



CHILDREN, FAMILIES, AND THE COURTS



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Planning Interventions for Unruly and Truant Youth

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How can juvenile and family courts best address the non-criminal behavior of children—acts such as running away from home, truancy, incorrigibility, curfew violation, consensual sex between minors, underage drinking and smoking?

The answer handed down from the experts and reflected in federal law for the past 30 years is to *divert* youth alleged to have committed non-criminal behavior from formal court action. The policy is grounded in the notion that the initiation of formal court processing for acts that are solely related to a minor's legal status is often unnecessary, heavy-handed, and may possibly hurt youth who may be mixed with delinquents and labeled by association. Interventions for non-criminal behavior or status offenses should be voluntary where possible and be provided through a continuum of services in the community.

Last year, Congress reaffirmed these principles by reauthorizing the Juvenile Justice and Delinquency Prevention Act of 1974. The Act continues the federal agenda to prevent status offenders from being committed to institutions that house delinquent children (commonly referred to as the mandate to deinstitutionalize status offenders or DSO).

While the DSO mandate has helped to divert status offenders from placement facilities designed for delinquents, communities have struggled to develop and

fund a continuum of interventions to keep status offenders out of formal juvenile court proceedings. Unlike delinquents charged with serious offenses, status offenders typically do not pose a direct threat to public safety—the presenting issue is behavior that challenges the boundaries of childhood—offenses which can produce considerable turmoil in individual families, but behavior that typically fails to draw the public concern necessary to impact public policy and leverage intervention resources on the level of serious delinquents or abused children. As a result, voluntary interventions—a central vehicle for assisting troubled families in times of crisis—are lacking in many communities.

Ohio is addressing these issues with House Bill 57 (H.B. 57) of the 124th General Assembly—legislation to coordinate local plans for diverting children and youth, when appropriate, from the juvenile court and improving the continuum of voluntary services in each county. To support the initiative, Ohio's fiscal year 2002-2003 budget bill appropriated \$19.5 million in each year of the biennium in Temporary Aid to Needy Families (TANF) funding to this effort. County Departments of Job and Family Services allocate these funds to the local public children services agencies (PCSAs), and they can use up to half for unruly and misdemeanor diversion programs. While these funds are not specifically attached to H.B. 57, the appropriation supports each county's service coordination plan for unruly youth under the Act.

This issue of the *Ohio Children, Families and the Court Bulletin* will briefly summarize H.B. 57 requirements to develop strategic plans for a continuum of voluntary services to unruly and truant youth and provide examples from two counties where these plans closely link the juvenile court and the local public child protective services agency. It also describes the programs of four Ohio juvenile courts that have addressed key aspects of the service coordination plans required by statute, including a Family Assessment Department in the Franklin County (Columbus) Domestic Relations and Juvenile Court and a continuum of options for alternative dispute resolution in the Lucas County (Toledo) Juvenile Court.

House Bill 57

House Bill 57 took effect in February 2002, requiring each county to re-visit intervention plans for unruly youth that they first developed in 1996. The Act requires each county's local Families and Children First Council (FCFC) to expand 1996 plans by including services and outreach to families with children *at-risk* of becoming unruly children, and to coordinate the range of services for diverting these children from the juvenile court system.

In the past, families with children whose behavior was escalating out of control were told to file a formal complaint with the juvenile court alleging unruliness. H.B. 57 requires counties to outline the mechanisms for responding to family discord, whether it is presented by families who voluntarily seek services or through complaints alleging abuse, neglect, dependency, unruliness or minor delinquency. The emphasis of the Act, however, is on providing a plan for families seeking voluntary solutions to their internal strife and discord—a place to turn to receive an assessment and a referral to the appropriate services backed up by the oversight and authority of the court should the intervention fail.

The Act designated a state level organization, the Ohio Family and Children First Cabinet Council, to develop Advisory Guidance to the county FCFCs and other constituency affected by the legislation and to convene a group to evaluate bill implementation. The Council produced an interim evaluation report in March 2003 under the Act, and a final report is to be completed in December 2003.

Advisory Guidance

The Cabinet Council released Advisory Guidance for the bill in February 2002. *H.B. 57—Services for Unruly Youth: Advisory Guidance* is available on the internet

Ohio Family and Children First Cabinet Council

The Cabinet Council is a partnership of government agencies and community organizations committed to improving the well-being of children and families. Ohio's Commitments to Child Well Being are a reflection of the Council's mission (at right).

H.B. 57 establishes the Cabinet Council as a clearinghouse for information concerning unruly children, including the identification of public and private funding resources and the evaluations of successful prevention and treatment programs. The Cabinet Council also approves strategic planning facilitators for use by government or nonprofit entities that serve these children.

Additional information concerning the implementation of H.B. 57 is available at the Cabinet Council's website, <http://www.ohiofcf.org/>

Ohio's Six Commitments to Child Well-Being

The Taft administration has engaged local communities to help address the following six child well-being objectives:

1. expectant parents and newborns thrive
2. infants and toddlers thrive
3. children are ready for school
4. children and youth succeed in school
5. youth choose healthy behaviors
6. youth successfully transition to adulthood.

Commitments to the above objectives are important for developing local policy under H.B. 57 and must be addressed as coordination plan objectives.

The Child Welfare Shareholders Group's Service Model

The Child Welfare Shareholders, established in 1999, is an assembly of 43 statewide advocates for children and families that evaluates systems for providing services to children and families in Ohio. The Shareholders proposed a service model that is referenced in the H.B. 57 Advisory Guidance as a possible model for delivering services under the Act.

Informal Diversion, Tier 1 (service duration: 30 to 90 days)—Families participate voluntarily through self or other community provider referrals. All involvement is highly confidential and family focused, with little or no formalized case planning. The local community-based provider conducts any needed family and youth assessments.

Court Diversion, Tier 2 (service duration: 90 to 180 days)—Families and youth are engaged when an unruly or misdemeanor complaint is filed with the juvenile court. The complaint is held in abeyance pending the completion of diversion. Comprehensive assessment and service plans are developed with family input and referrals are made to time-limited community services. Failure to engage in services triggers a formal court hearing.

Formal Adjudication, Tier 3 (service duration: 6 to 12 months)—Families and youth are engaged when a juvenile court adjudicates a child unruly or delinquent for a misdemeanor offense. Comprehensive assessment and service plans are developed with family input and referrals are made to time-limited community services. Disposition could also include formal consequences, with youth and/or family sanctions.

at <http://www.ohiofcf.org/>. The *Advisory Guidance* outlines the principle supporting H.B. 57—addressing unruly behavior before it affects academic achievement and results in poor educational outcomes. The Guide characterizes the target population as being at turning points in their lives where family discord could escalate into behaviors that eventually bring them to court due to unruly or misdemeanor offenses and, possibly, cause the family to unravel—leading to expensive out of home placements.

The *Advisory Guidance* primarily explains the components of service coordination under the Act. This document requires each county to establish:

1. procedures for assessing the needs and strengths of the child and the family
2. procedures for designating service responsibility
3. implementation schedules
4. procedures for resolving internal disputes over service delivery for individual cases
5. procedures for filing a case with juvenile court when disagreements over the provision of voluntary services cannot be resolved through the dispute resolution procedure.

To support these requirements, the Guide provides a framework for assessing the needs and strengths of families and outlines nine steps for counties revising

intervention plans. The Guide also offers a framework for building programs based upon the 1999 work of the Child Welfare Shareholders Group (summarized above). It concludes with brief examples of intervention programs from several Ohio communities and advice for drawing TANF Youth Diversion Funds for unruly and misdemeanor diversion programs.

