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### PROGRAM INSTRUCTION

**TO:** Highest State Courts of Appeal

**SUBJECT:** Instructions for State Courts on Submitting New Five-Year Strategic Plan for FY 2022 – 2026 and Applying for Court Improvement Program (CIP) Funds for Fiscal Year (FY) 2022.

**REFERENCES:** Section 438 of the Social Security Act

**PURPOSE:** The purpose of this Program Instruction is to set forth the eligibility requirements and grant application procedures for the basic, data and training CIP grants for FY 2022, including the development of a new five-year strategic plan, and to provide guidance on the requirements for state courts to continuously assess and improve the handling of court proceedings related to child welfare and enhance collaboration with title IV-B/IV-E agencies and tribes.

**BACKGROUND:** Section 438 of the Social Security Act<sup>1</sup> (the Act) authorizes CIP funding through three grants that the highest state court of each state may apply for: a basic grant, data grant, and training grant.

- **Basic Grant.** The basic grant enables state courts to conduct assessments of the role, responsibilities and effectiveness of state courts in carrying out state laws guiding child welfare proceedings. It allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and engagement of families in child welfare cases. It also allows the courts to improve collaboration including in the implementation of Program Improvement Plans (PIPs) as a result of the Child and Family Services and title IV-E Foster Care Eligibility Reviews.

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<sup>1</sup> 42 U.S.C. 629h

- Data Grant. The data grant supports data collection and analysis and promotes data sharing between state courts, child welfare agencies and tribes.
- Training Grant. The training grant is intended to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, tribes, courts and other key stakeholders.

Previous Program Instructions were issued every five years, but beginning this year, CB is issuing annual PIs to ensure CIPs have current and accurate information on requirements for annual funding and to better align CIP processes with related child welfare program planning requirements.

The CIP was most recently amended and reauthorized through FY 2021 by the Family First Prevention Services Act, enacted February 9, 2018. Should further amendments be enacted that would affect funding or requirements for FYs 2022 and beyond, CB will issue additional guidance.

**INFORMATION: Organization of the Program Instruction:**

- Section I. Program Eligibility and Funding
- Section II. Program Requirements
- Section III. Self-Assessment Process Requirements
- Section IV. Strategic Plan Requirements
- Section V. Application Requirements
- Section VI. Fiscal Reporting Requirements
- Attachments

**I. PROGRAM ELIGIBILITY AND FUNDING**

This PI describes the purpose of the CIP, application procedures and reporting requirements for the three CIP grants and explains how state courts must plan, implement, amend, update and report on the programs and activities they support using grant funds. State courts must comply with the requirements delineated in this Program Instruction as a prerequisite to receiving CIP funds.

**Eligibility**

The highest state court of each state that participates in the programs funded under title IV-E of the Act is eligible to apply for CIP funds. The term “highest state court” means the judicial tribunal that is the ultimate court of appeals in the state and responsible for the implementation of the CIP grants. Although the highest state court is the designated applicant for the grant, the application must reflect meaningful and ongoing collaboration among state and local courts, state and local child welfare agencies and, where applicable, federally recognized Indian tribes.

A state court may apply for one, two or all three CIP grants. It is not necessary for a state to receive the basic grant to be eligible to receive either the data or training grant.

## Funding

- Allotments: For each grant, state courts with an approved application will be allotted \$85,000 and, after the sum of all states' base amounts is subtracted from the total appropriation, a percentage of the remainder based on the state's proportionate share of children under age 21.<sup>2</sup> For reference, FY 2020 allotment tables for each of the three grants are included as Attachment F of this PI.
- Project Period: Each state court must obligate its federal funds by the end of the following fiscal year, with an additional 90 days to liquidate any outstanding obligations. ACF does not have the authority to grant an extension of a program obligation period. Any funds remaining unobligated or unliquidated by the respective deadlines will be recouped by ACF and returned to the U.S. Treasury through the issuance of a negative grant award.
- Cost Sharing Requirement: A non-federal share is required for each CIP grant at the rate of 25 percent of the total budget (1/3 of the Federal share). For example, a project totaling \$100,000 would require a state court contribution of \$25,000 to receive federal funds totaling \$75,000. Funds eligible to be used as non-federal share must meet the regulatory provisions of 45 CFR 75.306, which establishes the rules for cost sharing.

