

Court Improvement Program Court System Structures

Formative Data Collections for Program Support

0970 - 0531

Supporting Statement

Part A

October 2022

Submitted By:
Children's Bureau
Administration for Children and Families
U.S. Department of Health and Human Services

4th Floor, Mary E. Switzer Building
330 C Street, SW
Washington, D.C. 20201

Contact:

Scott Trowbridge, JD
Child Welfare Specialist for Court Improvement
scott.trowbridge@acf.hhs.gov

**Alternative Supporting Statement for Information Collections Designed for
Research, Public Health Surveillance, and Program Evaluation Purposes**

Part A

Executive Summary

- **Type of Request:** This Information Collection Request is for a generic information collection under the umbrella generic, Formative Data Collections for Program Support (0970-0531).

- **Description of Request:**
This information request is to collect child welfare court system data for a Court Improvement Program (CIP) Court System Structures database that will be used to inform and deliver technical assistance (TA). The project will provide organized information for CIP grantees and key partners and stakeholders (e.g., federal staff, Children’s Bureau (CB)’s Child and Family Services Reviews unit) with key information about state child welfare court system structures. This information is needed to improve supports CB provides to current and potential grantees under Title IV-B and IV-E of the Social Security Act. Specifically, these data elements were formed with a combination of informal input from current CIP grantees around data that would be helpful for them, elements identified that would be helpful for child welfare state-wide review processes, and elements that would be helpful in continuing to implement support for parents’ and children’s attorneys under Title IV-E.¹

- **Time Sensitivity:** To align with our technical assistance provider’s timelines, we request approval by November 2022.

¹ See, <https://www.acf.hhs.gov/cb/training-technical-assistance/technical-bulletin-faqs-independent-legal-representation>

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A1. Necessity for Collection

The Children's Bureau (CB) through its Regional Offices as well as a funded technical assistance (TA) provider, the Capacity Building Center for Courts, provide TA to Court Improvement Programs (CIP). CIPs, in turn, provide TA to local child welfare legal staff. These data will fill a gap in that there is currently no central information about how court systems that serve child welfare are structured. Given this lack of central organization, basic infrastructure questions are often not known nationally or at the state level, such as how many practitioners are working in child welfare or whether they are full or part time. These types of information have regularly been sought by CIP grantees, for example, to make better decisions about site selection for replicability of pilots, to find states similarly situated as to practice models to compare lessons learned, and to help advise them on projected budgetary outlays.

Additionally, there are many ways the TA and other support offered by CB to CIPs can be improved with having a centralized location for information about how court systems are structured. Having a snapshot nationally will also allow better targeting of CB resources based on scope and organization type.

This information collection is proposed to address needs expressed by CIP grantees, to inform relevant and timely TA to grantees, and to inform support for continued implementation and engagement at the local level. Data collected will include implementation information from state CIPs. Respondents will include CIP grantees who are funded under Title IV-B but will also include local legal and judicial stakeholders who are current or potential future IV-E grantees.

There are no legal or administrative requirements that necessitate or authorize this information collection. ACF is undertaking the collection at the discretion of the agency.

A2. Purpose

Purpose and Use

The purpose of this information collection is to gather fundamental court system information from state legal and judicial stakeholders to inform TA and other supports provided by CB in many ways especially regarding the appropriateness of scope and scale of TA. CB anticipates using the data to support other ideas for national and tailored assistance and information collected will be shared through a centralized location with CIP grantees to their informational purposes and as a TA resource in and of itself.

This proposed information collection meets the following goals of ACF's generic clearance for formative data collections for program support (0970-0531):

- Delivery of targeted TA related to program implementation and the development and refinement of program and grantee processes
 - For example, questions about the basic court structures have come up frequently in the context of tailored and peer to peer TA around court and agency collaboration, in designing

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budget targets for related discretionary grants, and in developing wider dissemination strategies for resources

- Planning for provision of programmatic and data -related (TA)
 - For example, these basic court structure data can be useful in understanding the progress of implementing IV-E funding for independent legal representation. In other words, we do not currently know that level of adoption there has been under this IV-E option as we do not have even rough figures of how many attorneys are in the field on a national or state level
- Providing consolidated public sources of information for those using or interested in ACF funded services, or those interested in systems or programs, including information about specific models or methods used
 - CIPs having access to these data is a TA resource on its own. CIPs often want to learn from peers who are similarly situated for example, in how their practice operates, under which legal schemas, and other basic parameters such as their array of part-time to full-time legal staff. These data will help them understand where more apples-to-apples comparisons can be made and allow for better outreach for peer support.

