2006 Innovations Award Program Application

ID #: 06-E-03CT
Change Driver: Role of Government
State: Connecticut

1. The New Haven Regional Children’s Probate Court

2. The Office of Probate Court Administrator

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8. N/A

9. The New Haven Regional Children’s Probate Court combines the child custody and neglect docket of ten probate court districts in the New Haven area in order to achieve permanency and better outcomes for the children and families by providing a greater efficiency in service. Through interagency cooperation and bi-location of court staff and social workers from the Department of Children and Families, our judges are able to make more informed decisions regarding guardianship, termination of parental rights and emergency immediate placements to ensure children are placed in safe stable homes.

10. This specialty children’s court began operating on July 1, 2004.

11. Over the past several years, the probate courts have experienced a significant increase in both the number and the complexity of the children’s cases filed in its courts. The problems facing Connecticut’s communities, most strikingly in the large cities, but also in smaller rural towns, have become more widespread and severe in the last decade. The rates of poverty and homelessness among families with children are on the rise; intergenerational substance abuse and the increasing variety of drugs available have decimated family systems. The increasing number of single parent families leaves many children with no parent when the sole caretaker suffers from a terminal illness or mental health disorder, or is otherwise unable to parent. These social and economic trends, coupled with overburdened community agencies with long waiting lists for services, often results in parents who are unable to care for their children, and children who are at risk of involvement with the Department of Children and Families, physical or emotional injury or death.
The development of the Regional Children’s Probate Court grew out of the Probate Court System’s awareness of the changing social landscape and the impact on child maltreatment. Shortly after Hon. James Lawlor took office as the Probate Court Administrator he made a commitment to improve the management of children’s and mental health matters in the State’s probate courts. With the goal of better serving the needs of our most vulnerable citizens, Judge Lawlor and then Department of Children and Families Commissioner, Kristine Ragaglia contacted Casey Family Services, a program of the Annie E. Casey Foundation to conduct a study of the probate court system’s handling of children’s matters.

The final report, issued in 2003 by Casey Family Services, provided the framework for the Regional Children’s Court. While the Casey Study identified many positive aspects of the probate court system, including the probate court’s user-friendliness, flexibility and responsiveness, key areas of concern were also identified and accompanied by recommendations for improvements.

Areas of Concern

The concerns identified in the 2003 study included

- There are few support and mental health services available for families involved in the probate system.
- Probate court judges do not have the legal authority to mandate services.
- There is no monitoring of families after the final decree transferring guardianship.
- Judges may not have legal backgrounds, and there is a lack of training.
- There is insufficient funding available to assist kinship guardians appointed through the probate court system.
- Compensation is low for attorneys and guardians ad litem who represent children in probate court, and therefore, the pool of qualified attorneys willing to handle children’s cases in probate court is limited.
- There is not always timely or clear communication to the probate court from DCF social workers, who are mandated to do a home visit and social study, and provide a recommendation regarding guardianship to the probate court. This places the Probate Court judge in the position of making a guardianship determination without complete information, or further delaying permanency for the child.

12. The first regional children’s probate court opened July 1, 2004. After having a successful evaluation of the first court, and utilizing the findings of the implementation and outcome evaluation findings, the second regional court opened a year and a half later in October 2005. It is expected that the third regional court will open in the spring of 2006.

It is estimated that the planning process for the next two regional courts will begin in early 2006. The first planning meeting will focus on the model and introducing judges to the concept. The next several meetings will be dedicated to planning the court, covering matters including choosing a location and staff. The target for the opening of the next two regional courts is late spring or early summer of 2006.
The following is an outline of planning meetings:

- Introduction to concept and planning meeting process, role of set up team, judges expected to tour a regional children’s court.

- Judges share information about their visit to the established regional court, what their “wish list” is, concerns, more in-depth discussions on court processes.

- Building selection process is reviewed, begin site selection process; continue to get feedback on regional court visits, “wish list” for court and concerns, more in-depth discussions on court processes.

- Distribute site research for group discussion rate and ranking, “wish list”, and concerns are discussed further.

- Schedule site visits with judges, finalize rate and rankings of locations, and discuss concerns further.

- Begin lease negotiations; meet with town officials to determine agreement regarding the lease. Begin establishing grassroots support for the court, meet with social service agencies, DCF, and arrange for local and regional clerk meet and greet.