In accordance with these provisions, funds eligible to be used as non-Federal share, among other things:

- Must not be federal grant funds, unless specifically allowed by Federal statute;
  - Must not be used to match any other Federal grant;
  - Must be used for costs that are otherwise allowable (i.e. the non-Federal share, like the Federal share must also be used for the purposes described in Section 438 of the Act and this program instruction);
  - May originate with a third party, public or non-public; and
  - May be in-kind contributions of services, equipment, or property.
- Indirect Costs: If a state court wishes to receive reimbursement for indirect costs within its allotment as a part of a CIP grant, it must have an approved indirect cost rate with the cognizant Federal agency. The cognizant Federal agency is that Federal agency that provides the most funds to the state court. If a state court has not been assigned a cognizant agency, it should work with the Federal agency from which it receives the largest amount of funds to negotiate and receive approval of indirect cost proposals.

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<sup>2</sup> 42 U.S.C. 629h(c).

## **II. PROGRAM REQUIREMENTS**

The purpose of the CIP is to promote the continuous quality improvement of: (1) child welfare court hearings and reviews; (2) legal representation for parents, children, youth and the state child welfare agency responsible for administering titles IV-B and IV-E of the Act; and (3) collaboration between the judicial branch of state government, the title IV-B/IV-E agency and tribes to improve child welfare outcomes.

### **a. Meaningful and Ongoing Collaboration**

State courts are required to demonstrate “meaningful and ongoing collaboration” among the courts in the state, the title IV-B/IV-E agency, and where applicable, federally recognized Indian Tribes in their CIP applications in order to receive funding.<sup>3</sup>

“Meaningful, ongoing collaboration” means that: state courts, title IV-B/IV-E agencies, and tribes will identify and work toward shared goals and activities to increase the safety, permanency, and well-being of children in the child welfare system.

To satisfy this requirement, state courts must: (1) establish and operate a statewide multi-disciplinary task force to guide and contribute to CIP activities; and (2) create and describe a process by which they will work with the title IV-B/IV-E agency, and tribal partners, to jointly review and discuss child welfare outcome data and meaningfully participate in child welfare program planning and improvement efforts on an ongoing basis.

Many child welfare programs are coordinated by the submission of the Child and Family Services Plan (CFSP) and annual update to that plan, the Annual Progress and Services Report (APSR). Annual updates are due June 30 each year. We urge CIPs to align collaboration efforts with those conducted by the state title IV-B/IV-E agency.

### **i. CIP Leadership**

The CIP grant is intended to engage the highest court of appeals in states and territories in the continuous improvement of child welfare court hearings and reviews, legal representation and the functioning of the child welfare system overall. CB expects that CIP directors will have the authority to represent the highest court of appeals in this important work.

From the perspective of CB, CIP directors and state child welfare directors maintain equivalent levels of responsibility as systems partners. CB expects that CIP directors will work closely with state and territorial child welfare directors and other key, high-level government leaders.

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<sup>3</sup> 42 U.S.C. 629h(b)(1)(C).

## ii. Statewide Multidisciplinary Task Force

State courts must maintain a statewide multidisciplinary task force that includes, state and local judges, preferably including a justice of the highest court of appeals; top child welfare agency leadership; attorneys for parents, children and the child welfare agency; and, where applicable, Indian tribes or tribal consortia.

The CB expects that representatives from the state IV-B/IV-E agency will be individuals who are involved in child welfare program planning and improvement efforts, and are equipped to participate in discussion of how CIPs can become meaningfully involved in these processes and ensure action.

