



JUDICIAL COUNCIL  
OF CALIFORNIA

WORKLOAD ASSESSMENT  
ADVISORY COMMITTEE

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COURT EXECUTIVES ADVISORY COMMITTEE  
JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM  
SUBCOMMITTEE

**MATERIALS FOR SEPTEMBER 21, 2020**

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## COURT EXECUTIVES ADVISORY COMMITTEE JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

### NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** September 21, 2020  
**Time:** 10:00 a.m. – 11:00 a.m.  
**Public Call-in Number:** 1-877-820-7831; passcode 279-7635 (Listen Only)

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [ceac@jud.ca.gov](mailto:ceac@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the July 20, 2020, Judicial Branch Statistical Information System Subcommittee, Court Executives Advisory Committee meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [ceac@jud.ca.gov](mailto:ceac@jud.ca.gov) or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Ms. Emily Chirk. Only

written comments received by 10:00 a.m., September 18, 2020, will be provided to advisory body members prior to the start of the meeting.

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**III. INFORMATION ONLY ITEM (NO ACTION REQUIRED)**

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**Info 1**

**Update on TCPJAC/CEAC Statewide Meetings**

Update on the JBSIS presentations at the Trial Court Presiding Judges Advisory Committee and Court Executive Advisory Committee statewide meetings on Friday, August 14, 2020.

Presenter: Mr. Jake Chatters, Chair, JBSIS Subcommittee

**Info 2**

**CEAC 2021 Annual Agenda**

Update on projects and activities for the JBSIS Subcommittee of the Court Executives Advisory Committee 2021 Annual Agenda.

Presenter: Mr. Jake Chatters, Chair, JBSIS Subcommittee

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**IV. DISCUSSION AND POSSIBLE ACTION ITEM (ITEM 1)**

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**Item 1**

**Juvenile Dependency and Delinquency Reports (Action Required)**

Presentation of the draft 8A Juvenile Delinquency and 9A Juvenile Dependency Family Law report for state reporting, local reporting, and branch interests.

Presenter: Ms. Emily Chirk, Senior Analyst, Office of Court Research, Business Management Services

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**V. ADJOURNMENT**

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**Adjourn**



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## COURT EXECUTIVES ADVISORY COMMITTEE JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

### MINUTES OF OPEN MEETING

July 20, 2020

11:00 a.m. – 12:00 p.m.

Via Conference Call

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**Advisory Body Members Present:** Mr. Jake Chatters, Chair; Mr. Chad Finke; Ms. Rebecca Fleming; Mr. Kevin Harrigan; Mr. Michael D. Planet; Mr. Michael M. Roddy; Ms. Kim Turner

**Advisory Body Members Absent:** Ms. Sherri R. Carter

**Others Present:** Ms. Leah Rose-Goodwin; Ms. Savet Hong; Ms. Emily Chirk; Ms. Donna Ignacio; Mr. David Kukesh

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#### OPEN MEETING

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##### **Call to Order and Roll Call**

The chair called the meeting to order at 11:03 a.m., and took roll call.

##### **Approval of Minutes**

The advisory body reviewed and approved the minutes of the May 18, 2020, Judicial Branch Statistical Information System Subcommittee, Court Executives Advisory Committee meeting.

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#### DISCUSSION AND ACTION ITEM (ITEM 1)

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##### **Item 1**

##### **Family Law Report**

##### **Action:**

*The staff presented three draft reports related to data reporting for the Family Law casetype with recommendations on removal of certain disposition data elements and addition of case aging data elements as recommended by national standards. The subcommittee members discussed the feasibility of collecting data on post judgment activity due to varying capability of case management systems in the state. The subcommittee directed staff to obtain additional information on how post judgement activity is currently collected by case management systems in the state.*

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 11:40 a.m..

Approved by the advisory body on enter date.

DRAFT

**2020 Project Accomplishments:**

**JBSIS Subcommittee.** The subcommittee has made considerable progress on its 2020 objectives, including an extensive review of JBSIS data elements to determine which should continue to be collected and which were no longer needed, based on a set of agreed-upon review principles. The subcommittee reviewed the civil, small claims, family law, and juvenile (Sept 2020 planned) data elements and will continue this review into 2021. The subcommittee recommended, and the Judicial Council adopted, a proposal to add a new data collection category to improve felony disposition reporting. The subcommittee also reviewed and discussed various data reporting questions to help improve the consistency of JBSIS data reporting.

**2021 Project/Activities (update this section to reflect project/activities for 2021):**

<b><i>Project Title: Judicial Branch Statistical Information System Subcommittee</i></b>	<b><i>Priority 2<sup>7</sup></i></b>
<b><i>Strategic Plan Goal<sup>8</sup> III</i></b>	
<p><b><i>Project Summary<sup>9</sup>:</i></b> CEAC will continue to provide oversight responsibility over Judicial Branch Statistical Information System (JBSIS) through the JBSIS Subcommittee. JBSIS is authorized through California Rules of Court, rule 10.400, and CEAC has oversight responsibility of JBSIS as defined in rule 10.48, which governs CEAC.</p> <p>The subcommittee identified the following projects:</p> <p><b>Ongoing Review and Revisions of JBSIS Reporting Standards</b> CEAC will continue to review and seek input from courts on the recent revisions to the filing definitions and recommend additional revisions as needed. CEAC will also identify additional areas in JBSIS for review that will be important for branchwide budget advocacy efforts, monitoring court operations, and workload analysis. For 2021, this work is anticipated to be extensive. The JBSIS Subcommittee will continue its review of all JBSIS non-filings data in an effort to better match the quantity of data collection with the ability for courts and the branch to ensure a level of data integrity and quality. The JBSIS Subcommittee anticipates developing recommendations to better reflect the current trends in data analytics, with a focus on producing highly reliable data in a consistent and uniform fashion statewide. The JBSIS Subcommittee will conduct this work in collaboration with the ITAC Data Analytics Workstream.</p> <p><b>Strengthening Data Governance Principles for JBSIS Reporting</b> The <i>JBSIS Implementation Manual</i> currently contains the data standards, definitions, reporting rules, and technical specifications for JBSIS reporting. The CEAC JBSIS Subcommittee will work on adding new components to the JBSIS manual that will document some of these new data governance principles for JBSIS to provide greater transparency and confidence in JBSIS data. The JBSIS Subcommittee will also provide input to the Judicial Council’s Statistics and Information Unit as they develop additional procedures and guidance for courts as part of their regular JBSIS reporting.</p>	

The following are areas of ongoing work or planned for the upcoming year:

- Continue and complete the review of all JBSIS non-filings data in an effort to better match the quality of data collection with the ability for courts and the branch to ensure a level of data integrity and quality, and produce recommendations for Judicial Council review;
- Create a public database with ongoing JBSIS Q&A and technical assistance provided by the Judicial Council's Court Research for greater transparency and consistency in guidance provided to courts (carries over from last annual agenda); and
- Provide ongoing input to Judicial Council's Audit Services on JBSIS filing audit.

