



Children, Families, and the Courts



Ohio Bulletin

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Families in Court for Child Protection and Domestic Violence

Hunter Hurst, Jr., Research Assistant, NCJJ

The systems for protecting children from abuse and women from domestic violence have developed separately over the past 30 years. Common sense, clinical experience and some research indicate a close relationship between child maltreatment and domestic violence. However, the two systems have largely run along different tracks, each preoccupied with its own mission. Current efforts seek to address child maltreatment and domestic violence as facets of an overall “family violence” problem, requiring close coordination of both legal and social interventions. The movement toward greater coordination has been aided by a community blueprint for change, *Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice* hereinafter referred to by its nickname as the “Greenbook.”

This issue of the *Children, Families, and the Courts Ohio Bulletin* will introduce the Greenbook to Ohio juvenile and family courts and discuss some of the reasons for coordinating efforts to combat child maltreatment and domestic violence. The Bulletin will also describe the experience of Ohio communities that have implemented selected Greenbook recommendations — a Montgomery County domestic violence protocol to coordinate the response of staff in child protection and domestic violence service provider organizations; an approach to hold batterers accountable in Stark County;

and a family visitation center in Belmont County thoughtfully designed by a domestic violence service agency to be child centered and safe for adult victims of domestic violence.

A Growing Body of Research Emphasizes the Need for Greater Collaboration

The Greenbook opens with compelling evidence of the need to coordinate systems, specifically with the prevalence of domestic violence and child maltreatment in America, the co-occurrence of domestic violence and child maltreatment, and the negative impact on children exposed to domestic violence. Research continues to accumulate, detailing important relationships and documenting where independent legal and social interventions traumatize families.

Co-occurrence of Child Maltreatment and Domestic Violence

The only *ongoing* national data available to determine the prevalence of domestic violence in American households is incorporated into the National Crime Victimization Survey (NCVS). The rate of physical attacks against women by intimate partners (current or former spouses, boyfriends and girlfriends) was 5.0 per

1,000 females ages 12 and older in the 2001 population. This translates into almost 600,000 such crimes in 2001, with intimate partner violence comprising about 20% of violent crimes against women (Rennison, 2003).

The NCVS also provides information on the proportion of children living in households where violence is occurring. According to the most recent analysis of NCVS data, children under age 12 reside in 43% of the households affected by domestic violence (Rennison, 2000).

In addition to NCVS, reviews of studies spanning about 25 years suggest that a substantial proportion of families suffer both child maltreatment and domestic violence. Researchers typically approach the issue by collecting information from families involved in the child protection system or those staying at domestic violence shelters. Edleson (1999) reviewed 31 studies and concluded that 30 to 60 percent of families suffering from child maltreatment or domestic violence were also experiencing the other form of violence. The research may underestimate the actual co-occurrence of domestic violence and child maltreatment in the population, because it only focuses on those cases known to professional services. Further, the studies generally focus on measuring physical and sexual abuse among children but ignore psychological abuse (Bancroft and Silverman, 2002).

Notwithstanding these shortcomings, studies have produced compelling early evidence of the need for the collaboration described in the Greenbook.

- One study suggested that 70% of batterers physically abuse their children (Bancroft and Silverman, 2002).
- In more than one in eight domestic violence homicides, the batterer kills one or more children (Bancroft and Silverman, 2002).
- The use of force against intimate partners in situations of domestic violence is linked to a coercive environment and child sexual abuse — 16 to 40% of reported child sex abuse cases occurred in a home where domestic violence was evident (Tomison, 2000).

Childhood exposure to domestic violence

Millions of children witness (i.e., see or hear) domestic violence each year — up to 3.3 million in one commonly cited study (Carlson, 1984). And research suggests a

statistical association with exposure to domestic violence and behavioral, emotional and cognitive problems. Children who witness domestic violence are more likely to externalize the violence in the form of aggressive or antisocial behavior or internalize it with depression and fearful and inhibited behavior (Edleson, 1999). Research further suggests that exposure to violence in the home can impact attitudes about violence as a method of resolving conflicts, particularly for males.

