



# Court Performance Measures in Child Abuse and Neglect Cases

## User's Guide



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# Court Performance Measures in Child Abuse and Neglect Cases: User's Guide to Nonautomated Data Collection



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# Preface

In ensuring the protection and welfare of children, the Federal Government has concentrated on three primary goals: safety, permanency, and well-being for abused and neglected children. The Government has led efforts to ensure that child welfare agencies, courts, and other stakeholders work together to achieve these worthy goals.

In 1997, the Adoption and Safe Families Act (ASFA) further focused child welfare agencies and courts on system reforms organized around these goals. The ASFA also emphasized that courts play a crucial role in achieving positive outcomes for vulnerable children.

The Federal Government recognizes that everyone involved in the protection of children is committed to the goals of safety, permanency, and well-being for every child. However, commitment to these goals is not enough. As stakeholders in whom the public has placed its trust, we must commit to a continuous process of improving and strengthening our dependency systems and cross-system supports. Performance measurement is only one step in that process, but it is a critical first step. To better serve and protect vulnerable children, we must first know how our current systems are doing.

Two Federal agencies—the U.S. Department of Health and Human Services' Children's Bureau and the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP)—are cosponsoring a

broad-based effort to measure the progress of juvenile and family courts in addressing the needs of abused and neglected children. This effort models the Federal ideals of collaboration and cooperation. It blends information and experience from two key initiatives: the Children's Bureau performance measurement project and OJJDP's Strengthening Abuse and Neglect Courts Act (SANCA) project. Three of the Nation's leading court reform organizations—the American Bar Association, the National Center for State Courts, and the National Council of Juvenile and Family Court Judges—have provided technical support.

The *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases* is the result of this collaborative effort. The *Toolkit* provides practical, comprehensive guidance on how to undertake performance measurement and move toward more efficient and effective dependency court operations. Pilot tested in 12 diverse sites, the *Toolkit* reflects a breadth and richness of experience that will make it useful for any juvenile or family court.

The *Toolkit* could not have been produced without the combined expertise and leadership of the 3 court reform organizations and the cooperation of the 12 pilot sites. Working together, all of these contributors demonstrated that performance measurement can be done in any court and that it is essential to improving how we address the needs of abused and neglected children.





# About the Toolkit

## Performance Measurement: A Critical Need

Developing objective and qualitative measurements of practice is essential to a court's capacity to improve the effectiveness and efficiency of its operations and to sustain those improvements. Like child welfare agencies, juvenile and family courts must focus not only on the timeliness of case processing and decisionmaking, but also on the quality of the process and the outcomes resulting from the court's efforts.

Courts must focus on child safety by assessing their safety performance data and developing plans for improving the safety of children under their jurisdiction. Courts also must focus on ensuring secure, permanent homes for children in foster care and must improve their effectiveness in achieving permanency. In addition, courts need to determine how well they are protecting the rights of the children and adults who come before them. Finally, courts need to set aspirational performance goals in each of these areas—goals designed to focus efforts, motivate staff, evaluate achievements, and lead to better outcomes for children and families.

Few courts currently have the capacity to effectively measure their performance in child abuse and neglect cases. Whereas for-profit businesses have long taken for granted the need for performance measurement, it is still a relatively new concept for the Nation's courts. Yet, without this essential information, courts with jurisdiction over abuse and neglect cases cannot know what types of improvements they need to make and whether their efforts to improve are working.

Performance measurement makes it possible for courts to diagnose and assess areas in need of improvement and review progress in those areas. In this process, courts build improvements from a baseline of current practices and then conduct regular reassessments as reforms are implemented.

The purpose of the measures in the *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases* is to help courts establish their baseline practices; diagnose what they need to improve; and use that information to

make improvements, track their efforts, and identify, document, and replicate positive results.

By capturing data for the 30 measures in the *Toolkit*, courts will be able to evaluate four areas of operation: child safety, child permanency, due process or fairness, and timeliness.

- ◆ **Safety (Measures 1A and 1B).** The goal of these two measures is to ensure that children are protected from abuse and neglect while under court jurisdiction. The performance outcome promoted by these measures is based on the principle of “first, do no harm.” Children should be protected from abuse and neglect, no child should be subject to maltreatment while in placement, and children should be safely maintained in their homes whenever possible and appropriate.
- ◆ **Permanency (Measures 2A–2E).** The goal of these five measures is to ensure that children have permanency and stability in their living situations. The permanency measures are closely related to timeliness measures but also include additional considerations. With this category, courts assess whether children change placements, whether cases achieve permanent legal status, and whether children reenter foster care (a possible safety issue as well). The permanency measures encourage courts to examine the “bigger picture” of the court experience for the abused or neglected child. In using the permanency measures, a court will need to obtain information from partner agencies such as the State child welfare system or private providers who track children placed in foster care.
- ◆ **Due Process (Measures 3A–3J).** The goal of these 10 measures is for the court to decide cases impartially and thoroughly based on evidence brought before it. Due process measures address the extent to which individuals coming before the court are provided basic protections and are treated fairly.
- ◆ **Timeliness (Measures 4A–4M).** The goal of these 13 measures is to minimize the time from the filing of the petition or emergency removal order to permanency. Courts generally are most familiar with timeliness measures. These measures help courts identify areas where they are doing well and areas



where improvement is needed. To ensure that courts can pinpoint specific stages of the hearing process in need of improvement, these measures must be comprehensive (applied to all stages of proceedings) and sufficiently detailed.

None of the measures includes a standard or benchmark of performance. Rather, the measures suggest a base of experience from which to develop reasonable and achievable benchmarks. The measures are designed to help courts improve services to maltreated children and their families, and it is important for courts to measure their progress toward achieving that goal. The measures are intended to be part of a process of continuing improvement. They are also intended to be developmental; that is, the measures can be refined as more is learned about the factors associated with a model process for handling child abuse and neglect cases.

The developers of the *Toolkit* expect courts to collaborate with child welfare agencies in applying these measures; for this reason, the court performance measures in the *Toolkit* are designed to be compatible with the Child and Family Services Review (CFSR) outcome measures developed for child welfare agencies. The *Toolkit* developers encourage courts to work with child welfare agencies to establish not only minimum acceptable standards of performance but also aspirational goals that challenge both stakeholders to improve even further.

The national court performance measures also reinforce the goals of other current Federal reform programs and legislation, including the Court Improvement Program (CIP) and the Adoption and Safe Families Act (ASFA). These initiatives recognize that courts, as well as State child welfare agencies, are crucial stakeholders in achieving positive outcomes for maltreated children who become involved in the child welfare system. Court performance has an impact on overall system performance in achieving safety and permanence for these children in a fair and timely manner.

### History of the Performance Measures

The history of court performance measurement for child abuse and neglect cases began with a miniconference held in Scottsdale, AZ, on May 5, 1998. The miniconference was cosponsored by the Court Improvement Conference and the Conference of State Court Administrators' Court Statistics Project Advisory Committee. Participants worked with the following resource materials:

- ◆ Trial court performance standards and measurement system (prepared by the National Center for State Courts (NCSC) and funded by the Bureau of Justice Assistance (BJA)). These standards touched on five fundamental purposes of courts: access to justice; expediency and timeliness; equality, fairness, and integrity; independence and accountability; and public trust and confidence. Although general trial court standards could be applied to juvenile and family courts, miniconference participants perceived a need for measures and standards tailored specifically to child abuse and neglect cases.
  - ◆ Draft sets of child abuse and neglect performance measures developed by the American Bar Association (ABA) Center on Children and the Law, NCSC, and Walter R. McDonald & Associates, with comments and suggestions from the National Council of Juvenile and Family Court Judges (NCJFCJ).
  - ◆ A set of measurement goals from the National Court-Appointed Special Advocates Association.
  - ◆ Best practice recommendations for handling child abuse and neglect cases, outlined by NCJFCJ in *RESOURCE GUIDELINES: Improving Court Practice in Child Abuse and Neglect Cases*.
  - ◆ Technical assistance bulletins on information management in child abuse and neglect cases and judicial workload assessment in dependency cases, developed by NCJFCJ.
- Miniconference participants summarized key performance measures for dependency courts in a consensus statement, which was then presented in the following forums:
- ◆ To participants in the ABA Summit on Unified Family Courts, May 1998.
  - ◆ To child welfare professionals at the Permanency Partnership Forum, June 1998.
  - ◆ To managers of statewide automated child welfare information systems at the conference "Continuing To Build the Future: Using Automation for Children and Families," September 1998.
  - ◆ To juvenile and family court judges at the NCJFCJ Annual Conference, July 1998.
  - ◆ To judges, court administrators, and child welfare workers at "Improving Outcomes for Abused and Neglected Children," a symposium sponsored by the Bureau of Justice Assistance and the David and Lucille Packard Foundation, June 2000.

In addition, Dr. Ying-Ying Yuan prepared a critique of the performance measures in a September 1999 report for the ABA entitled “Feasibility of Implementing Court Self-Assessment Measures for Dependency Cases.”

The measures were then revised to reflect input from these sources, and the revisions were summarized by Dr. Victor E. Flango in an article entitled “Measuring Progress in Improving Court Processing of Child Abuse and Neglect Cases” (*Family Court Review*, Volume 39, pp.158–169, April 2001).

In their present form, the court performance measures in the *Toolkit* grew out of the Attaining Permanency for Abused and Neglected Children Project, conducted jointly by the ABA Center on Children and the Law, NCSC, and NCJFCJ, with funding from the David and Lucile Packard Foundation. Over a 3-year period, these measures were pilot tested to determine their applicability in different types of courts with different measurement needs and data collection capabilities. The measures were also examined for compatibility with the CFSR outcome measures for child welfare agencies. One result of this effort was the 2004 publication *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases*. This publication described dependency court performance measures for safety, permanency, due process, and timeliness. It also outlined a process for assessing judicial workload that encompasses both on-the-bench and off-the-bench aspects of dependency work.

