

Title	Juvenile Law: Juvenile Dependency Court Performance Measures (adopt Cal. Rules of Court, rule 5.505)
Summary	<p>This proposal would fulfill the requirement in the Child Welfare Leadership and Performance Accountability Act of 2006 (Welf. & Inst. Code, §§ 16540–16545) that the Judicial Council adopt, through rules of court, juvenile dependency court performance measures. Proposed rule 5.505 would adopt juvenile dependency court performance measures in the areas of hearing timeliness, court procedures and due process, child safety, child permanency, and child and family well-being. It would also ensure uniformity of data reporting by requiring the publication of a Judicial Council-approved implementation guide containing detailed descriptions of the methods for producing and reporting the performance measures.</p> <p>The proposed rule would also establish procedures for trial courts to collect and use performance measure data. In the short term, each court would be required to collect, and provide to the Administrative Office of the Courts (AOC), only the subset of juvenile dependency data described in the proposed rule and in the implementation guide that it is reasonably capable of collecting with its existing court case management system and resources. After implementation of the California Courts Case Management System (CCMS)¹ family and juvenile law module, courts would be required to collect and provide to the AOC juvenile dependency data in accordance with the rule and the implementation guide.</p> <p>In the pre- and post-CCMS time periods, the rule describes how the AOC would collect and use the data, including assisting trial courts in improving their performance, and generating aggregate data reports. These aggregate reports would not disclose the identity of children, parents, judicial officers, or other individuals in the dependency system.</p>
Source	Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs
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¹ CCMS is a statewide technology initiative that aims to implement the use of a uniform computer application to manage all case types in the courts. The ultimate vision of the initiative is to create an integrated, statewide case management system. Lead courts around the state are deploying modules of the system for criminal, traffic, civil, small claims, and probate cases. The module for family and juvenile law cases is currently in development, and it will include the functionality for juvenile dependency court performance measures. CCMS is expected to be fully implemented in all 58 superior courts by the end of 2012.

Introduction

Proposed rule 5.505 would adopt juvenile dependency court performance measures as required by the Child Welfare Leadership and Performance Accountability Act of 2006 (Welf. & Inst. Code, §§ 16540–16545). A previous version of the proposed rule was circulated for public comment from December 2007 through January 2008. The committee has made a number of revisions in response to the comments received. As revised, the proposed rule describes the performance measures in significantly more detail, provides for a concurrent public comment period on the implementation guide, clarifies the role of the AOC in implementing performance measures and acknowledges current limitations in trial court capacity to collect and report data.

Background

The Child Welfare Leadership and Performance Accountability Act of 2006 (Assem. Bill 2216 [Bass]; Stats. 2006, ch.384) established the California Child Welfare Council (CWC). The purpose of the CWC is to “serve as an advisory body responsible for improving the collaboration and processes of the multiple agencies and the courts that serve the children and youth in the child welfare and foster care systems” (Welf. & Inst. Code, § 16540).

The Act also requires that the Judicial Council adopt performance measures “so that courts are able to measure their performance and track their own progress in improving safety, permanency, timeliness and well-being of children and to inform decisions about the allocation of court resources.” (Welf. & Inst. Code, § 16545.)

The Act also requires that the Judicial Council “to the greatest extent possible, shall ensure uniformity of data collection.” (Welf. & Inst. Code, § 16545.)

Development of Court Performance Measures

In May 2004, the Pew Commission on Children in Foster Care released its final report and recommendations for improving the nation’s child welfare systems and juvenile courts. The Pew Commission endorsed the juvenile dependency court performance measures proposed jointly by the American Bar Association (ABA), the National Center for State Courts (NCSC), and the National Council of Juvenile and Family Court Judges (NCJFCJ). The Pew Commission recommended that “[e]very dependency court should adopt the[se] court performance measures” and that “[s]tate judicial leadership should use these data to ensure accountability by every court for improved outcomes for children and to inform decisions about

allocating resources across the court system.”

The Judicial Council endorsed the Pew Commission’s recommendations in June 2004.

Two committees of Judicial Council’s California Blue Ribbon Commission on Children in Foster Care (BRC) used these national measures as a basis for drafting performance measures adapted to California laws and procedures. The work of the BRC serves as the foundation for the measures delineated in proposed rule 5.505 and in the implementation guide (described below).