While some children are harmed by exposure to domestic violence, Edleson and others increasingly caution that the body of research portrays a much more complicated picture. Most studies have demonstrated variability in children's experiences, with many children indicating no greater problems as a result of exposure (Edleson et al., 2003), and research is beginning to define a much more circuitous relationship between parenting and children's behavior (Sullivan et al., 2000). Finally, most research to date has focused on the stress of battered parents, leading to a deficit model that ignores the coping skills battered women and their children bring to each situation and the protective factors in their lives (Sullivan et al., 2000; Edleson et al., 2003).

Adoption of Greenbook Elements in Ohio

The remainder of the bulletin draws upon Ohio examples that reflect elements of the Greenbook. A brief description of how the document is organized helps to place the program examples into context.

The Greenbook is both a conceptual document in terms of espousing beliefs or principles that every community should adopt to develop a more comprehensive set of responses to family violence and a guidebook with detailed policy and program examples. The first chapter introduces the principles of safety, well-being and stability for adult and child victims of family violence and the second provides suggestions for organizing a community response. The book concludes with separate chapters of guidance for the nation's child protection systems, network of domestic violence service providers, and the juvenile and family courts with jurisdiction over child protection and domestic violence cases. A principle throughout the book is the *critical role of the juvenile and family court judge to convene the appropriate agents of change.*

Collaboration

A good Ohio example of the principles set forth in the first chapter of the book are reflected in the collaboration between the Supreme Court of Ohio and the Department of Job and Family Services to study the feasibility of family courts and document actual case overlap in pilot family courts. Ohio's work in this regard was among the first ever to document related cases for samples of civil and criminal domestic violence filings and child protection. The study, which looked at four family court pilots found, that about one in every five of child protection complaints filed in Ohio courts had family members with past or pending cases for criminal domestic violence; one in ten had family members with civil protection orders issued in the county. (Hurst and Halemba, 2001).

The Ohio Department of Job and Family Services also is collaborating with the Ohio Domestic Violence Network to develop detailed guidelines for child welfare training programs in the state (see sidebar on pg. 5). A set of guiding principles for training was developed by an *ad hoc* committee of the Ohio Child Welfare Training Program in 2002. Several of the principles are based on recommendations provided in the Greenbook (Chapter 3).

Currently the guidelines are applied in reviews of existing training programs and curricula for child protection social workers and will eventually form the basics for the development of a range of caseworker competencies to address domestic violence on their caseloads.

About the Greenbook

The Greenbook was published by the National Council of Juvenile and Family Court Judges (the Council) in 1998. The funding for the work reflected the collaborative theme of the project: the U.S. Department of Health and Human Services and the Justice Department, as well as two private foundations, contributed funds to develop the Greenbook.

The principle authors of the Greenbook, Susan Schechter and Jeffrey Edleson, were advised by a Committee convened by the Council to provide perspectives from different social and legal systems.

The guiding principle of the Greenbook encourages collaborations that protect children by holding the batterer accountable for violent behavior and helping the adult victim find the ongoing support she needs to protect herself and her children. Where more abundant social services to protect children and restore families can empower women, the goals of both systems can be met. In other words, many of the solutions in the Greenbook involve directly improving the intervention resources for domestic violence or providing ready access, free

of legal constraints, to other human service systems, principally child protection but also the welfare agency and behavioral health services.

Greenbook Demonstration Sites

Six jurisdictions have received funding to adopt the Greenbook principles and implement practices reflected in the guide, with funding for at least three years. These sites include El Paso County, Colorado; Grafton County, New Hampshire; Lane County, Oregon; St. Louis County, Missouri; Santa Clara County, California; and San Francisco County, California. A website is dedicated to posting information concerning the progress of the pilots and resources for communities considering their own collaborations to address domestic violence and child maltreatment.

Please visit <http://www.thegreenbook.info/demo.htm>.

Guiding Principle

Leaders of the community and its institutions should join together to establish responses to domestic violence and child maltreatment that offer meaningful help to families, including protections for all victims from physical harm; adequate social and economic supports for families; and access to services that are respectful, culturally relevant, and responsive to the unique strengths and concerns of families. Simultaneously, the community should hold violent perpetrators responsible for their abusive behavior and provide a variety of legal interventions and social services to stop this violence.