**Status/Timeline:** Ongoing.

**Fiscal Impact/Resources:** Audit Services, Information Technology, Trial Court Leadership, and Court Research staff.

**Internal/External Stakeholders:** Superior courts and case management system vendors.

**AC Collaboration:** None.

9A Dependency Current Reporting

<b>Juvenile Dependency 9A</b>			
<b>Row #</b>	<b>Data Element</b>	<b>Definition</b>	<b>Reportable by</b>
50	<b>Inventory (initial/subsequent/supplemental petition)</b>		
100	Beginning pending	The number of petitions awaiting disposition before the beginning of a reporting period.	JBSIS
200	+ Filing (initial, subsequent, or supplemental petitions)	The beginning of a court case by formal submission of an initial, subsequent, or supplemental petition alleging the facts and requesting relief or the transfer-in of a case from another jurisdiction.	Portal and JBSIS
225	+ Reopened	A case that was previously reported as disposed but is resubmitted to a court.	Portal and JBSIS
300	- Disposed	A determination by the court regarding the initial, subsequent, supplemental, and adoption petitions.	Portal and JBSIS
400	End pending (=)	The total number of petitions awaiting disposition on the last day of the reporting period.	JBSIS
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>			
500	Dispositions (total rows 600, 900, 1200)	A determination by the court regarding the initial, subsequent, supplemental, and adoption petitions.	Portal and JBSIS
600	Before jurisdictional hearing (total from row 650)	The petition is disposed before the start of a hearing in which first evidence is presented to the court for a determination of whether there is sufficient evidence to sustain the allegations in the petition	Portal and JBSIS
▼650	Dismissal/Transfer (total rows 700 - 800)	The petition is disposed before a jurisdictional hearing in which the petition was dismissed or transferred.	JBSIS
700	Dismissal	The petition is disposed before a jurisdictional hearing in which (1) the specific allegations in the petition are not proven or (2) the petition is dismissed because the jurisdictional hearing was not begun within the time limits.	JBSIS
800	Change of venue	A disposition before jurisdictional hearing in which the venue of a case changes to another county.	JBSIS
900	After jurisdictional hearing (total rows 1000, 1100)	The petition is disposed after the start of a hearing in which first evidence is presented to the court for a determination of whether there is sufficient evidence to sustain the allegations in the petition	Portal and JBSIS
1000	Uncontested (total rows 1005, 1030)	The petition is disposed after a jurisdictional hearing in which the allegations of the petition are not denied.	Portal and JBSIS
▼1005	Dismissal/Transfer (total rows 1010 - 1020)	A disposition after uncontested jurisdictional hearing in which the case was dismissed or transferred.	JBSIS



9A Dependency Current Reporting

1010	Dismissal	The petition is disposed after an uncontested jurisdictional hearing in which the specific allegations in the petition are not proven.	JBSIS
1020	Change of venue	A disposition after an uncontested jurisdictional hearing in which the venue of a case changes to another county.	JBSIS
1030	Entry of judgment (total rows 1040 - 1050)	A disposition after an uncontested jurisdictional hearing in which the court has determined that there is sufficient evidence to sustain the allegations in the petition (Welf. & Inst. Code, § 360) or the court has ordered a change or modification to a previous order by removing a minor from the physical custody of a parent, guardian, relative, or friend	JBSIS
1040	Dependency	A judgment in which the court orders and declares the minor a dependent of the court	JBSIS
1045	Non-minor dependency established	An order or finding establishing non-minor dependency status.	JBSIS
1050	Other judgment	A judgment in which the court determines that there is sufficient evidence to sustain the allegations in the petition but does not declare the minor to be a dependent of the court.	JBSIS
1100	Contested (total rows 1105 and 1130)	The petition is disposed after a jurisdictional hearing in which the allegations of the petition are denied.	Portal and JBSIS
▼1105	Dismissal/Transfer (total rows 1110 - 1120)	A disposition after contested jurisdictional hearing in which the case was dismissed or transferred.	JBSIS
1110	Dismissal	The petition is disposed after a contested jurisdictional hearing in which the specific allegations in the petition are not proven.	JBSIS
1120	Change of venue	A disposition after a contested jurisdictional hearing in which the venue of a case changes to another county.	JBSIS
1130	Entry of judgment (total rows 1140 - 1150)	A disposition after a contested jurisdictional hearing in which the court has determined that there is sufficient evidence to sustain the allegations in the petition or the court has ordered a change or modification to a previous order by removing a minor from the physical custody of a parent, guardian, relative, or friend.	JBSIS
1140	Dependency	A judgment in which the court orders and declares the minor a dependent of the court	JBSIS
1145	Non-minor dependency established	An order or finding establishing non-minor dependency status.	JBSIS

9A Dependency Current Reporting

1150	Other judgment	A judgment in which the court determines that there is sufficient evidence to sustain the allegations in the petition but does not declare the minor to be a dependent of the court.	JBSIS
1200	Ruling on adoption petition	The disposition of an adoption petition in which the court determines whether to grant or deny the petition.	Portal and JBSIS
1290	<b>Inventory (minors or non-minor dependents under court's supervision)</b>		
1300	Beginning minors or non-minor dependents under court's supervision	The number of minors awaiting termination of dependency on the first day of a reporting period.	JBSIS
1400	+ Dependents or non-minor dependents added to supervision	The number of minors declared dependents of the court during the reporting period.	JBSIS
1500	- Termination of dependency or non-minor dependent	The court orders termination of the dependency.	JBSIS
1550	- Change of venue	A termination in which the venue of a case changes to another county.	JBSIS
1600	End minors or non-minor dependents under court's supervision	The number of minors awaiting termination of dependency on the last day of a reporting period.	JBSIS
1690	<b>Case Aging</b>		
1700	Age of terminated cases	The numbers of cases falling into the following time intervals, beginning with the date the initial petition was filed and ending with date of dependency termination	
1800	0 - LT 18 months		JBSIS
1900	18 months–LT 3 years		JBSIS
2000	3–5 years		JBSIS
2100	GT 5 years		JBSIS
2200	Age of cases under court's supervision	The numbers of cases pending termination of dependency at the end of the reporting period that fall into each of the following time intervals from the date the initial petition was filed	
2300	0 - LT 18 months		JBSIS
2400	18 months–LT 3 years		JBSIS
2500	3–5 years		JBSIS
2600	GT 5 years		JBSIS
Key:	Unshaded cell = data expected		
	Shaded cell = data not expected		

9A Dependency Draft JBSIS Report

<b>Juvenile Dependency 09a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50
		Dependency (W&I § 300) Original		Dependency (W&I § 342) Subsequent		Placement (W&I § 387) Supplemental		Dependency or Non-minor Dependent Adoption		Non-minor Dependent (AB 12)	
	P JBSIS Web Portal Case Type	P		P		P		P		P	
<b>CASELOAD/CASEFLOW (unit of count = minor or non-minor dependent)</b>											
50	<b>Inventory (initial/subsequent/supplemental petition)</b>										
100	Beginning pending										
200	+ Filing (initial, subsequent, or supplemental petitions)										
225	+ Reopened										
▼300	- Disposed (initial, subsequent, or supplemental petitions)										
400	End pending (=)										
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>											
600	Disposition Before jurisdictional hearing										
900	Disposition After jurisdictional hearing										
1200	Ruling on adoption petition										
1290	<b>Inventory (minors or non-minor dependents under court's supervision)</b>										
1300	Beginning minors or non-minor dependents under court's supervision										
1400	+ Dependents or non-minor dependents added to supervision										
1500	- Termination of dependency or non-minor dependent										
1550	- Change of venue										
1600	End minors or non-minor dependents under court's supervision										
1690	<b>Case Aging</b>										
1700	Age of terminated cases										
1800	0 - LT 18 months										
1900	18 months–LT 3 years										
2000	3–5 years										
2100	GT 5 years										
2200	Age of cases under court's supervision										
2300	0 - LT 18 months										
2400	18 months–LT 3 years										
2500	3–5 years										
2600	GT 5 years										
<b>WORKLOAD (unit of count = action)</b>											
2700	Hearings total (2750 - 2790, 2900, 2950 - 3100, 3150, and 3200)										
	Detention/First appearance hearing										



9A Dependency Draft JBSIS Report

<b>Juvenile Dependency 09a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50
		Dependency (W&I § 300) Original	Dependency (W&I § 342) Subsequent	Placement (W&I § 387) Supplemental	Dependency or Non-minor Dependent Adoption	Non-minor Dependent (AB 12)					
							P	P	P	P	P
P JBSIS Web Portal Case Type		P	P	P	P	P	P	P	P	P	P
2900	Disposition hearings										
	0 - LT 9 months										
	9 - LT 12 months										
	GT 1 year										
3150	Welf. & Inst. Code, § 366.26 hearing (total rows 3160, 3170)										
3162	LE 12 months										
3165	GT 12 months										
3300	<b>Events</b>										
5900	W&I Code, § 366.26 hearing outcomes (total rows 6000, 6100)										
6000	Parents' rights terminated (total rows 6010 - 6030)										
6100	Parents' rights not terminated (total rows 6200 - 6400)										

