

# CFSR Round 3 Report for Legal and Judicial Communities



January 2021



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children & Families  
Administration on Children, Youth and Families  
Children's Bureau



## Introduction

Legal and judicial communities consist of attorneys for children<sup>1</sup> and youth, parents, and agencies; judges; court administrators and personnel; and Court Improvement Program (CIP) directors. These professionals are an integral part of every state's child welfare system, which works to address the needs of children who have been abused or neglected and to achieve positive safety, permanency, and well-being outcomes for them and their families. This report analyzes the Round 3 results from the Child and Family Services Reviews (CFSRs), spotlights some improvement projects from across the country, and provides recommendations for the collaboration between child welfare agencies and the legal and judicial communities.

Federal statutes mandate judicial involvement and oversight in child welfare cases. The Children's Bureau (CB) makes funding available to states through the CIP to promote continuous quality improvement (CQI) for court proceedings in child welfare and to enhance and expand collaboration between the judicial branch of each state government and its child welfare agency to improve child welfare outcomes.<sup>2</sup>

<sup>1</sup> For the purposes of this report and ease of reference, the terms "child" and "children" are sometimes used and encompass both children and youth.

<sup>2</sup> Children's Bureau (2019, Aug. 1). *IM-1-03*. U.S. Department of Health and Human Services, Administration for Children and Families. <https://www.acf.hhs.gov/sites/default/files/cb/Im1903.pdf>

The Court Improvement Program (CIP) is funded by a federal grant under the auspices of the U.S. Department of Health and Human Services' Administration for Children and Families. The grant enables state courts to conduct assessments of their roles, responsibilities, and effectiveness in carrying out state laws relating to child welfare proceedings. It also allows state courts to make improvements to provide for the safety, well-being, and permanency of children in foster care and assist in the implementation of Program Improvement Plans (PIPs) as a result of the CFSRs and Title IV-E Foster Care Eligibility Reviews. Every state, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands have funding to support CIP programs. Federal funding has also been allocated to establish Tribal Court Improvement Programs.

The CFSRs are an important tool that enables the CB to (1) ensure conformity with federal child welfare requirements; (2) determine what is happening to children and families receiving child welfare services; and (3) assist states in enhancing their capacity to help children and families achieve positive outcomes related to safety, permanency, and well-being.<sup>3</sup> Round 3 was conducted between 2015 and 2018.

The Round 3 CFSRs evaluated states' performance in ensuring safety, permanency, and well-being for children by reviewing at least 65 cases in each state. A team of federal and/or state reviewers used the federal CFRS Onsite Review Instrument and Instructions (OSRI) to rate cases. To determine item ratings, reviewers assessed practice by examining case records and interviewing case participants, such as parents, children, resource (foster) families, and caseworkers. The reviewers then rated each item as either a Strength or an Area Needing Improvement (ANI) and wrote a Rationale Statement to explain the basis for each rating. Reviewers looked at cases involving children served in their homes and cases involving children in foster care. For foster care cases, a target child was identified, and case ratings focused mainly on that specific child. For in-home cases, ratings focused on all of the children in the home.

This report presents the OSRI ratings for items most relevant to legal and judicial practice, and highlights practice examples from Rationale Statements, organized into "Practice Strengths" from cases rated as a Strength, and "Practice Concerns" from cases rated as an ANI.

CFSRs also include a determination of whether a state is in substantial conformity with federal requirements for seven systemic factors. The systemic factors are associated with select Child and Family Services Plan (CFSP) requirements and refer to seven systems within a state that have the capacity, if routinely functioning statewide, to support positive child safety, permanency, and well-being outcomes. The CB makes determinations of substantial conformity for the systemic factors based on states' performance on 18 systemic factor items that are rated as Strengths or Areas Needing Improvement. Information provided by states in a statewide assessment and information gathered from stakeholder interviews is used to determine systemic factor item ratings. Interviews may include, but are not limited to, youth, parents, resource families, all levels of child welfare agency personnel, service providers, members of the legal and judicial communities, Tribal representatives, and advisory boards. This report presents the results



<sup>3</sup> Children's Bureau. (n.d.). *Children's Bureau Child and Family Services Reviews fact sheet*. U.S. Department of Health and Human Services, Administration for Children and Families. <https://www.acf.hhs.gov/cb/resource/cfsr-fact-sheet>

of state performance on the systemic factor that is the most relevant to legal and judicial practice: the Case Review System.

There are seven statewide data indicators: two safety indicators and five permanency indicators. The statewide data indicators are aggregate measures, calculated using data from states' submissions to the Adoption and Foster Care Analysis and Reporting System (AFCARS) and the National Child Abuse and Neglect Data System (NCANDS). In Round 3, the CB limited the use of performance on the CFSR statewide data indicators to providing contextual information. This report presents the results of state performance on the five permanency indicators (see Appendix for statewide data indicator measure descriptions and state-by-state performance).

The CFSR is followed by the Program Improvement Plan (PIP) phase, in which states not in substantial conformity with federal standards develop an improvement plan to address findings of the CFSR. PIPs specify: (1) goals and the strategies or interventions that will be used to drive improvement toward each goal, (2) key activities the state will employ to achieve the goals and implement the strategies and interventions, and (3) the state's measurement approach and plan for items requiring a quantifiable measure of improvement. The CB provides technical assistance to states to develop, implement, and monitor PIP progress.

CB encourages collaboration between the child welfare agencies and the legal and judicial communities throughout all phases of the CFSR and PIP. The overall results from Round 3 highlight the need for greater collaborative work in consideration of the courts' and agencies' shared responsibility in ensuring child safety, achieving timely permanency, promoting and maintaining family relationships and connections, meaningfully engaging parents and youth, and keeping families together.



## Purpose of the Report

This report provides the legal and judicial communities, child welfare agencies, and other child welfare system partners and stakeholders with:

- An overview of selected areas of CFSR Round 3 performance: Achieving Timely Permanency, Promoting and Maintaining Family Relationships and Connections, Meaningfully Engaging Families, and Keeping Families Together
- An examination of practice strengths and concerns along with recommendations for select performance areas
- Spotlight sections presenting examples from Round 3 CFSR PIPs of collaborative legal, judicial, and child welfare agency strategies for improving outcomes that highlight priority focus areas from the National Judicial Leadership Summit IV on Child Welfare<sup>4</sup> and the Administration for Children and Families' "All-In Foster Adoption Challenge"<sup>5</sup>

<sup>4</sup> National Center for State Courts (2019). *National Judicial Leadership Summit IV on Child Welfare*. <https://www.ncsc.org/services-and-experts/areas-of-expertise/children-and-families/child-welfare-summit-2019>

<sup>5</sup> Child Welfare Information Gateway. (n.d.). The Assistant Secretary's ALL-IN Foster Adoption Challenge. <https://www.childwelfare.gov/topics/adoption/allinadoptionchallenge/>

The data encompass 4,067 cases reviewed during Round 3 of the CFSRs. Of those, 2,486 are cases in which children were in foster care at some time during the period under review (PUR). There also are 1,581 cases involving families who received in-home services—cases that were opened for child welfare services at some time during the PUR where the child(ren) remained in the home and no children in the family were in foster care during the PUR.

Results represent performance during a finite period of time and on a small sample of cases from each state. Thus, the results cannot be considered fully representative of national characteristics of the child welfare system. However, the results help to illuminate areas of practice



and systemic strengths, challenges, and opportunities for targeted improvement activities to better care for children and families involved in child welfare systems.

## Achieving Timely Permanency

To help children achieve timely permanency, the CFSR assesses how well agencies and the legal and judicial communities work together so that appropriate permanency goals are set and approved in a timely manner, children's placement stability is supported, Adoption and Safe Families Act (ASFA) requirements are followed, and reasonable efforts are made and monitored to achieve timely permanency goals.

To better understand how states performed on the achievement of timely permanency, the following results are presented:

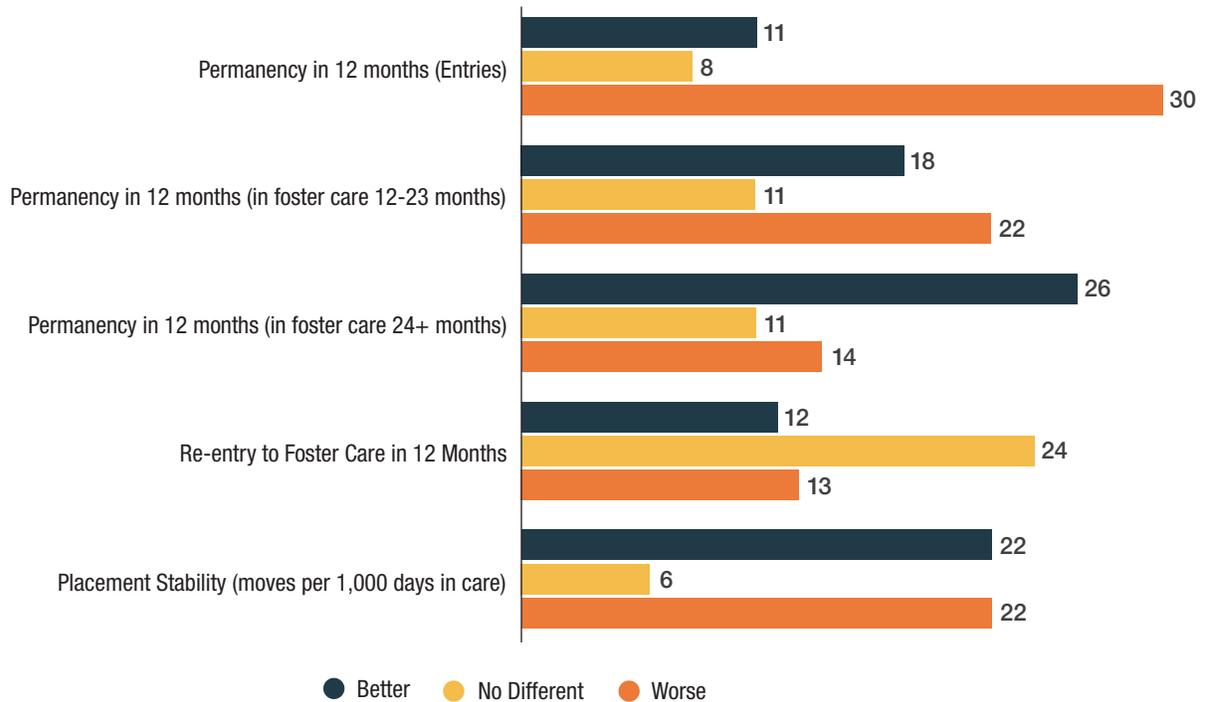
- Performance on permanency-related statewide data indicators
- Results from case record reviews for Permanency Outcome 1: Children have permanency and stability in their living situations
- Performance on the Case Review System systemic factor, which assesses written case plans, timely periodic reviews, timely permanency hearings, timely termination of parental rights (TPR), and notice of hearings and reviews to caregivers

**Figure 1** presents state Risk-Standardized Performance (RSP)<sup>6</sup> on the five permanency statewide data indicators, showing the number of states that performed better, worse, or no different than national performance in the most recent data period available for Round 3.<sup>7</sup> A description of each indicator and charts showing state-by-state RSP is provided in the Appendix.