State courts are strongly encouraged to include the following representatives on the task force:

- the IV-B/IV-E agency administrator,
- the IV-B-IV-E agency quality assurance/continuous quality improvement lead,
- the Child and Family Service Plan (CFSP)/Annual Progress Services Report (APSR) lead,
- IV-B/IV-E agency official responsible for Child and Family Services Review (CFSR)/Program Improvement Plan (PIP) processes,
- the IV-B/IV-E agency permanency division director,
- the IV-B/IV-E agency training lead,
- Court Appointed Special Advocate leads,
- other related Children’s Bureau grantees in the state, such as the Community-Based Child Abuse Prevention (CBCAP) lead,
- key service providers,
- state department of education representatives,
- an Indian Child Welfare Act specialist, and
- parents and youth with lived expertise in the child welfare system.<sup>4</sup>

State courts must provide an especially strong rationale in their grant application for not including the above identified agency representatives as task force members.

State courts are strongly encouraged to convene the task force at least quarterly. Task force meetings should include joint review and discussion of child welfare data, data that may be available from court or attorney data systems (including toolkit measures<sup>5</sup>) and discussion of what those data may mean with this

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<sup>4</sup> CIPs should consider compensating and supporting parents and youth for their time and expenses. For additional information see, ACYF-CB-IM-19-03 <https://www.acf.hhs.gov/sites/default/files/cb/im1903.pdf>

<sup>5</sup> *Court Performance Measures in Child Abuse and Neglect Cases* (commonly known as the “Toolkit”). The Toolkit is a set of resources developed by the Office of Juvenile Justice and Delinquency Prevention, the National Center on State Courts, the National Council of Juvenile and Family Court Judges and the American Bar Association’s Center on Children and the Law in 2008. See <http://www.ojjdp.gov/publications/courttoolkit.html>

multidisciplinary group. Meetings shall be used as an opportunity to monitor and review goals, identify opportunities for interventions and plan CIP involvement in program planning and improvement efforts with the title IV-E/IV-B agency.

State courts must provide an especially strong rationale in their application for holding meetings less than quarterly.

### **iii. Collaboration with Title IV-B/IV-E Agency and Tribes**

State courts must demonstrate collaboration in applications for CIP funding by describing how the title IV-B/IV-E agency and tribes, where applicable, will be involved in CIP planning, including:

- identifying needs;
- developing theories of change;
- selecting or developing solutions;
- planning, preparing and implementing change; and
- evaluating and applying findings.

State courts must also commit to participating in all stages of child welfare program planning and improvement efforts, including the CFSP/APSR, CFSR and title IV-E Foster Care Eligibility Review processes within required timeframes.<sup>6</sup>

CB also encourages state courts to collaborate with the IV-B/IV-E agency in planning for training judges and attorneys on the congregate care provisions of the Family First Prevention Services Act.<sup>7</sup>

Collaboration should result in institutional and infrastructural changes that lead to measurably improved outcomes for the children and families that the State is serving. The state court and the title IV-B/IV-E agency should meet regularly to examine agency and court data in order to establish activities for both the court and agency to target improvement. Important areas to examine include reducing maltreatment, reducing unnecessary removals<sup>8</sup>, improving family time/visitation,<sup>9</sup>

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<sup>6</sup> It is also important to note that there is a corresponding State agency requirement to demonstrate collaboration with State courts. Specifically, State child welfare agencies must demonstrate substantial, ongoing and meaningful collaboration with State courts in the development and implementation of their State plans under titles IV-B and IV-E and any PIPs developed as a result of the Child and Family Services and IV-E Foster Care Eligibility Reviews. *See* 42 U.S.C. 622(b)(13).

<sup>7</sup> 42 U.S.C. 629h(b)(1) (2018)

<sup>8</sup> For related information on prevention, see ACYF-CB-IM-18-05 <https://www.acf.hhs.gov/sites/default/files/cb/im1805.pdf>

<sup>9</sup> For related information see, ACYF-CB-IM-20-02 <https://www.acf.hhs.gov/sites/default/files/cb/im2002.pdf>

improving placement stability, education stability,<sup>10</sup> or increasing quality, quantity, or timeliness of reunifications, adoptions or guardianships.