Key:	Unshaded cell = data expected
	Shaded cell = data not expected

9A Dependency Draft Branch Narrative

<b>Juvenile Dependency 09a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50
		Dependency (W&I § 300) Original	Dependency (W&I § 342) Subsequent		Placement (W&I § 387) Supplemental		Dependency or Non-minor Dependent Adoption		Non-minor Dependent (AB 12)		
	P										
	P	JBSIS Web Portal Case Type									
<b>WORKLOAD (unit of count = action)</b>											
<b>CASE CHARACTERISTICS (unit of count = minor or non-minor dependent/action)</b>											
7100	Indian Child Welfare Act cases										
7200	Interstate compact cases										
7300	Pro per parent										
7400	Court appointed counsel for parent										

Key:		Unshaded cell = data expected
		Shaded cell = data not expected

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9A Dependency Draft Local Management



<b>Juvenile Dependency 09a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50
		Dependency (W&I \$ 300) Original	Dependency (W&I \$ 342) Subsequent	Placement (W&I \$ 387) Supplemental	Dependency or Non-minor Dependent Adoption	Non-minor Dependent (AB 12)					
P	JBSIS Web Portal Case Type						P	P	P	P	P
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>											
500	Dispositions (total rows 600, 900, 1200)										
600	Before jurisdictional hearing (total from row 650)										
▼650	Dismissal/Transfer (total rows 700 - 800)										
700	Dismissal										
800	Change of venue										
900	After jurisdictional hearing (total rows 1000, 1100)										
1000	Uncontested (total rows 1005, 1030)										
▼1005	Dismissal/Transfer (total rows 1010 - 1020)										
1010	Dismissal										
1020	Change of venue										
1030	Entry of judgment (total rows 1040 - 1050)										
1040	Dependency										
1045	Non-minor dependency established										
1050	Other judgment										
1100	Contested (total rows 1105 and 1130)										
▼1105	Dismissal/Transfer (total rows 1110 - 1120)										
1110	Dismissal										
1120	Change of venue										
1130	Entry of judgment (total rows 1140 - 1150)										
1140	Dependency										
1145	Non-minor dependency established										
1150	Other judgment										
1200	Ruling on adoption petition										
<b>WORKLOAD (unit of count = action)</b>											
2700	Hearings total (2750 - 2790, 2900, 2950 - 3100, 3150, and 3200)										
2750	Adoption/guardianship hearing										
2790	Detention/First appearance hearing (total rows 2800 - 2850)										
2800	Detention hearing (in custody)										
2850	First appearance hearing (out of custody)										
2900	Disposition hearings (total rows 2910 - 2920)										

9A Dependency Draft Local Management

2910	Uncontested						
2920	Contested						
2950	Welf. & Inst.Code, § 388 hearing						
3000	Sealing of records hearing						
3050	Order to Show Cause (OSC) hearing						
▼3100	Rehearing (total rows 3110 - 3120)						
3110	Uncontested						
3120	Contested						
3150	Welf. & Inst. Code, § 366.26 hearing (total rows 3160, 3170)						
3160	Uncontested (total rows 3162 - 3165)						
3162	LE 12 months						
3165	GT 12 months						
3170	Contested (total rows 3172 - 3175)						
3172	LE 12 months						
3175	GT 12 months						
3200	Other hearing (total rows 3210 - 3220)						
3210	Uncontested						
3220	Contested						
3300	<b>Events</b>						
3700	Pretrial conference						
3800	Settlement conference						
3900	Mediation conference						
4900	Reviews (total rows 4990, 5190, 5390, 5600)						
4990	6-month reviews (total rows 5000, 5100)						
5000	Uncontested (total rows 5050 - 5075)						
5050	LE 6 months						
5075	GT 6 months						
5100	Contested (total rows 5150 - 5175)						
5150	LE 6 months						
5175	GT 6 months						
5190	12-month reviews (total rows 5200, 5300)						
5200	Uncontested (total rows 5250 - 5275)						
5250	LE 12 months						
5275	GT 12 months						
5300	Contested (total rows 5350 - 5375)						
5350	LE 12 months						
5375	GT 12 months						
5390	18-month reviews (total rows 5400, 5500)						
5400	Uncontested (total rows 5450 - 5475)						
5450	LE 18 months						
5475	GT 18 months						
5500	Contested (total rows 5550 - 5575)						
5550	LE 18 months						
5575	GT 18 months						
5600	Other periodic reviews (total rows 5700 - 5800)						

9A Dependency Draft Local Management

5700	Uncontested
5800	Contested
5900	W&I Code, § 366.26 hearing outcomes (total rows 6000, 6100)
6000	Parents' rights terminated (total rows 6010 - 6030)
6010	Legal guardianship
6020	Planned Permanent Living Arrangement (Long-term foster care)
6030	Adoption as permanent placement goal
6100	Parents' rights not terminated (total rows 6200 - 6400)
6200	Legal guardianship
6300	Planned Permanent Living Arrangement (Long-term foster care)
6400	Adoption as permanent placement goal
6700	Continuances (total rows 6800 - 6900)
6800	Court's motion
6900	Party's motion


Key:		Unshaded cell = data expected
		Shaded cell = data not expected

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Juvenile Delinquency 8A			
Row #	Data Element	Definition	Reportable by
50	<b>Inventory (Initial/subsequent petitions or notices)</b>		
100	Beginning pending	The number of petitions or notices awaiting disposition before the first day of a reporting period.	JBSIS
200	+ Filing	The beginning of a court case by formal submission of an initial petition, a subsequent petition, or a notice of hearing alleging the facts and requesting relief, or the transfer-in of a case from another jurisdiction or request to return to juvenile court jurisdiction and foster care	Portal and JBSIS
225	+ Reopened	A case that was previously reported as disposed but is resubmitted to a court.	Portal and JBSIS
▼300	- Disposed	A determination by the court regarding the initial/subsequent petitions or notices of hearing.	Portal and JBSIS
400	End pending	The total number of petitions or notices awaiting disposition on the last day of the reporting period.	JBSIS
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>			
500	Disposition—Initial/subsequent petitions or notices (total rows 600 and 1200; 1480-1485)	A determination by the court regarding the initial/subsequent petitions or notices of hearing.	Portal and JBSIS
600	Before jurisdictional hearing (total rows 700 and 950)	The petition or notice is disposed before the start of a hearing in which first evidence is presented to the court to determine whether there is sufficient evidence to sustain the allegations in the petition	Portal and JBSIS
700	Prop 57: Juvenile Transferred to adult court (total rows 800 - 900)	The petition is disposed before jurisdictional hearing as a result of Welf. & Inst. Code, § 707, in which the minor is ordered transferred to a court of criminal jurisdiction.	JBSIS
800	Uncontested	The petition is disposed as a result of a Welf. & Inst. Code, § 707, hearing in which the recommendation for the minor is not opposed and in which the minor is ordered transferred to a court of criminal jurisdiction.	JBSIS
900	Contested	The petition is disposed as a result of a Welf. & Inst. Code, § 707, in which the recommendation for the minor is opposed and in which the minor is ordered transferred to a court of criminal jurisdiction	JBSIS
▼950	Dismissal/Transfer (total rows 1000 - 1050)	A disposition before jurisdictional hearing in which the case is dismissed or transferred.	JBSIS
1000	Dismissal	The petition or notice is disposed before jurisdictional hearing.	JBSIS
▼1050	Transfer (total rows 1100 - 1150)	A disposition before jurisdictional hearing in which the case is transferred.	JBSIS
1100	Change of venue	A disposition before jurisdictional hearing in which the venue of a case changes to another county.	JBSIS

