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M E M O R A N D U M

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Date  
April 21, 2008

To  
Interested Persons and Organizations

From  
Jerilyn L. Borack, Cochair  
Susan D. Huguenor, Cochair  
Family and Juvenile Law Advisory  
Committee  
Diane Nunn, Director, AOC Center for  
Families, Children & the Courts

Subject  
Invitation to Comment—*Implementation  
Guide to Juvenile Dependency Court  
Performance Measures*

Action Requested  
Submit Comments for Changes to the  
*Implementation Guide to Juvenile  
Dependency Court Performance  
Measures*

Deadline  
June 20, 2008

Submit Comments To:  
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This memo serves as an invitation to comment on the proposed *Implementation Guide to Juvenile Dependency Court Performance Measures*.

*Summary*

The proposed *Implementation Guide to Juvenile Dependency Court Performance Measures* provides the detailed and technical information needed for the Administrative Office of the

Courts (AOC), local courts and California Court Case Management System (CCMS)<sup>1</sup> developers to implement juvenile dependency court performance measures. This *Guide* is a companion to proposed rule 5.505 of the California Rules of Court, which would fulfill the mandates of Welfare and Institutions Code section 16545 by adopting performance measures and providing for the publication of this *Guide*.

The Family and Juvenile Law Advisory Committee, after its own review, consideration of public comment, and consultation with appropriate court technology groups, would present the *Guide* to the Judicial Council for approval. The proposed rule and *Guide* would go into effect on January 1, 2009. Updates of the *Guide* would follow the same approval process, and successive versions of the *Guide* would be published as deemed necessary by the Family and Juvenile Law Advisory Committee.

#### *Problem and impact of this issue*

This *Guide* is being circulated as a companion to the proposed rule of court because court administrators, court information services staff and CCMS developers require more detailed technical information on the performance measures than a rule of court can provide. For example, to measure “the percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care,” the technical definition of the “date entered foster care” is required. That definition, “a child shall be considered to have entered foster care on the earlier of (1) the date of the first judicial finding that the child has been subjected to child abuse or neglect or (2) the date that is 60 days after the date on which the child is removed from the home”, is unnecessarily cumbersome to include in a rule and is more appropriately contained in the implementation guide. The *Guide* can be revised and circulated for comment as needed to refine the technical specifications and information that courts will need as they implement performance measures.

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<sup>1</sup> CCMS is a statewide technology initiative that aims to implement the use of a uniform computer application to manage all case types in the courts. The ultimate vision of the initiative is to create an integrated, statewide case management system. Thus far, lead courts around the state are deploying modules of the system for criminal, traffic, civil, small claims, and probate cases, and the module for managing family and juvenile law cases is currently in development. Progress on this module is moving forward in parallel with the development of the detailed specifications for the juvenile dependency court performance measures so that the necessary functionality for performance measures can be designed into the system module. It is anticipated that CCMS will be fully implemented in all 58 superior courts by the end of 2012.

*Proposed guide*

The proposed *Guide* will provide the information required to ensure that California can report uniform statewide data on juvenile dependency through measures that are consistent with national best practices. It will also ensure that local courts have standardized measures of juvenile dependency court performance to assess how court procedures and case processing can be improved.

Implementing detailed dependency court performance measures on a statewide basis will require multiple rounds of research, testing, and revision to produce measures that are stable, consistent, valid, and reliable across the state. In addition, as the technical specifications for CCMS develop, it will be necessary to update the methodology for producing performance measures in tandem with the development of CCMS.

Beginning in the pre-CCMS implementation period, the AOC will refine the *Guide* by conducting research on the performance measures and their underlying data. The AOC, in conjunction with the California Department of Social Services, will also continue to research additional measures.

When a substantive change such as a modification to a definition in the proposed rule or an additional performance measure is proposed, both the rule and the guide will be modified and circulated for comment. When the technical definition of a performance measure is changed, and the change does not affect the general definition in the rule of court, only the modified *Guide* will be circulated for comment.



# Implementation Guide to Juvenile Dependency Court Performance Measures

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V. 1.0



ADMINISTRATIVE OFFICE  
OF THE COURTS

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CENTER FOR FAMILIES, CHILDREN  
& THE COURTS

# Implementation Guide to Juvenile Dependency Court Performance Measures

V. 1.0



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& THE COURTS

Judicial Council of California  
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Implementation Guide to Juvenile Dependency Court  
Performance Measures  
v. 1.0

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## Chapter 1

### Overview of Performance Measures

#### Introduction

This guide (version 1) provides the information necessary to implement California juvenile dependency court performance measures. The guide describes the source, rationale, requisite data elements, and methods for producing each performance measure. Because the California Court Case Management System (CCMS) is currently in development, much of the technical information required for producing the measures and reports outlined here is preliminary and will require updating in subsequent versions of the guide.

#### Authorization

Welfare and Institutions Code section 16545 requires the Judicial Council to adopt performance measures for the juvenile dependency court that enable the courts “to measure their performance and track their own progress in improving safety, permanency, timeliness, and well-being of children and to inform decisions about the allocation of court resources.” Proposed rule 5.505 of the California Rules of Court<sup>1</sup> establishes juvenile dependency court performance measures in five areas: child safety, child permanency, child and family well-being, hearing timeliness, court procedures and due process. It also provides for this guide to assist local courts with uniform data collection and reporting.

#### Purpose

Judicial officers make or approve many of the key decisions about children in the dependency system. However, judicial officers and court managers often lack access to basic information about the children who are dependents of the court and about the functioning of their own dependency court system.

Research conducted by the Administrative Office of the Courts (AOC) in 2005 concluded that only about 40 percent of dependency courts in California have access to reliable data and reports on judicial officer caseloads, fewer than 20 percent have access to data on the courts’ compliance with statutory hearing time frames, and few or none have access to data on safety and placement outcomes for children under the jurisdiction of the courts.<sup>2</sup>

Collecting the necessary data and reporting the performance measures described in the guide will give local courts a quantitative basis for allocating court resources and making court improvement decisions.<sup>3</sup>

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<sup>1</sup> Currently circulating for public comment.

<sup>2</sup> Administrative Office of the Courts. *California Juvenile Dependency Court Improvement Program Reassessment* (November 2005), Table 4, 4-13.

([www.courtinfo.ca.gov/programs/cfcc/pdffiles/CIPReassessmentRpt.pdf](http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/CIPReassessmentRpt.pdf))

<sup>3</sup> Currently, courts in California, through the Judicial Branch Statistical Information System (JBSIS), report some measures similar to these recommended performance measures. JBSIS reports include measures of caseload and hearing timeliness and are available on the Serranus Web site at the level of the individual

## The National and California Framework

The lack of reliable statistics on dependency court is a nationwide problem. Organizations at the national and state levels have recommended that dependency courts adopt standard measures, often called “performance measures,” for the purposes of statistical reporting. These organizations include the Pew Commission on Children in Foster Care, the National Center for State Courts (NCSC), the American Bar Association (ABA), and the National Council of Juvenile and Family Court Judges (NCJFCJ). In 2004 a consortium of the NCSC, ABA, and NCJFCJ published a comprehensive set of dependency court performance measures in *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases.*<sup>4</sup>

To address this lack of data, the California Blue Ribbon Commission on Children in Foster Care,<sup>5</sup> convened by Chief Justice Ronald M. George, adopted a resolution on the collection and reporting of performance measures in dependency court. The 2006 resolution reads, in part:

**Now, therefore,** be it resolved . . .

That the California Blue Ribbon Commission on Children in Foster Care strongly endorses the need for better and more complete data gathering in dependency cases and recommends that the Judicial Council and other government and child welfare leaders work together to ensure. . . [t]hat the California Case Management System incorporate data gathering mechanisms specifically designed to allow analysis of court procedures, any court-based delays, and child and family outcomes in dependency cases consistent with the national standards established by NCJFCJ, the ABA, and NCSC in *Building a Better Court.* . .<sup>6</sup>

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court. However, the JBSIS measures are not aligned with the current national recommendations for dependency court performance measures, nor are they as comprehensive. Moreover, they contain data inconsistencies because they are produced by a variety of different county-based court case management systems. For these and other reasons, JBSIS measures do not meet the mandate of Welf. & Inst. Code, §16545.