Another Ohio example of collaboration occurs at the local level where domestic violence service providers and public child protection agencies are sharing staff. Three Ohio counties have developed liaisons between the child protection and domestic violence agencies: Montgomery, Lorain and Lucas. Montgomery County was the first such collaboration in the state and is specifically cited in the Greenbook for its written Domestic Violence Protocol. This protocol guides the interaction with domestic violence staff liaisons in the child protection agency, and offers detailed guidelines for child protection intake specialists and social workers involved in investigations, ongoing services and case planning. For example, the guide provides specific questions for child protection intake workers to ask when receiving a referral alleging child abuse or neglect:

- Do you know if anyone else in the home besides the child has ever been hurt by the perpetrator?
- Do you know if the police have ever been called to the home to stop fighting among family members?
- Do you know if there are any weapons in the home?

Similar advice is provided for conducting investigations, with prompts for gathering information prior to an investigation and techniques for interviewing adults, children, third parties and suspected perpetrators without compromising safety. The guide also augments the Ohio risk assessment process to assess the impact of domestic violence on the child and outlines the elements of safety planning with the adult victim. The protocol finally addresses the steps for domestic violence victim

advocates to make child protection referrals and for the sharing of information.

An addendum to the protocol containing sample family service plans for an adult victim is among the most practical items for child protection caseworkers. The guide outlines family behaviors to develop a battered woman's ability to protect her children, and each example is supported by specific activities required by social workers to make the change and specific measures of success.

While Montgomery County's collaboration is recognized for its detailed protocol, Lorain County's effort is noteworthy because it not only focuses on the direct connection with the child protection agency, but also provides a domestic violence advocate in the human services department to help battered women cope with self-sufficiency issues as they seek safety and stability. The Greenbook specifically recommends this type of linkage to aid in securing case assistance, child employment support and welfare. The liaison in Lorain County is available to help screen welfare applicants for domestic violence, and provide immediate advocacy counseling and referral to domestic violence service providers for support services. The liaison is also available to help determine exemptions that the domestic violence issue may present during the application process.

Batterer Intervention Accountability

A community resource indicator in the Greenbook is the availability of culturally appropriate intervention programs for men that batter (hereinafter referred to as batterer intervention programs or BIPs). It also recommends that courts closely monitor attendance and compliance with court and program requirements.

Stark County, Ohio, has several options for batterer interventions, among them a program that meets all of the standards for BIPs as developed by the Ohio Domestic Violence Network (ODVN). The county's Voyager Program is an extended program that does not discharge participants until they complete the program by demonstrating they have succeeded with treatment. In order to graduate, batterers must:

1. Accept full responsibility for offenses and behavior;
2. Comply with all treatment conditions;
3. Identify the cycle of violence in their lives;
4. Develop anger management skills;
5. Demonstrate honesty;
6. End manipulative or assaultive behavior;

Good Source for Additional Information

An electronic document clearinghouse at the Minnesota Center Against Violence and Abuse (MINCAVA) website offers a range of online research and articles specifically on issues of child maltreatment and domestic violence in general, including those related to children's exposure to domestic violence. Among the resources on the website is an electronic document library maintained for the federal Office on Violence Against Women.

Please visit <http://www.mincava.umn.edu/>.

7. Manage feelings of guilt and shame;
8. Actively participate in group therapy;
9. Demonstrate empathy for the full range of victims affected by their behavior;
10. Become assertive as opposed to aggressive;
11. Recognize and accept consequences for behavior; and

12. Develop relapse prevention strategies through on-going self observation.

Batterers enrolled in the Voyager program require 56 weeks on average to complete these requirements. The designers of the program do not anticipate any real behavioral changes among program participants until a

Guiding Principles for Child Protection Training

The following statements are guiding principles used in developing or selecting curricula to train CPS workers, supervisors, and administrators about domestic violence. No one component should be taken alone - collectively they represent best practice.

