

NIEM Helping Children at Risk

NIEM PROVIDES A PLATFORM FOR HELPING CHILDREN AT RISK

SYNOPSIS

In a progressive and unusual collaboration between the judicial system as represented by the National Center for State Courts and the U.S. Department of Health and Human Services, significant improvements have been made in improving outcomes for abused and neglected children.

AGENCY OVERVIEW

The mission of the U.S. Department of Health and Human Services Children's Bureau is to "provide for the safety, permanency and well-being of children through leadership, support for necessary services, and productive partnerships with states, tribes, and communities." The Children's Bureau works with state and local agencies to develop programs that focus on preventing abuse of children in troubled families, protecting children from abuse, and finding permanent placements for those who cannot safely return to their homes.

CHALLENGE

Both courts and child welfare agencies are responsible for improving outcomes for children and families. The role of child welfare agencies as the agencies are involved in providing direct services to children and families is obvious. Courts do not have the same extensive role to play in the lives of children and families that child welfare agencies do, yet they play a critical role in determining whether children will be removed from their homes, the length of time children remain in foster care, and where they will permanently reside.

Challenges include:

- **Confidentiality/privacy issues**—These are always an important consideration whenever information sharing is discussed in the context of children and families. One particular challenge is ex parte communication—i.e., when a party to a case or someone involved with a party communicates directly with a judge about issues in a case without the other party's knowledge.

EXECUTIVE SUMMARY

CHALLENGE: Performance measures are necessary to measure the progress of states in achieving positive outcomes for children in care, and timely sharing of data between child welfare agencies and courts is needed to construct such measures and to identify potential improvement in operations.

SOLUTION: NIEM provides a comprehensive framework for structuring the data exchanges so that each state can begin with a template that can be easily tailored to its individual needs.

RESULTS: Data exchange templates have been developed for four distinct types of exchanges—juvenile petition, adjudication order, service plan, and court report. A field test in Vermont has revealed that the template can accommodate an overwhelming percentage of use cases without modification. Regional meetings have been held to inform states of the benefits of data exchange and to guide the next steps toward implementation.

- **Governance issues**—In the world of information systems, governance is defined as “establishing chains of responsibility, authority, and communication to empower people” and as “measurements and controls to enable people to carry out their authority and responsibility.”¹ In the child welfare world, this translates as getting the right partners to the table to collaborate and identify the obstacles to informed decision making among courts and child welfare agencies, as well as having the resources and support available to overcome those obstacles. Identifying the stakeholders for participation in the governing body for court-child welfare data exchanges and evaluating the effectiveness of that body are critical. A perennial problem in governance is the turnover in knowledgeable staff members, which includes training the replacements who need to be brought up to speed.
- **Technological issues**—In addition to issues of privacy and confidentiality of data, one of the most common challenges is finding common identifiers so that courts and child welfare agencies can ensure that they are exchanging data on the proper cases.



SOLUTION

The need to measure the progress states are making toward achieving permanent homes for children has stimulated the need for performance measures, which, in turn, has expressed the need for data exchanges between courts and child welfare agencies. NIEM provides a comprehensive framework for structuring the data exchanges so that each state can begin with a template, rather than having to start from a blank slate. This template provides vendors with a common set of data requirements that will be needed by all states, thus reducing the cost of incorporating them into existing case management systems.

There are significant benefits to both courts and child welfare agencies in producing their own information and then exchanging it electronically. Exchanging data enables courts and child welfare agencies to obtain needed data elements for which they are responsible and to use these data elements to construct performance measures and

“From courts, Court/Child Welfare NET provides to agencies complete court orders as well as settings, pending warrants, and other necessary judicial information. From agencies, Court/Child Welfare NET provides to courts thorough and accurate court report information such as treatment and service plan progress, as well as special requests such as interpreters or security needs. It will assist the court in making decisions in the best interest of children.”

—Judge Robert Hofmann,
Mason, Texas

¹ Sridhar Lyengar, “Software & Systems Development Governance: An Approach to Improving Software Assurance,” presented in Tampa, Florida, on February 15, 2006, at OMG Software Assurance Day.

management reports. Electronic data exchanges provide both courts and child welfare agencies with timely, complete, and accurate information upon which to make decisions promoting child safety, permanency, and well-being. Moreover, unless performance measures can be produced efficiently and cost-effectively, they will not be used to promote best practices in child welfare or to effect policy change.

Child welfare case data can help courts reduce continuances and make timely and informed decisions, including whether removal is warranted, whether placements are appropriate, whether permanency goals are suitable, and whether case plans and services are adequate. The court, for example, may be able to advance the timetable to permanency if it has current information that shows that a relative is available and qualified to serve as a guardian for a child. Similarly, court data provides child welfare agencies with court notices and court orders and can inform agency supervisors of court actions in a timely fashion so that they can take immediate action and better schedule staff time. It enables child welfare agency staff to see when court hearings are set and therefore better plan their own schedules. It also reduces the number of telephone calls to court clerks about scheduled hearing times.

Electronic information exchange reduces the burden of data entry for both agency caseworkers and court staff and, more importantly, reduces inevitable errors in redundant data entry. Child welfare staffs do not have to enter petition information, hearing dates, court motions, and orders into their systems, and court staffs do not have to enter basic data about a child and family into their systems. In addition to reducing redundant data entry, this process saves the time court staff spend researching the relationships among individuals and collateral parties. Efficiencies achieved results in more time focused on the children.

RESULTS

With a small amount of funding from the Bureau of Justice Assistance, U.S. Department of Justice, the National Center for State Courts (NCSC) convened a meeting of state and national experts on October 23–24, 2007, to develop national standards for exchanging data between state child welfare agencies and courts. This working group of experts developed into the Court/Child Welfare NET (National Exchange Template) Task Force.

The national template follows the NIEM process by:

1. Documenting the business process involved in taking a case through the courts.
2. Identifying points in the business process in which the exchange of data between courts and child welfare agencies typically occurs.
3. Creating a set of scenarios to track the progression of cases to permanency. (Five basic scenarios were identified, three of which begin with the removal of the child from the home. Two involve court-ordered services to the child returned home by the court [or to the child who was never removed] and adoption. A number of administrative exchanges were also identified that could occur throughout the process.)
4. Mapping each scenario to show the points of exchange between courts and child welfare agencies.
5. Specifying the data elements necessary to meet the data exchange requirements.

The data exchange templates produced by the task force have been field-tested in Vermont and have been found to support more than 95 percent of Vermont's data requirements. To the extent that these exchanges already meet most needs, the time and cost of implementation are significantly reduced.



In addition, the NCSC staff has promoted data exchange among states by bringing together state teams composed of managers and information system professionals from both courts and child welfare agencies. The meetings—held in Atlanta, San Francisco, Philadelphia, and Chicago—have helped states not only by providing peer-to-peer interaction, but by providing technology staff members who serve as consultants on strategic planning, information flow, and the data requirements needed to conform to NIEM protocols.

This outreach has been very successful, not only because of the hands-on technical assistance but also because states are expected to prepare action plans describing the progress they expect to make in the next six months. The NCSC staff continues to perform follow-up calls to monitor and encourage implementation.

The regional meetings were jointly sponsored by National Child Welfare Resource Centers on Legal and Judicial Issues, Child Protective Services, Data and Technology, and Family Centered Practice and had the support and participation of program staff from the federal child welfare regional offices.

This work played a vital role in the formation of a new NIEM domain—Family Services—included in NIEM version 2.1. It helped drive the content for the new domain and also brought subject-matter expertise to bear in forming a fledgling domain and providing governance/leadership in the national program.