Examples of collaborating with tribes include establishing and regularly convening a state and tribal court workgroup to examine ICWA practice and state and tribal court collaboration on Indian child welfare matters. The group may conduct or oversee an ICWA assessment, work to implement the Bureau of Indian Affairs ICWA Regulations<sup>11</sup>, or develop and implement plans to continuously improve legal, case management, or service delivery practices.

CB strongly encourages grantees to work with the title IV-B/IV-E agency to collect and share critical data important to understanding ICWA practice<sup>12</sup>, including, but not limited to those related to:

- inquiry
- notice
- right to counsel
- qualified expert witnesses
- burdens of proof
- applicability determinations and findings
- tribal involvement in cases
- active efforts
- tribal court jurisdiction
- placement preferences
- voluntary and involuntary terminations
- safety outcomes
- permanency outcomes
- well-being outcomes such as through tribal connections and placement stability

#### **b. CIP Projects and Activities**

State courts applying for CIP grants must plan for and implement a minimum of three projects: a project to continuously improve the quality of child welfare court hearings and reviews; a project to continuously improve the quality of legal representation for parents, children and youth or the child welfare agency; and a joint project with the title IV-B/IV-E agency to improve specific safety,

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<sup>10</sup> Joint guidance from the U.S. Departments of Education and Health and Human Services about implementation of the foster care provisions of the Every Student Succeeds Act (ESSA) is available at <http://www2.ed.gov/policy/elsec/leg/essa/index.html>

<sup>11</sup> The final regulations can be found at <http://www.indianaffairs.gov/WhoWeAre/BIA/OIS/HumanServices/IndianChildWelfareAct/index.htm>

<sup>12</sup> While this list of elements does not cover every possible area of ICWA practice, it represents the major areas seen in CIP work in this area. Assistance in developing programs around this is available from the Children's Bureau's Capacity Building Center for Courts.

permanency, or well-being outcomes as identified through the CFSR or other CQI process.

(1) A project to continuously improve the quality of child welfare court, shelter care/emergency hearings, permanency hearings or permanency reviews. Given the importance of initial appearances (e.g. shelter care and emergency hearings) as demonstrated through the research<sup>13</sup>, CB strongly encourages projects to include a special emphasis on the quality of those hearings.

CB further strongly encourages all grantees to ensure hearing quality projects include an enhanced focus on the quality of reasonable efforts determinations required under the law, specifically, reasonable efforts to prevent removal and reasonable efforts to finalize the permanency goal. This emphasis centers on the factual basis on which reasonable efforts determinations are made as opposed to simply measuring whether the determinations are made. Rather than a simple yes or no question and response, the determination contains a strong qualitative component, requiring appropriate breadth and depth in proceedings regarding what the IV-B/IV-E agency has done to make reasonable efforts.

State courts are required to share the results of efforts under this project in an ongoing fashion with the title IV-B/IV-E agency to help assess and improve legal and judicial roles around the CFSR, PIPs, title-IV foster care eligibility reviews, and ongoing joint CQI work. A list of potential indicators of quality hearings and reviews is included as Attachment D.

State courts are encouraged to consider all of the below data sources and methodologies in designing plans:

- Data from statewide and local court databases, where available;
- Data from the state title IV-B/IV-E agency including data available through state child welfare information systems, Adoption and Foster Care Analysis and Reporting System (AFCARS), CFSR Data, National Child Abuse and Neglect Data System, and National Youth in Transition Database (NYTD)<sup>14</sup>;
- Manual data collection activities:
  - Periodic court observation using a standardized protocol;
  - Periodic court file review using a standardized protocol;
  - Surveys, focus groups, and interviews of judges, attorneys, agency stakeholders, parents or youth, or others.

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<sup>13</sup> Summers, A., Gatowski, S., & Gueller, M. (2017). *Examining hearing quality in child abuse and neglect cases: The relationship between breadth of discussion and case outcomes*. Children and Youth Services Review, 82, 490-498.

