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MAINE JUSTICE FOR CHILDREN TASK FORCE 2023 REPORT TO THE SUPREME JUDICIAL COURT

Submitted by the Maine Justice for Children Task Force

January 15, 2024

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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 one of three citizen review panels required under the Child Abuse Prevention and Treatment Act (CAPTA). The other two panels are the Maine Child Welfare Advisory Panel and the Child Death and Serious Injury Review Panel.

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 child welfare system partners. 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, 2023 to December 31, 2023.

I. Meetings

The Task Force met in June, September, and December in 2023. A meeting was scheduled in March but was cancelled due to inclement weather. 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

(OAG), and the Maine Commission on Indigent Legal Services (MCILS). The updates focused, in part, on the current state of the child welfare system, data sharing on open child welfare investigations, new child welfare court filings, and workforce statistics and needs. 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.

Additional topics discussed at the Task Force meetings throughout 2023 included: (1) sharing of the other two Maine Citizen Review Panel's Annual Reports (i.e., Maine Child Welfare Advisory Panel and the Child Death and Serious Injury Review Panel), as well as quarterly updates from each panel; (2) data sharing with a focus on the number of children in care and new child welfare court filings; and (3) implementation of Maine's Child Safety and Family Wellbeing Plan. These discussion items are ongoing and will continue to be a focus of the Task Force in 2024.

II. Strategic Plan

The Task Force's 2023 strategic plan focused on four projects: (1) information sharing between citizen review panels and the legislature; (2) facilitation and expansion of a virtual child welfare parent curriculum; (3) race and equity data collection; and (4) parent attorney and guardian ad litem recruitment and retention. 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 Child Abuse Prevention and Treatment Act (CAPTA) requires, as a condition of funding, that each state establish three citizen review panels. In Maine, they are: the Task Force, the Maine Child Welfare Advisory Panel, and the Child Death and Serious Injury Review Panel.

The three panels aim to conduct complementary work without duplication. Therefore, information sharing among the panels is paramount for collaboration of panel goals and outcomes. Throughout 2023, the Task Force meetings provided a collaboration space for all three Maine Citizen Review Panels. Both the Maine Child Welfare Advisory Panel and the Child Death and Serious Injury Review Panel regularly joined the Task Force to provide information on each panel's work, annual reports, and system recommendations. A representative from the Task Force provided similar information to the other two panels.

A chair/designee from all three panels met quarterly throughout 2023 with a focus on effective communication among the panels, pertinent data sharing, ensuring that statutory functions are faithfully discharged, and identifying opportunities to support and collaborate on initiatives. All three panels have provided quarterly updates to the Health and Human Services Committee at the Maine State Legislature.

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 voluntary classes focused on understanding child welfare agency processes, court procedures, and suggested practices for parents to implement to be successful throughout a child welfare case. A subcommittee was created and began meeting in December 2020.

In late 2021, the committee 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* ("CPS 101"). The workgroup, in collaboration with TOA, developed a work plan, created a curriculum outline, and engaged system partners for participation in pre-recorded video segments to be used at all sessions. Each two-hour information session is led by a parent

with experience in the child welfare system or a parent who has navigated multiple systems and includes:

- An introduction to child protective service professionals;
- Explanation of the court process;
- Tips for parents on how to successfully engage in the child welfare process and how to respond to conflict; and
- Contact information for helpful resources and information.

Maine Judicial Branch funding for CPS 101 was extended through June 30, 2024. During the 131st legislative session, the legislature provided one-time funding in the amount of \$200,000 for FY25 to OCFS to contract with an entity to continue to provide the free virtual classes, mirroring the CPS 101 model currently being implemented. Specifically, the legislation requires that the class be “facilitated by parents who have experience with the child protective services system or have navigated multiple complex systems.”¹

As of December 31, 2023, TOA has offered the information sessions to parents on 39 different occasions with 117 parent participants. In addition to parent information sessions, TOA offered twenty CPS 101 information sessions to child welfare system partners. The scope of CPS 101 was expanded in 2023 to include the development and implementation of CPS 201. CPS 201 is for individuals who have participated in CPS 101 and would like further information on how to be successful during a child welfare case. CPS 201 includes information on family team meetings, effective communication, how to have successful visits with children, and skills for self-advocacy. Participants are also provided with helpful tools such as call and activity logs, and sample family team meetings agendas. The inaugural CPS 201 session was conducted in late

¹ <https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0777&item=5&snum=131>

2023 and there were five participants.

Data collection for this pilot project has been an important focus of the workgroup. Data collection instruments and data sets 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 the above data points will be collected for individuals who have participated in the information sessions. Additionally, at the end of the pilot project, the same data points will be collected for a random sampling of cases for parents who did not participate in the CPS 101 information sessions. All data will be deidentified and analyzed to determine if participation in the class influenced overall case participation, reunification rates, and timeliness to permanency.

The primary data collection to date has focused on the pre and post surveys that all parent information session attendees are asked to complete to gauge the participants' initial knowledge base as compared to post participation. The below chart includes pre and post survey results for all 117 participants. The selected questions from the survey specifically address the participants' knowledge and understanding of the child welfare process on a scale from 1 to 5 (with 1 being the lowest and 5 being the highest score) before and after the information session.

