

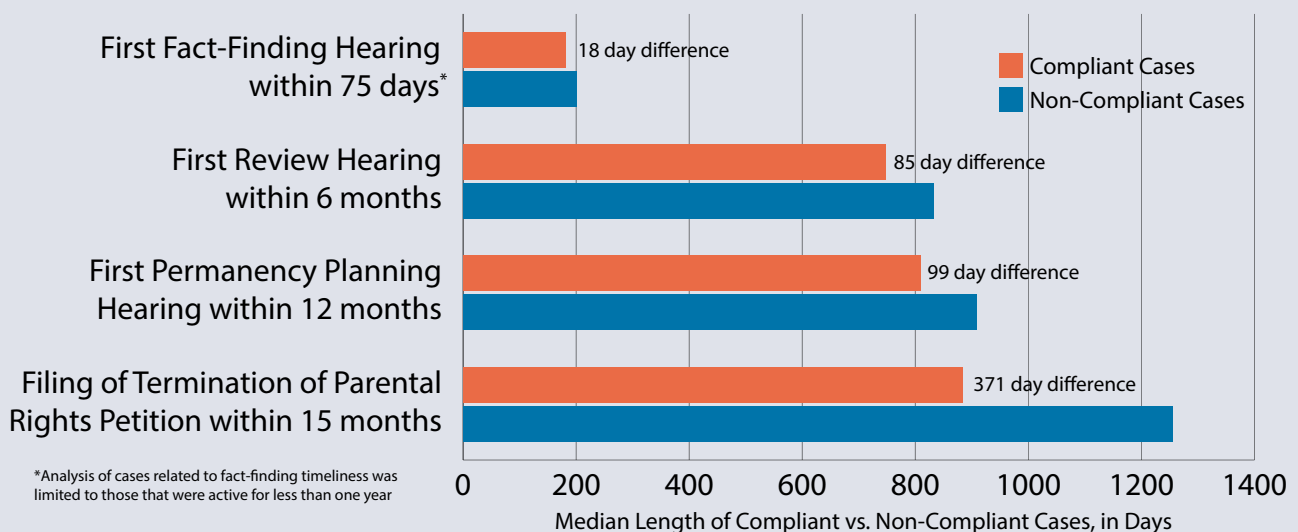
Dependency Court Processes and Outcomes for Children in Out of Home Care

A recent joint study of the Washington State Administrative Office of the Courts (AOC) and the Department of Social and Health Services (DSHS) Children's Administration (CA), conducted by DSHS Research and Data Analysis (RDA), examined court process timeliness and its relationship with permanency-related outcomes. The cooperative efforts between these organizations facilitated the analysis of combined data and has yielded new insights about the impact of meeting key process milestones.

Key Findings

- Dependency cases in compliance with statutory guidelines had significantly shorter durations.
- Significant differences exist in the duration of dependency cases across courts.
- Racial and ethnic disparities in dependency length exist in nearly all courts for cases longer than one year.

Figure 1. Cases Compliant with Timeliness Guidelines Show Faster Resolution



This study examined dependency cases opened between 2005 and 2011 and looked at statewide court compliance as well as the performance differences among courts. This study uses case dismissal to indicate a “permanency outcome”. A case dismissal is typically when either reunification, permanent guardianship, aging out, or adoption occurs. The full Technical Report (see Related Resources) also examines placement re-entry and new founded abuse/neglect allegations. While examining the factors relating to the duration of dependencies, this study placed particular attention on investigating the presence and magnitude of disparities across racial and ethnic groups.

Relationship of Compliance to Permanency Outcome

Compliance with dependency court statutory guidelines correlates with shorter periods of dependency for children placed into out of home care. Figure 1 illustrates this connection. The major case milestones are shown on the left side and the length of cases along the bottom. One can see that compliant cases are shorter in length than those that do not meet each respective guideline. For instance, cases in which the termination of parental rights was filed within the statutory guideline of 15 months were shorter by 371 days (for the median case) than non-compliant cases.

While the annual Dependent Children in Washington series (see Related Resources) has shown that court compliance with process guidelines has improved over time, the question of whether and how process relates to permanency outcomes has not previously been systematically examined. This study considered a wide range of case and court characteristics, and while it cannot be claimed that court process compliance itself causes reduced lengths of dependency, the observed differences are consistent with this interpretation.