1. Domestic violence is a crime as well as a major social problem.
2. Domestic violence is a pattern of violence or coercive behavior one person uses to gain and then maintain power and control in a relationship by means of emotional, physical, sexual, and economic abuse. It is not a single event stemming from out-of-control behavior.
3. There is a strong co-occurrence between domestic violence and child abuse and they are often good predictors of each other.
4. Child protection services should have procedures in place to screen every family member privately and confidentially for domestic violence and to provide help to them, including safety planning and meeting basic human needs.
5. Living with domestic violence has short-term and long-term impact on children. Therefore, caseworkers need to thoroughly assess risk to children from maltreatment and from witnessing domestic violence.
6. Child protection services should avoid placing a child with a caregiver who has a history of perpetrating child maltreatment or domestic violence or who would put the child at continued risk.
7. Child protection can best assist children by collaborating with adult survivors and striving to increase their safety while holding responsible perpetrators accountable for their abuse.
8. When possible, caseworkers should respect the right of adult survivors to direct their own lives.
9. Child protection should avoid strategies that blame a non-abusing parent for the violence committed by another adult.
10. To assure safety and confidentiality for survivors and appropriate accountability, child protection should make every effort to develop separate service plans for adult survivors and perpetrators regardless of their legal status vis-à-vis the child.
11. Caseworkers should avoid or use with great care and skilled professional supervision, potentially dangerous or inappropriate interventions such as couple counseling, mediation, family group conferencing, or anger management in cases of domestic violence.

Developed by an *ad hoc* committee of the Ohio Child Welfare Training Program. For additional information, contact Sally Fitch at the Institute for Human Services, (614) 251-6000 or Sfitch@ihs-trainet.com.

batterer has been in the program for at least 6 months (see sidebar on treatment stages on pg. 7).

In addition to having a high-quality BIP, the Stark County Common Pleas Courts and Municipal Courts generally attempt to closely supervise batterers while in treatment. When probation resources are available, Voyager staff communicates directly with probation officers who routinely bring cases back to court on violation motions when batterers are not attending or receive poor reports concerning their participation in the program. When adult probation staff is unavailable, the court requires the Voyager staff to directly communicate with the court. Judges in the Canton Municipal Court engage judicial support staff to help with case management and alert them when cases need to be returned to court for a status review.

Additionally, prosecutors that serve these courts are encouraged to specify review dates in certain cases that may require additional attention to motivate compliance. Sanctions for non-compliance typically involve jail time in the municipal courts. The Stark County Common Pleas Court has additional options. For example, judges can tailor a period of punishment to precede intervention, typically a one-month stay in the Stark County Regional Corrections Center or a prison sentence, with provisions for judicial release after 60 days and a reintegration plan involving the Voyager staff and mental health and substance abuse counseling where necessary.

The approach in Stark County represents a good application of the ODVN standards for Batterer Intervention Programs, with a particularly strong accountability feature supported by the courts and probation. The insert for this bulletin provides a checklist of elements for Ohio judges and children service program directors considering their own resources for batterer interventions.

Increased Access to Services by Domestic Violence Victims

The Greenbook challenges communities to build internal capacity for responding effectively to families with dual forms of family abuse. As a result, many of the recommendations and concrete examples in the book concern providing adequate support for women so they can protect their children by applying their own knowledge. Helping women to plan for the safety of their children may involve calling upon services typically available to a much more solidly funded child protection system, but without opening a child protection case with

either the child welfare agency or the court. Family preservation is frequently mentioned in the Greenbook as a tool for battered women, as well as low cost services that help to safely manage supervised visits and exchange of children for court ordered visitation. For example, Belmont County, Ohio, provides family visitation services to families plagued by domestic violence even if a child protection case has not been initiated.

Several Ohio counties provide low cost family visitation and exchange services for juvenile and domestic cases. However, few have coordinated services with the local domestic violence network. The Belmont County Family Visitation Center in St. Clairsville, Ohio was actually designed by a nonprofit provider of domestic violence and mental health services and is operated under its umbrella.

