



# **Children's Justice Act Investigation and Prosecution of Child Abuse Assessment: *Stakeholder Survey Findings***

**Supreme Court of Ohio  
Subcommittee on Responding to Child Abuse, Neglect, and Dependency**

***May 13, 2015***

# RESPONSE DATA

**347 Total Responses**  
**220 Complete Responses**

*Questions most frequently skipped:*

- **Q.1 County where work (78)**
- **Q. 4 Assessment of effectiveness of child welfare processes (74)**
- **Q. 6 Assessment of prosecution/court handling of CAND cases (99)**
- **Q. 8 Percentage of cases in which substance abuse is contributing factor (104)**

# WHO RESPONDED?

- **67 Counties**
- **4 Statewide Presence**
- **Highest Response Rates**
  - Franklin – 35
  - Clark – 21
  - Cuyahoga – 17
  - Hamilton – 15
  - Delaware – 10
  - Wood - 10
  - Lucas – 9
  - Montgomery - 8
  - Perry – 8

# WHO RESPONDED?

Answer Choices	Responses
Judge or Magistrate	14.91% 51
Court Administrator	2.92% 10
Public Children Services Agency Administrator or Supervisor	26.32% 90
Public Children Services Agency Caseworker	4.09% 14
Public Children Services Agency Attorney	1.75% 6
Private Child Placing Agency Administrator or Supervisor	7.60% 26
Private Child Placing Agency Caseworker	3.22% 11
Medical Health Care Provider/Organization Member	0.58% 2
Mental Health Care Provider/Organization Member	2.34% 8
Substance Abuse Services Provider/Organization Member	0.88% 3
Child Advocacy Center Staff Member	4.39% 15
Guardian ad Litem in Abuse and Neglect Cases	6.73% 23
Court Appointed Special Advocate	5.56% 19
Child's Attorney	2.05% 7
Parent's Counsel	1.17% 4
Prosecutor or Assistant Prosecutor	0.00% 0
Law Enforcement Officer	0.58% 2
Law Enforcement Administrator or Supervisor	0.29% 1
Staff Member of Non-Profit Agency or Organization Related to Child Abuse or Neglect	10.53% 36
Staff Member of Government Agency or Organization Related to Child Abuse or Neglect not otherwise categorized above	6.73% 23
Other	10.53% 36
<b>Total Respondents: 342</b>	

# WHO RESPONDED?

## Others

Nonprofit director	7
Marriage/family/child therapy	7
Nonprofit Staff	6
Nonprofit Funder/consulting	4
Residential Facility Administration	4
Other Public interest attorney	4
CASA staff (employees)	4
Other child welfare advocate	4
Citizens Review Board	3
Private agency staff	3
Other court staff (clerk, liaisons)	3
DV/Sexual assault Advocate	2
Family Member	1
ASL Interpreter	1
<b>Total</b>	<b>53</b>

**Q.3 APPROXIMATELY WHAT PERCENTAGE OF YOUR TIME IS SPENT IN RELATION TO CASES INVOLVING CHILD ABUSE OR NEGLECT, INCLUDING CASES INVOLVING CHILDREN WHO HAVE BEEN SEXUALLY EXPLOITED OR ABUSED OR EXPOSED TO DOMESTIC VIOLENCE?**

Answered: 337 Skipped: 10

<b>Answer Choices</b>	<b>Responses</b>	
0 - 20%	<b>24.93%</b>	84
21 - 40%	<b>18.69%</b>	63
41 - 60%	<b>14.84%</b>	50
61 - 80%	<b>10.68%</b>	36
More than 80%	<b>30.86%</b>	104
<b>Total</b>		<b>337</b>

## Q.4 BASED ON YOUR PERSONAL EXPERIENCE, PLEASE RESPOND TO EACH STATEMENT BELOW ABOUT CHILD ABUSE AND NEGLECT INVESTIGATIVE/ADMINISTRATIVE PROCESSES

