

Washington State Judicial Branch

2023-25 Biennial Budget

Continue Family Treatment Court Team

Agency: Administrative Office of the Courts

Decision Package Code/Title: T3 – Continue Family Treatment Crt Team

Agency Recommendation Summary Text:

The Administrative Office of the Courts (AOC) requests 5.0 FTEs and \$2.1 million in ongoing state funding to establish a sustainable Family Treatment Court (FTC) Team to continue the successful FTC quality improvement efforts and expand the statewide team approach to improve outcomes and increase equity for all families in dependency court. With a three-year federal grant, AOC created a statewide FTC Team that provides coordinated training, technical assistance and data support that has improved local practice and built capacity for ongoing evaluation. The federal grant expires in 2023 and due to a change in grant requirements, the FTC will not qualify for continued funding.

Half of the children in dependency court have a parent with a Substance Use Disorder (SUD). Research shows that Family Treatment Courts (FTCs) improve parents' treatment results and increase family reunification. Twenty Washington communities, many in rural areas, operate FTCs, and statewide coordination has proven extremely effective, making considerable progress on the grant goals and generating excitement and kudos from courts, attorneys, DCYF, providers and parents with lived experience in the child welfare system. (General Fund-State)

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	5.00	5.00	5.00	5.00	5.00	5.00
Operating Expenditures						
Fund 001-1	\$1,067,800	\$1,043,800	\$2,111,600	\$1,043,800	\$1,043,800	\$2,087,600
Total Expenditures						
	\$1,067,800	\$1,043,800	\$2,111,600	\$1,043,800	\$1,043,800	\$2,087,600

Package Description:

National research has shown that the majority of children placed in foster care have a parent with a Substance Use Disorder (SUD). In Washington state, 48 percent of all dependency cases filed in 2021 included parental SUD as a reason for removal. SUD-related removals of young children in Washington are even greater, accounting for nearly 80 percent of the 737 newborns removed by Department of Children, Youth, and Families (DCYF) in 2020. Dependency-involved children impacted by SUDs are at risk for poorer outcomes than their peers who have parents who do not struggle with SUD. These children are less likely to reunify with a parent, they stay longer in foster care, and they experience higher rates of termination of parental rights than children of parents without SUD.

The AOC's Office of Juvenile Justice and Delinquency Prevention (OJJDP) grant is scheduled to end September 2023, and no sustainable funding source currently exists to maintain the important statewide work that the FTC Team and their extensive network of partners have started. AOC does not have resources to sustain the program and is therefore requesting ongoing legislative funding that would enable the Family Youth Justice Programs (FYJP) to continue training, evaluating and supporting FTCs.

Additionally, while dependency case filings have steadily decreased over the past four years, from an annual high of 4,976 cases filed in 2017 to 2,926 cases filed in 2021, the needs of the families who remain are complex. The pandemic likely contributed to the drop in case filings, but the child welfare system has also focused on preventing neglect cases from entering the dependency system by connecting families to community-based resources to address poverty and treatment needs. As this front-end prevention work progresses, the cases that enter the dependency court will be the most challenging. These are the cases that would benefit most from the specialty court approach, that offers a collaborative, trained court team; individualized assessment and case planning; more frequent court contact; and access to culturally relevant community-based services and supports; and effective treatment for SUD, trauma and behavioral health challenges.

AOC has the opportunity to apply the FTC Team staffing model that is working so well for the FTC grant and expand it to support all specialized dependency courts. In addition to the state's 20 FTCs and three Tribal Healing to Wellness Courts, Washington has a growing network of five Early Childhood Courts (ECC) and several courts interested in developing dedicated Indian Child Welfare dockets, similar to the ICW court in Spokane. These court models share common traits and already have considerable overlap in the statewide structure, service needs and system challenges they face.