<sup>4</sup> The American Bar Association, Center on Children and the Law; The National Center for State Courts; and the National Council of Juvenile and Family Court Judges; *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*, (2004). [www.ncsconline.org/wc/publications/res\\_ctpers\\_tcps\\_packgde4-04pub.pdf](http://www.ncsconline.org/wc/publications/res_ctpers_tcps_packgde4-04pub.pdf)

<sup>5</sup> Chief Justice Ronald M. George convened the California Blue Ribbon Commission on Children in Foster Care in 2006. The commission was charged with exploring the causes and consequences of court-based delays and making recommendations on how to improve the ability of courts to move children quickly out of the legal limbo of foster care into safe, permanent homes; exploring how to strengthen juvenile dependency courts’ accountability for their use of public dollars; and studying flexible approaches to federal funding that would give California the freedom to decide whether foster care is the right choice for a child or whether other options might keep children safe and secure.

<sup>6</sup> California Blue Ribbon Commission on Children in Foster Care, Resolution (June 2006).

The performance measures recommended by these organizations, and adopted with modification in this guide, include measures of hearing timeliness, safety and permanency and measures of due process such as whether parties were represented by attorneys, received notice of hearings, and were present at hearings.

## Chapter 2

### Summary of Performance Measures

#### Development of Measures

##### **California Blue Ribbon Commission on Children in Foster Care**

In March 2006, the Data and Accountability Committees of the California Blue Ribbon Commission on Children in Foster Care began meeting to discuss performance measures for dependency court. Throughout 2006 and 2007, with the support of AOC staff, California Department of Social Services (CDSS) staff, and researchers at the Center for Social Services Research at the University of California at Berkeley, the commissioners reviewed the nationally recommended performance measures, as well as the state and federally mandated child welfare performance measures, and completed a set of measures tailored specifically to California juvenile dependency courts. Successive drafts were reviewed by the Juvenile Subcommittee of the Judicial Council's Family and Juvenile Law Advisory Committee, and by court, child welfare, academic, and association staff.

##### **Guiding Principles**

To assist it in its task of producing a single set of measures from the variety of sources it reviewed, the Blue Ribbon Commission developed several guiding principles. These principles have been maintained in this guide to assist in the development, revision, and implementation of performance measures in California:

##### **1. Measures are consistent with proposed and existing federal and state measures.**

The core safety and permanency measures proposed parallel the California Child Welfare Services Outcomes and Accountability measures, which fully encompass all federally mandated measures being used in the current round of Child and Family Services Reviews (CFSR) and also include additional state-mandated measures.<sup>7</sup> Two measures are included in the permanency measures to track children whose adoptions were not completed or were completed and later disrupted. Timeliness and court procedures and due-process measures generally parallel the measures outlined in *Building a Better Court* and the forthcoming performance measures toolkit except when California law required modifications to those measures.

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<sup>7</sup> The January 23, 2007, edition of the *Federal Register* contains a set of corrections to the *Federal Register Notice* published on June 7, 2006. The June 7 notice presents information pertaining to the new data indicators for the federal government's Child and Family Services Review. The January 23 notice provides corrections and additional information pertaining to the data indicators. The notice can be accessed at <http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/E7-808.htm> (Text) or <http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/pdf/E7-808.pdf> (PDF).

## **2. Measures are quantitative and can be collected through administrative data systems.**

The court performance measures recommended here are those that can be readily calculated from data elements collected through the forthcoming California Court Case Management System and the California Department of Social Services, Child Welfare Services/Case Management System (CWS/CMS). Many qualitative areas of court performance, including the effectiveness of a court service or the quality of children's participation in a hearing, are better measured through other data collection techniques, such as case file review, courtroom observation, and surveys and interviews of parents and children in court. Qualitative measures are not included in the rule or the guide. The AOC conducts research on public trust and confidence in the courts, the participation of children and parents in hearings, and related topics and publishes these results on the California Courts Web site. Collecting and analyzing standardized qualitative measures in each court would require resources that neither the AOC nor local courts have.

## **3. California courts are committed to the development of well-being performance measures.**

By enacting the Adoption and Safe Families Act of 1997, the federal government signaled the importance of child well-being, but it has yet to mandate any well-being outcome measures. Recent legislation in California has gone further, both emphasizing the importance of well-being and directing the courts to adopt well-being among other performance measures. Although the measurement of well-being outcomes is still evolving, this guide proposes an initial set of measures for the courts. The initial measures of well-being in the rule were selected because they are currently being implemented by the California Department of Social Services Outcome and Accountability system.<sup>8</sup> The Blue Ribbon Commission and reviewers also proposed a number of measures related to physical health, mental health, and education, which are outlined in the guide and will be the subject of ongoing research at the AOC, with the goal of implementing them as performance measures by the time CCMS is implemented.

## **4. Performance measures for permanency are included under several headings, and additional measures should be developed.**

With the exception of two court-specific adoption measures, the measures under the permanency heading are deliberately tied to state and federal measures of permanency. Measures that address a youth's perspective on permanency appear in other categories. Several due-process measures address the importance of youth participation at hearings and judicial oversight of transition-to-adulthood services. Under well-being, several measures emphasize the importance of family-finding efforts throughout the life of the case and the maintenance of sibling and relative relationships and connections to other individuals important to the youth. Many

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<sup>8</sup> California Department of Social Services, All County Letter 04-05.  
(<http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl04/pdf/04-05.pdf>)

aspect of children's experience of permanency and permanent connections are not captured by the proposed measures. Additional permanency measures will be the subject of ongoing research at the AOC, with the goal of implementing them as performance measures by the time CCMS is developed. In its research the AOC will consult with academic researchers, professional organizations, and the federal Court Improvement Program.

### **5. Measures do not require duplicate data-collection efforts.**

The data elements needed to calculate the recommended court performance measures for safety and permanency, as well as the demographic data for each case, are already captured by the Child Welfare Services/Case Management System, the automated system used by the Department of Social Services. Given that the CCMS will have the capability to exchange data with the CWS/CMS, the recommended court performance measures in these domains would not require the courts to duplicate the CWS/CMS data collection efforts.

### **6. Measures are not static.**

These measures are intended to form the basis for developing the California Court Case Management System version 4 family and juvenile law module. Implementing detailed dependency court performance measures on a statewide basis will require multiple rounds of research, testing, and revision to produce measures that are stable, consistent, valid, and reliable across the state. Revisions to this guide will be kept to the minimum necessary to ensure data quality. See the discussion below about revising the measures and the guide.

#### **Description of Measures**

The measures proposed by the Blue Ribbon Commission have been adopted in this guide. Some changes to the original measures proposed have been made to align them with the development of CCMS version 4.

See Table 1 below for a summary of all performance measures, and Chapter 4 for a detailed description of each measure.

#### **Timeliness**

California Welfare and Institutions code sections 300 et. seq. and rules 5.502 and 5.667—5.740 of the California Rules of Court specify time periods during which dependency hearings must be held. A performance measure addresses each of the statutorily required hearings. In addition to these measures of hearing timeliness, the guide adopts the *Building a Better Court* recommendation that courts measure time from termination of parental rights to finalized adoption and time from disposition and/or a Welfare and Institutions code section 366.26 hearing to establishment of guardianship. Finally, the Blue Ribbon Commission recommended measuring the time from filing the original petition to the final termination of jurisdiction.

In addition, a measure of the number of and reason for hearing delays by hearing type was recommended by the commission.

### **Court Procedures and Due Process**

These measures address the following topics in *Building a Better Court*: whether one judicial officer oversaw the case, service and notice, presence of parents and children at the hearings, and legal representation. Within these topics the commission recommended also measuring whether judicial inquiry is made when children are not present at hearings and whether statutorily entitled individuals such as Court Appointed Special Advocates (CASAs), caregivers, de facto parents, and others are present at hearings.

In addition, the commission recommended adding measures of cases where no reunification services were ordered and cases where children had input into their case plans.