The Proposed Rule

The proposed rule would be effective January 1, 2009. As revised, the proposed rule describes the performance measures in significantly more detail than the version previously circulated for comment. The rule includes the following sections:

- a) A purpose clause;
- b) The performance measures;
- c) Data collection requirements;
- d) Use of data before CCMS implementation; and
- e) Use of data after CCMS implementation.

The rule also includes an advisory committee comment, explaining that the state Child Welfare Council, the secretary of the California Health and Human Services Agency, and appropriate court technology groups will be consulted in adopting the performance measures. The advisory committee comment also contains information related to the implementation guide.

The Performance Measures

Proposed rule 5.505 section (b)(1) lists performance measures in five topic areas: (A) hearing timeliness, including compliance with statutory timelines and information about hearing delays; (B) court procedures and due process, including consistency of judicial officers and attorneys, timely notice, presence of parties at hearings, and Indian Child Welfare Act compliance; (C) child safety, including rates of subsequent maltreatment incidents at home and in foster care; (D) child permanency including timeliness and rates of re-entry, reunification and adoption and numbers of children with multiple foster placements; and (E) child and family well-being including measures regarding transitional services and

hearings, sibling contact, parental visitation, family finding efforts, relative placements and efforts to maintain children's important relationships.

The Implementation Guide

The technical details for producing and reporting the proposed performance measures, including uniform definitions of the performance measures, detailed descriptions of the data elements and the methods for producing the performance measures, are included in the *Implementation Guide to Juvenile Dependency Court Performance Measures*. For example, measure (b)(1)(E) is "the percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care," but to calculate that measure, the technical definition of the "date entered foster care" is required. That definition and instructions for correctly calculating the measure are contained in the implementation guide.

After review by relevant groups, and a public comment period, it is anticipated that the Judicial Council will approve the implementation guide with an effective date of January 1, 2009. When a substantive change such as a modification to a definition in the proposed rule or an additional performance measure is proposed, both the rule and the guide will be modified and circulated for comment. When the technical definition of a performance measure is changed, and the change does not affect the general definition in the rule of court, only the modified *Guide* will be circulated for comment. This publication process, along with the process for updating the guide, appears in the advisory committee comment following the proposed rule.

Comments are invited on all aspects of the *Implementation Guide to Juvenile Dependency Court Performance Measures*. The text of the implementation guide is available on the AOC website at: <http://www.courtinfo.ca.gov/invitationstocomment/>.

Data Collection

Welfare and Institutions Code section 16545 states that the "[p]erformance measures shall be based on data that is available from current or planned data collection processes and to the greatest extent possible, shall ensure uniformity of data reporting." Data collection is described in section (c) of proposed rule 5.505. Section (c)(1) requires that the family and juvenile law module of CCMS be capable of collecting the necessary data, calculating the performance measures from that data, and generating the necessary reports.

Sections (c)(2) and (3) include requirements for current (pre-CCMS) and

future (post-CCMS) data collection processes. Before the implementation of the CCMS family and juvenile law module, each court would be required to collect and submit to the AOC only the subset of juvenile dependency data described in the rule and implementation guide that it is capable of producing with its existing court case management systems and resources. Collection and submission to the AOC of all data on the measures enumerated in proposed rule 5.505 section (b) and in the implementation guide would be required following the implementation of the CCMS family and juvenile law module.

Use of Data, before and after CCMS Implementation

The use of data by the AOC before and after the implementation of the CCMS family and juvenile law module is described in sections (d) and (e) of the proposed rule.

Before full CCMS implementation the proposed rule requires the AOC to: assist courts in data collection, analysis and reporting; consult with courts about the accuracy of the data; use the available data to test and refine the measures; and generate aggregate data reports, consistent with Welfare and Institutions Code section 16543, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system.

After full CCMS implementation, the proposed rule requires the AOC to: use the available data to continue to test and refine the measures; assist the courts in using the data to achieve improved outcomes for children and families, make systemic improvements and improve resource allocation decisions; and generate aggregate data reports, consistent with Welfare and Institutions Code section 16543, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system.