<sup>6</sup> State performance is risk-adjusted based on the age of the child (depending on the indicator, it is the child's age at entry or the first day of the reporting period), the state's foster care entry rate (per 1,000 children in the general child population), and the risk of a child in the state experiencing the outcome for the specified indicator. Risk-adjusted performance is referred to as Risk-Standardized Performance (RSP) and is derived from a multi-level statistical model. This is done to minimize differences in outcomes due to factors over which states have little control and provides a more fair comparison of state performance to national performance. A 95% confidence interval estimate is used to account for the amount of uncertainty associated with RSP values. State RSP intervals for each indicator and 12-month period may be statistically above, below, or no different than the national performance.

<sup>7</sup> Figure 1 illustrates states' RSP on the five permanency statewide data indicators from the August 2020 state data profiles. Contact your state CIP director or child welfare agency to request a copy of the data profile, and supplemental context data that shows observed performance by county.

**Figure 1: Number of States That Performed Better, Worse, or No Different Than National Performance on the Permanency Statewide Data Indicators<sup>8</sup>**



Results from the Statewide Data Indicators show that:

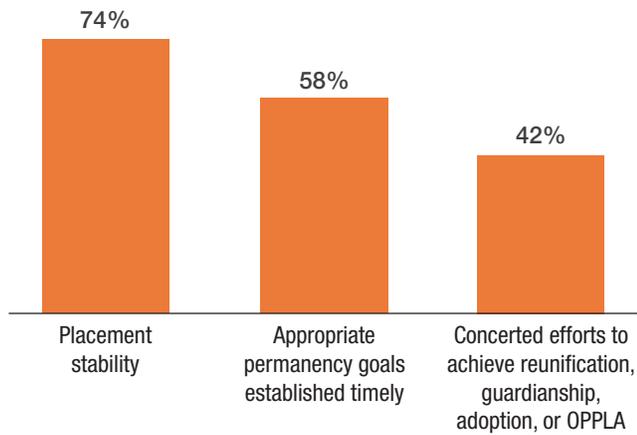
- Most states performed worse than national performance for *Permanency in 12 Months (entries)*
- About two-thirds of states performed worse or no different than national performance for *Permanency in 12 Months (in foster care 12–23 months)*
- More than half of states performed better than national performance on *Permanency in 12 Months (in foster care 24 months or more)*
- Nearly half of states performed no different than national performance on *Re-entry to Foster Care in 12 Months*
- The majority of states performed no different than or better than national performance for *Placement Stability*

The three items that comprise Permanency Outcome 1 assess the extent to which children have permanency and stability in their living situations. Across the 50 states

and the District of Columbia, 27% of the 2,486 cases substantially achieved this outcome. **Figure 2** shows results from case record reviews for the three practice areas associated with this outcome: Placement Stability, Appropriate Permanency Goals Established Timely, and Concerted Efforts to Achieve Permanency. While individual practice area performance was stronger than overall outcome performance, cases did not achieve the outcome because combined performance on the practice areas was not strong enough. For a case to substantially achieve this outcome, Placement Stability and Concerted Efforts to Achieve Timely Permanency must be rated as a Strength, and Appropriateness of the Permanency Goals must be rated as a Strength or Not Applicable (i.e., child was in foster care less than 60 days and a permanency goal was not identified). No state achieved substantial conformity with Permanency Outcome 1.

<sup>8</sup> States not included in the indicators for the most recent time period because of data quality issues are not represented in this figure.

**Figure 2: Results for Achieving Timely Permanency**



Preliminary analysis indicates that cases for children 6 years and older were less likely to substantially achieve Permanency Outcome 1 in comparison to children 5 years of age and younger, and cases involving Black children were less likely to substantially achieve this outcome in comparison to cases involving White children.

Of the 1,365 cases involving children for whom the ASFA TPR requirements applied, 26% (358 cases) involved children for whom the agency did not file a TPR petition timely and there was no exception to the TPR requirement.

### **Spotlight Section: PIP Strategy: Improving Timely Reunification—Oklahoma**

The goal of Oklahoma’s CFSR PIP child welfare agency–CIP joint project was to increase the percentage of children reunified within 12 months. Three pilot sites representing large, medium, and small jurisdictions were selected based on their performance on timely reunification. Agency CQI and court CIP staff provided technical assistance to local court-led multidisciplinary teams to analyze child welfare administrative data, identify improvement needs, and develop and implement local action plans to increase timely reunification of children placed in foster care. Teams met with Parent Panels at the outset to hear about their experiences and challenges affecting timely reunification.

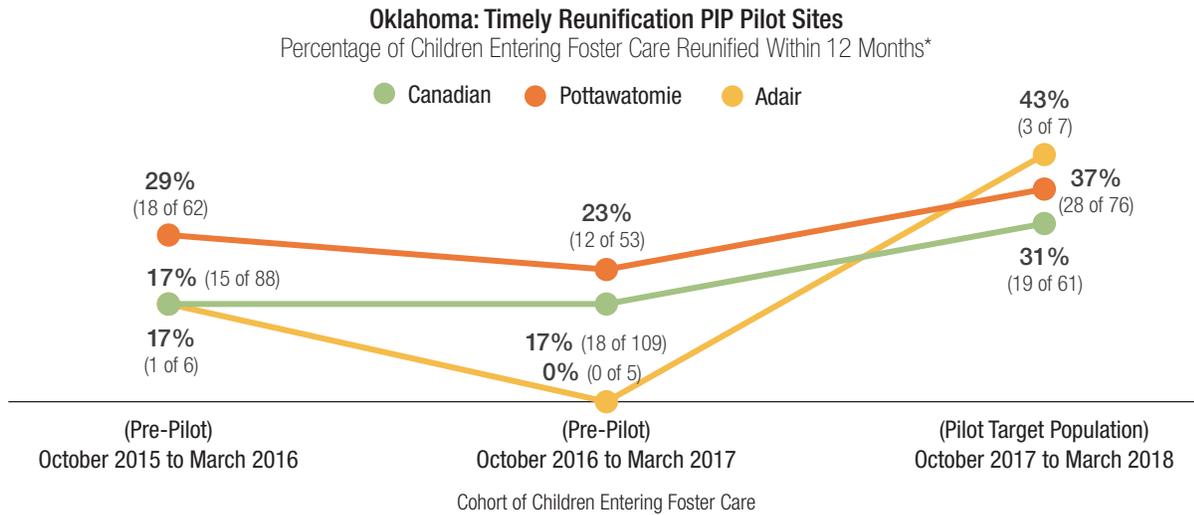


Some of the strategies implemented in one or more of the pilot sites included:

- Providing a process to ensure parents received legal representation beginning with the first hearing
- Scheduling weekly court meetings with judges, attorneys, and child welfare agency staff to discuss case progress and readiness for unsupervised parent-child visitation or trial reunification without having to wait for the next court hearing
- Scheduling by courts of adjudication and disposition hearings on the same day
- Setting expectations for more frequent and supportive contact with parents from among all parties to a case

Teams are in the process of evaluating results. Performance data shows an increase in the percentage of children entering foster care who achieve permanency within 12 months (see **Figure 3**), better engagement of parents with legal and judicial personnel, decreased times to adjudication, and an increase in the number of combined adjudicatory and dispositional hearings. Additional data collection underway includes a survey of judges and project teams, and a focus group with representatives from the three pilot counties. **Figure 3** shows Oklahoma’s timely reunification data in PIP Pilot sites with respect to the percentage of children entering foster care that were reunified within 12 months.

**Figure 3: Oklahoma Timely Reunification Data**



\* Excludes children who entered foster care with lengths of stay less than 7 days

**Spotlight Section: PIP Strategy: Involvement of Judicial and Legal Communities in the Child Welfare Practice Model Learning Cycle—Mississippi**

Mississippi’s Department of Child Protection Services (MDCPS), in partnership with judicial leadership, has committed to expanding the number of counties that involve judicial court staff in the state’s child welfare Practice Model Learning Cycle (PMLC) during the CFRS PIP Implementation Period. The PMLC is a training and coaching process to institutionalize the state’s prevention-focused, trauma-informed, family-centric child welfare system practice model. Additional counties are being invited to replicate the judicial PMLC based on complementary initiatives, performance data, and readiness to participate.