### The Children’s Bureau Project

After publishing *Building a Better Court*, the ABA, NCSC, and NCJFCJ received funding from the Children’s Bureau of the U.S. Department of Health and Human Services to support efforts by courts to improve their handling of child abuse and neglect cases. The Children’s Bureau project provided targeted technical assistance to six sites: Charlotte, NC; Clackamas County, OR; Little Rock, AR; Minneapolis, MN; New Orleans, LA; and Omaha, NE. During this project, the partnering organizations were able to test and refine the court performance measures, and data collection instruments at these sites.

The Children’s Bureau project helped the six sites do the following:

- ◆ Use the performance measures outlined in *Building a Better Court*—compatible with Adoption and Foster

Care Analysis and Reporting System (AFCARS) and CFSR measures—to assess their performance in abuse and neglect cases. This included evaluating each site’s capacity to generate data for each of the performance measures.

- ◆ Examine judicial workloads to determine whether judges were able to spend enough time on child abuse and neglect cases to make timely and well-considered decisions in these cases. The partnering organizations disseminated information about and provided technical assistance in judicial workload assessment.
- ◆ Develop a court-specific strategic plan for using performance and workload data to achieve increased accountability and better court performance.

A major goal of the Children’s Bureau project was to enhance the sites’ self-assessment capacity so they would be able to track and measure their own progress after their involvement in the project ended. This strengthened capacity also makes the sites better able to assess their ASFA compliance and CIP implementation. The project sought to enable project sites—and eventually all courts handling abuse and neglect cases—both to begin a process of continuing self-improvement and to help child welfare agencies determine the impact of court proceedings on achievement of CFSR outcomes.

### The Strengthening Abuse and Neglect Courts Act Project

While the Children’s Bureau project was underway, the ABA, NCSC, and NCJFCJ received funding from the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) to help courts use automated management information systems to improve their performance in child abuse and neglect cases. The Strengthening Abuse and Neglect Courts Act (SANCA) project supported SANCA implementation in six States: Colorado, Florida, Georgia, Idaho, New Jersey, and Virginia.

At each site, the SANCA project partners helped improve automated management information systems, implement performance measurement, develop case-tracking capabilities, and perform other management information system functions specifically for child abuse and neglect cases. The SANCA project provided this assistance through meetings of representatives from all SANCA sites, onsite training and technical assistance to each site, and offsite consultation.

The SANCA project has not focused on improving court information systems as an end in itself. Rather, the focus has been on improving these systems in ways that will have the greatest positive impact on efforts to improve quality and timeliness in courts' handling of abuse and neglect cases, to target reforms for court improvement efforts, and, ultimately, to improve the lives of abused and neglected children.

### The Toolkit Volumes

All the aforementioned work has culminated in the production of the *Toolkit for Court Performance Measures in Child Abuse and Neglect Cases*. The *Toolkit* content is informed by the experiences of the Children's Bureau and SANCA project sites.

In addition to providing detailed guidance about court performance measures for child abuse and neglect cases, the *Toolkit* offers a general approach—a way of thinking—that can help dependency courts successfully implement a performance measurement process. Using the *Toolkit*, dependency courts can:

- ◆ Establish a baseline of current practice, diagnose what they need to improve, and use that information to build and track improvement efforts.
- ◆ Measure their progress in achieving the goals of safety, permanency, and well-being for children.
- ◆ Identify and document practices that are achieving positive results and replicate those results.

The *Toolkit* includes the five volumes described below. Although each volume focuses on a particular audience, the *Toolkit* developers encourage everyone involved in court performance measurement for abuse and neglect cases to consult all the volumes for instruction, guidance, and inspiration.

**Court Performance Measures in Child Abuse and Neglect Cases: Key Measures.** This booklet outlines nine measures that the national partners have identified as key to determining court performance in child abuse and neglect cases. The booklet succinctly discusses the goal of each measure, data requirements, calculation and interpretation, and important related measures. It is an ideal tool for making the case for performance measurement to legislators, funders, and other high-level decisionmakers.

**Court Performance Measures in Child Abuse and Neglect Cases: Implementation Guide.** This step-by-step

guide provides practical advice on how to set up a performance measurement team, assess capacity (determine which measures the team can currently implement and which measures will require capacity building), prioritize among measurement needs, plan data collection activities, and use the data generated through the performance measurement process to plan reforms. The *Implementation Guide* uses examples from the Children's Bureau and SANCA project sites to illustrate key points. It also highlights lessons learned from the sites about performance measurement approaches, as well as challenges and strategies for overcoming those challenges. Performance measurement teams and project managers will find the *Implementation Guide* helpful as they plan and implement a performance measurement program and use results to drive improvement efforts.

**Court Performance Measures in Child Abuse and Neglect Cases: Technical Guide.** This comprehensive volume describes all 30 court performance measures for child abuse and neglect cases. The *Technical Guide* details the goals and purpose of each measure, discusses alternate or proxy measures, provides step-by-step specifications for calculating the measures, articulates what data elements need to be collected to produce each measure, suggests ways to present data effectively, and provides examples of how data obtained for each measure can be used in reform efforts. The *Technical Guide* also includes a detailed dictionary of technical terms and a flowchart outlining the typical child abuse and neglect hearing process. This volume is ideal for project managers and information technology (IT) staff tasked with obtaining performance measures. It will give them an in-depth understanding of all the measures, what is needed to obtain data for the measures, and how to report findings in a way that is easily understood by various target audiences.

**Court Performance Measures in Child Abuse and Neglect Cases: User's Guide to Nonautomated Data Collection.** Some courts may lack automated systems for gathering performance measurement data on abuse and neglect cases. Even if a court has adequate automation resources, certain performance measures (such as those assessing due process) may not be captured via automated systems. Furthermore, qualitative information can help to explain quantitative outcomes. This volume explains how to use nonautomated data collection methods—such as file review, court observation, interviews, and focus groups—to complete the performance measurement picture.

**Court Performance Measures in Child Abuse and Neglect Cases: Guide to Judicial Workload Assessment.** To improve their handling of abuse and neglect cases, courts need to be able to measure workloads as well as performance. Measuring judicial workloads makes it possible for courts to track existing resources and argue persuasively for additional resources when they are needed. This volume presents a method for obtaining data on judicial workloads in abuse and neglect cases which includes an assessment of what is required for best practice in these cases. Drawing on work from the pilot project sites, this volume discusses different approaches to workload analysis and provides tools for conducting analyses.

### Toolkit DVD and Web Site

All *Toolkit* publications and related materials, such as presentations and instruments, are available on DVD and at [www.courtsandchildren.org](http://www.courtsandchildren.org).



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# Using the Guide

## Topics

### Nonautomated Data Collection Methods

- ◆ Interviews.
- ◆ Questionnaires.
- ◆ Focus Groups.
- ◆ Case File Review.
- ◆ Court Observation.

To obtain copies of the instruments referred to in this volume, please visit:

[www.courtsandchildren.org](http://www.courtsandchildren.org).

When no automated, or computerized, measure of court performance is available, courts should pursue other means of obtaining information about performance in child abuse and neglect case processing. Computer-based systems (outlined in other volumes of this *Toolkit*) may not effectively measure certain types of performance—such as those assessing due process. Court staff should explore other means of gathering performance data.

Even if automated data are available, qualitative information is critical to an understanding of why a particular quantitative outcome was achieved. In the context of court performance measurement, quantitative and qualitative methods should be used together in order to provide a complete picture of court performance. This volume of the *Toolkit* provides guidance on how to use nonautomated data collection methods, including qualitative approaches.

Funding from the David and Lucile Packard Foundation allowed the American Bar Association (ABA) Center on Children and the Law, the National Center for State Courts (NCSC), and the National Council of Juvenile and Family Court Judges (NCJFCJ) to design a series of data collection instruments that can help dependency courts gather information about court performance. These instruments were extensively field-tested in a number of dependency courts around the country, and made available to jurisdictions embarking on performance measurement.<sup>1</sup>

With funding from the Children's Bureau at the U.S. Department of Health and Human Services, researchers refined

the instruments and made them specific to each of the project sites involved in creating the *Toolkit*.

As a result, researchers developed a set of tools that assess court performance in child abuse and neglect cases, and can be used to collect data nationally. These extensively field-tested tools can be tailored by individual courts to make them compatible with a court's individual measurement needs and ability to collect data.

The tools discussed in this volume include:

- ◆ **Case file review form.** A case file review (CFR) is a data collection method used to discover preexisting, objective data from court records (and social services files, if relevant). The data are then used to assess court performance.
- ◆ **Court observation hearing code sheets.** A court observation hearing code sheet allows an observer to systematically record data about a court's performance in child abuse and neglect hearings. The method works especially well for evaluating due process proceedings.
- ◆ **Expert opinion focus group guide.** Focus groups convene a panel of experts who share their knowledge and opinions on specific court performance issues.

**Quantitative methods** involve research methods that produce data appropriate for quantitative or statistical analysis. When a survey, for example, produces data that allows researchers to calculate the percentage of responses received, or calculate the average, mean, or degree to which a particular event occurs, then that survey is a quantitative method.

**Qualitative methods** are research methods that yield information that is not easily reduced to numbers. Court observation designed to assess the quality of hearings, for example, is a qualitative method. Other qualitative methods include interviews, which can range from semistructured to open-ended conversations, and focus groups, which are essentially group interviews.



- ◆ **Interview and questionnaire forms.** Interviews and questionnaires gather survey information about court performance using a sample from a population of relevant individuals.

This *User's Guide to Nonautomated Data Collection* provides the reader with instructions about how to use these tools to measure court performance. Each chapter is devoted to a specific instrument and describes the purpose of the instrument, provides tips on how to use it, and explains how the data collected can assess court performance on a national level. Each instrument is flexible enough to meet the needs of individual courts, yet each can meet national standards. Jurisdictions are encouraged to adapt the instruments to reflect their own structures, practices, and additional measurement needs.

