

New Tracks: A New Way of Managing Dependency Cases
Implementation Plan
July 5, 2018

Driving the train doesn't set its course. The real job is laying the track. Ed Catmull

Section 1: Background

In February, 2017, Judge Katherine Essrig and Judge Caroline Tesche-Arkin in Florida's 13th Judicial Circuit initiated work on a project in Judge Tesche-Arkin's Division C to pilot differentiated case management practices (DCM)¹ in dependency cases. Work on the pilot project is supported through consulting assistance from Casey Family Programs and the National Center for State Courts. In subsequent months, Judge Essrig and Judge Tesche-Arkin set in place a process for engaging the dependency stakeholder community by holding a series of meetings to discuss their plans for the pilot and provide an opportunity for meaningful input from the stakeholders in the design of what Judge Tesche-Arkin has entitled "New Tracks."

In an initial stakeholder meeting on March 10, 2017, Judge Essrig and Judge Tesche-Arkin outlined the purpose and goals for the New Tracks pilot which include instituting innovative case management practices that have been proven to result in better outcomes for families and children; developing a better architecture for the expeditious movement of cases to permanency and avoiding unnecessary delay; and enhancing clarity in the judicial process, thus moving cases more effectively.

A stakeholder workgroup was then created by the judges to inform the planning process and meetings to date with that group were held on April 7, April 24 and May 19, 2017. Sub-workgroups also were established to address specific policy recommendations and report back to the larger group. Judge Essrig and Judge Tesche-Arkin have created a culture for the project that is collaborative in nature and have demonstrated their commitment to being responsive to the needs and concerns of the various stakeholder groups in effectively carrying out their duties and responsibilities within the New Tracks pilot. Work on the roles and expectations for all parties involved in cases in the pilot is on-going.

Using the work completed thus far within this on-going planning process, this implementation plan describes the architecture for the pilot project, including guiding principles, descriptions of the tracks, description of the screening process, a framework for measuring performance and additional implementation tasks and assignments to be completed prior to pilot launch, which was scheduled for August 15, 2017.

Following implementation of New Tracks, contact information was established via a direct email, NTpilot@fljud13.org, to allow practitioners to communicate with administrative and judicial staff regarding case processing and procedural matters. Additionally, a Tasks Pending Form was developed to provide to parents to clearly indicate the steps to follow to achieve a successful outcome for their family's welfare and court case resolution.

¹ DCM is the practice of handling classes of cases differently in order to more efficiently and fairly resolve each case. Key elements of DCM include criteria to distinguish cases according to complexity and needs, early case screening and assignment of cases to various tracks with tailored judicial processes, and court case management including the monitoring of case progress and deadlines.

In February, 2018, the New Tracks Plan was temporarily suspended due to the cancellation of the contract with the case management organization Youth and Family Alternatives (YFA), which was responsible for a significant portion of Judge Tesche Arkin's caseload. A new case management organization, Directions for Living (DFL) was ultimately hired to replace YFA. On May 11, 2018, Judge Tesche Arkin held a stakeholders meeting to discuss resuming New Tracks, and set a target date of August 1, 2018, to restart the pilot. In addition, she established a workgroup to make recommendations on appropriate revisions to the assessment tool and screening process being used to recommend track assignments, which in the initial course of the pilot had resulted in 50% of the cases being assigned to Track 3, Intensive Judicial Supervision. The stakeholders met again on June 7, 2018, and reviewed amendments to the assessment tool and screening process developed by the workgroup, as well as revisions to the workflow and timelines developed by Judge Tesche Arkin to better differentiate among the tracks. These modifications are reflected within this amended implementation plan. Training, on what is now called New Tracks II, for all stakeholder groups will be conducted on July 13, 2018.

Section 2: New Tracks Guiding Principles

Expectations:

- Children's best interests are served when they are safely in the care of their parents.
- Each parent/relative understands the court process, receives answers to their questions and comprehends what is expected of them.
- High expectations for success are established and all parties are held accountable.

Timeliness:

- The Court controls the pace of litigation and creates and maintains expectations that events occur when they are scheduled.
- Court proceedings are scheduled expeditiously and cases move through the system efficiently.

Resources:

- Judicial resources are applied so that each case receives the appropriate level of judicial oversight and intervention.
- Families receive quality, consistent and supportive advocacy from attorneys.
- Each child under the Court's protection receives the full range of resources they need and as early in the process as possible.
- Families receive early and specific referrals for services they need to achieve expedited reunification.
- All resources related to each case are used efficiently.