### **Safety**

The domains of safety and permanency are where the recommended performance measures and guide diverge the most from *Building a Better Court*. The commission, in its resolution on data collection and its discussion of performance measures, stressed the importance of collaborating with the California Department of Social Services and the federal Child and Family Services Review process to measure the same child welfare system outcomes. Collaboration and joint systems improvement would not be served by the courts measuring and reporting slightly different outcomes. Finally, the data collection burden on courts is greatly reduced if the courts draw these performance measures from the child welfare outcome data collected through CWS/CMS. These measures will be produced by the courts linking to the CWS/CMS data on safety.

The Department of Social Services reports two versions of the safety outcome measures: the one specified by the federal CFSR and another, state-specific measure defined in CDSS's Outcome and Accountability system. These measures are drawn from the same data, and this guide adopts both versions.

The AOC will continue to research court-specific measures of safety and permanency and propose measures that do not duplicate the child welfare outcomes for future inclusion in the guide and rule.

### **Permanency**

The discussion above in "Safety" also applies to the measurement of permanency. However, two additional adoption measures have been added to measure the frequency of failed adoptions.

### **Child and Family Well-Being**

The proposed measures of well-being form a distinct subgroup. Neither the federal Administration for Children and Families, through its Child and Family Services Review process, nor the advisory bodies to dependency courts, including the ABA, NCSC, and NCJFCJ, have proposed court-related well-being measures. CDSS, through its Outcome and Accountability system, has proposed some limited well-being measures that are

being collected for the child welfare system, including measures related to placement with siblings, services for youth in transition to adulthood, and placement for Indian children. CDSS continues to work on developing well-being measures.

Working with the limited research and proposed well-being measures available, the commission recommended five topics for well-being measures to address: physical health of children; mental health; education; transition out of foster care; and relatives, relationships, and lifelong connections. Within these topic areas the commission recommended that the current CDSS well-being measures be adopted by the courts. The commission also recommended court-based measures in each topic area.

The guide and proposed rule 5.505 address well-being measures in the areas of transition out of foster care and relatives, including siblings. These areas have defined measures in the child welfare community that the court can parallel. Additional proposed measures in the areas of physical health, mental health, and education are listed in the “Additional Proposed Measures” section below, and the AOC will continue to conduct research to design and test these measures, for future amendments to proposed rule 5.505.

### **Core Data Elements**

Core data elements are data that, while not included in the performance measures, are recommended to provide workload and demographic context to the performance measures. They include total cases, the participation of children or parents in court programs, and demographic information on children.

### **Additional Proposed Measures**

The commission and other reviewers proposed a number of measures that require further research to define and test before they can be included in revisions of the guide and rule. These measures are:

#### **Court Procedure and Due Process**

#### **Indian Child Welfare Act (ICWA)**

- Cases in which the court made inquiries regarding ICWA eligibility
- Cases with court receipt of Parental Notification of Indian Status
- Cases in which ICWA notice has been given
- Cases in which notice to Secretary of Interior of adoption of Indian child has been given
- Cases in which children have been found to be ICWA eligible
- Cases in which counsel appointed for Indian parent
- Cases in which counsel appointed for Indian custodian
- Cases in which a tribe has intervened
- Cases in which superior court transfers jurisdiction to a tribal court
- Cases in which children are placed with Indian families or other ICWA compliant placement
- Cases with findings that active efforts were made to provide services to prevent the breakup of the Indian family
- Cases utilizing testimony from an expert witness at disposition
- Cases utilizing testimony from an expert witness post-disposition

Cases using testimony from an expert witness that continued custody with the parent or Indian custodian or Indian guardian was likely to cause serious emotional or physical damage

## **Well-Being**

### **Physical Health**

Children with a current Health Passport  
Children with a Health and Education Questionnaire in the court file  
Joinder motions filed on physical health issues

### **Mental Health**

Children with an original authorization for psychotropic medications  
Children coming before the court already on psychotropic medications  
Joinder motions filed on mental health issues  
Children under conservatorships

### **Education**

Children with a current Education Passport  
Court orders limiting parent's right to make educational decisions  
Where court has limited parent's rights, court appointment of educational representative  
Joinder motions filed on educational issues

These measures will be the subject of ongoing research at the AOC, with the goal of making them operational as performance measures by the time CCMS is developed. All appropriate court technology groups will be consulted in the research process.

## Levels of Specificity and Analysis

### **Definition of Case**

All of these measures assume that, in the vast majority of instances, one child in dependency is the equivalent of one dependency case. This parallels the current AOC standards for case counting in juvenile dependency. The Judicial Branch Statistical Information System manual for dependency cases states:

Each juvenile named in the petition is reported as one initial, subsequent, or supplemental petition filed and is referred to as one case for statistical reporting purposes.<sup>9</sup>

### **Aggregated Reporting and Cohorts**

None of the measures described here is meant to be a measure of performance for an individual case. There are numerous reasons, many related to good practice, why a hearing may be delayed, a child may not be present at a hearing, or a placement may be

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<sup>9</sup> Administrative Office of the Courts, *Judicial Branch Statistical Information System* version 2.2, (March 2004).

changed. These measures are designed to give an aggregate picture of hearing delays, participation in hearings, placement changes, and many other topics.

The most common level of analysis for measures is the cohort of children. For many measures, a cohort would be defined as all children entering dependency during a certain time period (usually six months or one year). An example of a measure using this cohort would be: of all children entering dependency between January 1, 2007, and June 30, 2007, who were removed from the home, for what percentage was the initial hearing completed within one day of filing the petition.

In many instances a measure can be applied to two different analysis cohorts. For instance, the percentage of hearings delayed by a particular reason (for example, the attorney not present) can be calculated as a percentage of all hearings of a certain type taking place within a specified time period, or as a percentage of all children in a cohort that had at least one hearing delayed by attorney not being present.

The final portion of this chapter contains a table that summarizes the measures described at the beginning of the chapter as well as the list of core data elements that are recommended to provide workload and demographic context to the performance measures.

**Table 1: Summary of California Juvenile Dependency Performance Measures**

**1. Hearing timeliness**

1A.	Percentage of children for whom the initial hearing is completed within the statutory time frame following the filing of the initial petition
1B.	Percentage of children for whom the jurisdictional hearing is completed within the statutory time frame following the initial hearing
1C.	Percentage of children for whom the disposition hearing is completed within the statutory time frame following the finding of jurisdiction
1D.	Percentage of children for whom a 3-month or other interim review hearing is held
1E.	Percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care
1F.	Percentage of children for whom the 12-month permanency hearing is completed within 12 months of the date the child entered foster care
1G.	Percentage of children for whom the 18-month review hearing is completed within 18 months of the date of original protective custody
1H.	Percentage of children for whom the first section 366.26 hearing is completed within 120 days of the termination of reunification services
1I.	Percentage of children whose post-permanency hearing is completed within 6 months of the section 366.26 hearing or last post-permanency hearing
1J.	Percentage of children in long-term care whose subsequent section 366.26 hearing is completed within 12 months of the previous section 366.26 hearing
1K.	Percentage of children whose adoption is finalized within 180 days after termination of parental rights
1L.	Median time from disposition or section 366.26 hearing to order establishing guardianship
1M.	Percentage of children for whom the first and subsequent post-permanency review hearings are completed within the statutory time frame
1N.	Percentage of hearings delayed, by reasons for delay and hearing type
1O.	Median time from filing of original petition to implementation of a permanent plan by permanent plan type
1P.	Median time from filing of original petition to termination of jurisdiction by reason for termination of jurisdiction

**2. Court Procedures and Due Process**

2A.	Percentage of cases in which all hearings are heard by one judicial officer
2B.	Percentage of cases in which all parties and other statutorily entitled individuals are served with a copy of the original petition
2C.	Percentage of hearings in which notice is given to all statutorily entitled parties and individuals within statutory time frame
2D.	Percentage of hearings in which child or parents are present, if statutorily entitled to be present
2E.	Percentage of hearings in which a judicial inquiry was made when a child 10 years of age or older is not present at hearing
2F.	Percentage of hearings in which other statutorily entitled individuals who are involved in the case (e.g. CASA volunteers, caregivers, de facto parents, others) are present

