

Judicial Community

Survey Report

2008

Department of Health and Social Services

Office of Children's Services

Introduction

The Department of Health and Social Services, Office of Children's Services strives to ensure that children are able to remain in their own homes whenever possible through the provision of services to families. When children must reside in an out-of-home placement, the Office of Children's Services, as part of its statutory child protection mandate, has authority to assume legal and physical custody of children. The agency will initiate and coordinate out-of-home placement.

Throughout this process, a system of judicial oversight and involvement occurs. Cases involving custody are petitioned and adjudicated through the court system. Participants in this process include judges, masters, magistrates, public defenders, assistant attorneys general, and Guardians ad Litem. The judicial system's role is critical in promoting child permanency and well-being and insuring that the Office of Children's Services is meeting statutory requirements and obligations to the families.

The Office of Children's Services is interested in assuring that its programs operate to provide a high standard of care. The agency has a continuous quality improvement process in place to monitor and improve service delivery to families. As part of this continuous quality improvement process, information is sought through annual surveys from agencies and groups with whom the Office of Children's Services works. This information serves to assist management and staff in identifying areas for improvement and in developing and implementing program improvement activities.

Survey Methods

The Evaluation Unit of the Office of Children's Services conducted a survey that was sent to members of the judicial community to solicit information and comments regarding service delivery of the Office of Children's Services to families in the child protection system. The survey asked questions regarding reasonable and active efforts on cases and the assessment of families' needs. The area of case planning was explored with inquiries on the initiation of concurrent planning and the timeliness of permanency planning. Other areas of inquiry included efforts to support children's cultural traditions and responsiveness to inquiries about case activities.

Survey Respondents

There were 83 surveys completed and returned from the 170 surveys sent, for a response rate of 49%. Responses were received from every type of position and from each judicial district of the state. The number of surveys sent and responses received by position and judicial district are presented in tables one and two.

Table 1

Surveys Sent and Responses by Position, Number, and Percent			
Title of Position	Number of Surveys Sent	Number of Respondents	Percent of Respondents
Judge	42	26	62%
Master or Magistrate	13	8	62%
Assistant Attorney General	19	13	68%
Public Defender	48	8	17%
Guardian ad Litem	48	28	58%
Total	170	83	49%

Table 2

Surveys Sent and Responses by Judicial District, Number, and Percent			
Judicial District	Number of Surveys Sent	Number of Respondents	Percent of Respondents
First District	27	12	44%
Second District	9	4	44%
Third District	93	43	46%
Fourth District	41	24	59%
Total	170	83	49%

Findings

The responses were gathered and analyzed. The responses for each table are sorted by position for presentation of the findings in this report. There were five content areas in which questions on the survey were asked. These areas include case assessment and planning, communication, active efforts, service array, and worker knowledge. The question from the survey is presented followed by a table of the findings. Responses that are presented in percent are rounded and may not total 100%. The numbers presented in each area may not equal the total number of survey participants, as some participants did not respond to every question.

- **Child in Need of Aid petitions fully describe the reasonable and active efforts by the agency to prevent the removal of children.**

Table 3

Reasonable and Active Efforts are Reflected in the Agency's Petitions by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	18	69%	2	8%	6	23%
Master or Magistrate	7	88%	1	12%	0	0%
Assistant Attorney General	7	54%	0	0%	6	46%
Public Defender	2	25%	1	12%	5	63%
Guardian ad Litem	17	61%	2	7%	9	32%
Total	51	62%	6	7%	26	31%

- **Relative searches are conducted in a timely manner and are comprehensive.**

Table 4

Comprehensive Relative Searches are Timely by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	12	46%	8	31%	6	23%
Master or Magistrate	7	100%	0	0%	0	0%
Assistant Attorney General	6	46%	4	31%	3	23%
Public Defender	0	0%	2	25%	6	75%
Guardian ad Litem	6	22%	2	7%	20	71%
Total	31	38%	16	19%	35	43%

- **There are efforts made to place siblings in the same home.**

Table 5

Efforts are Made to Place Siblings Together by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	24	92%	1	4%	1	4%
Master or Magistrate	7	100%	0	0%	0	0%
Assistant Attorney General	12	92%	0	0%	1	8%
Public Defender	3	43%	2	28%	2	29%
Guardian ad Litem	21	75%	5	18%	2	7%
Total	67	83%	8	10%	6	7%

- When siblings are not placed in the same home regular visitation between the children is arranged.