Staff Responsibility:

- Case Management is structured so that the skills of the assigned case managers correlate with the objectives of each track.
- The Court and all stakeholder groups work together to coordinate their approaches to the safety and well-being of children and to achieve timely permanency.
- Reliable data will be sought and made available to evaluate the progress and effectiveness of New Tracks activities.
- An environment of open communication and flexibility will be maintained to productively evaluate and make modifications to the New Tracks Pilot.

Section 3: Description of Tracks

The New Tracks Pilot will consist of four tracks to which cases will be assigned. A general description of each track and events that will occur beyond those that are statutorily required, as well as target timeframes, are provided below. A flow chart for the tracks is attached.

A feature of the New Tracks II Pilot will be the setting of a Special New Tracks Docket every 3 to 4 weeks by the judge and general magistrate (GM) assigned to Division C. The purpose of that docket will be to hear matters on cases as appropriate for each assigned track. Communication between the GM and judge will occur upon the Court's review of the case. At the point of the actual court hearing, the tasks to be covered by the GM will be directed to the GM on the note system.

Track 1: Expedited Reunification and Resolution

Cases assigned to Track 1 are expected to have factors that indicate that reunification can occur expeditiously. Track 1 events and timelines are designed to achieve that goal. The target timeframe for reaching permanency is 6-12 months. Proposed case plan referrals will be included on the New Tracks II Track Recommendation Cover Page. The case plan will be filed at the Arraignment Hearing. All Track I cases will be assigned to the GM's New Tracks docket. At Arraignment, the first GM New Tracks Docket date will be assigned and directions to the GM are provided by the judge. The GM will continue to schedule a New Tracks Docket, and the judge will review notes from the GM hearings. The GM is also able to close the case unless contested matters require the judge to do so.

Track 2: Standard Supervision

Cases assigned to Track 2 are expected to have factors that indicate a more traditional management of each case is necessary. Track 2 events and timelines are designed to prevent cases from becoming unnecessarily protracted. The target timeframe for reaching permanency is 12-18 months. Cases will be assigned to the GM's New Tracks Docket or maintained on the judge's New Tracks Docket as determined by the judge. The GM is also able to close a case unless contested matters required the judge to do so.

Track 3: Intensive Supervision Track

Cases assigned to Track 3 are expected to have factors that indicate a need for a greater commitment of judicial oversight and outside resources because of significant and complex issues. Events and timelines are designed to allow for frequent judicial engagement with the judge conducting all proceedings. All cases will be set on the judge's New Tracks Docket. The target timeframe for achieving permanency is 18-22 months. Cases will be closed by the judge.

Track 4: Expedited TPR

Cases assigned to Track 4 are expected to have factors that indicate a need to immediately pursue termination of parental rights and events and timelines are designed to reach that result without unnecessary delay. The target timeframe for achieving permanency is 18 months. All cases will be set on the judge's New Tracks Docket. Cases will be closed by the judge.

Section 4: Screening and Assignment of Cases to Tracks

In order to develop screening criteria and an assessment form to be used to assign cases to each of the four tracks, Judge Tesche-Arkin created a sub-workgroup to identify case, child and parental factors to be used to evaluate cases and how these will be weighted or scored to determine the track assignment. The Assessment Form Sub-Workgroup finalized the New Tracks Case Criteria Assessment Tool and New Tracks Factor Reference Guide, which have been revised for use in New Tracks II, beginning August 1, 2018. The revised Assessment Tool and Reference Guide are attached.

Section 5: Performance Measurement for New Tracks

The New Tracks Pilot will be on-going for one year after implementation. A preliminary evaluation of the pilot will be undertaken at the one-year point. The one-year point will now be based on the August 1, 2018, restart date for New Tracks II. With evidence of success in the New Tracks approach, the pilot will continue for an additional year with a comprehensive evaluation being undertaken at that time to determine if the pilot should continue.

After the first 100 cases, there will be a case management review by the individual case management agencies on December 14, 2018, from 9:30 a.m. to 11 a.m. in the Judicial Conference Room. New Tracks progress meetings to discuss the New Tracks II implementation will take place on Aug 23, 2018, at noon to 1 p.m. in Conference Room A, and every fourth Thursday thereafter as needed. A representative of Court Administration will attend. The meetings will be open to all stakeholder groups.