Until recently, visitation and exchange occurred in a haphazard manner, with Belmont County (just outside of Wheeling in southeastern Ohio) and adjacent rural counties relying upon existing resources like the police stations or the local McDonald's. When close supervision was in order, the court ordered child protection or social service agencies supervise visitation. However, the arrangements were far from comfortable, typically occurring in the confines of a sterile business office.

The need for a community resource was amplified when the local domestic violence service provider agency, Tri-County Help Center, was ordered to supervise visitation in a particularly volatile domestic relations case. The inadequacies of the arrangement and the risk involved for children were apparent to Tri-County staff and included a facility (administrative office) that was uncomfortable and threatening for children and lacked the design necessary to control the coercive and aggressive behavior of a cornered batterer. The poor environment even challenged staff trained in the dynamics of family violence to prevent a fear reaction for the children and ensure the safety of the adult victim in the case. The danger was such that Tri-County resolved to seek a solution.

The Belmont County public children services agency joined Tri-County in approaching the courts to lead the way. As elected officials, the three judges of the Belmont County Common Pleas Court were able to convene the community around the issue and overcome obstacles by providing a clear point of leadership and responsibility. Judicial leadership also encouraged shared funding for an effort that crossed court divisions and agencies.

Voyager Program Stages of Treatment

<u>STAGE</u>	<u>BRIEF DESCRIPTION</u>	<u>DURATION</u>	<u>CHANGE</u>
<i>Denial</i>	The batterer denies the problem and responsibility for violent or coercive behavior.	up to 3 months	
<i>Resistance</i>	The batterer accepts responsibility but continues to blame others or external forces out of their control.	3 to 6 months	
<i>Acceptance</i>	The batterer accepts complete responsibility and begins looking inward and outward for solutions.	6 to 9 months	
<i>Understanding</i>	The batterer begins to develop empathy for those directly impacted by his behavior and by those who were indirectly affected.	9 to 12 months	
<i>Forgiveness</i>	The batterer is able to seek and accept forgiveness and move forward with life.	Indefinite	

Treatment model developed by Melymbrosia Associates, Inc., Canton, Ohio

As the Greenbook suggests, the judges' role was pivotal to the realization of a child-friendly Center, bringing the children services agency and domestic violence service providers together for a solution that carefully plans for the safety and comfort of children first, while at the same time attending to the safety of adults in the family who are domestic violence victims.

Since domestic violence is pervasive across different types of juvenile and family cases, the Belmont County Visitation Center also helps the community bring resources to victims of violence. The Center helps connect domestic violence victims to services previously only available with the official involvement of the public child protection agency. Foremost among these services is practical help with parenting children and managing a household. Parenting education sessions are available to anyone using the Family Visitation Center. In better financial times, the Center was even able to provide a type of in-home follow-up in concert with child protection

caseworkers, extending the lessons and work of the visitation sessions and parent education into the home.

Concluding Remarks

Ohio, like most states, is at the early stages of a more coordinated response to child protection and domestic violence cases. At the state level, the Supreme Court of Ohio and Department of Job and Family Services have shared funds to document the case overlap between child protection and domestic violence, and a collaboration between DJFS and ODVN has identified training issues for child protection workers. At the local level, Montgomery County's collaboration between children's protective services and domestic violence service providers has received national attention for developing detailed protocols (Schechter and Edleson, 1998). Other

counties have incorporated Greenbook recommendations by holding the perpetrators of domestic violence accountable in treatment and providing carefully planned services for supervised visitation and exchange that guard the interest of children and the safety of adult victims of domestic violence.

While Ohio appears to be in step with the national movement, more should be done to build upon local programs that are developing strong reputations as possible models. These programs typically require assistance to document their success before they can be replicated by additional Ohio counties. For example, the Family Visitation Center in Belmont County is a recent innovation that is becoming a vital resource in the community. As the Greenbook suggests, court leaders were instrumental in convening the community to overcome the obstacles for a new resource used by families involved in juvenile and family case types, and they continue to work with the agencies involved in the effort to scramble for funding each year. While state funds might not be available in tight financial times to support similar programs statewide, the examples that emerge should be cultivated and documented from the outside, especially where they break new ground with collaboration between the courts, children's protective services and domestic violence service providers.