## 8A Delinquency Current Reporting

1150	Jurisdictional transfer	A disposition before jurisdictional hearing in which a case is transferred out of the court's jurisdiction to another court within the county.	JBSIS
1200	After jurisdictional hearing (total rows 1300 and 1400)	The petition or notice is disposed after the start of a hearing in which first evidence is presented to the court to determine whether there is sufficient evidence to sustain the allegations in the petition	Portal and JBSIS
1300	Uncontested (total rows 1305 and 1340)	The petition or notice is disposed after a jurisdictional hearing in which the allegations of the petition or notice are not denied.	Portal and JBSIS
▼ 1305	Dismissal/Transfer (total rows 1310 - 1315)	A disposition after an uncontested jurisdictional hearing in which the case is dismissed or transferred.	JBSIS
1310	Dismissal	The petition or notice is disposed after an uncontested jurisdictional hearing in which the specific allegations in the petition or notice are not proven.	JBSIS
▼ 1315	Transfer (total rows 1320 - 1330)	A disposition after an uncontested jurisdictional hearing in which the case is transferred.	JBSIS
1320	Change of venue	A disposition after an uncontested jurisdictional hearing in which the venue of a case changes to another county.	JBSIS
1330	Jurisdictional transfer	A disposition after an uncontested jurisdictional hearing in which a case is transferred out of the court's jurisdiction to another court within the county.	JBSIS
1340	Entry of judgment (total rows 1350 - 1370)	A disposition after an uncontested jurisdictional hearing in which the court has determined that there is sufficient evidence to sustain the allegations in the petition or notice	JBSIS
1350	Probation	A judgment in which the court places a minor under the supervision of a probation officer without adjudging the minor a ward of the court	JBSIS
1360	Wardship	A judgment in which the court orders and declares the minor a ward of the court (Welf. & Inst. Code, § 725(b)) or allows a ward to extend juvenile jurisdiction as a non-minor dependent	JBSIS
1370	Non-minor dependency established	An order or finding establishing non-minor dependency status.	JBSIS
1400	Contested (total rows 1405 and 1440)	The petition or notice is disposed after a jurisdictional hearing in which the allegations are denied.	Portal and JBSIS
▼ 1405	Dismissal/Transfer (total rows 1410 - 1415)	A disposition after contested jurisdictional hearing in which the case is dismissed or transferred.	JBSIS
1410	Dismissal	The petition or notice is disposed after a contested jurisdictional hearing in which the specific allegations are not proven.	JBSIS
▼ 1415	Transfer (total rows 1420 - 1430)	A disposition after contested jurisdictional hearing in which the case is transferred.	JBSIS

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1420	Change of venue	A disposition after a contested jurisdictional hearing in which the venue of a case changes to another county.	JBSIS
1430	Jurisdictional transfer	A disposition after a contested jurisdictional hearing in which a case is transferred out of the court's jurisdiction to another court within the county.	JBSIS
1440	Entry of judgment (total rows 1450 - 1470)	A disposition after a contested jurisdictional hearing in which the court has determined that there is sufficient evidence to sustain the allegations in the petition	JBSIS
1450	Probation	A judgment in which the court places a minor under the supervision of a probation officer without adjudging the minor a ward of the court	JBSIS
1460	Wardship	A judgment in which the court orders and declares the minor a ward of the court	JBSIS
1470	Non-minor dependency established	An order or finding establishing non-minor dependency status.	JBSIS
1480	Before hearing	A disposition of a miscellaneous juvenile petition that occurs without a court appearance or before the introduction of first evidence.	Portal and JBSIS
1485	After hearing	A disposition of a juvenile petition that occurs after a court hearing or after first evidence is introduced.	Portal and JBSIS
1490	<b>Inventory (minors or non-minor dependents under court's supervision)</b>		
1500	Beginning minors or non-minor dependents under court's supervision	The number of minors declared wards and awaiting termination of wardship on the first day of a reporting period.	JBSIS
1600	+ Wards or non-minor dependents added to supervision	The number of minors declared wards during the reporting period.	JBSIS
1700	- Termination of wardship or non-minor dependent	A termination of a juvenile case in which the court orders termination of wardship, when the minor turns 21, or when the court finds that the minor's jurisdiction has changed between ages 18 to 21, such as when he/she commits a new crime and is sentenced as an adult, which would terminate his/her wardship that resulted from the previous offense.	JBSIS
1750	- Change of venue	A termination of a juvenile case in which the venue of a case changes to another county.	JBSIS
1760	- Jurisdictional transfer	A termination in which a case is transferred out of the court's jurisdiction to another court within the county.	JBSIS
1800	End minors or non-minor dependent under court's supervision	The number of minors awaiting termination of wardship at the end of a reporting period.	JBSIS
1850	<b>Case Aging</b>		
1900	Age of terminated cases	The numbers of cases falling into the following time intervals, beginning with the date the initial petition was filed and ending with the date of termination of wardship	
2000	0 - LT 3 months		JBSIS

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2100	3–LT 6 months		JBSIS
2200	6–12 months		JBSIS
2300	GT 12 months		JBSIS
2400	Age of cases under court's supervision	The numbers of cases pending termination of wardship at the end of the reporting period that fall into each of the following time intervals from the date the initial petition was filed	
2500	0 - LT 3 months		JBSIS
2600	3–LT 6 months		JBSIS
2700	6–12 months		JBSIS
2800	GT 12 months		JBSIS

Key:		Unshaded cell = data expected
		Shaded cell = data not expected

<b>Juvenile Delinquency 08a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50	55	60	65	70
		P	Status Offense (W&I § 601) Original	P	Delinquency (W&I § 602) Original	P	Status Offense (W&I § 601) Subsequent	P	Delinquency (W&I § 602) Subsequent	P	Placement (W&I § 777 Notices)	P	Non-minor Dependent (AB 12)	P	Miscellaneous Juvenile Petition
	P														
<b>CASELOAD/CASEFLOW (unit of count = minor or non-minor dependent)</b>															
50	<b>Inventory (Initial/subsequent petitions or notices)</b>														
100	Beginning pending														
200	+ Filing														
225	+ Reopened														
▼300	- Disposed														
400	End pending														
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>															
600	Disposition Before jurisdictional hearing (total rows 700 and 950)														
1200	Disposition After jurisdictional hearing (total rows 1300 and 1400)														
1480	Disposition Before hearing														
1485	Disposition After hearing														
1490	<b>Inventory (minors or non-minor dependents under court's supervision)</b>														
1500	Beginning minors or non-minor dependents under court's supervision														
1600	+ Wards or non-minor dependents added to supervision														
1700	- Termination of wardship or non-minor dependent														
1750	- Change of venue														
1760	- Jurisdictional transfer														
1800	End minors or non-minor dependent under court's supervision														
1850	<b>Case Aging</b>														
1900	Age of terminated cases														
2000	0 - LT 3 months														
2100	3-LT 6 months														
2200	6-12 months														
2300	GT 12 months														
2400	Age of cases under court's supervision														
2500	0 - LT 3 months														
2600	3-LT 6 months														
2700	6-12 months														
2800	GT 12 months														

Key: 

	Unshaded cell = data expected
	Shaded cell = data not expected

Juvenile Delinquency 08a - Data Matrix			05	10	15	20	25	30	35	40	45	50	55	60	65	70
			Status Offense (W&I § 601) Original	Delinquency (W&I § 602) Original		Status Offense (W&I § 601) Subsequent		Delinquency (W&I § 602) Subsequent		Placement (W&I § 777 Notices)		Non-minor Dependent (AB 12)		Miscellaneous Juvenile Petition		
	P	JBSIS Web Portal Case Type														P
<b>Disposed Cases</b>																
700	Prop 57: Juvenile Transferred to adult court (total rows 800 - 900)															
800	Uncontested															
900	Contested															
<b>CASE CHARACTERISTICS (unit of count = minor or non-minor dependent)</b>																
7000	Interstate compact cases															

Key:	<input type="checkbox"/>	Unshaded cell = data expected
	<input checked="" type="checkbox"/>	Shaded cell = data not expected