- Begin determining judge’s participation level, court schedule, hiring and training of staff, monitoring the build-out and coordinating efforts.

- Finalize court hours, schedule, staffing, begin dedication ceremony preparations, press releases, coordinating efforts with build-out.

- Court Opens – Monitor progress.

- Dedication Ceremony.

- Monitor Progress.

13. After many months of strategic planning with researchers, academics, and judicial experts and following the recommendations of the Casey study, a plan for the first regional children’s probate court was developed. During the 2004 Legislative Session, the Connecticut General Assembly passed Public Act 04-149 authorizing the creation of a pilot regional children’s probate court in the New Haven area. The New Haven Regional Children’s Court serves the towns of New Haven, East Haven, West Haven, North Haven, Branford, North Branford, Hamden, Orange, Milford and Woodbridge.
Each of the local probate judges has volunteered to participate in the regional court and continues to preside over matters originating from his or her local community. The Honorable Frank J. Forgione, of North Branford Probate Court serves as the Administrative Judge and is charged with the responsibilities of the day-to-day operations of the regional court.

The overall mission of the regional court is to attend to the safety, permanency and well being of the children and families the court serves. To achieve this mission, the court created three goals:

1. Divert children and families from the child welfare system, to allow the system to focus its resources on children who cannot be cared for without system support.
2. Improve the case management and delivery of services for the children and families to help families through the “honeymoon” period of the placement, teach families how to respond to their new child's special needs, and help families avoid a return to the system.
3. Empower families throughout the court process to encourage them to become engaged, active caregivers who take full responsibility for their new children.

Three elements of the regional court structure have been key to attaining these goals:

1. The Probate Court System combined the resources of the participating courts into one location at a regional court to maximize resources and knowledge.
2. The Probate Court System partnered with the Department of Children and Families to improve the effectiveness of both systems.
3. The Probate Court conducted an innovative reinvention of the role of the probate court in helping families through the guardianship transfer process and helping appointed guardians meet their new responsibilities.

Regional Location. The participating judges from the individual town probate courts were key decision makers in the process of determining the location of the court. The judges gave consideration to the accessibility of the regional court for the residents of both the urban and suburban communities. They also considered the social services available in the area and the physical layout of the court. The chosen site is located in New Haven and is easily accessible to each of the participating cities and towns by I-91 and I-95.

Partnership with the Department of Children and Families. The Probate Court system outlined the area of the region of the children’s probate court to mirror the Department of Children and Families regions. The Department of Children and Families is structured into fourteen (14) regions covering the entire state. The New Haven DCF staff was required to cover all children’s probate matters in 10 or more towns and cities. Locating the Regional Children’s Probate Court to cover the same towns that are covered by the New Haven DCF office serves to maximize the production and effectiveness of DCF’s social work staff: they report for hearings to only
one regional court rather than multiple local probate courts, and they are physically located on site at the regional court to be available to respond to questions from the presiding judge, court staff and families.

**Restructured Role of the Probate Court.** In order to allow the Regional Children’s Probate Court to more closely support and monitor families, promoting permanency and decreasing the likelihood that the child would be placed in a DCF foster home, the Regional Children’s Probate Court expanded its staff and procedures:

- The Probate Court System created the new position of Probate Court Officer (PCO). The Probate Court Officers have, as a minimum, graduate degrees in Family Therapy or Social Work. These social workers and therapists work closely with the family from the time of the initial filing of the application through their continual monitoring of the case following court determined placements. The PCOs are able to offer professional opinions to the judge regarding the family dynamics and issues.
- The PCOs ensure that all proper documentation is available for the judge to be able to make an informed decision on each case.
- The PCOs assist the family in accessing community services needed to maintain healthy functioning, such as treatment programs for parents, therapy for children and therapeutic supervised visitation. The PCOs work with the parents to guide them in their efforts to maintain custody or regain custody of their children.
- The PCOs facilitate Case Management Conferences (CMC) for all families. The primary goal of the CMC is to provide early case intervention and to empower families to find their own resolutions to problems. These conferences are managed by the PCO and are typically held within two weeks of the filing of the initial application for transfer of guardianship. The CMC involves all family members, court appointed attorneys, guardians ad litem and the DCF social workers. All parties to the conference participate in the development of a family case plan that identifies service needs and resources to maximize family functioning and ensure the safety and stability of the child’s placement.
- The Regional Children’s Probate Court established a system to monitor families after the final decree is entered to ensure that the child is safe and doing well in his or her court appointed placement.

