

**CINA Court Improvement Committee**  
**Meeting Minutes for**  
**Friday August 19, 2011**  
**10:30 a.m. – 2:30 p.m.**

**Snowden Administration Building**  
**820 W. 4<sup>th</sup> Avenue**

**Attendance:**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Master Hitchcock               | <input type="checkbox"/> Anita Alves              | <input type="checkbox"/> Judge Blankenship          |
| <input checked="" type="checkbox"/> Judge Rindner       | <input type="checkbox"/> Melissa Stone            | <input checked="" type="checkbox"/> Amanda Metivier |
| <input checked="" type="checkbox"/> Linda Beecher       | <input checked="" type="checkbox"/> Diane Payne   | <input checked="" type="checkbox"/> Wendy Lyford    |
| <input checked="" type="checkbox"/> Judge Esch          | <input checked="" type="checkbox"/> Judge Tan     | <input type="checkbox"/> Judge Stephens             |
| <input type="checkbox"/> Kristie Lawton                 | <input type="checkbox"/> Judge Devaney            | <input checked="" type="checkbox"/> Lucille Johnson |
| <input type="checkbox"/> Judge Reese                    | <input checked="" type="checkbox"/> Carla Raymond | <input checked="" type="checkbox"/> Maude Hopson    |
| <input checked="" type="checkbox"/> Susanne DiPietro    | <input type="checkbox"/> Judge White              | <input type="checkbox"/> Judge Gleason              |
| <input checked="" type="checkbox"/> Francine Eddy-Jones | <input checked="" type="checkbox"/> Lisa Rieger   | <input checked="" type="checkbox"/> Lynn Biggs      |

Also attending: Travis Erickson for Kristie Lawton; Mara Rabinowitz for Anita Alves; Karen Largent (telephonic); Stefanie Winters; Tammy Ketchum-Wallette.

Minutes of May 2011 approved with one change.

**Next Meeting: Friday, December 16, 2011 at 10:30 in Anchorage**

**Subcommittee Reports**

**Family Contact.** A written report was distributed and discussed at the meeting.

**Education.** The subcommittee approved interdisciplinary teams to attend the NACC conference this month, and a team of court system and OCS senior managers to attend the conference on child welfare and substance abuse next month. The subcommittee has formed a small working group to work with Barb Malchick to plan for the development of and to develop the content for a core curriculum for ICWA legal practitioners. Components of the core curriculum could include legal process, cultural competency, addiction and recovery, child development, etc. It is anticipated that some or all of the core curriculum would be offered a few times per year as a live program in Anchorage, and that other components would be offered remotely. The details of the delivery methods and frequency of offerings have not yet been worked out. Barb Malchick's research on other states uncovered an excellent comprehensive curriculum in Colorado,

and the Colorado CIP has given us free access to it and permission to use whatever we like. Obviously, the modules would have to be adapted to Alaska. The working group also is charged with identifying subject-matter experts who would be contracted with to write different parts of the curriculum, and faculty who are qualified to teach it. The timeline for a final product is 2013.

**Mediation and Family Group Conferencing.** Largent reported that she will have her yearly report at the next meeting. Referrals are essentially the same as last year. Lyford reported that she is beginning to experiment with using videoconferencing for mediations. Bandwidth is becoming less of a barrier in some parts of rural Alaska, for example, the YK Delta where an infrastructure upgrade is scheduled this year.

**Independent Living Workgroup.** The group has been working with Barb Malchick to identify the legal barriers to independent living. It also recently brought on an assistant attorney general to assist with the legal analysis. The plan is to analyze the legal barriers and make recommendations. A judicial representative is needed now that Master Hitchcock is retiring.

**Substance Abuse - Shields Initiative.** The initiative is moving forward within the Division of Behavioral Health/DHSS. A needs assessment, assessment of current resources, and business plan were prepared and are being reviewed internally at DHSS. Technical providers from the Shields program visited Alaska in July at the request of local provider Akeela/Steps.