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<b>Juvenile Delinquency 08a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50	55	60	65	70
		P	Status Offense (W&I § 601) Original	P	Delinquency (W&I § 602) Original	P	Status Offense (W&I § 601) Subsequent	P	Delinquency (W&I § 602) Subsequent	P	Placement (W&I § 777 Notices)	P	Non-minor Dependent (AB 12)	P	Miscellaneous Juvenile Petition
	P														
<b>CASELOAD/CASEFLOW (unit of count = minor or non-minor dependent)</b>															
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>															
▼950	Dismissal/Transfer before jurisdictional hearing (total rows 1000 - 1050)														
1000	Dismissal														
▼1050	Transfer (total rows 1100 - 1150)														
1100	Change of venue														
1150	Jurisdictional transfer														
1300	Uncontested Disposition After Jurisdictional Hearing (total rows 1305 and 1340)														
▼1305	Dismissal/Transfer (total rows 1310 - 1315)														
1310	Dismissal														
▼1315	Transfer (total rows 1320 - 1330)														
1320	Change of venue														
1330	Jurisdictional transfer														
1340	Entry of judgment (total rows 1350 - 1370)														
1350	Probation														
1360	Wardship														
1370	Non-minor dependency established														
1400	Contested Disposition After Jurisdictional Hearing (total rows 1405 and 1440)														
▼1405	Dismissal/Transfer (total rows 1410 - 1415)														
1410	Dismissal														
▼1415	Transfer (total rows 1420 - 1430)														
1420	Change of venue														
1430	Jurisdictional transfer														
1440	Entry of judgment (total rows 1450 - 1470)														
1450	Probation														
1460	Wardship														
1470	Non-minor dependency established														
<b>WORKLOAD (unit of count = action)</b>															
2900	Hearings (total rows 2925, 3050, 3200, 3350 - 3550, 3700)														
▼2925	Detention/First appearance hearing (total rows 2950 - 3000)														
2950	Detention (minor or non-minor dependent in custody)														
3000	First appearance (minor or non-minor dependent out of custody)														
3050	Prop 57: Minor remains in Juvenile court (total rows 3100 - 3150)														

<b>Juvenile Delinquency 08a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50	55	60	65	70
		Status Offense (W&I § 601) Original	Delinquency (W&I § 602) Original	Status Offense (W&I § 601) Subsequent	Delinquency (W&I § 602) Subsequent	Placement (W&I § 777 Notices)	Non-minor Dependent (AB 12)	Miscellaneous Juvenile Petition							
	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
3100	Uncontested														
3150	Contested														
3200	Disposition hearing (total rows 3250 - 3300)														
3250	Uncontested														
3300	Contested														
3350	Welf. & Inst.Code § 778 hearing														
3400	Sealing of records hearing														
3450	Order to Show Cause (OSC) hearing														
3500	Violation of probation hearing														
3550	Rehearing (total rows 3600 - 3650)														
3600	Uncontested														
3650	Contested														
3700	Other hearing (total rows 3750 - 3800)														
3750	Uncontested														
3800	Contested														
3900	<b>Events</b>														
4500	Pretrial conference														
4600	Settlement conference														
4700	Mediation conference														
5100	Minors or non-minor dependent committed to DJJ														
5800	Reviews (total rows 5850, 6050, 6500)														
5850	6-month reviews (total rows 5900, 6000)														
5900	Uncontested (total rows 5925 - 5950)														
5925	LE 6 months														
5950	GT 6 months														
6000	Contested (total rows 6020 - 6040)														
6020	LE 6 months														
6040	GT 6 months														
6050	12-month reviews total rows (6100, 6200)														
6100	Uncontested (total rows 6150 - 6175)														
6150	LE 12 months														
6175	GT 12 months														
6200	Contested (total rows 6300 - 6400)														



<b>Juvenile Delinquency 08a - Data Matrix</b>		05	10	15	20	25	30	35	40	45	50	55	60	65	70
		Status Offense (W&I § 601) Original	Delinquency (W&I § 602) Original	Status Offense (W&I § 601) Subsequent	Delinquency (W&I § 602) Subsequent	Placement (W&I § 777 Notices)	Non-minor Dependent (AB 12)	Miscellaneous Juvenile Petition							
<b>P</b> JBSIS Web Portal Case Type		<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
6300	LE 12 months														
6400	GT 12 months														
6500	Other periodic reviews (total rows 6600 - 6700)														
6600	Uncontested														
6700	Contested														
6790	Continuances (total rows 6800 - 6900)														
6800	Court's motion														
6900	Party's motion														
<b>CASE CHARACTERISTICS (unit of count = minor or non-minor dependent)</b>															
7000	Interstate compact cases														

Key:	<input type="checkbox"/>	Unshaded cell = data expected	<input type="checkbox"/>	Value calculated in JBSIS
	<input checked="" type="checkbox"/>	Shaded cell = data not expected		

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Attachment A  
Select Pages from “Model Time Standards for Trials  
Courts” from the National Center for State Courts

## JUVENILE DELINQUENCY AND STATUS OFFENSE

### Model Standard

For youth in detention:	For youth not in detention:
75% within 30 days	75% within 60 days
90% within 45 days	90% with 90 days
98% within 90 days	98% within 150 days

**Definition.** This case type includes both delinquency cases (i.e., cases involving an act committed by a juvenile, which, if committed by an adult, would result in prosecution in criminal court and over which the juvenile court has been statutorily granted original or concurrent jurisdiction),<sup>46</sup> and status offense cases (i.e., non-criminal misbehavior by a juvenile such as a curfew violation, running away, truancy, or incorrigibility).<sup>47</sup> In some jurisdictions, status offense cases are called CHINS or CINS cases (child or children in need of supervision), PINS cases (person in need of supervision), or JINS cases (juvenile in need of supervision). The time period begins with the filing of the complaint or petition and runs through the issuance of the dispositional order.

**Earlier National Time Standards.** The 1983 COSCA time standards did not address juvenile delinquency cases. The 1992 ABA time standards specify that 90 percent of delinquency cases should be disposed within three months; 98 percent within six months; and 100 percent within 12

months. The National Advisory Committee on Juvenile Justice and Delinquency Prevention (NACJJDP) standards issued in 1980 recommend 30 days from filing to disposition for juveniles in custody, and 45 days for juveniles who are not detained.<sup>48</sup> The most recent set of recommendations are contained in the 2005 *Guidelines* issued by the National Council of Juvenile and Family Court Judges (NCJFCJ). Those *Guidelines* distinguish between youth who are detained and those who are not detained, setting a maximum time of 30 calendar days between arrest and disposition for detained youth, and 58 calendar days for juveniles who have been released.<sup>49</sup>

**State Judicial Branch Time Standards.** At least 27 states and the District of Columbia have overall time standards for juvenile delinquency cases.<sup>50</sup> Two offer standards for Status Offense cases. All but one set of state standards exceed the NCJFCJ *Guidelines*; however, all but four specify a maximum time to disposition for all cases well below the ABA's one year limit.

- Six jurisdictions make a distinction between the time period for cases in which the youth is detained and those in which the juvenile has been released, with two making an additional differentiation between secure and non-secure detention. All but three set the end point as the disposition rather than adjudication. The beginning point, if stated, varies from arrest, to filing, to first appearance.

<sup>46</sup> *State Court Guide to Statistical Reporting*, *supra*, note 3, at 24.

<sup>47</sup> *Id.*

<sup>48</sup> National Advisory Committee on Juvenile Justice and Delinquency Prevention, *Standards for the Administration of Juvenile Justice*, Standard 3.161 (Washington, DC: OJJDP 1980).

<sup>49</sup> National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases*, 90, 121, 137 (Reno, NV: NCJFCJ, 2005).

<sup>50</sup> See CPTS *supra*, note 4.

- One jurisdiction sets separate time periods for the most serious cases and another has established different time standards for jury and non-jury cases.
- While eight jurisdictions have established tiers of time standards, no state has adopted the ABA standards as promulgated. Both the percentages and prescribed time maximums vary widely. The most frequent maximum time limits are 90 days (five states), 180 days (five states) and 270 days (four states). Only one state's standard exceeds one year; one sets a time limit of 37 days for detained youths.
- Seven states provide for a percentage of cases to exceed the maximum time limit – two percent (three states); one percent (two states); five percent (one state); and 25 percent (one state).

