

CONFERENCE OF CHIEF JUSTICES

Resolution 30

In Support of Legislation to Improve the Management for Cases of Children in Foster Care

WHEREAS, the Conference of Chief Justices recognizes the importance of securing safe and permanent homes for children as quickly as possible through the efficient and effective handling of child abuse and neglect cases; and

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

WHEREAS, the Pew Commission, after thoughtful study, issued a series of recommendations for strengthening courts focusing on the following four general strategies:

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

WHEREAS, the Pew Commission also made recommendations that states have greater flexibility in using federal resources to improve child welfare services, thus enhancing child safety and permanency; and

WHEREAS, the 109th Congress is expected to consider legislation to implement the Pew Commission's recommendations;

NOW, THEREFORE, BE IT RESOLVED that the Conference urges Congress to include the following provisions in any legislation to reform the child welfare system:

- Reauthorization and increased entitlement funding for the Court Improvement Program as included in the Child SAFE Act of 2004;
- A requirement that state child welfare agencies collaborate with the state court leadership in the development of IV-E State Plans and Program Improvement Plans, and that any decision regarding financing ensure that state courts are able to access federal funds to carry out their responsibilities under Title IV-E without unreasonable restriction;
- Authorization and appropriation for \$10 million in start-up funds for the development of improved case tracking systems for courts and such sums as necessary in later years to build capacity to track and analyze caseloads;
- Authorization and appropriation of \$10 million to train court personnel, including joint training of court personnel, child welfare agency staff and others involved in protecting and caring for children;
- Authorization and appropriation of \$5 million to expand Court Appointed Special Advocate (CASA) programs; and
- Options to increase states' flexibility in the administration of the Title IV-E program, such as allowing IV-E funding to be used for services to children and families, as well as for maintenance payments and for subsidized guardianships.

Adopted as proposed by the Courts, Children and Families Committee of the Conference of Chief Justices at the 28th Midyear Meeting on January 26, 2005.