

**Court Improvement Program
C-PACS Committee Meeting
June 17, 2016
Draft Minutes**

Attendance:

Judge Griffith (chair), Barb Baxter, Marie Betchel (via phone), Traci Busch, Chaelyn Casteel, Pete Conley (via phone), Melinda Dugas, Monica Evans, Tanny O'Connell, Stacie Mullins, Misty Prillaman, Nikki Tennis, and Joyce Yedlosky.

1. Review of Minutes

Judge Griffith called the meeting to order. After introductions, minutes from the meeting on April 15, 2016, were reviewed and approved.

2. Review of CAN Database statistics and feedback

Monica Evans reported that only one battered parent adjudication has been reporting thus far in 2016. This decrease in reporting occurred after training the judicial secretaries on battered parent adjudications. Joyce Yedlosky stated that training on battered parent adjudication is now mandatory for all CPS workers. Joyce believes a lot of people just do not know about battered parent adjudication. Melinda Dugas stated that the battered parent adjudications may be utilized because people may disagree on what is reasonable.

Thus far in 2016, there have been 41 co-petitioners reported throughout the state. If the data being reported continues in the same fashion, there could be an increase in the co-petitioners reported for 2016, as compared to 2015 data. Monica Evans reported that the types of co-petitioners are remaining the same, with the largest portion of co-petitioners being fathers. Twelve counties have never reported a co-petitioner. Ten counties have only reported one year and have not reported in several years. Chaelyn Casteel stated that in Barbour, Preston, and Taylor County that in some cases the Department is listed as an intervenor, rather than a co-petitioner. Joyce Yedlosky mentioned that the BCF feedback from the counties not using co-petitioning is very helpful, and it will help aide in targeted training for these counties, so that these issues can be addressed. Nikki Tennis will check on the webinar training for case-coordinators and secretaries on CPS referral reporting.

CPS Investigation outcomes had 833 cases reported with completed data between the Child Abuse and Neglect Database and the Family Court Juvenile Administrative Order Reporting Database. Monica Evans stated that maltreatment seems to on the rise. There was an increase of 2% from 2014 to 2015, which put

maltreatment at 24.7%. If the reporting for 2016 continues in the same fashion, maltreatment could possibly increase by 3% from the previous year.

Monica Evans presented the Circuit and Family JAA Reporting Comparison, which was requested by Judge Griffith at the previous meeting. This report showed the comparison in reporting from the circuit clerks, circuit court, and family court. From 2013 to April 30, 2016, the circuit clerks reported 1,457 JAA Cases, while the circuit court only reported 1,084 of these JAA Cases in the CAN Database. Out of the cases reported by the circuit court, 62.18% of the JAA Cases had completed data. During this same time period, family court only reported 558 of these JAA Cases in the Family Court Juvenile Administrative Order Reporting Database. Judge Griffith questioned why the circuit clerks' reporting is higher than the judges' referrals. Monica Evans stated that the family court started reporting these JAA Cases into a database in 2012. The reporting from the family court continues to increase each year. Monica Evans will speak to Lisa Tackett regarding the reporting of JAA Cases in the database. Monica Evans stated that it was brought to light in a webinar training for the circuit judicial secretaries believed they could only give one result/outcome in regards to the CPS Investigations. The training was able to clear up the reporting protocol, and it should help increase the cases reported with completed data in the CAN Database.

Risk factors continue to remain the same: 80% substance abuse, 43% domestic violence, and 11% mental health.

The 2015 data for the overlap report is final. The 2015 annual report has been completed. Reporting thus far in 2016 is remaining comparable to previous years.

3. Review of the 2016 committee work plan

- Misty Prillaman, Nikki Tennis, and Cathy Wallace still need to work on the guide to resources for juveniles with substance abuse. The guide should include code and case references.
- Once this guide is created, Joyce Yedlosky would like to include it as a bench card in a guide to be distributed at the family court conference. The committee has aimed to have this task completed by May 2017. The guide contains information on imminent danger. Joyce would like to add a bench card to the guide that is specifically on substance abuse.
- Tanny O'Connell was unable to attend the committee meeting. Her presentation on the disconnect with the court, in regard to how DHHR processes substance abuse issues, has been postponed until the next meeting. Judge Griffith requested last meeting that Tanny O'Connell present this to the committee before presenting it to the board.