Interim Report Findings

H.B. 57 required that the Cabinet Council produce an interim report on the implementation of the Act in March 2003 to inform the budget process. Findings indicated that 82 of Ohio's 88 counties had revised their service coordination plans in a fashion consistent with the legislation's intent.

A review of the assembled plans by representatives of local FCFC coordinators and state agency staff suggested that about one-third of the plans failed to expand services to youth at-risk of becoming unruly (Tier 1 of the Shareholders model above). However, several county plans included the strength-based assessments component required by the Act. The report also suggested that the strongest plans included using pooled funding and sharing resources across systems.

The interim report indicated that most counties used portions of their child welfare TANF allocations to expand youth diversion programs. However, the amount of such expenditures is difficult to assess. The best estimates are based on overall TANF expenditures. In fiscal year 2002, counties spent \$14.3 million (73%) of the overall \$19.5 million TANF allocation set aside for child welfare and youth diversion activities. Therefore, a substantial portion of the funds intended to support each county's service coordination plan for unruly youth was unspent—approximately \$5.2 million or 27% of the appropriated amount. However, these unspent funds were reallocated to counties in state fiscal year 2003 as a supplemental allocation, providing each county additional time to implement plans to expand their youth diversion options.

Two Examples of Written H.B. 57 Plans

This section of the bulletin highlights key provisions of H.B. 57 implementation plans from Stark County (Canton) and Franklin County (Columbus). Stark County expanded its procedures for staffing complicated, multi-system unruly cases involving families requesting voluntarily services for their children. Franklin County focused its written plan on expanding a family assessment tool used for adolescents to also address the needs of children ages 7 to 12.

Stark County's H.B. 57 Plan

Stark County's local FCFC developed the written H.B. 57 plan. The plan builds upon existing services developed in the county over the past 16 years for high-risk, multi-system children. The plan expands Stark County's existing framework to include all parents or families *voluntarily* seeking services and all children who are abused, neglected, unruly or delinquent, ages birth to 21. Under the new plan, intervention services are to be provided when they are requested by a family, regardless of which social service system doorway they first entered.

The plan designates the Stark County Cluster as the vehicle for delivering strength-based assessments to alleged unruly youth. The Cluster includes the agency network that participates in the Family and Children First

Council and is designed to address the needs of families and children with serious service coordination issues. Stark County's H.B. 57 assessment found that service provider options were not clearly defined for youth referred to the court on unruly complaints and the Cluster process has since been expanded under the county's H.B. 57 plan to address this need.

A procedure called Creative Community Options (CCO) initiates the treatment planning meetings at the direct service level in Stark County. The agency the parent first turned to for help calls the meeting (e.g., school system, family court or the public child protection agency). The purpose of the CCO meetings is to develop an array of treatment, education, recreation, and living arrangements written into a plan that will work for the child.

Directly supporting the CCO process is a middle management or supervisor tier from the FCFC agencies referred to as the ACCORD. Middle managers and supervisors in the ACCORD review each CCO service plan, monitor the treatment of youth referred to service providers through the system, develop outcome indicators for purchased services and identify gaps in the service continuum.

To help ACCORD address possible gaps in the continuum of voluntary services for status offenders, the H.B. 57 Plan creates a "Provider Panel" of small service provider agencies that applies creative solutions in individual cases and develops new services where a need is frequently presented.

Additional information concerning Stark County's written H.B. 57 Plan and the expansion of a well-developed process to reach unruly youth is available by contacting: Sue Hayes, Stark County Family Council, 330-445-1225 ext. 303.

Franklin County's H.B. 57 Plan

Franklin County's written H.B. 57 plan was developed by the Franklin County Children's Cabinet, serving in the role of that county's FCFC. Similar to Stark County, they are expanding procedures and tools that previously focused on high-risk multi-system youth, incorporating many of the same features such as intersystem collaboration, creative funding, and individualized plans.

As part of this plan development, the Franklin County Children’s Cabinet assessed the status of services and needs for at-risk and unruly youth. While the assessment is ongoing, it yielded several early findings:

- Families with unruly youth can access a wide continuum of services, but few services are solely designated to serve at-risk and unruly youth.
- Tracking service utilization by diverted and formally processed unruly youth is difficult, unless they have been presented to the Family Assessment Department of the domestic and juvenile court.
- Information from 56 service providers regarding services provided to diverted and formally processed unruly youth in Franklin County indicate combined annual program expenditures of about \$15,000,000.
- Based on best estimates, minimally, 7% of youth in Franklin County are currently receiving services for unruly behavior.
- Services available to diverted and formally processed unruly youth often target older teens who have been brought to the attention of the Family Assessment Department of the court or one of the public human services agencies.
- Prepubescent children often demonstrate warning signs for unruly behavior that are not addressed until they escalate into a formal unruly or delinquency complaint during adolescence.
- Families have a difficult time knowing where to turn to for help when they first experience problems managing a child’s behavior or school attendance.
- Services to diverted and formally processed unruly youth can be organized into ten categories: school programs (truancy prevention and academic), after school programs, community outreach and support services, mental health services, drug and alcohol services, court diversion, mentoring programs, parenting programs, social skills/self esteem development programs and employment programs.
- Franklin County requires a structure for monitoring the utilization of services to alleged unruly and unruly youth and evaluating the performance of these interventions.

Based on its early assessment, Franklin County is focusing a portion of its TANF funds to increase public access to services for families of diverted and formally processed unruly youth. Specifically, the plan allocates \$250,000 in state TANF funds for services to these juveniles including:

1. increasing public awareness of methods of accessing voluntary services through a website (\$30,000)
2. improving family assessments by modifying an existing strength-based tool called the Global Risk Assessment Device (GRAD) (\$200,000)
3. developing an evaluation process by creating county goals and baseline performance measures (\$20,000).

The existing GRAD assessment instrument (described in the next section of the bulletin) was designed to measure the risk and needs of adolescents, and was modified, for the purpose of Franklin County’s H.B. 57 plan to also assess the needs of youth as young as age 7. The revised assessment tool is being piloted in the court’s Student Mediation and Reduction of Truancy (SMART) program. SMART is an early intervention program operated by the Franklin County Domestic Relations and Juvenile Court to prevent educational neglect and truancy in five Franklin County school districts, including the Columbus Public Schools. SMART program liaisons work for the court and meet with over 3,000 families in a typical school year through on-site conferences in 72 schools. The focus of the program is on early intervention and its reach into the school provides an ideal channel for reaching families in need of services with an early strength-based assessment.

Additional information concerning Franklin County’s written H.B. 57 Plan is available by contacting: Anne Santelli, Intersystem Administrator, Franklin County Children’s Cabinet, 614-275-2538. Additional information about the SMART program and the utilization of the GRAD assessment tool is available from Nancy Catena, Deputy Director of Programs and Services, Franklin County Domestic Relations and Juvenile Court, 614-462-4431.

Ohio Programs Address Critical Apects of H.B. 57

The remainder of this bulletin describes four programs in Ohio that address facets of a complete approach to meet the needs of alleged unruly and unruly youth. Highlights include a court-based effort to assess the needs and strengths presented by families with unruly children

(an important requirement of H.B. 57 planning) and a court that has fine tuned the options for alternative dispute resolution available to at-risk, unruly and misdemeanor youth.

