



## Bridging the Child Welfare and Juvenile Justice Systems

The Administration is committed to improving the lives of children, their families, and the communities in which they live. Of special interest are several new initiatives which focus on family preservation, early intervention, delinquency prevention, and improvement of the court's response to children's needs.

The Administration is also committed to the idea that improved coordination at the Federal, State, and community levels will greatly enhance the impact and quality of these initiatives. Accordingly, representatives from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Administration on Children, Youth and Families (ACYF) have been exploring ways to coordinate their own programs and help States and local communities build a continuum of services aimed at prevention and early intervention. We have identified four programs administered

by our two agencies—Family Preservation and Support Services (ACYF), State Court Improvement Program (ACYF), Children's Justice Act (ACYF), and Delinquency Prevention Incentive Grants (OJJDP)—which we believe present opportunities for collaboration between the child welfare and juvenile justice systems.

### Prevention Programs

#### Family Preservation and Support Services (ACYF)

In August 1993, the Congress passed and the President signed the Omnibus Budget Reconciliation Act (OBRA) of 1993. Under a new Subpart 2 to Title IV-B of the Social Security Act (P.L. 103-66), entitled Family Preservation and Support Services, nearly \$1 billion in new Federal aid is being made

available over 5 years to States and a limited number of Tribes for preventive services (family support services) and services to families at risk or in crisis (family preservation services). This new language represents the first major change in the child welfare area since the Adoption Assistance and Child Welfare Act of 1980.

In addition to providing funds for establishing and/or expanding services, the new program offers States an extraordinary opportunity to make sweeping changes in State and local service delivery in the child welfare system, as it is broadly defined. These changes are to be directed to helping vulnerable children and their families, particularly those experiencing, or at risk for, abuse and neglect. Because their multiple needs cannot be addressed adequately through categorical programs and fragmented service delivery

#### From the Administrator

Working in partnership with other government agencies and communities on behalf of children has long been a priority of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). That is why I welcome the collaboration of the Administration on Children, Youth and Families in efforts to enhance

the Nation's child welfare and juvenile justice systems. This bulletin describes four programs administered by our agencies that focus on family preservation, delinquency prevention, early intervention, and improving judicial response to the needs of children. Specific opportunities for increased collaboration among public officials and

community leaders are identified. I am convinced that we can strengthen each of these programs—and the child welfare and juvenile justice systems—by building bridges between our two agencies and the communities we serve.

Shay Bilchik  
Administrator

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systems, we encourage States to use the new program as a catalyst for change. We believe strongly that the best approach lies with establishing a continuum of services that is coordinated and integrated, culturally relevant, and family-focused.

What the new legislation requires are sweeping changes in vision, in philosophy, and in the design and delivery of child welfare services. Accordingly, the planning period is especially critical, and 100 percent Federal funding was available in FY 1994 for the purpose of developing a 5-year Comprehensive Child and Family Services State Plan. Of the approximately \$57.5 million going directly to the States in FY 94, up to \$1 million of a State's individual allocation may be used for planning purposes. Planning grant applications were due to the Federal Government on June 30, 1994.

Participation in the planning process should be as broad as possible. Participants should include a wide array of public and private agencies and institutions, parents, consumers, and other individuals whose interests and responsibilities have an impact on service delivery. Service programs such as health, mental health, education, child care, juvenile justice, food stamps, and substance abuse prevention and treatment should also participate. These should include a cross section of funding sources—federally funded programs at the State and local level, State and locally funded programs, and private monies. Ideally, the planning process will offer an opportunity for all these key stakeholders to become advocates for children.

The 5-year State Plan, the product of the planning process, articulates a State's vision and the strategy for achieving that vision. It sets goals and measures progress toward those goals. It identifies practical next steps toward a more comprehensive and integrated continuum of services that responds to the needs of vulnerable families within the State. The deadline for submission of the 5-year Comprehensive Child and Family Services State Plan is no later than June 30, 1995.

## **Delinquency Prevention Incentive Grants (OJJDP)**

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, establishes the Delinquency Prevention Incentive Grants program. Enacted in 1992, this legislation provides \$13 million in FY 1994 to communities as an incentive to adopt a comprehensive planning strategy that addresses the root causes of juvenile crime and violence. Guidelines for this program were issued in August 1994.

Title V funds will be distributed to the States on the basis of a population formula. States will then subgrant the funds to units of local government. The State Advisory Group, appointed by the chief executive of each State or Territory, approves the grant awards to localities.