The framework for measuring pilot performance, which will provide for a descriptive analysis of Dependency Division C structure and cases, is outlined below. Judge Essrig and Judge Tesche-Arkin created a Performance Measurement Sub-workgroup that assisted in refining the definitions in I., II., and III. below and to help determine the most efficient methods for capturing the data necessary to support these performance measures.

Performance Measurement Framework

I. *Time to Permanency:* Defined as the time period in days between the removal of the child(ren) from their home (day before shelter date) or the most recent commencement date of the CPI and the achievement of permanency by at least one child. Permanency is defined as achieving a permanent home for a child through reunification, adoption, guardianship, long term custody (to a relative or non relative), or another permanent planned living arrangement. The time period is reported as a median number of days for each of the four tracks.

II. *Time to Case Closure:* Defined as the time period in days between the date of the shelter hearing and the case closure date, reported as a median number of days for each of the four tracks.

III. *Percentage of Cases on each track which were completed within time frame established for each new track:*

- Track 1 Expedited Reunification and Resolution, 6 to 12 months to permanency
- Track 2 Standard Supervision, 12 to 18 months to permanency
- Track 3 Intensive Supervision Track, 18 to 22 months to permanency
- Track 4 Expedited TPR, 18 months to permanency

IV. Semi-structured Interview of a representative of each agency involved in the New Tracks project: (including Hillsborough County Sheriff’s Office, Administrative Office of the Courts, Dependency Judiciary, Office of the Attorney General, Clerk of Court’s Office, Youth and Family Alternatives, Eckerd Community Alternatives, Guardian ad Litem Program, and Regional Counsel)

- Information to be gathered will include:
 - how the pilot affects their agency’s role
 - day to day impact on scheduling and resource usage
 - observed differences in the workflow and any resulting impact
 - whether some tracks work better than others or for certain cases

V. Workflow Charts: of New Tracks processes to distinguish routine dependency case processing from differentiated case management.

VI. Summary of Analysis Results: to add to the body of knowledge regarding dependency differentiated case management.

VII. Independent Outside Evaluation: An independent outside evaluation will also be completed after the first year of implementation.

Section 6: Pre-Implementation Tasks and Assignments

The target date for the launch of the original New Tracks Pilot was August 15, 2017. Judge Essrig and Judge Tesche-Arkin, Court Administration staff and the stakeholder workgroup identified several tasks that needed to be completed prior to implementation to assure a successful launch. The list was not exhaustive and was added to or modified as necessary. The tasks and the sub-workgroup, stakeholders or offices responsible for completing them were enumerated below. Implementation tasks were addressed at the Stakeholder Workgroup meeting on July 6, 2017. Final due dates were assigned at that time and a Project Management Plan was created, which is attached.

Implementation Task	Assigned to
Completion of Assessment Form and guidance document on how to complete it	Assessment Form Sub-workgroup
Finalize recommendations on methods for expediting Track 1 cases	Track 1 Sub-workgroup
Assess technical support needed for maximum efficiency and effectiveness of New Tracks	IT Support Sub-workgroup

Implementation Task	Assigned to
Refine definitions for performance measurement framework and methods for data collection	Performance Measurement Sub-workgroup
Meet with representatives of Service Providers to explain New Tracks Pilot expectations	Judges
Develop colloquy on purpose of case track assignment in New Tracks	Judges
Identify and develop forms and orders needed by Court to manage New Tracks cases	Judges; Court Administration
Create system for flagging case track assignments within JAWS/Odyssey	IT Sub-workgroup
Conduct Pre-Pilot Survey on Stakeholder Roles in Pilot	Court Administration
Create New Tracks collaborative stakeholder agreements	Judges and Stakeholder Groups
Establish on-going method of communication among stakeholders regarding pilot performance and improvement	Judges and Stakeholder Workgroup
Plan and deliver training for stakeholder groups on August 4 and August 11: 10:00-noon; 12:30-1:00; Courtroom 1, Edgecomb Courthouse	Judges; Casey Family Programs and NCSC Consultants; Court Administration
Establish procedure for calendaring New Tracks cases on docket	Judges Chambers Team (judicial, court administration and clerk's office) and IT Sub-workgroup
Develop coverage plan for judges who fill in for Division C	Dependency Administrative Judge, Division C Judge and Court Administration Legal Department
Develop system to advise Court if ordered actions have not been accomplished prior to scheduled hearing	Court Administration courtroom facilitator and case management

Implementation Task	Assigned to
Develop troubleshooting protocols for operational issues in Pilot	Judges; Court Administration