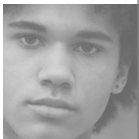# Building Bridges:
The Case for Sharing Data between the Court and Child Welfare Systems

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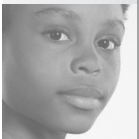SENIOR COURT ANALYST

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NEW YORK STATE

Unified Court System • Division of Court Operations
Office of Alternative Dispute Resolution and Court Improvement Programs

Court Improvement Project

Introduction

Courts and child welfare agencies share responsibility for the state's most vulnerable children. Local Departments of Social Services (LDSS), under the supervision of the executive branch Office of Children and Family Services (OCFS), are responsible for investigating reports of abuse or neglect and deciding if children must be removed from their home when warranted by safety concerns. When children are removed, the LDSS must provide services to families and children to facilitate permanency goals and ensure the well-being needs of children are met while they remain in the state's care. Family Courts must protect the due process rights of parents and balance the rights of families to keep their children against the needs of children for safe, stable and permanent homes. Courts make the formal determination on whether a child's removal from the home was warranted and whether abuse or neglect has occurred. Courts then periodically review cases to decide if parents and child welfare agencies are meeting their obligations to the child.

In recognition of the negative impact that temporary foster care can have on children, the federal Adoption and Safe Families Act (1997) placed new obligations on the courts and child welfare agencies by creating statutory timeframes to expedite the achievement of safe and permanent homes for children in the foster care system. The federal government periodically reviews the state's performance in assuring the safety, permanency and well being of children in the child welfare system and defines that system to include the state courts. The state's success in the review process depends on both child welfare agency and court performance.

Achieving safety, permanency, well-being and due process goals in this complex system requires the efficient flow of information between and among multiple organizations and professionals. Monitoring performance requires reliable and accurate data. The dual priorities of efficiency and effectiveness have driven efforts by both the courts and child welfare agencies to develop robust data information systems to streamline operations, develop efficiencies and evaluation system performance. Research shows that significant outcome improvements can be achieved when courts and child welfare agencies develop interoperability between their respective data systems and share data[1].

There is considerable national activity around the issue of court/agency data sharing. In 2002 the federal government funded pilot projects designed to demonstrate the benefits of enhancing state court systems' capacity to implement automated data collection and case-tracking systems and to use such systems to evaluate court performance. The Strengthening Abuse and Neglect Courts Act (SANCA) initiative was implemented in six sites selected by the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention: Colorado, Georgia, Florida, Idaho, New Jersey, and Virginia. These pilots illustrated the potential benefits of enhanced case tracking capabilities and the use of data to measure court performance[2].

The American Bar Association Center on Children and the Law (ABA), the National Center for State Courts (NCSC), and the National Council of Juvenile and Family Court Judges (NCJFCJ) -- three of the nation's largest and most influential judicial and legal organizations focused on child abuse and neglect issues – provided technical assistance to these pilot projects and jointly developed a document entitled "Building a Better Court" as a guide to help courts develop their capacity to measure performance and increase accountability in abuse and neglect matters[3].

In 2004, the Pew Commission on Children in Foster Care issued an influential report[4] which recommended strengthening court oversight of children in foster care. Noting the importance of data, the reported stated: "To fulfill this responsibility, they [courts] must be able to track children's progress, identify groups of children in need of attention, and identify sources of delay in court proceedings". The report went on to recommend the following:

1. Every court handling abuse and neglect matters should adopt the court performance measures developed by the nation's leading legal associations and use this information to improve their oversight of children in foster care[5];

2. State judicial leadership should use these data to ensure accountability by every court for improved outcomes for children and to inform decisions about allocating resources across the court system; and

3. Congress should appropriate $10 million in start-up funds and such sums as necessary in later years, to build capacity to track and analyze caseloads.

This third recommendation was implemented in The Deficit Reduction Act of 2005 which authorized and appropriated funds for a new grant program under the federal Court Improvement Program. The new grant program provided the New York State Unified Court System with an annual grant of approximately $475,000 specifically for the purpose of improving collection and analysis of child welfare data. The CIP funding requires state court systems to implement grant funded activities with "meaningful and ongoing collaboration with the state child welfare agency," and articulates the need for courts and child welfare agencies to collaboratively engage in tracking and monitoring outcomes through shared data analysis.

New York State has not been idle in pursuing the elusive and technically daunting task of sharing data between systems. Under the leadership of Chief Judge Judith Kaye, the New York State Unified Court System (UCS) has actively engaged with the OCFS and other government partners in a number of data-related projects described in depth below.