To qualify, communities must assess the risks present in their environment that are known to foster problem behavior in children. Each must then develop a strategy to reduce these risks and increase the "protective" factors that promote healthy and productive behavior. Responsibility for these activities lies with a Prevention Policy Board. The Board represents public and private organizations that play a role in the development of a healthy and nurturing environment for all youth in the community. The Board may be an entirely new entity or an existing local board. Or, a coalition with the same general mission may assume the duties. The funding guideline stresses collaboration and coordination with other Federal, State, and local programs that use a similar planning process for prevention services.

OJJDP is providing training and technical assistance to States and localities to enhance their ability to implement this strategy. Two levels of training are being provided at approximately 45 sites across the country, reaching 4,000 to 5,000 participants in 400 to 500 communities. Level One will last 1 day and will be directed to elected officials and key policymakers. Level Two will be a 3-day training program geared to those with direct responsibility

for planning and service delivery. Technical assistance is offered to every community that participates in the training and any community interested in participating in the Title V program.

## **Court Improvement Programs**

### **State Court Improvement Program (ACYF)**

The State Court Improvement Program is part of OBRA of 1993. Congress clearly recognized that family preservation and support services described in the preceding section would not be effective unless State courts improved their handling of foster care and adoption proceedings.

Accordingly, it appropriated \$5 million in FY 1995 and \$10 million in FY 1996, 1997, and 1998 for State court improvement programs. During the first year of the 4-year Court Improvement Program, 48 States and the District of Columbia have been funded to assess their foster care and adoption laws and judicial processes. Through this process, they can identify ineffective laws or procedures and barriers to effective decisionmaking, highlight practices that are not fully successful, examine areas found to be in need of correction or added attention, and develop a plan for system improvement. During the remaining 3 years, the courts will implement improvements that address the State court system's specific needs.

The Court Improvement Program provides State courts with the opportunity to collaborate with the other organizations and individuals responsible for promoting and protecting the well-being of children and families. Specifically, State courts are strongly encouraged to collaborate with the State child welfare agency to ensure consistency between the courts' plans for improvement and the family preservation and support plans developed by the State child welfare agencies. It is anticipated that these grants will provide an opportunity for State courts, along with the other participants, to develop a

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vision of how the future child welfare system can be made more responsive to the needs of children and families.

Similarly, ACYF has strongly encouraged State child welfare agencies to involve courts in the development of their State child welfare/family preservation and support plans.

## **Children's Justice Act (ACYF)**

The Children's Justice and Assistance Act of 1986, P.L. 99-401 administered by the National Center for Child Abuse and Neglect within ACYF provides grants to States to improve:

- (1) The handling of child abuse cases, particularly cases of child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim.
- (2) The handling of cases of suspected child abuse or neglect related fatalities.
- (3) The investigation and prosecution of child abuse cases, particularly child sexual abuse and exploitation.

To qualify for assistance, the State must have established a multidisciplinary Task Force on children's justice representing all parties involved in handling these cases. At 3-year intervals, the Task Force must review and evaluate the State's investigative, administrative, and both civil and criminal judicial handling of cases of child abuse and neglect and exploitation. It must also review the systems for handling cases involving suspected child maltreatment-related fatalities, and cases involving a potential combination of jurisdictions such as interstate, Federal-State, and State-Tribal.

The Task Force must make policy and training recommendations regarding (1) the handling of these cases in a manner that reduces additional trauma to the child victim and the victim's family, and ensures procedural fairness to the accused; (2) the development of experimental, model, and demonstration programs to improve the resolution of civil and criminal court proceedings or to enhance the effectiveness of judicial and administrative action in these cases, including the performance of court-

appointed attorneys and guardians *ad litem* for children; and (3) the reform of State laws, ordinances, regulations, and protocols and procedures to provide comprehensive protection for children from abuse.

Funding for this program comes from the deposits made into the Crime Victims' Fund, administered by the U.S. Department of Justice under the Victims of Crime Act. In FY 1993 and in FY 1994, 43 States and 5 insular areas received Children's Justice Act grants totalling \$9,325,000 each year. In FY 1995, \$8.5 million will be available.

The States have used the Children's Justice Act funds to support a diverse and comprehensive set of activities. These include training, curriculum development, multidisciplinary investigating and fatality review teams, child advocacy centers, model treatment programs, and research, dissemination, and evaluation efforts.

