

New study says crowded dockets prolong foster care

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By Barbara White Stack, Pittsburgh Post-Gazette

In the bad old days, it was common to find an Allegheny County juvenile court judge still holding court at 7 p.m., with bored children lying on hallway floors and exhausted court clerks worried about their children at home.

To top it off, many cases would be postponed and families forced to return and wait another day.

That was in 1998, when three judges struggled with 30 to 50 cases a day. It meant they had less than a half-hour to decide whether children should be removed temporarily from neglectful parents and whether to take children for longer periods from mentally ill or drug-addicted parents.

The judges complained bitterly about this fast-food style of justice, and Allegheny County did something about it. Now a study of 2,200 judges across the country bears out the justice in that decision.

In the survey by the University of Illinois's Children & Family Research Center, the judges -- 58 from Pennsylvania -- said crowded court dockets unnecessarily prolong time in foster care.

This opinion was expressed most strongly by judges, like those assigned to juvenile court in Allegheny County, who handled mostly cases of abused and neglected children. Some judges who responded to the survey preside over relatively few of those cases.

James Rieland, Allegheny County's director of juvenile court services, said crowded dockets force judges to keep hearings brief. "If people are in and out of court too quickly," he said, "they don't feel they got a fair shake."

Judge Cheryl Allen, who served more than a decade in juvenile court, said crowded dockets mean judges have time to hear only the basic facts of cases.

They often can't determine whether parents are cooperating with caseworkers or are getting the services they need to get their children back.

Unlike many jurisdictions, Allegheny County confronted the problem. It's not completely resolved, but Eugene F. Scanlon Jr., administrative judge for the Family Division, which includes juvenile court, is committed to continue working on it.

In December 1998, with the help of grants from foundations, the county hired four hearing officers to help the county's one part-time and three full-time juvenile court judges.

Since then, a full-time judge has been added to the juvenile bench. And Scanlon is working on getting another one. The difference is dramatic. Now, instead of all families listed for hearings at 8:30, and many waiting the entire day, cases are given time slots throughout the day.

Instead of proceedings twice a year, now families go before a judge or hearing officer at least four times a year. The average number of cases on the judges' dockets Wednesday was 15.

Allen, who moved to criminal court earlier this year, said it is possible now to spend time listening to individual cases. "It has provided a more hands-on approach and more scrutiny for the system."

Kim Clark, supervising judge for Allegheny County's juvenile court, says increasing the hearings to four times a year obviously increased the work, but the result of that additional scrutiny, which is mostly performed by the hearing officers, prevents delays in getting children permanent homes.

Clark, who participated in the survey, said the reduced time between hearings means judges know more quickly whether CYF is dawdling at providing services and whether parents are balking at accepting them.

When Allegheny County hired the hearing officers, it was following the lead of Hamilton County, where Cincinnati is located. There, before hearing officers were hired, 4,000 children were in foster care. In 1998, 10 years after five hearing officers were added, the number was down to 2,500.

Allegheny County has followed that pattern. In December 1998, before the hearing officers, it had 2,641 in foster care. Now there are 2,430.

The survey of judges was commissioned by the Pew Charitable Trusts. Over the past two years, Pew, based in Philadelphia, has spent \$9.3 million to find ways to improve child welfare.

In addition to the findings on overcrowded dockets, the researchers learned that less than half of judges hearing abuse and neglect cases received any special training in child welfare before taking the juvenile court bench, and in Pennsylvania, that number was 21 percent, making the state the third worst for training.

Judges said what frustrated them most about the child welfare system was a lack of services for families and children. This is not a particular problem in Allegheny County. The Office of Children, Youth and Families offers many more services than most of its counterparts across the country.

"Our county does a superior job of providing services to families," Allen said.

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