One of the early judicial adopters of the PMLC is Hancock County, Mississippi. In early 2018, around the same time the county’s MDCPS staff began the 7-month PMLC, the county established its first elected county court judgeship, which assumed responsibility for the Youth Court that oversees matters involving abuse and neglect. MDCPS county leadership extended an invitation for the new judge and his court staff to participate in a modified version of the PMLC, and they agreed. Joint implementation of the practice model

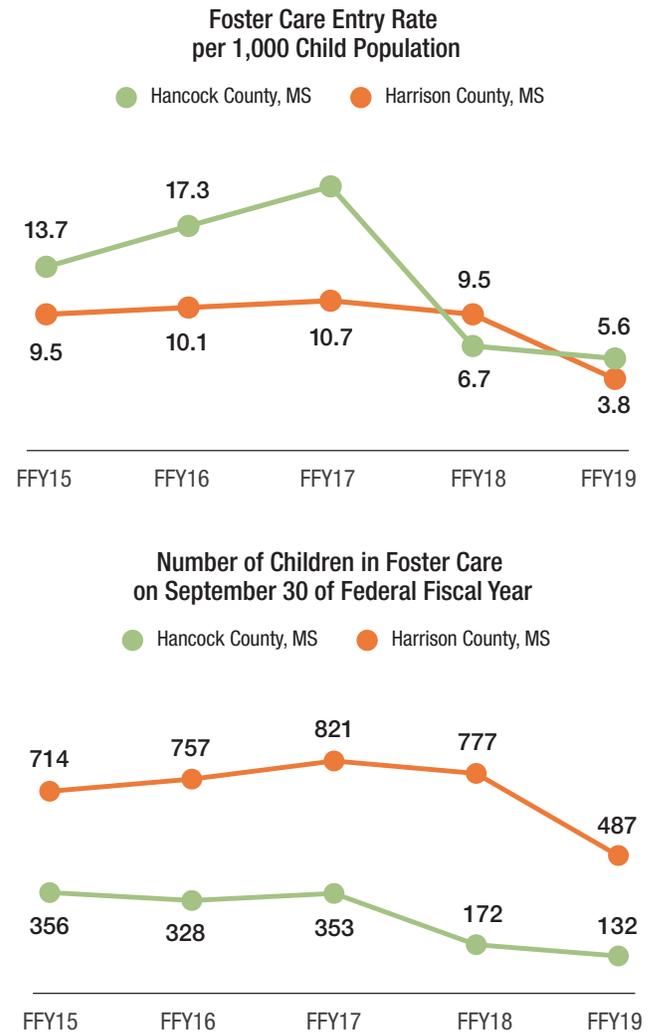
resulted in shared goals and expectations that include ensuring all efforts are made to prevent children from entering foster care, safely returning children home when possible and appropriate, strengthening family engagement and accurate assessments, and achieving more timely permanency. It also strengthened agency and court communication and respect; provided a common language; and created a trauma-informed, supportive, and restorative approach to casework practice and judicial proceedings. The model was replicated in 7 more counties during 2019. Some of those counties experienced similar outcomes and broadened participants to include Court Appointed Special Advocates (CASAs) and resource parents.



Data for two of the early judicial adopters of the PMLC, Hancock County in 2018 and Harrison County in 2019, show that both counties experienced a sharp decline in the rate of children entering foster care, the number of children in foster care, the percentage of children re-entering foster care within 12 months, and the percentage of children experiencing recurrence of maltreatment. **Figure 4** shows Mississippi foster care entry rates in fiscal years 2015 through 2019, and the number of children in foster care by fiscal year.

Another example of Mississippi’s strong collaboration between the child welfare agency and the legal and judicial communities has been their joint child welfare system response to the COVID-19 pandemic. They worked together to quickly transition to virtual hearings and jointly developed expectations and strategies to ensure family participation and engagement in hearings. MDCPS and the Youth Courts provided parents laptops and lessons on how to use technology to participate in hearings, and sometimes traveled to parents’ homes to connect them to hearings via caseworker cell phones. As a result, many of the Youth Courts have not missed a hearing, family participation in hearings has increased, and meaningful connections for parents and their legal representation have increased through their use of private breakout rooms available on the virtual hearing platform.

**Figure 4: Mississippi Foster Care Data**



**Spotlight Section: PIP Strategy: Achieving Timely Adoption—Massachusetts**

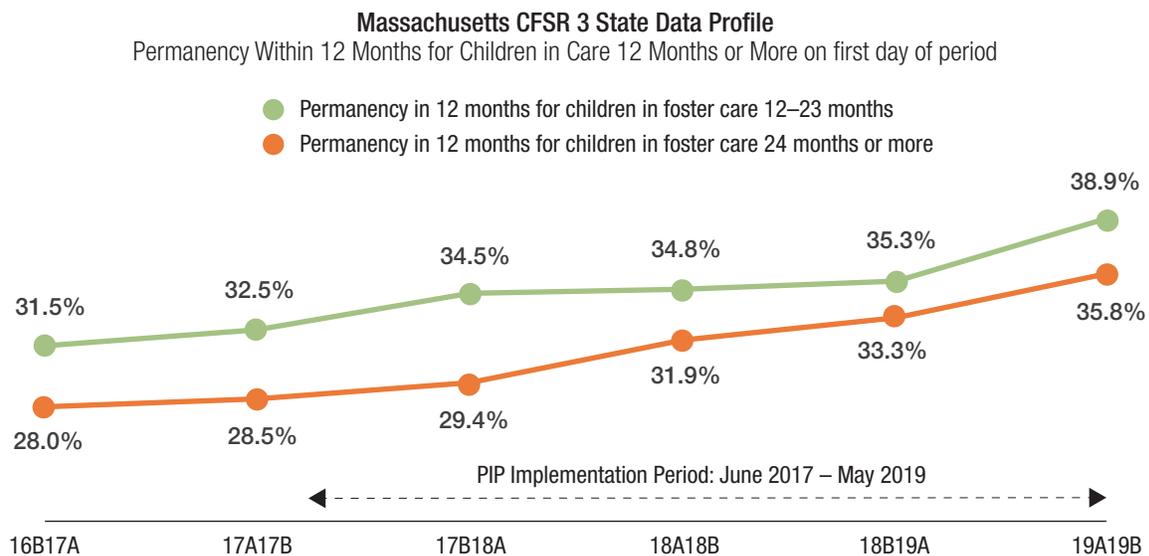
Massachusetts received low ratings in its CFSR for timely achievement of permanency for children with permanency goals of adoption. Performance on the statewide data indicators for timely permanency for children in care for 12 months or longer was also low. The state said that one of the major challenges affecting timely adoption was agency attorneys having high caseloads. The high caseloads led to delays in filing for TPR, holding TPR trials, and finalizing adoptions. As part of the state’s CFSR PIP, Massachusetts hired an additional 19 attorneys to represent the agency in dependency court proceedings, leading to a reduction in caseloads. The child welfare agency also developed judicial case tracking mechanisms to ensure accountability, and established communication expectations between the legal team and agency Child Protection Teams to address factors affecting timely permanency. As a result, the state met program improvement goals for timely permanency, and performance in achieving permanency in 12 months for children in care longer than 12 months also improved. (See **Figure 5.**)

Agencies establish permanency goals for children in foster care and courts review and approve the goals. The breakdown of cases involving children with concurrent permanency goals is shown in **Figure 6.** Of the cases involving children with concurrent permanency goals, the combination of reunification and adoption is the largest group (13%), followed by reunification and guardianship (8%).

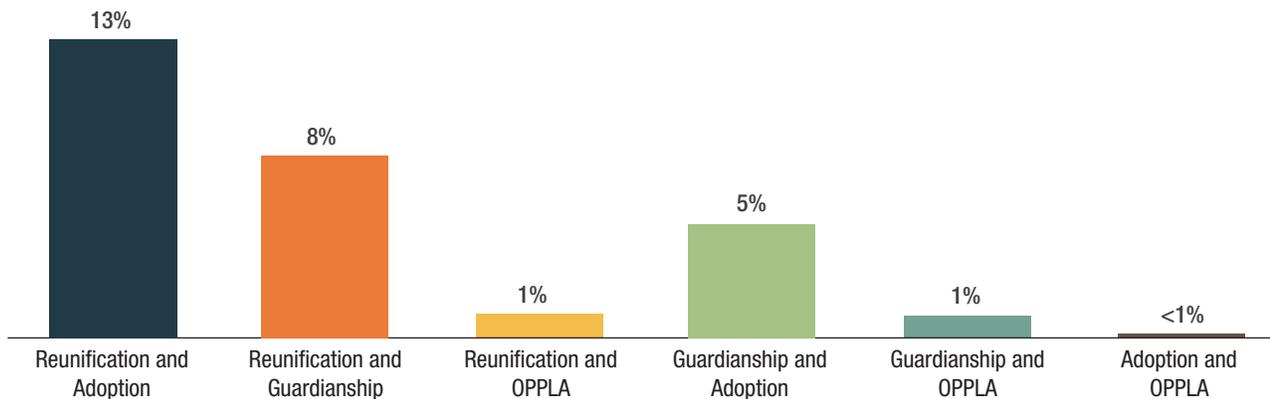
Seventy-two percent of children in foster care had a single permanency goal, while 28% of children had concurrent permanency goals.



**Figure 5:** Massachusetts Foster Care Data



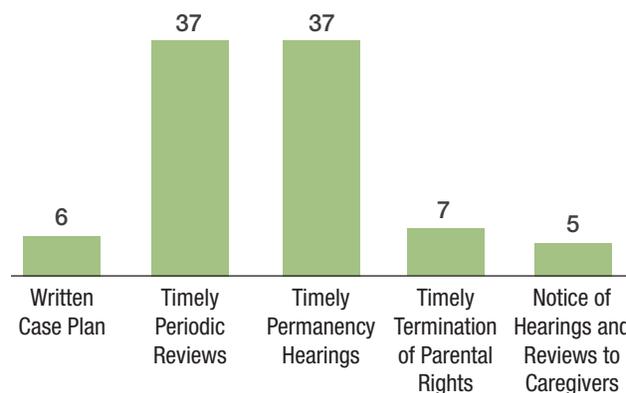
**Figure 6: Children in Foster Care With Concurrent Goals (28% of Total Cases)**



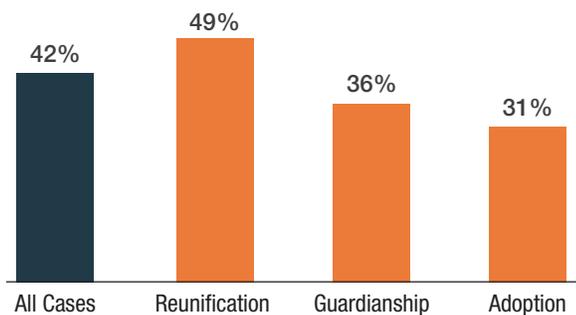
Children with adoption as a permanency goal were least likely (31%) to have their cases be rated as a Strength for concerted efforts to achieve a permanency goal. (See **Figure 7.**)

**Figure 8** shows the number of states that received a Strength rating on each of the five components that comprise the Case Review System systemic factor. These five components include written case plans developed jointly with parents, timely periodic reviews, timely permanency hearings, timely TPRs, and caregivers provided notification of their right to be heard in hearings. To achieve substantial conformity with this systemic factor, at least four of these components need to be rated as a Strength. Two states achieved substantial conformity with this systemic factor.

