

Child abuse and neglect case performance measures

These performance measures are tracked and included in reports pulled from Benchview. For each measure, a detailed, outlier and missing data report is available for each Judge entered in the CAN database.

State determined performance measures-Reporting	
Performance Measures	Description
Petition Filing to Preliminary Hearing with Child Removal	<i>If the child has been removed from the home, the Court sets a preliminary hearing of petition within ten days of original filing.</i>
Start of Pre-adjudicatory Improvement Period (PAIP) to Review Hearing	<i>A review hearing shall be conducted within 90 days of the award of the improvement period.</i>
Duration of PAIP	<i>A pre-adjudicatory improvement period shall not exceed three months.</i>
End of PAIP to Adjudicatory Hearing	<i>An adjudicatory hearing held at the end of an improvement period shall be held as close in time as possible after the end of the improvement period and shall be held within 30 days of the termination of such improvement period.</i>
Preliminary Hearing to Adjudicatory Hearing with Child Removal without Improvement Period	<i>The order (at preliminary hearing), sets the date for adjudicatory hearing within 30 days if the child is placed in temporary custody of the department or responsible relative, unless a pre-adjudicatory improvement period is awarded the parents.</i>
Time to Adjudicatory Hearing without Child Removal	<i>If the child is not removed from the home then the rules require that the adjudicatory hearing must be commenced within 30 days of the filing of the original petition.</i>
Duration of Adjudicatory Improvement Period (AIP)	<i>After finding that a child is an abused or neglected child, a court may grant a respondent an improvement period not to exceed six months. When the Court finds that the respondent has substantially complied with the terms of the improvement period, that the continuation of the improvement period will not substantially impair the ability of the Department to permanently place the child, and that such extension is otherwise consistent with the best interest of the child, the court may extend this period for an additional three months.</i>
Review Hearings During AIP	<i>The court shall thereafter convene a review hearing at least once every three months for the duration of the improvement period.</i>
Adjudicatory Hearing to Dispositional Hearing	<i>A disposition hearing shall commence within 45 days of the entry of the adjudicatory order.</i>
Duration of Dispositional Improvement Period (DIP)	<i>A Dispositional Improvement Period shall not exceed nine months, (six months plus a possible three month extension).</i>
DIP Review Hearings	<i>The Court shall thereafter convene a review hearing at least once every three months for the duration of the improvement period.</i>
DIP to Final Dispositional Hearing	<i>When a disposition improvement period has been awarded as an alternative to final disposition, a final disposition hearing shall be held no later than 60 days after the end of the disposition improvement period.</i>
Petition Filing to Multidisciplinary Treatment Team (MDT) Convene Date	<i>Within 30 days of the original filing of the petition, the court shall cause to be convened a meeting of a multidisciplinary treatment team (MDT) assigned to the child's case. The MDT shall meet with the court at least every three months until the case is dismissed.</i>
Time between Permanent Placement Reviews	<i>The court, with the assistance of the MDT, shall continue to monitor implementation of the court-ordered permanency plan for the child every 3 months until permanent placement (Rule 6) is achieved.</i>
Disposition to Permanent Placement	<i>Permanent placement of each child shall be achieved within 18 months of the disposition order, unless the court specifically finds on the record extraordinary reasons sufficient to justify the delay.</i>

Resources:

*State performance measures are taken from the "West Virginia Judicial Benchbook for Child Abuse and Neglect Proceedings," and reflect State law and guidelines.

*Federal performance measures are outlined in "The Toolkit for Court Performance Measures in Child Abuse and Neglect Cases," which provides detailed guidance on the implementation of recommended performance measures pertaining to child abuse and neglect cases.

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These measures are included in the Benchview performance measure methodology. The parameters for reporting on them are set up in Benchview; however, these items are not 'enabled' for reporting due to testing and database changes.

State determined performance measures- Disabled Reporting	
Performance Measures	Description
Time to Family Case Plan Submission when PAIP is Granted	<i>If a pre-adjudicatory improvement period is granted, the court shall order the department to submit a family case plan within 30 days.</i>
Time to Family Case Plan Submission when AIP is Granted	<i>If a post-adjudicatory improvement period is granted, the court shall order the department to submit a family case plan within 30 days of the order.</i>
Time to Family Case Plan Submission when DIP is Granted	<i>If a dispositional improvement period is granted, the court shall order the department to submit a family case plan within 30 days of the order.</i>
Permanency Hearing when Reasonable Efforts are Required	<i>If the court finds that the department must make efforts to preserve the family, then a permanency hearing must be held within one year of the earlier of: the date of the adjudication (adjudicatory hearing) of abuse or neglect, or the date that is 60 days after the child's removal from the home.</i>
Permanency Hearing when Reasonable Efforts are not Required	<i>If the court finds at the dispositional hearing (or at an earlier time) that the department is not required to make reasonable efforts to preserve the family then a permanency hearing must be held within 30 days to determine the permanency plan for the child.</i>

These measures are defined in the Judicial Benchbook and the necessary data elements are currently being collected in the CAN database, but formal reporting measures have not been created.