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Knowledge
Reports of child abuse/neglect are timely investigated	23.16% 63	51.10% 139	9.56% 26	9.19% 25	2.21% 6	4.78% 13
Reports of child abuse/neglect are effectively investigated	11.48% 31	49.63% 134	17.41% 47	15.93% 43	2.59% 7	2.96% 8
Initial interviews with children alleged to be abused or neglected are conducted effectively	12.22% 33	44.81% 121	18.15% 49	10.74% 29	2.59% 7	11.48% 31
Medical health examinations of children alleged to be abused or neglected are conducted effectively	10.78% 29	46.84% 126	18.59% 50	10.04% 27	1.12% 3	12.64% 34
Mental health assessments of children alleged to be abused or neglected are conducted effectively	3.69% 10	36.16% 98	26.57% 72	20.66% 56	4.80% 13	8.12% 22
Investigations are effective in determining existence of domestic violence	6.64% 18	43.54% 118	27.31% 74	12.55% 34	2.58% 7	7.38% 20
Investigations are effective in determining existence of substance abuse issues	10.82% 29	53.73% 144	16.04% 43	11.19% 30	1.87% 5	6.34% 17
Investigations are effective in determining parental mental health issues	5.22% 14	45.90% 123	24.63% 66	15.67% 42	2.99% 8	5.60% 15
Initial safety assessment and planning are effective in assuring child safety and well-being	11.52% 31	47.21% 127	16.73% 45	15.99% 43	3.72% 10	4.83% 13

## **Q.4 COMMENTS SUMMARY**

### **Areas of Strength**

- In a representative comment, one responder noted “Overall, our system is competent in all areas, but with room for improvement in every area.”
- Effectiveness of safety assessment and planning, and of case planning, were rated highly.

### **Areas of Opportunity**

- A number of responders indicated concerns with screening in processes, including inconsistency in interpretation of screening criteria among jurisdictions, and in application of evidentiary requirement for screening in cases.
- Several responders commented that efforts should focus more on maintaining child safety than on efforts to avoid removal or effect reunification when making case decisions and in determining assignment to traditional or alternative pathways under Ohio’s differential response system.
- Responders were neutral in their assessment of the effectiveness of the initial investigation in identifying domestic violence. Several noted that the availability of training in the “Safe and Together” model of response to DV has enhanced the effectiveness of screening/investigating in this area.
- Several areas of need were noted in relation to medical assessments: exams are not always performed; trauma to children may be compounded by repeat examinations; proficiency of providers and expertise in forensic techniques vary widely; the need for sexual abuse examinations may not be identified.
- Effectiveness of investigations may be compromised by inexperience of caseworker, and lack of relevant education and training, including a social work degree.

**Q.5 FOR EACH STATEMENT ON WHICH YOU CHECKED "DISAGREE" OR "STRONGLY DISAGREE" (IN Q. 4) PLEASE IDENTIFY STRATEGIES OR IMPROVEMENTS YOU BELIEVE WILL ENHANCE THE INVESTIGATIVE/ADMINISTRATIVE PROCESS.**

	Change in Laws Governing the Process –	Changes in CS Policies/Procedures –	Specialized Training –	New programs –	Not Applicable –	Total Respondents –
Timeliness of investigation	17.36% 21	43.80% 53	31.40% 38	5.79% 7	35.54% 43	121
Effectiveness of investigation	15.32% 19	43.55% 54	48.39% 60	7.26% 9	32.26% 40	124
Effectiveness of initial interview with the child	10.57% 13	30.89% 38	54.47% 67	7.32% 9	32.52% 40	123
Effectiveness of medical health examinations of children	11.20% 14	24.00% 30	45.60% 57	16.00% 20	40.00% 50	125
Effectiveness of safety assessment & safety planning	19.20% 24	40.80% 51	41.60% 52	9.60% 12	36.80% 46	125
Effectiveness of case planning	15.45% 19	39.84% 49	42.28% 52	8.13% 10	36.59% 45	123
Effectiveness of process in identifying domestic violence issues	13.04% 15	28.70% 33	52.17% 60	10.43% 12	34.78% 40	115
Effectiveness of process in identifying mental health issues	12.06% 17	26.24% 37	62.41% 88	19.86% 28	25.53% 36	141
Effectiveness of process in identifying substance abuse issues	8.13% 10	26.83% 33	49.59% 61	13.82% 17	37.40% 46	123
Timeliness of case planning	15.83% 19	40.83% 49	26.67% 32	5.00% 6	40.83% 49	120