### Endnotes

1. See American Bar Association Center on Children and the Law, National Center for State Courts, and National Council of Juvenile and Family Court Judges. *Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases* (Reno: NV: NCJFCJ, 2004). The instruments described in this Guide are also available online at [www.ncjfcj.org](http://www.ncjfcj.org) and at [www.courtsandchildren.org](http://www.courtsandchildren.org).

# Case File Review

## Why Conduct a Case File Review?

Data from the case file review provides important qualitative and quantitative information about court performance. These data can supplement data from automated management information systems. Although it can be a time and resource intensive process, conducting a court case file review helps court performance assessment, especially when automated data may not be available or easily accessible.

A case file review is a data collection method that uses preexisting, objective data from court records (and social service files if relevant) to assess court performance. With respect to child abuse and neglect cases, a case file review can be used to collect information on topics including hearing dates and timeframes, whether one or more judges were involved in the case, whether all parties appeared (including parents, children, foster parents, and counsel), whether one or more attorneys were involved in the case, the frequency that cases undergo judicial reexamination, and whether court orders specifically addressed issues raised by Adoption and Safe Families Act (ASFA) findings (reasonable efforts, contrary to welfare findings). Before beginning a case file review, a court should answer the following questions:

- ◆ Is there a clearly defined purpose for the case file review—what types of performance should be assessed and what will data from the court files contribute to the assessment?
- ◆ What specific information will be gathered?
- ◆ How will staff select cases for review and how many cases need to be reviewed?
- ◆ Should a review include only completed court cases to ensure all events in a dependency proceeding are involved in a measurement? Or, should staff include open cases to focus solely on the court's current caseload?
- ◆ Should cohorts of cases be reviewed based on their entry into or exit from the system, or should staff review a single, point-in-time sample of cases, regardless of when the cases entered the system?
- ◆ Should cases involving termination of parental rights be treated separately from adoption cases because of the way the court is structured (e.g., different judges or courts hear these two types of cases)?
- ◆ Should courts review files from social service agencies in addition to court records? For what reason (i.e., what data are available in the social service agency files that would inform the court's performance assessment)?
- ◆ Who should conduct the case file review and what kind of training does that person need?
- ◆ How will court staff ensure the reliability of the information collected from the case file review (i.e., what quality assurance processes will be employed)?
- ◆ How should the data be analyzed?
- ◆ What is the most effective way to present findings?
- ◆ How much time and how many resources are available for people who review case files?
- ◆ What resources are needed for training, implementation, analysis, and report writing?

## The Case File Review Instrument: General Categories of Information

The *Toolkit* contains a case file review instrument for collecting information that can be used to measure national dependency court performance. This instrument can be adapted to account for an individual court's structure, ability to collect data, and overall performance goals.

The instrument collects answers to the following questions and related information:

- ◆ What jurisdiction is the case in (county, circuit, etc.)?
- ◆ What is the coder's name (the name of the person completing the review)?
- ◆ What is the case number?



If multiple children are included in a single case file, a primary child should be selected for coding purposes. Events specific to that child should be coded.

- ◆ On what date was the case coded?
- ◆ Who was the judge or hearing officer?
- ◆ What is the demographic information for the primary child in the case?
  - ◇ When was the child born?
  - ◇ What is the child's gender?
  - ◇ What is the child's ethnicity?
- ◆ Did the case involve the Indian Child Welfare Act (ICWA)<sup>1</sup>?
- ◆ Is there a prior history of court involvement in the case?
- ◆ When was the child removed from his or her home?
- ◆ When was the initial hearing (emergency removal or shelter care hearing) held?
- ◆ When was the petition filed?
- ◆ Was a pretrial hearing held?
- ◆ Was there an adjudicatory hearing?
  - ◇ When was it held?
  - ◇ Was it contested?
- ◆ Was there a disposition hearing?
  - ◇ Was it held in conjunction with the adjudication hearing?
  - ◇ When was it held?
- ◆ When was the first judicial review hearing held?
  - ◇ How many judicial review hearings were held in the case?
- ◆ Was there a permanency hearing?
  - ◇ When was it held?
- ◆ Was a termination of parental rights (TPR) petition filed?
  - ◇ When was it filed?
- ◆ Did the case involve mediation?
  - ◇ When was the mediation held?
- ◆ Was a TPR trial held?
  - ◇ When was that trial held?
  - ◇ What was the final TPR judgement?
- ◆ Was a TPR appeal filed?
  - ◇ When was it filed?
- ◆ Was a TPR appeal heard?
- ◆ What was decided in a TPR appeal?
- ◆ Was an adoption petition filed?
- ◆ Was an adoption finalized?
- ◆ When was the case closed?
- ◆ How many continuances occurred with each court event?
  - ◇ What were the reasons for those continuances?
- ◆ Which parties appeared at each hearing?
- ◆ What legal counsel were present at each hearing?
- ◆ How often did legal counsel change during the case?
- ◆ Was the judicial officer the same officer throughout the case?
- ◆ Were ASFA findings made in each hearing?
  - ◇ Were "reasonable efforts" findings made?
  - ◇ Were "contrary to welfare" findings made?
- ◆ Why was the case closed (i.e., what was the final outcome of the case)?

### Case File Review and Court Performance Measures

The case file review instruments included in the *Toolkit* provide important data about a number of the court performance measures. This section includes suggestions on how to expand the focus of the case file review instrument to address all court performance measures. However, each assessment costs money and time. So courts must decide which court performance measures are most important. Some important facts about how to make decisions about which measures are most important to assess are outlined in appendix A (p. 21).

## How To Implement a Case File Review Process

To begin the case file review process, a court must establish a collaborative committee to identify and prioritize court performance measures that need addressing.<sup>2</sup>

The committee should adapt the case file review instrument to reflect a local court's structure and terminology, and data collection should be prioritized according to an individual jurisdiction's critical needs. Once a court has determined the scope of the case file review and prioritized which court performance measures are most critical for the jurisdiction, staff should decide which cases must be coded and move on to the actual review process. This requires a number of steps:

**Define the sample of cases for coding.** Court staff must first define the target population of cases they wish to evaluate. The case file review will then focus on a subset of cases that will represent the whole population. For example, a target population might include all children who entered foster care within a specific period of time.

**Closed versus open cases.** If a court decides a case file review should calculate how long it takes to achieve final permanency (reunification, adoption, guardianship), then a sample of closed cases should be used. Coding closed cases ensures that all court events have occurred and that the case has been resolved (i.e., that court jurisdiction has been terminated). If the case file review focuses on case processing events that happen early on in a case (e.g., early appointment of counsel) and on current case practice, then open case files can be coded.

### Point-in-time versus cohort sampling.

◆ **Point-in-time sampling.** Point-in-time sampling involves sampling cases of children in care on a particular date (e.g., all children in care on September 30, 2005), regardless of when the child entered care. This analysis has a bias toward children with the longest lengths of stay because they are most likely to be in care at any given time. It does not account for when a child entered care and would not include children who have left care.

◆ **Entry cohort sampling.** An entry cohort sample is based on the date of the child's most recent entry into care. This date is typically tracked by year (e.g., children who entered foster care in 2004). Entry cohort sampling tracks how children who entered foster care in the same year perform throughout their foster care experience and thus allows for comparison across years.

◆ **Exit cohort sampling.** An exit cohort is based upon the date of case closure. This date is tracked by year. An exit cohort provides information on the group of children leaving care during a specific period. Within the same exit cohort, some children may have entered care in 2000 and some in 2003—those two groups of children may have had very different experiences in foster care.

**Sampling timeframes.** When deciding which cases to include in the case file review sample, consider the timeframe the court staff should examine. Timeframes depend on the purpose and goals of the case file review process. Examples include:

- ◆ If a court wants to examine closed cases, cases should be drawn from a timeframe that allows enough cases to have reached closure.
- ◆ If a court wants to examine the impact of a statutory change or change in the law or court rule on court performance, then a sample of cases should be drawn from the timeframe before that change was enacted and another sample of cases drawn from the timeframe after that change. The two samples can then be compared for differences.
- ◆ If a court wants to examine recent case practice, then the sample should be drawn from the most recent timeframe that allows a sufficient number of cases to have reached stages of interest (e.g., a sufficient number of cases within the last year that have involved a permanency hearing).

**Number of cases in sample.** After deciding on a target population, a court should determine how many cases need coding to represent the larger population of cases. This small number of cases is referred to as the "sample population." The sample population of cases is the actual cases that will be coded.

A number of factors should determine sample size, including:

- ◆ The purpose of the case file review.
- ◆ The population size (e.g., total number of petitions filed, total number of cases under the court's jurisdiction).
- ◆ The risk of selecting cases outside of the population of interest (e.g., cases that were dismissed or transferred to another jurisdiction).
- ◆ The allowed sampling error (i.e., how precisely a sample represents the greater population—the greater the sample size, the smaller the error).

Court staff must calculate a sampling statistic to determine sample size. A sampling statistic is a formula that produces the necessary sample size, creating different levels of precision and different confidence intervals.<sup>3</sup> The sampling statistic should account for the range of possible variations in cases. The performance measurement committee should seek assistance from information technology staff or research consultants who can calculate an appropriate sample size.

If a court has limited time and resources, case samples do not have to be proportional to target populations to provide useful information. For example, a court may suggest that the files it has chosen to review constitute a kind of “snapshot” of a certain court practice. But this snapshot should not be used to represent the target population. Smaller jurisdictions, with small numbers of child abuse and neglect cases, may not need to use a population sample, because they can study the entire population of child abuse and neglect cases.

Once a court targets which cases will be coded and how many cases will be coded, it can define the scope of the case file review. Performing a case file review uses a court's time and resources, so any review will be limited in size and scope. A court should keep in mind that data are limited relative to the size of the sample population.

