



Examining hearing quality in child abuse and neglect cases: The relationship between breadth of discussion and case outcomes



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ARTICLE INFO

Keywords:

Dependency court
Foster care
Hearing quality
Frontloading
Legal proceedings

ABSTRACT

Child abuse and neglect court hearings are complex, multifaceted, and necessary for judicial oversight to ensure safe, timely permanency for youth and families involved in the system. While best practices have been suggested, little research has been conducted to examine what the critical components of a “high quality” dependency court hearing are, and, more importantly how these factors might be related to improved outcomes for children and families. The current study explores the relationship between breadth of discussion at the first hearing on the case and subsequent case decisions and outcomes. Findings suggest a positive relationship between breadth of discussion at the initial hearing and a higher likelihood of relative or parent placements compared to foster care placements, increased presence of parents throughout the life of the case, and higher likelihood of case closure and reunification. The study is limited by a small sample size and focus on one of many court hearings; however, it does provide empirical support that the quality of the court hearing may be related to better outcomes for families.

1. Introduction

The [Adoption and Safe Families Act \(ASFA\) of 1997](#) (PL 105-89) contains several provisions focused on moving children more expeditiously to permanency, placing a paramount focus on the safety, well-being, and rights of children ([Brooks & Webster, 1999](#)). ASFA made significant changes to the ways in which child abuse and neglect cases are handled by enacting strict timelines for parents to complete services and tightening court oversight deadlines. The law requires, for instance, that a permanency planning hearing to inquire into the welfare of the child and progress of the case be held within 12 months of the date a child enters foster care. The law also requires that courts initiate termination of parental rights proceedings if a child has been in foster care for 15 of the most recent 22 months. These timelines are meant to ensure that children have shortened stays in foster care and find safe, permanent homes as soon as possible. The extensive research regarding the troubling outcomes for children in foster care (c.f., [Courtney, Dworsky, Lee, & Raap, 2009](#); [Doyle, 2013](#); [Lawrence, Carlson, & Egeland, 2006](#)) supports the tenets of ASFA that lingering in foster care is not a permanency option for maltreated children and that expeditious permanency must be a primary concern of the courts.

Despite the best intentions of the law, many courts are overwhelmed and struggling to meet ASFA's deadlines. In 2015, nearly 270,000 children entered foster care across the United States, while > 400,000 children remained in care at the end of the fiscal year, according to the Adoption and Foster Care Analysis and Reporting System (AFCARS). For those exiting care, the average length of stay in foster care was 19 months. As further evidence of states' struggles in meeting ASFA requirements, after the second round of the Child and Family Services Reviews,¹ conducted by Children's Bureau of the U.S. Department of Health and Human Services, the percentage of states achieving substantial conformity with each of seven outcomes related to safety, permanency, and well-being ranged from zero to 20%. Further, no state achieved substantial conformity with all seven or even more than two outcomes ([U.S. Department of Health and Human Services, 2011](#)). Because of these struggles, researchers have begun to explore factors that may be related to improved case processing and outcomes for children and families involved in the system. One factor that has been consistently identified as an area of focus for state court's improvement efforts is the quality of child abuse and neglect hearings (e.g., [Planning and Learning Technologies, Inc., Urban Institute, and Center for Policy Research, 2007](#)).

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¹ The Child and Family Services Reviews (CFSRs) are conducted to ensure States' conformity with federal child welfare requirements, to determine what is actually happening to children and families in child welfare services, and to assist states in helping children and families achieve positive outcomes. The CFSRs monitor States' conformity with the requirements of title IV-B of the [Social Security Act](#).

Nationally, all states are provided funds through the Federal Court Improvement Program (CIP) to improve State court handling of child abuse and neglect cases to ensure safety, permanency, and well-being for children in foster care. In the instructions for applying for CIP funds, the Administration for Children and Families requires that courts implement continuous quality improvement efforts that include a focus on promoting four key factors, including timely, thorough, and complete court hearings (ACYF-CB-PI-12-02). The 2012 program instruction for CIP funds included some guidance and instruction on what constituted a timely and thorough court hearing. These indicators included timely reports, all parties being noticed and present, appropriate inquiries, specificity of the court order, and review of the court orders with parties. Furthermore, the new CIP program instruction, released in November of 2016 (ACYF-CB-PI-16-05) required that all CIPs develop a project to continuously improve the quality of child abuse and neglect court proceedings.

While funding requirements to improve the quality of court hearings may be relatively new, efforts to improve the quality of child abuse and neglect court hearings have long been a focus of the CIPs. In a 2005 review of CIP activities, 51% of states were working on initiatives aimed at improving the quality of their child abuse and neglect court hearings (Planning and Learning Technologies, Inc., Urban Institute, & Center for Policy Research, 2007). These numbers have only continued to grow. In a self-report summary of projects undertaken in 2015, 79% of CIPs reported at least one project related to improving the quality of the child abuse and neglect court process, including activities aimed at improving hearing quality (Child Welfare Capacity Building Center for Courts, 2016).

Improving hearing quality must take into account the complexities of the child welfare system process. Within the legal framework and requirements of federal (e.g., ASFA) and state laws, child abuse and neglect courts must hold a series of hearings in order to make key decisions in child welfare cases that will help facilitate safe and timely permanency for children. Each hearing has a specific role in the process meant to ensure due process rights of the parents while still guaranteeing the safety of the child and working towards a permanent outcome. The National Council of Juvenile and Family Court Judges (NCJFCJ), a national organization with expertise in child abuse and neglect practice, has set guidelines to help facilitate quality child abuse and neglect hearings. NCJFCJ first promulgated guidelines on best practices in child abuse and neglect court hearings in 1995 (NCJFCJ, 1995). These guidelines were created by a panel of experts in the field and were based on their shared experience of effective practice. In 2016, the guidelines were updated to reflect changes in the law, identify practices with empirical support, and to include enhanced practice recommendations (Gatowski, Miller, Rubin, Escher, & Maze, 2016). The *Enhanced Resource Guidelines* helps judges to identify the major decisions that need to occur in child abuse and neglect cases and recommends specific best practices for effective and efficient case processing (Gatowski et al., 2016). The recommendations are multifaceted, but include concepts focused on improving general hearing practice, such as engaging parents in the process and ensuring thorough discussion of key issues at each hearing.

The American Bar Association has also contributed to the child abuse and neglect hearing improvement effort by producing standards of practice for parent's, children's, and child welfare attorneys involved in the child abuse and neglect court process (American Bar Association, 1999; 1996; 2004). Although these guidelines and systems efforts to improve practice have been around for decades, very little peer reviewed research has been conducted on hearing quality.