## Q.5 COMMENTS SUMMARY

### Specific Strategies for Enhancing Practice

- **Ongoing Specialized Trainings for Agency Personnel**
  - More effective identification and response to cases in which domestic violence, substance abuse, and mental health issues are a component.
  - How to strike a balance among competing interests: the child's best interests, effectively meeting reasonable efforts mandates, responding to parental needs, supporting foster parents, enhancing timely permanency.
  - Impact of trauma in child protection cases, both to children and parents; child and adolescent brain development.
  - Effectively working with domestic violence perpetrators and victims; consistent identification and effective response to domestic violence.
  - Identification and response strategies for drug/alcohol and mental health needs.
- **Development of strategies for better collaboration among all systems that serve children (court, agency, law enforcement, GALs and CASAs, counsel for parties, service providers), to include multi-disciplinary training and case planning.**

## **Q.5 COMMENTS SUMMARY**

- **Enhancement of domestic violence related practice**
  - Reduction of trauma to children by excluding perpetrator from being present at interview.
  - Shift from victim blaming to focus on perpetrator accountability, interviewing, and inclusion in case planning and services.
- **More consistent inclusion of and enhanced training for foster parents**
  - Trauma impact training
  - Inclusion in case planning
- **Changes in rule/laws/policy**
  - Longer timeframes for more effective investigations
  - More effective inclusion of parents:
    - in case planning, through development of forms with clearer explanations of requirements and expectations;
    - use of mediation in case planning;
    - begin family search and engagement as early as possible; and
    - use of positive reinforcement.
  - Establishment by law or rule of mandatory timeframe for conduct of mental health assessments for all children age three or older who enter foster care.
  - Closer and more effective supervision of case planning and case management.
  - Encourage worker specialization.
  - Amendments to state law to include terminology in use in Ohio's preferred practice response to cases with domestic violence component

**Q.6 BASED ON YOUR PERSONAL EXPERIENCE, PLEASE RESPOND TO EACH STATEMENT BELOW ABOUT THE PROSECUTION OR COURT AND JUDICIAL HANDLING OF CHILD ABUSE/NEGLECT CASES.**

	Strongly Agree –	Agree –	Neutral –	Disagree –	Strongly Disagree –	No Knowledge –	Total –
Prosecution of abuse/neglect cases is timely	8.54% 21	30.89% 76	13.01% 32	28.86% 71	11.38% 28	7.32% 18	246
Prosecution of abuse/neglect cases is effective	6.94% 17	37.14% 91	20.00% 49	20.41% 50	9.39% 23	6.12% 15	245
Representation of children's best interests by Guardians ad Litem (GALs) is effective	11.48% 28	35.66% 87	22.54% 55	18.44% 45	6.97% 17	4.92% 12	244
Representation of children's best interests by Court Appointed Special Advocates (CASAs) is effective	17.55% 43	35.10% 86	17.96% 44	6.53% 16	5.71% 14	17.14% 42	245
Children Services agencies are effectively represented in child abuse/neglect cases.	12.24% 30	51.43% 126	15.92% 39	10.20% 25	4.08% 10	6.12% 15	245
Courts are effective in monitoring the child's safety while the child is under the court's jurisdiction.	9.02% 22	40.57% 99	28.69% 70	11.89% 29	3.69% 9	6.15% 15	244
Court processes and hearings are conducted in a timely manner.	12.24% 30	32.24% 79	15.10% 37	25.71% 63	8.16% 20	6.53% 16	245
Court processes and hearings are conducted fairly to the participants.	16.94% 41	42.15% 102	20.25% 49	9.92% 24	3.72% 9	7.02% 17	242
Child victims of abuse or neglect receive adequate services to mitigate the effects of trauma suffered.	3.27% 8	33.47% 82	17.96% 44	28.16% 69	8.98% 22	8.16% 20	245
Effective representation is provided when the court appoints an attorney to represent a child's wishes in an abuse/neglect case	5.31% 13	40.82% 100	29.80% 73	11.84% 29	3.27% 8	8.98% 22	245

## Q. 6, CONT'D

**BASED ON YOUR PERSONAL EXPERIENCE, PLEASE RESPOND TO EACH STATEMENT BELOW ABOUT THE PROSECUTION OR COURT AND JUDICIAL HANDLING OF CHILD ABUSE/NEGLECT CASES.**