The foundation principle of the Greenbook emphasizes holding perpetrators of domestic violence accountable for their abusive behavior. Exemplary intervention programs and promising procedures in Stark County should be more closely documented and contrasted to those in other Ohio counties, with a goal of developing detailed guidelines for courts that order batterers to treatment programs and the agencies involved in making progress reports to the court.

Finally, what is moving Ohio forward in all efforts to coordinate juvenile and family cases is effective screening at intake for related family cases. A good strategy for developing overall related family case intake is to initially focus on seeing the overlap between child protection and domestic violence in the court, which is among the most critical intersections for families in court. Solutions may grow more readily in other Ohio counties when juvenile and family court judges can clearly identify the overlap in their own courts — then use this knowledge to assemble a collaboration between courts, and the community networks and provider agencies for child protection and domestic violence services.

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*Judge James A. Ray
Named President of
National Judicial Organization*

Judge James A. Ray of Toledo, Ohio, was installed as the 59th President of the National Council of Juvenile and Family Court Judges (NCJFCJ) during the group's annual meeting held July 20-23, 2003, in San Antonio, Texas.

The National Council of Juvenile and Family Court Judges, based in Reno, Nevada, is the nation's oldest and largest judicial membership organization. Founded in 1937, the NCJFCJ has been in the forefront of addressing issues pertaining to juvenile and family law and is a leader in continuing education opportunities, research, and policy development.

First elected to the bench in 1988, Judge Ray currently serves as Administrative Judge of the Lucas County Court of Common Pleas, Juvenile Division. Judge Ray serves as a Lead Judge in the NCJFCJ's Child Victims Act Model Courts Initiative. The Lucas County Juvenile Court is the newest of 25 Model Courts nationwide implementing strategies designed to improve the courts' handling of child abuse and neglect cases.

Judge Ray graduated from St. Olaf College and Luther Theological Seminary, and received his Juris Doctorate from the University of Toledo College of Law. Prior to his legal career, Judge Ray was a Lutheran pastor for ten years, in Edmore, Mich., and Toledo, Ohio. After being admitted to the bar in 1976, he served as Lucas County Juvenile Court referee, as well as an attorney in private practice, from 1976 to 1986. He was Chief Referee in 1987-88.

Judge Ray is a former President of the Ohio Association of Juvenile and Family Court Judges, past president and current Vice President of the Lucas County Criminal Justice Coordinating Council, and a past member of the Ohio Supreme Court Committee on Alternate Dispute Resolution and the Ohio Court Futures Commission. He served as facilitator for the creation of the strategic plan of the Ohio Association of Juvenile and Family Court Judges and for the Ohio Judicial Conference.

For additional information, please contact Jackie Ruffin, Manager of Communications, National Council of Juvenile and Family Court Judges at (775) 784-6686.

Ohio CASA and Domestic Violence

CASA (Court Appointed Special Advocates) of Franklin County has received a 2003 Expansion Grant from National CASA. This two-year, \$80,000 grant provides funding for expanding services to abused and neglected children in Franklin County by adding another staff attorney whose focus will be on issues and cases involving domestic violence in response to an increase from 15.5% to 32% of cases which were initially filed with allegations of domestic violence occurring in the home.

For more information contact CASA of Franklin County at (614) 462-7450 or visit them at www.casacolumbus.org.

*Ohio's Child Support Program
Family Violence Indicator*

In accordance with requirements of the Personal Responsibility Work Opportunity Reconciliation Act (PRWORA) of 1996, Ohio's Child Support Program includes strategies for safeguarding the confidential information of child support participants for which family violence, including physical and mental abuse, is potentially at issue. Specifically, the program must identify and maintain information that indicates whether a case participant is subject to domestic violence and/or child abuse, send that information as part of a referral to the Federal Case Registry, and protect that information against unauthorized access.