<sup>14</sup> See <https://www.acf.hhs.gov/cb/research-data-technology/reporting-systems/nytd>

(2) A project to continuously improve the quality<sup>15</sup> of legal representation for parents, children and youth, or the title IV-B/IV-E agency at all stages of child welfare proceedings.

In undertaking a legal representation project, CB strongly encourages grantees to consider statewide models of or approaches to legal representation for parents, children and youth that require specialization in child welfare law through ongoing training and/or certification and incorporate multi-disciplinary teaming approaches such as the pairing of a well-trained child welfare attorney with a social worker. Evidence of the value of multi-disciplinary models of legal representation and its association with expedited permanency and other positive outcomes continues to grow.<sup>16</sup>

CB further encourages grantees to work with the title IV-B/IV-E agency to maximize access to title IV-E funding<sup>17</sup> to support high quality legal representation for parents, children and youth and to promote robust, ongoing training for judges, attorneys for parents, children and youth, and the title IV-B/IV-E agency attorneys as professional partner training under title IV-E training plans.

(3) A joint project with the title IV-B/IV-E agency to improve a specific safety, permanency, or well-being outcome or outcomes. State courts are required to plan and implement a joint project with the title IV-B/IV-E agency that will focus on improving a specific safety, permanency, or well-being outcome. The plan must identify the specific outcome(s) that will be addressed and the specific measures that will be used to track progress and ensure continuous quality improvement. The plan must also identify the data that were used to identify the selected outcome as a priority such as CFSR findings.

Joint projects on safety could include projects on primary or secondary prevention.<sup>18</sup> In one state example, the CIP, judges, the agency, and service providers are collaborating to build the capacity of communities to connect children and families to the supports and services they need to be safe, stable, and self-sufficient, before maltreatment occurs. Joint projects may also focus on preventing the need for removal when families have made contact with the

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<sup>15</sup> See [ACF-ACYF-CB-IM-17-02](#) for more information.

<sup>16</sup> See "Effects of an Interdisciplinary Approach to Parental Representation in Child Welfare," by Lucas A. Gerber, Yuk C. Pang, Timothy Ross, Martin Guggenheim, Peter J. Pecora, and Joel Miller (*Children and Youth Services Review*, 102), is available at <https://www.sciencedirect.com/science/article/pii/S019074091930088X>.

<sup>17</sup> In December of 2018, CB revised policy to allow the title IV-E agency to claim title IV-E administrative costs of independent legal representation by an attorney for a child who is a candidate for title IV-E foster care or in foster care, and his/her parents to prepare for and participate in court proceedings. This change in policy will help ensure that, among other things, reasonable efforts are made to prevent removal and finalize the permanency plan, parents and youth are engaged in and understand their case plan, and compliance with case plans progress is appropriately reported. See question 30 + [https://www.acf.hhs.gov/cwpm/public\\_html/programs/cb/laws\\_policies/laws/cwpm/policy\\_dsp.jsp?citID=36](https://www.acf.hhs.gov/cwpm/public_html/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?citID=36)

An additional Technical Bulletin was released in 2020 to provide additional clarification <https://www.acf.hhs.gov/cb/resource/technical-bulletin-faqs-legal-representation>

<sup>18</sup> See, Information Memorandum [ACYF-CB-IM-18-05](#).

system. Examples may include efforts to build state capacity to fund collateral civil legal issues such as housing, benefits, child custody, immigration and other issues that may leave families vulnerable to child welfare involvement.<sup>19</sup>

### c. **Continuous Quality Improvement and Change Management**

The 2012 program instruction for the CIP<sup>20</sup> introduced continuous quality improvement (CQI) as the common approach for CIP work. CQI is a cyclical process used to identify, inform, monitor and improve progress toward outcomes in an ongoing fashion. The CQI framework provides an opportunity to meaningfully examine projects and activities to ensure resources are used in an efficient and effective manner and that interventions have their desired effect. CQI is a change management process that includes multiple steps or phases. To advance individual work and collective learning, state courts are required to use the following steps to guide court centered and collaborative work:

- ***Identify and assess needs.*** Before diving into a project or activity it is important to take time to intentionally identify and assess the problem or need. To ensure a well-rounded perspective, teams of relevant stakeholders should be formed to discuss the need and guide the work. These teams may be composed of CIP task-force members, but may also require additional expertise.