By collecting performance measure data, generating aggregate data reports, and assisting the courts in using the data to improve outcomes for children and families, the AOC will facilitate compliance with the statutory requirements that the Judicial Council, “to the greatest extent possible, shall ensure uniformity of data collection” and that the performance measures allow the courts “to measure their performance and track their own progress” (Welf. & Inst. Code, § 16545).

Public Comment

Comments are invited concerning all aspects of the proposed rule, and are particularly requested concerning the following issues:

- a) The financial and workload impact on local courts if the proposed

rule is adopted;

b) Whether these measures should apply exclusively to children in child welfare-supervised foster care or be expanded to also include those children in probation-supervised foster care;

c) Whether section (b)(2) currently titled “Court Procedures and Due Process” should instead be titled “Due Process” to conform with the ABA, NCSC and NCJFCJ convention. The broader title is proposed because the rule contains additional measures related to the presence of parties and other case participants at hearings; and

d) Whether permanency measures (b)(4)(H) and (I) should be included in this rule and at what time intervals they should be measured. These measures are not included in the federally and state mandated California Child Welfare Services Outcomes and Accountability measures that are being used in the current round of Child and Family Services Reviews (CFSR). These measures are proposed because failed adoptions are a critical component of overall permanency outcomes.

Comments are also invited on all aspects of the companion publication: *Implementation Guide to Juvenile Dependency Court Performance Measures*. The text of the implementation guide is available on the AOC website at: <http://www.courtinfo.ca.gov/invitationstocomment/>.

Attachments

The text of the proposed new rule is attached at pages 7–13.

The text of the Child Welfare Leadership and Performance Accountability Act is attached at pages 14–17.

Attachments

Rule 5.505 of the California Rules of Court would be adopted, effective January 1, 2009, to read:

1 **Rule 5.505. Juvenile dependency court performance measures**

2
3 **(a) Purpose**

4
5 The juvenile dependency court performance measures and related procedures
6 set forth in this rule are intended to:

7
8 (1) Protect abused and neglected children by assisting courts in promoting
9 children's placement in safe and permanent homes, enhancing their
10 well-being and that of their families, and ensuring that all participants
11 receive timely and fair treatment;

12
13 (2) Assist trial courts in meeting the mandated timelines for dependency
14 hearings, securing due process for all litigants and, in collaboration
15 with the child welfare agency, improving safety, permanency, and well-
16 being outcomes for children and families under the jurisdiction of the
17 juvenile dependency court; and

18
19 (3) Inform court decisions about resource allocation.

20
21 **(b) Performance measures**

22
23 Detailed definitions of the performance measures and descriptions of the
24 methods for producing the performance measures in accordance with (c)(2)
25 and (3) are contained in the Judicial Council-approved *Implementation*
26 *Guide to Juvenile Dependency Court Performance Measures.*

27
28 The juvenile dependency court performance measures are:

29
30 (1) Hearing timeliness:

31
32 (A) Percentage of children for whom the initial hearing is completed
33 within the statutory time frame following the filing of the initial
34 petition;

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36 (B) Percentage of children for whom the jurisdictional hearing is
37 completed within the statutory time frame following the initial
38 hearing;

39
40 (C) Percentage of children for whom the disposition hearing is
41 completed within the statutory time frame following the finding
42 of jurisdiction;

- 1 (D) Percentage of children for whom a 3-month or other interim
2 review hearing is held;
3
- 4 (E) Percentage of children for whom the 6-month review hearing is
5 completed within 6 months of the date the child entered foster
6 care;
7
- 8 (F) Percentage of children for whom the 12-month permanency
9 hearing is completed within 12 months of the date the child
10 entered foster care;
11
- 12 (G) Percentage of children for whom the 18-month review hearing is
13 completed within 18 months of the date of original protective
14 custody;
15
- 16 (H) Percentage of children for whom the first section 366.26 hearing
17 is completed within 120 days of the termination of reunification
18 services;
19
- 20 (I) Percentage of children whose post-permanency hearing is
21 completed within 6 months of the section 366.26 hearing or the
22 last post-permanency hearing;
23
- 24 (J) Percentage of children in long-term care whose subsequent
25 section 366.26 hearing is completed within 12 months of the
26 previous section 366.26 hearing;
27
- 28 (K) Percentage of children whose adoption is finalized within 180
29 days after termination of parental rights;
30
- 31 (L) Median time from disposition or section 366.26 hearing to order
32 establishing guardianship;
33
- 34 (M) Percentage of children for whom the first and subsequent post-
35 permanency review hearings are completed within the statutory
36 time frame;
37
- 38 (N) Percentage of hearings delayed, by reason for delay and hearing
39 type;
40
- 41 (O) Median time from filing of original petition to implementation of
42 a permanent plan by permanent plan type; and