Variation of Dependency Duration by Court

Results show significant performance disparities between the various state court jurisdictions with regard to how long it takes to gain permanency outcomes for dependency cases. Figure 2 shows the duration of dependency cases, per court/court group, for the three broad categories of case types studied: reunifications less than one year, all types greater than one year, and adoptions.¹

While significant demographic and other differences exist across courts in Washington State, the analyses controlled for these differences so that per-court performance could be compared. The collaboration between the CA, AOC, and RDA enabled cases to be matched between court docket activity and CA case data, which then allowed a broader set of case characteristics to be examined for their relationship to court performance.

¹ To facilitate the analysis of courts with fewer cases, the following groupings were made in Figures 2-5. See the Technical Report for details.

Higher Hispanic-EAST: Adams, Benton, Chelan, Douglas, Franklin, Grant, Walla Walla

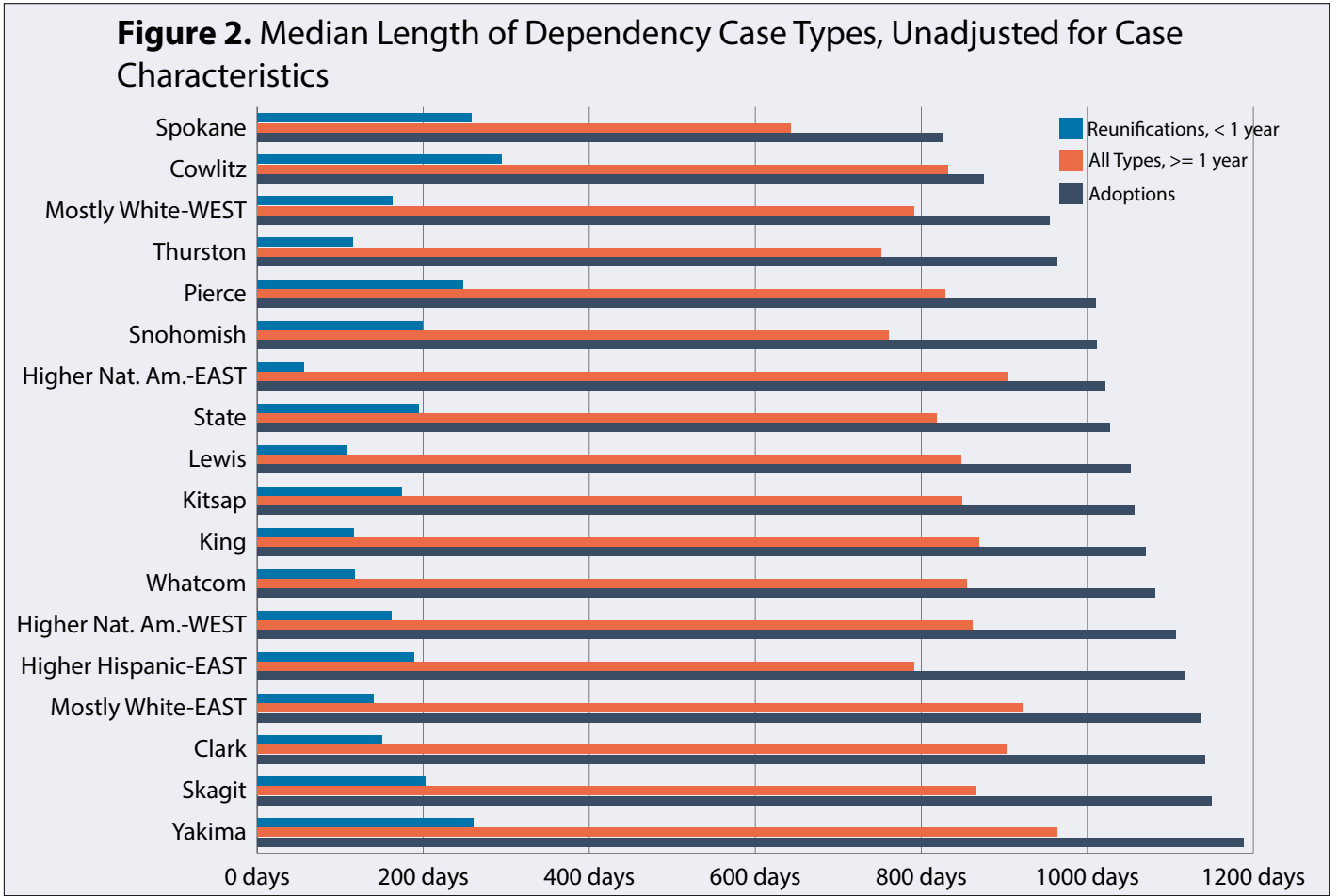
Higher Native American-EAST: Ferry, Okanogan

