

FWCC Meeting Notes
10/10/2022

Family Well-Being Community Collaborative

Mission: Collaborate to keep families safely together and supported in their communities and to radically reduce inequities within the child welfare court system.

New Meaningful Shelter Care Process Workgroup – Sarah Burns, FYJP

- Overview of FWCC Meaningful Shelter Care Process Workgroup
 - As part of the Washington State Team, which focuses on racial equity, Sarah has been facilitating a “Meaningful Shelter Care Process Workgroup.” Their work aligns with the FWCC’s efforts to improve the front-end of the dependency court system.
 - The Meaningful Shelter Care Process Workgroup will become a workgroup of the FWCC.
 - Sarah shared research and background on the previous efforts of this workgroup. The slides she presented can be accessed in the workgroup’s hub here: <https://www.wacita.org/family-well-being-community-collaborative-fwcc/#meaningful-shelter-care-hearing-workgroup>
 - Best practice recommendations for initial hearings include
 - Make initial hearings as thorough and meaningful as possible
 - Provide in-depth inquiry concerning the circumstances of the case and the issues involved
 - Hear directly from all interested persons present, including the parents and children
 - Judicial officers use this opportunity to connect with and engage families
 - Strategies for reducing unnecessary removal of children
 - Provide meaningful parent representation PRIOR to shelter care hearing by enforcing RCW13.34.090 regarding the provision of counsel and discovery prior to shelter care
 - Improve practice at shelter care hearings by emphasizing safety planning and utilize court as next step with in-home dependencies
 - Goals of workgroup
 - Identify and define components of a meaningful shelter care hearing utilizing available research, legal requirements, known “good practice,” and trauma informed practices for engaging children and families
 - Create resources for courts and court partners at the local level to improve shelter care process – including sharing what courts are already doing and doing well

Workgroup Updates

- [Ex Parte Removal Hearings](#) Workgroup – Sarah Burns, FYJP
 - The group is coming to agreement on what the law requires for practice, including how the heightened standard of imminent physical harm impacts judicial inquiry regarding removal decisions and whether a discussion between the CPS worker and the court is required and should be on the record.
 - They plan to develop resources for courts, possibly a guide for making decisions about removal requests.

- A question was asked by an FWCC member about whether or not an actual hearing is required by HB 1227. If so, is the intent of a hearing to encourage a judge and DCYF CPS worker to engage in a conversation about the basis for removal without a hearing? Carrissa Greenberg answered that no new hearing is required, but judicial officers will likely have additional questions about a request to remove, given the heightened standard. The law requires a more deliberative decision-making process.
- [Family Time & HB 1194 Implementation](#) Workgroup – Kelly Warner-King, FYJP
 - Kelly reported that Commissioner Farmer spoke with other judicial officers about Family Time decision practice in their courts, following passage of HB 1194. The feedback indicated that the quality of information provided to assert the need for supervision or monitoring of visits is not up to date and does not reflect what has happened in a case.
 - Ideas to help address this include the court system encouraging parties to have a conversation before the court hearing and, if possible, agree to a level of supervision or no supervision.
 - The workgroup is planning to create a court observation study in several courts to gather information and create recommendations based on what is learned. Data to collect will include whether or not supervision level was modified and if the court considered anything other than supervised visits.
- [Removal & Placement Decisions](#) Workgroup – Laura Vogel, FYJP
 - The group has finished the Removal Decisions Crosswalk, which identifies the changes to the current law related to removal decisions required by HB 1227, as well as the implications for judicial decision making, what evidence is required and changes needed for court practice and forms. The group is starting work on a Placement Decisions crosswalk.
 - Laura is developing an online tool for judicial officers to help them conduct the full inquiry required by HB 1227 for making decisions related to removal and placement of a child in Shelter Care. The tool is called iDecide.
 - Laura reported that a subgroup has been created to review research and develop guidance for assessing the harm of removal, including the impact of grief and loss on children who are removed from their families. The group is working with Paul Seabaugh, DCYF, to develop online and in-person training opportunities through the Children’s Justice Conference to highlight the harm of removal research by Dr. Monique Mitchell and others.

Demonstration of iDecide Online Tool

- Laura demonstrated a draft version of the iDecide tool, which walks a user through the statutory framework for judicial officers making Shelter Care decisions, including:
 - Reasonable and Active Efforts
 - Whether removal is appropriate – balancing the threats to child safety and the harm of removal for each child
 - Appropriate placement options for the child
- The tool is designed to provide judicial officers with guidance to help them adhere to the legal standards and requirements.
- DCYF and other partners will have an opportunity to review and comment on the tool. The content was developed collaboratively and is based on the crosswalk documents.

Work Session

- Workgroup members and interested FWCC members joined one of the two featured workgroups. More information is available at each Workgroup's webpage as follows (click on the "Workgroup HUB" button at the following links for additional information):
 - [Removal & Placement Decisions](#) Workgroup
 - [Meaningful Shelter Care Process](#) Workgroup

Workgroup Report Outs

- **Removal & Placement Decisions Workgroup**
The group started on the Placement Decisions crosswalk. The initial focus is on DCYF's requirements for placement prior to shelter care.
- **Meaningful Shelter Care Process Workgroup**
The group discussed youth and parent engagement for a meaningful shelter care hearing. Ideas were shared from each of the disciplines that included ideas about early/regular appointment of attorneys, timely discovery, attorneys going over discovery with their clients, connecting the parent ally to the parents, AAG asking parents how to pronounce their names, and judicial officer offering words of support.

Update: Changing FWCC Meeting Schedule

- Although Steve and Barb have an ongoing conflict with the current meeting day and time, the co-chairs decided that the FWCC meeting schedule will stay the same – meeting on the second Monday of the month from 12-1:30pm (except for months when the Commission on Children in Foster Care meets). Too many of the court partners were not able to participate on the other days that were offered as alternatives. The work is currently focused on HB 1227 implementation in the court community, so it makes sense to stay with the current schedule. When the FWCC decides to shift its focus, we will revisit the schedule.

Next FWCC Meeting – November 14, 2022, 12-1:30pm