**Figure 8: Number of States With Strength Ratings for Components of Case Review Systemic Factor**



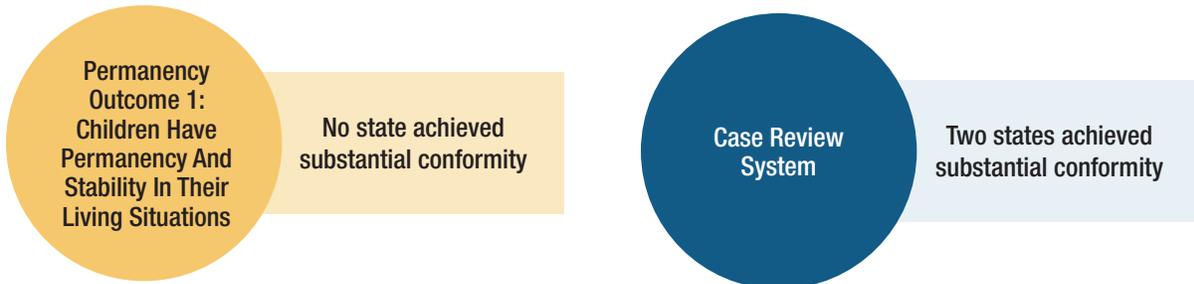
**Figure 7: Percentage Of Cases Involving Children In Foster Care Where Concerted Efforts To Achieve Reunification, Guardianship, or Adoption Were Made (Cases May Have More Than One Goal)**



Permanency Outcome 1, which assesses whether children have permanency and stability in their living situations, is the lowest performing of the 7 CFSSR outcomes. The Case Review System, which focuses on the child welfare dependency court process, is one of the lowest performing systemic factors.<sup>9</sup> When the Case Review System is functioning well statewide, the structures are in place to support positive permanency outcomes. The low performance in these two areas during Round 3 point to the need for a call to action for legal and judicial communities and child welfare agencies to collaborate to strengthen systems and permanency outcomes for children and families. (See **Figure 9.**)

<sup>9</sup> For the full list of Outcome and Systemic Factor results, please see the Round 3 CFSSR Aggregate Report. <https://www.acf.hhs.gov/cb/resource/cfssr-aggregate-report-round3>

**Figure 9:** Results for Achieving Timely Permanency and Strengthening the Case Review System



CFSRs require information to support case record review ratings. This information helps illuminate performance and highlight some of the strengths and concerns of

state child welfare systems. **Figure 10** highlights some of the practice strengths and concerns, and provides recommendations for achieving timely permanency.

**Figure 10:** Achieving Timely Permanency—Practice Strengths, Concerns, and Recommendations

### Practice Strengths

- Children's needs and case circumstances were considered by the agency and the court when permanency goals were established and reviewed (e.g., children and families were involved in planning meetings, permanency goals were reviewed during hearings)
- Permanency hearings were held timely and in coordination with other court hearings, such as juvenile probation hearings
- ASFA requirements were followed (e.g., timeframes were monitored and exceptions to the TPR requirements were identified)

### Practice Concerns

- Reunification goals were in place too long given the child's needs and case circumstances
- Inappropriate permanency goals were set based on child's age, case circumstances, and need for permanency
- Agency delayed completing the paperwork to file TPRs
- Agency and/or attorney turnover and high caseloads affected achieving permanency goals in a timely manner
- There were delays in scheduling hearings/legal proceedings
- There were multiple court continuances
- Appeals processes for contested TPRs were lengthy

### Recommendations

- Set appropriate permanency goals timely and adjust as appropriate
- Establish concurrent permanency plans timely
- Adhere as appropriate to ASFA timeframes for timely filing of TPRs and exploring and documenting exceptions to filing
- Hold frequent and quality hearings
- Provide quality legal representation
- Set or approve Other Planned Permanent Living Arrangement (OPPLA) goals only when other preferred goals are deemed inappropriate

## Promoting and Maintaining Family Relationships and Connections

A child's connections with others are critical for providing the foundation for healthy development. These connections may be with family (parents, siblings, grandparents, aunts and uncles, and other relatives) and with people in the child's community (extended kin, teachers, coaches, counselors, peers, neighbors, faith groups, and others). Strong and stable connections are necessary for all children to develop a sense of self and the ability to form secure attachments.

Maintaining connections with parents is especially important for children. A growing body of research associates regular, meaningful family time for children in out-of-home care with several positive outcomes, including improved emotional well-being for parents and children. Throughout this report, "family time" is used when describing parent-child visitation and contact to underscore the critical importance of the length and quality of time that children spend with their parents, separated siblings, and other important family members. Parent-child family time is a key practice area for collaboration of child welfare agencies and the legal and judicial communities.



CIPs, administrative offices of the courts, state and county judges, child welfare administrators, child welfare agency caseworkers, and attorneys for parents, children, youth, and the child welfare agency all play essential roles and share common interests in protecting and strengthening the integrity of the parent-child relationship and important connections for children in foster care.<sup>10</sup> Frequent and high-quality family time helps to maintain relationships and engage parents in working toward reunification. Family time also helps children adjust to foster care, helps to prepare them as they transition home, and supports lasting reunification.

Research shows that children who spend more frequent and regular time with parents exhibit more positive outcomes compared to peers who spend less frequent and less regular time with parents.<sup>11</sup> Such outcomes include:

- Stronger attachments to their parents
- Improved well-being
- Fewer behavioral problems, including both internalizing and externalizing problems
- Lower levels of depression
- Better adjustment

The CFSRs provide a snapshot of performance on concerted efforts to promote and maintain family relationships and connections by examining performance on Permanency Outcome 2: The continuity of family relationships and connections is preserved for children. Across the 50 states and the District of Columbia, 61% of the 2,482 cases in CFSR Round 3 involving children in foster care substantially achieved Permanency Outcome 2. **Figure 11** shows results from case record reviews for the five practice areas associated with this outcome: placement with siblings, family time with parents and siblings for children in foster care, preserving

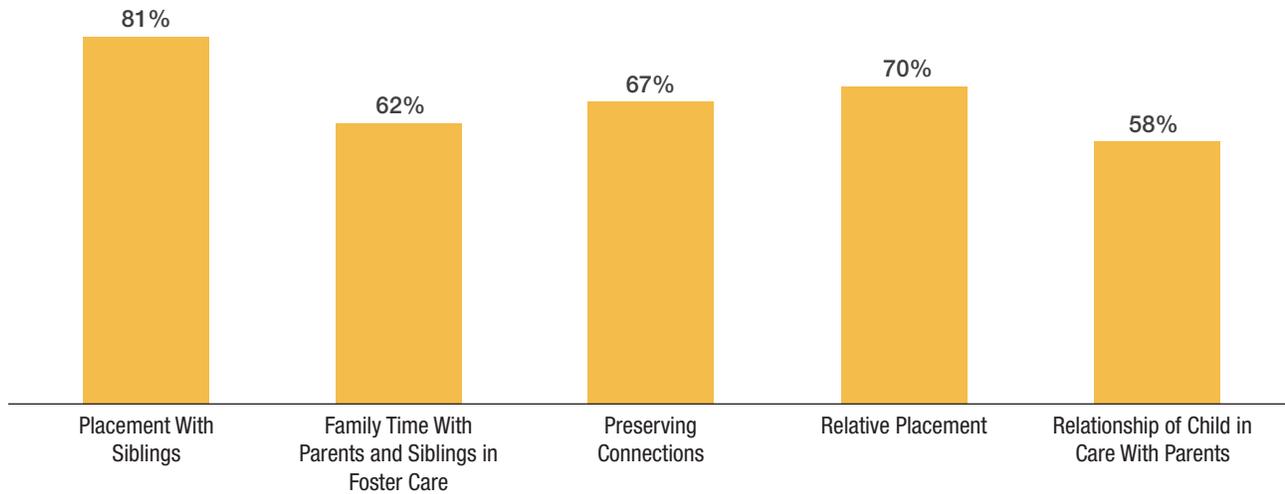
<sup>10</sup> Children's Bureau (2020). *IM-20-02*. U.S. Department of Health and Human Services, Administration for Children and Families. <https://www.acf.hhs.gov/sites/default/files/cb/im2002.pdf>

<sup>11</sup> Children's Bureau, *IM-20-02*.

connections, relative placement, and relationship of child in care with parents. While individual practice area performance was stronger than overall outcome performance, cases did not achieve the outcome because combined performance on the practice areas

was not strong enough. For a case to substantially achieve this outcome, no more than one of the practice areas may be rated as an Area Needing Improvement, and one area must be rated as a Strength. No state was in substantial conformity with Permanency Outcome 2.

**Figure 11: Results for Promoting and Maintaining Family Relationships and Connections**



The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act) was the first federal law to address the importance of keeping siblings together. The law requires states to make reasonable efforts to maintain sibling connections by placing siblings together in foster care and arranging for siblings placed separately to have frequent family time or other ongoing interaction. Forty-six percent of children whose cases were reviewed in the CFSR were placed with their siblings. When siblings were placed separately, family time was of sufficient frequency in 66% of the cases and of sufficient quality in 75% of cases involving children in foster care.



When children in foster care need someone to live with, state agencies are federally required to identify and find family members. For 56% of children whose cases were reviewed, the agency made concerted efforts to identify, locate, inform, and evaluate maternal relatives as potential placements for the child, and 47% for paternal relatives.

Agency-legal and judicial collaborations are essential for ensuring that the continuity of family relationships and connections is preserved for children. **Figure 12** provides some of the practice strengths and concerns

agencies and courts encountered in Round 3, along with recommendations for promoting and maintaining family relationships and connections.

**Figure 12: Promoting and Maintaining Family Relationships and Connections—Practice Strengths, Concerns, and Recommendations**

### Practice Strengths

- The agency and attorneys for parents, children, and youth helped locate relative resources that were used to place siblings together and nurture sibling bonds
- High-quality and frequent family time between siblings continued until the child(ren) achieved permanency
- The frequency of family time between children and parents was adjusted as needed to meet the needs of the child and case circumstances

### Practice Concerns

- Family time between siblings did not occur
- Parent-child family time was not sufficient in frequency and/or quality, especially for fathers
- Siblings were not reunited after initial separation
- Efforts were not made to identify, locate, inform, and evaluate relatives, especially paternal relatives
- The level of supervision for family time was not appropriate to case circumstances (i.e., family time was supervised despite a lack of safety concerns)

### Recommendations

- Remain cognizant that parent-child separation, even when necessary or for short time periods, causes trauma to children and parents
- Advocate for parent-child contact as soon as possible after removal to help mitigate child trauma and ambiguity of loss
- Help locate and involve relatives or fictive kin for placement or to host family time
- Consider family time a critical reasonable or active effort that the agency must make to finalize permanency goals of reunification
- Establish and continually assess the frequency and quality of sibling contact and when family time may be unsupervised
- Advocate for and arrange frequent family time in natural settings, being creative in opportunities to bring families together, including asking for parent and child input on family time activities
- Ensure that family time is not used as reward or punishment

Child welfare agencies; judges; CIPs; and attorneys for parents, children, youth, and child welfare agencies are encouraged to work together to ensure that family time is supervised only when unsupervised time would be unsafe, and to determine whether additional safeguards can be provided to help ensure safety.