Study Design

Data will be collected using two surveys. One (Instrument 1: CIP Survey for Court System Structures) will go to all CIP directors to complete. The other (Instrument 2: CIP Local Stakeholder Survey) is for local legal and judicial stakeholders. Adding a local stakeholder survey came at a request of grantees in informal discussions as, again given the lack of central organization of courts in many states, those data are not even readily available to some CIPs. We will ask CIP directors distribute the local stakeholder survey in whatever way is readily available and not burdensome (for example through listservs or publicized on a website). The local survey will be a convenience sample.

No statistical methods and analyses will be performed with either of these surveys. This will include only medians and averages of responses.

Table 1

| <i>Instrument</i> | <i>Respondent, Content, Purpose of Collection</i> | <i>Mode and Duration</i> |
|--|--|--|
| Instrument 1: CIP Survey for Court System Structures | <p>Respondents: CIP grantees</p> <p>Content: This survey contains questions about legal and judicial systems serving child welfare from a state-level vantage.</p> <p>General Purpose: This tool provides a general snapshot of legal system structures that were unable to be located through a public scan.</p> <p>Purpose for program support: Technical assistance will be targeted and developed based on these data. The data will be used directly by CIP grantees as well for their own research and peer to peer connections.</p> | <p>Mode: Online survey, such as Survey Monkey</p> <p>Duration: 20-30 minutes</p> |
| Instrument 2: CIP | Respondents: Judges and attorneys practicing in child welfare | Mode: Online |

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| | | |
|--------------------------|--|--|
| Local Stakeholder Survey | <p>Content: This survey contains questions about the county level legal and judicial systems serving child welfare.</p> <p>General Purpose: Same as above</p> <p>Purpose for program support: Same as above</p> | <p>survey, such as Survey Monkey</p> <p>Duration: 10-15 minutes</p> |
|--------------------------|--|--|

Other Data Sources and Uses of Information

The study team has and will continue to gather publicly available information to compile within the centralized database. For example, from statutory and website research. This survey data will supplement the publicly available data to provide a more robust informational resource for CB and CIPs

A3. Use of Information Technology to Reduce Burden

Information will be collected in an online survey such as Survey Monkey. We anticipate this format will provide the lowest burden to the respondent.

A4. Use of Existing Data: Efforts to reduce duplication, minimize burden, and increase utility and government efficiency

There is no information available that is duplicative and will allow CB to provide TA to grantees and there is no centralized location with information about overall court structures. This collection only includes a portion of the original data elements that were deemed needed in understanding the overall court structures. As noted above, the majority of the elements were able to be gathered from online sources, for example, via statutory and website research.

A5. Impact on Small Businesses

Some attorneys requested to complete the Local Stakeholder Survey will likely represent small business entities. Some of these small business entities receive federal funding under Title IV-E and one aim of this data collection is continued implementation of that option. The collection is voluntary and designed to be minimally burdensome. Respondents can complete the survey at their convenience.

A6. Consequences of Less Frequent Collection

This is a one-time data collection. To update the information regularly, the state level questions have been included in the CIP Self-Assessment instrument approved under OMB # 0970-0307 (State Court Improvement Program). CIP applications are not due again until June 2023, so this initial data collection will provide baseline information to fill a gap in knowledge and information for CIPs and ACF in a timely manner. Updates to local level data is not likely to be needed annually and if additional data is needed, a future information collection request will be submitted specific to those needs.

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A7. Now subsumed under 2(b) above and 10 (below)

A8. Consultation

Federal Register Notice and Comments

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency’s intention to request an OMB review of this information collection request to extend approval of the umbrella generic with minor changes. The notice was published on January 28, 2022, (87 FR 4603), and provided a sixty-day period for public comment. ACF did not receive any comments on the first notice. A second notice was published, allowing a thirty-day period for public comment, in conjunction with submission of the request to OMB. ACF did not receive any comments on the second notice.

Consultation with Experts Outside of the Study

A number of efforts were made to consult with individuals outside the agency to develop and solicit input on these program requirements. Grantee feedback is sought informally during calls in the course of providing TA and training for grantee new staff.

