). This is \$1,500 more than what was identified as unexpended, in the October 1, 2008 award. This will need to be reconciled at the next Budget Subcommittee meeting.

Report of 1/6/10 Joint Meeting between the CJA OSM Subcommittee / CJA Courts Subcommittee / CAF FBS OSM Legal Issues Work Group

Jan reported that there are four groups working on legal issues related to the Oregon Safety Model.

There are two CJA subcommittees that are part of our 2009-12 planning phase: the Courts Subcommittee and the OSM Subcommittee. The Courts Subcommittee is looking at juvenile court processes for children. The OSM Subcommittee is looking at how the Oregon Safety Model is being implemented, and whether there is a need for additional OSM training.

The Oregon Law Commission is reviewing the Juvenile Code and looking at whether the OSM will have any implications.

The goal of the joint meeting on January 6th was to gather these groups together to find out what each of them is working on to lessen duplication, and have some level of coordination.

There was a need identified, in terms of recommendations and/or developing practice guides, to help clarify roles and improve processes (between child welfare workers, district attorneys and assistant attorney generals) related to filing petitions. The Legal Issues Work Group, through child welfare, will continue to work on improving these areas. Once this group identifies specific practice issues, there might be an opportunity for it to partner with one of the CJA subcommittees, on a project.

One of the CJA Courts Subcommittee Priority Recommendations is to provide support to Model Court Teams. As we review child welfare practices, there might be an opportunity to engage Model Court Teams around petition filing.

One of the CJA OSM Subcommittee Priority Recommendations is to train child welfare workers about how to present OSM information to courts.

Another area of need might be MDT training.

We will invite the Legal Issues Work Group to a future CJA Task Force (or subcommittee) meeting to provide an update about its work.

OSM Subcommittee – Phase 1 Project

Stacey reported that the subcommittee has been working on how the Oregon Safety Model (OSM) has been implemented across the state and how it is or isn't being used. The work of our DHS/CAF Child Protective Services program fits well with this subcommittee.

There has been much information gathered, as a result of reviewing child welfare cases and CIRT (Critical Incident Response Team). Reviews of six branches, over the last eight months, have shown there isn't a consistent understanding or implementation of the Oregon Safety Model, across the state; other states are experiencing the same struggles related to implementing these new practices. The Oregon Safety Model shifts the focus and practice from "if abuse and/or neglect is not founded then the child is safe" or "if abuse and/or neglect is founded then the child is not safe" to "looking at all available information and determining whether a child is safe, by using the six domains or questions (the extent of maltreatment, the circumstances surrounding the maltreatment, child functioning, adult functioning, parent functioning, and disciplinary practices). We are encouraged that, since OSM implementation, our data (based on federal definitions) shows re-abuse rates have declined.

A limitation to our review process is that our office only has one research staff available to pull cases for review and then compile the data, interpret it and integrate it into a report format, at the end of the review. An executive summary of the report is followed up with a meeting with branch supervisors, program managers and sometimes the district manager. From that meeting, a training plan is developed which can include consultants attending CPS branch meetings or one-on-one coaching. The tool used to review cases for OSM implementation was developed by the CPS program, using all the assessment steps, within the OSM.

The tool that DHS/CAF purchased to complete QSRs is different than the OSM review tool, and it is used to gather different data, albeit it valuable.

If a case is reviewed and the decision is to develop an in-home plan, the Family Based Services program has developed a unique tool to further assess and support the family related to safety and in-home supports.

The JCIP (Juvenile Court Improvement Project) provided juvenile judges with copies of "*Child Safety a Guide for Judges and Attorneys*" (*the Benchbook*) developed by the National Resource Centers for Child

Protective Services and on Legal and Judicial Issues. The Bench cards have also been distributed to child welfare offices.

OSM trainers and the NRC (National Resource Center) have provided Oregon Safety Model training around the state to child welfare workers and partners, but there continues to be a need for further training. Much of the OSM content came from the National Resource Centers. Training will be ongoing.

The OSM Subcommittee continues to work on developing its Phase 1 project. Jan said we need to tie together resources and initiatives (CJA OSM Subcommittee, federal PIP through the CFSR reviews, technical assistance through the NRC) when planning the project. She added that understanding the six domains (ACTION refers to it as family functioning assessment) and how abuse plays out in a family is fundamental to how we proceed.