**Identify and train coders.** Without skilled coders, a court cannot produce accurate and meaningful data. Coders can include a wide range of individuals, including court administrative staff, law clerks, and interns. Students at a local university or law school may also be a resource. All coders will require training in the following subjects:

- ◆ The importance of court performance measurement.
- ◆ The specific goals of the case file review process, including the performance measures that will be addressed and how they relate to case file review data (i.e., how the case file review will be used to generate court performance data, including timeliness and due process data).
- ◆ The target population of the case file review process and the parameters of the sample population of hearings that will be coded.
- ◆ The structure of court hearings and timeframes for hearings in dependency cases.
- ◆ An orientation to the case file (e.g., What documents are included in the case file review? Which documents are

sources for the information that will be coded on the case file review instrument?)

- ◆ An element-by-element discussion of the case file review instrument, including where the court can obtain data needed to complete each measure, definitions and explanations of terminology, and any other issues.

**Pretest the case file review instrument and make necessary revisions.** The case file review instrument included in the *Toolkit* has been extensively pretested in a number of courts around the country. Nevertheless, each jurisdiction may need to modify the instrument to best address its specific practices and unique measurement needs. Even without modification, the instrument should be pretested with several sample case files to determine if coders are coding cases appropriately. This pretest will help determine:

- ◆ Whether court files include all the data necessary for review and measurement. If a court does not have access to some data, this data point can be removed from the case file review instrument and save coding time. However, the court may wish to find ways to collect data it currently does not have access to.
- ◆ The best and most reliable source of data for coding purposes. For example, hearing dates may be documented in several places in the court file (e.g. in the court order, court report, and judicial notes), but coders may want to develop a general coding rule that, for instance, only the information in the court order should be coded.
- ◆ Whether coders are consistently interpreting and coding information in hearings. To ensure reliability, several coders should code the same hearing. Courts should determine the source of any inconsistencies.

**Conduct case file review.** Court clerks and administrative staff should pull the case file review sample in advance. Coding should occur in a secure location that maintains case file confidentiality and ensures proper storage of the files (so that files do not become lost or misplaced). Coders should work in a common, quiet location so that they can consult with each other on any specific issues, not disturb other staff, and maintain research protocols concerning confidentiality.

**Check-coding and quality control.** A small sample should be checked by a second, experienced coder and any discrepancies noted. All errors should be addressed

For information on developing a database to manage case file review data, see appendix B (p. 25).

with the original coder. Errors can occur for a number of reasons (e.g., the file review form is unclear or fails to provide opportunities to record needed data, the coder misinterprets items in the file, or the coder lacks the skills and ability to record data accurately). If the check reveals a high rate of errors, those case file review code sheets should be discarded and not used in analysis. Coders should be informed of the errors and additional training should be provided to ensure accuracy of the coding process.

### Analyzing Case File Review Data

Simple descriptive statistics can help summarize the data collected during case file review. These statistics involve frequency data (a simple tally or count of data), frequency distributions (putting data in groups, such as grouping all cases by the year they opened or by county), graphical representations of data, and summary statistics (statistics that describe the typical value or most representative value, such as the mean or average). Case file review data can also be analyzed using inferential statistics.<sup>4</sup>

The next few paragraphs will focus on how to understand simple descriptive statistics. In order to analyze inferential statistics, consult a statistical expert on your committee.<sup>5</sup>

### Descriptive Statistics

**Frequency counts.** Frequency counts compute how many cases are in a specific category (e.g., permanency outcomes). When the number of cases in each category is added together, the total number of cases should be equal to the total number of cases coded. Frequencies can be converted into percentages: Divide the number of cases in each category by the total number of cases and multiply by 100. Present both the actual numbers and the percentage when reporting data.

**Cross-tabulations.** A cross-tabulation describes data on the basis of more than one variable at a time. Cross-tabulations take two variables (e.g., permanency outcome and the child's age) and compare the results of one variable against the other variable (e.g., Do permanency

outcomes for children of different age groups differ?). They describe how variables interrelate.

**Graphical representations of data.** Presenting statistical information visually (in graphs, charts, or tables) often makes it easily understood. Graphs and tables should be presented in as simple a format as possible. See subsequent sections of this chapter for tips on graphically presenting data.

Summary statistics can help make findings easier to understand. Examples of summary statistics include the median, mean, mode, and range.

- ◆ **Median.** The median is the middle score when a set of scores have been arranged in order from lowest to highest. The median is the 50th percentile, which means that half the scores fall below the median and half the scores fall above the median. Unlike the mean, or average, the median is least affected by extreme scores at either end of a range of scores.
- ◆ **Mean.** The mean, or average, is the most commonly used summary statistic. The mean is the arithmetic average of all the scores. The mean is computed by adding up all the scores and then dividing by the total number of scores.
- ◆ **Mode.** The mode is the score that occurs most often.
- ◆ **Range.** The range represents the span between the lowest and highest data measured (e.g., time to adjudication ranged from 15 to 30 days).

The following section discusses how to analyze data collected on permanency, due process, and timeliness measures.

### Analyzing Permanency Outcomes

Permanency assesses if children have stable living situations and continuous family relationships and connections. The key court performance measures for permanency include the percentage of children in the case file review sample that achieved legal permanency, the percentage of children in the case file review sample that did not achieve legal permanency, the average time it took for a child to achieve permanency, and how well a court complied with statutory and Federal timeframes in achieving permanency.

**Calculating permanency outcomes.** Data elements needed from the case file review include:

- ◆ Case number or child identification number.

- ◆ The date the child was removed from the home.
- ◆ The date adoption was finalized.
- ◆ The date of case closure.
- ◆ Reason for case closure/type of permanency achieved.

To calculate the types of permanency outcomes being achieved, sort all cases in the case file review sample according to the reason for the case closure and record the number of children in each category. Divide the number of children in each category by the total number of children in the sample. If the sample includes open cases, then the number of open cases in the sample must be subtracted from the total number of cases in the sample (only closed cases should be used as the denominator).

For example, for a sample of 250 closed cases (250 children):

Reunification	142 children	56.8 percent
Adoption	43 children	17.2 percent
Guardianship	13 children	5.2 percent
APPLA*	37 children	14.8 percent
Age of Majority Reached	12 children	4.8 percent
Other	3 children	1.2 percent
Total	250 children	100 percent

\*Another Planned Permanent Living Arrangement

To calculate the percentage of children in the CFR sample that achieved legal permanency, calculate the number of children who achieved legal permanency through reunification, adoption, or guardianship. Sum the total, and divide by the total number of children in the sample.

For example, for the same sample of 250 closed cases (250 children):

Reunification	142 children
Adoption	43 children
Guardianship	13 children
Total	198 children

$198 \text{ children} \div 250 \text{ children} = 79.2 \text{ percent}$

Thus, 79.2 percent of children in the sample achieved legal permanency.

To calculate the percentage of children in the case file review sample that did not achieve permanency, calculate the number of children who failed to achieve permanency

because they found another permanent living arrangement, aged out of the system, or had other case outcomes. Sum the total, and divide by the total number of children in the sample.

For example, for the same sample of 250 closed cases (250 children):

APPLA*	37 children
Age of Majority Reached	12 children
Other	3 children
Total	52 children

\*Another Planned Permanent Living Arrangement

$52 \text{ children} \div 250 \text{ children} = 20.8 \text{ percent}$

Thus, 20.8 percent of children in the sample did not achieve legal permanency.

To calculate the average time to achieve permanency, calculate the number of days or months between the case's initiation (e.g., removal of the child or filing of the original petition) to achieving final permanency and case closure for each case in the sample. Find the mean or average number of days or months to permanency.

For example, for a sample of five closed cases of children who entered care in January, 2004:

Removal Date	Final Permanency Date	Number of Months
01/01/2004	03/13/2005	14.4
01/13/2004	09/04/2004	7.7
01/21/2004	05/23/2005	16.0
01/23/2004	02/01/2005	13.0
01/30/2004	01/30/2005	12.0
Total		63.1 months

$63.1 \text{ months} \div 5 \text{ cases} = 12.6 \text{ months to permanency.}$

Thus, in this example, the average length of time from removal of the child to the achievement of final permanency was 12.6 months.

To calculate compliance rates with statutory and Federal timeframes, categorize cases as compliant or noncompliant based on whether they met time restrictions. For example, if State statute requires that adjudication be reached within 30 days of removal, then those cases that reached adjudication within that timeframe are categorized as "compliant." Those cases that took more than 30

days are categorized as “noncompliant.” Frequency data, including percentages, can be calculated for each category of cases.

It is also possible to further categorize noncompliant cases by “degree of noncompliance.” For example, some cases may reach adjudication within a week of statutory requirements and others may be noncompliant by several weeks.

### Analyzing Due Process Outcomes

Courts should assess how well they use the information presented to deal with cases impartially and thoroughly.

The key court performance measures for due process include the percentage of cases in which legal counsel for parents and children were present in each hearing, the percentage of cases in which legal counsel for parents and children changes between hearings, and the percentage of cases heard by a single judicial officer.

**Calculating due process outcomes.** Data elements needed from the case file review include:

- ◆ Case number or child identification number.
- ◆ Representation present at a hearing by party and by hearing type.
- ◆ Whether there was a change of counsel.

Calculate the percentage of cases in which legal counsel for parents and children were present at each hearing by assessing the presence or absence of each representative at each type of hearing.

Party Present	Percentage of Emergency Removal Hearings in Sample (n=45) in Which Party Is Present
Mother's Attorney	60 percent (n=27 of 45)
Father's Attorney	29 percent (n=13 of 45)
Child's Attorney	11 percent (n=5 of 45)

To calculate the percentage of cases in which legal counsel for parents and children changed between hearings, categorize each case according to “change” or “no change” in specific representative.

To calculate the percentage of cases in which the child's case was heard by one judicial officer, cases can be categorized according to “change” or “no change” in judicial officer between hearing types.

### Analyzing Timeliness Outcomes

Timeliness assesses whether courts minimize the time from the filing of the original petition to the achievement of case closure and permanency.

The key performance measures for timeliness measure the average length of time between court hearings and events, as well as the overall time to achieve permanency.