The below grantee technical assistance providers were involved in ongoing review of the information collection. These providers have extensive experience in court evaluation and high degrees of familiarity with the CIP.

Table 3 Consultations.

| Name | Affiliation |
|------------------------|-------------------------------------|
| Dr. Alicia Summers | Capacity Building Center for Courts |
| Dr. Kristen Woodruff | Capacity Building Center for Courts |
| Dr. Andy Yost | Capacity Building Center for Courts |
| Zubair Siddiqi, Esq. | Capacity Building Center for Courts |
| Christine Kiesel, Esq. | CB Federal Contractor |

A9. Tokens of Appreciation

This information collection will not include tokens of appreciation for participation.

A10. Privacy: Procedures to protect privacy of information, while maximizing data sharing

Personally Identifiable Information

This effort does not include the collection of personally identifiable information. Information collected will be at the lowest at the county-level.

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Assurances of Privacy

We will inform respondents of all planned uses of data, that their participation is voluntary, and that their information will be kept private to the extent permitted by law. As the cooperative agreement specifies, the grantee (CBCC) will comply with all federal and departmental regulations for private information. The grantee shall ensure that all of its employees, subcontractors (at all tiers), and employees of each subcontractor, who perform work under this grant or subcontract, are trained on data privacy issues and comply with the above requirements.

Data Security and Monitoring

The information sought in this collection is basic public information at a county level that just are not available at the state or national level. There are no sensitivities to these data being shared publicly. The data will be screened for any un-asked for private information in open ended sections of the survey, which will be removed.

A11. Sensitive Information²

The information collection does not include sensitive information.

A12. Burden

Explanation of Burden Estimates

The first instrument is a survey of Court Improvement Program Professionals. It is estimated that 1 person from each state/territory will complete the survey. The survey asks the professional to estimate practice across the state related to child representation, parent representation, and agency representation.

The second instrument is designed for legal professionals to respond about specific practices. Due to the lack of information in this area, the actual number of stakeholder respondents is not known. We have estimated that 7,000 professionals across the country might respond, which is based on information we do have in a few states. The survey asks about parent representation, child representation, and agency representation models in their counties.

Explanation of Cost Estimates

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Legal Support Workers, All Other 23-2099 and wage data from May 2021, which is \$35.10 per hour. To account for fringe benefits and overhead, the rate was multiplied by two which is \$70.20.

<https://www.bls.gov/oes/current/oes232099.htm>

Table 4: Estimated Annualized Burden and Costs to Respondents

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| Instrument | No. of Respondents (total over request period) | No. of Responses per Respondent (total over request period) | Avg. Burden per Response (in hours) | Total Burden (in hours) | Average Hourly Wage Rate | Total Annual Respondent Cost |
|---|--|---|-------------------------------------|-------------------------|--------------------------|------------------------------|
| Instrument 1: CIP Survey for Court System Structures | 53 | 1 | .5 | 27 | \$70.2 ³ | \$1,895.40 |
| Instrument 2: CIP Local Stakeholder Survey | 7000 | 1 | .25 | 1750 | \$70.2 | \$122,850.00 |
| Totals: | 7053 | 1 | | 1,777 | | \$124,745.40 |

A13. Costs

There are no additional costs to respondents.

A14. Estimated Annualized Costs to the Federal Government

Table 5. Estimated Annualized Costs to the Federal Government

| Cost Category | Estimated Costs |
|---|-----------------|
| Administration of Instruments and Analysis of Information | \$1000 |
| Total costs over the request period | \$1000 |

A15. Reasons for changes in burden

This is for an individual information collection under the umbrella formative generic clearance for program support (0970-0531).

A16. Timeline

Data collection will take place following OMB approval for 11 months. Grantees will submit their surveys once during this period. During this time, TA and CB staff team will collect and analyze the survey results and prepare the results for dissemination.

Table 6: Timeline

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| | Begins | Complete |
|----------------------------|--|------------------------------------|
| Surveys to be disseminated | Upon OMB Approval | About one month after OMB approval |
| Surveys results analyzed | Upon completion of data collection | About 2-3 weeks |
| Results disseminated | About 1.5-2 months after data analysis | |

A17. Exceptions

No exceptions are necessary for this information collection.

Attachments

Instrument 1: CIP Survey for Court System Structures

Instrument 2: CIP Local Stakeholder Survey