**Overall Time Standards.** As stated in the National Council of Juvenile and Family Court Judges *Guidelines*:

... [T]imeliness throughout the juvenile justice process is critical for two reasons:

- One purpose of the juvenile justice process is to teach offenders that illegal behavior has consequences and that anyone who violates the law will be held accountable. A youth ...who must wait a significant period of time between offense and consequence may not be able to sufficiently connect the two events. ...
- If the juvenile justice process is not timely, many youth will experience prolonged uncertainty [which] can negatively impact trust and a sense of fairness. If a youth does not perceive the juvenile justice system to be predictable and fair, then the system's goal of changing behavior is less likely to be achieved.

The most comprehensive information regarding the time required to dispose of delinquency cases is reported in a 2009 study of juvenile courts in 392 counties by

Butts, Cusick, and Adams.<sup>51</sup> In 2004, 71 percent of the delinquency cases were disposed within 90 days of filing. Cases in which the youth was not detained proceeded slightly more slowly than those involving detention (67 percent disposed within 90 days vs. 71 percent).<sup>52</sup> A report of 2007 caseload information in one state revealed that only 32 percent of contested juvenile delinquency cases were disposed within 30 days, about 78 percent were concluded within 90 days, and approximately 90 percent within 180 days. However, the report points out that there is no data available on uncontested cases which are generally “too short” to make data collection worthwhile. Data on total delinquency dispositions in 2009 is available from three other states. One reported that 74 percent of juvenile delinquency cases were disposed within 90 days, 88 percent within 150 days, and over 92 percent within 180 days. The second reported that 80.6 percent were concluded within 90 days, 92.5 percent within 150 days, and 95 percent within 180 days. The third reported that 75 percent of the delinquency cases were concluded within the time standards (180 days for non-jury cases; 240 days for jury cases).

**Intermediate Time Standards.** Only three states establish interim time standards for delinquency and status offense cases. Two include a standard for holding the detention hearing (one 24 hours, the other 48 hours); one has a standard for the filing of trial briefs (30 days); all three set a standard for holding the adjudication hearing or making a decision; and one establishes a time limit for holding a dispositional hearing after adjudication.

<sup>51</sup> J.A. Butts, G.R. Cusick, and B. Adams, *Delays in Youth Justice* (Chicago, IL: Chapin Hall, University of Chicago, 2009).

<sup>52</sup> *Id.*, at 62.

In 98% of cases, detention hearings should be held within 48 hours.

In 98% of cases, waiver hearings, if needed, should be held within 45 days.

In 98% of cases, the trial/adjudication hearing or acceptance of an admission should be held within 60 days after the detention hearing if the juvenile is detained.

In 98% of cases, the trial/adjudication hearing or acceptance of an admission should be held within 120 days after detention hearing if the juvenile is not detained.

Effective case management is essential if the time standards for disposition of juvenile delinquency cases are to be met. Setting and enforcing intermediate time standards are part of an effective case management strategy. Three intermediate time standards are proposed. The first is for holding the detention hearing, i.e., the initial appearance of an alleged delinquent youth before the judge to advise the juvenile of the charges and her or his rights; ensure that the juvenile has counsel; determine whether there is probable cause to proceed; and decide custody status. Frequently at these hearings, the court is advised whether the prosecution is seeking to transfer the youth to the criminal court and the youth will be asked whether he/she denies or admits the allegations.<sup>53</sup> It has long been accepted that when the juvenile is being detained, this initial hearing must be held within a day or two days at most. Difficulty in notifying the parents of the need to appear...should be the only reason to delay the detention hearing....”<sup>54</sup>

The second proposed intermediate standard addresses the timing of the hearing to determine whether the juvenile court will waive jurisdiction and transfer the case to the criminal court. Because transfer of jurisdiction has significant short-term and long-term consequences if the youth is ultimately convicted, time is required by both the state and defense to prepare. On the other hand, because the standard of proof is generally low (usually probable cause), the preparation time can be less than that required for a full-scale trial or adjudication hearing.<sup>55</sup>

The third intermediate standard is for the adjudication hearing or trial. It sets the time for the adjudication hearing sufficiently before the expiration of the overall standard to permit a determination of what services and level of supervision are needed following a finding that the youth is delinquent.

<sup>53</sup> NCJFCJ, *supra*, note 49, at 89.

<sup>54</sup> *Id.*, at 90.

<sup>55</sup> *Id.*, at 102-104.

## NEGLECT AND ABUSE CASES AND TERMINATION OF PARENTAL RIGHTS

### Neglect and Abuse Model Standard

#### Adjudicatory Hearing

98% within 90 days of removal

#### Permanency Hearing

75% within 270 days of removal

98% within 360 days of removal

### Termination of Parental Rights Model Standard

90% within 120 days after the filing of a termination petition

98% within 180 days after the filing of a termination petition

**Definition.** Neglect and abuse cases are actions brought by the state alleging that a child has been hurt or maltreated or that the person legally responsible for a child's care has failed to provide the child with suitable food, shelter, clothing, hygiene, medical care, or parental supervision. In each of these circumstances, it is usually required that the maltreatment or omission threatens to cause lasting harm to the child.<sup>56</sup> Some jurisdictions characterize these matters as dependency cases. Termination of parental rights cases result from the filing of a petition by the state to sever the parent-child relationship due to allegations of abandonment by a parent, child abuse, or unfitness of a parent.<sup>57</sup>

**Earlier National Time Standards.** The 1983 COSCA time standards did not address juvenile dependency cases. The 1992 ABA time standards specify that 90 percent of neglect and abuse cases and terminations of parental

rights should be disposed within three months; 98 percent within six months; and 100 percent within 12 months. The federal Adoption and Safe Families Act (ASFA) (P.L.105-89) requires that in order for states to receive funds under Titles IV-B and IV-E of the Social Security Act, they conduct a permanency hearing for a neglected or abused child no later than 12 months after the child has entered foster care.<sup>58</sup> A child is considered to have entered foster care upon a judicial finding that the child has been subjected to abuse or neglect (the adjudicatory hearing) or 60 days after the child has been removed from her/his home, whichever occurs earlier.<sup>59</sup> A permanency hearing is the proceeding at which a court determines:

...the final plan in a neglect or abuse case that will move the child out of temporary foster care and into a safe, nurturing and permanent home. At the permanency hearing, the judge must order one of the following permanent plans for the child and specify the date that the plan will be implemented:

- Return to the parent
- ...[A]doption ...with the state filing a petition to terminate parental rights, if necessary;
- ...[L]egal guardianship;
- ...[P]ermanent placement with a relative, foster parent or other non-relative; or
- ...[A]nother specified permanent living arrangement....<sup>60</sup>

<sup>56</sup> *Guide to Statistical Reporting*, supra, note 3, at 27.

<sup>57</sup> *Id.*

<sup>58</sup> 42 U.S.C. §675(5)(C).

<sup>59</sup> 42 U.S.C. §675(5)(F).

<sup>60</sup> National Council of Juvenile and Family Court Judges, *Adoption and Permanency Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*, 18 (Reno, NV: NCJFCJ, 2000).

Termination proceedings under ASFA must be initiated, in most instances, if “a child... has been in foster care under the responsibility of the state for 15 of the most recent 22 months.”<sup>61</sup>

**State Judicial Branch Time Standards.** Fourteen states have standards addressing neglect and abuse cases, termination of parental rights proceedings, or both. The four that specifically address the permanency hearing are all consistent with ASFA.