Table 6

Visitation for Siblings is Arranged by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	13	50%	9	35%	4	15%
Master or Magistrate	6	86%	1	14%	0	0%
Assistant Attorney General	5	42%	2	16%	5	42%
Public Defender	2	29%	1	14%	4	57%
Guardian ad Litem	3	11%	4	15%	20	74%
Total	29	37%	17	21%	33	42%

- When children are placed out of home, there are regular and frequent visitations between parents and children.

Table 7

Parents and Children Visitation Occurs Regularly by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	8	31%	5	19%	13	50%
Master or Magistrate	6	75%	2	25%	0	0%
Assistant Attorney General	5	38%	1	8%	7	54%
Public Defender	1	13%	0	0%	7	87%
Guardian ad Litem	10	36%	3	11%	15	53%
Total	30	36%	11	13%	42	51%

- **The case assessment process is carried out through identification of the individual needs of children and parents as well as the overall family needs.**

Table 8

Children and Families' Needs are Assessed by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	17	65%	7	27%	2	8%
Master or Magistrate	7	100%	0	0%	0	0%
Assistant Attorney General	9	70%	2	15%	2	15%
Public Defender	1	13%	0	0%	7	87%
Guardian ad Litem	17	66%	4	15%	5	19%
Total	51	64%	13	16%	16	20%

- **Effective case planning is conducted through the development of comprehensive case plans which address the needs of parents and children and which target services to meet those needs.**

Table 9

Case Planning Identifies Appropriate Services by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	15	58%	7	27%	4	15%
Master or Magistrate	3	60%	2	40%	0	0%
Assistant Attorney General	10	77%	1	8%	2	15%
Public Defender	1	13%	0	0%	7	87%
Guardian ad Litem	19	68%	1	4%	8	28%
Total	48	60%	11	14%	21	26%

- **Parents and age appropriate children are involved in the development of their case plans.**

Table 10

Parents and Children are Involved in Case Planning by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	14	54%	6	23%	6	23%
Master or Magistrate	2	40%	3	60%	0	0%
Assistant Attorney General	6	46%	3	23%	4	31%
Public Defender	0	0%	1	13%	7	87%
Guardian ad Litem	11	41%	7	26%	9	33%
Total	33	42%	20	25%	26	33%

- **The educational needs of children are assessed and services to meet the needs are reflected in the case plan.**

Table 11

Educational Needs are Assessed and Services Provided by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	17	66%	4	15%	5	19%
Master or Magistrate	3	60%	2	40%	0	0%
Assistant Attorney General	9	69%	2	16%	2	15%
Public Defender	4	50%	1	13%	3	37%
Guardian ad Litem	13	48%	4	15%	10	37%
Total	46	58%	13	17%	20	25%

- **The mental health needs of children are assessed and services to meet the needs are reflected in the case plan.**

Table 12

Mental Health Needs are Assessed and Services Provided by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	20	77%	3	11.5%	3	11.5%
Master or Magistrate	5	83%	1	17%	0	0%
Assistant Attorney General	8	62%	3	23%	2	15%
Public Defender	3	37.5%	2	25%	3	37.5%
Guardian ad Litem	20	77%	1	4%	5	19%
Total	56	71%	10	13%	13	16%

- **There is an adequate array of services available in my community to meet children and parent's needs.**

Table 13

Adequate Services Available in Community by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	4	15%	2	8%	20	77%
Master or Magistrate	3	37.5%	2	25%	3	37.5%
Assistant Attorney General	0	0%	0	0%	12	100%
Public Defender	1	13%	0	0%	7	87%
Guardian ad Litem	5	18%	1	4%	22	78%
Total	13	16%	5	6%	64	78%

- **If there are services which are not available in your community please check the areas below in which services are needed.**

Of note is those judicial community respondents who indicated “Other” were able to write in the services not available in their community. Services identified included wrap around services, parenting skills training, and anger management counseling.