Franklin County’s Family Assessment Department

Ohio House Bill 57 calls upon juvenile courts to provide “additional assessment resources for improving the clarity in community treatment options.” The bill encourages courts to establish an office within the court environment which families in crisis can access directly (that is, with walk-in service) and receive immediate attention. Many juvenile courts in Ohio and across the nation currently organize these services in catch-all juvenile court intake departments that are charged with screening complaints for legal sufficiency across the full range of juvenile court filings ranging from juvenile traffic and unruly complaints to alleged delinquents charged with serious felonies and held in secure detention. The Franklin County Domestic Relations and Juvenile Court, on the other hand, has a Family Assessment Department dedicated to assessing the needs of families in turmoil and, where possible, diverting them from formal court action.

The Family Assessment Department is staffed with nine family assessment officers (case intake), a supervisor and three clerical personnel. Staff are primarily involved with unruly and misdemeanor delinquency cases. However, they also screen private child maltreatment complaints where unmarried parents are seeking resolution to custody issues. To support the latter function,

the Department has an investigation unit comprised of five custody investigators and a supervisor. Custody investigations are also available upon request of judges and magistrates for the full range of juvenile and domestic relations cases. Department funding is mostly covered through the court’s general fund. However, two staff positions are supported through the state’s Youth Services Block Grant funding (commonly referred to as the 510 subsidies after the appropriation line-item number).

The Family Assessment Department receives up to 35 referrals each day where families either walk in with a problem or are referred to the court by a community agency such as a school or local law enforcement. Youth can also be referred directly by a magistrate from a preliminary hearing on a formal delinquency complaint in instances in which the youth is charged with a misdemeanor offense.

Families referred to the Department are scheduled to appear with the parent or guardian before a family assessment officer. The assessment process begins with a family interview to develop an intervention plan, which may include a referral to community programs or a range of options operated by the court. In recent years, the assessment process has included a framework for classifying youth into groups based on potential threats to their healthy development.

The Global Risk Assessment Device (GRAD) was developed through a local partnership with Ohio State University (OSU) to help the family assessment officer

State Leadership for Alternative Dispute Resolution

The growth of mediation programs in Ohio can be attributed to the initiative of individual courts to find funding for them and linkages to quality information, training and technical assistance provided by a state legislative commission and a specialized office in the Supreme Court of Ohio.

Established in 1989, the **Ohio Commission on Dispute Resolution** has helped encourage a wide range of public officials to develop constructive, nonviolent forums, processes, and techniques for resolving disputes. The Commission provides public education concerning the benefits of alternative dispute resolution and provides mediator training and technical assistance across the state. Please visit the Commission web site at <http://www.state.oh.us/cdr/> for additional information concerning resources and the current training calendar.

The Supreme Court of Ohio, **Office of Dispute Resolution Programs** has provided startup funds, training and technical assistance to the courts of Ohio since 1992. The Office also provides information concerning efforts to measure program performance and relevant legislation and proposed rule changes in the state. Please visit the Office web site at http://www.sconet.state.oh.us/dispute_resolution/ for additional information concerning the Office and a calendar of dispute resolution training, seminars and events.

organize information into 11 different dimensions that research has indicated are pathways to problem behavior. The objectives for using the tool are to prevent delinquency at the onset of problem behaviors and to develop a strong continuum of intervention services based on the needs of youth and families.

The GRAD departs from more traditional delinquency classification systems that focus primarily on the youth's risk to re-offend and attempts to improve upon a widely used approach to assess the needs of youth called the Young Offender Level of Service Inventory (YO-LSI). Additionally, the GRAD attempts to resolve drawbacks of the YO-LSI by greatly reducing the time required to administer an assessment and the training required to prepare interviewers, thereby making it more practical to use at the front door of the courthouse and reapply to families as they proceed through an intervention plan.

Interviews with court staff in the Family Assessment Department suggest that the GRAD is generally user-friendly. The tool typically requires 45 to 60 minutes for court staff to administer to a family (children and parents) if the screener has attended a one-day training and is, at least, somewhat experienced in its use.

The GRAD provides a consistent foundation for all family assessment officers to use when screening and assessing individual cases. However, it is designed to complement, rather than replace professional judgment concerning appropriate referrals. Furthermore, GRAD results from an initial assessment can be compared to those from a reassessment after services have been implemented.

As a web-based application, the GRAD also helps the court store its data, with OSU providing technical assistance in the production of management reports. These reports assist the court in its efforts to identify gaps in their service continuum and gauge the overall effectiveness of intervention plans they develop for families in crisis.

Continuum of Services in Franklin County

The Franklin County Domestic Relations and Juvenile Court has developed a range of court-operated services to complement its community-based referral network. Highlights include a time-tested and proven teen court diversion program; creative community service options; and Habilitation Services—a program that guides youth through a 12-week process of learning how to live in the community.

Teen Court

A number of Ohio juvenile courts use teen court programs for diverting first time misdemeanor offenders from court processing. It is also popular nationally—approximately 900 programs are operating in communities across the nation. The Franklin County Domestic Relations and Juvenile Court established its program in 1994 as a diversion program for first time misdemeanor offenders who enter an admission at intake. The program requires youth to stand before a peer jury for disposition and adult hearing officers who preside over the process. The case is closed when the youth completes the teen court's disposition as well as training to participate in the teen court process. Each diverted juvenile is also required to participate in the teen court process for six weeks as either a juror, attorney or bailiff in the cases of other teens.

The teen court program is supported through the court's general fund and diverts over 1,200 cases per year. Dispositions often involve writing assignments, research projects and formal apologies to parents and victims.

Of the dispositions ordered in 2002, about 80% were completed satisfactorily. Delinquency complaints were filed with the court and formal court proceedings were initiated in cases in which youth did not complete their required dispositions. Internal program data indicate that recidivism rates are very low for juveniles participating in the program.

Creative Community Service Options

Community service allows juvenile courts to tailor practical interventions that hold youth accountable. It is also a mainstay of dispositions from the Teen Court program. Over 1,100 youth are referred to the court's Community Service and Work Alternative Unit each year. They work in over 300 active sites in the Columbus area, earning \$5 per hour toward the payment of restitution. Youth work in a range of placements involving grounds work, maintenance, cleaning and clerical duties that help them pay about \$80,000 annually in restitution to victims. This is in addition to the \$55,000 collected each year from straight restitution orders.

In Franklin County, the bulk of community service programming is funded with Juvenile Accountability Block Grant funds and Youth Service Block Grant subsidies. However, a grant from the Scotts Company is helping the court develop a new program that provides youth with a meaningful work experience and a sense of



The Growing Green Project Community Garden on Champion Avenue in Columbus, Ohio (Summer 2003).

accomplishment and the community with a tangible product that helps repairs harm.

The Growing to Green project is a partnership between Franklin Park Conservatory and Botanical Gardens, the Columbus Found Neighborhood Partnership Program and the Scotts Company to provide youth landscaping and plant care skills while beautifying the neighborhood and fulfilling community service requirements. Program managers train at the Scotts Urban Garden Academy to develop the skills required to successfully select and manage a site and impart skills to youth. The program involved over 640 youth referred to community service in 2003 and an application for continuation funds has been submitted for the 2004 planting season. The project pictured above was formerly a vacant lot located in the Near East Side neighborhood of Columbus.

Additional information concerning the 2003 Scotts Urban Garden Academy is available at <http://www.fpconservatory.org/sugacademy.html>.