1 (P) Median time from filing of original petition to termination of
2 jurisdiction by reason for termination of jurisdiction.

3
4 (2) Court procedures and due process:

5
6 (A) Percentage of cases in which all hearings are heard by one judicial
7 officer;

8
9 (B) Percentage of cases in which all parties and other statutorily
10 entitled individuals are served with a copy of the original petition;

11
12 (C) Percentage of hearings in which notice is given to all statutorily
13 entitled parties and individuals within statutory time frame;

14
15 (D) Percentage of hearings in which child or parents are present, if
16 statutorily entitled to be present;

17
18 (E) Percentage of hearings in which a judicial inquiry is made when a
19 child 10 years of age or older is not present at hearing;

20
21 (F) Percentage of hearings in which other statutorily entitled
22 individuals who are involved in the case (e.g. CASA volunteers,
23 caregivers, de facto parents, others) are present;

24
25 (G) Percentage of cases in which legal counsel for parents, children,
26 and the child welfare agency are present at every hearing;

27
28 (H) Point at which children and parents are assigned legal counsel;

29
30 (I) Percentage of cases where legal counsel for children or parents
31 changes;

32
33 (J) Percentage of cases in which no reunification services are ordered
34 and reasons;

35
36 (K) Percentage of cases for which youth have input into their case
37 plan; and

38
39 (L) Cases in compliance with the requirements of the Indian Child
40 Welfare Act (ICWA).

1 (3) Child safety:

2
3 (A) Percentage of children who are not victims of another
4 substantiated maltreatment allegation within 6 and 12 months
5 after the maltreatment incident that led to the filing of the initial
6 petition; and

7
8 (B) For all children served in foster care during the year, percentage
9 of children who were not victims of substantiated maltreatment by
10 a foster parent or facility staff member.

11
12 (4) Child permanency:

13
14 (A) Percentage of children reunified in less than 12 months;

15
16 (B) Percentage of children who were reunified, but reentered foster
17 care within 12 months;

18
19 (C) Percentage of children discharged from foster care to a finalized
20 adoption within 24 months;

21
22 (D) Percentage of children in foster care who were freed for adoption;

23
24 (E) Percentage of children in long-term foster care who were
25 discharged to a permanent home before their 18th birthday;

26
27 (F) Of children discharged to emancipation, percentage in foster care
28 three years or longer;

29
30 (G) Percentage of children with multiple foster care placements;

31
32 (H) Of children who were freed for adoption, the percentage for
33 whom the adoption did not take place within 1, 2 or 3 years of
34 termination of parental rights; and

35
36 (I) Of children who were adopted, the percentage for whom the
37 adoption failed within 1, 2 or 3 years of termination of parental
38 rights.

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40 (5) Child and family well-being:

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42 (A) Percentage of children 14 years of age or older with current
43 transitional independent living plans;

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- (B) Percentage of children for whom a section 391 emancipation hearing was held;
- (C) Percentage of section 391 emancipation hearings that did not result in termination of jurisdiction and reasons jurisdiction not terminated;
- (D) Percentage of youth present at emancipation hearing with judicial confirmation of receipt of all services and documents mandated by section 391(b);
- (E) Percentage of children placed with all siblings who are also under court jurisdiction, as appropriate;
- (F) Percentage of children placed with at least one, but not all siblings who are also under court jurisdiction, as appropriate;
- (G) For children who have siblings under court jurisdiction, but are not placed with all of them, percentage of cases where sibling visitation is not ordered and reasons;
- (H) Percentage of cases where visitation is not ordered for parents and reasons;
- (I) Number of visitation orders for adults other than parents and siblings, as appropriate (e.g. grandparents, other relatives, extended family members, others);
- (J) Number of cases where the court has requested relative- finding efforts from the child welfare agency;
- (K) Percentage of children placed with relatives;
- (L) For children 10 years of age or older in foster care at least 6 months, percentage for whom the court has inquired whether the social worker has identified persons important to the child; and
- (M) For children 10 years of age or older in foster care at least 6 months, percentage for whom the court has made orders to enable the child to maintain relationships with persons important to that child.