Higher Native American-WEST: Clallam, Grays Harbor, Jefferson, Mason, Pacific

Mostly White-EAST: Asotin, Columbia, Garfield, Kittitas, Klickitat, Pend Oreille, Stevens, Whitman

Mostly White-WEST: Island, San Juan, Skamania, Wahkiakum

Figure 2. Median Length of Dependency Case Types, Unadjusted for Case Characteristics



These factors include risk and assessment data for child and parental mental illness, substance abuse, criminality, economic stress, homelessness, and domestic violence, as well as basic demographic information.²

Figures 3 through 5 illustrate the variations in court performance for the three categories of case types. Bars to the left of zero indicate the likelihood of a dismissal slower than the state average; bars to the right, faster.

For comparison purposes, the data these three figures represent were adjusted for the differences in case characteristics that exist in each court.³ All three figures show only small differences in performance between results that control for race and ethnicity and those that do not for each court, which indicates the racial composition of cases has only a marginal role in the relative performance of the courts studied.

Case duration across courts varied widely even after taking into account available statistical controls. Since this variation was greater than the difference in studied case characteristics, one must then consider internal court functioning as a likely reason for these performance differences. It is also possible that there are other differences in case characteristics beyond the child and family characteristics considered in this study.

² For more details on the specific multivariate statistical models that were used to control for varying case characteristics, as well as for all the results shown in this document, please reference the complete Technical Report.

³ The x-axis in Figures 3-6 are the rescaled exp(Beta) values from multivariate Cox regression models: see the Technical Report for details.

Figure 3. Court Variations in Length of Dependencies, Reunifications Less Than One Year