2. Assessment of the quality of child abuse and neglect hearings

In the field of child welfare court practice, an important question still remains—what dimensions of hearing quality are related to improved outcomes for children and families in child abuse and neglect

cases? It is unclear, for instance, if there are specific best hearing practice recommendations or “quality indicators” (e.g., substantive discussion, engagement of parties, etc.) that are more critical to improving outcomes than others. Identifying the dimensions of hearing quality that may be related to improved outcomes is critical to the field. Knowing what hearing practice elements are associated with positive outcomes in cases helps provide direction to courts about the essential activities of each hearing so that sufficient time can be devoted to those activities. Identifying core components of hearing quality can also help system change efforts to ensure that training is available regarding important hearing quality practices and focus limited resources on improving key practices that yield the greatest impact.

One of the key concepts in the *Resource Guidelines* (NCJFCJ, 1995) related to quality of the entire court process is frontloading (i.e., concentrating maximum efforts at the outset of a case). Frontloading offers an opportunity for court jurisdictions to establish processes that encourage a collaborative approach to problem-solving issues that may appear early on in a case which can potentially cause delays in permanency. According to the *Enhanced Resource Guidelines*, the court should ensure that frontloading procedures are in place so that, “at the earliest point possible, all parties to a court proceeding begin doing all that they can to minimize the length of time that children remain in temporary placement” (Gatowski et al., 2016, p. 40). For that reason, early court hearings are of primary interest when examining the quality of hearings.

The Preliminary Protective Hearing² (PPH) is the first court hearing in a child abuse or neglect case, occurring immediately before or immediately after a child is removed from the home. According to the *Resource Guidelines* (NCJFCJ, 1995), the main purpose of this initial hearing is to determine whether removal was necessary to prevent further child abuse or neglect. After that is established, the court must determine if the agency made reasonable efforts to prevent the removal, and if so, when the child can be safely returned home. Although the decision to remove the child is made on an emergency basis, the decision must be based upon a competent assessment of risks and dangers to the child.

In all states, the PPH in a child abuse and neglect case must take place within a short time after the child has been removed from home (e.g., in some states the PPH must be held within 48 h of temporary custody (excluding weekends and holidays). Evidence is presented at the PPH to support the allegations contained in the report of alleged abuse or neglect (or additional allegations which have surfaced), the immediate safety of the child in the home, and the reasonable efforts made or community resources available that could allow the child to safely remain in the home pending further court action. If no resources or reasonable efforts could provide a safe environment for the child in the home, the child welfare agency explains why emergency removal is warranted. When there are several children in the home, and they are not all taken into protective custody, the State must offer evidence to explain why the child or children remaining at home are not at risk of serious injury, or what reasonable efforts have prevented the need for placement of these other children.

Drawing from the *Resource Guidelines* (NCJFCJ, 1995) best practice recommendations for child abuse and neglect hearings and the indicators of quality court hearings outlined by the CIP program instruction, several potential dimensions of hearing quality have been identified. While there are many dimensions of hearing quality, this paper focuses solely on those dimensions with some empirical support and those that are pertinent to general court practice. The authors recognize that there is a wide body of research on specialty courts'

² The initial hearing in a child abuse and neglect case has different names in different jurisdiction, such as “preliminary protective hearing,” “shelter care hearing,” “temporary custody hearing,” “detention hearing,” or “removal hearing.” Preliminary protective hearing is used herein because it is the name for the initial hearing used in the NCJFCJ's *Resource Guidelines* (1995) and Gatowski et al. (2016).

hearing process and case outcomes (e.g., family treatment drug courts or other service models within the court). However, not all courts have the resources necessary to implement these programs. Additionally, specialized court models often target a specific population of cases for application of an expanded hearing and service delivery process (e.g., only cases with parental substance abuse or mental health issues or cases involving only infants and toddlers). While the specialized court hearing process has been the subject of numerous studies, little is known about the quality of general hearing or foundational hearing practice in child abuse and neglect cases. As such, the focus of the study described herein is on general court practices that can be applied in any child abuse and neglect case to explore how an improved hearing process may be related to improved access to justice and improved outcomes for children and families.

2.1. Hearing discussion as a dimension of quality

One way that hearing quality has been conceptualized is through the level of discussion of issues or topics during the hearing. Hearing discussion, as a dimension of hearing quality, is defined as the range and thoroughness of discussion during hearings. While the specific issues that should be addressed during child abuse and neglect hearings vary depending upon the specific hearing (e.g., whether it is the initial hearing in the case or a review hearing or a termination of parental rights hearing), the complex nature of child abuse and neglect cases require that all hearings involve discussion of a range of important topics. These topics may include, but are not limited to, probable cause for removal, the appropriateness of the child's placement, safety threats preventing the child from returning home, services provided and reasonable efforts made to prevent removal or return the child home, and whether there are other family members who should be involved either as safety providers or placement options. Discussion of these and other issues not only ensures that judges make findings based on facts and not on unsupported conclusions, but also that children and families are provided with the appropriate level of intervention to ameliorate the issues that brought them to court while minimizing further harm to the child. Thorough hearings are considered a best practice within the framework of the *Enhanced Resource Guidelines* (Gatowski et al., 2016). Despite identification of thorough hearings as a dimension of hearing quality, little research has been conducted to examine its effects on hearing process or outcomes.

In a study examining the use of a judicial Benchcard (i.e., a checklist of questions designed for judges to use from the Bench during hearings) as a tool to improve the initial hearing stage of child abuse and neglect cases, the use of the Benchcard improved hearing quality by increasing the amount of discussion of a range of issues relevant to child welfare cases when compared to cases when the Benchcard was not used (NCJFCJ, 2011). A follow-up study found that Benchcard use was associated with fewer placements in foster care and more placements with parents or relatives in early case hearings (Russell & Summers, 2013). While the studies did not examine the effects of hearing quality directly on placement decisions, they did illustrate a potential relationship between the two variables (hearing quality and outcomes), building the foundation for future research.

2.2. Parental engagement as a dimension of hearing quality

Another dimension of hearing quality identified in the literature describing child abuse and neglect hearing practice is parent engagement (Gatowski et al., 2016). While engagement of parents might be measured in multiple ways, one method is to assess how the judges engage the parents in court in terms of whether judges speak directly to the parents (as opposed to only speaking to the attorneys or social workers) and whether judges give parents an opportunity to speak or ask questions in court. This definition of parental engagement is aligned with the theoretical concepts of procedural justice, which hold that

allowing participants involved in the justice system an opportunity to “have a voice” and be heard in court increases their perceptions of fairness and agreement with judicial decisions—regardless of whether the outcomes are positive or negative for the participant (Lind, Kanfer, & Earley, 1990; Lind & Tyler, 1988; Tyler, 1988). While procedural justice research has strong empirical support, there is little research on application of procedural justice concepts to child welfare cases, particularly engagement of parents.