It is important to explore existing data and gather additional data to help understand the problem in more depth, to better identify who or what is most affected by the problem, and discern what information is already available to think about the need. The state child welfare agency collects and reports on a host of measures for each state annually through the Adoption and Foster Care Analysis and Reporting System (AFCARS) and the NCANDS. CFSR Round 3 Statewide Data Indicators and resources are provided by CB.<sup>21</sup> NYTD<sup>22</sup> is another data source with important data on outcomes for older youth remaining in or exiting care.

Many measures calculable from these systems can help state courts dig deeper and better understand the safety and permanency of children and youth in foster care and begin discerning how court and attorney action may impact both.

- ***Develop a theory of change.*** Following the data gathering phase, it is important to develop a theory of change. The theory of change identifies theoretical root causes of a problem and how they can be resolved with an intervention. A theory of change links outcomes to proposed activities and explains both how and why a desired change is expected to occur.

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<sup>19</sup> For an example, see <https://artscimedia.case.edu/wp-content/uploads/sites/35/2014/02/14194055/CFARreport.pdf>

<sup>20</sup> See <https://www.acf.hhs.gov/sites/default/files/cb/pi1202.pdf>

<sup>21</sup> See <https://www.cfsrportal.acf.hhs.gov/resources>

<sup>22</sup> See <https://www.acf.hhs.gov/cb/research-data-technology/reporting-systems/nytd>

- ***Select and adapt or develop a solution.*** Once a problem or need has been clearly identified and defined, it is time to explore solutions. It is important to take the time to research and consider interventions that already exist, including what has worked in other jurisdictions. Research should inform decisions, particularly if interventions or similar practices have been implemented elsewhere and have evidence to support their effectiveness. Selecting the appropriate intervention depends on needs, resources, and feasibility. Any intervention selected should be adapted to meet the unique needs of the state/jurisdiction. If no available interventions exist, consider designing and testing one to best meet the needs of the program.
- ***Plan, prepare and implement an intervention or change.*** Implementation is most successful when done following a strong and specific implementation plan and where a site is ready to change. An honest assessment of readiness with a site should always be conducted prior to determining if it is appropriate to implement the effort. Capacity should be built within the site to ensure resources and supports are available to sustain the intervention. Then, the intervention (e.g., program or practice) should be piloted or tested.
- ***Evaluate and apply findings.*** Changes in practice or implementation of new interventions should be monitored and evaluated to understand if they are achieving their intended effect. Data should be collected on implementation or fidelity of the new practice to ensure it is being implemented as expected. Evaluation efforts should measure both the quality of the intervention (how it is being implemented) and the effects of the intervention, both immediate (how it changes practice) and long-term (how it affects outcomes for families or youth). Data from monitoring and evaluation should drive decision-making about modification, continuation, or expansion of the intervention. Attachment C includes a list of questions to consider for each of the above steps.

### **III. SELF-ASSESSMENT PROCESS REQUIREMENTS**

CIPs are required to conduct an annual self-assessment to identify progress, challenges and areas in need of assistance. The purpose of the self-assessment process is to create an opportunity for CIPs to reflect on what they are doing, why they are doing it and to assess if efforts are achieving intended results. The self-assessment process is designed to help shape and inform ongoing strategic planning and should include meaningful discussion with the multi-disciplinary task force and candid reflection of key CIP staff. A self-assessment template has been developed to assist with the process and is required to be submitted to the CB annually. The template and process are intended as important elements of CQI.

To promote joint planning with the title IV-B/IV-E agency and support integration of CIPs into child welfare planning and improvement efforts, annual self-assessments and strategic plan updates are due at the same time as state CFSP/APSR submissions. The strategic plan template is included as Attachment E.