It is important for agencies and judges to be mindful that ending or reducing family time as a form of punishment for noncompliance may have harmful effects on children and on parental progress.<sup>12</sup>

## Meaningfully Engaging Families

Parent engagement is foundational for improving safety, permanency, and well-being outcomes for children and families involved in the child welfare system. Evidence suggests that effective parent engagement may reduce incidents of removal of the child from their home,<sup>13</sup> increase the likelihood of family reunification,<sup>14</sup> and reduce the recurrence of maltreatment.<sup>15</sup> Moreover, the early involvement and engagement of parents, as well as kin, extended family, and fictive kin, can expand placement and permanency options for children.<sup>16</sup>

The importance of involving and engaging parents and youth in case planning and court hearings cannot be overstated. Their involvement empowers and encourages them to be active participants in planning the services

and resources they need, which makes it more likely that services will be appropriately targeted to meet their families' needs,<sup>17</sup> and that the family will engage in needed services.<sup>18</sup> It is also vital that parents be informed of their rights to attend court hearings and be encouraged to attend in person.<sup>19</sup> Federal law (ASFA § 475(5)(C)(iii)) requires procedural safeguards to ensure that the court or administrative body conducting permanency hearings (or hearings regarding the transition of a child from foster care to successful adulthood) consult with the youth in an age-appropriate manner regarding their permanency or transition plan.<sup>20</sup> Strengthening the meaningful engagement of families in child welfare agencies and court processes is essential for promoting strong partnerships that help lead to positive child and family outcomes.<sup>21</sup> Quality legal representation is associated with increased parent and youth engagement, increased feelings of fairness in court proceedings, and development of more individualized case plans that specify responsibilities for all parties.<sup>22</sup> For more information on practice recommendations related to quality legal representation, see the footnoted citations.<sup>23</sup>

<sup>12</sup> Children's Bureau, *IM-20-02*.

<sup>13</sup> Child Welfare Information Gateway. (2016). Family engagement: Partnering with families to improve child welfare outcomes. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau. [https://www.childwelfare.gov/pubPDFs/f\\_fam\\_engagement.pdf](https://www.childwelfare.gov/pubPDFs/f_fam_engagement.pdf)

<sup>14</sup> Child Welfare Information Gateway, *Family engagement*.

<sup>15</sup> Fuller, T., & Zhang, S. (2017). The impact of family engagement and child welfare services on maltreatment re-reports and substantiated re-reports. *Child Maltreatment*, 22(3), 183–193.

<sup>16</sup> Landsman, M., Boel-Studt, S., & Malone, K. (2014). Results from a family finding experiment. *Children and Youth Services Review*, 36, 62–69.

<sup>17</sup> Bossard, N., Braxton, A., & Conway, D. (2014). Meaningful family engagement. In G. Mallon & P. Hess (Eds.), *Child welfare for the 21st century: A handbook of practices, policies, and programs* (pp. 70–85). New York: Columbia University Press.

<sup>18</sup> Child Welfare Information Gateway, *Family engagement*.

<sup>19</sup> Family Justice Initiative. (2019). *Attributes of high-quality legal representation for children and parents in child welfare proceedings*. <https://15ucklg5c821brpl4dyckp15-wpengine.netdna-ssl.com/wp-content/uploads/sites/48/2019/01/FJI-Attributes-Fact-Sheet.pdf>

<sup>20</sup> Children's Bureau, *IM-19-03*.

<sup>21</sup> The quality of court hearings was not assessed in Round 3 CFSRs; however, CIP programs are required to have a quality hearing project and many were included in CFSR PIPs.

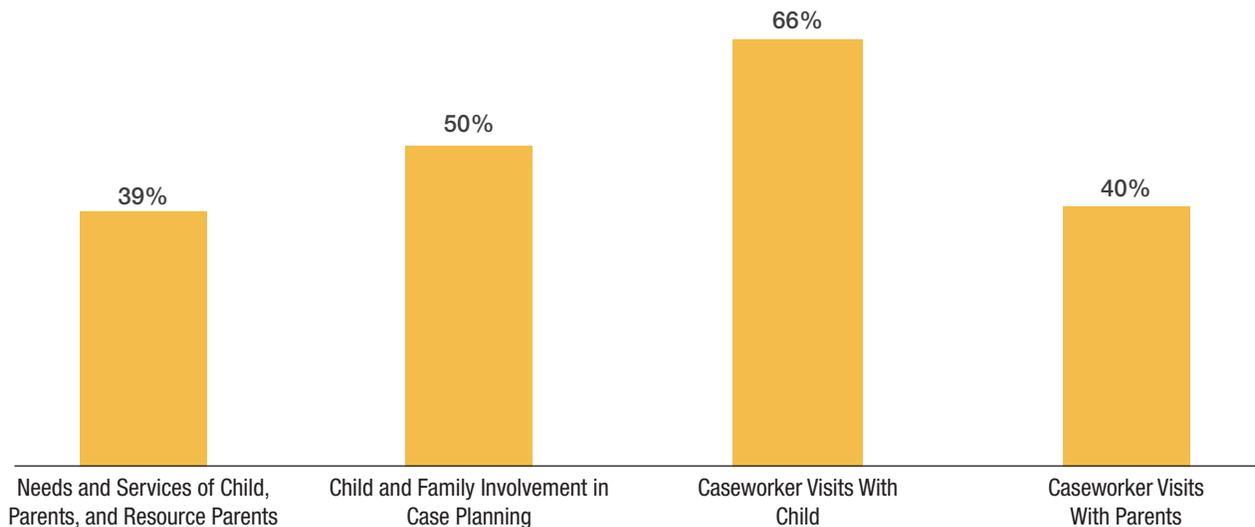
<sup>22</sup> Children's Bureau (2017). *IM-17-02*. U.S. Department of Health and Human Services, Administration for Children and Families. <https://www.acf.hhs.gov/sites/default/files/cb/im1702.pdf>

<sup>23</sup> Wood, S., Summers, A., & Duarte, C. (2016). Legal representation in the juvenile dependency system: Travis County, Texas' Parent Representation Pilot Project. *Family Court Review*, 54(2), 277–287. <https://doi.org/10.1111/fcre.12218>; Summers, A., & Gatowski, S. (2018). *Nevada Hearing Quality Study: Examining the quality of child welfare court hearing practice in Nevada*. Reno, NV: Administrative Office of the Courts, Nevada Court Improvement Program; Summers, A. (2017). *Exploring the relationship between hearing quality and case outcomes in New York*. New York State Unified Court System Child Welfare Improvement Project; Summers, A., & Shdaimah, C. (2013). One family, one judge, no continuances. *Juvenile and Family Court Journal*, 64(1), 35–44.; Cahalane, H., & Sites, E. W. (2008). The climate of child welfare employee retention. *Child Welfare*, 87(1), 24.; United States General Accounting Office. (2003). *HHS could play a greater role in helping child welfare agencies recruit and retain staff*. GAO-03-357.; Zeittlin, W., Augsberger, A., Auerbach, C., & McGowan, B. (2014). A mixed-methods study of the impact of organizational culture on workforce retention in child welfare. *Children and Youth Services Review*, 38, 36–43. doi:10.1016/j.childyouth.2014.01.004



The CFSRs provide a snapshot of performance on Well-Being Outcome 1: Families have enhanced capacity to provide for their children’s needs. Across the 50 states and the District of Columbia, 36% of 4,067 cases involving children in foster care and children and families receiving in-home services substantially achieved Well-Being Outcome 1. **Figure 13** shows results from case record reviews for the four practice areas associated with this outcome: needs and services of child, parents,

**Figure 13:** Results for Meaningfully Engaging Families

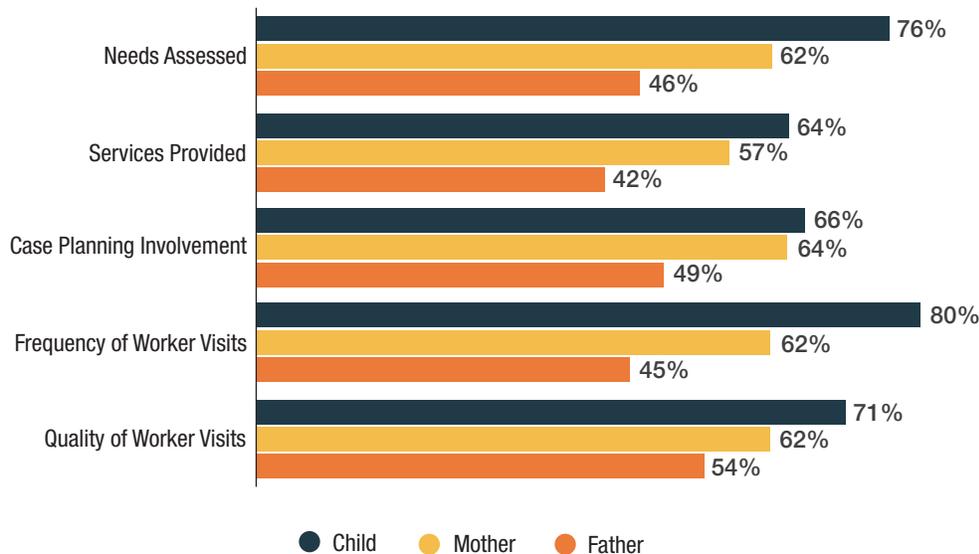


and foster parents; child and family involvement in case planning; caseworker visits with children; and caseworker visits with parents. While individual practice area performance was stronger than overall outcome performance, cases did not achieve the outcome because combined performance on the practice areas was not strong enough. For a case to substantially achieve this outcome, the needs and services practice item must be rated as a Strength or Not Applicable, and no more than one of the other practice items may be rated as an Area Needing Improvement. No state was in substantial conformity with Well-Being Outcome 1.