Parents/guardians of children alleged to be abused/neglected are effectively represented by counsel	8.57% 21	46.53% 114	25.71% 63	9.39% 23	1.63% 4	8.16% 20	245
Issues related to domestic violence are effectively addressed in prosecution and judicial processes	3.27% 8	29.39% 72	31.43% 77	20.00% 49	6.53% 16	9.39% 23	245
Issues related to substance abuse are effectively addressed in prosecution and judicial processes	7.05% 17	43.57% 105	20.33% 49	17.43% 42	3.32% 8	8.30% 20	241
Issues related to mental health are effectively addressed in prosecution and judicial processes	4.12% 10	37.86% 92	28.40% 69	18.11% 44	3.70% 9	7.82% 19	243
Issues related to physical health are effectively addressed in prosecution and judicial processes	4.94% 12	40.74% 99	29.63% 72	11.11% 27	1.65% 4	11.93% 29	243

## **Q.6 COMMENTS SUMMARY**

### **Timeliness:**

- Families with removed children should priority in court scheduling
- Court process should be aimed at more timely permanency
- Expedite appeals so as to not allow children to linger in foster care.

### **GAL/CASA Practice**

- GAL or CASA visits with child not always completed
- GAL may not be equipped to represent the best interest of the child
- GALs should be required to remain on the case throughout the life of the case

### **Court Procedure**

- Many courts are unaware of best practices when it comes to domestic violence, preventing other systems (such as child protection) from being effective
- Have in-house counsel who specializes in child welfare law represent agencies
- Court should routinely review a case every 90 days

**Q.7 FOR EACH STATEMENT ON WHICH YOU CHECKED "DISAGREE" OR "STRONGLY DISAGREE," PLEASE IDENTIFY STRATEGIES OR IMPROVEMENTS YOU BELIEVE WILL ENHANCE CHILD ABUSE/NEGLECT PROSECUTION AND COURT OR JUDICIAL PROCESSES.**

	Change in laws governing prosecution and court process –	Change in policies/procedures –	Specialized training –	New programs –	Not applicable	Total Respondents –
Effectiveness/timeliness of prosecution	37.32% 53	50.00% 71	26.06% 37	7.04% 10	25.35% 36	142
Effectiveness/timeliness of judicial process	33.83% 45	47.37% 63	24.06% 32	9.02% 12	29.32% 39	133
Effectiveness of GALs in representing child's best interests	22.73% 30	37.88% 50	46.97% 62	9.09% 12	31.82% 42	132
Effectiveness of CASAs in representing child's best interests	7.69% 9	24.79% 29	36.75% 43	12.82% 15	50.43% 59	117
Effectiveness of representation of parents/guardians by counsel	10.09% 11	22.02% 24	39.45% 43	10.09% 11	48.62% 53	109

**Q.7 FOR EACH STATEMENT ON WHICH YOU CHECKED "DISAGREE" OR "STRONGLY DISAGREE," PLEASE IDENTIFY STRATEGIES OR IMPROVEMENTS YOU BELIEVE WILL ENHANCE CHILD ABUSE/NEGLECT PROSECUTION AND COURT OR JUDICIAL PROCESSES.**

	Change in laws governing prosecution and court process –	Change in policies/procedures	Specialized training –	New programs –	Not applicable	Total Respondents –
Effectiveness of representation of children's wishes by court appointed attorney	10.81% 12	31.53% 35	42.34% 47	11.71% 13	42.34% 47	111
Effectiveness of response to domestic violence issues	20.66% 25	35.54% 43	49.59% 60	20.66% 25	32.23% 39	121
Effectiveness of response to substance abuse issues	14.29% 16	29.46% 33	44.64% 50	22.32% 25	35.71% 40	112
Effectiveness of response to mental health issues	16.24% 19	27.35% 32	51.28% 60	25.64% 30	34.19% 40	117
Effectiveness of response to physical health issues	7.77% 8	21.36% 22	34.95% 36	19.42% 20	51.46% 53	103

## **Q. 7 COMMENTS SUMMARY**

### **Failure to prosecute**

- County prosecutors not taking cases unless there's a 100% win chance.
- The level of proof for CSB cases is not the same as for criminal cases.
- Prosecutors assigned to dependency cases should have specialized training

### **More coordination of services**

- Mental health courts need to be set up to address family issues whether it relates to domestic violence, alcohol/drug abuse, DNA cases, delinquency/unruly or otherwise.
- Bifurcation of the process (requiring two separate dates) serves no rational purpose and builds in delay.