The group continued to discuss impending dangers and Safe at Home. Barb Baxter suggested that the committee ask the commissioner to cross-train between economic services, CPS, and BSCE on impending dangers and child safety issues

specifically. Joyce Yedlosky stated that the Coalition for Domestic Violence would also like to be a part of this cross-training. Judge Griffith stated she would like more information from Tanny O'Connell before making this request.

The committee is continuing to work on the BCF background check process presentation after the board raised concerns and sent it back to the C-PACS committee. Melinda Dugas stated that DHHR is looking into proposing legislative changes in which would eliminate the unintended consequences of these background checks for employment and home studies. The West Virginia State Police has a registry of child abuse. Melinda Dugas advised the group that this is a complex issue that will have to be addressed by multiple levels. Melinda also informed the group that other states are using substantial maltreatment findings, in regards to background checks. The department is working on a policy vision because it has been missing a comprehensive outlook for this process. The legislative piece may entail the creation of a child abuse and neglect registry that complements the existing registry at the State Police. The legislative piece may take into consideration the type of abuse/neglect and parameters to expunge these records after so many years. Judge Griffith asked Melinda Dugas to bring the legislative piece to the committee to review then be sent to the board. Joyce Yedlosky warned the group that respondents who should have been co-petitioners are often referred to as a "Non-offending" parent. Nikki Tennis questioned if letters went out to the respondents regarding this change and/or if they understood these letters.

4. Update on co-petitioning and battered parent- adjudication training and surveys

Joyce Yedlosky stated they are continuing to establish barriers in regards to co-petitioning then address the barriers. All concerns with rules and laws have been changed and corrected. The webinar training that Joyce Yedlosky and Catherine Munster did is still being circulated. Joyce Yedlosky and Catherine Munster will be presenting training on co-petitioning and battered parent adjudication at the Public Defenders Conference. Joyce Yedlosky wants to monitor the courts data to see how the training on co-petitioning and battered parent adjudication impacts the data. Joyce stated she will try to target the counties that have not reported co-petitioners to attend the training. The NCJFJ has provided Joyce with an Excel Spreadsheet to compile the statistics.

5. Review discussion of impending dangers

Joyce Yedlosky suggested that committee give examples of practical strategies that can go with the ideas of the Principles of Harm Reduction. Joyce also thought the committee needs to have a substance abuse expert involved with these

practical examples of harm reduction. Melinda Dugas thought the program managers at CPS would be a good resource for the committee to use to review these examples. Barb Baxter suggested that relapse as part of a recovery process. Nikki Tennis will add this addition as the 4th bullet point to the principles of harm reduction. Chaelyn Casteel stated that it is common for there to be zero tolerance for relapse. Chaelyn also mentioned how important a diligent search is in locating family members during this process. The committee discussed how simply telling someone to go get treatment is very difficult and setting them up to fail. Judge Griffith suggested that if treatment is not currently available that other aide should be provided such as helping someone obtain a valid driver's license and/or a job. Joyce Yedlosky thought that a life in a substance abuse case would be beneficial. The committee suggested for the cross-training next year looking at how MDT's offer wraparound treatment and the possibility of borrowing ideas from drug courts. Chaelyn Casteel stated that some judges will put someone in drug court, so that they can get treatment. A stipulation of drug court that can disqualify people is that they cannot work for the first 3 months of the program. The committee was concerned about what options were available to someone who wouldn't qualify for drug court because they need to work.

6. New/Old/Other business

The committee reviewed the confidentiality of juvenile DV records piece that was currently listed for comments from the public on the Supreme Courts website. Joyce Yedlosky had questions on if this would impact the DV procedural rule. The committee discussed that this change would not impact the DV procedural rule. The change was made to keep anyone under the age of 18 off the registry and strengthen the fact that the official sealed record is in the clerks offices.

7. Next Committee Meeting

The next C-PACS committee meeting will be **Friday October 7th, 2016**, from **1:00 p.m. to 4:00 p.m.** at the City Center East Building in Kanawha City, Room 222. Lunch will not be provided.