14. The start up costs for the program were relatively inexpensive. The New Haven Probate Court transferred their entire children’s matter staff to the new facility and continued to pay their salaries. Casey Family Services, seeing the potential for the court, offered to pay for two full-time social workers for the first year of operations. The first year’s rent was $55,992. Existing equipment was used in order to preserve our funds. Unfortunately we do not have a complete item by item break down. All other expenses are itemized below, in question 15, which shows the other costs of the court for the 04/05 fiscal year. Please contact our office if you need more detail.
15.  | Description | NHRCPC 2004/2005 Budget | YTD Exp. 06/30/05 | NHRCPC 2005/2006 Budget |
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**New Haven Regional Children’s Probate Court**  
**Fiscal Year 2004-2005**

The New Haven Regional Children’s Probate Court opened on July 1, 2004. In the first year of operation and the court received support from New Haven Probate Court and Casey Family Services during the start up year.

A. Casey Family Services provided two staff members for the Probate Court Officer positions. The Probate Court Officer position is a new position in the Probate Court System. These officers are master level therapists and social workers that work with families from the initial filing of the application through the post decree time period ensuring that the children are doing well in safe and stable kinship placements.

B. All of New Haven Probate Court’s existing children’s matters were immediately transferred to the regional court. Because the cases shifted to the regional court, the New Haven Probate Court also transferred three clerks who handled the caseload. The clerks remained on the New Haven Probate Court payroll during the regional court’s first year of operation.

**New Haven Regional Children’s Probate Court**  
**Fiscal Year 2005-2006**
The 2005-2006 budget reflects an increase in expenditures. The increase is a result of the assumption of the cost of the employees previously compensated by the local New Haven Court and Casey Family Services. There also was a 15% increase over the prior year in the total number of matters filed in the New Haven Regional Court.

16. The program is funded through the Probate Administration Fund. The probate courts in Connecticut receive no funds from the state’s budget and operate on the fees the courts charge for services. Collected fees pay for staff salaries and operational expenses. Any remaining revenues are deposited into an account in the State Treasurer’s Office called the Probate Administration Fund.

17. Yes. In 2004 Public Act 04-159 “AN ACT CONCERNING REGIONAL PROBATE COURT SERVICES FOR CHILDREN’S MATTERS” allowed for the pilot program to be established. In 2005 the legislature passed Public Act 05-225 “AN ACT CONCERNING REGIONAL CHILDREN'S PROBATE COURTS” that not only made the pilot program a permanent court but also authorized the creation of six more regional courts.

18. The Regional Courts use the same computer equipment most any office does. However, we have begun the process of transferring our documents onto CDs in order to preserve our records. By law, our courts are required to store all the documentation for our cases. By using the Laserfiche technology, we are able to scan our documents onto discs and this has saved us approximately $50,000 in storage fees. Below is a list of the equipment we use:

- HP Workstation with Windows 2000 or Windows XP OS
- 17 Monitor or comparable
- APC UPS
- LaserJet Printer
- HP Server with Windows Server 2000 or Windows Server 2003
- Routers
- Firewall
- Switch
- Patch Panel
- Modem
- Tape Backup Solution

We also connect all the participating local courts into the regional courts case docket. Thereby allowing the judge’s and clerks to share information. They are able to review the progress of any file they have transferred to the regional court and the hearing schedule from their local computers. The communication technology used consists of RAS, PCAnywhere and VPN.

Below is a list of the various programs we use while conducting our business:

- Trend Virus Protection
- PCAnywhere
- Office 2000 or Office XP
19. This method of conducting children’s matters in Connecticut is new. It originated based on the unique needs of our probate and child welfare systems. The idea of regional children’s probate courts came from the Probate Court Administrator, Honorable James J. Lawlor. The program was created through a joint effort on behalf of Kimberly Joyner, Director of Children and Mental Health Programs for Probate Court Administration, the Honorable Frank Forgione, the Administrative Judge for New Haven Regional Children’s Probate Court and the participating Judges in the court, and as mentioned above the final report, issued in 2003 by Casey Family Services, provided the framework for the Regional Children’s Court.