A study of parent presence at hearings across the life of the case found that mere presence of parents at hearings is related to timely reunification of children (Wood & Russell, 2011). Presence of parties is a critical component of engagement as they have to be present to be engaged in the process. Only one study was identified that examined the degree of judicial engagement of parents in hearings and the relationship on placement decisions in child welfare cases (Macgill & Summers, 2014). Judicial officers with greater levels of engagement of parents (e.g., those who, on average, were more likely to ask parents more direct questions and give parents an opportunity to be heard) also had fewer foster care placements and more placements with parents or relatives (Macgill & Summers, 2014).

2.3. Other hearing quality assessments

Other studies have explored the quality of court hearings by examining practices in effective (or high performing) courts compared to problematic (or low performing) courts. A multi-method exploration of practices of courts selected based on performance measures of timely permanency revealed several behaviors that differed between problematic and effective courts (Ellett & Steib, 2005). The effective courts had hearings that were set for a specific time, started on time, and rarely had continuances. In addition, court behavior was respectful of parents, focused on the best interest of the children, and allowed time for discussion of key issues during the hearing. Problematic courts were less organized with long wait periods and less focus on the best interest of the children (Ellett & Steib, 2005). This exploratory study utilized court observation and stakeholder interviews to explore practice in courts.

A similar methodology was used in a different state to examine high performing (timelier and more frequent permanency outcomes) compared to lower performing courts (Summers & Darnell, 2015). Using data from a statewide report on timeliness and outcomes in child abuse cases, two urban and two rural courts were identified for study, one in each category (high or low performing). Court observation again revealed significant differences in practice between the courts. High performing courts had greater judicial inquiry, more in-depth discussion, had youth present, and had more discussion on finding permanency for the child (Summers & Darnell, 2015). Although neither of these studies was an experiment that could show a causal relationship, both studies indicate there may be a relationship between the quality of the hearing and case outcomes, such as timely permanency for families.

The research on hearing quality as it links to case outcomes in child welfare is limited. As noted in this section, research has found some relationships between presence of parties, discussion and engagement of parties in relation to better outcomes for children and families (Ellett & Steib, 2005; Macgill & Summers, 2014; Summers & Darnell, 2015; Wood & Russell, 2011). Court practice does appear to have some relationship to outcomes. However, these studies were limited in scope and methodology. They did not employ experimental designs to demonstrate a causal effect and often looked at typical practice as opposed to case specific practice and outcomes. The current study seeks to fill a gap in the literature in two ways. First, the current study will focus solely on the breadth of discussion at the PPH, the first point of contact with the family, allowing authors to explore the importance of frontloading and discussion as a key hearing quality factor. Second, while not an experimental design, the current study will use a more robust methodology, matching court observation and case file review data on

the same cases, following cases from start to finish in order to better examine how early case hearings may be related to case outcomes.

3. Overview of the study

While a great deal of guidance exists for conducting an “effective” child abuse and neglect hearing (e.g., NCJFCJ *Resource Guidelines*, ABA’s *Standards of Practice*) many of the best practice recommendations or indicators of a quality hearing are untested, and lack empirical support for their effectiveness. It is important to better understand how specific court practices may relate to positive case outcomes. This study takes an important first step in hearing quality research by exploring how the quality of the very first or initial hearing in a child abuse and neglect case may relate to immediate and long-term case outcomes for families and children.

The focus in this study is on the breadth of discussion held during the PPH as an indicator of hearing quality, with breadth of discussion operationalized as percent of applicable topics discussed (drawn from a best practices list of items that should be discussed). The study is exploratory in nature, and proposes the following hypotheses.

1. Breadth of discussion will be related to more family placements and fewer stranger foster care placements.
2. Breadth of discussion will be related to the presence of parties at subsequent hearings in that higher breadth of discussion will be related to increased presence of parties at future hearings.
3. Breadth of discussion will predict the number of services ordered for mothers and fathers with greater breadth of discussion related to increased number of services.
4. Breadth of discussion will be related to more timely permanency (case closure) with greater breadth of discussion related to less time to achieve permanency or case closure.
5. Breadth of discussion will be related to increased likelihood of reunification case outcomes.
6. Breadth of discussion will be related to a decreased likelihood of reentry into care.

4. Method

4.1. Design

The research design was non-experimental. The study used a convenience sample of child abuse and neglect cases from an urban jurisdiction in the western United States. Researchers asked the court for a sample of cases that had a new child abuse and neglect petition filed and had held a PPH in a specific timeframe. The court provided a list of 50 cases. The design was meant to examine cases from the initial petition filing until case closure, specifically exploring how the quality of the first hearing on the case might be related to case outcomes.

4.2. Measures

4.2.1. Independent variable

Hearing discussion was the primary independent variable identified for the study. Nineteen issues or topic areas were identified from the *Resource Guidelines* as pertinent at the PPH. All nineteen variables were included on the court observation instrument, with the potential for 12 of them to be not applicable because of the specific facts of the case. For example, probable cause for removal was identified as a key topic area at the PPH. However, if the child was not removed at the time of the hearing, then this item was not applicable. Coders identified whether a specific topic was discussed in the hearing, was not discussed or was not applicable.

4.2.2. Dependent variables

Multiple dependent variables were identified for inclusion in the

study, based on outcomes of interest. These included placement, presence of parties, services for parents, case closure outcomes, and reentry into care.

4.2.2.1. Placement. In order to track changes in child placement over the course of a case, data on child placement were collected at four key hearings – the PPH, the adjudication/disposition, the first review, and the first permanency hearings. For each of these hearings the coders indicated whether the child was placed with a parent, with a relative, or in stranger foster care. Stranger foster care included congregate care settings (e.g., group homes) or other institutions.

4.2.2.2. Presence of parties. Coders indicated (with a yes/no response) which parties were present at the hearing, paying special attention to whether the mother and the father were present at the hearings. Presence was coded as a yes/no dichotomous variable. If one parent was deceased, the item was left blank for that parent so that it would count as missing data.

4.2.2.3. Services. Coders reviewed the case plans and court orders to identify the type and number of services ordered for each parent. The case file review instrument included a list of common service types. Coders marked yes/no for each service type and then had an opportunity to identify other services that were ordered beyond this list. Common services included psychological evaluation, parenting skills classes, drug and alcohol assessment and treatment, individual counseling, family counseling, and anger management.

