



NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

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Nancy Miller  
Director  
Permanency Planning for Children Department  
National Council for Juvenile and Family Court Judges  
(503) 999-5518  
[nmiller@ncjfcj.org](mailto:nmiller@ncjfcj.org)  
<http://www.ncjfcj.org>

OR

Jesse Russell  
Senior Research Associate  
Permanency Planning for Children Department  
National Council for Juvenile and Family Court Judges  
(775) 784-7530  
[jrussell@ncjfcj.org](mailto:jrussell@ncjfcj.org)  
<http://www.ncjfcj.org/>

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## **Study finds new guidelines help judges better serve abused and neglected children and their families**

More children are able to return home safely or live with extended family

RENO, NV - Children who are removed from their parents for abuse or neglect allegations experience better outcomes when judges follow a set of decision-making guidelines during the initial removal hearing, according to a study released today by the National Council of Juvenile and Family Court Judges (NCJFCJ). Development of a benchcard containing the guidelines grew out of a national NCJFCJ initiative, Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care (CCC). In partnership with Casey Family Programs and the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention, NCJFCJ member judges throughout the country are working to reduce the overrepresentation of children of color in the foster care system along with the disparate outcomes they and their families experience.

Researchers tracked more than 500 children through the court system in three cities and found that 45% more children were able to return home to their parents or live with extended family members when judges used the benchcard during their hearings. The findings are detailed in a report, *Right from the Start: The Courts Catalyzing Change Preliminary Protective Hearing Benchcard Study Report - Testing a Tool for Judicial Decision-Making*. The report details positive qualitative and quantitative results when the guidelines outlined in the benchcard were used.

"Parents were more engaged, child welfare workers were prepared with better, and more complete information about the family's conditions and circumstances," said Judge Nan Waller, Presiding Judge in Multnomah County, Oregon, one of the study sites. "We were able to drill down to specific barriers that prevented the child from remaining at home and to meaningfully engage parents in fashioning

solutions to keeping families together safely."

In the fall of 2009, the NCJFCJ began studying the effects associated with the use of an enhanced set of guidelines - the CCC benchcard - for conducting the first hearing after children are removed from their home for alleged abuse or neglect. This hearing, known as the preliminary protective hearing, focuses on whether a child can safely return home or must remain in foster care.

Three juvenile court sites agreed to participate in a pilot implementation and assessment of the benchcard: Los Angeles, California; Omaha, Nebraska; and Portland, Oregon. Judges in the benchcard pilot sites were trained on its use, including key decision points at the initial hearing. Each randomly assigned judicial officer heard 10 preliminary protective hearings using the benchcard, while a control group of judicial officers in each of the sites heard 10 preliminary protective hearings without using the benchcard. Researchers analyzed information from case files and from courtroom observations. The study finds that use of the benchcard was associated with increases in the quality and quantity of discussion at the hearings

Though there is variation by site, before benchcard implementation, 12.6% of children were returned home at the initial hearing compared to 17.3% after benchcard implementation. Reunification rates also increased after implementation of the benchcard at a later stage of the case, the adjudication hearing.

"Every day I hear from someone involved in our Dependency Court in Los Angeles that these guidelines are changing judicial practice in our courtrooms in a way that better engages families, advocates and caseworkers, and ultimately improves the outcome of the case," said Judge Michael Nash, presiding judge for the Los Angeles Juvenile Court.

As with all field research, the present study has limitations, but is one of several steps necessary for establishing the benchcard as an evidence-based practice. The benchcard study has not yet examined the impact of the hearing guidelines on different racial and ethnic groups. NCJFCJ sought first to measure the effectiveness of the benchcard for all children before further analysis is conducted. The NCJFCJ will continue to track the results of the benchcard implementation and is currently expanding its research as the guidelines are used in additional jurisdictions.

### **About NCJFCJ**

The NCJFCJ, headquartered on the University of Nevada campus in Reno since 1969, provides cutting-edge training, wide-ranging technical assistance, and research to help the nation's juvenile and family courts, judges, and staff in their important work. Since its founding in 1937 by a group of judges dedicated to improving the effectiveness of the nation's juvenile courts, the NCJFCJ has pursued a mission to improve courts and system practice and to raise awareness of the core issues that touch the lives of many of our nation's children and families.

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