

CIP Survey for Court System Structures

The following survey is part of the Court Improvement Program Court System Structures data collection. It is designed to help us to better understand current child welfare court practice in the states and territories. The data gathered from this assessment will be used to inform technical assistance materials under development by the Capacity Building Center for Courts. This is an effort to organize state level child welfare information in a user-friendly format so that all Court Improvement Programs can learn from each other. We recognize that some responses may vary across your state, so we have set up items so that you can estimate percentages that would apply to the question at hand. This survey should take approximately 20 -30 minutes to complete. Since we are asking about practice in the state, it may be useful to download a copy of the survey to look at the questions before attempting to complete.

Your participation in this survey is voluntary and individual information will be kept private.

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1. What is your state or territory?
2. Does your state authorize judicial officers other than judges to hear child welfare cases? (Y/N)
 - a. If yes, what kinds of judicial officers preside over your child welfare cases? (check all that apply)
 - i. Judges
 - ii. Magistrates
 - iii. Referees
 - iv. Commissioners
 - v. Other _____
3. Approximately how many judicial officers oversee child welfare cases in your state? _____
4. What percentage of your courts have a dedicated child welfare docket?
 - a. 0
 - b. 1-25%
 - c. 26-50%
 - d. 51-75%
 - e. 75-99%
 - f. 100%
5. Concerning child representation and advocacy in your state. Thinking about the practice in all courts in your state, please estimate what percentage do the following:

What percentage of the courts in your state....	0	1-25%	26-50%	51-75%	76-99%	100%
Appoint an attorney for children						
Appoint an attorney guardian ad litem for children						
Appoint an attorney and a lay advocate for children						
Do not appoint legal representation/advocates for children						
Use in-house staffing for child representation						
Use contract attorneys for child representation						
Have multi-disciplinary child representation offices or "specialty" offices						

6. Do you have standards of practice for children's attorneys/attorney GALs? (Y/N)

a. If yes, can you provide a link? _____

7. Where does the funding for child legal representation primarily come from in your state?

8. We would like to consider how children's attorneys are compensated in your state jurisdiction. It is okay to estimate your answer.

What percentage of attorneys in your state are compensated...	0	1-25%	26-50%	51-75%	76-99%	100%
at an hourly rate, with no cap per case.						
at an hourly rate, with a per case cap.						
as a salary						
at a flat rate per case						
at a per hearing rate						
other						
I don't know						

9. We would like to know more about what (if any) form of lay advocacy your jurisdiction provides to children or youth.

What percentage of courts in your state have...	0	1-25%	26-50%	51-75%	76-99%	100%
peer advocates for children or youth						
Court Appointed Special Advocates						

non-attorney guardians ad litem						
other						

Regarding legal representation for parents in your state...

10. Do you have standards of practice for parents' attorneys? (Y/N)

a. If yes, can you provide a link? _____

Regarding the organization of parent representation...

What percentage of the courts in your state....	0	1-25%	26-50%	51-75%	76-99%	100%
Use in-house staffing for parent representation?						
Use contract attorneys for parent representation?						
Have multi-disciplinary parent representation offices or "specialty" offices?						

11. How are parents' attorneys compensated in your jurisdiction?

What percentage of attorneys in your state are compensated...	0	1-25%	26-50%	51-75%	76-99%	100%
at an hourly rate, with no cap per case.						
at an hourly rate, with a per case cap.						
as a salary						
at a flat rate per case						
at a per hearing rate						
Other						
I don't know						

Regarding agency legal representation...

12. Organization: How is your agency's legal representation organized in your jurisdiction?

- a. state department of human services staff
- b. county department of human services staff
- c. non-department of human services state or county office (e.g. district attorney's office)
- d. Other _____

13. Do you have standards of practice for agency attorneys? (Y/N)

a. If yes, can you provide a link? _____

14. Who does the agency attorney represent; that is, who is the client?

- a. the child welfare agency
- b. the "people" of the state
- c. the state itself
- d. Other, please specify _____

15. How are agency attorneys compensated in your jurisdiction?

- a. salary
- b. hourly rate
- c. other _____

17 Does your state utilize Title IV-E funding to pay for representation?				
Agency Representation	Yes, in a single jurisdiction	Yes, in multiple jurisdictions	Yes, statewide	No
Child representation	Yes, in a single jurisdiction	Yes, in multiple jurisdictions	Yes, statewide	No
Parent representation	Yes, in a single jurisdiction	Yes, in multiple jurisdictions	Yes, statewide	No

a. If yes, what are the administrative structures for accessing these IV-E funds? _____