4.2.2.4. Case outcomes. For each case, the coders indicated whether or not the case had reached case closure, the date that the court ended jurisdiction over the child(ren), and the ultimate outcome of the case. Coders selected from a list of potential outcomes, with the option to select “other” and then explain the outcome. The common outcomes listed for cases included reunification with a parent, guardianship, adoption, age out/emancipation, or dismissal of the original child abuse and neglect petition.

4.2.2.5. Reentry into care. The final outcome variable of interest was reentry into foster care. For the closed cases, coders examined whether a new petition alleging abuse or neglect had been filed within one year of a successful case closure. Coders noted this as a yes/no dichotomous variable and also indicated the date of the petition.

4.2.3. Control variables

Multiple control variables are proposed for inclusion with specific analyses. First, the number of allegations was collected for each case from the files reviewed. Number of allegations was added to all regression analyses as a proxy for case complexity. This is particularly important for the services analysis as the number of allegations may directly relate to the number of services needed to ameliorate the problem. Further, the outcome analysis included three additional factors, including age of the child, average number of parties present across the life of the case (e.g., what percentage of hearings was the mother present) and whether there was a substance abuse allegation against the parent. AFCARS outcome data show different outcomes based on the age of the child. Further, prior research (Wood & Russell, 2011) has indicated presence of the parents predicts reunification. Substance abuse was selected as a model variable because of the well-documented incidence of parental substance abuse as a factor in the placement of children into foster care (e.g., Smokowski & Wodarski, 1996). In addition, because recovery from addiction is an ongoing process with many possible setbacks (e.g., Brown & Lewis, 1999; Irvin, Bowers, Dunn, & Wang, 1999), the time clock between child welfare policy and recovery is often at odds, posing a challenge for decision-makers who are confronted with identifying indicators for safe reunification or the termination of parental rights (e.g., Green,

Rockhill, & Furrer, 2007; Hohman & Butt, 2001; Karoll & Poertner, 2002).

4.3. Data sources

Two data sources were necessary for the study. The first was a recorded court hearing of the PPH hearing on the case. This particular court records all their dependency hearings so that there is an electronic record of the proceeding. The second data source was the court file for each of the cases. Court files for the child welfare cases include court minute orders, judicial orders, motions, and supplemental materials received on the record such as child welfare agency reports.

4.4. Sample

The final sample consisted of 50 cases from a large jurisdiction in the western United States. To be selected as part of the sample, the cases had to have a new child abuse and neglect petition filed and have held a PPH within a three-month window in 2009. The cases were then followed for four years to explore outcomes on the case.

4.5. Procedure

4.5.1. Court observation

A structured court observation instrument was developed to assess the quality of the PPH. The instrument was designed to include a list of potential issues or topic areas that should be addressed at this hearing type. These topic areas were derived from the *Resource Guidelines* recommendations for “best practice” in case processing (NCJFCJ, 1995). The instrument captured all of the major discussion topic areas recommended in the *Resource Guidelines*. Hearings are presumptively open in this jurisdiction, so coders would have had access to these hearings in person if present. The court records all hearings for their record. The recordings for the cases identified in the study were made available to the research team. Specifically, audio tapes of the hearings were recorded and uploaded to a secure-server by the court and then downloaded by the research team for review. Three coders independently listened to and coded the 50 hearings.

4.5.2. Case file review

Data were also collected via structured case file review. Paper copies of the case files (including both the legal files and child welfare agency files) associated with each of the hearings observed were examined. Legal files contained court orders, hearing minutes, motions, and other relevant documents. The child welfare agency files primarily included reports to the court prior to a hearing and case plans for parents, although some included Court Appointed Special Advocate (CASA) reports or other documentation (e.g., child's school performance, etc.). Case plans for children were largely missing from the court files and thus, we were unable to capture variables that may have been of interest related to children's services and well-being. As there was the potential for each case to contain multiple children, coders randomly selected one child in each case to code using a random number generator. Data collection via case file review occurred annually over a four-year period to allow a sufficiently large enough percentage of cases to reach case closure. The case file review collected data on all aspects of the case from start to finish. This included case characteristics (e.g., number and type of allegations) and child demographics (e.g., age, race, gender), hearing dates, parties present at hearings, child placement at hearings, services ordered for parents and children, case outcomes (e.g., permanency outcomes such as reunification, adoption and guardianship and non-permanency outcomes such as the child aging-out of foster care), and whether there was a foster care re-entry in the case.

4.6. Interrater reliability

Interrater reliability was calculated for 10% of cases, using interrater agreement scores. Coder pairs were examined on each variable of interest and coded as a 0 (no agreement) or a 1 (agreement) on the item. Interrater reliability scores between coder pairs averaged 0.86 (86% agreement), with a range of 0.73 to 0.90.

4.7. Calculations

Some variables required calculations before analysis. The first was discussion breadth. There were 19 discussion items on the court observation instrument. Each item was a topical area that was suggested to be discussed at the first hearing in the case by the *Resource Guidelines* (1995) recommendations for “best hearing practice.” Coders indicated the level of discussion of each item on a scale of 0 to 2 (0 = no discussion, 1 = statement only, 2 = more than a statement). Nine of the discussion items could potentially be coded as not applicable because of the specific facts in the case. Most of the not applicable discussion topics were related to the removal and placement of the child. Three questions focused on the removal of the child from the home, four focused on the current placement, and one addressed parent-child visitation. If the child had not been removed from the home (and therefore not placed outside the home), these were not applicable. The final topic was reviewing the petition allegations with the parents. If no parents were present at the hearing, this item was considered not applicable. To calculate breadth of discussion, a count variable was used. Researchers counted the number of topic items that had a 1 or 2 coding (indicating that the topic was discussed). This number was divided by a count of all potential topics (0, 1, or 2) to create a percentage of topics discussed. If an item was coded as not applicable, it was not included in the overall percentage of topics discussed.

The second item requiring a calculation was the presence of parties at the hearing. This variable was originally coded as a yes/no dichotomous item at key hearings on the case and was collapsed into a percentage of time parties were present across the life of the case. This was calculated by counting the total number of yes (present) responses and dividing that number by a count of all of the yes (present) and no (not present) responses to get a percentage of time a specific party was present. For example, if the mother was present at four of the six key hearings coded, total percentage present would be $4/6 = 0.67$. This item could range from 0 to 1.