State determined performance measures- Potential Measures	
Performance Measures	Description
Undefined Title	<i>The court shall enter an order of adjudication, including findings of fact and conclusions of law, within ten days of the conclusion of the hearing.</i>
Undefined Title	<i>A court may extend any improvement period granted, for a period not to exceed three months.</i>

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The data for these federal measures is currently collected in the CAN database and reported through

Federal performance measures - Reporting	
Performance Measures	Description
Number of Judges per Case	<i>Percentage of child abuse and neglect cases in which the same judicial officer presides over all hearings.</i>
Achievement of Child Permanency	<i>Percentage of children in foster care who reach legal permanency by reunification, adoption, or legal guardianship.</i>
Time to Permanent Placement	<i>Average and median time from filing of the original petition to permanent placement.</i>
Time to Termination of Parent's Rights	<i>Average and median time from filing of the original petition to termination of parents' rights for each respondent.</i>
Time to Disposition Hearing	<i>How long it takes from the time a case begins to the disposition hearing.</i>
Time to Adjudication	<i>Average and median time from filing the original petition to adjudication.</i>

The necessary data to report on this measure is collected in the CAN database and it is included in the performance methodology in Benchview but reporting is disabled.

Federal performance measure - Disabled	
Performance Measures	Description
Time to First Permanency Hearing	<i>How long it takes to complete the first permanency hearing. With this measure, time begins to run with the filing of the original petition and ends on the day of the first permanency hearing is completed.</i>

Enough data is currently being collected in the CAN database to report on these measures, but reports have not been established.

Federal performance measures - Potential Measures	
Performance Measures	Description
Children Moved While Under Court Jurisdiction	<i>Percentage of children who reside in one, two, three, four, or more placements while under court jurisdiction.</i>
Timeliness of Adjudication	<i>Percentage of cases that are adjudicated within 30, 60, or 90 days after the filing of the original petition.</i>
Timeliness of Disposition Hearing	<i>Shows the percentage of child abuse or neglect cases for which a disposition hearing is held within reasonable periods of time following adjudication.</i>
Timeliness of Case Review Hearings	<i>Shows how consistently courts conduct hearings to review case plans within time limits set by State and Federal law.</i>
Achievement of Child Permanency	<i>Percentage of children in foster care who reach legal permanency by reunification, adoption, or legal guardianship.</i>

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We do not collect the data necessary to report on these measures.

Federal performance measure- Not collectible	
Performance Measures	Description
Child Safety While Under Court Jurisdiction	<i>Percentage of children who were victims of child abuse and neglect while under court jurisdiction.</i>
Child Safety after Release from Court Jurisdiction	<i>Percentage of children who suffer further abuse and neglect within 12 months after court jurisdiction ends.</i>
Timeliness of Termination of Parental Right Proceedings	<i>Percentage of cases for which there is a final order within 90, 120, and 180 days of the filing of the termination of parental rights (TPR) petition.</i>
Time from Disposition Hearing to Termination of Parental Rights Petition	<i>Percentage of cases in which the TPR petition is filed within 3, 6, 12 and 18 months after the disposition hearing.</i>
Timeliness of Adoption Petition	<i>Percentage of cases in which the adoption petition is filed within 3, 6, and 12 months after the TPR.</i>
Timeliness of Adoption Proceedings	<i>Percentage of adoption cases finalized within 3, 6, and 12 months after the filing of the adoption petition.</i>
Reentry Into Foster Care After Return Home	<i>Percentage of children who return to foster care pursuant to court order within 12 and 24 months of case closure following reunification.</i>
Reentry Into Foster Care After Adoption or Guardianship	<i>Percentage of children who return to foster care pursuant to court order within 12 and 24 months of case closure following adoption or placement with a legal guardian.</i>
Service of Process to Parties	<i>How consistently both parents receive service of process of the original petition preceding the adjudication.</i>
Early Appointment of Advocates for Children	<i>How often legal advocates for children are appointed before emergency removal hearings.</i>
Early Appointment of Counsel for Parents	<i>How often legal advocates for parents are appointed before emergency removal hearings.</i>
Advance Notice of Hearings to Parties	<i>How often individual parties entitled to notice receive advance written notice of each meeting.</i>
Advance Written Notice of Hearings to Foster Parents, Pre-adoptive Parents, and Relative Caregivers	<i>How often foster parents, pre-adoptive parents, and relative caregivers receive advance notice of each nonprocedural hearing for which they are entitled to receive notice.</i>
Presence of Advocates During Hearings	<i>How consistently legal advocates are present in court during hearings. Includes the government, petitioner, and other parties who have received service of process.</i>
Presence of Parties During Hearings	<i>Shows how often parties attend substantive court hearings.</i>
Continuity of Advocates for Children	<i>Shows how consistently children in abuse and neglect cases are represented by one advocate throughout the life of the case.</i>
Continuity of Counsel for Parents	<i>Shows how consistently parents in abuse cases are represented by one attorney throughout the life of the case.</i>
Time to Termination of Parental Rights	<i>How long it takes from the date of the original child abuse or neglect petition is filed to the date the TPR petition is filed.</i>