1 **(c) Data collection**

- 2
- 3 (1) The California Court Case Management System (CCMS) family and
4 juvenile law module must be capable of collecting the data described in
5 the *Implementation Guide to Juvenile Dependency Court Performance*
6 *Measures* in order to calculate the performance measures and to
7 produce performance measure reports.
- 8
- 9 (2) Before implementation of the CCMS family and juvenile law module,
10 each court must collect and submit to the AOC the subset of juvenile
11 dependency data described in (b) and in the *Implementation Guide to*
12 *Juvenile Dependency Court Performance Measures* that it is reasonably
13 capable of collecting and submitting with its existing court case
14 management system and resources.
- 15
- 16 (3) On implementation of the CCMS family and juvenile law module, each
17 court must collect and submit to the AOC all juvenile dependency data
18 described in (b) and in the *Implementation Guide to Juvenile*
19 *Dependency Court Performance Measures*.
- 20

21 **(d) Use of data and development of measures before CCMS implementation**

22 Before CCMS implementation, the AOC must:

- 23
- 24
- 25 (1) Establish a program to assist the local courts in collecting, preparing,
26 analyzing, and reporting the data required by this rule;
- 27
- 28 (2) Establish a procedure to assist the local courts in submitting the
29 required data to the AOC;
- 30
- 31 (3) Use the data submitted under (c)(2) to test and refine the detailed
32 definitions of the performance measures and descriptions of the
33 methods for producing the performance measures described in the
34 *Implementation Guide to Juvenile Dependency Court Performance*
35 *Measures*;
- 36
- 37 (4) Consult with local courts about the accuracy of the data submitted
38 under (c)(2). After such consultation, use data to generate aggregate
39 data reports, consistent with section 16543, on performance measures
40 while not disclosing identifying information about children, parents,
41 judicial officers, and other individuals in the dependency system; and
- 42

1 (5) Assist the courts in using the data to achieve improved outcomes for
2 children and families in the dependency system, make systemic
3 improvements, and improve resource allocation decisions.

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5 **(e) Use of data after CCMS implementation**

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7 On implementation of CCMS, the AOC must:

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9 (1) Use the data submitted under (c)(3) to conduct ongoing testing,
10 refining, and updating of the information in the Implementation Guide
11 to Juvenile Dependency Court Performance Measures;

12
13 (2) Use the data submitted under (c)(3) to generate aggregate data reports,
14 consistent with section 16543, on performance measures while not
15 disclosing identifying information about children, parents, judicial
16 officers, and other individuals in the dependency system; and

17
18 (3) Assist the courts in using the data to achieve improved outcomes for
19 children and families in the dependency system, make systemic
20 improvements, and improve resource allocation decisions.

21
22 **Advisory Committee Comment**

23
24 Consistent with section 16545, the Child Welfare Council and the secretary of the California
25 Health and Human Services Agency have been consulted in adopting these performance
26 measures. The appropriate court technology groups have also been consulted.

27
28 *The Implementation Guide to Juvenile Dependency Court Performance Measures is a companion*
29 publication to this rule, adopted by the Judicial Council.

30
31 It is anticipated that the Judicial Council will update the *Implementation Guide to Juvenile*
32 *Dependency Court Performance Measures*, as appropriate, to stay current with California Court
33 Case Management System (CCMS) requirements, local court needs, and the most recent versions
34 of the relevant state and federal child welfare measures. Proposed updates other than those that
35 are purely technical will be circulated for public comment prior to publication.