### Performance on Meaningfully Engaging Families by Family Role

**Figure 14** identifies performance on Well-Being Outcome 1 practice areas by family role (child, mother, father) and reveals that in Round 3, efforts and work with children were more likely to be rated as a Strength than efforts and work with parents. Additionally, efforts and work with fathers were much less likely to be rated as positively as efforts and work with mothers. The diminished performance with regard to efforts and work with fathers is an ongoing pattern in the CFSRs.

Figure 14: Percentage of Strength Ratings for Meaningfully Engaging Families by Family Role



**Spotlight Section: PIP Strategy: Improving Family Engagement—Nevada**

Nevada’s child welfare agencies are collaborating with the legal and judicial communities to enhance the state’s established mediation program. The program allows parents and other parties to voluntarily resolve issues pending before the dependency court in lieu of a contested court hearing. The program seeks to engage families in early resolution of issues. Results from the process evaluation include preliminary evidence that the program improves family engagement in the judicial case process, increases the likelihood of reunification, and reduces time to permanency.<sup>24</sup> Strategies in the state’s PIP included:

- Expanding the mediation program used throughout dependency cases to include pre-removal and pre-petition

- Enhancing the mediation process to increase involvement of all parties to support better decision-making and outcomes
- Providing trauma-focused communication training for judges, attorneys, and CASAs
- Developing a guide for families that explains the dependency court process

For more information about child welfare mediation programs, see <https://www.childwelfare.gov/topics/permanency/planning/mediation/>.

From the Children’s Bureau, IM-19-03: Utilizing and integrating family and youth voice in all aspects of child welfare decision-making is a strengths-based approach that increases engagement and empowers youth and families. It is also a straightforward way to demonstrate respect. Ensuring family and youth voice further recognizes that they are the experts on their circumstances and are the individuals most knowledgeable about solutions that will benefit them.

<sup>24</sup> Ganasarajah, S., Siegel, G., Knoche, V., Gatowski, S., and Sickmund, M. (2017). *Process evaluation of Nevada’s statewide dependency mediation program*. National Council of Juvenile and Family Court Judges. <https://www.ncjfcj.org/wp-content/uploads/2017/09/Nevada-Statewide-FINAL-6.28.17-1.pdf>

**Figure 15: Meaningfully Engaging Families—Practice Strengths, Concerns, and Recommendations**

### Practice Strengths

- Parents' needs were voiced and considered during case planning meetings and in court hearings
- Children and parents were involved in case planning activities both formally (i.e., attending and participating in case planning meetings and court hearings) and informally (i.e., during conversations with their caseworkers and meetings with their attorneys)
- Parents received support to help them follow through with their court-ordered services

### Practice Concerns

- Parents were ordered to participate in services that focused on treating symptoms instead of underlying issues
- Services were “cookie cutter” in nature
- There was limited engagement with children and families, especially fathers
- Attorneys for parents did not advocate for appropriate services for parents
- Hearings were scheduled without taking into consideration the availability of youth and parents

### Recommendations

- Appoint counsel for parents and children before the first appearance in court
- Make efforts for all parties including youth, parents, and resource parents to be present at hearings
- Meaningfully engage parents and youth in the court process (e.g., calling them by name, allowing them the opportunity to speak directly, asking if they have any questions)
- Engage in ongoing discussion of statutory requirements as applied to individual families to promote informed decision-making
- Articulate judicial findings clearly on the record
- Prevent continuances
- Promote stability of professionals assigned to cases

**Figure 15** identifies some of the practice strengths and concerns, and provides recommendations for meaningfully engaging families.

### Keeping Families Together

It is critical to help children who become known to the child welfare system avoid unnecessary separation from their families when services can be offered to keep them together. Removal of a child from his or her home and the continued separation of children from their primary

caregivers may result in long-term consequences for the child and family.<sup>25</sup>

The Family First Prevention Services Act<sup>26</sup> includes long-overdue historic reforms to help keep children safely with their families and avoid the traumatic experience of entering foster care when possible. The Act addresses a range of public child welfare issues and focuses on the prevention of child abuse and neglect through

<sup>25</sup> American Bar Association. (2020) Trauma caused by separation of children from parents: A tool to help lawyers. <https://www.americanbar.org/groups/litigation/committees/childrens-rights/trauma-caused-by-separation-of-children-from-parents/>

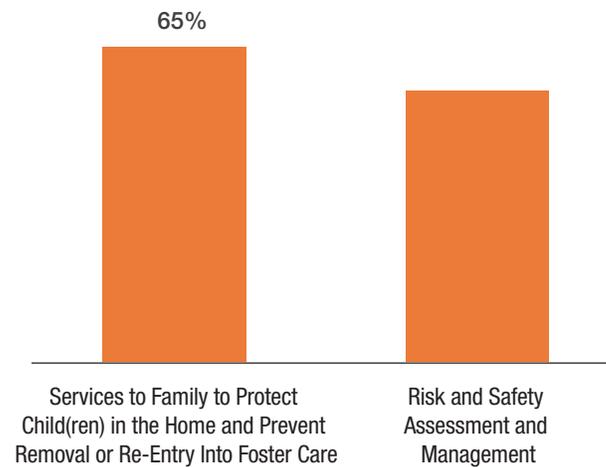
<sup>26</sup> Family First Prevention Services Act of 2017, H.R. 253, 115th Cong. (2017): <https://www.congress.gov/bills/115/congress-house/253/text?q=%7B%22search%22%3A%5B%22family%20first%20prevention%20services%20act%22%5D%7D&r=1>

strengthening the resiliency and protective capacity of families. State child welfare agencies with an approved Title IV-E plan can use funds to keep children with their parents or with relatives and to provide evidence-based prevention services (e.g., mental health and substance abuse prevention and treatment services, in-home parent skill-based programs, kinship navigator services). The legal and judicial communities can play an important role in helping states develop Title IV-E prevention plans by providing input on their experiences working with families, and in helping states implement these plans by ensuring reasonable efforts have been made to prevent removal, including the provision of evidence-based prevention and supportive services.

Keeping families safely together by preventing the placement of children in foster care and ensuring children’s safety at home and while in foster care is a paramount responsibility of state child welfare systems. CFRs assess state performance on these responsibilities with Safety Outcome 2: Children are safely maintained in their homes whenever possible and appropriate. Across the 50 states and the District of Columbia, 55% of 4,067 cases substantially achieved this outcome. **Figure 16** shows the percentage of Strength ratings for the two practice areas associated with this outcome: services provided to the family to protect child(ren) in the home and prevent removal or re-entry into foster care, and concerted efforts to assess and address the risk and safety concerns relating to the child(ren) in their own homes or while in foster care. For a case to substantially achieve this outcome, both practice areas must be rated as a Strength, or risk and safety assessment and management must be rated as a Strength and services to protect children in the home and prevent removal or re-entry must be rated as Not Applicable. No state achieved substantial conformity with Safety Outcome 2.

One way of keeping families together is to ensure that parents and children have quality legal representation. CB policy allows Title IV-E agencies to claim federal financial compensation to cover the administrative costs of independent legal representation provided by an

**Figure 16: Results for Keeping Families Together**



Quality legal representation has been shown to result in fewer children being removed from their homes and in shorter stays in foster care.<sup>27</sup>

attorney.<sup>28</sup> For those families and youth who are at risk of becoming or are already court-involved, quality legal representation and services that benefit the parents, children, and youth are critical to ensuring that family and youth voice is heard. Attorneys who directly represent the interests of parents and children have the ability to file petitions in court at any point when a parent, youth, or child has an unaddressed concern or need. “Best interest attorneys” may similarly file motions to promote a child’s well-being. Attorneys can also provide legal services to address obstacles for parents and youth that might otherwise leave them vulnerable to family

<sup>27</sup> Children’s Bureau, *IM-17-02*; Thornton, E., & Gwin, B. (2012). High-quality legal representation for parents in child welfare cases results in improved outcomes for families and potential cost savings. *Family Law Quarterly*, 46(1), 139–154; Courtney, M. E., & Hook, J. L. (2012). Evaluation of the impact of enhanced parental legal representation on the timing of permanency outcomes for children in foster care. *Children and Youth Services Review*, 34(7), 1337–1343.

<sup>28</sup> “8.1B TITLE IV-E, Administrative Functions/Costs, Allowable Costs—Foster Care Maintenance Payments Program.” In Children’s Bureau. (n.d.). Child welfare policy manual. U.S. Department of Health and Human Services, Administration for Children and Families. <https://bit.ly/3nfw9e>

disruption and children being removed from their home. These legal services could address housing, educational advocacy, employment, paternity, and other civil legal help.<sup>29</sup>

Quality legal representation requires that attorneys spend time with the individuals they represent outside of court to understand their strengths, needs, and resources. It also requires attorneys to work with parents, youth, and children to identify and advocate for services and

supports and to ensure that they understand their rights and the complicated processes that directly affect their lives and well-being. For a list of best practices to promote and sustain high-quality legal representation, see *CB IM-17-02*.<sup>30</sup>

**Figure 17** highlights some of the practice strengths and concerns, and provides recommendations for keeping families together.

**Figure 17: Keeping Families Together—Practice Strengths, Concerns, and Recommendations**

### Practice Strengths

- Courts thoroughly reviewed the appropriateness of services that agencies provided to families to prevent child(ren)'s entry or re-entry into foster care
- Services were provided in the home, which, in some cases, also provided an additional source of monitoring

### Practice Concerns

- Agencies and courts did not consider appropriate safety-related services to prevent children from entering foster care
- There were delays in providing safety services
- There were no concerted efforts to engage parents in or successfully access services. For example, agencies and/or attorneys did not follow up with parents to see how the services were going or if the parent was making progress

### Recommendations

- Identify and address threats of harm through quality safety plans to mitigate safety concerns
- Provide families appropriate safety-related interventions to help keep families together and to build family protective factors
- Implement child welfare agency practice and safety models with the legal and judicial communities
- Appoint attorneys before first court hearing
- Establish practice standards for attorneys
- Explore amending state's Title IV-E plan to allow for enhanced attorney representation

<sup>29</sup> Children's Bureau, *IM-19-03*.

<sup>30</sup> Children's Bureau, *IM-17-02*.