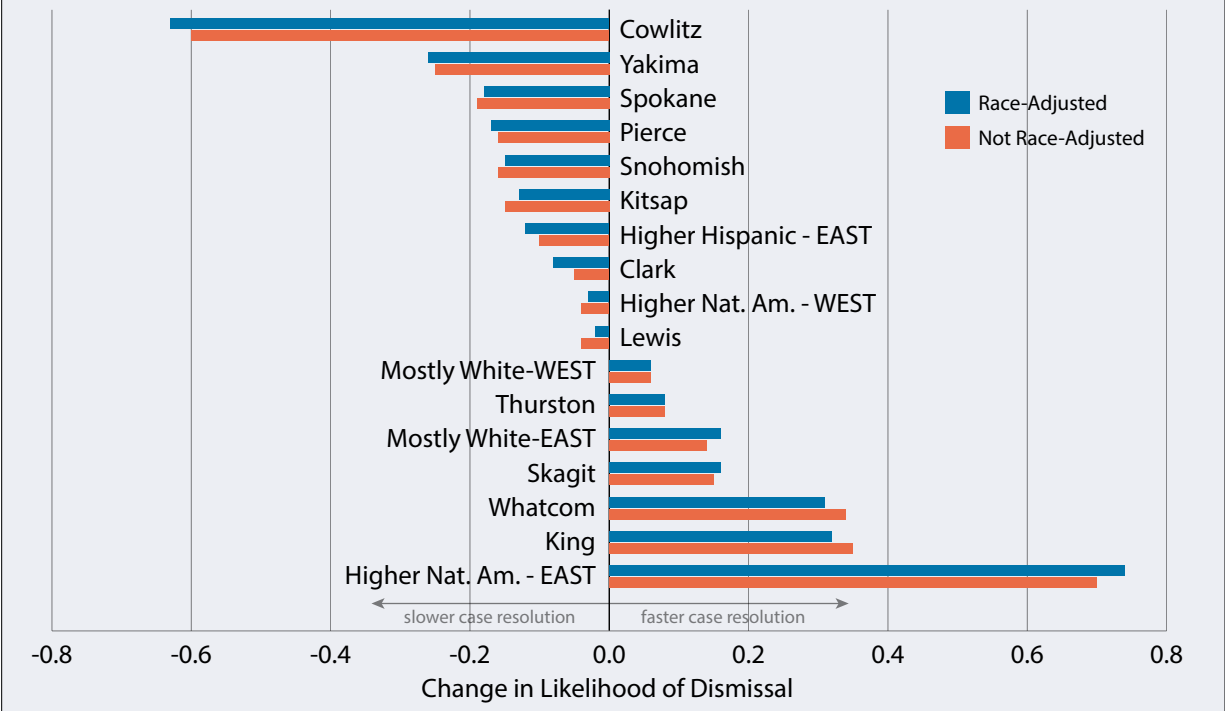


Figure 4. Court Variations in Length of Dependencies, All Case Types