### **GALS**

- Accountability requirements needed: training hours, visitation
- Too wide latitude to inject personal viewpoint into cases.

### **Children and families with special needs:**

- Limited resources in the courts for children who have special needs  
(one commenter reported witnessing hearing impaired father not be provided an interpreter in court)

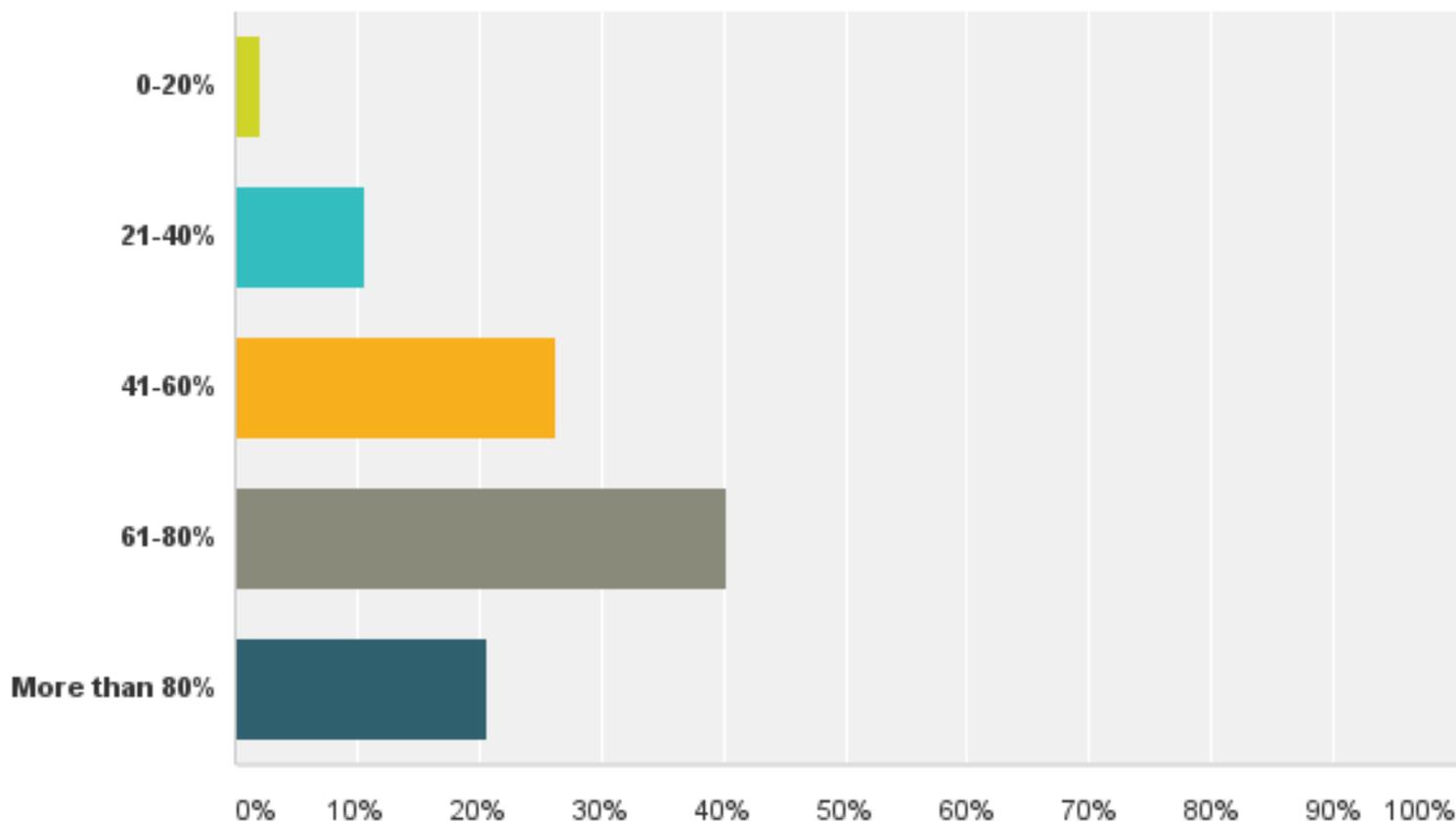
## Q.7 COMMENTS SUMMARY

### Specific Strategies Suggested

- Changes to law and policies to reduce timeframes for reunification.
- Judges and prosecutors would benefit from cultural competence training and trauma impact training; trainings on understanding victims and family dynamics.
- Focus less on perpetrator rights and more on timeliness and effectiveness of services; reduce revictimization of non-offending parents and child victims with victim-sensitive court proceedings and urgency in court processes.
- Institute more supervised visitation programs.
- Develop stricter requirements for GAL/CASA practice to ensure greater accountability and enhance process for children. Trauma impact training should be mandatory. Eliminate dual appointment of GALs to represent child's best interests and child's wishes.
- Require timely forensic medical examinations, especially in relation to allegations of child sexual abuse.
- Institute mental health courts.
- Develop policies to foster better communication between prosecutors and agency caseworkers and to ensure smooth transition when changes in prosecutor occur.
- Mandate timeframes in which motions must be heard.
- Address current ability in law to "plead down" from abuse or neglect to a dependency allegation.
- Additional training on and incorporation of principles of the "Safe and Together" response to domestic violence in court proceedings and agency culture.

## Q8 Based on your experience, what percentage of abuse/neglect cases do you estimate include substance abuse or addiction as a contributing factor?

Answered: 243 Skipped: 104



**Q.9 PLEASE SHARE ANY ADDITIONAL THOUGHTS ABOUT CHANGES TO LAWS THAT COULD HELP REDUCE TRAUMA TO THE CHILDREN INVOLVED IN CHILD ABUSE AND NEGLECT CASES? (COMMENTS SUMMARY)**

- Change in visitation requirements in relation to a parent perpetrator (visitation should not be required)
- Agencies should be permitted to appeal the denial of a motion for permanent custody
- Change child testimony requirements:
  - Less traumatic options for testimony (i.e., out of court to avoid offending parent; testimony on closed circuit television; *in camera* court interview )
  - Allow recordings of forensic interview to be used in court