- Four states set overall time limits covering the time to a permanent placement with 18 months as the most frequently used goal. Eight address only the hearing to determine that a child has been neglected or abused. These standards vary from 33 to 180 days, with four in the 88 to 120-day range. One state has standards for both achievement of permanency and adjudication hearings.
- Five jurisdiction’s standards distinguish between the time limits that should apply to cases in which a child has not been removed from her/his home and those in which removal has occurred. One also sets different time limits for standard and complex cases in each category.
- Six jurisdictions have specific time standards for termination proceedings (two at 180 days, two at 360 or 365 days, and one each at 120 and 150 days respectively). Four states address both neglect and abuse cases and termination cases.
- Three states provide for a percentage of cases to exceed the maximum time limit – one percent (one state); five percent (one state); 25 percent (one state).

**Overall Time Standards.** The proposed time standard is based upon the federal ASFA requirements leavened with the recognition that because of the difficulty in securing a safe permanent placement, a very small percentage of cases will exceed the federal timeframe. It sets time goals for both the adjudicatory and the permanency hearing in neglect and abuse cases, and for the disposition of termination of parental rights petitions. The proposed standard sets a goal of holding all but a very few adjudicatory hearings within three months and three-quarters of permanency hearings within [nine] months of removal, leaving only the most difficult cases to be heard in the [three] remaining months until the one year deadline. It is anticipated that most adjudicatory hearings can be conducted well before the 90-day goal.

Similarly, in many cases, it may be possible to hold the permanency hearing more quickly than 270 days after removal. In others, time is required to extend services to a family and assess their impact or to locate another permanent caregiver within or outside the family. However, it is essential that permanency planning and the provision of services be initiated at the earliest possible point in the process (preferably immediately upon removal), and that the exceptions that take more than one year be kept to an absolute minimum. As noted in the NCJFCJ *Guidelines*, uncertainty over placements and frequent transitions from one home to another “can seriously and permanently damage a child’s development of trust and security.”<sup>62</sup>

<sup>61</sup> 42 U.S.C §675(5)(E).

<sup>62</sup> National Council of Juvenile and Family Court Judges, *supra*, note 60, at 5.

Petitions to terminate parental rights “should be filed at any time when it is clear that reunification cannot occur.”<sup>63</sup> In some instances, the petition will be filed well before the date scheduled for the permanency hearing; in others they are filed just before or after the permanency hearing. Once the petition is filed, it is then the court’s responsibility to ensure both that the parties have sufficient time to secure counsel if they are not represented, seek a negotiated solution, retain experts if necessary, and otherwise prepare, and that this difficult issue is decided as expeditiously as possible. The standard sets a goal of determining 90% of termination cases – all of the uncontested cases and most of the contested cases within four months, and all but a very few of the remainder within six months.

States around the nation, inspired by the three National Judicial Leadership Summits for the Protection of Children, enabled by the grant funds provided through the federal Court Improvement Program, and challenged by the federal Child and Family Services Reviews have been striving to meet the prescribed timeframes. Based on 2008 data submitted by the more than 40 states participating in Summit III:

- The average mean time from filing of the protection order to the adjudication hearing was 137.2 days.
- The average median time from filing of a complaint to permanent placement was 627.1 days.
- The average mean time from notice of appeal to the final appellate decision was 197.9 days.<sup>64</sup>

Comparable data was not collected regarding disposition of termination of parental rights proceedings.

**Intermediate Time Standards.** The proposed intermediate time standards address key decision points in the process. For neglect and abuse proceedings, the first point of concern to the parties is the initial hearing to determine whether removal was appropriate. If it is determined that removal was required to protect the child, then the court should set the timetable for further proceedings and assure that permanency planning is undertaken from the start. If it is determined that removal was not appropriate or is no longer appropriate, immediate action should be taken to safely reunite the family. The second interim point is the adjudication hearing. In order to achieve the goal of concluding 98 percent of adjudications within 90 days, the bulk of the hearings must occur well before that date to accommodate both the evidentiary process and time required to make a decision and craft an order. Four states have established standards for both adjudication and permanency hearings, with the time set for the adjudication hearing ranging from 33 to 153 days.

With regard to termination proceedings, ASFA requires that a termination of parental rights petition must be filed for any child who has been in foster care for 15 of the most recent 22 months unless timely services were not provided to the family, the child is being cared for by a relative, or there are other compelling circumstances. [42 USC §675 (5)

<sup>63</sup> *Id.*, at p26.

<sup>64</sup> R. Van Duizend & N. Sydow, “A New Judicial Commitment to Improving the Child Protection Process and the Quality of Outcomes for Children,” *Future Trends in State Courts 2010*, 107, 109 (Williamsburg, VA: NCSC, 2010).



(E) and (F).] This requirement is intended to avoid “the documented substantial and unjustified delays in many states in legally freeing children for adoption.”<sup>65</sup> An intermediate standard is not included because the filing of the petition is not a matter directly within a court’s control.<sup>66</sup> The third intermediate standard seeks to balance the need for a prompt determination with the recognition of the time required to perfect service and prepare for a proceeding at which a fundamental right is at issue. It calls for the vast majority of hearings to take place within 150 days so that the overall 180 day to disposition goal can be met. To the greatest extent possible, termination hearings should be heard without interruption rather than be convened intermittently over several weeks. The NCJFCJ Guidelines recommend that all termination proceedings that require a trial begin within 90 days, with a decision no later than 14 days after conclusion of the trial. The Guidelines also encourage use of mediation and other settlement techniques to achieve voluntary terminations and settlement of related issues so as to avoid as many trials as possible.<sup>67</sup> The one state that includes an interim standard for termination cases calls for hearings within 60 days and all dispositions within 150 days.

#### **Neglect and Abuse**

In 98% of cases, the preliminary protective hearing should be held within 72 hours.

In 98% of cases, the adjudicatory hearing, if required, should start within 60 days.

#### **Termination of Parental Rights**

In 98% of cases, the trial/termination hearing should start within 150 days after service of process.

<sup>65</sup> National Council of Juvenile and Family Court Judges, *supra*, note 60, at 26.

<sup>66</sup> If a state wishes to adopt an intermediate standard regarding the filing of a termination of parental rights petition, one approach could be: In 90% of cases, TPR petitions, if required, should be filed within 455 days (15 months) after the preliminary protective hearing; in 98% of cases, TPR petitions, if required, should be filed within 670 days (22 months) after the preliminary protective hearing.

<sup>67</sup> National Council of Juvenile and Family Court Judges, *supra*, note 60, at 27.

Attachment B  
California Rule of Court 5.505  
Juvenile dependency court performance measures



## 2020 California Rules of Court

### **Rule 5.505. Juvenile dependency court performance measures**

#### **(a) Purpose**

The juvenile dependency court performance measures and related procedures set forth in this rule are intended to:

- (1) Protect abused and neglected children by assisting courts in promoting children's placement in safe and permanent homes, enhancing their well-being and that of their families, and ensuring that all participants receive timely and fair treatment;
- (2) Assist trial courts in meeting the mandated timelines for dependency hearings, securing due process for all litigants, and, in collaboration with the child welfare agency, improving safety, permanency, and well-being outcomes for children and families under the jurisdiction of the juvenile dependency court; and
- (3) Assist courts in making well-informed resource allocation decisions.

#### **(b) Performance measures**

Detailed definitions of the performance measures and descriptions of the methods for producing the performance measures in accordance with (c)(2) and (3) are contained in the Judicial Council-approved *Implementation Guide to Juvenile Dependency Court Performance Measures*.