2G. Percentage of cases in which legal counsel for parents, children, and the child welfare agency are present at every hearing
2H. Point at which children and parents are assigned legal counsel
2I. Percentage of cases where legal counsel for children or parents changes
2J. Percentage of cases in which no reunification services are ordered and reasons
2K. Percentage of cases for which youth have input into their case plan
2L. Cases in compliance with the requirements of the Indian Child Welfare Act

### 3. Child Safety

3A. Percentage of children who were not victims of another substantiated maltreatment allegation within 6 and 12 months after the maltreatment incident that led to the filing of the initial petition
3B. For all children served in foster care during the year, percentage of children who were not victims of substantiated maltreatment by a foster parent or facility staff member

### 4. Child Permanency

4A. Percentage of children reunified in less than 12 months
4B. Percentage of children who were reunified, but reentered foster care within 12 months
Percentage of children who were discharged from foster care to a finalized adoption within 24 months
4D. Percentage of children in long-term foster care who were freed for adoption
Percentage of children in long-term foster care who were discharged to a permanent home before their 18th birthday
4F. Of children discharged to emancipation, percentage in foster care three years or longer
4G. Percentage of children with multiple foster care placements
Of children who were freed for adoption, the percentage for whom the adoption did not take place within 1, 2 or 3 years of termination of parental rights
4H. Of children who were freed for adoption and adopted, the percentage for whom the adoption failed within 1, 2 or 3 years of termination of parental rights
4I.

### 5. Child and Family Well-Being

5A. Percentage of children 14 years of age or older with current transitional independent living plans
5B. Percentage of children for whom a section 391 emancipation hearing was held
5C. Percentage of section 391 emancipation hearings that did not result in termination of jurisdiction and reasons jurisdiction not terminated
5D. Percentage of youth present at emancipation hearing with judicial confirmation of receipt of all services and documents mandated by section 391(b) (1—5)
5E. Percentage of children placed with all siblings who are also under court jurisdiction, as appropriate
5F. Percentage of children placed with at least one, but not all siblings who are also under court jurisdiction, as appropriate
5G. For children who have siblings under court jurisdiction but are not placed with all of them, percentage of cases where sibling visitation is not ordered and reasons
5H. Percentage of cases where visitation is not ordered for parents and reasons
5I. Number of visitation orders for adults other than parents and siblings, as appropriate (grandparents, other relatives, extended family members, others)

5J. Cases where the court has requested relative-finding efforts from the child welfare agency
5K. Percentage of children placed with relatives
5L. For children 10 years of age or older in foster care at least 6 months, percentage for whom the court has inquired whether the social worker has identified persons important to the child
5M. For children 10 years of age or older in foster care at least 6 months, percentage for whom the court has made orders to enable the child to maintain relationships with persons important to that child

## **Core Data Elements**

### **Court Procedures**

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1. Number of cases (and children) and related case indicator
2. Frequency of trials/contested hearings
3. Cases involving other court programs (drug court, juvenile dependency mediation, CASA)
4. Children involved in both dependency and delinquency courts
5. Cases transferred out of county

### **Demographics**

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#### *Child Demographics*

1. Child's sex
  2. Child's age
  - 3(a). Does child have siblings in the system
  - 3(b). If yes to 3a, was at least one of the child's siblings under the age of 3 at the time of removal
  - 3(c). If yes to 3b, was this child removed at the same time as the sibling under the age of 3
  4. Child's race/ethnicity and Native American heritage and ICWA status
  5. Child with special health care needs as defined in Welf. & Inst. Code, §17710
  6. Primary language
- Caseload Demographic Profile*
7. Referrals (numbers and rates by age and ethnicity)
  8. Substantiated referrals (numbers and rates by age and ethnicity)
  9. Original petitions (nonduplicative) (numbers and rates by age and ethnicity)
  10. Children under court jurisdiction (numbers and rates by age and ethnicity)
  11. Average or median time under court jurisdiction (by age and ethnicity)

## Chapter 3

### Data Collection and Reporting

#### Technical Documentation

All technical documentation for implementing these performance measures will be contained in this guide. This is version 1.0 of the guide, which will be revised and reissued on an as-needed basis as CCMS (version 4) is developed and deployed throughout California. Subsequent versions of the guide that include substantive changes will be circulated for comment before adoption, but purely technical updates will not require circulation for comment.

Implementing detailed dependency court performance measures on a statewide basis will require multiple rounds of research, testing, and revision to produce measures that are stable, consistent, valid, and reliable across the state. In addition, as the technical specifications for CCMS develop it will be necessary to develop the methodology for producing performance measures in tandem with CCMS development.

Beginning with the pre-CCMS period, the AOC will refine the implementation guide by conducting research on the performance measures and their underlying data elements. The AOC, in conjunction with the California Department of Social Services, will also continue to research additional measures.

When a substantive change is needed, such as a modification to a definition in the proposed rule or the proposal of an additional performance measure, both the rule and the guide will be modified and circulated for comment. When the technical definition of a performance measure is changed, and the change does not affect the general definition in the proposed rule, only the proposed guide will be modified and circulated for comment.

#### Responsibility for Data Collection

The data needed to create the performance measures described in this guide must be collected by the courts (for the domains of timelines, court procedures and due process, and well-being, as well as some of the core data elements) and the county child welfare agencies (for the domains of safety and permanency). Attorneys, CASAs, or other court participants are not required to collect data for this system.

#### CCMS Development

The data needed to create the performance measures described in this guide that must be collected by the courts will be included in CCMS version 4. The current development of CCMS version 4 is incorporating the required data elements. Courts will not be asked to supply data beyond the administrative data incorporated into CCMS.

## California Department of Social Services

The data needed to create the performance measures described in this guide that must be collected by county child welfare agencies is already incorporated into the statewide Child Welfare Services/Case Management System. CDSS is developing a new system known as CWS Web. CDSS and county staff have been participating in CCMS development meetings to ensure that CCMS and CWS Web will be able to exchange data and use statewide data warehouses in order to create the performance measures described in the guide. County child welfare agencies will not be asked to supply data beyond the administrative data incorporated into CWS/CMS or CMS Web.

### Data Collection and Reporting Before CCMS Version 4 Implementation Proposed rule 5.505(d)(2) states:

Before the implementation of the CCMS family and juvenile law module, each court must collect and submit to the AOC the subset of juvenile dependency data described in (b) and in the *Implementation Guide to Juvenile Dependency Court Performance Measures* that it is reasonably capable of collecting and submitting with its existing court case management system and resources.

In the domains of safety and permanency, the AOC will work with CDSS and the Center for Social Services Research at the University of California at Berkeley to produce reports on the safety and permanency measures that can be provided to the courts.

In the domains of timeliness, court procedures and due process, and well-being, the AOC will develop a program to assist courts in reviewing their existing case management systems to determine whether it is possible to produce any of the performance measures within the court's existing resources. The AOC will consult on the production of the reports.

The AOC will use the consultations with the courts and examination of data to research the stability, consistency, reliability, and validity of the performance measures and recommend revisions as needed.

Before implementation of the CCMS family and juvenile law module, courts will collect and submit to the AOC, only the subset of data they are able to produce with their existing system and resources. The AOC will generate aggregate data reports, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system. Courts not able to produce any of the measures from existing case management systems and resources will not be required to send any data to the AOC during the pre-CCMS time period.

## Data Collection and Reporting After CCMS Version 4 Implementation

The data required to produce timeliness and court procedures and due process measures, as well as the core data elements that must be collected by the courts, is being incorporated into the development of CCMS.

The data required to produce safety and permanency measures, some of the well-being measures, and the core data elements that must be collected by the county child welfare agencies, is available from the California Child Welfare Services Case Management System. Every child who is the subject of a juvenile dependency case in California is also represented by a case in CWS/CMS, the data system operated by the California Department of Social Services. By federal and state statute, CWS/CMS collects extensive data on a child's child welfare case and produces performance measures related to safety and permanency. The measures of safety and permanency described in this guide are identical to the state and federal measures, and courts are not expected to duplicate this data collection. Instead, the data to produce safety and permanency measures will be available to CCMS through a data exchange process and the CCMS data warehouse. The guide gives detailed descriptions of these measures but does not provide the data elements or methodology required to produce them.<sup>10</sup>

After implementation of CCMS the AOC will generate aggregate data reports on performance measures while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system. The reports will be produced from the CCMS data warehouse, in conjunction with linked data from CWS/CMS.