4.8. Analysis

A series of regression analyses were used to explore the dependent variables of interest. Regression is a common analysis when exploring the relationship between an independent and dependent variable, particularly when control variables are included in the analysis. Breadth of discussion was included as a predictor in each model. Additionally, the total number of allegations against the family was included in the models as a control variable, as total number of case allegations provides a measure of case complexity, assuming that higher numbers of allegations represent more complex cases. Multinomial logistic regression was used for the placement outcome, as three possible outcomes were available. Linear regression was used for continuous dependent variables (e.g., services, presence of parties) and binomial logistic regression was used when the outcome variable was dichotomous (e.g., reunification). As this study was exploratory in nature and included a small sample, the *p* value was set to 0.10 to better identify where relationships might exist.

5. Results

5.1. Case characteristics

The average age of children in the cases was 5 years old (range of 0 to 17), with an average of two children per petition (range of 1 to 5). Fifty-seven percent of the children selected for the study were male. The children were primarily Caucasian (45%), with 20% African American, 18% Hispanic/Latino, 8% Asian/Pacific Islander, and 9% whose race was identified as “other.” With respect to case demographics, the average case had 2.7 (range of 0 to 6) allegations against the mother and 1.9 (range of 0 to 5) allegations against the father. During the final data collection phase, 61% of cases had reached case closure. The families that came before the court faced a variety of challenges, the most common of which for mothers were substance abuse (49%), domestic violence (28%), and mental health issues (26%). For fathers, the most common challenges included substance abuse (28%), domestic violence (28%), and criminal behavior/incarceration (24%).

PPHs lasted, on average, 28 min (median = 24 min, range of 1 to 114 min). The court, on average, discussed 42% of applicable topics during the PPH (range of 0 to 81%). Mothers were present at the hearings 70% of the time, fathers were present 45% of the time. Children were present in 10% of the hearings. Additionally, legal representation was present for mothers, fathers, and children 84%, 49%, and 96% of the time respectively.

Descriptive statistics for placement can be found in Fig. 1. Mothers were present on average for 75% of PPHs (range of 0 to 100%) with fathers present for 50% of PPH hearings (range of 0 to 100%). Thirty-one (61%) cases had closed at the time of the last data collection. The majority of the closed cases had resulted in the child's reunification with their parent(s) (50%) or dismissal of the petition (20%). Less frequent outcomes included adoption (13%), the youth emancipating from care (7%) and guardianship (3%). The other two cases were identified as “other” outcomes, which could include transfer of jurisdiction or child runaway.

5.2. Outcome analysis

5.2.1. Placement

A series of multinomial logistic regression analyses explored placement at four key hearing types- the PPH, the adjudication hearing, the first review and the first permanency hearing. Foster care placement was the reference group. At the PPH, breadth of discussion had no effect on placement decisions, $p > 0.05$. However, the overall model was a good fit for the adjudication hearing, ($p = 0.03$, Nagelkerke pseudo $R^2 = 0.38$), review hearing ($p = 0.03$), Nagelkerke pseudo $R^2 = 0.27$

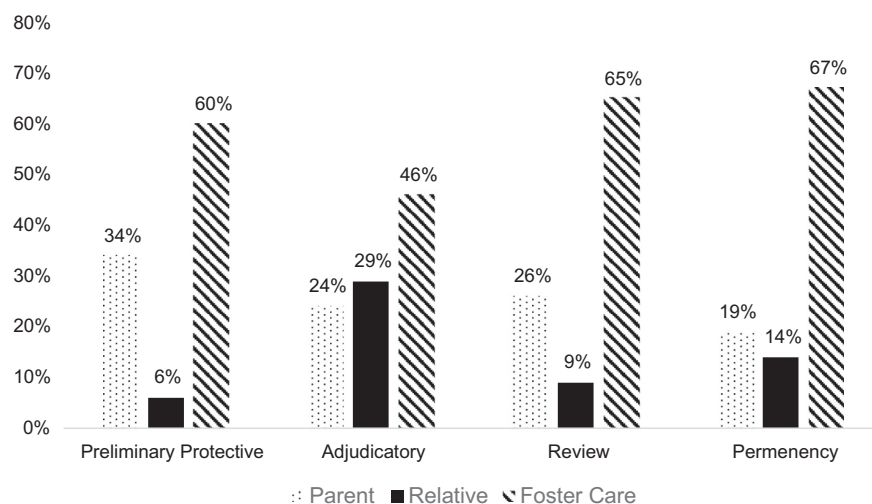


Fig. 1. Placement of the child across hearing types.

Table 1
Breadth of discussion as predictive variable in child placement at key hearings.

Variable	β	Standard error	p value
Preliminary Protective hearing			
Parent	1.99	1.73	0.25
Relative	3.75	3.57	0.29
Adjudication hearing			
Parent	9.80	3.39	0.004
Relative	7.10	2.99	0.02
Review hearing			
Parent	7.09	2.74	0.01
Relative	6.09	3.66	0.09
Permanency hearing			
Parent	17.18	6.05	0.004
Relative	7.76	4.21	0.07

Note. Comparison of parent and relative placement were to stranger foster care placements, including congregate care.

and permanency hearing ($p = 0.001$, Nagelkerke pseudo $R^2 = 0.51$), with breadth of discussion at the PPH related to higher likelihood of placement with a parent at the adjudication hearing ($p = 0.004$), review hearing ($p = 0.01$) and permanency hearing ($p = 0.004$) and higher likelihood of placement with a relative at the adjudication ($p = 0.02$), review ($p = 0.09$) and permanency hearing ($p = 0.07$) when compared to placement in stranger foster care. These findings support hypothesis one that greater breadth of discussion at the PPH (first hearing on the case) was related to a higher likelihood of placement with a parent or relative, compared to stranger foster care at future hearings in the case (Table 1).

5.2.2. Presence of parents

Breadth of discussion at the PPH was associated with the presence of the mother throughout the case ($\beta = 0.33$, $t(51) = 2.44$, $p = 0.018$). Breadth of discussion at the PPH also explained a significant proportion of the variance ($R^2 = 0.11$, $F(1, 50) = 5.95$, $p = 0.018$). Moreover, breadth of discussion at the PPH was associated with the presence of the father at hearings throughout the case ($\beta = 0.38$, $t(51) = 2.88$, $p = 0.006$) and also explained a significant proportion of variance ($R^2 = 0.15$, $F(1, 50) = 8.29$, $p = 0.006$). This supports research hypothesis two.

