

Resolution 8 In Support of Reauthorization of Court Improvement Program

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators recognize the importance of securing safe and permanent homes for children and the importance of moving children in state custody to permanent and safe homes as quickly as possible through the efficient and effective handling of child abuse and neglect cases; and

WHEREAS, the Conferences made child welfare system reform a priority and undertook initiatives to strengthen court oversight of child welfare cases; and

WHEREAS, in 1993, Congress created the original Court Improvement Program (CIP), a grant program to assist state courts in improving their handling of child abuse and neglect cases. By passage of this legislation (P.L. 103-66), Congress explicitly recognized the effect of federal mandates on the state judicial systems and provided funds directly to the highest court in each state; and

WHEREAS, Congress required that each state use its CIP funds in the first year to conduct an assessment, identify problems in processing child abuse and neglect cases, and develop strategies for addressing those problems. Subsequent year CIP funds have been used to implement system improvements and evaluate the effectiveness of the improvements; and

WHEREAS, the Conferences applauded the formation of the Pew Commission on Children in Foster Care in 2003, a nonpartisan, multi-disciplinary group dedicated to examining strategies for improving the child welfare system, and recognized the critical oversight role state courts play in the system; and

WHEREAS, in consultation with the Conferences, the Pew Commission made court-related recommendations that focused on four general strategies:

- Courts should adopt court performance measures to ensure that they can track cases, to increase accountability, and to inform decisions about the allocation of court resources; and
- Incentives and requirements should be established for effective collaboration between courts and child welfare agencies on behalf of children in foster care; and
- Children and parents should have a strong voice in court and effective representation by trained attorneys and volunteer advocates; and
- Chief justices and other state court leaders should lead efforts to structure courts to better serve children, to provide training for judges, and to promote more effective standards for dependency courts, judges, and attorneys; and

WHEREAS, the Deficit Reduction Act of 2005 (P.L. 109-171) required and encouraged collaboration between courts and public child welfare agencies and authorized two new CIP grants. One grant was dedicated to assisting courts to improve the training of judges, legal personnel, and attorneys handling child abuse and neglect cases. The other grant was dedicated to assisting courts in improving the timeliness of their efforts on behalf of children in foster care; and

WHEREAS, state courts have completed comprehensive assessments, developed and implemented innovative solutions for improving court processes and procedures, and evaluated the effectiveness of reform efforts. Children across the country have benefited

from this funding, as courts have been able to improve and expedite the processing of child abuse and neglect cases with the goal of placing children in permanent and safe homes and improving outcomes for children; and

WHEREAS, state courts have combined the CIP funds with state and local dollars to make significant changes in the way they handle child abuse and neglect cases. The availability of CIP funds has stimulated a synergy among judicial, executive and private resources, which has resulted in broad changes in how state courts handle child abuse and neglect cases; and

WHEREAS, these CIP funds have been critical in accomplishing reform efforts, such as revising trial court and appellate court procedures, establishing and enhancing automated case tracking systems, developing data exchanges between the courts and child welfare agencies, implementing court performance measurements, providing training for judges and court personnel in both substantive law and issues impacting child development, and developing resources (e.g., benchbooks and benchcards) that assist judges in fulfilling their responsibilities; and

WHEREAS, although the courts have been able to leverage the federal dollars to accomplish reforms, more enhancements and reforms are needed and the CIP funds continue to be a critical factor to improving the attention that these cases need;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators strongly urge Congress to reauthorize the three CIP grant programs so that state courts are able to sustain, enhance, and expand their reform efforts.

Adopted as proposed by the CCJ/COSCA Courts, Children, and Families Committee at the 2011 Annual Meeting on August 3, 2011.