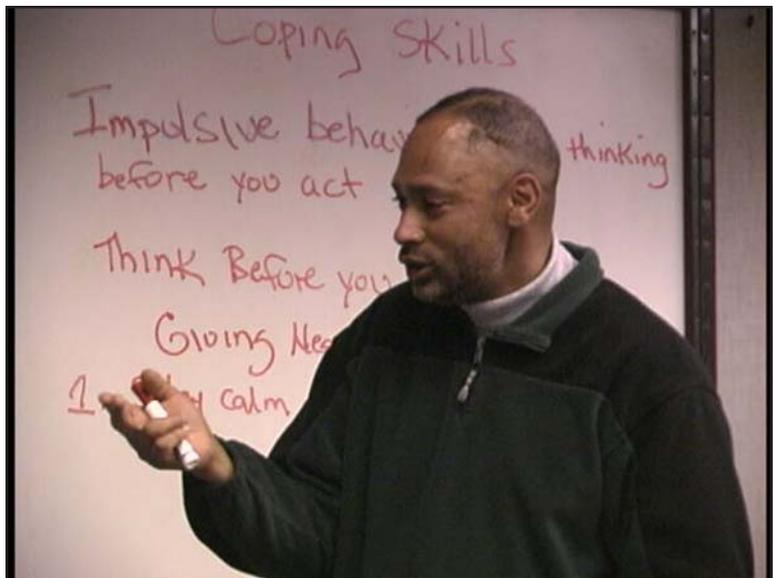
Another successful community service program developed by the court and frequently used in teen court dispositions is the Bring Out Our Kids Smiles or BOOKS program. Implemented in 2001, this program helps youth satisfy up to one half of their requirements for community service hours by purchasing books and school supplies for other children and

completing a writing assignment concerning the experience of helping others. Columbus Public Schools provides a list of suggested books and school supplies, and court staff distribute the materials to domestic violence shelters, homeless shelters, churches and faith-based social service agencies. Materials also reach families participating in the court's family drug court program and schools. At times, judges have personally delivered the materials to elementary schools in the context of a larger educational session or workshop they are conducting with the students.

Habilitation Services

Since 1987, the Franklin County Domestic Relations and Juvenile Court has offered probation diversion for certain youth charged with drug dealing and other serious felonies.

More recently, the program has developed a separate track to divert status offenders and juveniles charged with less serious offenses. The program specifically targets youth ages 10 to 15 who present problems with anger management, school attendance and performance, or abusive behavior toward parents. Habilitation Services has tailored a 12-week series of lessons called ISSAC (It's All About Choices) around the needs of this offender population. ISSAC is complemented by Parent-to-Parent workshops that utilizes trainers certified through the Ohio Violence Prevention Process (OVPP) to help parents improve how



A Habilitation Services contract provider, Roger Myers, conducts an anger management session at the Franklin County Domestic and Juvenile Court Facility (2003).

they problem-solve within the family environment by learning positive/assertive discipline, effective communication skills and the proper use of consequences for negative behavior.

The first two weeks of the program focus on initial assessments and program orientation (including completion of the GRAD if not completed previously). Five weeks are reserved for the anger management course. Different instructors under contract with the court are utilized in successive weeks—each with their own specific emphasis. For example, one specialist orchestrates a drumming experience as an effort to reach even the most recalcitrant youth and demonstrates the benefits of working together from a rhythm perspective. Subsequent lessons address goal setting, violence prevention education, healthy peer relations, substance abuse prevention, career exploration, and the consequences of poor choices such as bullying behavior. All youth participating in the Habilitation Services can access tutoring, job readiness and employment assistance through the program.

Funded with Youth Service Block Grant subsidies, Habilitation Services graduates about 15 youth per session.

Getting the Attention of Unruly Children and Youth in Hamilton County

The parents of unruly youth often want to find a court program that will get the attention of an unmanageable child. They hope the juvenile court can intervene early, with authority, and shock their child with the consequences for continued misbehavior. But they want help short of filing a formal complaint or contacting law enforcement officials—actions that can lead to a juvenile court record and a label that has social implications for the child and family. Parents also seek knowledge for themselves, advice about what to do next, where to turn for help for their child and how to access the juvenile court should their child’s misbehavior escalate. The Hamilton County Juvenile Court in Cincinnati responds to this public cry for help by organizing a brief experiential program at the juvenile detention center—a real up-close and personal exposure to the inside of the facility and the staff who operate it.

The 2020 Youth Center, as the Juvenile Court’s secure detention center is commonly known, is among the most publicly visible vestiges of the court’s authority to

intervene in the lives of families. The Information for Parents and Children (I.N.P.A.C.) program was created by Youth Center staff who volunteer their Saturday afternoons to operate the intervention. I.N.P.A.C is designed for parents who call the court because they are experiencing problems at home due to a child’s inappropriate behavior—anything from truancy, unruly behavior, running away from home and problematic peer associations. The educational sessions are held for two hours on Saturday afternoons and provide alleged unruly children “a taste of detention” if their behavior continues to escalate. Program staff describe what it is like to be a resident in the facility and emphasize the loss of daily privileges that unruly youth may take for granted—the intake process with its lack of personal privacy, the loss of individuality with mandatory detention uniforms, the inability to eat what you want when you want it, the feeling of handcuffs and leg irons, and the feeling of appearing before a magistrate or judge in a mock court hearing in the actual detention center courtroom.

While children are shown what to expect from life if they continue to misbehave, their parents are receiving guidance on Youth Center admission criteria and how to file an unruly complaint with the court. The education sessions teach parents how to contact the court’s Intervention Unit. Staff from this unit provide counseling services, parent support groups and respond to calls for help within 48 hours of an informal request. Meetings with a family counselor in the Intervention Unit are scheduled thereafter within 7 to 10 days. The counselor helps the family develop an intervention plan that works for them through referrals to a network of service providers in the community. All first-time or alleged unruly offenders and runaways are processed through the Intervention Unit, making it one of the primary tools for the community to respond to H.B. 57 requirements.

For additional information concerning the Hamilton County Juvenile Court’s I.N.P.A.C. program and the Intervention Unit, please contact: Debbie Poland, Executive Administrative Assistant, Office of the Administrative/Presiding Judge, Hamilton County Juvenile Court, 513-946-9201.

Lucas County’s Mediation for Unruly Youth

Ohio is increasingly using mediation to divert families from formal court hearings in unruly and truancy cases.

As of February 2000, 27 of the 88 counties had established mediation programs for juvenile status offenses and less serious delinquency offenses (see previous sidebar on Alternative Dispute Resolution).

Since 1991, the Lucas County Juvenile Court has utilized mediation for addressing the needs of status offenders and their families and as a way to divert these cases from formal court processing.

It is viewed as a wise choice for introducing mediation services to the public-at-large and the legal community. The problem behaviors of status offenders are less often a direct threat to public safety than are delinquent offenses. The offending behavior is often rooted in family conflict and a crisis— adolescent testing of adult authority and boundaries as opposed to criminal behavior.

The goal of unruly mediation in Lucas County is to open communication between parents and children so that they develop steps to address the true source of conflict and for them to agree to a service plan from a menu of options. Mediation requires comfortable meeting space, ample meeting time, and a person trained in the dynamics of conflict who can encourage fair communication and problem solving. In contrast, courtrooms and quasi-criminal adversarial proceedings can encourage parties to polarize their positions and further aggravate precarious family relationships. Mediation in unruly cases also helps the court manage its dockets by diverting minor cases and reserving additional court time for magistrates and judges to hear more serious delinquency and child maltreatment matters.

Funding and Staffing

The court started its mediation program in unruly matters in 1991 with a federal Edward Byrne Memorial Crime Control System Improvement Grant. Administered by the U.S. Department of Justice, Bureau of Justice Assistance, Byrne Grants provided three years of step-down funding for the mediation effort. The grant covered the salary of a full-time coordinator responsible for establishing mediation procedures as well as training and mentoring college of law and graduate-level communications students to mediate cases. When the Byrne Grant expired, the court succeeded in obtaining continuation funding for this efforts as well as funding to expand into other jurisdictional areas (e.g., custody/visitation and child protection matters) through grants

provided by the Supreme Court of Ohio, Office of Dispute Resolution Programs (for additional information concerning Byrne Grants, please see the Bureau of Justice Assistance web site at <http://www.ojp.usdoj.gov/BJA/grant/byrne.html>).