WELFARE AND INSTITUTIONS CODE

CHAPTER 5.5. CHILD WELFARE LEADERSHIP AND PERFORMANCE ACCOUNTABILITY

Section

- 16540. California Child Welfare Council.
- 16541. Composition of council.
- 16541.5 Council meetings.
- 16542. Committees.
- 16543. Access to aggregate data and information.
- 16543.3 Legislative intent.
- 16544. Web site display of outcome measures and indicators; public submission of comments and recommendations.
- 16545. Performance measures.

16540. The California Child Welfare Council is hereby established, which shall serve as an advisory body responsible for improving the collaboration and processes of the multiple agencies and the courts that serve the children and youth in the child welfare and foster care systems. The council shall monitor and report the extent to which child welfare and foster care programs and the courts are responsive to the needs of children in their joint care. The council shall issue advisory reports whenever it deems appropriate, but in any event, no less frequently than annually, to the Governor, the Legislature, the Judicial Council, and the public. A report of the Child Welfare Council shall, at a minimum, include recommendations for all of the following:

(a) Ensuring that all state child welfare, foster care, and judicial funding and services for children, youth, and families is, to the greatest extent possible, coordinated to eliminate fragmentation and duplication of services provided to children or families who would benefit from integrated multiagency services.

(b) Increasing the quality, appropriateness, and effectiveness of program services and judicial processes delivered to children, youth, and families who would benefit from integrated multiagency services to achieve better outcomes for these children, youth, and families.

(c) Promoting consistent program and judicial excellence across counties to the greatest extent possible while recognizing the demographic, geographic, and financial differences among the counties.

(d) Increasing collaboration and coordination between county agencies, state agencies, federal agencies, and the courts.

(e) Ensuring that all state Title IV-E plans, program improvement plans, and court improvement plans demonstrate effective collaboration between public agencies and the courts.

(f) Assisting the Secretary of California Health and Human Services and the chief justice in formulating policies for the effective administration of the child welfare and foster care programs and judicial processes.

(g) Modifying program practices and court processes, rate structures, and other system changes needed to promote and support relative caregivers, family foster parents, therapeutic placements, and other placements for children who cannot remain in the family home.

(h) Developing data- and information-sharing agreements and protocols for the exchange of aggregate data across program and court

systems that are providing services to children and families in the child welfare system. These data-sharing agreements shall allow child welfare agencies and the courts to access data concerning the health, mental health, special education, and educational status and progress of children served by county child welfare systems subject to state and federal confidentiality laws and regulations. They shall be developed in tandem with the establishment of judicial case management systems as well as additional or enhanced performance measures described in subdivision (b) of Section 16544.

(i) Developing systematic methods for obtaining policy recommendations from foster youth about the effectiveness and quality of program services and judicial processes, and ensuring that the interests of foster youth are adequately addressed in all policy development.

(j) Implementing legislative enactments in the child welfare and foster care programs and the courts, and reporting to the Legislature on the timeliness and consistency of the implementation.

(k) Monitoring the adequacy of resources necessary for the implementation of existing programs and court processes, and the prioritization of program and judicial responsibilities.

(l) Strengthening and increasing the independence and authority of the foster care ombudsperson.

(m) Coordinating available services for former foster youth and improving outreach efforts to those youth and their families.

16541. The council shall be comprised of the following members:

(a) The Secretary of California Health and Human Services, who shall serve as cochair.

(b) The Chief Justice of the California Supreme Court, or his or her designee, who shall serve as cochair.

(c) The Superintendent of Public Instruction, or his or her designee.

(d) The Chancellor of the California Community Colleges, or his or her designee.

(e) The executive director of the State Board of Education.

(f) The Director of Social Services.

(g) The Director of Health Services.

(h) The Director of Mental Health.

(i) The Director of Alcohol and Drug Programs.

(j) The Director of Developmental Services.

(k) The Director of the Youth Authority.

(l) The Administrative Director of the Courts.

(m) The State Foster Care Ombudsperson.

(n) Four foster youth or former foster youth.

(o) The chairpersons of the Assembly Human Services Committee and the Assembly Judiciary Committee, or two other Members of the Assembly as appointed by the Speaker of the Assembly.

(p) The chairpersons of the Senate Human Services Committee and the Senate Judiciary Committee, or two other members appointed by the President pro Tempore of the Senate.