This report will discuss progress that has been made to date, the potential benefits for both the court system and the child welfare system and the opportunities and challenges inherent in moving forward toward the development of appropriate statewide interoperability of the respective organization's management information systems and expanded sharing of data to support decision making.

Potential Benefits

Sharing data between the courts and child welfare system has specific potential benefits:

1. System interoperability: Interoperability means direct communication between individual agencies' electronic case management systems in a way that is mutually beneficial. System interoperability supports enhanced operational efficiency, decreased data entry, faster service delivery, improved communication, standardized practice and improved data validity.

2.   <u>Increased capacity for evidence-based evaluation and enhanced decision making</u>: Data sharing will benefit both the courts and child welfare agencies in their efforts to evaluate performance and monitor improvement efforts. With combined data, agencies can adopt a common outcome-oriented focus.

3.   <u>Reinforced partnerships between the courts and child welfare agencies</u>: Through the interagency collaboration necessary to implement a data share, enhanced agency partnerships can emerge. Oftentimes, agencies work at cross-purposes unaware of the other's activities. Through the process of collaborating on data-share projects, agencies will be more likely to align resources and develop a sense of shared responsibility for the safety, permanency and well-being of New York State's children in foster care.

Progress to Date

The UCS, OCFS, and the New York City Administration for Children's Services (ACS) have all made progress in developing and implementing systems to collect and analyze data and to automate operations. Each of the respective organizations has developed automated management information systems.

The UCS has developed a robust state of the art case management system for the Family Courts: the Universal Case Management System (UCMS). The UCMS enforces the standardization of data, court processes and business rules and makes information available to judges, clerks and outside agencies.

UCMS allows users to create a case, assign a judge, schedule the case for an appearance and ultimately record the disposition of the case. UCMS includes a host of modules including: Case Create, Attorney Assignment, Inquiry, Court Activity, Inter-court Transfers, Permanency Planning, Forms, Reports, and Scanning.   It also interfaces with the statewide Domestic Violence Registry which contains orders of protection issued for all Family, Criminal (family offense) and Supreme Matrimonial cases since 1995.

The OCFS maintains several data sources, but chief among them is the CONNECTIONS system which includes child demographic, family assessment and service plan data. CONNECTIONS, used by the New York City ACS and the fifty-seven Local Departments of Social Services outside New York City, is designed to support child-centered and family-focused case practice and to guide and document worker efforts to achieve these outcomes for children and families .

CONNECTIONS was developed with federal financial incentives provided to states to encourage the development of a Statewide Automated Child Welfare Information System (SACWIS) to provide a more efficient and effective administration of child welfare programs and to meet the federal mandate for state collection of standardized foster care and adoption data [the Adoption and Foster Care Analysis and Reporting System (AFCARS)]. CONNECTIONS, in accordance with these mandates, was designed to create a single, statewide, integrated system for the collection and recording of child protective services, preventive services, foster care and adoption services information[6].

Recently the OCFS announced a comprehensive plan to update the CONNECTIONS system. The 2008-09 executive budget contains funding to support the first-year cost of modernizing the system. This will

reportedly entail a migration to an updated architecture and a comprehensive top to bottom review to enhance the end-user experience.

In New York City, ACS uses the Legal Tracking System (LTS), an automated legal tracking and workflow support system. LTS is used by ACS staff including those in the legal division, caseworkers, IV-E reimbursement auditors, and managers. LTS is also used by foster care provider agencies to track their legal and permanency hearing report status. The LTS system includes significant tracking and document production, and management support functions.

—LTS/UCMS/CONNECTIONS (LUC) Project—

A promising pilot project has been initiated in New York City. The catalyst for the project, known as the "Legal Tracking System/Universal Case Management System/CONNECTIONS" or "LUC" data share project, was a grant from the Pew Charitable Trust. This grant enabled the New York City Family Court and ACS to embark on an ambitious project to design and implement an interagency system interoperability project with the goal of streamlining the process of filing child protective petitions, synchronize the legal case information between the court and child welfare agency data systems and to enhance the reliability and validity of the respective data sets.