Question: Have the child welfare case reviews revealed any themes?

Answer: A common deficiency is the ability to use the six domains to assess a family.

Courts Subcommittee – Phase 1 Project

Judge Mejia reported the subcommittee continues to refine its Priority Recommendations into a project. The subcommittee is focusing on Priority Recommendation #1: Identifying Best Practices in Dependency Courts for Timely Identification and Placement with Relatives. The secondary focus is on Priority Recommendation #4: Provide technical assistance to Model Court Teams regarding the Oregon Safety Model and use of Child Safety – A Guide for Judges and Attorneys.

A contract has been executed with Travis Consulting Company (Lynn Travis) for \$35,500, effective January 26 through August 30, 2010. The tasks of this contract include:

- Compile an extensive review of court policies and best practices consistent with social work best practices that promote placement of foster children with relatives
- Review and evaluate Oregon data concerning relative placement rates for children in foster care; discussions with DHS, Casey and

- Develop tools to measure local practices and perceptions concerning relative placements
- Survey Oregon Juvenile Court judges and key stakeholders concerning local efforts to place foster children with relative caregivers

Karly's Law Subcommittee

Since the inception of this subcommittee, Stacy Liskey-chair, Steve Duvall and Steve Brinlee have left the Task Force.

Because the subcommittee hadn't been able to identify and develop a viable project yet, and several subcommittee members have resigned, it has left us without leadership and expertise to support this effort. In addition, there were changes to Karly's Law during the last legislative session. Another issue overshadowing Karly's Law is the ruling from the Ninth Circuit Court about search and seizure.

An original proposal was to fund a research project to determine how Karly's Law was being implemented and determine if there were any issues with implementation. The subcommittee, as a whole, could not agree that this would be a good use of funds.

Therefore, during the January 6th subcommittee conference call, participants made the decision to recommend that this subcommittee be disbanded.

Question: If this subcommittee is disbanded, are we locked into addressing the Priority Recommendations (related to Karly's Law Subcommittee) reported to ACY as part of our 2009-12 Priority Recommendations? Or, does the Task Force have the ability to develop another subcommittee with a different focus?

Answer: Yes, we can form a new subcommittee with new priority recommendations. We would be required to include information in the yearly report to ACY why we formed a new subcommittee, the new subcommittee priority recommendations, and progress made by the new subcommittee. We would also be required to include information about

why we did not go forward with Karly's Law Subcommittee, any other changes to the original priority recommendations, and why. The federal government would review our proposal and let us know whether they approve.

Shary said the Task Force may go back to the information from the survey to see if there are other areas it wants to address or we may continue the work of the remaining two subcommittees (Courts and OSM) - ONLY.

Margaret made a motion to disband Karly's Law Subcommittee; Judge Mejia seconded the motion. The motion passed unanimously.

Question: Does the Task Force want to proceed with the two remaining subcommittees (Courts and OSM) - ONLY? Or, does the Task Force want to explore forming a new subcommittee with new priority recommendations, using information from the last statewide survey?

The Task Force discussed the above question and there was general consensus to review the survey data again to see if there are other areas of work that would support forming a new subcommittee. This will be added to the next Task Force agenda.

Because we do not have a quorum, we will carry this item forward to the next Task Force meeting.

Letter to Legislators re: CJA 2006-09 and 2009-12 Activities

A copy of the cover letter, signed by Shary, that will accompany the CJA 2006-09 / 2009-12 report was handed out.

Because the Karly's Law Subcommittee has been disbanded, and- we have made changes to initial projects, such as providing support for courts (specifically specialized courts), Shary suggested adding the following information to the letter before it's sent to legislators-

The Task Force is in the process of revising its proposed projects in light of recent legislation affecting Karly's Law and the impact the current budget has had on specialized courts.

There was consensus about the above information being added to the cover letter.

April 2010 CJA Task Force Meeting

The meeting is scheduled for April 2.

Multnomah County is holding an all-courts summit, on April 2. There will be a special speaker to talk about intentional bias and disproportionality. They are also rolling out the Bench Cards to be used at shelter hearings, to lead judges through the discussion about disproportionality. Because Shary will be attending this summit, she is asking if the Task Force wants to go ahead with the April 2 Task Force meeting, or should it be rescheduled.

Note: After discussion, the meeting will be moved to April 9.

Meet adjourned at Noon.