5.2.3. Services

The overall model was significant ($F(2, 50) = 11.29$, $p < 0.001$), with breadth of discussion significantly related to the number of services ordered for fathers ($p = 0.06$ level, $\beta = 0.24$, $t(51) = 1.92$). The total number of allegations was also related to the total number of

services ordered for fathers ($\beta = 0.24$ $t(51) = 3.63$, $p = 0.001$). Increases in both items led to an increase in total services ordered related to father, with breadth of discussion and total number of allegations explaining a significant portion of the variance ($R^2 = 0.32$). The analysis for services ordered for mothers showed a similar trend ($F(2, 50) = 3.64$, $p = 0.03$). Breadth of discussion was related to the total number of services ($\beta = 0.62$ $t(51) = 1.93$, $p = 0.06$) ordered as was the total number of allegations ($\beta = 0.27$, $t(51) = 1.98$, $p = 0.05$), with increases in each related to higher number of services ordered. Both breadth of discussion and total allegations explained a significant proportion of the variance ($R^2 = 0.13$). This supports hypothesis three that breadth of discussion is related to increased number of services ordered.

5.2.4. Breadth of discussion and time to case closure

Increased breadth of the discussion at the PPH was significantly related to case closure, in that cases with more discussion breadth were also more likely to be closed at the time of the last data collection, indicating more ($\beta = 4.32$, $S.E. = 1.87$, $p = 0.02$, Nagelkerke $R^2 = 0.16$). This supports hypothesis five that breadth of discussion may be related to timelier case closure.

5.2.5. Breadth of discussion and case outcomes

As the sample size for most of the outcomes was too small for further statistical analyses, we focused instead on whether breadth of discussion at the PPH predicted reunification. Specifically, a binary logistic regression examined whether breadth of discussion at the PPH was related to a reunification outcome compared to all other possible case outcomes. Breadth of discussion at the PPH was found to be a significant predictor of reunification ($\beta = 4.27$, $S.E. = 2.23$, $p = 0.06$), and explained a significant proportion of variance (Nagelkerke $R^2 = 0.17$), supporting hypothesis five.

The control variables (age of child, presence of parents, and substance abuse allegations) were added to the model. While the new model explained a greater proportion of the variance (Nagelkerke $R^2 = 0.45$), only breadth of discussion emerged as a significant positive predictor of reunification ($\beta = 6.65$, $S.E. = 3.30$, $p = 0.04$), although presence of the mother across the life of the case approached statistical significance ($p = 0.11$). For both breadth of discussion and presence of mothers across the life of the case, increases were related to a higher likelihood of reunification.

5.2.6. Reentry into care (filing a new petition)

The final binary logistic regression model explored the effects of breadth of discussion at the PPH on reentry into foster care after case closure. Reentry was defined as a new petition alleging abuse or neglect filed within one year of case closure. A small sample of cases had a new petition filing ($n = 6$, 12%) after case closure. While the variable trended in the anticipated direction (greater discussion breadth was related to less likelihood of new petition filed), it was not statistically significant ($p = 0.11$).

6. Discussion

Instead of a quick and cursory initial hearing, “best practice” recommendations for judges such as those outlined in the NCJFCJ’s *Resource Guidelines* urge courts to make the PPH as thorough and meaningful as possible (NCJFCJ, 1995). A “high quality” PPH is described as involving an in-depth inquiry concerning the circumstances of the case and the issues involved, and directly hearing from all interested persons present, including the parents and children. A high quality PPH is one in which judges connect with and engage the families that appear before them. This is particularly important at the beginning of the case, which almost immediately follows the trauma of the child’s removal from the parents’ custody, as the judge has a key role to play in reassuring the parents and the child that the proceedings will

be fair and that their voices will be heard. This study found that greater breadth of discussion at the first hearing on the case was related to presence of parties at future hearing throughout the life of the case, supporting the idea of frontloading, or maximizing efforts at the beginning of the case. As prior research demonstrates the link between presence at hearings and timely reunification (Wood & Russell, 2011), this may be a key factor in getting parents engaged early on in the case. Discussing the key issues with the family in open court may send a message to the parents that the court wants to ensure their needs are met and that they are interested in the safety and well-being of their child. It also can allow parents to be part of these critical conversations and feel like they have a voice in the decision-making process, which supports the notion of the importance of procedural justice (e.g., Tyler, 1988). As families, particularly fathers, may be a challenge to engage in the process, holding a high quality first hearing that allows for discussion of the key factors in the case, may be a viable strategy to begin the engagement process and ensure both mothers and fathers are active participants on their case.

The findings from this study also suggest that increases in breadth of discussion are related to higher likelihood of placement with a parent or relative than in stranger foster care at subsequent hearings. Discussion of key topics such as relative resources could help the courts to identify potential relatives that could be placement options for the youth. In addition, discussions of child safety and what is preventing the child from returning home (also key topics) could result in the court placing the child at home on a trial home visit with a safety plan in place. A placement with a parent or relative may reduce the trauma of the process on a child, and some research supports the idea that placement at home when on the cusp of placement might be preferable to placement into foster care (Doyle, 2013).

Findings also suggest discussion early on was related to increases in services ordered for both mothers and fathers on the case. It is challenging to interpret this without further information. It could be that the discussion in the hearing early in the case helped the agency and the court to identify the family’s unique needs so that services could be offered to them to meet all of the needs earlier in the case (as opposed to identifying issues down the road). However, it is impossible to determine with the current data if this is the case. Ideally speaking with families at the early hearing can be an opportunity to learn more about the family’s needs to ensure they are provided the services necessary to ameliorate the conditions that led to the removal of their child.

Early discussion was also related to the case being closed at follow-up and a higher likelihood of reunification. The chain of events leading from the PPH all the way to reunification (which could be > 12 months and multiple hearings down the road), may be a challenge to see. However, it has long been postulated that “frontloading” the case, that is, engaging the family early on and identifying their needs from the beginning of the case can lead to the achievement of timely permanency for families (Edwards, 2007). It is likely that are many, and complex pathways that lead from breadth of the discussion that occurs at the PPH to a timely reunification. For example, discussion of visitation at the hearing may result in an increase in reunification and/or parents being encouraged to visit with their children. Visitation has long been linked to reunification (see, for example Davis, Landsverk, Newton, & Ganger, 1996). Or it could be that discussion at the first hearing engages parents in the process, which makes them more likely to show up at future hearings or more likely to comply with their case plan, which could lead to reunification. An alternative explanation is that discussing the issues at the hearing provides more social work attention to the case to ensure that all the appropriate services are offered to the families to ameliorate the conditions of removal. Likely, the pathway is complex and multifaceted and requires additional research on the matter.