CB will host individual calls with each CIP to review progress in meeting grant requirements, identified outcomes and to provide guidance and support at least annually.

#### **IV. STRATEGIC PLAN REQUIREMENTS**

To ensure thoughtful program and project management, state courts are required to create and submit a five-year strategic plan that identifies outcomes a state court will address and the projects and activities that they will undertake to achieve them over the next five years. Strategic plans are intended to be a tool that guides CIP work. Strategic plans must clearly articulate what the state court intends to achieve and how. Strategic plans are living documents that should be updated as needed to reflect self-assessment results and CQI efforts but minimally, an updated strategic plan must be submitted to CB annually for review, discussion, and approval.

The strategic plan should include:

- For the basic grant, a plan
  - to continuously monitor and improve the quality of child welfare court proceedings, including court hearings and reviews;
  - for a joint, data-driven project with the child welfare agency;
  - to continuously monitor and improve the quality of legal representation.
- For the data grant, a description of how courts and child welfare agencies on the local and state levels will collaborate and jointly plan for the collection and sharing of all relevant data and information to demonstrate how improved case tracking and analysis of child welfare cases will produce safe and timely permanency decisions.
- For the training grant, a description of how a portion of the grant will be used for cross-training with the title IV-E/IV-B agency.

The strategic plan template is included as Attachment E.

#### **V. APPLICATION REQUIREMENTS**

To receive funds for FY 2022, State courts must complete and submit an application including all of the requirements detailed below by June 30, 2021. The application must identify which of the three CIP grants the state court is requesting. Annual awards are subject to the availability of funds and to the CIP demonstrating program progress.

## Applications for FY 2022 CIP Grants

Fiscal Year 2022 begins a new five-year cycle for CIP. Accordingly, to receive funding for FY 2022, state courts must submit a complete application containing the below components by **June 30, 2021**.

1. An application cover sheet, providing organizational information and a checklist for the application packet (see Attachment A).
2. A letter from the highest state court requesting funding for each of the CIP grants desired for FYs 2022, including assurances that:
  - a. the court has in effect a rule requiring state courts to ensure that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care under the responsibility of the state are notified of any proceeding held with respect to the child and are afforded the right to be heard;
  - b. the court will share all relevant data stemming from CIP projects and data collection efforts with the title IV-B/IV-E agency for purposes of joint child welfare program planning;
  - c. at least one representative per each CIP grant received will participate in the annual CIP Grantee Meeting each year funding is received;
  - d. the court will ensure training was/is to be provided on the congregate care provisions of the Family First Prevention Services Act;<sup>23</sup>
  - e. the court will pursue cross-training opportunities with the title IV-B/IV-E agency, tribes, and other important stakeholders including working to utilize professional partner training for judges, attorneys and court personnel; and
  - f. the court will work with the title IV-B/IV-E agency to consider options for accessing title IV-E reimbursement to ensure high quality legal representation for parents, children and youth in child welfare proceedings.
3. A letter of support from the state agency administering the title IV-B and IV-E programs that assures:
  - a. ongoing, high-level agency participation on the CIP Multidisciplinary Statewide Taskforce, including task force meetings, planning and improvement efforts, and attendance of the annual CIP grantee meeting;
  - b. full and ongoing inclusion of the state court/CIP in child welfare program planning and improvement efforts, including the APSR/CFSP, CQI/QA, CFSR, and title IV-E Foster Care Eligibility Review and program improvement processes;
  - c. timely and ongoing data sharing with the state court/CIP of all relevant child welfare data for purposes of program planning and continuously quality improvement of the child welfare system;
  - d. the agency will pursue cross-training opportunities with the state court/CIP including working to utilize professional partner training for judges, attorneys and court personnel; and

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<sup>23</sup> 42 U.S.C. 629h(b)(1) (2018)

- e. the agency will work with the administrative office of the courts to consider options for accessing title IV-E reimbursement to ensure high quality legal representation for parents, children and youth in child welfare proceedings.
4. A list of the members of the statewide multidisciplinary taskforce including the:
  - a. name of the member; and
  - b. professional affiliation and title and/or role or area of expertise.
5. In a case where the recommended state agency participants are not included on the statewide multi-disciplinary team, the state court must provide narrative explanation and rationale for not including the identified members.
6. A budget narrative.
7. An updated Self-Assessment (see Section III and Attachment B).
8. A proposed five-year Strategic Plan that reflects how grant funds will be used to identify and implement approaches to ensure continuous quality improvement (see Section IV and Attachment E).