Table 14

Service Availability Needed in Community by Service, Position, and Percent								
Service Needed	Judge, Master, and Magistrate		Assistant Attorney General		Public Defender		Guardian ad Litem	
	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
Mental Health Assessment for Children	12	35%	8	62%	4	50%	14	50%
Mental Health Assessment for Parent	8	24%	7	54%	5	63%	10	36%
Outpatient Substance Abuse Treatment	13	38%	5	39%	5	63%	8	29%
Residential Substance Abuse Treatment	21	62%	7	54%	5	63%	17	61%
Individual Mental Health Counseling for Parent	13	38%	7	54%	6	75%	12	43%
Individual Mental Health Counseling for Child	17	50%	6	46%	3	38%	12	43%
Domestic Violence Assessment	12	35%	5	39%	3	38%	11	39%
Other	7	21%	5	39%	3	38%	15	54%

- **The lack of services in my community prevents children from being returned home in a timely manner.**

Table 15

Lack of Community Services Prevents Timely Reunification by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	12	46%	6	23%	8	31%
Master or Magistrate	5	72%	1	14%	1	14%
Assistant Attorney General	10	77%	0	0%	3	23%
Public Defender	7	88%	0	0%	1	12%
Guardian ad Litem	19	70%	2	8%	6	22%
Total	53	65%	9	11%	19	24%

- **Services to families are monitored and changes in the case plan are made as the family makes progress or does not make progress.**

Table 16

Case Plan is Updated When Service Needs Change by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	16	61%	8	31%	2	8%
Master or Magistrate	4	67%	2	33%	0	0%
Assistant Attorney General	4	31%	4	31%	5	38%
Public Defender	0	0%	0	0%	8	100%
Guardian ad Litem	14	52%	5	18%	8	30%
Total	38	47%	19	24%	23	29%

- **Concurrent case goals are established and implemented in a timely manner.**

Table 17

Concurrent Goals are Established in a Timely Manner by Position Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	15	58%	8	31%	3	11%
Master or Magistrate	3	50%	3	50%	0	0%
Assistant Attorney General	6	46%	5	39%	2	15%
Public Defender	2	25%	2	25%	4	50%
Guardian ad Litem	11	39%	7	25%	10	36%
Total	37	46%	25	31%	19	23%

- **When families do not make progress the termination of parental rights petition is filed in a timely manner.**

Table 18

Termination Petitions are Filed in a Timely Manner by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	13	50%	7	27%	6	23%
Master or Magistrate	4	66%	1	17%	1	17%
Assistant Attorney General	6	46%	4	31%	3	23%
Public Defender	2	33%	2	33%	2	33%
Guardian ad Litem	7	26%	4	15%	16	59%
Total	32	41%	18	23%	28	36%

- **Termination of parental rights hearings occur in a manner which facilitates timely adoptions.**

Table 19

Termination are Timely by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	10	38%	8	31%	8	31%
Master or Magistrate	3	50%	3	50%	0	0%
Assistant Attorney General	7	54%	3	23%	3	23%
Public Defender	3	37.5%	3	37.5%	2	25%
Guardian ad Litem	6	22%	4	14%	18	64%
Total	29	36%	21	26%	31	38%

- **Adoptions are completed in a timely manner.**

Table 20

Adoption Completion are Timely by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	11	42%	9	35%	6	23%
Master or Magistrate	3	50%	3	50%	0	0%
Assistant Attorney General	1	8%	6	46%	6	46%
Public Defender	0	0%	5	63%	3	37%
Guardian ad Litem	2	7%	10	36%	16	57%
Total	17	21%	33	41%	31	38%

- Case activities reflect understanding and sensitivity to the cultural needs of children and parents.

Table 21

Cultural Needs are Reflected in Case Activities by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	21	81%	4	15%	1	4%
Master or Magistrate	2	33%	4	67%	0	0%
Assistant Attorney General	11	84%	1	8%	1	8%
Public Defender	0	0%	0	0%	8	100%
Guardian ad Litem	17	61%	4	14%	7	25%
Total	51	63%	13	16%	17	21%

- OCS workers visit the children in person at least on a monthly basis.