**Calculating timeliness outcomes.** Data elements needed from the case file review include:

- ◆ Case number or child identification number.
- ◆ Date of the original petition.
- ◆ Dates of each court hearing and court event for each case in the sample of cases.
- ◆ Date of case closure.

Calculating average timeframes between court events and calculating the time from when a child is removed from his home to when he or she reaches permanency involve the same general format. Typically, the number of days per case is added together and then the total is divided by the total number of cases.

Per Case:

$$[\text{Date of event 2 (Date of permanency hearing)}] - [\text{Date of event 1 (Date of petition filing)}] = \text{Number of days elapsed from petition filing to permanency hearing for that case (or months or years).}$$

For Entire Sample:

$$\frac{\text{Total number of days elapsed from petition filing to permanency for each case}}{\text{Total number of cases}} = \text{Average timeframe from petition filing to permanency for the case sample.}$$

Timeliness can be measured several ways. For example, events in a case can be measured from a common start date (e.g., the date that a child is removed from her home or the date the original petition is filed) to a specific court hearing or court event (e.g., removal to adjudication, removal to disposition, removal to permanency hearing).

Courts can measure the time between any specific events (e.g., adjudication to disposition) or the time for the overall

case processing (i.e., removal from home to final permanency placement). Timeframes can also be measured by looking at the percentage of cases that comply or do not comply with statutory and Federal requirements. Each type of time calculation produces different information.

When measuring timeliness—

- ◆ Clearly define the start date—date the child is removed from home or the date the petition is filed.
- ◆ Clearly define the events that will be measured. Does “permanency” mean the permanency hearing or the final permanency outcome?
- ◆ Clearly define the unit of time (days, months, years). This must be appropriately reflected in computations.

For information on how to display case file review data, please see appendix C (p. 27).

### Endnotes

1. The Indian Child Welfare Act (ICWA) was created in 1978 by the Federal Government to reestablish tribal authority over the adoption of American Indian children. The goal of the act was to strengthen and preserve American Indian families and culture. If a child is a member of a tribe or eligible for membership in a tribe, his or her family has the right to protection under ICWA. These rights apply to any child protective case, adoption, guardianship, termination of parental rights action, runaway/truancy matter, or voluntary placement of children (25 U.S.C. § 1901 et seq.).
2. See the *Toolkit Implementation Guide*, chapter 2: “The Committee,” for how to establish a collaborative committee, and chapter 3: “Getting Started,” for strategies and tips on how to prioritize the performance measures according to an individual court’s needs.
3. The confidence interval is the plus-or-minus figure usually reported in newspaper or television opinion poll results. For example, say a researcher uses a confidence interval of 4, and 47 percent of the sample picks an answer. If the entire relevant population had been asked the question, the researcher knows that between 43 percent (47-4) and 51 percent (47+4) would have picked that answer.
4. Unlike descriptive statistics, **inferential statistics** test the reliability of the study’s findings and let staff draw inferences about the target population of cases based on the sample population of cases. **Descriptive statistics** describe the data (e.g., percentages, averages), but inferential statistics say what the data mean and explore relationships among the data. Inferential statistics range in complexity and require that certain sampling conditions and population parameters are in place.
5. For more guidance about stakeholders who should be included on a court’s performance measurement committee, please refer to the *Implementation Guide* of this *Toolkit* (chapter 2, “The Committee”).

# Court Observation

## Why Conduct Court Observation?

Data obtained from court observation provides important qualitative information about court performance that can be used to supplement data obtained from automated management information systems. Conducting a court observation provides a snapshot of court practice that can enhance or clarify information obtained from other data sources such as interviews and focus groups.

The process can be time and resource intensive, but may be important to ensure that stakeholders work to support a performance assessment process.

Observation can provide important qualitative information about court performance that may not be available using quantitative data collected from automated management information systems. Another source of qualitative information—focus groups—will be discussed in the next chapter.

Observation allows court staff to understand court practice in a way that would not be possible using an interview, questionnaire, or focus group process. However, effective observation can be a highly labor-intensive and potentially expensive data collection strategy.

Before beginning a hearing observation process, a court should answer the following questions:

- ◆ Is there a clearly defined purpose for the court observation process—what types of performance should be observed and what will data from court observations contribute to the overall court performance measurement?
- ◆ What specific information will be gathered?
- ◆ How will cases be selected for observation and coding?

- ◆ How many cases need to be observed?
- ◆ Who should conduct the court observations?
- ◆ What kind of training do observers need?
- ◆ How should the data be analyzed?
- ◆ How can findings be presented in a meaningful way?
- ◆ How much time and how many resources are available to conduct the court observations, including training, implementation, analysis, and report writing?

*Toolkit* instruments at [www.courtsandchildren.org](http://www.courtsandchildren.org) include court observation hearing forms that can be used to assess the child abuse and neglect hearing process. The *Toolkit* includes a general hearing checklist that can be used in any child abuse and neglect hearing, and checklists specific to the type of hearing observed.

Each of the observation checklists or forms has been extensively field-tested in child abuse and neglect hearings around the country. They capture data that are relevant to best practices in child abuse and neglect cases, and can be an important qualitative tool in the overall performance measurement process. Types of data may include the presence of parties at hearings, level of judicial inquiry into substantive issues such as placement, service provision, educational issues, parent engagement in the hearing process, judicial findings of reasonable efforts, sources of delay, and time and calendar management (e.g., setting the next court date and time at the conclusion of each hearing).

## Court Observation Instruments: General Categories of Information

The *Toolkit's* related Web site, [www.courtsandchildren.org](http://www.courtsandchildren.org), contains general and hearing-specific checklists relevant to best practice in child abuse and neglect hearings. A court's performance measurement committee should determine whether a general or specific checklist meets court needs. This chapter provides an overview of the general hearing checklist instrument. It also provides a step-by-step guide on how to conduct a court hearing observation.



The court observation instrument collects the following data:

- ◆ What jurisdiction is the case in (county, circuit, etc.) and what court is being observed?
- ◆ What is the coder's name?
- ◆ When was the hearing observed?
- ◆ What type of hearing was observed?
- ◆ Did any delays prevent the hearing from starting?
- ◆ When did the hearing start and end?
- ◆ Were there any interruptions to the hearing?
- ◆ Where there any continuances?
- ◆ Why were there continuances?
- ◆ Which parties appeared at each hearing?
- ◆ Was notice given to each party?
- ◆ Was explanation required if parties were not present?
- ◆ Were parties asked if they received notice or if court staff made other attempts to contact them?
- ◆ Who represented each party?
- ◆ Were nonrepresented parties advised of right to counsel?
- ◆ Was information provided to parties about how to obtain counsel?
- ◆ If coding a preliminary hearing (e.g., initial shelter hearing), what specific preliminary matters did the hearing address?
- ◆ Was the child's paternity discussed?
- ◆ Was an Indian Child Welfare Act inquiry made?
- ◆ Who was assigned to financially support children?
- ◆ What was the level of discussion of child placement, services, and visitation rights?
- ◆ What was the level of discussion of permanency goals?
- ◆ What Adoption and Safe Families Act findings were made?
  - ◇ Were "reasonable efforts" findings made?
  - ◇ Were "contrary to welfare" findings made?
- ◆ Were parents engaged in the discussion?

- ◆ Did the court provide an explanation of the hearing process?
- ◆ Did the court provide an explanation of the legal time constraints on the case?
- ◆ Was the parent questioned directly by the court?
- ◆ Was the parent given the opportunity to speak or ask questions?
- ◆ What other comments would you make about the hearing?

### Court Observation Forms and Court Performance Measures

The court observation forms within the *Toolkit* provide the user with a method to collect qualitative data about a number of the court performance measures and serve as a template that jurisdictions can modify to reflect their own measurement needs, court structure, and unique practice. Coders should be knowledgeable, reliable, and well-trained on the coding instrument. Data from court observation on performance measures (e.g., due process measures) should be used to supplement information from other data sources. For further information on using observation forms to address specific measures, see appendix A (p. 21).

### How To Implement a Court Observation Process

After establishing a collaborative committee, prioritizing court performance measures, and adapting instrumentation to suit the jurisdiction's individual needs, courts must determine an appropriate sample of hearings that will be coded. This process involves a number of decisions:

#### **Define the sample of hearings that will be coded.**

Court staff must define a target population in order to understand what hearings to observe and code. For example, if a target population includes all the judges or hearing officers presiding over child abuse and neglect hearings in a jurisdiction, then staff must be sure to observe a sample of hearings from all judges and hearing officers. Depending on the purpose of the observation, a court may not have to include all types of hearings in their review. If, for example, a court wishes to focus on the review process, a sample of review and permanency planning review hearings should be observed for coding purposes.

**Number of cases in the sample.** Once the court has determined the population, staff must decide on a sample size. A sample population of hearings is the actual number of hearings that will be coded. The sample population can be used to draw (limited) inferences about the larger population. Once this population has been defined, a court should be able to understand the scope of its court observation process.

**Identify and train coders.** Without skilled coders, a court cannot produce accurate and meaningful data. Coders can include a wide range of individuals, including court administrative staff, law clerks, and interns. A local university or law school may also be a resource. All coders will require proper training, to include the following subjects:

- ◆ The importance of court performance measurement and court observation.
- ◆ The specific goals of the court observation process, including performance measures that will be addressed and how these relate to court observation data.
- ◆ The target population of the court observation process and the parameters of the sample population of hearings that will be coded.
- ◆ The structure of court hearings in dependency cases.
- ◆ An element-by-element discussion of the court observation instrument.

**Pretest the court observation instrument and make necessary revisions.** The court observation forms included in the *Toolkit* have been extensively pretested in a number of courts around the country. Nevertheless, each jurisdiction may need to modify the instrument to best address its specific practices and unique measurement needs. Even without modification, the instrument should be pretested with several sample court hearings to determine if coders are coding cases appropriately. This pretest should determine whether additional training is needed to code observations accurately and whether modifications need to be made to the court observation instrument for it to accurately capture items of interest to the performance measurement study.