The program has evolved over the past 12 years to rely on both community volunteers and law school students in partnership with the University of Toledo College of Law Dispute Resolution Clinic. It has also added additional in-house mediation staff and become, in-part, self-sustaining through an additional \$10 court cost (assessed at case closure) and funding through the *Reclaim Ohio* program. The Juvenile Court Mediation Department is also supported by funds allocated each year in the court's general budget. The Mediation Department currently employs five staff: a coordinator/magistrate, a director of delinquency/unruly mediation services, a staff mediator and two secretaries. The University of Toledo also provides a Clinical Instructor of Law to help mentor and coordinate mediators sponsored by the Dispute Resolution Clinic.

Because the program has been woven into the court fabric, Mediation Department space was allocated when a new Lucas County Juvenile Court facility was planned and built in the late 1990's. The Mediation Department is plainly visible and accessible from the main public entrance in the new facility and adjacent to the court's Intake Office. The proximity to the public entry and Intake Department reflects the close relationship between the two departments. Mediation and juvenile court intake



staff communicate on a daily basis and adjust to environmental changes produced by shifts in funding, staffing levels, referrals and new program initiatives.

For example, when the program started, only 15% of the cases accepted into mediation involved delinquency cases. Currently about 40% of the case flow into unruly/delinquency mediation is for youth charged with misdemeanor delinquent offenses.

The Department similarly adjusted to legislative changes that extended juvenile court jurisdiction over criminal cases in which adults are charged with educational neglect or for violating prohibitions for failing to send a child to school (S.B. 181 of 2000). In response to the Act, public schools implemented prevention policies to caution parents who could face criminal penalties for their child's truancy. The Mediation Department was flexible enough to assist the schools by providing mediators for early intervention mediation authorized under the ACT. In 2002, the Mediation Department scheduled 79 cases for mediation between public school officials and parents for contributing to the delinquency of minor (i.e., failure to send a child to school cases) — resolving 55% of them.

Outcomes

Over a nine-year period, the unruly and minor delinquency mediation program has more than tripled its intake from about 350 scheduled mediations in 1994 to over 1,200 in 2002. Approximately, 75% of scheduled mediations are held and 95% result in settlements. Client satisfaction, as measured through ongoing participant feedback surveys, is also consistently high.

In addition to helping open communication and resolve disputes, the mediation program minimizes the number of youth adjudicated unruly. Only 5% of all unruly youth referred to the court are formally adjudicated as unruly. Mediation has also reduced the workload of the court's juvenile probation department. When the program started in 1991, status offenders comprised 19% of the juvenile probation caseload. Today, only 2% of the juvenile probation caseload is comprised of unruly youth.

In the view of program administrators and long time court staff, mediation of unruly cases has helped new services emerge to meet the needs of troubled adolescents and families in crisis. As the program grew, so did the intervention network that could be called upon for providing specialized interventions—programs providing job placement and tutoring, support groups, cognitive therapy for improving decision-making, and specialized

counseling and classes tailored to the needs of parents and children in conflict.

The growth of intervention options and the individual attention provided to families in mediation sessions subsequently led to the creation of a Family Outreach Counselor position shared by both the Intake and Mediation Departments. After a mediation session, the counselor is available to educate families concerning the availability of specialized intervention services (e.g., mental health). The counselor also troubleshoots complicated referral and admission procedures and provides ongoing support to help families with the little bumps that are likely to occur even in the best mediated agreements.

Among the most important outcomes of unruly mediation was the recognition that intervention in truancy was often far too late—the onset of the problem had begun in grade school but was not typically addressed until later. This led the court to partner with school districts to introduce mediation in the grade schools and middle schools to intervene early—at the first signs of a problem (please see section concerning Truancy Prevention through Mediation, p. 13).

Without question, mediation of unruly cases was a great way for the Lucas County Juvenile Court to introduce alternative dispute resolution to the court community. Over the past 12 years, the court gradually extended mediation to other case types, including:

- visitation and custody issues of never married parents (1992)
- truancy prevention through early intervention (1995)
- mediation for families in conflict—youth who have been physically or verbally abusive to parents (1998)
- child protection matters (1997)
- termination of parental rights decisions or permanent custody (1998).

Few juvenile or family courts in the nation provide a greater range of options for dispute resolution and few bring comparable problem-solving resources to bear when parents call or walk into court with a complaint about their child's behavior.

Family Conflict Mediation in Lucas County

Sometimes an incorrigible child's behavior can escalate into verbally or physically abusive acts toward their parent or custodian. Twenty years ago, when law enforcement

referred cases to the court, the matter was often informally handled at intake or brought before the juvenile court on an unruly complaint. If the child inflicted substantial physical harm, the offense might have come to juvenile court as a delinquent complaint alleging an assault or disorderly conduct. This changed in Ohio during the 1990's, with the expansion of statutes aimed at requiring targeted intervention by law enforcement in family violence matters. The same is true at the national level where significant increases in juvenile arrests of females for assaultive behavior is being attributed to mandatory arrest laws for domestic incidents.

Today, most verbally or physically abusive adolescents are referred to the juvenile court as delinquency cases alleging domestic assault. In many instances, these youth are detained as required by state statutes that mandate arrest for domestic violence perpetrators—even juveniles. As a result, on any given day in many Ohio counties, a sizeable number of youth admitted to the local juvenile detention center are held on domestic assault charges. Providing appropriate secure detention alternatives to juveniles held as a result of family conflicts turned violent, is often a complex issue for court administrators and the judiciary responsible for managing scarce secure detention resources—particularly in the state's urban areas.

Ohio juvenile courts are reacting to these changes by implementing special interventions tailored to the characteristics of these cases. For example, the Lucas County Juvenile Court uses mediators specially trained in family conflict cases—an approach that has helped the court to more efficiently manage secure detention resources and test effective behavioral interventions.

The mediators selected for Family Conflict Mediation are highly trained staff and/or contractors with specialized domestic violence and family conflict training from the Supreme Court of Ohio, Office of Dispute Resolution. In addition to specialized training, the mediators have clinical experience with family violence programs. These mediators act in a facilitator role as opposed to a true mediator as the decision regarding release of child and the domestic violence charge are *never* negotiated in the facilitation sessions. With their specialized training and experience, they help parents develop safety plans, independent of the interventions agreed upon in the session with their child. Because youth are often detained, facilitation sessions occur in a meeting room at

the juvenile detention center. The mediators are neutral parties who help to open communication between parents and children and move them toward agreed methods of de-escalation, negotiated rules of the house, selection of service providers and other decisions specific to the individualized needs of each family.

The Mediation Department has been running the program since 1998 and screened 395 referrals for the program during 2002. Of the referrals, about half were accepted into the program. Of the 184 cases scheduled for mediation, 84% resulted in full agreements between parents and child. This translates roughly into about 150 youth who could be released from detention after the facilitation session with an intervention plan in place for the juvenile and supported by a safety plan for the adults. Family conflict mediation has become an important tool for court leaders and social service provider liaisons who meet every Tuesday in Lucas County to consider which cases are appropriate for release from secure detention. The prevalence of family conflict cases in these detention staffings has encouraged the court to develop a better understanding of the characteristics of this population. Ultimately, this may eventually help the court refine its detention risk screening instrument.