Table 22

Visits With Children Occur Monthly by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	8	31%	11	42%	7	27%
Master or Magistrate	0	0%	4	67%	2	33%
Assistant Attorney General	6	46%	3	23%	4	31%
Public Defender	1	12%	2	25%	5	63%
Guardian ad Litem	17	61%	4	14%	7	25%
Total	32	39%	24	30%	25	31%

- OCS workers visit the parents in person on at least a monthly basis.

Table 23

Visits With Parents Occur Monthly by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	6	23%	11	42%	9	35%
Master or Magistrate	0	0%	4	67%	2	33%
Assistant Attorney General	4	31%	4	31%	5	38%
Public Defender	1	12%	0	0%	7	88%
Guardian ad Litem	9	32%	7	25%	12	43%
Total	20	25%	26	32%	35	43%

- Decisions by the Office of Children’s Services are objective and fair to the families with whom they work.

Table 24

Decisions Made by OCS are Fair and Objective by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	20	77%	4	15%	2	8%
Master or Magistrate	3	50%	2	33%	1	17%
Assistant Attorney General	10	77%	3	23%	0	0%
Public Defender	0	0%	0	0%	8	100%
Guardian ad Litem	16	57%	5	18%	7	25%
Total	49	61%	14	17%	18	22%

- **Workers are knowledgeable regarding the case history and the activities of the families with whom they work.**

Table 25

Workers are Knowledgeable about the Families They Serve by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	15	58%	5	19%	6	23%
Master or Magistrate	5	72%	1	14%	1	14%
Assistant Attorney General	3	23%	4	31%	6	46%
Public Defender	1	12%	2	25%	5	63%
Guardian ad Litem	12	43%	4	14%	12	43%
Total	36	44%	16	19%	30	37%

- **Workers demonstrate adequate knowledge of the requirements of the Indian Child Welfare Act.**

Table 26

Workers are Knowledgeable about ICWA by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	23	88%	1	4%	2	8%
Master or Magistrate	6	86%	1	14%	0	0%
Assistant Attorney General	6	46%	6	46%	1	8%
Public Defender	1	12.5%	1	12.5%	6	75%
Guardian ad Litem	18	64%	5	18%	5	18%
Total	54	66%	14	17%	14	17%

- **Workers are receptive to receiving feedback and alternate opinions pertaining to cases and services provided to families.**

Table 27

Workers are Receptive to Feedback on Cases by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	16	62%	6	23%	4	15%
Master or Magistrate	4	57%	3	43%	0	0%
Assistant Attorney General	9	69%	1	8%	3	23%
Public Defender	0	0%	1	13%	7	87%
Guardian ad Litem	18	64%	3	11%	7	25%
Total	47	57%	14	17%	21	26%

- **Written work such as petitions, reports, and letters is comprehensive and reflects the activities of the case.**

Table 28

Case Writing Reflect the Case Activities by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	19	73%	2	8%	5	19%
Master or Magistrate	2	33%	3	50%	1	17%
Assistant Attorney General	4	31%	5	38%	4	31%
Public Defender	2	25%	1	12%	5	63%
Guardian ad Litem	12	43%	4	14%	12	43%
Total	39	48%	15	19%	27	33%

- **Workers' written presentations are submitted in a timely manner.**

Table 29

Workers' Written Work is Submitted in timely Manner by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	16	62%	5	19%	5	19%
Master or Magistrate	4	57%	2	29%	1	14%
Assistant Attorney General	2	15%	2	15%	9	70%
Public Defender	1	12.5%	1	12.5%	6	75%
Guardian ad Litem	9	32%	5	18%	14	50%
Total	32	39%	15	18%	35	43%

- **Your telephone, e-mail, and written inquiries are responded to in a timely manner.**