## Aggregation

The system outlined in this guide makes a distinction between aggregation of reporting and aggregation of data collection. The reports provided by the AOC from the CCMS data warehouse will protect the identity of individuals, including children, parents, or judicial officers. However, the data flowing into the data warehouse from the local court CCMS must be on the individual child and/or case level, so that it can be linked to the data on safety and permanency events for the same children in the CDSS data archive.

## Redundancy with CDSS Reporting

Since child welfare data will be entered in CWS/CMS and exchanged with the court, there will be no duplication of data collection effort. Court reporting of safety and permanency measures will be similar but not identical to the data reported through CWS/CMS and the CDSS Outcome and Accountability system reports. Children under the jurisdiction of the dependency court form a subset of the total children in CWS/CMS, which also includes cases on voluntary services. The court performance measures will

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<sup>10</sup> California Department of Social Services All County Letter 04-05.

([www.cdss.ca.gov/getinfo/ac104/pdf/04-05.pdf](http://www.cdss.ca.gov/getinfo/ac104/pdf/04-05.pdf))

Administration for Children and Families, Table A. Data Indicators for the Child and Family Services Review. ([www.acf.hhs.gov/programs/cb/cwmonitoring/data\\_indicators.htm](http://www.acf.hhs.gov/programs/cb/cwmonitoring/data_indicators.htm))

include timeliness and court procedures and due process measures as well as safety, well-being, and permanency measures, allowing courts to analyze the impact of court processes on the outcomes of the same cohort of children.

## **Chapter 4**

### **Detailed Matrices of Juvenile Dependency Performance Measures**

The matrices in this chapter contain the measures described in earlier chapters of this guide. The matrices vary in their details according to whether the data will be collected through CCMS or through CDSS and also vary according to the extent of their current development.

## Detailed Matrices of Juvenile Dependency Performance Measures

### 1. Timeliness

Hearing Timeliness Measure		Measure Detail	Data Elements	Notes
1A	Percentage of children for whom the initial hearing is completed within the statutory time frame following the filing of the initial petition	<p>For detained children: percentage of children whose initial hearing is calendared and completed within one court day of filing of petition</p> <p>For nondetained children: percentage of children with initial hearing calendared and completed within 15 court days of filing of petition</p> <p>For both categories, percentage of hearings calendared and completed within specified time frame</p>	Case type: Detained or not detained Petition filing date Hearing type: Initial hearing Hearing date: Date of first hearing calendared Hearing date: Date of last initial hearing that resulted in completed hearing Hearing completion flag: Completed	Time frame for case cohort must be defined: e.g., all cases with initial petitions filed within a 6-month period  All timeliness measures include two possibly different standards: number of court days to the date relevant hearing first calendared and number of court days to the date relevant hearing completed
1B	Percentage of children for whom the jurisdictional hearing is completed within the statutory time frame following the initial hearing	<p>For detained children: percentage of children whose jurisdictional hearing is calendared and completed within 15 court days of initial hearing</p> <p>For nondetained children: percentage of children whose jurisdictional hearing is calendared and completed within 30 calendar days of initial hearing</p> <p>Percentage of hearings calendared and completed within specified time frame</p>	Case type: Detained or not detained Petition filing date Hearing type: Initial Hearing date: Date of last initial hearing that resulted in completed hearing Hearing type: Jurisdictional Hearing date: Date of first jurisdictional hearing calendared Hearing type: Jurisdictional Hearing date: Date of last jurisdictional hearing that resulted in a completed hearing Hearing completion flag: Completed	Remove from case cohort all cases dismissed at initial hearing  To align with federal measures, define additional case cohort for all cases detained eight days or longer – applies to all further timeliness measures
1C	Percentage of children for whom the disposition hearing is completed within the statutory time frame following the finding of jurisdiction	<p>For detained children: percentage of children whose disposition hearing is calendared and completed within 10 court days of finding of jurisdiction</p> <p>For nondetained children: percentage of children whose disposition hearing is calendared and completed within 30 calendar days of finding o jurisdictionf</p> <p>Percentage of hearings calendared and completed within specified time frame</p>	Case type: Detained or not detained Hearing type: Jurisdictional Hearing date: Date of last jurisdictional hearing that resulted in completed hearing Hearing type: Disposition Hearing date: Date of first disposition hearing calendared Hearing type: Disposition Hearing date: Date of last disposition hearing that resulted in a completed	Remove from case cohort all cases dismissed at jurisdictional hearing

<b>Hearing Timeliness Measure</b>		<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
			hearing Hearing completion flag: Completed	
1D	Percentage of children for whom a 3-month or other interim review hearing is held	Percentage of children whose 3 month review hearing is calendared and completed within three months of the time the child entered foster care. <sup>11</sup> Percentage of hearings calendared and completed within specified time frame	Child's age Child's siblings age Hearing type: Initial Hearing date: Date of last initial hearing that resulted in completed hearing Hearing type: 3-month review Hearing date: Date of first 3-month review hearing calendared Hearing type: 3-month review Hearing date: Date of last review hearing that resulted in a completed hearing Hearing completion flag: Completed	Remove all cases dismissed during the 3 months following the initial hearing Cohort should identify subgroup of cases where child or sibling is age 3 or younger and reunification services have been limited to 6 months

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<sup>11</sup> A child shall be considered to have entered foster care on the earlier of (1) the date of the first judicial finding that the child has been subjected to child abuse or neglect or (2) the date that is 60 days after the date on which the child is removed from the home.

Hearing Timeliness Measure	Measure Detail	Data Elements	Notes
1E Percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care	Percentage of children whose 6 month review hearing calendared and completed within 6 months from date child entered foster care. Percentage of hearings calendared and completed within specified time frame Percentage of hearings for children who remain in the care of parent calendared and completed within specified time frame	Child's age Child's siblings age Hearing type: Initial Hearing date: Date of last initial hearing that resulted in completed hearing Hearing type: 6-month review Hearing date: Date of first 6-month review hearing calendared Hearing type: 6-month review Hearing date: Date of last 6-month review hearing that resulted in a completed hearing Hearing completion flag: Completed	Remove all cases dismissed during the 6 months following the initial hearing Cohort should identify subgroup of cases where child or sibling is age 3 or younger and reunification services have been limited to 6 months
1F Percentage of children for whom the 12-month permanency hearing is completed within 12 months of the date the child entered foster care	Percentage of children whose 12-month permanency review is calendared and completed within 12 months of date child entered foster care 12 Percentage of hearings calendared and completed within specified time frame Percentage of hearings for children who remain in the care of parent calendared and completed within specified time frame	Child's age Child's siblings age Hearing type: Initial Hearing date: Date of last initial hearing that resulted in completed hearing Hearing type: 12-month review Hearing date: Date of first 12-month review hearing calendared Hearing type: 12-month review Hearing date: Date of last 12-month review hearing that resulted in a completed hearing Hearing completion flag: Completed	Remove all cases dismissed during the 12 months following the initial hearing Cohort should identify subgroup of cases where child or sibling is age 3 or younger and reunification services have been limited to 6 months

<sup>12</sup> For children under the age of 3 on the date of the initial removal, or for their siblings, reunification services may be limited to 6 months (see Welf. & Inst. Code, §§ 361.5(a)(2) and (a)(3) and 366.21(e)). Therefore judicial findings and orders and timeliness of subsequent hearings for this group must be tracked separately to evaluate compliance with California law.