When a county Child Support Enforcement Agency (CSEA) determines it has reasonable evidence of family violence, and the disclosure of information could be harmful to the parent or child, the CSEA must reflect such a determination in its records by including a *family violence indicator* in SETS, the statewide, automated Support Enforcement Tracking System. Once a family violence indicator has been associated with a child support case, the case is entered into the CSEA's confidential caseload, which is accessible only to limited, authorized individuals at the CSEA. In addition, identifying information related to the case participants, such as social security numbers and addresses, are suppressed to ensure that residential parent and non-residential parent information is not revealed or exchanged. Individual case participants who feel they are at risk for family violence should discuss this issue with their CSEA caseworker to ensure that the family violence indicator, and its corresponding safeguards, are implemented in eligible cases.

Contact Nita Matter at matter@odjfs.state.oh.us or (614) 466-4029.

Ohio's Child Support Guidelines

One of the goals of Ohio's Child Support Program is to ensure that all children are supported financially by both parents. To this end, child support orders are established using the *Child Support Guidelines* to calculate the amount of child support that is to be paid by the non-residential parent, to the residential parent. Every four years, the Ohio Department of Job and Family Services (ODJFS) is required, by Ohio Revised Code (ORC 3119.021), to review this basic child support schedule. This review assesses whether the methodology and schedules, prescribed by the *Guidelines* to calculate child support orders, should be modified to adequately provide for the needs of the children who are the subject of the orders.

To assist ODJFS in the completion of the review process, the agency required to convene a Child Support Guidelines Advisory Council, comprising representatives of ODJFS,

judges, magistrates, attorneys, legislators, advocacy groups and county Child Support Enforcement Agencies. As part of the regularly scheduled four year review that currently is underway, the Council is soliciting public input related to the *Guidelines*. They are hosting 20 public forums across Ohio this year, between July and November. Further information and a schedule of public forums is available at <http://www.ohio.gov/odjfs/csguidelines>. This website also can be accessed to submit written comments directly to the Council. Participation in this process, either through feedback on the website or attendance at a public forum, is welcomed and encouraged.

Contact Nita Matter at matter@odjfs.state.oh.us or (614) 466-4029.

Office for Children and Families Executive Leadership Committee

The Office for Children and Families (OCF) within the Ohio Department of Job and Family Services (ODJFS), has initiated several activities to improve the quality of services to children and families, local public children services agencies, advocacy organizations and associations, and the statewide community. These quality initiatives include the implementation of the Child and Family Services Review Program Improvement Plan and the pursuit of accreditation at the state and county levels.

In order to promote greater direct involvement in the development and implementation of policies and programs from its county partners, OCF convened the Executive Leadership Committee (ELC) in fall 2002. The ELC consists of 23 entities, including 15 county agencies, four Department staff, and four statewide advocacy organizations. The ELC meets monthly and includes state and county employees.

Every four months, external stakeholders/advocates join to share perspectives on child welfare/child care practice.

Not only does the ELC advise OCF on the direction of child welfare/child care practice at the local level, it participates on topic specific workgroups. To date, four workgroups have been created to focus on the following issues: Post Adoption Special Services Subsidy (PASSS) and Adoption Assistance Programming; definitions of child abuse and neglect and dependency; county agencies' screening practices; and training needs in Ohio. The ELC also issued a request for proposals to evaluate federal Title IV-E funding options.

For more information on the ELC, please visit their website at <http://www.state.oh.us/odjfs/ocf/elc.stm>, or to raise an issue to be addressed by the ELC, please contact Candace Novak at (614) 995-9925.

UPDATE

Federal Child and Family Service Plan Reviews

The 1994 Amendments to the Social Security Act authorize the U.S. Department of Health & Human Services (HHS) to review States' compliance with requirements under the Acts' Titles IV-B and IV-E. The amendments ties states' federal IV-B and IV-E funding to findings of substantial conformity.

The resulting Children and Family Services Review (CFSR) assesses State performance related to child welfare outcomes in the areas of safety, permanency, and well-being with respect to seven system factors. The process is in two parts: a self-administered statewide assessment and a federally conducted on-site review. None of the 32 states reviewed in 2001 and 2002 were found to be in substantial conformity in all areas.