In addition to refining the screening process, family conflict mediation helps the court identify community resources for specialized services that could be refined and tested as a model. Most recently, the court has received a grant to develop intervention resources for families in conflict. Utilizing funds from a two-year grant from the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA), the program will serve youth through age 17 charged with family violence as a primary offense. The program is designed to provide early access to trauma-focused treatment, intensive case management and support services.

Youth will be screened for trauma and receive a diagnostic assessment within 72 hours of admission to secure detention. Subsequent to an assessment, services may be provided to divert youth from formal court action, or, at minimum, to a less restrictive community detention alternative. The pilot program will also consider accepting youth directly from probation services. About 40 to 60 youth per year will be served during the two-year grant period.

For additional information concerning Family Conflict Mediation in Lucas County, contact Tammy Martin, Lucas County Mediation Department, at 419-290-0401.

Lucas County Truancy Prevention Through Mediation Program

Lucas County is one of 15 Ohio counties to use trained mediators in the schools to prevent truancy. This is part of a state program initiative, the Truancy Prevention through Mediation Program (TPMP), which is rapidly expanding based upon documented successful outcomes and the requirements of recent federal legislation to leave no child behind. TPMP is administered by the Ohio Commission on Dispute Resolution and Conflict Management (OCDRCM) in collaboration with the Ohio Supreme Court's Office of Dispute Resolution.

The Lucas County program opens communication between school administrators, teachers, parents and children to encourage *shared ownership* of the truancy problem and remove the obstacles to a child's consistent attendance. The program presents a timely and united community response to unexcused absences by explaining the educational consequences for the child and the possible legal actions children and their parents will face if truancy persists. The school delivers this message through each step of the process.

Depending on the policies of individual school districts, the process can be triggered after three to four unexcused absences during a grading period, with a warning to the parents that their child is approaching the threshold for an intervention. At five unexcused absences, the parent/legal guardian is mailed a letter to appear at the school for a mediation session, involving a trained mediator, teacher, and in some cases, the student and a school administrator. The mediator serves as a neutral third party to help facilitate an even discussion of the problem and work toward a resolution shared by all participants. If the unexcused absences persist after a shared plan is developed, an additional session may be scheduled. If the problem continues after a second mediation, the case is referred to juvenile court where a truancy complaint may be filed if the child is old enough (age nine or higher). However, consequences tend to focus on the parents who can face criminal charges for contributing to the delinquency of a minor for failing to send their child to school.

Lucas County was the first Ohio community to develop a school and court partnership for TPMP. The program developed from the court's experience with unruly and delinquency mediation, where truancy was frequently a presenting or underlying issue for years. Rather than develop an end-all program to fix years of ignoring unexcused absences, the court opted to work with schools on prevention—an approach supported by research indicating that truancy is predictive of chronic unruly and delinquent behavior.

TPMP brings families, juvenile courts, schools and social service agencies together to work toward a common goal of truancy prevention. The schools assemble funds for the service, and handle the meeting logistics for school-based sessions, which occur one to two days per month. In return, the courts organize and select the pool of trained mediators who appear at the schools on the scheduled days. If truancy persists after the intervention, the juvenile court typically commits to expediting the scheduling of juvenile court actions—anchoring the program with immediate consequences. The courts also collaborate with the schools to consider program performance and plan for the future.

In Lucas County, the service costs \$150/day for the mediators, \$75 per substitute teacher per day for the days a child's teacher is required to attend mediation, and administrative costs for training, meetings, supplies and documentation. A portion of the costs are provided in the general fund of participating schools and the Ohio Commission on Dispute Resolution and Conflict Management has helped to cover a portion of costs for training, meetings and supplies. The costs to the court are mostly for administrative time to recruit, coordinate and train additional mediators. However, these costs are reduced in Lucas County through contracts with professional mediators in the community for the majority of these services. Depending on the severity of a school's truancy problem, school districts may have to engage in grant writing and fund-raising to provide mediation to all students who meet the program's referral threshold. This year's budget for one of the school districts participating in the Lucas County program was about \$7,000 to provide a monthly average of about five family sessions in each of five facilities covering kindergarten through grade eight.

An independent evaluation of TPMP in 2001 indicated that unexcused absences dropped between 46 to 91% in six of the seven counties participating in the study. In a

2003 follow-up, absences dropped anywhere from 13% to 93% in seven of the eight counties participating in the study. Promising research findings have contributed to program expansion, as school districts search for research-based approaches to prepare for the stringent requirements of the No Child Left Behind Act (NCLBA). The Act requires schools to ensure every child is learning proficiently by 2012-13. In the words of a school principal from one of the participating schools: “If we are to have a chance of meeting the NCLBA goal, truancy must be addressed at the first signs of a problem.”

More information about TPMP (including the TPMP evaluations conducted by Luminesce Consulting) can be found on the OCDRCM website at <http://www.state.oh.us/cdr/courtcommunity.htm>. Additional information concerning the Lucas County Juvenile Court TPMP model can be obtained by contacting Tammy Martin, Lucas County Mediation Department, at 419-290-0401.

Crisis Intervention with both High and Low Risk Status Offenders in Cuyahoga County

An important facet of responding to the behavior of status offenders is timely and meaningful crisis intervention—programs that help stabilize a family in upheaval so that matters do not escalate to the point that law enforcement is called and detention is a possibility.

Cuyahoga County Juvenile Court is developing a continuum of program resources to respond to families in crisis over the behavior of their children. A recent initiative is the Unruly Respite Care Program (URCP) and involves alternatives to secure detention for high-risk status offenders. A second example is the Court Unruly Project (CUP), a program that, since 1991, has provided home-based crisis intervention services for low-risk status offenders within a few days of a parent calling the court. The Global Risk Assessment Device (GRAD), developed through a local partnership with the Ohio State University, helps the court identify low and high risk youth and match them with either the CUP or URCP interventions and assists case management staff in tailoring intervention service plans.

The URCP was developed in response to federal requirements to hold unruly offenders no longer than 24 hours in a secure detention facility. The court was out of compliance with these requirements because it lacked

a system to provide immediate control and close supervision during a family crisis. The Ohio Division of Youth Services provided technical assistance to the Cuyahoga County Juvenile Court concerning federal requirements, and with Title II funding from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), they implemented a strategy to move high-risk status offenders out of secure detention and into community shelters with treatment services, backed up by independent case managers.

URCP youth typically are adolescents whose behavior has escalated to a level where a juvenile court magistrate has placed them in secure detention and/or a parent refuses to accept a child back into the home or clearly cannot cope with an escalating crisis. The system was established through contracts with two community-based providers and two separate providers of case management services. Unruly youth are quickly moved out of secure detention with an expedited detention hearing and can spend up to 30 days in URCP community shelters before they must be returned home or the court must take action to provide substitute care. The case management services can continue for up to 90 days.

While the URCP served about 103 youth during 2003, the Court Unruly Project (CUP) addresses the needs of about 3,000 alleged truant and unruly youth each year. Designed to divert alleged unruly and truant youth from formal juvenile court proceedings, CUP demonstrates a long-term commitment of the Cuyahoga County Juvenile Court to meet the needs of families with alleged unruly youth. CUP diverted about 1,600 referrals primarily alleging truancy and 1,580 for unruly behavior in 2002 through case management services provided under a contract with Berea Children’s Home and Family Services. The program objective is to respond any request for help involving unruly, truant or unmanageable child within 24 hours of the request.