Overall, our research, while preliminary in nature, provides empirical support that a judicial focus on a “high quality” PPH hearing may have positive impacts on case processing and outcomes. The

breadth of discussion appears to be a key factor in holding a high-quality hearing and is related to several positive outcomes on the case. This has implications for professionals in the field. Any professional on the case can bring up a topic for discussion at the hearing. While the oversight of the hearing is the responsibility of the judges, social workers and attorneys can all be active participants in the hearing process to ensure that relevant topics are discussed in court, with the families present for inclusion in the discussion. Courts should consider the use of Benchcards or other checklist tools to serve as reminders of the key topics that need to be addressed at the hearings. Prior Benchcard research has shown that it does increase the breadth of discussion in hearings (NCJFCJ, 2011). Benchcards like the ones found in the *Enhanced Resource Guidelines* (Gatowski et al., 2016) include a list of key topics and questions for each hearing type in child abuse cases. Tools such as this or training on tools that include the importance of relevant hearing topics, could be used to increase breadth of discussion in the field and thereby promote more positive outcomes.

In addition to trainings and the use of Benchcards, it may be important for policy makers to consider the implications and importance of the initial hearing itself. Time must be devoted to hold an early substantive hearing that allows for discussion of all the key factors on the case. This means dockets should ensure adequate time for the hearing to occur and all professionals on the case must commit the time necessary for breadth of discussion on the complex case issues to occur. In addition, policy makers should determine where policy or state statutes could be created that provide additional guidance on the breadth of relevant topics to be discussed at initial hearings. Formal guidance could ensure all parties are aware of what should be discussed at hearings, increasing the breadth of discussion.

6.1. Limitations and future directions for research

There are limitations to the study that should be noted. First, the sample size of PPHs studied is small ($n = 50$) reducing the power of the analyses to demonstrate effects. Secondly, because the study was a nonrandom sample of cases, it may not be representative of all cases in this jurisdiction and therefore may not generalize beyond this site. Furthermore, although the case file review method followed cases from inception to case closure, only the initial hearing in each case was evaluated for its quality. As a result, we could not determine the possible separate or combined impacts of a “high quality” adjudication or “high quality” first permanency hearing on case process or outcomes, and cannot say anything about whether a “high quality” initial hearing contributes more to positive outcomes in a case when compared to other hearings in the child abuse and neglect court process. Future research that includes all key hearings (e.g., PPH, adjudication/disposition, review, permanency, termination of parental rights, and post-permanency reviews) in an assessment of quality is needed to fully explore the effects of hearing quality on case process and outcomes.

The focus of this study was on the initial hearing and the *breadth of discussion* at that hearing. Not only is future research examining other hearings needed, but future research should also explore whether other dimensions of hearing quality are related to an improved process and outcomes for children and families in child abuse and neglect cases. It is unclear, for instance, if there are specific best hearing practice recommendations or “quality indicators” that are more critical to improving case process and outcomes than others. Is it more important to achieving positive outcomes in a case for example, for the judge to engage directly with the parent(s) in the hearing than it is for there to be a higher level of discussion of issues?

With respect to the file review method, because the court and agency files contained insufficient documented information on children's needs and well-being concerns, the study was limited to an examination of the service and case plan information for the parents only. Because a focus on child well-being in child abuse and neglect cases is a requirement of ASFA and a key recommendation for best hearing

practice, follow-up research is needed to determine if the breadth of discussion at the initial hearing not only increased the level of services for parents but also increased the level of services to address the child's well-being needs.

In summary, there is a need for greater quantity and quality of research on child abuse and neglect hearing practice, including larger sample sizes, the focused study of the quality of specific hearing types (e.g., adjudication hearings, permanency hearings, etc.) and their contribution to outcomes, whether breadth of discussion must occur in the hearing and in the presence of the judge to ensure positive outcomes, and the impact of breadth of hearing discussion on the quality of judicial orders and services ordered to address child well-being needs.

6.2. Conclusion

Child abuse and neglect cases are complex and unique. They require active and consistent court oversight, frequent court reviews, and a broad and active scope of inquiry from the bench, all within accelerated state and federal time frames. Judicial responsibilities in child abuse and neglect cases, combined with inherent case complexities such as poverty, mental health issues, domestic violence, and substance abuse, have created a need for substantive and thorough child abuse and neglect court hearings. But while best hearing practice guidelines and standards for child abuse and neglect hearings are widely accepted, widely disseminated, and have formed the basis of multiple judicial and multi-disciplinary stakeholder trainings across the nation, there is a lack of research assessing the quality of child abuse and neglect court hearings against those standards as well as determining the impacts of hearing quality on case process and outcomes. The study we describe in this article begins to address this gap in research.

Although our study was exploratory in nature and has limitations, it offers support for the premise that the substance of child abuse and neglect hearings does matter -that a quality hearing process that involves substantive discussion of issues can make a difference not only to case processing timeliness but also to case outcomes. Our findings suggest that attention to high quality initial hearing practice in child abuse and neglect cases that involves a greater level of discussion of relevant issues is associated with more placements with a parent or relative, greater presence of mothers and fathers throughout the case, more timely case closure, and increases in reunification outcomes.

Our research also illustrates the importance of observational methods to illuminate court practice and target areas for reform. Engaging in both objective and qualitative measurements of practice is essential to a court's capacity to improve the effectiveness and efficiency of its operations and to sustain those improvements. In addition, these findings can assist jurisdictions in identifying areas for further training on processes and practices related to frontloading and the need for increased quality discussion at hearings. Juvenile and family courts must focus not only on the timeliness of case processing and decision-making, but also on the *quality* of the hearing process and the outcomes resulting from the court's efforts.

Removing a child from home is a monumental decision and one that should not be made lightly or quickly. The first hearing in a case represents an important opportunity to “frontload” the court process by employing a multitude of practices that enable and encourage resolution of issues prior to scheduled hearings – setting in place procedures to ensure that all parties to court proceedings begin actively participating at the earliest point possible and doing all they can to minimize the length of time children remain in temporary placement and their families remain involved with the court. Yet too often, these important initial hearings are conducted in a matter of minutes, with few, if any, parties present other than the caseworker and, possibly the parents, even though it is critically important for the court to obtain as much information as possible to make an informed decision about removal and placement and to hear the perspectives of the family and those who support them. A change to the level of discussion can be initiated by any

number of child welfare and legal professionals in the hearing and may be a low-cost way to enhance court practice that does not require in-depth resources or implementation of specialty dockets. Further, because this study focused on the PPH or initial hearing in child abuse and neglect cases it lends support to the concept of “frontloading” as important to an effective court process and represents an important first step in hearing quality research by exploring how the quality of the initial hearing in a child abuse and neglect case may relate to immediate and long-term case outcomes for families and children. Our research indicates that a thorough and complete initial hearing, while it may require a substantial initial investment of time and resources, can lead to better outcomes for children and families.

Conflicts of interest

None.

