



Trends in State Courts

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Special Focus

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Dependency and Delinquency in SYNC

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Youth who touch both the child welfare and juvenile justice systems, known as dual status youth, present complex, resource-intensive cases and tend to experience poor outcomes. A recent initiative demonstrates how courts can support efforts to integrate and coordinate youth-serving systems, helping to improve both system performance and youth outcomes.

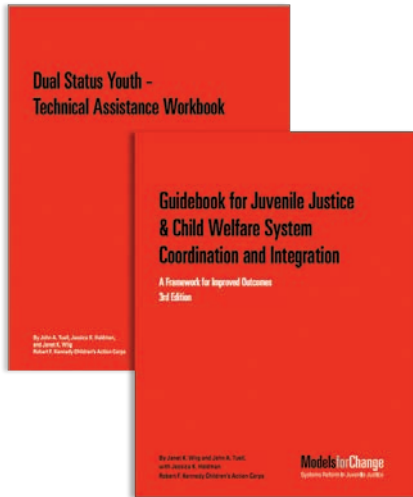
Youth who come into contact with both the child welfare and juvenile justice systems are known as *dual status youth*. These youth tend to comprise a significant portion of local juvenile justice populations, but even where actual numbers are small, the fiscal and human toll of these cases on courts and youth-serving agencies can be substantial. Dual status youth are likely to present complex issues that challenge practitioners, demand extensive resources, and require non-traditional system responses. Furthermore, research shows that dual status youth experience particularly poor outcomes

compared to youth without multisystem involvement. Reforms aimed at integrating and coordinating agency and court practices affecting dual status youth can help streamline processes, identify and target high-risk and high-need youth for intervention, and engage youth and families in planning and services more effectively. Positive system outcomes can lead to the more effective and efficient use of resources and better outcomes for families and youths.

A Framework for System Coordination and Integration

In 2012 a four-site demonstration project was launched, led by Robert F. Kennedy Children's Action Corps and jointly funded by the MacArthur Foundation and the Office of Juvenile Justice and Delinquency Prevention. This effort, built on a foundation of established and emerging research and more than a decade of field experience, used a framework detailed in the *Guidebook for Juvenile Justice and Child Welfare System Coordination and Integration: A Framework for Improved Outcomes*, third edition (Wiig and Tuell, 2013). This established framework supports each unique jurisdiction in identifying its most pressing issues regarding dual status youth and in crafting new multisystem responses. This initiative spurred the development of new resources, tools,

and approaches informed by the dedicated work of judges, courts, agencies, and communities in Santa Clara County, California; Outagamie County, Wisconsin; Hampden County, Massachusetts; and Newton County, Georgia. This



project enhanced the existing framework and demonstrated that successful collaboration can produce a more efficient, cost-effective, and family-focused system more likely to meet the needs of deserving youth and families.

Where jurisdictions have succeeded in collaborative initiatives, strong judicial leadership often drives and sustains the effort. Local judges can leverage their positions to convene participants, lead the adoption of best or promising practices, and provide an example of self-reflection and commitment to change. Around the country, judges have motivated change specifically by 1) focusing on data and overcoming information-sharing barriers, 2) convening and leading multisystem teams to tackle reform, 3) leading discussion around vision and desired outcomes, and 4) identifying and initiating implementation of strategies for reform. These strategies were employed, with great success, in Newton County’s project: Serving Youth in Newton County (SYNC).

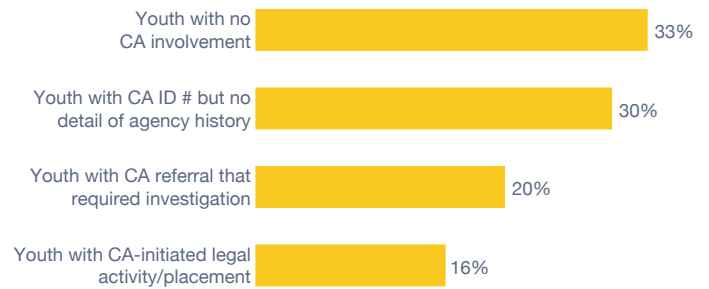
Focus on Data and Information-Sharing Barriers

The initiative in Newton County, Georgia grew out of the observation that youth coming before the bench had multiple issues across many systems. It was essential at the outset to review the available data to determine if this view from the bench was anecdotal or based in reality. When initial data revealed that 56 percent of Newton County youth with new juvenile justice referrals had some involvement with child welfare, it became clear that this issue needed to be addressed.