Greater Than One Year

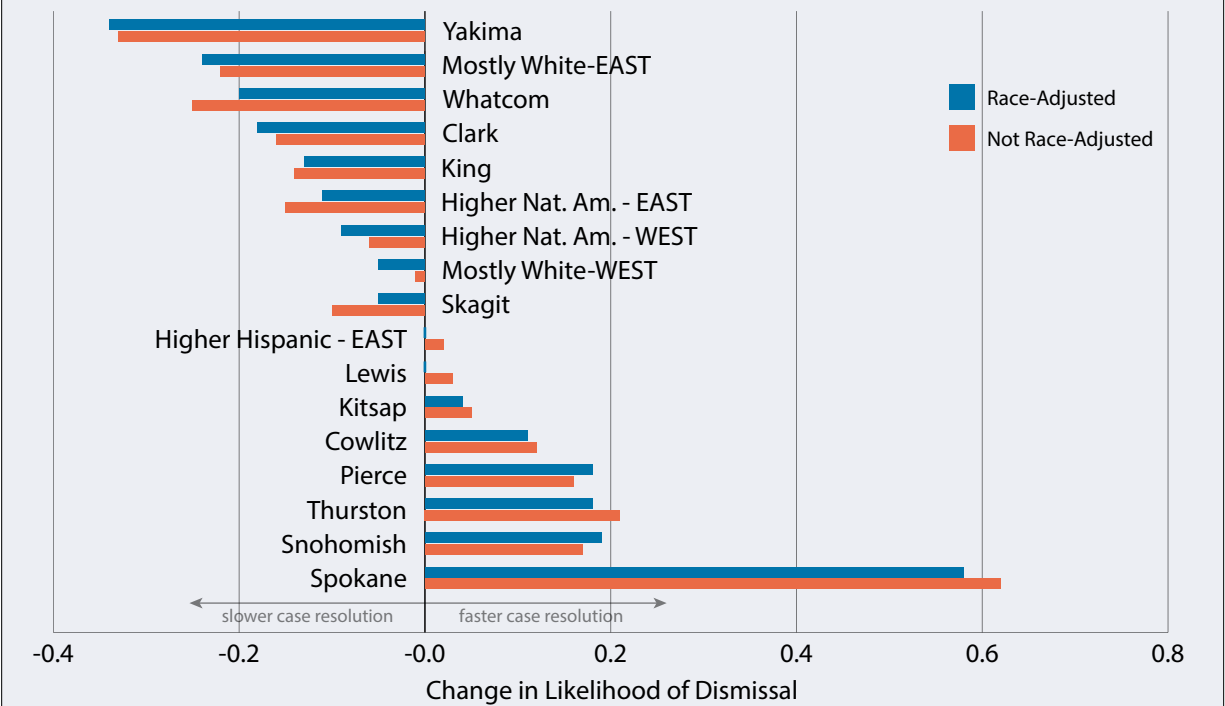
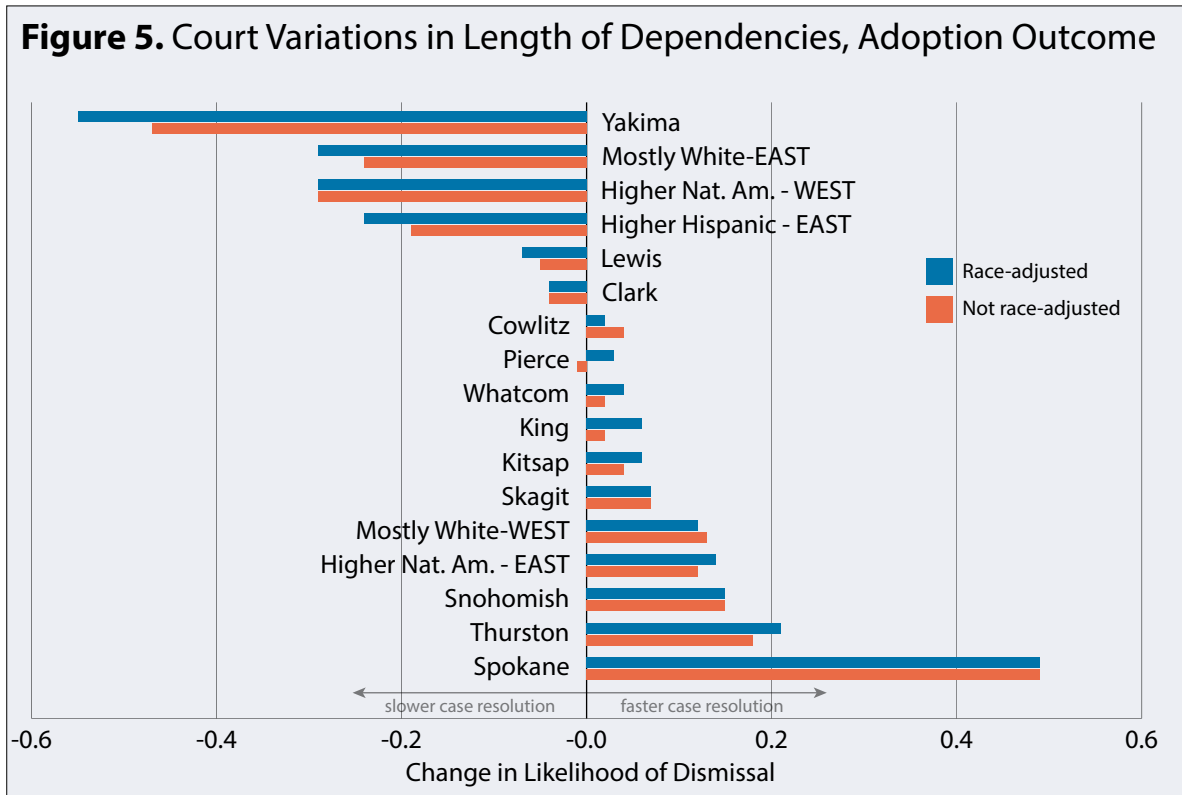