FYJP would like to develop a sustainable, statewide team that supports all specialized dependency courts through training, data analysis and evaluation, technical assistance, cross-system collaboration and increased access to effective services and funding. This broader approach will be expected to improve the following outcomes:

- *Efficiency* - courts will share resources and avoid reinventing the wheel; statewide cross-system collaboration will support expansion of needed services and supports for families
- *Effectiveness* – training and technical assistance targeted at improving practice and developing individual courts' capacity to collect, analyze and use data to track outcomes
- *Equity* – improve the ability for all families, particularly those disproportionately impacted, to have access to effective, culturally competent court programs
- *Evaluation* – provide research expertise to evaluate the effectiveness of specialized court models and services; create robust data sharing resources with partner agencies
- *Expansion to rest of the system* – share findings with the larger system and encourage uptake of effective practices by dependency courts across the state

Family Treatment Courts (FTCs) were developed in the mid-1990s as a way to better serve families with dependency cases in which parental SUD and co-occurring mental health disorders are contributing factors. FTCs and Tribal Healing to Wellness Courts address the needs of the whole family through a strengths-based, team approach that engages the community. Judges, attorneys, child welfare, social service, tribal members and treatment professionals collaborate with the goal of providing safe, nurturing, and permanent homes for children while giving parents the necessary support to achieve long-term, stable recovery from SUD. When FTCs adhere to effective practice, researchers have found that reunification outcomes and parents' treatment results are considerably better than for those receiving conventional court and child welfare services.

Washington State has 20 FTCs that currently serve approximately 300 participants, or 20 percent of dependency cases involving parental SUD. Statewide FTC capacity is around 489 participants, meaning that many FTCs operate well below capacity, particularly in rural communities. Barriers to effective participation include a dearth of services, housing, and transportation. In some communities, a lack of effective leadership or collaboration and challenges with implementing parts of the model have reduced demand. Decisions about therapeutic court organization and operations are based on local court preference and priorities, with funding patched together from local sales tax revenue, grants and county funds. For years, FTCs operated independently, rarely engaging with each other and accessing technical support and education on their own. The ability of FTCs to collect and analyze data also varies widely, with some courts adeptly utilizing case management software and others collecting minimal data by hand, with no ability analyze the information. In 2020, the AOC, along with the Department of Children, Youth and Families (DCYF) and the Health Care Authority

(HCA), applied for and received a three-year \$1.75 million dollar federal grant from OJJDP. The purpose of the grant is to provide coordinated statewide training and technical assistance to the state's Family Treatment Courts (FTCs), with the goals to improve FTC adherence to best practices, increase enrollment, and expand access to needed services, particularly in rural communities. To carry out the work of the federal grant, AOC created a four-person FTC Team that includes the following positions: Program Manager, Research Associate, Training Specialist and Administrative Assistant. The team also engaged partners from multiple systems at the state level to form the FTC Steering Committee, which is committed to addressing gaps in services and funding for local FTCs. The FTC Team has a strong relationship with Children and Family Futures (CFF), the technical assistance provider for the grant. A year and a half into the work, the FTC Team has proven extremely effective, making considerable progress on the grant goals and generating excitement and kudos from courts, attorneys, DCYF, providers and parents with lived experience in the child welfare system. Below are some of their key accomplishments and findings.

FTC Team Accomplishments

Data and Continuous Quality Improvement

- *Court Performance Measures and Monitoring.* Created a routine performance monitoring tool that FTCs fill out twice a year. The tool automatically generates data visualizations, enabling teams to visually assess their data by race, gender, and status in the program.
- *Process evaluation review and technical assistance.* The team encouraged all county-based FTCs to complete the National Evaluation of Family Treatment Courts (NEFTC). Utilizing the results, the Research Associate worked with court teams to address the areas where each court was not yet meeting Best Practice Standards and develop steps to improve.
- *Change management process.* The FTC state team created a step-by-step resource for introducing change management efforts into court operations. Using these resources together, teams are able to regularly track efforts they make to improve practice and procedures.
- *Observation and feedback.* For the first time on a state level, county-based FTCs were observed and received feedback based on Best Practice Standards by the state FTC team.

Technical Assistance and Training

- *Connection to resources.* The state FTC team has received technical assistance requests from all 19 counties that have active FTCs and one county that is starting a new FTC. Nearly half of the technical assistance requests the state team receives is to find or share resources.
- *Washington FTC All Sites Meeting.* Over 220 individuals attended the first FTC All Sites meeting in September 2021, where they received training on best practice standards, trauma informed practices, and equity and inclusion in dependency.
- *Trainings – live, online, and self-paced.* The FTC Training Specialist developed a series of on-line training modules based on the FTC Best Practice Standards, available on-demand, to introduce new professionals to the core principles, values, and vocabulary of FTCs.
- *Building community across FTCs.* Regular, role-based community of practice meetings, facilitated by the FTC Team, provide Coordinators, Judicial Officers, Attorneys, Social Workers and Peer Partners a space to share ideas and resources, form relationships and engage in peer learning.