(q) Leaders and representatives of county child welfare, foster care, health, education, probation, and mental health agencies and departments, child advocacy organizations; labor organizations, recognized professional associations that represent child welfare and foster care social workers, tribal representatives, and other groups

and stakeholders that provide benefits, services, and advocacy to families and children in the child welfare and foster care systems, as recommended by representatives of these groups and as designated by the cochairs.

16541.5. The council shall meet no less frequently than each quarter of the state fiscal year and at the call of the cochairs, at a time and location convenient to the public as it may deem appropriate. All meetings of the council shall be open to the public. Members shall serve without compensation, with the exception of foster youth members, who shall be entitled to reimbursement for all actual and necessary expenses incurred in the performance of their duties.

16542. The cochairs may appoint committees composed of council members, experts in specialized fields, foster youth, program stakeholders, state and county child welfare and foster care staff, child advocacy organizations, members of the judiciary, foster care public health nurses, or any combination thereof, to advise the council on any functions of the council and the services provided through the child welfare and foster care programs and the courts. Members of these committees shall receive no compensation from the state for their services, with the exception of foster youth members, who shall be entitled to reimbursement for all actual and necessary expenses incurred in the performance of their duties. The committees may assemble information and make recommendations to the council, but shall not exercise any of the powers vested in the council. The council may seek input from groups and individuals as it deems appropriate, including, but not limited to, advisory committees, the judiciary and child welfare and foster care program stakeholders.

16543. Consistent with state and federal law, the council shall have access to aggregate data and information concerning the child welfare and foster care systems held by any state or local department, agency, or court that serves children, youth, and families receiving child welfare and foster care services subject to state and federal confidentiality laws and regulations.

16543.5. It is the intent of the Legislature to inspect other state child welfare and foster care systems over the course of the 2007-08 Legislative Session, for the purpose of examining effective administrative structures of leadership. It is further the intent of the Legislature to conduct legislative hearings through the Assembly Select Committee on Foster Care, and other standing committees, and to review reports and recommendations of other commissions and bodies, including the California Blue Ribbon Commission on Foster Care and the Little Hoover Commission, to determine if a reconfigured administrative structure would provide statewide leadership and coordination between departments and agencies, which are essential to improving outcomes for current and former foster children and youth

throughout the state.

16544. The secretary shall ensure that all of the federal Child and Family Services Review outcome measures and all of the California Child and Family Service Review System outcome indicators, along with any performance goals and federal outcome standards, are clearly posted on the State Department of Social Service's Internet Web site. Before any of the federal goals or any of the California Child and Family Service Review System outcome indicators are added, deleted, or amended, the secretary shall consult with the Child Welfare Council and ensure that there has been a public process for the submission of comments and recommendations.

16545. By April 1, 2008, the Judicial Council shall adopt, through rules of court, performance measures designed to complement and promote those measures specified in Section 16544 so that courts are able to measure their performance and track their own progress in improving safety, permanency, timeliness, and well-being of children and to inform decisions about the allocation of court resources. In adopting performance measures, the Judicial Council shall consult with the council and the secretary. The performance measures shall be based on data that is available from current or planned data collection processes and to the greatest extent possible, shall ensure uniformity of data reporting.

Item SPR08-41 Response Form

Title: Juvenile Law: Juvenile Dependency Court Performance Measures (adopt Cal. Rules of Court, rule 5.505)

- Agree with proposed changes
- Agree with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: _____

Name: _____ Title: _____

Organization: _____

- Commenting on behalf of an organization

Address: _____

City, State, Zip: _____

To Submit Comments

Comments may be written on this form, prepared in a letter format, or submitted online. If you are *not* commenting directly on this form, please include the information requested above and the proposal number for identification purposes. Please submit your comments online or email, mail, or fax comments.

Internet: www.courtinfo.ca.gov/invitationstocomment

Email: invitations@jud.ca.gov

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DEADLINE FOR COMMENT: 5:00 p.m., Friday, June 20, 2008

*Circulation for comment does not imply endorsement by the Judicial Council
or the Rules and Projects Committee.
All comments will become part of the public record of the council's action.*