In many jurisdictions, as in Newton County, data reveal a substantial number of dual status youth. This is not surprising given the increased risk of both juvenile delinquency and adult criminality among maltreated children (Widom and Maxfield, 2001). It follows that a significant number of delinquent youth have had involvement with child welfare agencies and dependency courts. For example, a recent study of 4,475 juvenile-justice-involved youth in King County, Washington found that two-thirds had some history with

the county’s child welfare system (Halemba and Siegel, 2011).

Delinquent Youth with History of Children’s Administration (CA) Involvement, King County, Washington



Source: Halemba and Siegel, 2011

Additional research reveals that outcomes for dual status youth are particularly poor in multiple domains. For example, the King County study found that dual status youth had significantly higher rates of recidivism than other delinquent youth. Studies have shown that dual status youth are more likely to be detained and to spend more time in detention than youth without child welfare system involvement (Conger and Ross, 2001).

Newton County data revealed that dually involved youth had more continuances, more out-of-home placements, and more detentions for misdemeanor or status offenses. The county participants concluded that these outcomes were a result of juvenile justice and child welfare systems failing to join forces to look for the best and least restrictive outcomes. These observations, coupled with local data, supported the premise that unifying case management, coordinating service delivery, engaging families, and forming multisystem teams offered a promising strategy for families and for challenging economic times.

“As Judges, we can often become insulated and protected by staff, our peers, attorneys, and the position. How do we know if we are truly doing good work if we don’t look at the data and outcomes of our practice?”

~ Hon. Sheri Roberts

Obtaining access to this valuable multisystem data in Newton County required significant time and leadership by the court and child-welfare and juvenile-justice data, legal, and contract staff. This devoted cross-system team confronted legal, administrative, and cultural challenges in developing a data-sharing memorandum of understanding (MOU) and worked through numerous iterations before obtaining agency signatures and executing the court order required to release child welfare data. The complexity of ensuring access to necessary data is not unique to Newton County, and the local judge in any jurisdiction, in concert with agency staff, can lead the effort to address information and data-sharing barriers. Strategies outlined in the *Models for Change Information Sharing Tool Kit* (Wiiig et al., 2008) supported the work in Newton County, helping to guide the development of information-sharing policy and practice.

Convening and Leading Multisystem Teams

Initiation of the change process in any jurisdiction requires identifying key leaders and constituents. Addressing the issues of dual status youth requires a variety of stakeholders, and leaders who can effectively guide and motivate the initiative. Convening such a group is often best accomplished with the help of a local judge. While it might look like an invitation, a request from a judge is really more; it is an acknowledgment that the recipient can and should be part of something important that most would rarely decline.

The local judge can be essential in leading multisystem teams charged with designing goals and strategies for reform. Therefore, it is necessary that the judge establishes relationships beyond his or her jurisdiction and remains current on research and best practice models via continuing education. This can be a challenge for any jurist who either is in a smaller jurisdiction or rotates between classes of court, but this effort is critical to ensuring that the community can create, adopt, and maintain quality outcomes for families. When judges work in partnership with other leaders empowered to make decisions, such as child welfare directors, probation directors, and court administrators, the strategies that emerge from the initiative have a greater likelihood of being adopted and institutionalized across systems, thereby increasing the potential for positive youth outcomes.



Vision and Desired Outcomes

The initial goal in Newton County was developing creative and effective strategies to provide unified services across multiple agencies, community providers, and the court. Within months of working with local and state representation across all disciplines, a broader goal emerged: ensuring that dual status youth were identified at the earliest possible time and provided the most necessary services from appropriate providers across the community and state.