<b>Hearing Timeliness Measure</b>	<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
1G Percentage of children for whom the 18-month review hearing is completed within 18 months of the date of original protective custody	Percentage of children whose 18-month review is calendared and completed within 18 months of original protective custody (state standard) Percentage of hearings calendared and completed within specified time frame	Hearing type: Initial Hearing date: Date of last initial hearing that resulted in completed hearing Hearing type: 18-month review Hearing date: Date of first 18-month review hearing calendared Hearing type: 18-month review Hearing date: Date of last 18-month review hearing that resulted in a completed hearing Hearing completion flag: Completed	Remove all cases dismissed during the 18 months following the original protective custody
1H Percentage of children for whom the first section 366.26 hearing is completed within 120 days of the termination of reunification services	For children whose reunification services have been denied or terminated, percentage of children whose 366.26 hearing is calendared and completed within 120 days of the date reunification services were denied or terminated Percentage of hearings calendared and completed within specified time frame	Finding after hearing (disposition or 3-, 6-, 12-, 18-month permanency): Reunification services denied or terminated Hearing type: Hearing specified in finding after hearing (above) Hearing date: Date of hearing specified in finding after hearing (above) Hearing type: 366.26 Hearing date: Date of first 366.26 hearing calendared Hearing date: Date of last 366.26 hearing that resulted in a completed hearing Hearing completion flag: Completed	Cohort includes only children with finding of reunification services denied or terminated
1I Percentage of children whose post-permanency hearing is completed within 6 months of the section 366.26 hearing or last post-permanency hearing	Percentage of children with calendared and completed 366.26 hearing whose post-permanency hearing is calendared and completed within 6 months of 366.26 hearing or last post-permanency hearing Percentage of hearings calendared and completed within specified time frame	Hearing type: 366.26 Hearing date: Date of last 366.26 hearing that resulted in completed hearing Hearing type: Post-permanency review Hearing date: Date of first post-permanency review hearing calendared Hearing type: Post-permanency review Hearing date: Date of last post-permanency review hearing that resulted in a completed hearing Hearing completion flag: Completed	

<b>Hearing Timeliness Measure</b>	<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
1J Percentage of children in long-term care whose subsequent section 366.26 hearing is completed within 12 months of the previous section 366.26 hearing	For children in long-term care with a previous 366.26 hearing, percentage of children whose subsequent 366.26 hearing is calendared and completed within 12 months of the previous 366.26 hearing, if applicable Percentage of hearings calendared and completed within specified time frame	Hearing type: 366.26 Hearing date: Date of first 366.26 hearing calendared Hearing date: Date of last 366.26 hearing that resulted in a completed hearing Hearing completion flag: Completed Hearing type: 366.26 Hearing date: Date of first subsequent 366.26 hearing calendared Hearing date: Date of last subsequent 366.26 hearing that resulted in a completed hearing Hearing completion flag: Completed	
1K Percentage of children whose adoption is finalized within 180 days after termination of parental rights	Percentage of children eligible for adoption whose adoption is finalized within 180 days after termination of parental rights	Hearing type: 366.26 hearing Hearing date: Date of last 366.26 hearing that resulted in completed hearing Event type: Final adoption order Event date: Final adoption order	Cohort includes only children eligible for adoption
1L Median time from disposition or section 366.26 hearing to order establishing guardianship	Median time from disposition hearing to completion of guardianship Median time from 366.26 hearing to completion of guardianship	Hearing type: Disposition hearing Hearing date: Date of last disposition hearing that resulted in completed hearing Event type: Completion of guardianship Event date: Date of completion of guardianship Hearing type: 366.26 hearing Hearing date: Date of last 366.26 hearing that resulted in completed hearing Event type: Completion of guardianship Event date: Completion of guardianship	Cohort includes only children with permanent plan of guardianship Includes two measures: one from disposition hearing and one (if relevant) from 366.26 hearing
1M Percentage of children for whom the first and subsequent post-permanency review hearings are completed within the statutory time frame	Percentage within 6 months of completion of prior hearing	Hearing type: Post-permanency review hearing Hearing date: Date of most recent post-permanency review hearing that resulted in completed hearing Hearing type: Post-permanency review hearing Hearing date: Date of next post-	Cohort includes all children in planned permanent living arrangements

Hearing Timeliness Measure	Measure Detail	Data Elements	Notes
		<p>permanency review hearing calendared</p> <p>Hearing date: Date of next post-permanency review hearing completed</p> <p>Hearing completion flag: Completed</p>	
1N	<p>Percentage of hearings delayed by reasons for delay and hearing type</p> <p>By hearing type:</p> <p>Percentage of hearings delayed due to unavailability of attorney</p> <p>Percentage of hearings delayed due to absence of social worker</p> <p>Percentage of hearings delayed due to unavailability of witness</p> <p>Percentage of hearings delayed due to late filing of social worker report</p> <p>Percentage of hearings delayed due to insufficient information in social worker report</p> <p>Percentage of hearings delayed due to incarcerated parent not transported</p> <p>Percentage of hearings delayed due to agreement by parties</p> <p>Percentage of hearings delayed due to late filing of pleadings by attorney or party</p> <p>Percentage of hearings delayed due to unavailability of interpreter</p> <p>Percentage of hearings delayed due to other reports or documents late</p> <p>Percentage of hearings delayed due to not enough time to hear court case</p> <p>Percentage of hearings delayed due to lack of or late notice</p> <p>Percentage of hearings delayed due to lack of or late ICWA notice</p> <p>Percentage of hearings delayed due to unavailability of parent</p> <p>Percentage of hearings delayed due to stayed by appellate court</p> <p>Percentage of hearings delayed due to setting for "contested" hearing</p> <p>Percentage of hearings delayed due to calendaring practice</p> <p>Percentage of hearings delayed due to absence of child</p>	<p>Hearing type: (all)</p> <p>Hearing delay reason: (all)</p>	

<b>Hearing Timeliness Measure</b>	<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
	Percentage of hearings delayed by unavailability of bench officer Percentage of hearings delayed due to mediation Percentage of hearings stayed by appellate court Percentage of hearings delayed due to other (specify)		
1O	Median time from filing of original petition to implementation of permanent plan by permanent plan type	Median time from filing of original petition to implementation of permanent plan	Petition filing date Hearing type: Initial hearing Hearing date: Date of last initial hearing that resulted in completed hearing Event type: Implementation of permanent plan
1P	Median time from filing of original petition to termination of jurisdiction by reason for termination of jurisdiction	Median time from filing of original petition to termination of jurisdiction by: <ul style="list-style-type: none"> <li>▪ Petition dismissed</li> <li>▪ Reunified with parents</li> <li>▪ Death of child</li> <li>▪ Child adopted</li> <li>▪ Emancipation of child</li> <li>▪ Guardianship established</li> <li>▪ Child status change from 300 to 602</li> <li>▪ Transfer to tribal court</li> <li>▪ Conditions for bringing child under court jurisdiction no longer present</li> <li>▪ Transferred out of state</li> </ul>	Petition filing date Hearing type: Initial hearing Hearing date: Date of last initial hearing that resulted in completed hearing Event type: Termination of jurisdiction Event date: Date of termination of jurisdiction

## 2. Court Procedures and Due Process

Court Procedures and Due Process Measure		Measure Detail	Data Elements	Notes
2A	Percentage of cases in which all hearings are heard by one judicial officer	Percentage of children (and families) with one judicial officer for all hearings Percentage of children (and families) with one judicial officer for all postdetention hearings Median number of judicial officers per family or case over time	Hearing type (all) Judicial officer	Time frame for case cohort must be defined: e.g., all cases with initial petitions filed within a 6-month period  This measure should differentiate between substitute judicial officers and changes in the judicial officer on the case
2B	Percentage of cases in which all parties and other statutorily entitled individuals are served with a copy of the original petition	Percentage of cases in which mother is served with a copy of petition before initial hearing Percentage of cases in which fathers are served with a copy of petition before initial hearing Percentage of cases in which alleged or presumed fathers are served with a copy of petition before initial hearing Percentage of cases in which child age 10 or older are served with a copy of petition before initial hearing Percentage of cases in which siblings (if required) are served with a copy of petition prior to initial hearing Percentage of cases in which legal guardian are served with a copy of petition before initial hearing	Hearing type (initial) Party statutorily entitled to receive notice Proof of service flag: Completed	
2C	Percentage of hearings in which notice is given to all statutorily entitled parties and individuals within statutory time frame	Percentage of cases in which mother received notice before (hearing type) Percentage of cases in which father received notice before (hearing type) Percentage of cases in which alleged/presumed father received notice before (hearing type) Percentage of cases in which child (10 years +) received notice before (hearing type) Percentage of cases in which foster parents received notice before (hearing type) ("All hearings" below refers to all hearings to	Hearing type: <ul style="list-style-type: none"> <li>▪ Initial</li> <li>▪ Jurisdictional</li> <li>▪ 6-month review</li> <li>▪ 12-month permanency</li> <li>▪ 18-month review</li> <li>▪ 366.26 hearing</li> <li>▪ Postpermanency review</li> <li>▪ Emancipation/391</li> </ul> Party requiring notice Proof of service flag: Completed	