The juvenile dependency court performance measures are:

- (1) Hearing timeliness:
  - (A) Percentage of children for whom the initial hearing is completed within the statutory time frame following the filing of the initial petition;
  - (B) Percentage of children for whom the jurisdictional hearing is completed within the statutory time frame following the initial hearing;
  - (C) Percentage of children for whom the disposition hearing is completed within the statutory time frame following the finding of jurisdiction;
  - (D) Percentage of children for whom a 3-month or other interim review hearing is held;
  - (E) Percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care;
  - (F) Percentage of children for whom the 12-month permanency hearing is completed within 12 months of the date the child entered foster care;

- (G) Percentage of children for whom the 18-month review hearing is completed within 18 months of the date of original protective custody;
  - (H) Percentage of children for whom the first section 366.26 hearing is completed within 120 days of the termination of reunification services;
  - (I) Percentage of children whose postpermanency hearing is completed within 6 months of the section 366.26 hearing or the last postpermanency hearing;
  - (J) Percentage of children in long-term foster care whose subsequent section 366.26 hearing is completed within 12 months of the previous section 366.26 hearing;
  - (K) Percentage of children whose adoption is finalized within 180 days after termination of parental rights;
  - (L) Median time from disposition or section 366.26 hearing to order establishing guardianship;
  - (M) Percentage of children for whom the first and subsequent postpermanency review hearings are completed within the statutory time frame;
  - (N) Percentage of hearings delayed by reasons for delay and hearing type;
  - (O) Median time from filing of original petition to implementation of a permanent plan by permanent plan type; and
  - (P) Median time from filing of original petition to termination of jurisdiction by reason for termination of jurisdiction.
- (2) Court procedures and due process:
- (A) Percentage of cases in which all hearings are heard by one judicial officer;
  - (B) Percentage of cases in which all parties and other statutorily entitled individuals are served with a copy of the original petition;
  - (C) Percentage of hearings in which notice is given to all statutorily entitled parties and individuals within the statutory time frame;
  - (D) Percentage of hearings in which child or parents are present if statutorily entitled to be present;
  - (E) Percentage of hearings in which a judicial inquiry is made when a child 10 years of age or older is not present at hearing;
  - (F) Percentage of hearings in which other statutorily entitled individuals who are involved in the case (e.g., CASA volunteers, caregivers, de facto parents, others) are present;
  - (G) Percentage of cases in which legal counsel for parents, children, and the child welfare agency are present at every hearing;
  - (H) Point at which children and parents are assigned legal counsel;
  - (I) Percentage of cases in which legal counsel for children or parents changes;
  - (J) Percentage of cases in which no reunification services are ordered and reasons;
  - (K) Percentage of cases for which youth have input into their case plans; and
  - (L) Cases in compliance with the requirements of the Indian Child Welfare Act (ICWA).
- (3) Child safety in the child welfare system:

- (A) Percentage of children who are not victims of another substantiated maltreatment allegation within 6 and 12 months after the maltreatment incident that led to the filing of the initial petition; and
  - (B) For all children served in foster care during the year, percentage of children who were not victims of substantiated maltreatment by a foster parent or facility staff member.
- (4) Child permanency:
- (A) Percentage of children reunified in less than 12 months;
  - (B) Percentage of children who were reunified but reentered foster care within 12 months;
  - (C) Percentage of children who were discharged from foster care to a finalized adoption within 24 months;
  - (D) Percentage of children in foster care who were freed for adoption;
  - (E) Percentage of children in long-term foster care who were discharged to a permanent home before their 18th birthdays;
  - (F) Of children discharged to emancipation or aging out of foster care, percentage who were in foster care 3 years or longer;
  - (G) Percentage of children with multiple foster-care placements;
- (5) Child and family well-being:
- (A) Percentage of children 14 years of age or older with current transitional independent living plans;
  - (B) Percentage of children for whom a section 391 termination of jurisdiction hearing was held;
  - (C) Percentage of section 391 termination of jurisdiction hearings that did not result in termination of jurisdiction and reasons jurisdiction did not terminate;
  - (D) Percentage of youth present at section 391 termination of jurisdiction hearing with judicial confirmation of receipt of all services and documents mandated by section 391(b)(1-5);
  - (E) Percentage of children placed with all siblings who are also under court jurisdiction, as appropriate;
  - (F) Percentage of children placed with at least one but not all siblings who are also under court jurisdiction, as appropriate;
  - (G) For children who have siblings under court jurisdiction but are not placed with all of them, percentage of cases in which sibling visitation is not ordered and reasons;
  - (H) Percentage of cases in which visitation is not ordered for parents and reasons;
  - (I) Number of visitation orders for adults other than parents and siblings, (e.g., grandparents, other relatives, extended family members, others) as appropriate;
  - (J) Number of cases in which the court has requested relative-finding efforts from the child welfare agency;
  - (K) Percentage of children placed with relatives;
  - (L) For children 10 years of age or older and in foster care for at least 6 months, percentage for whom the court has inquired whether the social worker has identified persons important to the child; and
  - (M) For children 10 years of age or older in foster care for at least 6 months, percentage for whom the court has made orders to enable the child to maintain relationships with persons important to that child.

- (1) California's Court Case Management System (CCMS) family and juvenile law module must be capable of collecting the data described in the *Implementation Guide to Juvenile Dependency Court Performance Measures* in order to calculate the performance measures and to produce performance measure reports.
- (2) Before implementation of the CCMS family and juvenile law module, each local court must collect and submit to the Judicial Council the subset of juvenile dependency data described in (b) and further delineated in the *Implementation Guide to Juvenile Dependency Court Performance Measures* that it is reasonably capable of collecting and submitting with its existing court case management system and resources.
- (3) On implementation of the CCMS family and juvenile law module in a local court, and as the necessary data elements become electronically available, the local court must collect and submit to the Judicial Council the juvenile dependency data described in (b) and further delineated in the *Implementation Guide to Juvenile Dependency Court Performance Measures*. For the purposes of this subdivision, "implementation of the CCMS family and juvenile law module" in a local court means that the CCMS family and juvenile law module has been deployed in that court, is functioning, and has the ability to capture the required data elements and that local court staff has been trained to use the system.

*(Subd (c) amended effective January 1, 2016.)*

**(d) Use of data and development of measures before CCMS implementation**

Before CCMS implementation, the Judicial Council must:

- (1) Establish a program to assist the local courts in collecting, preparing, analyzing, and reporting the data required by this rule;
- (2) Establish a procedure to assist the local courts in submitting the required data to the Judicial Council;
- (3) Use the data submitted under (c)(2) to test and refine the detailed definitions of the performance measures and descriptions of the methods for producing the performance measures described in the *Implementation Guide to Juvenile Dependency Court Performance Measures*;
- (4) Consult with local courts about the accuracy of the data submitted under (c)(2). After such consultation, use data to generate aggregate data reports on performance measures, consistent with section 16543, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system; and
- (5) Assist the courts in using the data to achieve improved outcomes for children and families in the dependency system, make systemic improvements, and improve resource allocation decisions.

*(Subd (d) amended effective January 1, 2016.)*

**(e) Use of data after CCMS implementation**

On implementation of CCMS, the Judicial Council must:

- (1) Use the data submitted under (c)(3) to conduct ongoing testing, refining, and updating of the information in the *Implementation Guide to Juvenile Dependency Court Performance Measures*;
- (2) Use the data submitted under (c)(3) to generate aggregate data reports on performance measures, consistent with section 16543, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system;
- (3) Upon the request of any local court, extract data from the system and prepare county-level reports to meet data reporting requirements; and

- (4) Assist the courts in using the data to achieve improved outcomes for children and families in the dependency system, make systemic improvements, and improve resource allocation decisions.

*(Subd (e) amended effective January 1, 2016.)*

*Rule 5.505 amended effective January 1, 2016; adopted effective January 1, 2009.*

**Advisory Committee Comment**

The juvenile dependency court performance measures and related procedures set forth in this rule fulfill the requirements of the Child Welfare Leadership and Accountability Act of 2006 (Welf. & Inst. Code, §§ 16540-16545).

Consistent with section 16545, the Child Welfare Council and the secretary of the California Health and Human Services Agency were consulted in adopting these performance measures. The appropriate court technology groups have also been consulted.

The *Implementation Guide to Juvenile Dependency Court Performance Measures* is a companion publication to this rule, approved by the Judicial Council.

It is anticipated that the Judicial Council will update the *Implementation Guide to Juvenile Dependency Court Performance Measures*, as appropriate, to stay current with Court Case Management System (CCMS) requirements, local court needs, and the most recent versions of the relevant state and federal child welfare measures. Proposed updates other than those that are purely technical will be circulated for public comment prior to publication.

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