An early evaluation of CUP by the National Center for Juvenile Justice suggested that the 24-hour objective is difficult to consistently meet, but that initial assessments were usually completed within a week or less. The evaluation additionally suggested some small, long-term decreases in recidivism and that youth with multiple needs received up to 48 hours of direct advocate services. Much has changed since the evaluation was conducted (1993), notably the creation of specialized case management tracks (e.g., mental health). However, CUP remains an ambitious attempt on the part of an urban

court to provide ready access to timely case management services for status offenders and an innovative approach to crisis intervention for families in turmoil.

Finally, as the court refines its continuum of services to unruly offenders it also has piloted the GRAD assessment tool in its intake process. The tool has helped target youth for the more intense URCP option and to understand the overall workload of status offenders in the court. The tool has helped the programs focus equally on parent and child issues, encourage reassessments and modify intervention plans to make them more practical and sustainable.

For additional information concerning Cuyahoga County's services to unruly offenders please contact: Matt Novak, Senior Administrative Officer, 216-443-3307.

Concluding Remarks

Status offenders will continue to challenge the juvenile justice system to use its resources creatively for years to come. Communities must find ways to:

- keep unruly and truant youth out of secure detention and placement facilities, or risk jeopardizing federal juvenile justice funding
- create easy access to family triage services
- increase public knowledge and access to services
- develop a graduated continuum of voluntary interventions
- fund services without attaching eligibility to a legal status.

Ohio's H.B. 57 encourages a renewed round of assessment, innovation, and collaboration among system shareholders, and provides modest funding incentives for them to work together through local Family and Children First Councils. Early assessments suggest substantial resources are available to families with alleged unruly youth, but tracking actual allocations and expenditures is difficult and families lack clear public access to the interventions. However, counties are inventorying service providers with an eye on better accounting of status offender expenditures and entry points under H.B. 57 plans, and a number of counties have a head start with programs and procedures.

- Stark County's Family and Children's First Council has expanded its well structured multi-system case staffing process to handle alleged unruly offenders.
- Franklin County Domestic Relations and Juvenile Court has a *Family Assessment Department*, with adequate resources to triage walk-in referrals.
- Hamilton County Juvenile Court responds to what parents often wish to happen first when a child misbehaves—a brief “detention experience” education program backed up with family counseling services.
- Lucas County Juvenile Court has integrated court-based mediation services into almost every aspect of its operation, beginning with mediation for unruly cases.
- Finally, Cuyahoga County Juvenile Court funds a continuum of graduated crisis intervention services provided by contract service providers, and is also striving to better structure decisions through an internet-based assessment tool.

All of these procedures and programs share one vital characteristic—they respond to the problems underlying a child's unruly behavior sooner, rather than waiting until later to punish a young person based on their status as a minor. They also preserve a central role for the juvenile court without requiring the initiation of formal court processing or abandoning the goal of voluntary services for alleged unruly children and youth. TANF funds associated with H.B. 57 are sufficient in most counties to start programs promoting any of these concepts.

As is so often the case in Ohio and other states with strong home rule traditions, no single county has a complete solution. Rather, a combination of communities present facets that together might characterize a model or complete approach if they were simultaneously refined in one setting. In this bulletin, we suggest Cuyahoga, Hamilton, Franklin, Stark and Lucas counties all have procedures or program ideas worth considering elsewhere in Ohio and worth documenting in more detail for their cost and performance.

Juvenile Justice Symposium
January 23, 2004 — Columbus, OH

On January 23, 2004, the Child Welfare League of America (CWLA), in collaboration with the Ohio Department of Job and Family Services, Ohio Department of Youth Services, Ohio Association of Child Caring Agencies, Public Children Services Association of Ohio, Ohio State University, and the Ohio Judicial Conference, will host a symposium to reflect on Ohio's handling of youth engaged in the juvenile justice system.

Resources

John Tuell, Deputy Director–National Center for Program Leadership, CWLA, will provide a framework for mobilizing state and local administrators and policy makers to address the issues of coordination of services. Key components will include:

- data trend analysis, including gender- and race-specific data
- current legal/policy/procedures analysis
- accumulation of Best Practice/Model Programs information
- examples of multiple agency memoranda of understanding/agreement
- priorities for developing action strategies
- representatives from local communities where services are coordinated successfully.

Audience

A representative group of administrators and policy makers from each of the following groups:

- key legislators and their staff
- state and local public human services administrators
- juvenile and family court judges
- juvenile and family court administrators
- school principals
- prosecuting attorneys
- defense attorneys
- law enforcement officials.

For additional information, contact Jill Townsend at jtownsend@cwla.org.

Child Support Order Language: Health Insurance Coverage

The federal government requires that each state use the National Medical Support Notice (NMSN) form. The purpose of the form is to ensure that health insurance orders result in health insurance coverage as quickly as possible for the children who are the subject of child support orders. The form is issued by the county child support enforcement agency (CSEA) through Ohio's automated Support Enforcement Tracking System (SETS). In fact, the form is often issued without CSEA caseworker intervention being necessary, since SETS is programmed to send the document automatically as soon as an employer makes a new hire report to the Ohio Department of Job and Family Services, as all employers are required to do.

When an employer receives the NMSN, they are required to determine whether insurance coverage is available for their employee and, if so, to forward Part B of the form to their health plan administrator. The health plan administrator is required to immediately enroll the children in the health insurance plan for that employer and if necessary, to treat the document as a "qualified medical child support order" (QMSCO) under the Employee Retirement Income Security Act (ERISA).

With the recent implementation of the NMSN in Ohio, it is more important than ever that the language used to describe health insurance orders, issued for the benefit of children, be precise. Orders that do not clearly identify who is obligated to provide health insurance—and who is not obligated—can lead to significant confusion. Such confusion about health insurance orders often occurs because, under Ohio law, the "person required to provide health insurance coverage" (3119.29(C)) can mean the child support obligor or the child support obligee, or it could mean that both individuals are required to provide coverage.

If the language describing the medical child support order obligation is unclear, employers may mistakenly enroll children in a costly health insurance plan the court never intended to require of a parent. For further information or questions, contact Sharon Baker, Ohio Department of Job and Family Services, Office of Child Support at 614-466-4473 or bakers@odjfs.state.oh.us.

Alternative Education and Mental Health

Alternative education programs across the State help children and youth address behavioral health issues while continuing to receive credit in their home school and move forward academically. State level initiatives are helping to grow and refine alternative school programs based on a new set of guiding principles, a framework for evidence-based practices and partnerships with mental health providers to help the schools address emotional and behavioral barriers to learning.

The Ohio Alternative Education Challenge Grant Program was created by the Ohio Legislature in July of 1999 to encourage counties to develop alternative education programs for youth who demonstrate (or are at-risk for) chronic truancy, bullying or threatening other pupils or school staff members, or otherwise disrupting a school's learning environment. During the 2002-03 school year, 123 programs across Ohio received funding through the Challenge Grant Program, reaching 35,000 pupils. Many of the programs in the network provide alternatives to suspending or expelling pupils who may be able to return to their home school upon addressing behavior problems. One such example is the Alpha School of the Perry County Probate-Juvenile Division in New Lexington, Ohio. The Alpha School has been a keystone to the court's continuum of services for unruly and delinquent youth since 1988 when it was started by the Probate-Juvenile Court with Youth Services Block Grant funding. In recent years, Challenge Grants awarded to the Perry County Educational Service Center, have helped the Probate-Juvenile Court extend the mental health services available to pupils of the Alpha School.

The Ohio Alternative Education Advisory Council adopts principles to guide alternative education in Ohio. In 2000, the Council established the Center for Learning Excellence, an Initiative of the John Glenn Institute for Public Service and Public Policy at the Ohio State University, to:

- identify and promote evidence-based practices in each of the state's alternative education programs
- provide interdisciplinary and inter-professional technical assistance and training consistent with this evidence-based approach
- conduct an evaluation of the statewide program.