Acknowledgement

The research reported in this document was made possible, in part by Cooperative Agreement No.2015-CT-FX-K001 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

References

- Adoption and Safe Families Act (1997). *PL 105-89*.
- American Bar Association (1996). Standards of practice for lawyers who represent children in abuse and neglect cases. Retrieved from http://www.americanbar.org/content/dam/aba/administrative/child_law/repstandwhole.authcheckdam.pdf.
- American Bar Association (1999). *Standards of practice for attorneys representing parents in abuse and neglect cases*. Retrieved from http://www.americanbar.org/content/dam/aba/administrative/child_law/ParentStds.authcheckdam.pdf.
- American Bar Association (2004). Standards of practice for lawyers representing child welfare agencies. Retrieved from http://www.americanbar.org/content/dam/aba/administrative/child_law/agency-standards.authcheckdam.pdf.
- Brooks, D., & Webster, D. (1999). Child welfare in the United States: Policy, practice and innovations in service delivery. *International Journal of Social Welfare*, 8, 297–307. <http://dx.doi.org/10.1111/1468-2397.00096>.
- Brown, S., & Lewis, V. (1999). *The alcoholic family in recovery. A developmental model*. NY: The Guilford Press.
- Child Welfare Capacity Building Center for Courts (2016). *National Report on court improvement program projects and initiatives FY 2015*. Washington, D.C.: Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.
- Courtney, M., Dworsky, A., Lee, J., & Raap, M. (2009). *Midwest evaluation of the adult functioning of former foster youth: Outcomes at age 23 and 24*. Chicago: Chapin Hall at the University of Chicago.
- Davis, I. P., Landsverk, J., Newton, R., & Ganger, W. (1996). Parenting visiting and foster care reunification. *Children and Youth Services Review*, 18(4/5), 363–382. [http://dx.doi.org/10.1016/0190-7409\(96\)00010-2](http://dx.doi.org/10.1016/0190-7409(96)00010-2).
- Doyle, J. J. (2013). Causal effects of foster care: An instrumental-variables approach. *Children and Youth Services Review*, 35, 1143–1151. <http://dx.doi.org/10.1016/j.childyouth.2011.03.014>.
- Edwards, L. P. (2007). Achieving timely permanency in child protection courts: The importance of frontloading the court process. *Juvenile and Family Court Journal*, 58(2), 1–37. <http://dx.doi.org/10.1111/j.1755-6988.2007.tb00136.x>.
- Ellett, A. J., & Steib, S. D. (2005). Child welfare and the courts; A statewide study with implications for professional development, practice, and change. *Research on Social Work Practice*, 15, 339–352. <http://dx.doi.org/10.1177/1049731505276680>.
- Gatowski, S., Miller, N., Rubin, S., Escher, P., & Maze, C. (2016). *Enhanced resource guidelines: Improving court practice in child abuse and neglect cases*. Reno, NV: National Council of Juvenile and Family Court Judges.
- Green, B. L., Rockhill, A., & Furrer, C. (2007). Does substance abuse treatment make a difference for child welfare case outcomes? A statewide longitudinal analysis. *Children and Youth Services Review*, 29, 460–473. <http://dx.doi.org/10.1016/j.childyouth.2006.08.006>.
- Hohman, M. M., & Butt, R. L. (2001). How soon is too soon? Addiction recovery and family reunification. *Child Welfare*, LXXX, 53–67.
- Irvin, J. E., Bowers, C. A., Dunn, M. E., & Wang, M. C. (1999). Efficacy of relapse prevention: A meta-analytic review. *Journal of Consulting and Clinical Psychology*, 67(4), 563–570. <http://dx.doi.org/10.1037/0022-006X.67.4.563>.
- Karoll, B. R., & Poertner, J. (2002). Judges', caseworkers', and substance abuse counselors' indicators of family reunification with substance-affected parents. *Child Welfare*, LXXXI, 249–269.
- Lawrence, C., Carlson, E., & Egeland, B. (2006). The impact of foster care on development. *Development and Psychopathology*, 18, 57–76 (doi: 10.1017/S0954579406060044).
- Lind, E. A., Kanfer, R., & Earley, P. C. (1990). Voice, control, and procedural justice: Instrumental and noninstrumental concerns in fairness judgments. *Journal of Personality and Social Psychology*, 59, 952–959. <http://dx.doi.org/10.1037/0022-3514.59.5.952>.
- Lind, E. A., & Tyler, T. R. (1988). *The social psychology of procedural justice*. New York: Plenum Press.
- Macgill, S., & Summers, A. (2014). Assessing the relationship between the quality of juvenile dependency hearings and foster care placements. *Family Court Review*, 52, 678–685. <http://dx.doi.org/10.1111/fcre.12120>.
- National Council of Juvenile and Family Court Judges (1995). *Resource guidelines: Improving court practice in child abuse & neglect cases*. Reno, NV: Author.
- National Council of Juvenile and Family Court Judges (2011). *Right from the start: The CCC preliminary protective hearing benchcard study report—Testing a tool for judicial decision-making*. Reno, NV: Author.
- Planning and Learning Technologies, Inc., Urban Institute, and Center for Policy Research (2007). The National Evaluation of the Court Improvement Program (CIP), synthesis of 2005 court improvement program reform and activities. Retrieved from <http://www.pal-tech.com/cip/files/FirstSynthesis.pdf>.
- Russell, J., & Summers, A. (2013). Reflective decision-making and foster care placements. *Psychology, Public Policy, and Law*, 19, 127–136. <http://dx.doi.org/10.1037/a0031582>.
- Smokowski, P. R., & Wodarski, J. S. (1996). The effectiveness of child welfare services for poor, neglected children: A review of the empirical evidence. *Research on Social Work Practice*, 6, 504–523. <http://dx.doi.org/10.1177/104973159600600407>.
- Summers, A., & Darnell, A. (2015). What does court observation tell us about judicial practice and the courts in child welfare? *Journal of Public Child Welfare*, 9, 341–361. <http://dx.doi.org/10.1080/15548732.2015.1061467>.
- Tyler, T. R. (1988). What is procedural justice?: Criteria used by citizens to assess the fairness of legal procedures. *Law & Society Review*, 22, 103–136. <http://dx.doi.org/10.2307/3053563>.
- U.S. Department of Health and Human Services (2011). *Reports and results of the child and family service reviews*. Administration for Children and Families, Children's Bureau Retrieved from: http://basis.caliber.com/cwig/ws/cwmd/docs/cb_web/SearchForm.
- Wood, S., & Russell, J. (2011). Effects of parental and attorney involvement on reunification in juvenile dependency cases. *Children and Youth Services Review*, 33, 1730–1741. <http://dx.doi.org/10.1016/j.childyouth.2011.04.026>.