Court Procedures and Due Process Measure		Measure Detail	Data Elements	Notes
		<p>which the individual is entitled to notice.)</p> <p>Percentage of cases in which mother received notice before all hearings</p> <p>Percentage of cases in which father received notice before all hearings</p> <p>Percentage of cases in which alleged/presumed father received notice before all hearings</p> <p>Percentage of cases in which alleged/presumed father received notice before all hearings</p> <p>Percentage of cases in which child (10 years +) received notice before all hearings</p> <p>Percentage of cases in which foster parents received notice before all hearings</p>		
2D	Percentage of hearings in which child and parents are present, if statutorily entitled to be present	<p>(For each hearing type at which they are entitled to be present)</p> <p>Percentage of hearings where children are present</p> <p>Percentage of hearings where mother is present</p> <p>Percentage of hearings where father is present</p>	<p>Hearing type (all)</p> <p>Parties statutorily entitled to be present</p> <p>Party present: Flag</p>	
2E	Percentage of hearings in which a judicial inquiry is made when a child 10 years of age or older was not present at hearing, if applicable	(Measure in development)		
2F	Percentage of hearings in which other statutorily entitled individuals who are involved in the case (CASA volunteers, caregivers, de facto parents, others) are present	<p>(For each hearing type at which they are entitled to be present)</p> <p>Percentage of hearings where CASA is present</p> <p>Percentage of hearings where caregivers are present</p> <p>Percentage of hearings where de facto parents are present</p>	<p>Hearing type (all)</p> <p>Individuals statutorily entitled to be present</p> <p>Individuals present: Flag</p>	

Court Procedures and Due Process Measure		Measure Detail	Data Elements	Notes
2G	Percentage of cases in which legal counsel for parents, children, and the child welfare agency are present at every hearing	(For each hearing type)  Percentage of hearings where attorney for child is present Percentage of hearings where attorney for mother is present Percentage of hearings where attorney for father is present Percentage of hearings where attorney for county is present	Hearing type (all) Attorney required to be present Attorney present: Flag	
2H	Point at which children and parents are assigned legal counsel	Percentage of children appointed an attorney (or CAPTA GAL) initial hearing Percentage of cases where attorney appointed for mother before initial hearing Percentage of cases where attorney appointed for fathers before initial hearing	Event type: Appointment of counsel Event date: Date of appointment of counsel Party	Range of "before" is not yet defined
2I	Percentage of cases where legal counsel for children or parents changes	Median number of times that attorney representing child changes Percentage of children with no change in attorney for the child  Median number of times that attorney representing mother changes Percentage of cases with no change in attorney representing the mother  Median number of times that attorney representing father changes Percentage of cases with no change in attorney representing the father	Event type: Appointment of counsel Event date: Date of appointment of counsel Party	
2J	Percentage of cases in which no reunification services are ordered and reasons	Percentage of children moving directly from disposition hearing to 366.26 hearing Percentage of parents ordered no reunification services Percentage of incarcerated parents ordered no reunification services due to 361.5(e)	Finding after hearing (disposition): Reunification services denied or terminated Parties Parties: Description: incarcerated	Reasons for not ordering reunification services are enumerated in Welf. & Inst. Code, § 361.5(b)(1)–(15)
2K	Percentage of cases for which youth have input into their case plan	(Measure in development)		

<b>Court Procedures and Due Process Measure</b>		<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
2L	Cases in compliance with the requirements of the Indian Child Welfare Act.	(Measure in development:  Cases where the court made inquiries regarding ICWA eligibility)	(In development)	
		Cases with court receipt of Parental Notification of Indian Status		
		Cases in which ICWA notice has been given		
		Cases in which notice to Secretary of Interior of adoption of Indian child has been given		
		Cases where children have been found to be ICWA eligible		
		Cases where counsel appointed for Indian parent		
		Cases where counsel appointed for Indian custodian		
		Cases where a tribe has intervened		
		Cases in which superior court transfers jurisdiction to a tribal court		
		Cases where child is placed with Indian families or other ICWA compliant placement		
		Cases with finding that active efforts were made to provide services to prevent the breakup of the Indian family		

<b>Court Procedures and Due Process Measure</b>		<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
		Cases utilizing testimony from an expert witness at disposition		
		Cases utilizing testimony from an expert witness post-disposition		
		Cases utilizing testimony from an expert witness that continued custody with the parent or Indian custodian or Indian guardian was likely to cause serious emotional or physical damage		

### 3. Safety

<b>Safety Measure</b>		<b>State Standard<sup>13</sup></b>	<b>Federal Standard<sup>14</sup> (2nd Round CFSR)</b>
3A	Percentage of children who were not victims of another substantiated maltreatment allegation within 6 and 12 months after the maltreatment incident that led to the filing of the initial petition	Of all children with a first or any substantiated referral during the 12-month study period, what percentage had a subsequent referral within 12 months	Of all children who were victims of a substantiated or indicated maltreatment allegation during the first 6 months of FY 2004, what percentage were not victims of another substantiated or indicated maltreatment allegation within the 6-months following that maltreatment incident?
3B	For all children served in foster care during the year, percentage of children who were not victims of substantiated maltreatment by a foster parent or facility staff member		Of all children served in foster care in FY 2004, what percentage were not victims of a substantiated or indicated maltreatment by a foster parent or facility staff member during the fiscal year?
		Percentage of children with an allegation (inconclusive or substantiated) who were not removed and whose next event was another substantiated allegation after 3-, 6-, or 12-months.	

<sup>13</sup> Source: All County Letter 04-05. [www.cdss.ca.gov/getinfo/acl04/pdf/04-05.pdf](http://www.cdss.ca.gov/getinfo/acl04/pdf/04-05.pdf)

<sup>14</sup> Source: [www.acf.hhs.gov/programs/cb/cwmonitoring/data\\_indicators.htm](http://www.acf.hhs.gov/programs/cb/cwmonitoring/data_indicators.htm)

#### 4. Permanency

Permanency Measure	State Standard <sup>15</sup>	Federal Standard <sup>16</sup>
4A Percentage of children reunified in less than 12 months	(3A) For all children who entered foster care for the first time (and stayed at least 5 days) during the most recent 12-month study period, what percentage were reunified within 12 months?	<p><u>Measure C1.1:</u> Of all children discharged from foster care to reunification in FY 2004 who had been in foster care for 8 days or longer, what percentage were reunified in less than 12 months from the date of the latest removal from home? (This includes the “trial home visit adjustment.”)</p> <p><u>Measure C1.2:</u> Of all children who were discharged from foster care to reunification in FY 2004, and who had been in foster care for 8 days or longer, what was the median length of stay in months from the date of the latest removal from home until the date of discharge to reunification? (This includes the “trial home visit adjustment.”)</p> <p><u>Measure C1.3:</u> Of all children who entered foster care for the first time in the 6-month period just before FY 2004, and who remained in foster care for 8 days or longer, what percentage were discharged from foster care to reunification in less than 12 months from the date of latest removal from home? (This includes the “trial home visit adjustment.”)</p>
4B Percentage of children who were reunified, but reentered foster care within 12 months	(3G) For all children who entered child welfare supervised foster care for the first time (and stayed at least 5 days) during the most recent 12-month study period and were reunified with 12 months of entry, what percentage reentered foster care within 12 months of reunification?	<u>Measure C1.4:</u> (permanency of reunification) Of all children who were discharged from foster care to reunification in the 12-month period before FY 2004 (i.e., FY 2003), what percentage reentered foster care in less than 12 months from the date of discharge?
4C Percentage of children who were discharged from foster care to a finalized adoption within 24 months	(3A) For all children who entered child welfare supervised foster care for the first time (and stayed at least 5 days) during the most recent 12 month study period, what percentage were adopted within 24 months?	<u>Measure C2.1:</u> Of all children who were discharged from foster care to a finalized adoption during FY 2004, what percentage were discharged in less than 24 months from the date of the latest removal from home?
4D Percentage of children in long-term foster care who were freed for adoption		<u>Measure C2.2:</u> Of all children who were discharged

