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MAINE JUSTICE FOR CHILDREN TASK FORCE 2021 REPORT TO THE SUPREME JUDICIAL COURT

Submitted by the Maine Justice for Children Task Force

January 15, 2022

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Introduction

The Maine Justice for Children Task Force (the “Task Force”) is a collaborative multidisciplinary Task Force convened by the Maine Judicial Branch whose mission is to improve safety, permanency, and well-being for children in the State of Maine child welfare system. The members of the Task Force include representatives of the legislative, judicial, and executive branches, advocates for children and parents, foster parents, and other individuals involved in the child welfare system.

The Task Force is charged with identifying opportunities for systemic improvement within the child welfare system that could improve outcomes for children and using that information to develop joint solutions among stakeholder systems. Once opportunities for improvement are identified, the Task Force prioritizes those issues and develops joint solutions to help capitalize on those opportunities.

The Task Force is chaired by the Chief Justice of the Supreme Judicial Court who also appoints members of the Task Force. Pursuant to its charter, the Task Force submits this report to the Supreme Judicial Court on the work of the Task Force from January 1, 2021 to December 31, 2021.

I. Meetings

The Task Force met regularly throughout 2021 with an average member and guest attendance rate of 33. The Task Force met in March, June, September, and December. All meetings were held virtually. Most Task Force meetings featured updates by its members, including leaders from the Maine Judicial Branch, the Office of Child and Family Services (OCFS), the Office of the Attorney General, and the Maine Commission on Indigent Legal Services. The updates

focused, in part, on creating information sharing among systems in order to develop and enhance the Task Force strategic plan (discussed further in section II of this report). In addition to updates, Task Force meeting attendees received updates on action steps taken on strategic plan initiatives and provided recommendations for follow up as needed.

In addition, the meetings included various presentations on pertinent child welfare topics identified by Task Force members. Presentations in 2021 included:

- A review of the Maine Homicide Report and statewide resources presented by the Maine Coalition to End Domestic Violence (MCEDV);
- An introduction to the Youth Leadership Advisory Team (YLAT) and strategies to support authentic youth engagement; and
- A presentation by Public Consulting Group (PCG) on the Race and Equity Interagency Data Assessment (discussed further in section II(C) of this report).

The effect of the pandemic on individuals involved in the child welfare system, system processes, and agency communication continued to be a major focus of plenary Task Force discussions. The District Court and various agencies reported on specific challenges and provided insight into practice changes and necessary adaptations. The Task Force collaborated to address any of those issues that required a systemic solution.

Additional topics discussed at the Task Force meetings throughout 2021 included: (1) collaboration and coordination needed for Maine to comply with the Family First Prevention Services Act; (2) data sharing with a focus on the number of children in care as well as new child welfare court filings; and (3) discussion of various training opportunities. With the exception of the Family First Services Act, these discussions are ongoing and will continue to be a focus of the Task Force in 2022.

II. Strategic Plan

The Task Force's 2021 strategic plan focused on three projects: (1) completion of the website for the three citizen review panels under the Child Abuse Prevention and Treatment Act (CAPTA); (2) research and implementation of a virtual child welfare parent curriculum; and (3) a race and equity data assessment. A workgroup for each project was formed and convened approximately monthly throughout the year. All workgroups had Task Force members, nonmember individuals from stakeholder organizations, and interested community members.

A. Information Sharing

The Task Force is convened as one of three citizen review panels required under CAPTA. The other two panels are the Maine Child Welfare Advisory Panel (MCWAP) and the Child Death and Serious Injury Panel. The three panels aim to conduct complementary work without duplication. Therefore, information sharing among the panels is paramount for both collaboration of panel goals and outcomes. Beginning in November of 2019, representatives from all three panels met to transform the then-MCWAP website into a landing page for all three panels. The content and design were completed in October 2020 and the website went live in February 2021. The website contains Task Force information as well as meeting minutes, meetings dates, and organizational documents such as the Justice for Children Task Force Charter. Visitors to the website are able to leave feedback or submit questions for specific panels. Website analytics are shared with the various panels on a monthly basis.

Though the website is complete, maintaining current and relevant information will be a continued focus of the Task Force. Throughout the next year, the Task Force in collaboration with the other CAPTA/CJA panels, will explore the possibility of having parent and provider surveys available on the website to collect and analyze system feedback on a continuous basis.

B. Development and Implementation of Curriculum for Parents Involved in the Child Welfare System

In August 2020, the Task Force added the development of information sessions for parents involved in the child welfare system to the Task Force's strategic plan. The goal of the curriculum is to offer optional classes focused on understanding child welfare agency processes, court procedures, and suggested practices for parents to implement in order to be successful throughout a child welfare case. A workgroup was created and began meeting in December 2020.

Since December 2020, the workgroup has secured funding for The Opportunity Alliance (TOA) to implement a one-year pilot project for information sessions entitled *Child Protection 101: For Parents, By Parents*. The workgroup, in collaboration with TOA, developed a work plan, created a curriculum outline, and engaged stakeholders for participation in pre-recorded video segments to be used at all sessions. The sessions will be led by parents with lived experience in the child welfare system or parents who have navigated multiple systems. Each two-hour information session will be held twice a month.

