

PURPOSE: The Center for Courts, now Center for Legal and Judicial Innovation and Advancement (CLJIA), developed the Academy's formative learning assessment as part of an online learning experience for the Judicial Academy and Attorney Academy to gauge each participant's knowledge and provide exposure to material tailored to the participant's knowledge. The primary purpose of the assessments is for this tailored instruction, but data are also used to inform continuous quality improvement of the Academy's curriculum and delivery. The assessment will be administered to participants in the CLJIA Academies, including judges, attorneys, and other officers of the courts, and other participants (e.g. Children's Bureau staff or others), prior to and at the close of each Academy.

[CLJIA Logo]

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Pre/Post Academy Learning Assessment

*PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) STATEMENT OF PUBLIC BURDEN: This collection of information will be used for instructional purposes and to inform continuing quality improvement of the Center for Legal and Judicial Innovation and Advancement's Academies. Public reporting burden for this collection of information is estimated to average 13 minutes per response, administered twice for a total of 26 minutes, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a voluntary collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless it displays a currently valid OMB control number. The OMB number and expiration date for this collection are OMB #: 0970-0576, Exp: XX/XX/XXXX. If you have any comments on this collection of information, please contact Scott Trowbridge, ACF, Administration on Children, Youth and Families (ACYF) by e-mail at Scott.Trowbridge@acf.hhs.gov.

Purpose and Description: The **Pre/Post Academy Learning Assessments** are developed as part of the instructional design for the Center for Legal and Judicial Innovation and Advancement (CLJIA) Judicial Academy and Attorney Academy for instructional purposes, and also inform continuous quality improvement to ensure high quality service delivery. Prior to the Academy participants are invited to complete a brief online learning experience, which includes a formative pre-assessment to gauge initial knowledge and presents learning material related to questions they answered incorrectly; this is the first exposure to the course material, prior to attending the two-day Academy. At the close of the Academy participants are invited to participate in the online learning experience again, where they take the assessment to apply content learned and have the opportunity to explore additional learning material. The assessments' primary purpose is instructional, but the data are also analyzed to inform continuous quality improvement. The assessments measure knowledge gain by comparing participants' responses to knowledge-based questions prior to the Academy to responses after the Academy; findings inform adjustments to improve the Academy's curriculum and delivery. Each assessment (pre and post) consists of 15 questions for the Academy, including 11 multiple choice questions and 4 short answer questions based on a brief scenario. These knowledge-based questions are tailored to the curriculum and audience (Judicial Academy vs. Attorney Academy) and may be revised over time as needed for instructional purposes. The assessments will be administered to participants in the CLJIA Judicial Academies and Attorney Academies, including judges, attorneys, and other officers of the court, and other participants. The assessments will be delivered to participants via the CLJIA's online learning experience system prior to participating in the Academy and at the close of the Academy, each taking an average of 13 minutes; the total estimated burden is 26 minutes for both pre and post assessment.

Format and Example Questions: The remainder of this document illustrates the format of the assessment and provides current questions. Questions may be modified as needed as part of instructional design. Questions will be delivered via the CLJIA's online learning experience system.

1. Federal law requires a judicial finding regarding whether the Title IV-E child welfare agency made reasonable efforts (choose all that apply):
 - a. To prevent or eliminate the need to remove the child from the child's home
 - b. To safely reunify the child with their family
 - c. To ensure the child is placed in the most family-like and stable environment available at the time of removal
 - d. To promote the child's best interest
 - e. To finalize the permanency plan
2. In order to obtain Title IV-E funding corresponding to a child's stay in foster care, federal law requires the court to find reasonable efforts to prevent removal:
 - a. At the initial hearing in the case
 - b. No later than 30 days from the date the child is removed from the home
 - c. No later than 60 days from the date the child is removed from the home
 - d. No later than 60 days from the date the child is removed from the home and again at disposition
 - e. No later than 60 days from the date the child is removed from the home and again at disposition, unless certain aggravated circumstances have occurred.
3. In order to continue to obtain Title IV-E funding corresponding to a child's stay in foster care, federal law requires the court must find reasonable efforts to finalize the permanency plan:
 - a. Within 60 days of removal and once every 12 months after the date of entry into foster care
 - b. Once every 6 months after the date of entry into foster care
 - c. Within 12 months of the date of entry into foster care, and once every 12 months thereafter
 - d. Within 60 days of removal, and at every hearing thereafter
4. Federal law defines reasonable efforts as:
 - a. Diligent and concerted efforts on the part of the agency to return the child in an expeditious manner
 - b. Title IV-E agency compliance with the applicable case plan and court orders in pursuit of safe reunification
 - c. Appropriate assistance to the child and family in order to enable the safe return of the child
 - d. There is no federal definition of what constitutes reasonable efforts
5. A reasonable efforts finding should only be made after:
 - a. The evidence supporting or tending to disprove the efforts is presented to the court, parties have an opportunity to be heard and to test the evidence and argue the law through counsel, and the factual findings are made on the record.
 - b. The evidence supporting or tending to disprove the efforts is communicated to all parties, and the court determines whether the evidence constitutes reasonable efforts.
 - c. The government files a petition or report, the petition or report is distributed to all parties, and the court makes a finding based on that petition or report