- Reduce time in which reunification efforts may be made.
- Allow motions for permanent custody to be filed at any time, if supported by statutory cause, including on court's motion.
- Require timely scheduling of hearings.
- Allow for individual case-planning and motions for permanent custody in relation to individual parent.

**Q.10 PLEASE SHARE ANY ADDITIONAL THOUGHTS ABOUT CHANGES TO TRAININGS THAT COULD HELP REDUCE TRAUMA TO THE CHILDREN INVOLVED IN CHILD ABUSE AND NEGLECT CASES? (COMMENTS SUMMARY)**

## **Suggested Training Topics**

- Trauma impact.
- Birth parent training to foster reunification efforts.
- Interagency collaboration.
- Trust-based Relational Interventions
- Training on case planning for judges
- “Through my Eyes” training from child/youth perspective
- More detailed mental health, substance and domestic violence trainings.

## **Q.12 PLEASE SHARE ANY ADDITIONAL THOUGHTS ABOUT CHANGES TO PROGRAMS THAT COULD HELP REDUCE TRAUMA TO THE CHILDREN INVOLVED IN CHILD ABUSE AND NEGLECT CASES? (COMMENTS SUMMARY)**

### **Suggestions for Programs**

- Develop additional low or no-cost programs for children and youth in foster care, such as summer camps and after school programs, that are inclusive of children and youth with special needs; focus on trauma informed care within these programs.
- Training, education, and resources for community mental health services providers on trauma impact.
- Development of more specific programs and services for children who have been exposed to domestic violence.
- Develop enhanced visitation programs.
- Create prevention programs for parents, families and unrelated caregivers, as well as programs in schools that allow reporting of abuse and neglect anonymously.
- Make full day pre-school treatment programs available.
- There is a need more effective programs for youth with severe behavioral and mental health issues and violent tendencies.
- More accessible programs for families to provide quicker access to effective services for such things as drug/alcohol and mental health needs.

### **Q.13**

## **WHAT INFORMATION OR TRAINING WOULD BE OF BENEFIT TO YOU IN YOUR ROLE IN CHILD ABUSE AND NEGLECT CASES? (COMMENTS SUMMARY)**

- Legal aspects of A/N/D cases, including court involvement and expectations
- Trauma, DV, Substance abuse
- How to interview clients to find out what is actually happening in a case as opposed to what they are telling you.
- Understanding more about the duties that a child protective agency has under the administrative code
- Training on current discoveries/information on brain development (in utero and 0-3).