**Judge Tan asked the subcommittee to examine the issue of assessments – timeliness and quality.** It appears that recommendations from different assessors are too inconsistent. Also, are assessors adequately able to identify needs for relapse prevention and other services as opposed to another round of treatment? Travis Erickson mentioned that OCS has a small grant to improve substance abuse treatment services; Judge Tan asked him to consider piloting the idea of housing an assessor at the courthouse so that parents can be assessed at the temporary custody hearing.

**ICWA.** The committee reviewed the telephonic hearing guidelines developed by the subcommittee. **DiPietro will distribute the draft guidelines to judges for comment. DiPietro also will create a template for judges to use to publish their own individual telephonic hearing requirements to parties.**

The subcommittee continues to revise the ICWA curriculum based on comments from the pilot presentation at the fall conference. The subcommittee has refined its thinking about the goal of the curriculum:

Participants will learn key facts that led to the need for ICWA and how the historical treatment of Native people affects the families we work with today. Participants will learn about the major substantive provisions of ICWA, including parties' rights, active efforts, removal standards, and placement preferences. Participants will be able to apply their knowledge of ICWA to case situations.

**Education and Foster Care.** The subcommittee has been inactive for a while after it succeeded in creating protocols by which information about the status of foster youth can be shared between the Anchorage School District and OCS. Ms. Metivier will be doing her MSW internship at ASD, where she will develop policies about how ASD will use this information, and how classroom teachers can be more involved in the foster care system (eg, attend TDMs).

**Rural Issues.** Defer report to next meeting.

**Telephonic Hearings Report.** Judge Esch volunteered to pilot the web-based telephone management system in Nome. It was suggested that the information in the memo be adapted as an information sheet to judges about how telephonic hearing audio quality can be improved.

**Permanency Roundtables.** 30 Juneau cases were reviewed in June after a day of skills training for all team members. It was observed that the roundtable discussions were useful for engaging the Tribe in decision-making at the case level (as opposed to the policy level). It was important to have the ICWA worker participate in person. OCS and Tlingit Haida are reviewing the permanency action plans. Follow up reviews are planned for October. Systemic barriers identified during this process included: family searches occurred too late or were not adequate; Family Group Decision Making should be used more and earlier; some of the therapists who worked with the foster youth in these cases lacked an adequate understanding of the issues facing those youth and so were not effective in helping them; the Tribe needs more access to home studies; FASD waivers are too hard to get; more education is needed about the importance of permanency for older youth. Also, it was agreed that the neutral facilitator provided by Casey was key to the success of the roundtables because that person was able to challenge participants on assumptions and conclusions. Finally, it was observed that

members of the teams jointly took responsibility for implementing the permanency action plans, which took many tasks off the worker's plate.

**HB 126.** Department of Law has almost completed its legal review and the regulations will be released after that. **Carla Raymond will discuss the regulations at our December meeting.**

**PIP Update.** By Nov. 30<sup>th</sup>, OCS will have completed all but one of its PIP obligations and will have met or exceeded the performance benchmarks set by the Children's Bureau at the beginning of this process. The only goal outstanding is with respect to APPLA cases. OCS is reviewing every case with an APPLA goal to prepare youth for independent living or to change the goal. OCS will continue with the initiatives begun under the PIP. Also as a PIP item, Carla Raymond is working on a project to clarify and document how petitions to terminate parental rights are drafted within each region of the state. **Carla will have information for the committee at our December meeting.**

**Forms Attorney Request.** After discussion, it was agreed that the restrictive discovery language currently contained in the court form order appointing counsel should be deleted. Attorneys in individual cases who wish to restrict distribution of their clients' assessments or other reports of a personal nature should file a motion under the civil rules, or obtain a stipulation from the parties.

Linda Beecher asked what OCS is doing to comply with the Fostering Connections Act. **Travis agreed to do a presentation on this topic at the next meeting.**

**1:30 p.m. Adjourn**