- ◆ Pretesting can be used to determine whether coders are consistently interpreting and coding information in hearings. To ensure reliability, several coders should code the same hearing. Courts should determine the source of any inconsistencies.

**Conduct the observations.**

**Check-coding and quality control.** A small sample of hearings should be checked by a second, experienced coder and any discrepancies noted. All errors should be addressed with the original coder. Errors can occur for a number of reasons (e.g., the observation form is unclear or fails to provide opportunities to record needed data, the coder misinterprets events during the hearing, or the coder lacks the skills or ability to record data accurately). If the check reveals a high rate of errors, those hearing observations should be discarded and not used in analysis. Coders should be informed of the errors and additional training should be provided to ensure accuracy of the coding process.

For more information on how to develop a database to manage court observation data, please see appendix B (p. 25).

### Analyzing Court Observation Data

Simple descriptive statistics can help summarize the data collected during court observation. These statistics involve frequency data (a simple tally or count of data), frequency distributions (putting data in groups, such as grouping all cases by the year they opened or by county), graphical representations of data, and summary statistics (statistics that describe the typical value or most representative value, such as the mean or average).

If coders have included relevant comments during court observation, that information can be reviewed for common themes and reported in a narrative that accompanies the frequency data. For more information about descriptive statistics, please see chapter two of this Guide.

### Analyzing Due Process Outcomes

Courts should assess how well they use the evidence presented to deal with cases impartially and thoroughly. A performance measure involving due process that can be obtained from court observation is the percentage of hearings in which legal counsel for parents and children were present.

To calculate the percentage of cases in which legal counsel for parents and children were present at each

hearing observed, categorize individual hearings according to presence or absence of each representative. Then, count totals and calculate the percentage of hearings in which parties are present.

<b>Party Present</b>	<b>Percentage of Emergency Removal Hearings Observed (<math>n=25</math>) in Which the Party Is Present</b>
Mother's Attorney	80 percent ( $n=20$ of 25 hearings)
Father's Attorney	12 percent ( $n=3$ of 25 hearings)
Child's Attorney	100 percent ( $n=25$ of 25 hearings)

For information on how to display court observation data, please see appendix C (p. 27).

## Endnotes

1. For details on each of the performance measures, including definitions and data needed for measurement, please refer to the *Technical Guide* of this *Toolkit*.

# Focus Groups

## Why Conduct a Focus Group?

Data obtained from a focus group provides important qualitative information about court performance that can be used to supplement data obtained from other sources.

A focus group brings together experts in a given area to discuss a specific topic or issue. Focus groups use guided discussions to solicit participants' feelings and attitudes about a particular topic. The goal is to create an environment that encourages participants to share their perceptions and their points of view. Focus groups are used to create new ideas; develop new products or policies; identify needs, expectations, and issues; or generate theoretical constructs, models, and hypotheses. Participants are selected because they have certain characteristics in common related to the topic of discussion. Their responses are used to supplement and enhance data gained from other data sources.

When planning a focus group, courts should consider the following questions:

- ◆ When should a focus group be used to collect information from stakeholders about court performance?
- ◆ What is the specific area of focused discussion?
- ◆ Who should participate in the focus group?
- ◆ How many people should participate in the focus group?
- ◆ Who should facilitate, or moderate, the focus group?
- ◆ How should the focus group be structured?
- ◆ How many focus groups should be held?

In answering these questions, courts should take into account the specific purpose and goals of the focus group, the range of stakeholders involved, and any unique jurisdictional characteristics. This Chapter provides an overview of how to use focus groups to collect and analyze information that can inform a court performance or workload assessment.

## When Should Focus Groups Be Used To Measure Court Performance?

As with any data collection strategy, the appropriateness of the methodology and data collection instrument depends largely on the purpose and goals of data collection.

A focus group can be used to gather information about what stakeholders see as the priority issues for measurement and the primary challenges and barriers to the process. Convening a focus group early in the performance measurement process can assist a court in setting priorities and finalizing how best to use data collection instruments.

Focus groups also offer an excellent opportunity for system stakeholders to reflect on the findings, data produced by an automated management information system or file review process. They also help courts understand specific results. Some examples include:

- ◆ A court's observations and case file review find that there is no substantive difference between the focus of case review hearings and permanency hearings and no substantive difference in the court orders resulting from these hearings. A focus group of judges might provide insight into why this is the case (e.g., a lack of judicial understanding of the specific purpose of the different types of hearings, unclear expectations for parties involved in the hearings, or a misunderstanding about the type of information that should be present at each hearing).
- ◆ A case file review reveals that different attorneys appear at different hearings. A focus group of attorneys might provide insight into the reasons for this occurrence (e.g., calendaring practice, law firm practice, and philosophy<sup>1</sup>) and offer strategies to address these issues.
- ◆ An analysis of automated data and a review of case files show that a high number of hearings are continued. A focus group of judges or a focus group of attorneys might offer insight into the most common reason why continuances are requested and examine the court's policy and practice on granting continuances. The focus group could generate procedural and policy-related strategies to reduce the number of continuances.



The following are circumstances when using a focus group could be beneficial:

- ◆ A court wants to examine the range of ideas or attitudes that people have about a specific area of court performance.
- ◆ A court wants to understand differences in perspectives between groups or categories of people.
- ◆ A court wants to uncover policies, practices, or philosophies that may impact performance outcomes.
- ◆ Expert opinion would help shed light on data obtained through other methods.
- ◆ A court wants ideas and strategies to address performance issues to emerge from the group discussion.

Focus groups are likely to be ineffective and should not be considered in the following instances:

- ◆ A court wants to educate people.
- ◆ A court does not intend to use the results to inform court performance but only wants to give the appearance of listening to input—this is disrespectful and disingenuous.
- ◆ The issue or environment is emotionally charged and a group discussion is likely to intensify the conflict. This is likely to occur when people are polarized on an issue, trust has deteriorated, and the participants are confrontational.
- ◆ A court wants statistical projections. Typically, focus groups do not involve enough participants to make statistical projections or causal statements.
- ◆ The nature of the issue that will be discussed makes it unlikely that people will be open and honest in a group setting.

Focus groups are a highly efficient method for collecting qualitative data. A large amount of information can be collected in a relatively short period of time through focused group discussion with key individuals. A well-structured focus group discussion ensures checks and balances among the participants and eliminates extreme views. Focus groups use flexible, but systematic, data collection techniques that can be effective for many purposes. They provide an opportunity for researchers to explore new issues and gather unique information.

### Determining Who and How Many People Should Participate in a Focus Group

Once the court has determined that a focus group is an appropriate data collection strategy, the court should select the group's participants. Participants should include stakeholders who have extensive experience with the issue and representatives from other groups with an interest in the issue.

When considering timeliness, for example, a court may be interested getting judges' opinions on the primary sources of court delay, or it may want to understand how different stakeholders perceive delay in the court process. In order to target a variety of stakeholders, a court may want to conduct a focus group of judges, a focus group of attorneys (perhaps even a separate focus group for each type of attorney), and a focus group of caseworkers. Alternatively, a court could conduct several focus groups that include a multidisciplinary group of participants. However, mixing groups of people who have different levels of status, power, and expertise may make some individuals feel uncomfortable and hesitant to share their ideas and perspectives.

Depending on the extent of the problem or scope of the measurement issue, it may be beneficial to involve several groups. Two to four focus groups per issue, with 10 to 12 people in each group, is generally sufficient, but courts should monitor progress to ensure that the focus groups are effective. Too many focus groups or too many members in a group can result in saturation, or exhausting the subjects and no longer being able to generate new ideas. On the other hand, if a court is still gathering new information and perspectives by the third or fourth focus group, then staff may want to consider conducting additional groups—depending on time and resources. Also, when addressing more complex issues, courts should create groups with only six to eight members for maximum productivity.

When developing a discussion plan for a focus group, a court may wish to get the input of its working or advisory committees. For example, if a court wants to create a focus group of judges, staff should consider:

- ◆ Which specific judges should be included?
- ◆ How should the court invite these judges to participate?

- ◆ When is the most convenient time for these judges to attend a focus group (e.g., a particular day of the week or time of day)?
- ◆ What questions should be asked?
- ◆ Who should ask the questions and facilitate the focus group?

### Developing an Effective Focus Group

Effective focus groups require careful planning with well-structured and pertinent questions to ensure an efficient use of time. Groups should avoid asking questions that do not relate to the specific purpose of the focus group, phrasing questions in a way that does not generate group discussion (avoid questions with “yes” or “no” answers), or generating a long list of questions that cannot be properly discussed within the necessary time constraints.

Typically, a focus group will address, at most, about a dozen questions in a 2-hour session. As participants answer questions, their responses will spark ideas from other participants, which leads to more discussion. Good focus group questions should:

- ◆ **Sound conversational.** A focus group is a social experience and conversational questions help create and maintain an informal, conversational environment.
- ◆ **Use terminology that participants use regularly.**
- ◆ **Be easy to ask.** Good questions are written so the facilitator will not stumble over them when speaking.
- ◆ **Be clear and concise.** Respondents should understand the questions they are asked. Questions should be short and to the point. Lengthy questions can be confusing.
- ◆ **Be open ended.** Asking open-ended questions facilitates more discussion and often elicits richer descriptions, explanations, and insights.

The order or sequence of the questions is also important. Questions should flow from one another in a logical way. A group leader should begin with questions that are easy for all participants to answer. Tough or controversial questions should come later in the focus group. Questions with a positive focus should be asked before those with a negative or controversial aspect.