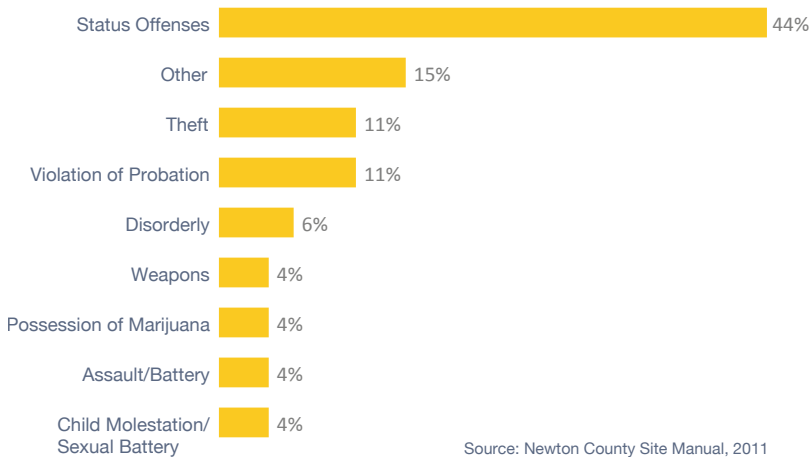
Developing this shared sense of purpose is often a challenge. While Newton County had a history of collaborative work, there were still those who believed that a child found delinquent, regardless of trauma, family instability, or educational delays, was the problem of the juvenile justice system and not appropriate for child welfare services or support. Many jurisdictions undertaking reform struggle with similar assumptions and limitations despite a desire to collaborate. Moving beyond this struggle requires a concerted effort to get participants to align their thinking. Leaders, including the local judge, can facilitate discussion around common goals, barriers to overcome, and desirable outcomes to achieve through collaboration.

An early collaborative task is reaching agreement on the initiative's target population. Ensuring the availability of data about the dual status population is vital to this process. In Newton County, data revealed that truancy was the single most common offense among dual status youth during the time frame examined. Stakeholders also expressed concern about the number of referrals for child molestation/sexual battery, particularly in light of the young age of those charged. Although the number was small, it was higher than anticipated and shined a light on a population of concern

“I have often said publicly that it is very nice to receive an invitation and that the recipient has the option to accept or regret; however, as the Judge, I have the power to convene.”

~ Hon. Sheri Roberts

Newton County Dual Status Youth Offenses by Type, November 2012 - March 2013



to stakeholders. These findings helped the group come to consensus around the desire to include status offenders and those charged with sex offenses in the target population.

With much discussion, sometimes spirited debate, and the leadership of Judge Roberts, the group agreed upon a vision, mission, and purpose for the initiative, as well as the following desired outcomes:

- reduce juvenile justice involvement;
- reduce child welfare involvement;
- improve school outcomes;
- reduce detention; and
- increase youth competency and enhance connection to community.

Devising measures to evaluate success related to these outcomes contributes to the initiative's overall sustainability and accountability.

Identifying and Initiating Implementation of Strategies for Reform

Courts are uniquely positioned to drive practice reform for dual status youth (Siegel and Lord, 2004). Over more than a decade, research and field experiences have yielded a set of recommended practices believed to be critical to improved handling of these youth, including:

- routine identification of dual status youth;
- use of validated screening and assessment instruments (See AOC Briefing, 2001);
- identification of alternatives to formal processing and detention and the use of a structured process for considering diversion and early intervention;
- development of procedures for routine, ongoing contact between probation officers and child welfare workers over the life of each dual status case;
- establishment of coordinated court processes; and
- engagement of families in decision-making processes (Wiig and Tuell, 2013).

To identify the most appropriate practices for a specific jurisdiction, participants must first look at current practices and processes, including those of the court. One method for this is caseload mapping. Mapping helps identify key decision points in each system, clarify staff responsibilities, and target priority areas for developing new or enhanced practices (see Tuell, Heldman, and Wiig, 2013). Mapping also educates participants across systems about how systems function. This is critical not only for identifying areas where reform is necessary, but for establishing a culture of shared understanding to help successfully implement integrated and coordinated processes.

“I believe that if you work in child welfare [or] juvenile justice...that you come to the work with a belief that you make a difference and that you can help someone else find success. As a Judge, operating from that assumption, you only need to tap into that desire and drive that you share with your stakeholders.” ~ Hon. Sheri Roberts

Newton County embraced the mapping process and designed the following reforms: 1) developing a process for routine identification of target-population youth; 2) adapting an established multisystem family meeting for use with the target population; 3) creating a policy for sharing assessment results while protecting the rights of families; 4) developing MOUs; and 5) developing a training plan.

Conclusion

With targeted reforms identified, Newton County continues its collaborative work as it implements new practices and processes. Challenges are certainly present, particularly as staff adjust to new expectations, and the need to engage additional stakeholders, such as law enforcement and the education system, becomes increasingly important. Nevertheless, the juvenile court in Newton County has demonstrated an unwavering commitment to this area of reform and approaches these and other challenges with strong leadership and the expectation that dual status reform is not simply another initiative, but a truly transformational endeavor for the systems and the families they serve. 🌱

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