

CIP ADMINISTRATOR WEB SURVEY

TITLE: Descriptive Study of Child Welfare Courts - Understanding Judicial Decision-Making and Hearing Quality in Child Welfare

PROTOCOL NO.: None
IRB Protocol #20203598

SPONSOR: Office of Planning, Research, and Evaluation ACF DHHS

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The Office of Planning, Research, and Evaluation and the Children’s Bureau funded James Bell Associates, the American Bar Association Center for on Children and the Law, and Co-Principal Investigators Drs. Alicia Summers and Sophie Gatowski to plan for a future study or studies that will examine the factors associated with judicial decision-making and hearing quality in child welfare cases, and the influence those factors may have on judges’ reasonable efforts decisions and case outcomes. This research survey is an opportunity to learn more about the timing of court hearings and the use of pre-hearing conferences in your state to help inform potential site engagement for a future study or studies.

The survey should take 10–15 minutes to complete. Your participation in the survey is voluntary. You may refuse to take part in the research or exit the survey at any time without penalty or loss of otherwise entitled benefits. You may decline to answer any question you do not wish to answer for any reason. There are no foreseeable risks involved in participating in the survey. Your alternative is to not participate. You will receive no direct benefits from participating in this research study. However, your responses will help us learn more about child welfare court practices in your state and identify potential sites for future research about how hearing quality factors affect judicial decisions and outcomes in child welfare cases.

Your survey responses will be sent to a link on the Qualtrics survey platform where data will be stored in a password protected electronic format. People overseeing the study such as the IRB may review records. The survey asks you to identify your state to help inform potential site engagement for a future

study or studies. Survey responses you provide may be associated with the name of your state and included in a report shared within OPRE and the Administration for Children and Families (ACF). ACF will use the data to inform future research and planning. Information from this study may be securely shared with qualified researchers to help guide future research and support program improvement.

At the end of the survey you will also be asked if you are interested in participating in a telephone interview and if you would be interested in being considered as a site in a future research study. If you say yes, we may contact your office via email or phone. Your responses to this survey will remain private to the extent permitted by law.

If you have questions or concerns, or complaints about the survey or study, or to report a research-related problem, you may contact Co-Principal Investigators Dr. Alicia Summers and Dr. Sophia Gatowski or Project Director Anne Fromknecht.

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This research is being overseen by WCG IRB. An IRB is a group of people who perform independent review of research studies. You may talk to them at 855-818-2289 or researchquestions@wcgirb.com if:

- You have questions, concerns, or complaints that are not being answered by the research team.
- You are not getting answers from the research team.
- You cannot reach the research team.
- You want to talk to someone else about the research.
- You have questions about your rights as a research subject.

The Paperwork Reduction Act Statement: This collection of information is voluntary and will be used to help us understand which sites would be appropriate for a future study or studies that will examine hearing quality and judicial decision-making in child abuse and neglect cases. Public reporting burden for this collection of information is estimated to average 10–15 minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB number and expiration date for this collection are OMB #: 0970-0356, Exp: 06/30/2021. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Anne Fromknecht; fromknecht@jbassoc.com.

Please select your choice below. You may print a copy of this consent form for your records. Clicking on the “Agree” button indicates that:

- You have read the above information;
- You voluntarily agree to participate;
- You are 18 years of age or older

Agree Disagree

INTRODUCTION

We are interested in learning about typical practice in child welfare cases in your state. We recognize that states vary in their language in referring to these case types and court processes. Here are some definitions for you use as you answer the survey questions.

Child welfare cases. This refers to cases that involve child abuse and neglect, or juvenile dependency.

Initial hearing. The initial hearing is the very first hearing in a child welfare case, sometimes called a shelter care, preliminary protective, emergency removal, or detention hearing. The main purpose of the initial hearing is to determine whether the child should be placed in or remain in foster care, or remain with or be returned to the parents pending further proceedings.

Review hearing. This refers to any post-disposition review hearing by the court (not to include paper reviews, administrative reviews, or status reviews where a party would not be expected to be present physically or virtually, such as by phone or video conference).

Pre-hearing conference. For this survey we are interested in the process where parties meet before the initial hearing to determine if there are any agreements about plans for placement, services and visitation, among other issues. The pre-hearing conference is a court-based process sometimes used as a method to help prepare the families for court, come to an agreement on specific issues, and clarify outstanding information prior to the initial hearing. Questions in this survey about pre-hearing conferences apply to those held before the initial hearing, not those held before adjudication or disposition hearings.

Please refer to these definitions when you answer the survey questions.

QUESTIONS

1. Which state do you represent? [include drop down box with list of all states, Puerto Rico, Virgin Islands, and District of Columbia]
2. In a typical court process in your state, please describe in your own words when an initial hearing is held in relation to removal of the child.
3. Considering your answer to Question 2, and based on your state statutes, when is the initial hearing in a child welfare case typically held?

Before removal of the child

After removal of the child

3a Does the timing of the initial hearing in relation to removal of the child vary across the state (e.g., by county, judicial district)?

Yes

No

4. How frequently do courts hold child welfare review hearings in your state?

More frequently than every 6 months post-disposition (e.g., every 2-3 months after disposition)

Every 6 months post-disposition or longer (e.g., 9 or 12 months post-disposition)

It varies across the state (e.g., by county, judicial district)

4a. If applicable, what percentage of counties do you estimate hold reviews more frequently than every 6 months? _____%

5. Do any of the courts in your state use pre-hearing conferences before the initial hearing in a child welfare case?

Yes

No

5a. If **yes**, what percentage of courts in your state would you say use a pre-hearing conference before the initial hearing? ____%

6. May we contact you for additional follow-up if needed?

Yes

No

7. Would you be interested in being considered as a site in a future research study? We are not recruiting for a study at this time but are in the process of planning for a future study.

Yes

No

Maybe, I would like more information

That concludes the survey. Thank you for your time!