Identifying and Addressing FTC Needs and Barriers

- *FTC Steering Committee.* Created in July 2021, the FTC Steering Committee is a high-functioning, state-level group that meets monthly and in workgroups to address the challenging needs and barriers that FTCs struggle to address on their own.

- *Lived Expert Support.* Research shows that lived experts improve parent engagement and understanding of the dependency court system, and have positive impacts on case timeliness and outcomes. The Lived Expert/Peer Support Specialist position will be added to the AOC Dependency Specialized Courts Team to provide expertise on engaging parents and caregivers, training and supporting Parent Allies and Peer Support staff who work with local specialized court teams, and ensuring that the work of the AOC team is grounded in principles of equity and belonging.

Fully describe and quantify expected impacts on state residents and specific populations served:

Families and courts in rural communities face particular challenges, including high rates of poverty, trauma, and limited treatment and enabling services. The FTC Team, working with state-level and community partners in other systems, will help courts in rural areas access SUD and other treatment services, as well as transportation and housing resources.

Black, Indigenous and People of Color (BIPOC) families are overrepresented in the dependency court system. For the past decade, the rates of dependency case filings for American Indian/Alaska Native, Black and Multiracial children have exceeded the filing rates for White children, by as much as 2.5 times. According to enrollment data collected by the FTC and ECC statewide teams, these families are under-represented in specialized court programs. The Specialized Court Team will focus on ensuring that research-based court models that provide team support and individualized, culturally relevant services are equitably utilized by families most adversely impacted by the system.

Explain what alternatives were explored by the agency and why they were rejected as solutions:

The alternative to funding the FTC Team is a return to the situation that FTCs found themselves in prior to AOC receiving the FTC grant. Essentially, local courts would be on their own to access training and technical assistance through piecemeal approaches. This would lead to inconsistent practices across courts, creating barriers to system improvement and meaningful evaluation. While FTCs would continue to have the benefit of the online training and data resources created by the FTC Team, they would lack the targeted support that courts have found so useful. Additionally, the statewide community building and peer learning opportunities would no longer be supported.

What are the consequences of not funding this request?

FTCs would lose almost all of the benefits gained through the expiring federal FTC grant. Without state-level staff to provide the training, communication and evaluation support to FTCs, the community would lack capacity to maintain the programs put in place by the high-functioning AOC FTC Team.

The inability to maintain regular performance monitoring at the local and state level will prevent effective evaluation of FTCs in the future. The only reason there is a consolidated effort to collect and review regular data regarding Family Treatment Courts at this time is because the state FTC team set this as a goal early on in the grant operations. Without a state team to continue these efforts, they will fail.

Failure to regularly monitor court operations and performance at the local and state level will result in the inability to assess the equity and effectiveness of FTCs. The system will lack the necessary data to determine the effectiveness of best practices and replicate what works across sites. Evidence-based programs are only as good as the evidence collected. Therefore, it is necessary to continually monitor operations and outcomes.

Is this an expansion or alteration of a current program or service?

This budget request would sustain activities of the FTC Team that are currently funded by the expiring federal grant and add a Lived Expert/Peer Support Specialist position. This proposal would alter the structure of the team to incorporate the ECC work, which is already funded by the legislature, and create efficiencies for both programs.

Decision Package expenditure, FTE and revenue assumptions:

The AOC has ongoing state funding the following Early Childhood Court Program. The ECC staff includes a statewide coordinator (1.0 FTE), a dedicated research analyst (0.6 FTE), and a web designer (0.5 FTE, currently the work is contracted). The existing ECC staff and funding and augmented by this request would support creation of the Specialized Dependency Court Team.

Staffing Assumptions

Beginning July 1, 2023 and ongoing, AOC requires salary, benefits, and associated standard costs for staff to continue the FTC Team with state funding for Senior Court Program Analysts (2.0 FTE) to coordinate the program and offer training, fully-fund a Senior Research Associate (1.0 FTE), a Court Program Analyst (1.0 FTE) as a Lived Expert Specialist, and an Administrative Assistant (1.0 FTE) to provide program support.

Other Non-Standard Costs

Contracts (Object C)

Contracts will fund ongoing expertise in instructional and web design (\$55,000) per fiscal year and pay consultants with lived experience (\$22,000) per fiscal year to engage trainers and provide stipends for people with lived experience to participate in the trainings and on statewide steering committees.