6. Select two that are true regarding the mechanics of reasonable efforts findings:
- A reasonable efforts finding must be explicit in the court order
 - A reasonable efforts finding must be made in the presence of the parent
 - A reasonable efforts finding may be made in an affidavit
 - A reasonable efforts finding must be detailed and child-specific
 - A reasonable efforts finding may be made following the relevant hearing and dated *nunc pro tunc* to that hearing
7. Under federal law, in assessing whether reasonable efforts were made to prevent removal, judges should consider (choose all that apply):
- The nature of the safety threat to the child in the home
 - The imminence of harm to the child posed by the safety threat
 - The impact of the loss of federal funding on the family
 - Whether services could mitigate the safety threat to the child
 - The availability of a foster care placement
8. In assessing whether reasonable efforts were made toward reunification or another permanency goal, judges should consider (select all that apply):
- The individual needs of the family members
 - Whether the case plan was tailored to the needs of the family
 - Whether the agency assisted the parents in overcoming any barriers to participation in services (i.e. transportation)
 - Whether the agency will lose Title IV-E funding
 - Whether the agency carried out its administrative obligations, such as placing the child in a foster home or timely filing court reports
9. Under federal law, what will happen if the judge finds that the agency did NOT make reasonable efforts to prevent removal
- The child must be returned to the parent
 - The state agency may not claim federal Title IV-E payments for the child, regardless of whether future reasonable efforts findings are made.
 - The state agency may not claim Title IV-E payments for the child but the agency may remedy the defect if the court later finds at the first permanency hearing that the agency made reasonable efforts to achieve reunification.
 - The court may place the child in foster care, but the agency may not pay their foster parent a stipend.

10. Mariyah entered foster care in June 2018. At the initial hearing in her case, the court found that the agency made reasonable efforts to prevent her removal, but she was still too unsafe in her mother's home and had to be removed. At a permanency hearing in May 2019, the court finds that the agency failed to make reasonable efforts toward reunification between Mariyah and her mother. Select the best answer regarding federal IV-E funding:
- The agency is able to claim IV-E funds for Mariyah's stay in foster care because the court found reasonable efforts to prevent removal.
 - The agency is able to claim IV-E funds for Mariyah's stay in foster care because the court found reasonable efforts to prevent removal. But, the finding of no reasonable efforts toward permanency prevents the agency from ever claiming those funds in the future.
 - The agency is able to claim IV-E funds for Mariyah's stay in foster care because the court found reasonable efforts to prevent removal. But, the finding of no reasonable efforts toward permanency prevents the agency from claiming those funds until the court makes a future finding of reasonable efforts toward permanency.
11. Under the Indian Child Welfare Act (ICWA), the state must make _____ to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family if the court knows or has reason to know that the child is an "Indian child."
- active efforts
 - reasonable efforts
 - additional efforts
 - culturally appropriate efforts
 - expedient efforts
12. Michael, 13, has been in foster care for two years. The court terminated his parents' rights five months ago. His permanency goal is adoption. After his initial foster care placement, Michael shuffled among several foster homes. His sixth foster home was very stable, however, and Michael and his foster mother, Ms. J, grew close. Around the time of the TPR trial, the Agency asked Ms. J if she would be willing to adopt Michael. Ms. J said yes.

Michael has been suspended from school six times this year. Last month, after he threw a chair at a substitute teacher, the school referred him for expulsion. After the incident, Ms. J called the social worker and asked that Michael be moved to another foster home. Ms. J said that she can no longer handle Michael's needs and that she is no longer a permanency option. The Agency referred Michael to a therapist, but there is a three-month wait. The therapist's office is about 30 minutes from Ms. J's home.

You are hearing these facts at a permanency hearing, and it comes time to make a reasonable efforts finding. What questions would you ask?

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13. In November, the Agency received a call from Gina and Jorge's school. The school social worker reported that Gina, 7, has twenty-four unexcused absences and Jorge, 5, has nineteen. Both children come to school late and frequently wear dirty or soiled clothing.

The school social worker called the children's mother, Jacqueline, to discuss their attendance and hygiene, but no one answered. The social worker has been unable to reach Jacqueline since.

A CPS social worker visited Jacqueline at home. Jacqueline reported that she was depressed and didn't have the energy to "fight with her kids" when they refused to go to school. The home smelled like marijuana. The worker referred Jacqueline to a mental health intake, a substance abuse assessment, and a parenting class.

Two weeks later, the CPS worker found out that Jacqueline missed her mental health intake appointment. She called Jacqueline's cell phone, but no one answered. The CPS worker went to Jacqueline's home at 11am the next day, a Wednesday, and found Gina and Jorge home alone with no sign of Jacqueline. The worker removed Gina and Jorge on an emergency basis.

You learn these facts in a petition at the initial shelter care hearing. What findings would you make?

14. Justin was arrested for a serious physical assault on his girlfriend, Zara. The incident occurred inside their shared home. When the police arrived, they found Zara inconsolable and profusely bleeding. The police called an ambulance to take Zara to the hospital. Her two children, Lena and Frankie, were both at the scene of the incident. Lena and Frankie were clearly upset and reported to the officers that they saw Justin "stab mommy with a screwdriver." The police put the children into a police vehicle and drove them to the child welfare agency. A petition for their removal was filed the next day.

What finding(s) regarding reasonable efforts would you make? What case factors went into your decision?

15. At the time of Anthony's removal, both of his parents, Joe and Desiree, tested positive for cocaine. At the removal hearing, the social worker reported that Joe was detained pre-trial on a drug charge, but Desiree was couch surfing among a few friends' homes. The Agency created a case plan that required both Joe and Desiree to participate in drug treatment and mental health treatment, and to obtain stable housing and employment. Desiree signed the case plan, but Joe did not.

A few months later, the case managing social worker heard from Desiree's mother that Desiree was in jail. The social worker called the local mental health and substance use central intake center, and learned that neither parent had shown up for or received any services. At the hearing, the social worker testifies that little progress had been made, despite the efforts and hopes of the Agency, because both parents were "on the run" and had not maintained any contact with the social worker, even though the social worker had given them her cell phone number.

What finding(s) regarding reasonable efforts would you make? What case factors went into your decision?