Each year, the Center produces year-end and mid-year reports for Challenge Grant Program outcomes, helping to provide a framework for considering the myriad of efforts statewide and providing empirical evidence of the impact of alternative education.

The Ohio Mental Health Network for School Success is a partnership of six state agencies that are working to serve the mental health needs of children and adolescents through school-based services. The collaboration is funded by the Ohio Department of Mental Health and the federal Substance Abuse and Mental Health Services Administration and has recently established regional networks to extend local efforts to deliver school based or school linked mental health services. The regional networks are comprised of mental health board staff, provider agencies, Ohio Department of Mental Health personnel, Center staff, parents, and school personnel who meet quarterly to examine community needs for coordinating mental health services with efforts to increase school success.

Visit the Center for Learning Excellence website at <http://www.altedmh.org/aboutus/aboutus.html> to access information concerning:

- Ohio Alternative Education Challenge Grants (including descriptions of various county efforts under the Challenge Grants)
- The Ohio Alternative Education Advisory Council
- The Ohio Mental Health Network for School Success.

Update
Title IV-E Interagency Agreement with Juvenile Courts
Program Change Benefits Court

The Winter 2003 issue of *Children, Families and the Courts* described Ohio's program that offers courts the opportunity to obtain direct reimbursement for a portion of the placement and administrative costs incurred in servicing AFDC-eligible delinquent and unruly youth who have been removed from their homes. Through interagency agreement with ODJFS, courts are able to access Title IV-E foster care maintenance costs through the local public children services agency (PCSA) and administrative funds through ODJFS. In turn, courts assume various case planning and case management responsibilities associated with becoming the designated Title IV-E agent responsible for placing and supervising delinquent and unruly youth. Currently 13 juvenile courts and one juvenile district are engaged in an interagency agreement with ODJFS. Based on a survey of non-participating juvenile courts, the largest stumbling block to the more widespread usage of interagency agreements is the difficulty juvenile courts experience in seeking reimbursement of administrative costs. Retroactively effective to July 1, 2003, Ohio has significantly eased the manner in which reimbursement costs are determined.

Previously, reimbursement primarily was limited to employees who exclusively work with IV-E eligible cases. Procedures to seek reimbursement for employees whose duties include non-eligible cases or non-related work activities were excessively cumbersome and time prohibitive.

Under the plan amendment approved by the U.S. Department of Health and Human Services (HHS), juvenile courts can access administrative funds by participating in the ODJFS random moment time study. The process consists of three primary components:

1. Random Moment Sample Time Study
2. Cost Pool
3. Eligibility Ratio of Placed Kids

Central to simplifying reimbursement procedures is HHS' approval of a different method for charging costs when an employee does work for more than one program. By scientifically determining the amount of time spent by a group of employees on various activities, Random Moment Sample Time Study (RMS) replaces daily detailed logs of individual work activity with a "window in time." Ohio's RMS will be conducted in each quarter to determine how much time employees in a cost pool spend on Title IV-E and non-Title IV-E activities. The percentage of time employees spend providing activities that fall under the designated Title IV-E allowable activities will then be used to allocate administrative expenditures in each category.

Once this data is gathered, the cost pool will be delineated by the time study codes and further by the eligibility ratio. For example:

The cost pool for allowable in-home and placement IV-E costs equals \$100,000. The time study results identified that of the probation officers studied, 80% of their time was spent providing IV-E allowable activities (in-home and placement). Therefore, the cost pool is reduced to \$80,000. Lastly, the eligibility ratio of IV-E eligible and reimbursable days equals 50%. The cost pool is further reduced to \$40,000. Federal reimbursement for administration cost is 50% which nets the Juvenile court \$20,000 federal financial participation.

For more information regarding the interagency agreement or to become a Title IV-E agent in cases involving adjudicated delinquent and unruly juveniles, contact the OCF Helpdesk by phone at 1-866-886-3537 Option 4 or by email at: HELP-DESK-OCF@odjfs.state.oh.us.

AdoptOHIO Kids

On Tuesday, December 2, 2003, the President signed into law the Adoption Promotion Act of 2003 (H.R. 3182). The legislation enacts the President's proposal to extend the Adoption Incentive Program another five years, focusing greater attention on finding adoptive families for older children in foster care.

The bill authorizes \$43 million per year in performance-based incentives to states that are successful in increasing the number of children adopted from foster care. The bonus program, first created as part of the Adoption and Safe Families Act of 1997, is credited with contributing to a significant national increase in adoptions—from 31,000 in fiscal year 1997 to approximately 51,000 in fiscal year 2002.

Despite recent progress, many more children are in need of adoptive families. At the end of federal fiscal year 2002, 22,000 Ohio children remained in foster care and 3,400 children, who had adoption as their permanency goal, were waiting for adoptive families. Over 55% of Ohio's children currently waiting are African American and over 53% of the children are age 10 or older. Today, national data show that a child over the age of 9 is more likely to remain in foster care through his or her 18th birthday than to find an adoptive home.

The Adoption Promotion Act of 2003 is intended to change this statistic by encouraging states to focus greater effort on finding adoptive families for children ages nine and older. Under the legislation, the Adoption Incentive Program will now include a targeted bonus for states successful in increasing the number of older children adopted from foster care, as well as continue to recognize overall progress in increasing adoptions from foster care.

This is good news for Ohio who has chosen to utilize its current Adoption Incentive Program award to fund a state-wide program entitled *AdoptOHIO Kids*. *AdoptOHIO Kids*' goals include increasing the overall number of children adopted each year with a special emphasis on achieving finalization for children:

- within 24 months of their initial custody
- who are ages 10 or older *and* who have been in the custody of the agency for 24 months or longer.

Under this program, each Public Children Services Agency (PCSA) receives an initial allocation to work towards *AdoptOHIO Kids* goals. This award is unrestricted and may be used in whatever manner the county determines is most effective. Since distribution is determined by formula, resulting in less populated counties receiving smaller allotments, activities may be limited by the amount of the disbursement. Additionally, PCSAs also may be rewarded with added incentive dollars when specified outcome measures are met.

Ohio's Adoption Incentive Program funds also include an allocation for each PCSA to build or strengthen existing faith based partnerships that recruit and provide support to foster and adoptive parents.

An emphasis on adoption finalization for older children is an important focus of Ohio's existing adoption program. Between federal fiscal year 2001 and 2002, structured incentives, child-specific recruitment and a range of community-developed programs, enabled Ohio to nearly double the number of children over ten who were finalized. ODJFS anticipates that these early efforts will financially benefit Ohio in light of the increased federal emphasis on completing adoptions of children nine and older. Using current numbers that do not yet include the additional children who will be captured in the May 15th AFCARS submission for FFY 2003, Ohio appears to have already achieved a qualifying increase of the overall number of older children finalized, making Ohio eligible to again receive Adoption Incentive Program funds.

For additional information regarding AdoptOHIO Kids, contact Rhonda Abban at 614-466-9274 or abbanr@odjfs.state.oh.us. Current text and information regarding the Adoption Promotion Act of 2003 can be found at <http://thomas.loc.gov/>.

Adapted from an article originally appearing in The Adoption and Child Welfare Law Blog, <http://i-lawpublishing.net/>

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The National Center for Juvenile Justice (NCJJ) is a non-profit organization that conducts research (statistical, legal, and applied) on a broad range of juvenile justice topics and provides technical assistance to the field. NCJJ is the research division of the National Council of Juvenile and Family Court Judges.

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