Goods and Services and Travel (Objects E & G)

In addition to the standard costs per FTE, this request will fund:

Annual Washington FTC All Sites meeting event space, event costs, and travel.

Goods and Services: \$2,000 per fiscal year

Travel: \$38,000 per fiscal year

National conference attendance for FTC and ECC Team members where they would receive state-of-the-art training, networking opportunities with peers and experts from across the nation.

Goods and Services: \$6,000 per year for registration

Travel: \$23,000 per year

Long Distance Court Observations assumed for three times per year.

Travel: \$31,000

Grants (Object N)

This request also includes funding for courts to purchase electronic specialized court data and information systems. These systems cost \$3,000 each for 18 courts (10 FTCs, 5 ECCs, 3 Healing to Wellness Courts) = \$54,000 each year. AOC anticipates an ongoing need as new court teams launch.

Administrative Office of the Courts
Policy Level – T3 – Continue Family Treatment Crt Team

	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
Expenditures by Object						
A Salaries and Wages	470,000	470,000	470,000	470,000	470,000	470,000
B Employee Benefits	150,000	150,000	150,000	150,000	150,000	150,000
C Personal Service Contract	77,000	77,000	77,000	77,000	77,000	77,000
E Goods and Services	27,000	27,000	27,000	27,000	27,000	27,000
G Travel	104,500	104,500	104,500	104,500	104,500	104,500
J Capital Outlays	32,000	8,000	8,000	8,000	8,000	8,000
N Grants, Benefits, and Client Services	54,000	54,000	54,000	54,000	54,000	54,000
T Intra-Agency Reimbursements	153,300	153,300	153,300	153,300	153,300	153,300
Total Objects	1,067,800	1,043,800	1,043,800	1,043,800	1,043,800	1,043,800

Staffing

Job Class	Salary	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
SENIOR COURT PROGRAM ANALYST	101,100	2.00	2.00	2.00	2.00	2.00	2.00
SENIOR RESEARCH ASSOCIATE	111,500	1.00	1.00	1.00	1.00	1.00	1.00
ADMINISTRATIVE ASSISTANT	64,800	1.00	1.00	1.00	1.00	1.00	1.00
COURT PROGRAM ANALYST	91,500	1.00	1.00	1.00	1.00	1.00	1.00
Total FTEs		5.00	5.00	5.00	5.00	5.00	5.00

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% of direct program salaries and benefits.

How does the package relate to the Judicial Branch principal policy objectives?

- *Fair and Effective Administration of Justice* – Ensuring the fair and effective administration of justice requires continually monitoring the process and outcomes of services provided. In this case, it is necessary to continue to collect and review data regarding the operations and outcomes of Family Treatment Courts.
- *Accessibility* - The state FTC Team is able to provide support to local sites, especially in rural locations, that previously haven't had this type of external support. Expanding support and services to rural areas creates new opportunities to support court users in rural areas, which are often the areas with the least amount of services available. Including a Lived Expert on the FTC Team will support more effective engagement of parents, particularly BIPOC parents who are overrepresented in the dependency court system.
- *Commitment to Effective Court Management* - By monitoring and reviewing local site data regularly regarding specialized court processes, court teams are able to assess where their strengths and weaknesses are. Thus, teams can focus on areas that need additional support to continue managing their program effectively.
- *Sufficient Staffing and Support*- Best Practice Standards for FTCs have been introduced nationally; however, it is inappropriate to expect local sites to meet these new standards without additional staffing and support. The state FTC team has provided this additional staffing and support (and training and resources), that teams need

to enhance their adherence to Best Practice Standards. Removing this resource would be detrimental to the needs of FTCs.

Are there impacts to other governmental entities?

As previously stated, local courts would be on their own to access training and technical assistance through piecemeal approaches. This would lead to inconsistent practices across courts, creating barriers to system improvement and meaningful evaluation. While FTCs would continue to have the benefit of the online training and data resources created by the FTC Team, they would lack the targeted support that courts have found so useful. Additionally, the statewide community building and peer learning opportunities would no longer be supported.

Stakeholder response:

Community providers have been very supportive of the work of FTC and ECC Teams and would welcome the long-term investment in training, support and access to resources for families with dependency cases.

Are there legal or administrative mandates that require this package to be funded?

No

Does current law need to be changed to successfully implement this package?

No

Are there impacts to state facilities?

No

Are there other supporting materials that strengthen the case for this request?

None

Are there information technology impacts?

There are no information technology impacts related to this request.

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