Figure 5. Court Variations in Length of Dependencies, Adoption Outcome

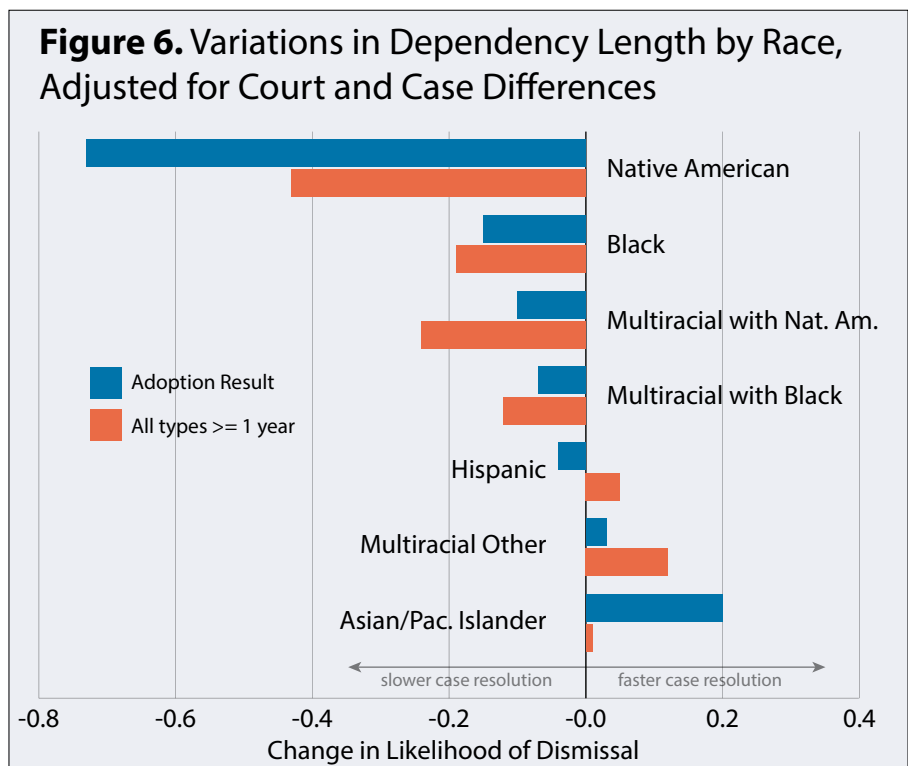


Racial Disparities

Racial disparities are observed statewide and within nearly all courts and this disparity becomes more pronounced for dependency cases lasting longer than one year. These results suggest that racial disparities exist largely independent of the factors associated with court timeliness. Figure 6 illustrates the statewide disparities for various racial groups compared to Whites.

A court by court examination of case duration based on race indicates that a court's overall permanency performance is not necessarily correlated with its performance along racial lines. For example, Spokane's court is producing good dependency duration performance, but its racial performance disparity is large: the median length of dependency for single- and multi-race Native American

Figure 6. Variations in Dependency Length by Race, Adjusted for Court and Case Differences



or Black children is 928 days compared to 807 days for Whites. On the other hand, the Yakima court has relatively long dependencies and relatively small differences between racial/ethnic groups. The Technical Report (see Related Resources) covers the nature and extent of racial and ethnic disparity in outcomes and court processing times in much greater detail.

Other Findings of the Study

- Monthly Department of Child and Family Services (DCFS) Social Worker visits with the child were found to favorably influence both the duration of dependency and the post-dismissal outcome. The Technical Report includes details on the influence of case processes and characteristics on the length of dependencies.
- Compliance with the statutory guidelines of filing for termination of parental rights within 15 months is significantly associated with shorter periods until finalization of adoption compared to non-compliance for this guideline.
- The magnitude of the difference in dependency length between compliant and non-compliant cases varies with the specific court milestone and the type of dependency case.
- Cases involving chronic neglect and children with mental illness/behavioral problems are significantly likely to have longer lengths of dependency and higher likelihoods of placement re-entry or new founded allegations.
- Cases with parental substance abuse, homelessness, or domestic violence are significantly more likely to result in post-reunification placement re-entry or new founded allegations of abuse and neglect.

Future Research

Over the next few years, the Washington State Center for Court Research (WSCCR) and RDA plan to extend the research reported here in the following ways:

- improve the data linking between the CA child welfare records (FAMLINK) and AOC court records (SCOMIS). These improvements will enable a more accurate assessment of the trajectory of cases and the timing of events.
- improve the ability to track evidence based and other specific services, to evaluate the effectiveness of services and the interplay between services and court processes in determining dependency outcomes.
- the subsequent post-dismissal and longer-term outcomes of court actions are worthy of future investigation: placement stability, education, employment, law-violating behavior (whether juvenile or adult), and homelessness.

Related Resources

TECHNICAL REPORT: Permanency Court Processes and Outcomes for Children in Out of Home Care, David B. Marshall, PhD, Department of Social and Health Services, Research and Data Analysis Division. Matthew Orme, MFA and Carl McCurley, PhD, Washington State Center for Court Research, Administrative Office of the Courts. http://www.courts.wa.gov/wscrr/docs/TECHNICAL_REPORT_PermanencyCourtProcessesOutcomesForChildrenInOutOfHomeCare.pdf

Dependent Children in Washington State: Case Timeliness and Outcomes, 2013 Annual Report. Orme, M., Skreen, J., McCurley, C., Bricker, C., Sanford, R., Wang, W. (2014) Washington State Center for Court Research, Administrative Office of the Courts. <http://www.courts.wa.gov/wscrr/docs/DTR2013.pdf>

NCJFCJ Judicial Workload in Washington State Dobbin, S., Gatowski, S., Summers, Alicia (2010) National Council of Juvenile and Family Court Judges. http://www.ncjfcj.org/sites/default/files/Measuring%20Judicial%20Workload_lessons%20learned_WA%20Workload%20TAB.pdf

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