In addition to these program initiatives, the States have also passed new laws that enhance prosecution outcomes and limit additional trauma to child victims. Others allow the admission of the indirect testimony of children into evidence; change existing laws and administrative procedures designed to modify the courtroom environment to make it less intimidating to a child, the so-called "Friendly Face Laws"; increase penalties for sexual offenses against children; require mandatory sentencing; permit the admission of victim impact statements prior to sentencing; and shorten the trial process.

## **Opportunities for Collaboration**

We strongly urge collaboration at the State and local level. Here are the opportunities we've identified:

- ① *First, understand the respective programs and identify ways in which the programs can build on one another.*

Given that all programs are related to families and children, a key to delinquency prevention, stakehold-

ers at the State and community levels need to share their ideas and information. Names of key contact persons for each program can be obtained by contacting the relevant Federal official listed in the conclusion section of this bulletin. You are urged to contact them.

- ② *Second, eliminate duplicative planning processes.*

It is in the best interest of all programs to collaborate around planning. This is particularly true of the Family Preservation and Support Services program, the Delinquency Prevention Incentive Grants program, and the State Court Improvement program, which require submission of comprehensive plans as the basis for determining awards. Since planning monies are available to the Family Preservation Program but not to the Delinquency Prevention Program, both OJJDP and ACYF urge that planning for the Delinquency Prevention Program take place within the context of the planning for the Family Preservation Program.

- ③ *Third, include State child welfare directors, juvenile justice specialists, Children's Justice Act coordinators, and State court leaders on the respective planning teams.*

The planning efforts of all programs will be greatly strengthened.

- ④ *Fourth, participate in the training activities of OJJDP's Title V Delinquency Prevention Incentive Grants.*

OJJDP believes that this training is essential for understanding the steps that must be taken to comprehensively plan for an effective delinquency prevention program. Accordingly, OJJDP is inviting State child welfare directors and State court officials to this training. Other interested persons should contact the relevant State juvenile justice specialist. A list of these

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individuals can be obtained by contacting OJJDP's Juvenile Justice Clearinghouse. (See final page.)

- 5 *Fifth, work closely together during the implementation phase of your respective programs.*

Sharing final plans for the new programs, identifying common elements and establishing formal linkages will greatly enhance the quality of each program's efforts.

## Conclusion

We have suggested immediate steps for potential collaboration/coordination between key OJJDP and ACYF programs. We will continue to identify additional ways in which the two agencies can help facilitate linkages between these and other programs at the State and community levels. Your suggestions and/or recommendations for what we can do or should consider are certainly welcomed and appreciated.

For further information, please contact the following offices:

Federal agency collaboration—  
Douglas C. Dodge, Office of Juvenile Justice and Delinquency Prevention  
(202) 307-5914.

Family Preservation and Support Program—Daniel H. Lewis, Children's Bureau, Administration on Children, Youth and Families (202) 205-8618.

Delinquency Prevention Incentive Program—Office of Juvenile Justice and Delinquency Prevention's Juvenile Justice Clearinghouse (800) 638-8736.

State Court Improvement Program—Sharon Rothman, Children's Bureau, Administration on Children, Youth and Families (202) 205-8214.

Children's Justice Act—David Lloyd, National Center on Child Abuse and Neglect, Administration on Children, Youth and Families (202) 205-8586.

**References: These documents are available from the pertinent OJJDP or ACF office listed above.**

I. Family Preservation and Support

Fact Sheet  
Program Instruction  
(ACYF-PI-94-01)

Proposed Rule  
(Federal Register, October 4, 1994)

II. Delinquency Prevention Incentive

Grants  
Fact Sheet #6, February 1994  
Delinquency Prevention Program  
Guideline Notice  
(Federal Register, August 1, 1994)

Distribution by State of Title V  
State Allotments  
List of Juvenile Justice State  
Advisory Groups  
List of State Juvenile Justice  
Specialists

III. State Court Improvement Program

Fact Sheet  
Program Instruction  
(ACYF-PI-94-12)  
List of State Chief Justices and  
Court Administrators

IV. Children's Justice Act

Fact Sheet  
List of Children's Justice Act  
Coordinators  
Program Instruction  
(ACYF-PI-94-11)

This bulletin was prepared by Betty M. Chemers of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), U.S. Department of Justice.

*The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.*

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