Ohio completed its statewide assessment in 2001. The CFSR onsite review was held in May 2002 in three locations: Washington County, Clark County, and Franklin County. In each site, federal and state staff conducted comprehensive case reviews of 50 in-home and out-of-home cases. In addition to examining the paper documentation contained in each file, federal and state staff interviewed the parties involved with each case's plan including caseworkers, parents, children, foster parents, GAL/CASA workers, and service providers.

Since the CFSR also requires assessment of systemic factors affecting the state's provision of child welfare services, the CFSR process incorporated interviews with county and state stakeholders such as juvenile court judges, members of foster parent associations, school personnel, court personnel, legislators and attorneys.

HHS issued Ohio's CFSR Final Report in January 2003. The state did not achieve substantial conformity with any of the seven safety, permanency or well-being outcomes. In addition, the state did not meet national standards for measures relating to:

- repeat maltreatment
- maltreatment of children in foster care
- foster care re-entry
- stability of foster care
- the length of time to achieve reunification
- the length of time to achieve adoption

The state met all but one of the seven systemic factors, Case Review Systems. An annual penalty of \$2,533,374 is applicable to Ohio's level of non-conformity.

Under the provisions of the CFSR process, States must submit a two-year Performance Improvement Plan (PIP) to address

each outcome identified in the review as not in substantial conformance. The CFSR is an ongoing process; each state will again participate in a CFSR two years from the date of federal approval of its PIP. The penalty is suspended during the period of an approved PIP and can be rescinded either through successful completion of the plan or through subsequent success review; however, failure to successfully complete the PIP results in penalties calculated at increased percentages of federal IV-B and IV-E state funding. Ohio submitted its PIP in April 2003. Federal approval is pending.

The importance of Ohio's judiciary in the state's ability to reach substantial conformity is evidenced by the frequency of court references in the CFSR report. The exact role of the judiciary is less clear. The report's court-related comments are, for the most part, anecdotal and generalized. While common sense says that the timeliness of case reviews and other roads to child permanency cannot be tackled without the partnership of Ohio's courts, the CFSR offers little evidence upon which to base joint planning. Therefore, Ohio's initial court-related PIP steps are data collection efforts to determine if the items cited in the CFSR are valid.

Study began in Ohio's twelve appellate courts where the Supreme Court of Ohio (SCO) is gathering data regarding the appellate process of child abuse neglect cases. The SCO also has initiated efforts to examine family case processing. The first court to work with SCO is the Cuyahoga County Juvenile Court. SCO will be examining all aspects of court functioning. During the process, SCO staff will interview all levels of court employees, as well as entities that interface with the court such as the public children services agency, members of the local bar, and the Office of the County Prosecutor. Cuyahoga County Juvenile Court has welcomed SCO, and is eager to address any issues that may be highlighted as a result of this study. Other courts are in discussions with SCO about similar studies.

The next issue of *Children, Families, and the Courts* will examine Ohio's court-related PIP activities in detail. Ohio's CFSR State Assessment, CFSR Final Report, and Ohio Department of Job and Family Services Response to the CFSR Final Report can be viewed in entirety at <http://www.state.oh.us/odjfs/ocf> under the tab, *Publications*. Additional information regarding the CFSR process and national results can be viewed at <http://www.acf.hhs.gov/programs/cb/cwrp/index.htm>.

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The National Center for Juvenile Justice (NCJJ) is a non-profit organization that conducts research (statistical, legal, and applied) on a broad range of juvenile justice topics and provides technical assistance to the field. NCJJ is the research division of the National Council of Juvenile and Family Court Judges.

For additional information contact:

Gregory Halemba
National Center for Juvenile Justice
412-227-6950
halemba@ncjj.org
www.ncjj.org

Douglas Stephens
The Supreme Court of Ohio
614-752-8967
StephenD@sconet.state.oh.us
www.sconet.state.oh.us/navigat.htm

For change in mailing address or to be added to mailing list contact:

Kristin Gilbert
Ohio Department of Job and Family Services
614-728-3467
GilbeK@odjfs.state.oh.us
www.state.oh.us/odjfs/

Production Editors: Kristy Connors and Melanie Bozynski

Children, Families, and the Courts
255 East Main Street, 3rd Floor
Columbus, Ohio 43215