20. We are not aware of any other similar programs in other states. The 2003 Study conducted by Casey Family Services did a nationwide search of programs and at the time there was no similar program identified.

21. The New Haven Court has been fully implemented and replicated in Meriden-Wallingford and the planning process has begun for three more regional courts. A total of 14 courts will be established in Connecticut based on the service districts of the Department of Children and Families.

22. It is very difficult, and exceptionally costly, to try to provide quality services and oversight in 123 individual probate courts. By regionalizing the effort, children and families have many more resources available to them. The following is an example of the positive results of the program:

- The quality of services provided by the regional court far exceeds the ability of local courts in case management, family involvement, addressing service needs and linking families with community resources.

- Extensive review of case records showed that the communication with DCF has been enhanced, there is increased oversight of children’s cases throughout the court process, there is an improvement in case planning, especially pertaining to the involvement of family members and identifying and providing community services.

- All minor children that were placed into guardianships were still living with that guardian. In the past 2/3 of those placed moved at least once and 25% moved more than twice. There were no reports of abuse or neglect with any of the guardians. This adds credibility to court’s ability to determine the safest and most appropriate guardians for minor children. In fact 2/3 of the children improved their school grades and 80% are participating in community activities.
• Temporary custody hearing occurred on average 23 days after an application was received. The statutory limit is 30 days showing this court allows these applications to be processed more quickly in order to protect the interest of the child.

These results, and many more, are documented in a professional evaluation that was conducted to discover the effectiveness of the regional court. The executive summary of that report is enclosed with this application. Several case examples are also enclosed in order to present a detailed account of the court’s operations.

The only negative impact the regional courts have would involve travel. People enjoy the fact that probate courts are local courts and easily accessible. Now many of these families are now traveling greater distances. However, the families that were interviewed for the evaluation stated that the travel was worth the services they were able to obtain.

23. Since the inception of the New Haven Regional Children’s Probate Court we have seen a dramatic increase in cases for the region. Word has spread that this facility has helped hundreds of children and their families achieve positive outcomes while steering them away from foster homes and the state welfare system. We have developed the new positions of Probate Court Officers who facilitate family conferences with all the interested parties and provide families a forum to resolve their own problems. Many of these matters would have been handled by our Juvenile Courts. They are now looking towards this program first as a quicker more cost effective way of handling these matters. Our success has been documented and continues to grow as we establish new courts following this model as cited in the August 2005 evaluation report by Dr. Judy M. Lee and Dr. Martha Morrison Dore.

24. This program is specific to Connecticut’s judicial system and social policies. Therefore, any replication of this program would need to take into account the individual state’s laws is regards to child custody matters. The key elements of the model may be easily transferred after considering any legal differences.

Connecticut is parochial in nature, and many of its government institutions have not changed much in 300 years. The Probate Court system is a prime example of this avoidance of change. The system has stayed relatively intact since the charter days of the state. With 123 probate districts, just about each town has a probate court, in which the judge is elected, and is a prized political position. Any changes to the system have come about very slowly due to the influence the judges have on their other elected officials, specifically the state legislators. This was a major obstacle to overcome since many judges feared this was the beginning of consolidation efforts to reduce the number of courts. Once it was established that is was a voluntary program, and only the matters involving children would be consolidated in the courts, were we finally able to move forward with the program.

As with all state government, cooperation between agencies can be difficult. The Department of Children and Families are statutorily obligated to provide certain reports
and studies on matters being heard in Probate Courts, but their involvement would often end there. The Department of Children and Families is an exceptionally busy agency dealing with severe issues of abuse and neglect. The sheer number of cases the agency has requires that they be prioritized and therefore less severe cases may not receive the attention they need. Our regional courts are able to handle to less severe cases and we’re able to alleviate the workload of the overburdened agency. Commissioner Darlene Dunbar was convinced that this was a program worth trying and committed her staff in New Haven to the court. A year later they now are permanently placed at the facility and she has continued to be supportive as we build this system statewide. The interagency cooperation is the cornerstone of the courts and it is possible we would have received little support if any from the department. Other states may not have such progressive agency personnel who are willing to devote the staff and time to such ideas.