The LTS/UCMS stage of the project will be implemented using an existing data share architecture hosted by New York City's Department of Information Technology and Telecommunications (DoITT). This will allow both systems to automate processes such as petition filing and submission of permanency reports to the court and on-line distribution of reports and Orders to parties. The court will use information submitted by ACS to initiate a case in the UCMS system and send information regarding the docket number and scheduled appearance information to the agency. ACS will use the court information to update their records concerning the outcome of hearings, next hearing dates, and reports due. The DoITT data share architecture will provide a mechanism to allow court data to be shared not only between the court and ACS, but eventually, subject to appropriate safeguards, with other entities as well (such as law guardians or respondent parents' counsel.) When everyone has access to the same information, inefficiencies caused by misinformation and miscommunication will be minimized. In a city with thousands of cases, the benefits will be substantial.

To date, the project workgroup has defined the business requirements and developed a multi-phased project plan to implement the project objectives over four "builds" throughout 2008-2010. The next steps are to continue work on the interagency architecture and to begin system requirements and coding for the phase one build.

To measure the impact of the LUC project on court operations and inform the design process, a study was conducted by the OCA Office of Trial Court Operations to document the current process of manual petition filing in child welfare matters in the New York City Family Court. This study established an operational baseline that will be used as a reference point for comparison purposes in post-LUC implementation studies.

It is envisioned that implementation of the New York City phase of the project will provide a model for the development of statewide interoperability. The LUC Governance group, which includes

management from the UCS, OCFS and ACS, will provide a forum to explore the feasibility of creating similar interoperability between UCMS and CONNECTIONS to extend the benefits statewide. A joint OCFS/OCA working group has already engaged in several pre-requisite tasks including: 1) development of a descriptive analysis of the UCS and OCFS data sets; 2) comparative analysis of UCS and OCFS data from several pilot counties; 3) documenting the challenges that inhibit interoperability, and; 4) exploring solutions to overcome identified challenges.

—Evidence-Based Evaluation and Enhanced Decision Making —

As the LUC project has worked to develop true interoperability between systems, the UCS and the OCFS have simultaneously explored ways of manually exchanging data to support decision making and evaluation of improvement efforts. In 2006, the Permanent Judicial Commission on Justice for Children published the first edition of The CHILD in Child Welfare and the Courts in collaboration with the OCFS and the New York State Council on Children and Families. The data book includes statewide and county specific data profiles that presented court and child welfare data related to the federal Child and Family Services Review within the context of child well-being indicators to inform local and state policy development, planning and accountability as a means to improve outcomes for children, youth and families.

The OCFS has developed a robust outcome framework published in the Foster Care Profile, a report developed by Chapin Hall Center for Children[7]. The Foster Care Profile provides state, regional and county staff with longitudinal data on the rate of placement into foster care and information on the core outcomes of county foster care systems: length of stay, permanency, placement stability and re-entry. The Foster Care Profile provides a longitudinal analysis to help administrators recognize trends in child welfare services and core outcomes, a process begun several years ago in response to the Federal Child and Family Service Reviews.

In 2007, the Child Welfare Court Improvement Project recognized the potential value of this data to the court system. In partnership with the OCFS this data was distributed to family court managers statewide. The objective of the parallel dissemination effort is twofold: to provide a single child welfare data set emphasizing local data to all county-based DSS agencies and family courts throughout New York State; and to foster local court-child welfare agency discussions based on data to improve the outcomes for children in each given region. Plans to expand upon this effort are outlined below.

Going Forward

The existing technology infrastructure and history of collaborative projects described above provide fertile ground from which to cultivate a comprehensive, coordinated plan to develop appropriate statewide interoperability of the respective organization's management information systems and expanded sharing of data to support decision making and system improvement efforts. To succeed, clear goals for data sharing must be articulated by the senior management of both the court system and the child welfare system. Concrete interagency plans must be developed as to how best achieve the project's objectives.

The UCS and OCFS must work collaboratively to plan and prioritize data sharing initiatives. The creation of LUC Governance Group is a significant first step in ensuring ongoing coordination in planning the scope, schedules, and resource allocations necessary to achieve project goals.

—System Interoperability—

The pilot project in New York City to share data between the New York City Children's Services Legal Tracking System and the Family Court UCMS can be considered a first step toward developing statewide interoperability. However, significant challenges exist.