Question	Pre-CPS 101 Average Score (on a scale from 1 to 5)	Post CPS 101 Average Score (on a scale from 1 to 5)
I have an understanding of how the child protective system works.	2.8	4.1
I understand who is on my child protective services team and what they each do.	3.1	4.3
I have an understanding of what I need to do to reunify my family.	3.2 (113/113) (4 children in parents' care)	4.0 (110/110) (7 children in parents' care)
I feel hopeful about my child protective services	3.0	3.7

involvement		
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C. Race and Equity Data Assessment

In March of 2021, the Task Force identified the need to assess data collection regarding race and other important markers of equity by the Maine Judicial Branch and the agencies that interface with the child protection system. 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 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 organizations.

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 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”).

In October of 2021, 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. Throughout 2021 and the first half of 2022, PCG conducted 15 interviews with leadership and staff of the Project Partners who have specific roles that relate to the collection, storage, reporting, and sharing of the ten identified data point set items. As needed follow-up contact was conducted via email. Additionally, PCG conducted a literature

review of best practices and strategies for data sharing and data consistency among system partners. Finally, PCG interviewed six national experts in data sharing to gather information about barriers and challenges to sharing aggregate data, determinants to successful information-sharing collaboratives, and strategies for encouraging buy-in from necessary partners.

The PCG work product consists of two reports: the Data Mapping Inventory and the Final Report. Both reports were issued in September 2022 and distributed to Task Force members. An overview of both reports was provided to the R&E Subcommittee prior to release of the final reports and an overview of the two final reports was provided to the full Task Force by the subcommittee co-chairs at the December 2022 meeting.

Since the issuance of the two PCG reports, the Race and Equity Subcommittee has continued to meet to discuss how to implement recommendations in the report that focus on consistent data collection and storage. Individual project partners have focused efforts internally on implementation of collection strategies. Additionally, the subcommittee has monitored other statewide data collection initiatives to coordinate efforts without duplication.

D. Parent Attorney and Guardian ad Litem Recruitment and Retention

The 2022 MCWAP Annual Report, while addressing legal representation for families involved in the child welfare system, made the following recommendation to the Task Force: “The Justice for Children Task Force should convene a working group to further explore and make recommendations for how to improve the retention and recruitment of parent attorneys.” A separate but similar recommendation was made for the retention and recruitment of guardians ad litem. As a result of this recommendation, in June 2023, the Task Force established the Parent/GAL Recruitment and Retention Subcommittee. Members of the subcommittee include representatives from: Maine legal services providers, Maine Judicial Branch, Maine

Commission on Indigent Legal Services, parent attorneys, guardians ad litem, and individuals representing juveniles in delinquency matters.

The mission of the subcommittee is to identify and make recommendations for system improvements to increase the recruitment and retention of Maine child welfare parent attorneys and guardians ad litem. Since the subcommittee's first meeting in August, the following system processes have been identified as needing further examination:

1. Engagement of legal aid organizations to provide representation;
2. Use of law school interns in private/small firm practices;
3. Child welfare expert certification;
4. Statewide incubator programs;
5. Examination of court scheduling practices; and
6. Service availability to parents and children involved in the child welfare system.

The committee will continue its work throughout 2024 to make recommendations for better recruitment and retention of child welfare attorneys and guardians ad litem to the Task Force.

III. Continuing Education Subcommittee

In addition to pursuing the four 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. For the first time since 2019, the conference was held in person on Thursday, March 30, and Friday March 31 at Sunday River Resort in Newry, Maine. The title of the conference was *Let's Reconnect: A Lived-Experience Perspective of the Child Welfare System*.

Sessions throughout the conference focused on the lived experiences of both children and

parents who have been involved with the Maine child welfare system. The theme was chosen as an important reminder as to why the work of child welfare is critically important. Youth involved sessions included a film screening of “As We Are” by Smooth Feather Youth and a session focused on how to partner with young people in decision making during the life of a child welfare case. Parent-led sessions included hearing from individuals in recovery with previous child welfare involvement with additional sessions on understanding substance use disorder and the interplay of the child welfare system and domestic violence.

The two-day conference provided attendees with the opportunity to earn 10.5 general continuing legal credits/continuing professional education credits, one ethics credit, and one harassment and discrimination credits. The CES received very positive feedback on the conference and is currently planning the 2024 spring conference.

Conclusion

Throughout 2023, the Task Force focused on systemic improvements including: (1) information sharing among Citizen Review Panels; (2) educating system involved individuals on child welfare process and logistics to help increase case participation and understanding of process; (3) multisystem gathering of data aimed to assess fairness and equity for those families involved in the child welfare system; (4) examining the current legal system in Maine to understand what recommendations could be made to increase the number of high quality parent attorneys and guardian ad litem who practice in this area of law; and (5) providing learning opportunities for all system partners to rethink how we can best serve children and families as well as connect as a community to make the child welfare system stronger. We would like to thank all the Task Force members for their past and ongoing meaningful collaboration and work to support the child welfare system.