

## Michigan\_CIP\_QRL

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### FULL TRANSCRIPT (with timecode)

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Hi, everyone, this is Elizabeth Henderson, I work with the Michigan Court Improvement Program, which is within our state court administrative office, and my title is court analyst. So I am going to share information about our quality legal representation project, also referred to as the Kjellaug project, which is in our CFS, our program improvement plan, or PIP.

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So how did this project come about? I will start by sharing that following round three of the CFS are the Children's Bureau invited Michigan to pilot a new format to develop our PIP.

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And so in January 20 19, a team from the Children's Bureau, along with the Capacity Building Center for Courts and Capacity Building Center for States, facilitated a four day meeting in Michigan for around one hundred people to develop our PIP. And there were a few things that were unique to this meeting. First, having a more neutral meeting facilitator group was helpful and it allowed for more open and honest sharing throughout the four days. Also, attendees included not only child welfare professionals from public and private child welfare agencies, the courts and tribes, but also included individuals with lived experience within the child welfare system.

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This format was different in that in the past, the department was on the hook for all of the development and then they would bet the pit by stakeholder groups. But the format that we used to develop that this time was truly joint planning and included a more diverse group of stakeholders. So initially, participants were divided into three groups, with each being assigned a topic safety, permanency or well-being, and the groups looked at available data and the CFA saw our final report to identify factors that could be improved upon in our child welfare system.

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So from these groups for crosscutting issues emerged, which were engagement, service delivery and quality assessment, workforce development and quality legal representation. So from there, we started by identifying the problem we wanted to address with the quality legal representation strategy. Which is less than a third of children who enter foster care in Michigan are discharged to permanency within a 12 month period. And from there, we completed a root cause analysis to identify the causes of the problem.

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And so this included that attorneys for parents and children are not acquainted at the earliest possible, including prior to a petition being filed or before a preliminary hearing. Also, attorneys do not have

access to a collateral support, such as social workers or parent partners. They do not participate in out of court meetings consistently, and they do not attend high quality training programs to improve their practice consistently.

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We looked at the available data relating to our list of causes, and this included information from a study, the study completed in twenty seventeen and each county's attorney's payment structure and attorney training requirements. We also looked at available evidence and best practices, which included looking at parent representation models from Washington State and New York, along with a pilot project in Genesee, Michigan, where a social worker was partnered with a parent's attorney.

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And then, in addition to that, the work of the Detroit Center for Family Advocacy, which was run by Vivek Sankaran, who is the director of the Child Advocacy Law Clinic at the University of Michigan Law School, who also participated in that four day pep meeting. So we were able to get information about an independent evaluation which showed that the Center for Family Advocacy had a positive impact on outcomes during their three year pilot, and they successfully prevented foster care placement and one hundred percent of their cases and expedited permanency for children who were already in foster care.

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So based on all this information, we then developed a theory of change, and that was that Michigan will develop and implement a high quality legal representation model so that attorneys in the pilot counties will receive training so that a higher rate of attorneys will have the knowledge and skills to competently represent their clients so that attorneys will be appointed prior to a petition being filed so that parents and children in the pilot counties will have access to collateral support and resources available so that parents at risk of having their children removed from the home will get timely legal and social service assistance so that parents and children will receive greater access to supportive services and parenting time to facilitate timely reunification so that parents and children will experience greater support and are more likely to engage in the reunification plan and court process.

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So that fewer children will enter foster care and for those that do enter foster care, a higher rate will reach permanency within 12 months. So the intervention we chose was based on the information we had at the time of the meeting, which again was an understanding of Michigan's current attorney structures across the state, along with research, best practices and successful programs implemented both in Michigan and nationally. So this does include strategies that we could have considered implementing alone, such as a training program or just increasing access to collateral support or finding a way to increase attendance out of court meetings.

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However, the consensus of the group, based on the data we had, was that it would be most beneficial to develop a high quality legal representation model that includes all of the strategies mentioned. So now that we look at we looked at the data, we completed a root cause analysis, we developed a theory of change, and then we decided on an intervention. How is everything going? So overall, everything is going really well. The Child Welfare Agency selected three counties to participate in the pilot based not only on factors such as having sufficient legal counsel and enough title for eligible families to implement the

intervention, but also, more importantly, judicial and agency leaders who would be fully engaged in the project.

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So each county is at a different stage of implementation, and they've developed a high quality legal representation model that specifically meets the needs in their county. And all of the pilots include attorney best practices and innovative strategies, such as pairing the parent, partner or social worker with the parent legal team.

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And each county has had the opportunity to work with consultants who are national experts on high quality legal representation, multidisciplinary legal teams. And this also includes Dr. Alicia Summers, who we all know is incredible and extremely helpful when determining how to evaluate programs. And it's also important to note that in the middle of implementing the QOL, our pilot projects, Michigan offered all courts to participate in what we refer to as the child and parent legal representation grant, the KLR, which offers for reimbursement for post removal, legal representation costs for attorneys representing parents or children.

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So in twenty, twenty, forty three courts participated. And this includes the counties that are participating in the QOL, our pilots who will then invest the funds into strategies that are included in their QOL, our models that Clark County counties that will also be offered reimbursement for representation costs for work prior to removal of a child from their home.

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And then once the school our pilots are fully implemented, we will use that data collected to assess if it's making an impact on outcomes and make any modifications either from their.

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So when we think about what has impacted the success of the project so far, there are three key things to note. One is the importance of a strong and meaningful partnership between the child welfare agency and the courts. So as you heard, this impacted the development of the project, but it's also contributed to the project moving forward, along with the buy in from the counties that are participating. We identified a core group of individuals to keep the culture moving, and that was identified right at the beginning of the planning, and this includes Skype director and staff, the chief of staff at DHS, along with other staff from the agency that are working on the project and the big thinker.

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And so this core group meets monthly to discuss challenges and progress. And then in addition, there are monthly calls between the core to our group and the local our pilot county teams to assess the progress, offer support and then determine what is needed to keep the project moving. The second key to the Keywell our project so far has been the ability to adapt the project and anticipate changes. So most recently for us, this means transitioning any in-person training plans or meetings into virtual ones due to the pandemic.

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Another example is with the strong partnership with the Child Welfare Agency. We are able to offer the free reimbursement to all the county statewide. So we decided to prioritize tasks associated with communicating this information and supporting courts to apply. And this did lead to some short delays on the QOL, our pilots. And our court system is county based. We also have had to be mindful of the local politics processes and priorities and how that impacts timelines and expectations of the pilots.

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The third thing is to utilize resources to strengthen and support the project, we're really fortunate in Michigan to have a strong partnership with the Sankaran, who has been part of all our projects since the initial meeting. We are also grateful for the support and consultation with Dr. Alicia Summers as the evaluation piece can be challenging to tackle and will likely look a little bit different in each pilot county. So the partnership with our

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national experts and people that are offering support has been critical. Also, the partnership with our child welfare agency has been extremely significant as it led to the ability to draw down those Title 40 funds for legal representation, which of course, the project along with their leadership in the pit. So those are the three key takeaways. And thank you so much for taking a moment to listen to this overview of Michigan's quality legal representation pilot project.