Table 30

Timely Responses to Inquires Occurs Timely by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	15	75%	3	15%	2	10%
Master or Magistrate	4	57%	3	43%	0	0%
Assistant Attorney General	8	62%	0	0%	5	38%
Public Defender	5	63%	1	12%	2	25%
Guardian ad Litem	19	68%	3	11%	6	21%
Total	51	67%	10	13%	15	20%

- **Workers demonstrate adequate knowledge of the judicial system and processes to work effectively within the system.**

Table 31

Workers are Knowledgeable of Judicial System and Processes by Position, Number, and Percent						
Position	Strongly Agree and Agree		Undecided		Disagree and Strongly Disagree	
	Number	Percent	Number	Percent	Number	Percent
Judge	22	84%	2	8%	2	8%
Master or Magistrate	6	86%	1	14%	0	0%
Assistant Attorney General	3	23%	2	15%	8	62%
Public Defender	3	37.5%	2	25%	3	37.5%
Guardian ad Litem	15	56%	2	7%	10	37%
Total	49	61%	9	11%	23	28%

Additional Comments

Respondents were provided an area on the survey instrument to offer other comments that they wished to share with the Office of Children's Services. There were 45 respondents who provided additional comments.

- Respondents expressed that the agency has made notable improvements in the timeliness of investigating reports of maltreatment. Several respondents indicated a positive working relationship with the attorney general in their area. Three respondents expressed good working relationships with the tribal representative, law enforcement, and the Office of Children's Services caseworkers.
- A respondent commented that the Independent Living program, which works with teens aging out of the system, is great.
- Respondents have seen improvement in the agency obtaining children's permanent fund dividends and corporate shares for Alaska Native children. Respondents also commented on the increased efforts by the Office of Children's Services in having case review notices sent out in a timelier manner.
- There was support expressed for those workers who are conscientious and diligent in meeting families' needs. Respondents indicate that when workers respond to phone calls and e-mails, efforts with families and efforts in meeting court deadlines are more easily understood.
- There was concern for the need for ongoing training for workers. Several respondents expressed concerns about workforce development at the Office of Children's Services. Respondents cited high caseloads and noted the need for supervision and support to new workers. A respondent stated that new workers are inundated with large caseloads and are unable to familiarize themselves with the details of the cases or to meet families prior to taking over cases.
- One respondent expressed concern that worker vacancies could impede the agency's ability to respond to protective services reports in a timely manner. There is also concern that the changes in staffing of workers in rural areas could impact efforts to assist children and families in accessing needed services. Respondents expressed concern that delays in reunification may result from multiple caseworkers.
- Some respondents cited the need for increased preparation by workers when court hearings are held. Respondents indicated the need for workers to bring case records to court hearings. There was concern for court coverage of cases when positions are vacant. Some respondents cited the need for increased communication with the court system and more timely court reports by the Office of Children's Services.

- It was noted that the level of understanding of the legal system varies greatly from worker to worker, as does their understanding of cultural factors. Some respondents indicated that workers need to increase home visits with children and parents. Respondents reported that more administrative support staff is needed to handle high volumes of paperwork and phone calls workers receive.
- Respondents commented on the need for caseworkers to consistently invite the various parties to participate in the case planning process. Respondents commented that case plans need to be more substantive to reflect the identified service needs of the children and parents. It was noted that case plans are sometimes not timely and appear to be developed just before the next court hearing with no involvement with parents, tribal representatives, Guardians ad Litem, or CASAs.
- Some respondents commented on adoption/guardianship home study delays and delays in negotiation of subsidized adoption. Respondents indicated that the adoption exchange is not initiated in a timely manner. Respondents cited the need for the Office of Children's Services to locate and license more Alaska Native and non-Alaska Native adoptive homes.
- Respondents said active efforts should include more contact with the tribal council, more efforts to expedite and ensure siblings are placed in the same home, and increase visitation between siblings and parents. Several respondents indicated that the agency in their area makes good use of the limited resources that are available to them.
- One respondent indicated concern that the new risk assessment does not adequately address children's mental health needs.

Appreciation to Respondents

The response and thoughtful comments to this survey by members of the judicial community are deeply appreciated by the Office of Children's Services and will be incorporated by management and staff in our work to continue to improve our ability to assist families and children.