### Spotlight Section: PIP Strategy: 7 Judges 4 Questions—Iowa

Iowa's judicial and child welfare agency systems have committed to an integrated effort to support children remaining safely in their homes whenever possible. A pilot project referred to as "7 Judges 4 Questions" was established during the CFSR PIP development process. Based on demonstrated results, it was made a part of the PIP with a commitment to continue the project in select sites and to expand implementation to other jurisdictions throughout the PIP Implementation Period.

The 7 judges from varied jurisdictions agreed that before approving a request to remove a child from his or her home, they would ask social workers these 4 questions:

1. What can we do to remove the danger instead of the child?
2. Can someone the child or family knows move into the home to remove the danger?
3. Can the caregiver and child go live with a relative or fictive kin?<sup>31</sup>
4. Could the child move temporarily to live with a relative or fictive kin?

Baseline data for the 6 jurisdictions piloting the use of these 4 questions showed that over a 4-month period, about half of the requests for removal of children from their home or parent/caregiver's care were needed. In addition, of the children who did enter foster care, about two-thirds were placed with relatives or fictive kin. A review of cases in the 4 months preceding the pilot shows that the same judges approved twice as many requests to remove children from their home. The state is continuing to track data and seeing a decline in child welfare agency requests to remove children from their homes as agency personnel are now exploring the answers to these 4 questions before filing a petition for removal.



### Spotlight Section: PIP Strategy: Improving Quality of Parent Legal Representation—Michigan

The Michigan child welfare agency, in collaboration with the legal and judicial communities, developed strategies for the CFSR PIP to improve and enhance legal representation for parents and children, with the goal of having fewer children enter foster care and, for those who do enter care, a higher rate of achieving permanency within 12 months. At the time of PIP development, less than one-third of children who entered foster care were reunited with their parents within a 12-month period.

Michigan stakeholders identified the attributes of a high-quality legal representation model that could be implemented in the state. The model focuses on incentivizing high-quality legal representation, including engaging such legal representation early; following a multidisciplinary legal team approach consisting of attorneys, social workers, and other supportive partners; and compensating attorneys to attend mandatory training and assist families with ancillary legal issues that could prevent the child's removal or expedite permanency. The model includes appointing an attorney or an advocacy team early, before filing a petition (thus potentially preventing removal of a child) or before the preliminary hearing. The attorney or team will work with the family throughout the proceedings. Additionally, the model calls for the attorney or advocacy team to be involved in out-of-court meetings, such as Family Team Meetings and mediation.

Michigan will fund this project in three pilot counties (Wayne, Van Buren, and St. Clair) using the newly available funds for legal representation under Title IV-E. The state is working with the pilot counties to develop and implement standards and protocols, an evaluation plan, and a comprehensive training on multidisciplinary legal advocacy.

---

<sup>31</sup> "Fictive kin" refers to individuals who are not related to a child by birth, marriage, or adoption but have developed an emotionally significant relationship with the child.

## Conclusion

Child welfare agencies and the legal and judicial communities have many common goals, including but not limited to achieving timely and appropriate permanency (and strengthening the case review system); promoting and maintaining family relationships and connections; meaningfully engaging families; and keeping families together. This report reviews CFSR performance in a few select areas of practice where the legal and judicial communities play a key role in helping facilitate positive child and family outcomes. The results presented in this report demonstrate the integrated roles the child welfare, legal, and judicial systems play in ensuring a well-functioning child welfare system that serves to improve the lives of the children and families it touches. To this end, it is critical that these systems come together to plan, make, and monitor improvement on the key practice and systemic issues identified within the report.

Throughout this report, examples from state CFSR PIPs from across the country are spotlighted to showcase joint areas of focus, strategies, and interventions aimed at improving child and family outcomes and strengthening case review systems. It is noteworthy that not all the strategies given in this report as examples will be applicable to all states and circumstances. The nature, focus, and potential impact of effective child welfare agency and legal and judicial partnerships will likely vary according to each locality's unique needs and context (e.g., improvement needs, available resources in the community, legal requirements, existing agency/legal and judicial structures). Nevertheless, these examples showcase how agencies and the legal and judicial communities are concretely working together, and may serve as ideas (or discussion-starters) for potential next steps toward agency-legal and judicial collaboration.

Below are additional areas to consider targeting for collaborative work between the child welfare agency and judicial and legal communities:<sup>32</sup>

- Co-develop and implement a shared vision and goals for the state's child welfare system
- Enhance or develop training curricula and educational opportunities to deepen understanding of the trauma caused by parent-child separation and the long-term impact removal can have, even as the result of short-term separation
- Create or update court rules to reflect current knowledge about the importance of preventing removal, mitigating child trauma, and expediting reunification
- Support work to develop and implement action plans to focus on quality hearings and reviews
- Develop and implement educational opportunities regarding the importance of family time as a critical reasonable effort to achieve permanency goals of reunification and to support the well-being of children in foster care and their families
- Consider implementing tenets of evidence-informed practices (e.g., mediation, drug court, Safe Babies Court Team™, Cornerstone Advocacy—more about these programs and practices can be found in the list below) to broader court processes to affect larger groups of children and families
- Develop qualitative measures to assess discussions and decisions at hearings, such as court observation and other processes utilized as part of mandatory CIP hearing quality projects
- Share and use data and performance information across systems to continuously assess and identify strengths and areas in need of improvement, and to target CQI change and implementation activities

---

<sup>32</sup> Children's Bureau, *IM-20-02*.

# Information and Resources

---

**Children’s Bureau Information Memorandum IM-20-02: Family Time and visitation for children and youth in out-of-home care:**

<https://www.acf.hhs.gov/sites/default/files/cb/im2002.pdf>

**Children’s Bureau Information Memorandum IM-17-02: High Quality Legal Representation for All Parties in Child Welfare Proceedings:**

<https://www.acf.hhs.gov/sites/default/files/cb/im1702.pdf>

**National Judicial Leadership Summit IV on Child Welfare:**

<https://www.ncsc.org/services-and-experts/areas-of-expertise/children-and-families/child-welfare-summit-2019>

**Trauma Caused by Separation of Children from Parents: A Tool to Help Lawyers:**

<https://www.americanbar.org/groups/litigation/committees/childrens-rights/trauma-caused-by-separation-of-children-from-parents>

**Representing Parents During Child Welfare Investigations: Precourt Advocacy Strategies:**

[https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/child\\_law\\_practiceonline/child\\_law\\_practice/vol30/april\\_20110/representing\\_parentsduringchildwelfareinvestigationsprecourtadvo](https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol30/april_20110/representing_parentsduringchildwelfareinvestigationsprecourtadvo)

**National Strategic Plan for Family Drug Courts (enhancing and expanding the use of FDCs to reach more children and families):**

[http://www.cffutures.org/files/FDC\\_StrategicPlan\\_V1R1.pdf](http://www.cffutures.org/files/FDC_StrategicPlan_V1R1.pdf)

**Child Welfare Mediation Programs:**

<https://www.childwelfare.gov/topics/permanency/planning/mediation>

**The ZERO TO THREE Safe Babies Court Team™ Approach:**

<https://www.zerotothree.org/resources/services/the-safe-babies-court-team-approach>

**Cornerstone Advocacy in the First 60 Days: Achieving Safe and Lasting Reunification for Families:**

[https://www.americanbar.org/content/dam/aba/administrative/child\\_law/clp/artcollections/parentrep/cornerstone.pdf](https://www.americanbar.org/content/dam/aba/administrative/child_law/clp/artcollections/parentrep/cornerstone.pdf)

# Appendix

This appendix shows state performance on the statewide data indicators for permanency for the most recent 12-month reporting period included in data profiles transmitted to states in August 2020. Each chart presents states' Risk-Standardized Performance (RSP).<sup>33</sup> To determine how a state is performing relative to national performance (NP), we compared the RSP interval<sup>34</sup> to

national performance for the indicator. State RSP intervals may be statistically above, below, or no different than national performance. Performance was not calculated for states that exceeded the data quality limit on one or more data quality (DQ) checks associated with the indicator(s).

**Figure A1** provides a description of each statewide data indicator for permanency, the data source, and the associated outcome.

**Figure A1: CFSR Statewide Data Indicators for Permanency Outcome 1**

Indicator	Data Source(s)	Description	Reporting Period <sup>35</sup>
<b>Permanency in 12 months for children entering foster care</b>	AFCARS U.S. Census	Of all children who entered foster care in a 12-month period, what percent discharged to permanency within 12 months of entering care?	17B18A
<b>Permanency in 12 months for children in foster care 12–23 months</b>	AFCARS	Of all children in foster care on the first day of a 12-month period who had been in care continuously between 12 and 23 months, what percent discharged to permanency within 12 months of the first day of the 12-month period?	19B20A
<b>Permanency in 12 months for children in foster care 24 months or more</b>	AFCARS	Of all children in foster care on the first day of a 12-month period who had been in care continuously for 24 months or more, what percent discharged to permanency within 12 months of the first day of the 12-month period?	19B20A
<b>Re-entry to foster care in 12 months</b>	AFCARS U.S. Census	Of all children who entered foster care in a 12-month period who discharged within 12 months to reunification, living with a relative, or guardianship, what percent re-entered care within 12 months of their discharge?	17B18A
<b>Placement stability</b>	AFCARS	Of all children who entered foster care in a 12-month period, what is the rate of placement moves per 1,000 days of foster care?	19B20

<sup>33</sup> RSP is used to assess state performance on the CFSR statewide data indicators compared to national performance. RSP accounts for some of the factors that influence performance on the indicators over which states have little control. One example is the ages of children in care; children of different ages have different likelihoods of experiencing an outcome (e.g., achieving permanency), regardless of the quality of care a state provides. Accounting for such factors allows for a more fair comparison of each state's performance relative to national performance.

<sup>34</sup> To determine whether a state's performance was statistically higher, lower, or no different than national performance, we calculated a 95% confidence interval estimate for the state's RSP. The interval accounted for the amount of uncertainty associated with the RSP value. In other words, we are 95% confident that the value of the RSP was between the lower and upper limit of the interval. The RSP interval is what we used to compare state performance to national performance. If the interval overlapped national performance, the state's performance was statistically no different than national performance. If the interval was above or below national performance, it was statistically different than national performance. Whether higher or lower performance is desirable depends on the desired direction of performance for the indicator.