First, the functionality engineered in UCMS as a result of the LUC project could be applied to counties outside of New York City, however the Legal Tracking System is only used in New York City and the current version of CONNECTIONS does not have the capability to store certain legal-related data. For example, the current version of CONNECTIONS does not contain the final version of the Permanency Report submitted by the agency to the court prior to the permanency hearing. Caseworkers prepare the report in CONNECTIONS, but it is subsequently exported from the system so that the document can undergo legal review prior to submission. If the Permanency Report could be submitted electronically directly from the CONNECTIONS case management system, UCMS could electronically promulgate the report to the attorneys of record and other parties entitled to a copy of the report. This would allow thorough review of the report by the judicial reviewer and all interested parties well in advance of the permanency hearing, ostensibly the intent of the legislature in requiring the report be submitted 14 days prior to the hearing. To maximize the potential benefits of court and agency data system interoperability, this, and other process issues must be rectified. Presumably the current CONNECTIONS modernization planning process will provide the opportunity to do so.

Another challenge is matching data records between organizations. The UCS and OCFS maintain distinct child identifiers in their respective systems—the Entity ID in UCMS, the Person Identification (PID) in CONNECTIONS. Consequently, to identify children between systems, the use of demographic information (i.e. first/last names, date of birth, etc.) must be employed, which presents identification challenges due to spelling/data variations. To avoid the pitfalls of data-matching on the basis of demographic characteristics, a more accurate, standardized way of identifying children across systems must be developed. The use of a linking mechanism between separate agency ID numbers for children can eventually lead to the evolution of a uniform statewide cross-system child identifier.

Lastly, improved statewide operational standards to ensure consistent data from court-to-court and from LDSS-to-LDSS must be developed. Discrepancies are due in part to the division of state and county responsibilities in the NYS child welfare system; and to the need to allow for local flexibility in each county-level family court within the statewide court system. Uniform practices will enhance the syncing of data between systems. To improve the reliability and validity of data elements the UCS and OCFS must jointly identify business rules and definitional standards and support training of end users to promote consistency. Such steps will greatly enhance our ability to share data in a meaningful way.

—Evidence-Based Evaluation and Enhanced Decision Making—

The Child Welfare Court Improvement Project (CIP) has established a goal to develop child welfare court data measures to report information regarding child welfare court operations within a child

outcomes framework to New York State Family Courts. Since 2002, the Center for Court Innovation (CCI) and New York City Family Court have been working together to develop such benchmark measures for abuse and neglect cases using UCMS data.

Based on emerging national standards designed to assess court performance in child welfare cases the CIP will compile and disseminate a comprehensive report that integrates child welfare court metrics with the OCFS Foster Care Profile data measures. Using metrics from both court and agency data sets will provide an up-to-date, comprehensive view of the status of New York State's child welfare system from removal to permanency.

These county-by-county data indicators will provide benchmarks in the following categories:

1. Child safety

2. Timeliness of permanency

3. Child well-being

4. Due process

In partnership with the OCFS this data will be distributed to all family courts statewide and all fifty-seven LDSS. The data will provide a longitudinal view for the purpose of tracking trends over time as well as comparative analysis across counties. This combined data set will provide a foundation to better monitor the impact of court reform initiatives and will assist local counties to focus on identified issues that emerge from an analysis of the data. Preliminary discussions are underway with both Chapin Hall and CCI to harness the expertise of their respective organizations in this project.

Eventually this data will be promulgated via a web-accessible, "executive dashboard" user interface. This will provide a user-friendly, comprehensible method of retrieving and displaying critical child welfare data in an organized fashion. This interface will provide significant insight into both short term operational effectiveness and long term trends to serve as the basis of policy development.

Conclusion

Overcoming the complex challenges to achieve data share goals will require continued, sustained interagency collaboration among the courts, the OCFS and local partners. There are substantial potential benefits for both the court system and the child welfare system that weigh in favor of moving forward toward the development of statewide interoperability of the respective organization's management information systems and expanded sharing of data to support decision making. The commitment to achieving these goals is the result of an increased sense of shared responsibility among the leadership of both systems for New York State's children in the foster care system.

[1] www.fosteringcourtimprovement.org

[2] Strengthening Abuse and Neglect Courts in America: Management Information Systems (SANCA MIS) Project, Office of Juvenile Justice and Delinquency Prevention

[3] Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases

[4] Fostering the Future: Safety, Permanence and Well-Being for Children in Foster Care: The final report of the Pew Commission on Children in Foster Care, May 2004

[5] These court performance metrics are under final federal review and will reportedly be published soon.

[6] OCFS Administrative Directive: Case Management Changes Associated with CONNECTIONS Build 18 (February 2005)

[7] New York State Data Packet Fall 2007. New York State Office of Children and Family Services: 2007.