<sup>15</sup> Source: All County Letter 04-05. [www.cdss.ca.gov/getinfo/acl04/pdf/04-05.pdf](http://www.cdss.ca.gov/getinfo/acl04/pdf/04-05.pdf)

<sup>16</sup> Source: [www.acf.hhs.gov/programs/cb/cwmonitoring/data\\_indicators.htm](http://www.acf.hhs.gov/programs/cb/cwmonitoring/data_indicators.htm)

Permanency Measure	State Standard <sup>15</sup>	Federal Standard <sup>16</sup>
		<p>from foster care to a finalized adoption during FY 2004, what was the median length of stay in foster care in months from the date of latest removal from home to the date of discharge to adoption?</p> <p><i>Measures C2.3, C2.4, and C2.5 measure progress toward adoption and have no corresponding measure from the first round CFSR list.</i></p> <p><i>Measure C2.3:</i> Of all children who were in foster care on the first day of FY 2004, and who were in foster care for 17 continuous months or longer, what percentage were discharged from foster care to a finalized adoption by the last day of FY 2004? The denominator for this measure excludes children who, by the end of FY 2004, were discharged from foster care with a discharge reason of live with relative, reunification, or guardianship.</p> <p><i>Measure C2.4:</i> Of all children who were in foster care on the first day of FY 2004 for 17 continuous months or longer, and who were not legally free for adoption before that day, what percentage became legally free for adoption during the first 6 months of FY 2004? (Legally free means that there was a parental rights termination date reported to AFCARS for both mother and father.) The denominator for this measure excludes children who, by the last day of the first 6 months of FY 2004, were not legally free, but had been discharged from foster care with a discharge reason of live with relative, reunification, or guardianship.</p> <p><i>Measure C2.5:</i> Of all children who became legally free for adoption during FY 2003 (i.e., there was a parental rights termination date reported to AFCARS for both mother and father), what percentage were discharged from foster care to a finalized adoption in less than 12 months of becoming legally free?</p>
4E Percentage of children in long-term foster care who were discharged to a		<i>Measure C3.1:</i> Of all children who were in foster care for 24 months or longer on the first day of FY

Permanency Measure		State Standard <sup>15</sup>	Federal Standard <sup>16</sup>
4F	<p>permanent home before their 18th birthday</p> <p>Of children discharged to emancipation, percentage in foster care 3 years or longer</p>		<p>2004, what percentage were discharged to a permanent home before their 18th birthday and by the end of the fiscal year? A child is considered discharged to a permanent home if the discharge reason is adoption, guardianship, reunification, or live with relative.</p> <p><i>Measure C3.2:</i> Of all children who were discharged from foster care in FY 2004 who were legally free for adoption at the time of discharge (i.e., there was a parental rights termination date reported to AFCARS for both mother and father), what percentage were discharged to a permanent home before their 18th birthday? A child is considered discharged to a permanent home if the discharge reason is adoption, guardianship, reunification, or live with relative.</p> <p><i>Measure C3.3:</i> Of all children who either (1) were discharged from foster care in FY 2004 with a discharge reason of emancipation, or (2) reached their 18th birthday in FY 2004 while in foster care, what percentage were in foster care for 3 years or longer?</p>
4G	Percentage of children with multiple foster-care placements	(3C) For all children who entered child welfare supervised foster care for the first time (and stayed at least 5 days) during the most recent 12-month study period, and were in care for 12 months, what percentage had no more than two placements?	<p><i>Measure C4.1:</i> Of all children who were served in foster care during FY 2004, and who were in foster care for at least 8 days but less than 12 months, what percentage had two or fewer placement settings?</p> <p><i>Measure C4.2:</i> Of all children who were served in foster care during FY 2004, and who were in foster care for at least 12 months but less than 24 months, what percentage had two or fewer placement settings?</p> <p><i>Measure C4.3:</i> Of all children who were served in foster care during FY 2004, and who were in foster care for at least 24 months, what percentage had two or fewer placement settings?</p>
4H	Of children freed for adoption, the percentage for whom the adoption did not take place within 1, 2 or 3 years of	Not a required state measure Timeframes in development	Not a required federal measure

<b>Permanency Measure</b>		<b>State Standard<sup>15</sup></b>	<b>Federal Standard<sup>16</sup></b>
	termination of parental rights		
4I	Of children who were adopted, the percentage for whom the adoption failed within 1, 2 or 3 years of termination of parental rights	Not a required state measure Timeframes in development	Not a required federal measure

## 5. Child and Family Well-Being

<b>Well-Being Measure</b>		<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
5A	Percentage of children age 14 or older with current transitional independent living Plans	(Measure in development)		
5B	Percentage of children for whom a section 391 emancipation hearing was held	(Measure in development)		
5C	Percentage of section 391 emancipation hearings that did not result in termination of jurisdiction and reasons jurisdiction not terminated	(Measure in development)		
5D	Percentage of youth present at emancipation hearing with judicial confirmation of receipt of all services and documents mandated by section 391(b)(1-5)	(Measure in development)		
5E	Percentage of children placed with all siblings who are also under court jurisdiction, when appropriate	(Measure in development)		
5F	Percentage of children placed with at least one, but not all siblings who are also under court jurisdiction, when appropriate	(Measure in development)		

<b>Well-Being Measure</b>		<b>Measure Detail</b>	<b>Data Elements</b>	<b>Notes</b>
5G	For children who have siblings under court jurisdiction but are not placed with all of them, percentage of cases where sibling visitation is not ordered and reasons	(Measure in development)		
5H	Percentage of cases where visitation is not ordered for parents and reasons	(Measure in development)		
5I	Number of visitation orders for adults other than parents and siblings, as appropriate (grandparents, other relatives, extended family members, others)	(Measure in development)		
5J	Cases where the court has requested relative finding efforts from the child welfare agency	(Measure in development)		
5K	Percentage of children placed with relatives	(Measure in development)		
5L	For children 10 years of age or older in foster care at least 6 months, percentage for whom the court has inquired whether the social worker has identified persons important to the child	(Measure in development)		
5M	For children 10 years of age or older in foster care at least 6 months, percent for whom the court has made orders to enable the child to maintain relationships with persons important to that child	(Measure in development)		

## 6. Core Data Elements

Court Procedures Measure		Court Procedures Measure	Data Elements	Notes
1	Number of cases (and children) Related cases indicator	Number of cases per full time equivalent judicial position <i>(This measure would require an additional non-CCMS source of data on the number of FTE judicial officers)</i>	Judicial officer Case number	Time frame for case cohort must be defined: e.g.' all cases with initial petitions filed within a 6 month period
2	Frequency of trials/contested hearings	(Measure not developed)		
3	Cases involving other court programs	Percentage of cases (and children) participating in juvenile dependency mediation Percentage of cases (and children) with parent enrolled in dependency drug court Percentage of cases (and children) with CASA appointed Percentage of cases (and children) participating in dependency mental-health program	Case number Court program code: <ul style="list-style-type: none"><li>▪ Dependency mediation</li><li>▪ CASA appointed</li><li>▪ Dependency drug court</li><li>▪ Dependency mental health program</li></ul>	
4	Cases involving both dependency and delinquency courts	<i>Of all children subject to 241.1 protocol:</i> Percentage classified as delinquency Percentage classified as dependency Percentage classified as dual jurisdiction	Event type: 241.1 Event flag: Delinquency, dependency, dual jurisdiction	
5	Cases transferred out of original county	(Measure not developed)		

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