<sup>35</sup> Data used refers to the initial 12-month period (specific to each indicator's denominator) and the period(s) of data needed to follow the children to observe their outcomes. The FY (e.g., FY 2018), or federal fiscal year, refers to NCANDS data, which spans the 12-month period October 1 through September 30. All other periods refer to AFCARS data: "A" refers to the 6-month period October 1 through March 31. "B" refers to the 6-month period April 1 through September 30. The 2-digit year refers to the calendar year in which the period ends (e.g., 19A refers to the 6-month period October 1, 2018, through March 31, 2019).

Figure A2 shows the distribution of national performance for Permanency in 12 Months for Children Entering Foster Care.

Figure A2: Permanency In 12 Months for Children Entering Foster Care (higher value desired)

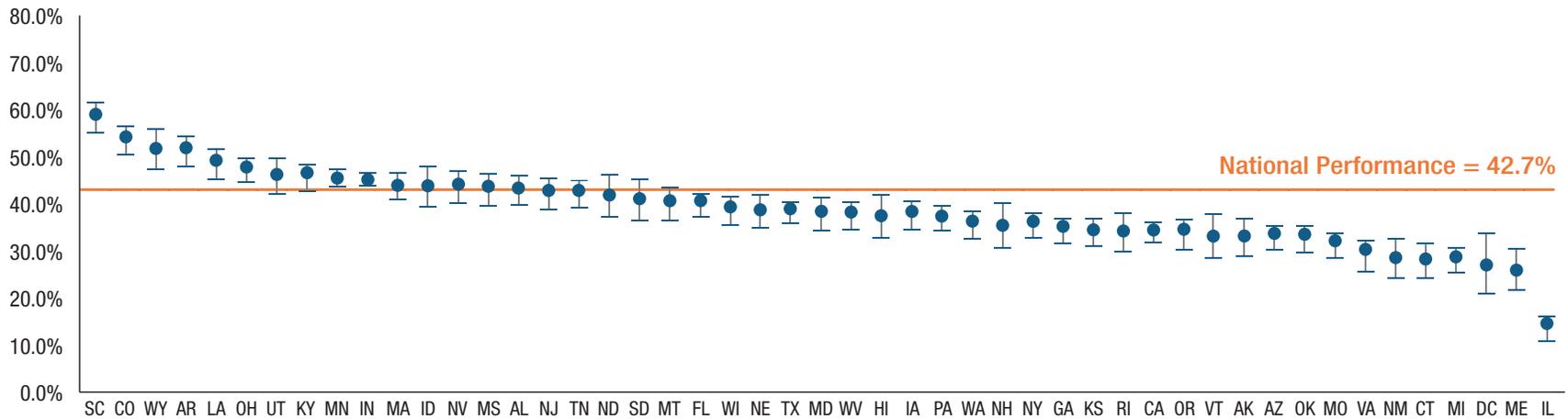


Figure A3 shows the distribution of national performance for Permanency in 12 Months for Children in Foster Care 12 to 23 Months.

Figure A3: Permanency in 12 Months for Children in Foster Care 12 to 23 Months (higher value desired)

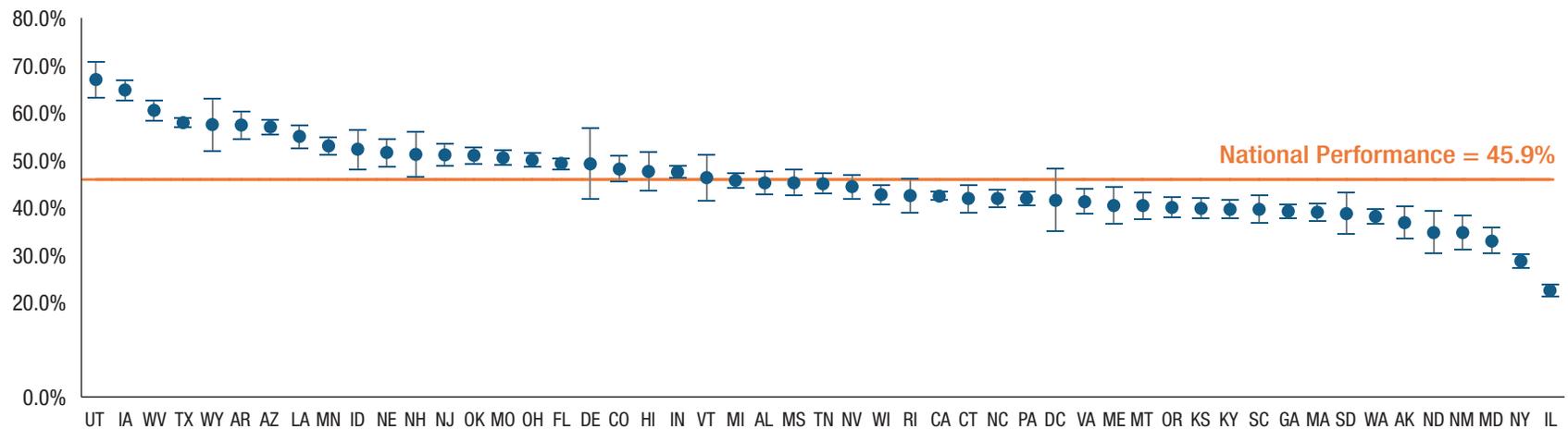


Figure A4 shows the distribution of national performance for Permanency in 12 Months for Children in Foster Care 24 Months or More.

Figure A4: Permanency in 12 Months for Children in Foster Care 24 Months or More, States' Average Risk-Standardized Performance Over Time (higher value desired)

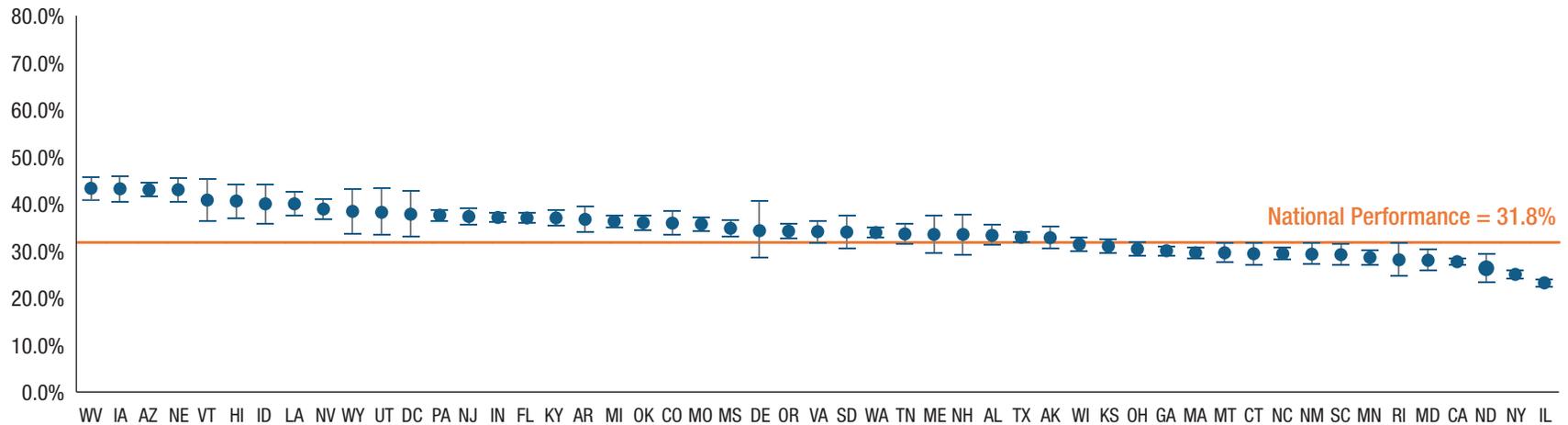
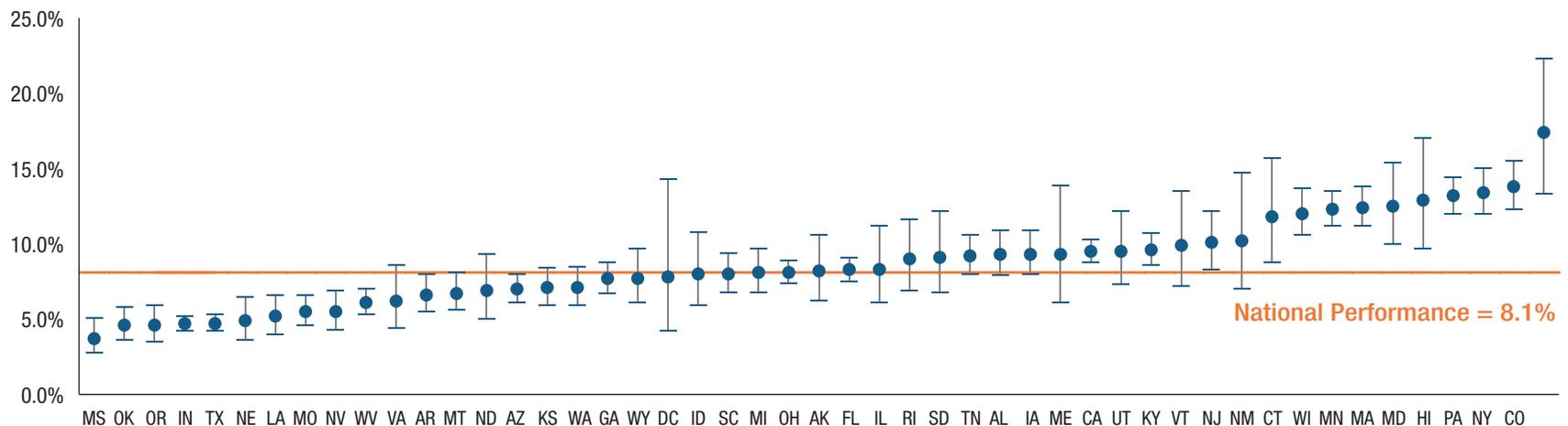


Figure A5 shows the distribution of national performance for Re-Entry to Foster Care in 12 Months.

Figure A5: Re-Entry to Foster Care in 12 Months, States' Average RSP Over Time (lower value desired)



## CFSR Round 3 Report for Legal and Judicial Communities

Figure A6 shows the distribution of national performance for Placement Stability (moves per 1,000 days in care).

Figure A6: Placement Stability (moves per 1,000 days in care), States' Average RSP Over Time (lower value desired)