Understanding the function and purpose of different types of questions can also lead to effective discussions:

- ◆ Opening questions should get people talking and to make them feel comfortable. The questions should be easy and require quick, 30-second answers.
- ◆ Introductory questions identify the topic of conversation. Participants start thinking about the issue, and begin to converse.
- ◆ Transition questions move the conversation to the key questions that drive the discussion of a court performance issue.
- ◆ Key questions are the most important aspect of the focus group discussion. Key questions address issues vital to the performance measurement process, bridging information gaps and solving analysis issues. In a 2-hour focus group, there may be only two to five key questions. Although a few minutes may be allocated to answering earlier opening questions, groups will want to allow as much as 10 to 20 minutes to answer a key question.
- ◆ Ending questions bring closure to the discussion, enabling participants to reflect on previous comments. These questions are critical for analysis. Three common ending questions include a question that asks participants to reach a final conclusion on the issues addressed, a question that summarizes the discussion, and a question that asks if there is anything else that should have been talked about or anything that was missed.

Several strategies can enhance participation in the focus group. Preparation is a key component of a good focus group. Introductory statements, questions (in order), time allocations for questions, and possible probes (see “Probes,” p. 18) should be written down in advance of the focus group session. The facilitator should not read the statements and questions and should be very knowledgeable about, and comfortable with, the structure and focus of the discussion and the overall flow of questions.

Use a flip chart to engage participants in a focus group. Flip charts should be used to keep track of ideas and concepts. Use flip charts to:

- ◆ Make a list of key points.
- ◆ Ask the group to rank or rate items in a list.
- ◆ Ask the group to choose among alternatives on a list.

## Probes

An initial focus group question opens the door to an issue. However, a focus group leader may need to ask more questions to get a full answer. These questions, called probes, help a group get more information. Probes can also help manage the dynamics of the focus group. For example, probes can help—

- ◆ **Clarify.**

“Can you tell me more about what you mean by that?”

“It sounds like you are saying, \_\_\_\_\_, is that a fair summary?”

- ◆ **Get more details.**

“Can you give me an example?”

“If I was observing that, what would I see?”

- ◆ **Get feelings, thoughts, and rationale.**

“Why does that matter to you?”

“How do you feel about that?”

- ◆ **Explore variations.**

“How has your approach changed over time?”

“What motivated this change?”

- ◆ **Handle digressions.**

“How does that relate to the topic we started with?”

“Can you recall the associations that led us from our original topic to this one?”

- ◆ **Accommodate emotions.**

“What aspects of this issue do you think prompts such strong emotions?”

“Why do you think people feel so strongly about this issue?”

- ◆ Ask the group to provide opinions or “pilot test” ideas on a list.

## Selecting a Focus Group Facilitator or Moderator

The success of a focus group is also dependent on a good facilitator or moderator. Courts should consider the best person to conduct a discussion with a specific group of people. For example, who is the most appropriate person to facilitate a focus group of judges—Another judge? A court administrator? An attorney? An independent facilitator? Selecting the right facilitator is a critical decision point.

A good facilitator or moderator should:

- ◆ Be an active listener.
- ◆ Be an effective communicator.
- ◆ Have adequate background knowledge on the topic of discussion to place comments in perspective, probe effectively, and follow up on critical areas of concern.
- ◆ Have respect for all focus group participants.
- ◆ Have a friendly manner and a sense of humor.

Sometimes, it is helpful to have a “facilitator team” that includes a lead facilitator and an assistant facilitator. Typically, the lead facilitator will direct the conversation and take a few notes (on a flip chart, if available). These notes should help the group remember issues or ideas to come back to in later conversation, or to jot down questions for followup. The assistant facilitator takes more comprehensive notes and may ask followup questions when appropriate.

## Analyzing and Reporting Your Focus Group Results

The final and essential step when conducting a focus group is sharing the results of other court staff and interested stakeholders. It is important to take written notes to capture key discussion points and comments during a conversation. A facilitator team should be used when comprehensive notes are needed. The quality of any report results is directly related to the quality of the notes taken during the focus group.

The report a focus group produces should effectively communicate results to the appropriate audience and report individual information that can assist decisionmakers. It should provide guidance and recommendations for future

research. Quotations and illustrations often help to clarify a point and engage a reader. The language in the report should be simple and understandable, avoiding terminology or jargon that might be unfamiliar to the intended audience.

Focus group reports often fall into one of four general types:

- ◆ Narrative reports are between 10 to 30 pages and use quotations. The report should include a cover page, summary, purpose and procedures, results, conclusion, recommendations, and appendix. It should also discuss the group's analysis of the key questions and ideas.
  - ◆ A report memo consists of a summary of key findings and a response from the project's sponsor, and is usually one to two pages long. The memo is typically written by the sponsor of the focus group (the convener) and the research team (the focus group facilitator and person who analyzes the results) and is targeted toward participants in the focus groups. It outlines recommendations and suggestions for actions, and should include thanks to the participants for taking time to share their thoughts and experiences.
  - ◆ Bullet reports provide an outline of a narrative report, highlighting important information in bullet points. These reports can be prepared in a relatively short period of time.
- ◆ A top-line report combines narrative and bullet reports and conveys only the critical findings (they are approximately one to two pages or more in length depending on the purpose of the focus group). Top-line reports are prepared within a day or two of a focus group, are targeted to clients, and are often used in marketing research. They are often considered preliminary and are produced in order to provide immediate findings to the focus group participants. Top-line reports can be followed by full narrative reports.

## Endnotes

1. For example, a focus group of attorneys could provide information, suggesting that in order to cover the hearings scheduled for their juvenile delinquency and child protection caseloads (many of which are scheduled for the same time) they need to secure substitute counsel to attend hearings on their behalf. Additionally, the philosophy and practice of the prosecuting attorney's office may suggest that a different attorney handle contested trials or termination cases.



# Key Performance Measures for Case File Review and Court Observations



This appendix highlights key performance measures that can be captured through a case file review (CFR) and court observation process.

**Safety.** Courts must ensure that children under their jurisdiction do not face abuse or neglect.<sup>1</sup>

Key Performance Measures:

- ◆ **Measure 1A:** Percentage of children who are abused or neglected while under court jurisdiction.
- ◆ **Measure 1B:** Percentage of children who are abused or neglected within 12 months after the case is closed following a permanent placement.

**Additional Performance Measures for Safety (for CFR):**

In addition to measuring the percentage of children who experience further abuse or neglect while under the court's jurisdiction, court staff could modify the case file review instrument by adding a measure that collects information about whether additional petitions were filed for abuse and neglect before the case was closed. NOTE: The two child safety-related measures listed above are two of the nine key or essential performance measures. Data should be collected through a case file review or other clearly documented procedures.<sup>2</sup>

**SAFETY EXAMPLE**  
**Case File Review Instrument**  
**Examines—Was there a previous**  
**closed case of abuse/neglect**  
**involving this child?**

The “previous closed case of abuse or neglect involving this child” requires the coder to check “Yes” or “No” and provide the date and previous petition number if that number is available in the court file.

Analyzing this data provides information about the percentage of children who return to court with a new petition of abuse and neglect after a previous case was closed.

**SAFETY EXAMPLE**  
**Court Observation Instrument**  
**Examines—Was there a discussion**  
**in the hearings about whether efforts**  
**had been made to reunify a family?**

The court observation forms require the coder to note whether at some point during the hearings, parties and legal representatives discuss whether efforts have been made to safely reunify the family, if their conclusions are contrary to welfare findings, and to rate the extent of discussion as minimally or greatly substantive. Coders are also required to record observations related to the current safety and well-being of the child (e.g., whether a substantive discussion was had during the hearing about the child's safety and well-being). Analysis of these data provides information about a child's safety while under court jurisdiction.

**Permanency.** Children need permanent and stable living situations. Courts should ensure that children have stable family relationships and connections.

Key Performance Measures:

- ◆ **Measure 2A:** Percentage of children who reach legal permanency by reunification, adoption, or legal guardianship.
- ◆ **Measure 2B:** Percentage of children in foster care who do not reach legal permanency by reunification, adoption, or legal guardianship.

**Additional Performance Measures for Permanency (for CFR):**

Court staff may wish to add performance measures on the extent to which a child's placement in care is stable and permanent, and how often a child reenters foster care. A court may want to include these data if these issues are a priority or if these data are not reliably available elsewhere.

**PERMANENCY EXAMPLE**  
**Case File Review Instrument**  
**Examines—What was the case**  
**number or child identification**  
**number? When was the child**  
**removed from home? When was**  
**the child's adoption finalized?**  
**When was the case closed?**  
**Why was the case closed?**

Dates of events in a court case help calculate overall timeframes until a child reaches a permanent living situation. Time calculations require staff to compute how much time has passed between key case events by type for each permanent living situation children find themselves in.

Analyzing these data provides information about the average length of time it takes for a child to reach a permanent living situation, and more specifically, how long it takes a child to reach each type of permanent living situation.

**PERMANENCY EXAMPLE**  
**Court Observation Instrument**  
**Examines—Did hearings include**  
**a discussion about permanency**  
**goals for the child?**

Court observation forms require the coder to note whether parties and legal representatives discussed the permanency goal for the child(ren). The coder should note if there is a discussion of a concurrent permanency goal (e.g., a reunification goal and a concurrent goal of termination of parental rights and adoption), a timeframe for achieving permanency goals, and if barriers to achieving permanency exist. Coders rate the extent of the discussion from minimal (1) to a great deal (3) of discussion.

**Due Process.** Courts must deal with cases impartially and thoroughly, based on the evidence presented.

Key Performance Measures:

- ◆ **Measure 3A:** Percentage of child abuse and neglect cases in which the same judicial officer presides over all hearings. (Additionally, court staff should measure how many hearings are heard by two, three or more judicial officers if that information is available.)
- ◆ **Measure 3B:** Percentage of child abuse and neglect cases in which both parents receive written service of process of the original petition.
- ◆ **Measure 3I:** Percentage of child abuse and neglect cases in which the same legal advocate represents the child throughout the case. (Additionally, court staff should measure the percentage of cases in which legal counsel for children changes, and how many times this counsel changes.)
- ◆ **Measure 3J:** Percentage of child abuse and neglect cases in which the same legal counsel represents the parents throughout the case. (Additionally, court staff should measure the percentage of cases in which legal counsel for children changes, and how many times this counsel changes.)