Data collection for this pilot project has also been an important focus of the workgroup. Data collection focuses will include: (1) pre- and post- parent surveys; (2) time to permanency; (3) participation in family visitation; (4) participation and engagement in reunification services; and (5) attendance at court proceeding. All of the above data points will be collected on those individuals who participate in the information sessions as well as a random sampling of case information for parents who did not participate. All data will be deidentified and analyzed to determine if participation in the class had an effect on overall case participation, reunification rates, and timeliness to permanency.

C. Race and Equity Data Assessment

In March of 2021, the Task Force identified the need to assess systemic data collection with regard to race and other important markers of equity. As a result, the Task Force formed the Race and Equity Data Collection Subcommittee (R&E Subcommittee). Members of the R&E Subcommittee include representatives from partners including the Maine Judicial Branch, the Department of Health and Human Services, Department of Corrections, Department of Public Safety, and Department of Education (collectively referred to as “Project Partners”), the Maine State Legislature, and various other community stakeholders.

The goal of the R&E Subcommittee is to better understand what systems are in place for the collection and sharing of aggregated data on various data points in order to inform policy decisions, measure fairness and equity, and provide the courts and agencies with data about the people and populations they serve. The data point set that is the subject of the assessment includes: race, ethnicity, connection with tribe/band/nation, enrollment or eligibility for enrollment with federally recognized tribe(s), sexual orientation, income, location, gender, gender identity, and disability (“data point set”).

The first action step of the R&E Subcommittee was for each Project Partner to conduct a self-assessment to inventory which data are collected, how they are collected, and how those data are coded in the various systems. The preliminary self-assessment showed that each agency collected different data and coded the data collected differently, making even a superficial evaluation very challenging. Therefore, the R&E Subcommittee voted to contract with a consultant to conduct a more in-depth assessment and develop recommendations on improvements to cross-system collection and sharing of data. In October, Public Consulting Group (PCG), was hired

through the competitive request for proposal (RFP) process to create a data mapping inventory and produce a final report with findings and recommendations.

The data mapping inventory is designed to provide an overview of the current systems and processes for the collection of the data point set by Project Partners. The data mapping inventory will include: (1) when the Project Partners interface with the child welfare system; (2) the key decision points in the child welfare process made by Project Partners; (3) which data from the data point set are currently collected by the Project Partners; (4) opportunities for data collection; (5) when data from the data point set are currently collected; (6) how the data from the data point set are collected; and (7) availability of data on the total number of cases and individuals served.

The final report will include: (1) barriers, if any, identified for collection of data from the data point set; (2) best practices for the collection of data; (3) opportunities, advantages, and disadvantages for interagency aggregated data sharing; and (4) a proposed evaluation plan for the collection and possible sharing of aggregated data pertaining to the data point set by the Project Partners. The final report is due to the Task Force by September 30, 2022.

III. Continuing Education Subcommittee

In addition to pursuing the three projects identified in the Task Force's strategic plan, the Task Force also assisted in the planning of the Maine Judicial Branch's annual child protective conference through its Continuing Education Subcommittee (CES). The CES meets to help plan the annual child protective conference every year. This year, with the continuation of the COVID-19 pandemic, the CES decided to alter the format of the conference. Rather than offering a two-day plenary session to all stakeholders, the CES broke the training up into two parts: small interactive skills-based sessions and a one-day plenary session.

Consistent feedback from previous conferences emphasized the need for attorneys to have skills-based training. Therefore, the Maine Judicial Branch contracted with the National Institute for Trial Advocacy (NITA) to host six virtual, skills-based training sessions for child welfare attorneys and guardians ad litem. Two different topics were offered once a month for three months: (1) direct and cross examination, and (2) exhibits and impeachment. Each session was limited to 50 participants with a faculty to participant ratio of no more than 7:1. The four-hour sessions utilized fictitious fact patterns and case files and provided each participant an opportunity to “learn by doing” in a simulated virtual courtroom setting with constructive and collegial faculty critique of the participants’ performance. The feedback from the NITA sessions was overwhelmingly positive. Participants had the opportunity to earn four continuing legal education/continuing professional education credits for each session.

In addition to the NITA sessions, the Maine Judicial Branch, with input from the CES, hosted a one-day plenary child welfare conference for all stakeholders on October 26, 2021. The theme of the conference was *Effective Assistance: How to Advocate for Maine Families Both In and Out of the Courtroom*. Sessions throughout the day focused on strategies for all stakeholders, at all stages of a child welfare case, to effectively support the families and children with whom they work to promote successful child welfare case outcomes. The conference offered participants the opportunity to earn 5.5 continuing legal education credits, three continuing professional education credits, and one ethics credit. For both the NITA sessions and the one-day plenary session, attorney participants reported approximately 1,398 hours of continuing legal education credit hours, 160 hours of ethics credits, and 425 continuing professional education credit hours for guardians ad litem.

Conclusion

Throughout 2021, the Task Force focused on systemic education for both child welfare professionals and families involved in the child welfare system, and initiated a statewide, multisystem data analysis that aims to provide the tools and resources necessary to be able to gauge fairness and equity for system-involved families and children. As the COVID-19 pandemic continued, intersystem and stakeholder communication and coordination remained of paramount importance to families and children to ensure meaningful and efficient interactions and experiences.