**Additional Due Process Measures.** The national court performance measures include how quickly cases move to hearings, whether parties receive notice of hearings, and whether counsel are appointed in a timely fashion.

Courts may want to consider modifying the case file review instrument to document the date of the court service, the date all parties receive a notice of hearing, and the date the counsel was appointed.

Court observation may help courts understand how well their performance meets the requirements of these measures. Court observation instruments allow coders to report if the court required an explanation as to why parties are missing from hearings and what efforts were made to locate missing parties. If foster parents are not present at hearings, coders can note if the court or parties inquired whether foster parents received notice of hearings. Analyzing these data can provide insight into the court's notification procedures.

**Timeliness.** Courts must assess their ability to place children in permanent care in a timely fashion. This involves determining the time from the petition filing in each court hearing to the time a permanent placement is

### Case File Review and Observation Instruments Examine— “Representation”

In the case file review and observation instruments, “representation” includes several discrete areas of data collection. For each type of hearing, the coder is asked to code whether or not counsel is present for the mother, father, and primary child involved in the case. The coder is asked to further indicate whether the child’s representative is an appointed attorney, attorney guardian *ad litem*, nonattorney guardian *ad litem*, court-appointed special advocate, or private counsel. The coder assesses whether any of the parties’ counsel has changed since the last hearing or court event.

Analyzing this data provides information about the percentage of cases in which parties have counsel present at each hearing type, how often counsel changes, and the type of counsel the child has.

Possible data sources: Court orders, court reports.

### DUE PROCESS EXAMPLE Case File Review Instrument Examines: Did the Judge or Judicial Officer Change?

The coder should indicate whether or not the judge or judicial officer has changed from the prior court hearing or court event.

Analyzing these data provides information about the percentage of children for whom one judicial officer hears all hearings, and the number of judicial officers involved in one case if more than one officer is involved.

Possible data sources: Court orders, court reports.

achieved. The case file review instrument provides court performance information about the timeliness of each court event. Court observation forms cannot assess the timeliness of a court event, but can provide information about the reasons behind court delays.

Key Performance Measures (these measures are key for case file review only):

- ◆ **Measure 4A:** Average (median) time from filing of the original petition to legal permanency.
- ◆ **Measure 4B:** Average (median) time from filing of the original petition to adjudication.
- ◆ **Measure 4C:** Percentage of cases that are adjudicated within 30, 60, or 90 days after the filing of the petition.
- ◆ **Measure 4D:** Average (median) time from filing of the original petition to the disposition hearing.
- ◆ **Measure 4E:** Percentage of cases in which the disposition hearing occurs within 10, 30, or 60 days after adjudication.
- ◆ **Measure 4G:** Average (median) time from filing of the original petition to first permanency hearing.
- ◆ **Measure 4I:** Average (median) time from filing of the original child abuse and neglect petition to the termination of parental rights (TPR).
- ◆ **Measure 4K:** Percentage of cases in which the termination of parental rights (TPR) petition is filed within 3, 6, 12, and 18 months after the disposition hearing.
- ◆ **Measure 4L:** Percentage of cases in which the adoption petition is filed within 3, 6, and 12 months after the termination of parental rights (TPR).
- ◆ **Measure 4M:** Percentage of adoption cases finalized within 3, 6, and 12 months after the filing of the adoption petition.

**Additional Timeliness Measures.** In addition to the measures listed above, courts may wish to assess the average time between filing of the original TPR petition and adoption. Measuring the percentage of hearings not completed within timeframes set forth in statute or court rules may also help the court determine if delay is occurring at the TPR petition filing stage of the court process.

**TIMELINESS EXAMPLE**  
**Case File Review Instrument Data**  
**Elements—What date did certain**  
**court events occur?**

Coders should collect the dates of all key court hearings and events.

Analyzing this data provides information about the timeliness of events within hearings, the time between hearing dates, and overall time it takes to process a case. Timeframes for hearing events and case processing can be assessed against the standard timeframes required by statute and Federal law.

**Endnotes**

1. For details on each of the performance measures, including definitions and what data needs to be collected for measurement, please refer to the *Technical Guide* of this *Toolkit*.
2. The nine key court performance measures listed in the *Booklet* are as follows:

◆ **Safety**

- ◆ **Measure 1A (Child Safety While Under Court Jurisdiction):** Percentage of children who are abused or neglected while under court jurisdiction.
- ◆ **Measure 1B (Child Safety After Release From Court Jurisdiction):** Percentage of children who are abused or neglected within 12 months after the case is closed following a permanent placement.

◆ **Permanency**

- ◆ **Measure 2A (Achievement of Child Permanency):** Percentage of children who reach legal permanency by reunification, adoption, or legal guardianship.

◆ **Due Process and Fairness**

- ◆ **Measure 3A (Number of Judges Per Case):** Percentage of child abuse and neglect cases in which the same judicial officer presides over all hearings.
- ◆ **Measure 3B (Service of Process to Parties):** Percentage of child abuse and neglect cases in which both parents receive written service of process of the original petition.

◆ **Timeliness**

- ◆ **Measure 4A (Time to Permanent Placement):** Average (median) time from filing of the original petition to legal permanency.
- ◆ **Measure 4B (Time to Adjudication):** Average (median) time from filing of the original petition to adjudication.
- ◆ **Measure 4G (Time to First Permanency Hearing):** Average (median) time from filing of the original petition to the first permanency hearing.
- ◆ **Measure 4I (Time to Termination of Parental Rights):** Average (median) time from filing of the original petition to the termination of parental rights (TPR).

The supplemental performance measures listed in this appendix are key court performance measures for the purposes of case file review and court observation only.

# Managing Case File Review and Court Observation Data



## Developing a Database

A database is designed to manage individual data elements in a logical and structured way. The data collected through a case file review or court observation process can generally be managed and analyzed through a simple database format using readily available programs such as Microsoft Excel® or Microsoft Access®.

Using Excel, a similar database, or a statistical program (e.g., SPSS), develop a database that tracks each piece of data collected in the case file review or court observation process. A table or spreadsheet is usually sufficient and easy to manage. Data are usually presented in rows and columns. Specific data categories (e.g., date of adjudication) are usually assigned a column, and each column should represent one piece of data for each performance measure. These categories should be placed in columns in the order they appear on the case file review or court observation instrument.

Each case should be a row of data. The case data should be entered with specific information placed in the appropriate column. Ideally, the columns of data in the spreadsheet should follow the same order as they appear on the case file review or court observation instrument. Using simple equations, a database program can calculate column totals.

**Entering Data.** Each case file reviewed should generate a copy of a completed case file review form. To facilitate the accuracy of data entry, one person should enter the data for each completed case file review form.

**Tips for Quality and Accuracy Assurance.** Accurate data entry is essential for meaningful results. It is recommended that a second data entry person check data entry for a small sample of entered cases and note any discrepancies or errors. All errors should be addressed in consultation with the original coder. If a high rate of error occurs in the sample that is checked, all data should be reentered.

The sample table below illustrates what a database containing case file review data should look like.

Coder	Case Number	Child's Date of Birth	Allegations	Child Removed?	Removal Date	Date Petition Filed	Date Shelter Hearing Held	Date Adjudication Hearing Held
1	J39299	9/15/2004	Neglect	Yes	2/4/2005	2/8/2005	2/9/2005	4/8/2005
1	J40172	1/1/1990	Physical Abuse	Yes	7/17/2001	7/19/2001	7/20/2001	8/24/2001
1	J40380	9/15/2000	Physical Abuse	Yes	6/10/2003	6/12/2003	6/13/2003	8/1/2003
1	J40392	9/12/1988	Physical Abuse	Yes	3/5/2004	3/11/2004	3/12/2004	5/7/2004
1	J39704	5/4/1998	Neglect	Yes	4/18/2004	4/20/2004	4/21/2004	6/25/2004
1	J34039	5/2/1988	Neglect	Yes	4/21/1998	4/23/1998	4/24/1998	7/3/1998
1	J35066	5/23/2004	Neglect	Yes	3/21/2005	3/25/2005	3/25/2005	4/22/2005



# Displaying Case File Review Data in a Meaningful Way



Many different data presentations can be effective. Consider who will be listening to the presentation, their knowledge base, their interests, and the purpose of the presentation.<sup>1,2</sup>

**Tables.** Presenting data in a table helps to organize and summarize the data in a more understandable way. Tables should be simple and straightforward.

**Charts.** A chart is a visual explanation of data. The goal of a chart is to give the reader a quick message, but charts should not be the message—they should provide visual support for the report. Charts show relationships among variables and let a reader grasp complex data at a glance.

There are three basic types of charts:

- ◆ **Bar charts** compare items at one point in time. They compare a set of individual items or several sets of related items.
- ◆ **Line charts** show change over time. They show trends, increases, or declines of one variable over a period of time. They have an X-axis (horizontal) and a Y-axis (vertical). Usually, the X-axis has numbers for the time period, and the Y-axis has numbers for what is being measured.
- ◆ **Pie charts** show relative proportions. They show percentages of items. Pie charts read easily if they have no more than five slices. All slices should be easy to read.

Some general tips to keep in mind when developing a chart or graph:

- ◆ Graphs should be easy to read.
- ◆ Graphs should only contain essential information.
- ◆ All parts of the graph should be clearly labeled.
- ◆ Graphs should use geometric figures (not colored lines) for data points. This makes copying the graphs easier.

## Endnotes

1. For more general considerations about how to use charts and graphs to display data please refer to chapter five of the *Implementation Guide*; for detailed guidance on displaying results of specific performance measures, see the *Technical Guide*.
2. Reporting should be done to meet the jurisdiction's needs. The needs assessment should answer what the individual court needs to know. Theories need support with numbers.











**National Council of Juvenile and  
Family Court Judges**



**National Center for State Courts**



**ABA Center on  
Children and the Law**