### **Submitting an Application**

State courts must submit applications in MS Word and PDF, via e-mail to the appropriate CB Regional Program Manager (See Attachment G) and Scott Trowbridge, Federal Project Officer, at [scott.trowbridge@acf.hhs.gov](mailto:scott.trowbridge@acf.hhs.gov). CB will approve applications that satisfy the requirements and purposes described at Section 438 of the Act and the requirements described in this Program Instruction.

## **VI. FISCAL REPORTING REQUIREMENTS**

The CIP grants have a two-year project/obligation period starting the first day of the federal fiscal Year, October 1, for which funds were awarded and ending September 30, the last day of the following federal fiscal. An interim financial report, covering the first fiscal year (year of award), must be submitted no later than 90 days following the end of the fiscal year. In addition, and in accordance with Federal regulations at 45 CFR 75.309(b), the final financial report, covering the entire two-year obligation and liquidation periods, must be submitted no later than the last day of the liquidation period. Expenditures under the basic grants, data collection and analysis grants and the training grants must each be reported on an SF-425 Financial Status Report. A separate report is required for each grant received. **State courts are required to file these reports electronically through the HHS Payment Management System.**

## **Resources for State Court Improvement Programs**

The Children’s Bureau’s Child Welfare Capacity Building Center for Courts (CBCC) is designed to provide capacity building support to all CIPs. The CBCC has liaisons assigned to each state and the tribal CIPs, as well as research staff that are paired with each liaison. They work directly with CIP Directors, Coordinators and key staff to help CIPs incorporate CQI approaches into their work, assist with strategic planning and serve as thought partners as needed. In addition to direct work with individual CIPs, the CBCC also hosts a number of constituency groups composed of groups of CIPs that are interested in similar types of work and facilitates opportunities for group learning and peer-to-peer sharing through regularly scheduled online meetings, working sessions and discussions. The CBCC also develops non-jurisdictional ‘Universal’ products that support CIP work. These and contact information can be found here <https://capacity.childwelfare.gov/courts/>.

## **Paperwork Reduction Act**

Under the Paperwork Reduction Act of 1995 (P.L. 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number. The OMB control number for this collection is 0970-0307 and it expires 11/30/2022. The estimated time to complete the CIP application process is 92 hours.

**INQUIRIES TO:    CB Regional Program Managers**

/s/

Elizabeth Darling  
Commissioner  
Administration on Children,  
Youth and Families

### **Attachments:**

- A: Application Cover Sheet
- B: Self-Assessment Template
- C: Change Management Questions
- D: Quality Hearing Indicators
- E: Strategic Plan Template
- F: FY 2020 Allocations for the Court Improvement Program Grants
- G: CB Regional Office Program Manager Directory

**State Court Improvement Program Application Cover Page**

*Applications are due to the CB Regional Offices no later than June 30.*

**Name of State/Territory/:** \_\_\_\_\_

**\*Agency Employee Identification Number (EIN):** \_\_\_\_\_

**\*DUNS Number:** \_\_\_\_\_

**Programmatic Contact:** (Typically the CIP Director)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Fiscal/Grants Management Contact:** (May be same as above)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Funds will be distributed based on formula.**

**Checklist:**

1. Letter from the highest state court requesting funding with assurances (see PI pages 13)
2. Letter of support from the state IV-B/IV-E agency with assurances (see PI pages 13 - 14)
3. A list of the members of the statewide multidisciplinary taskforce and any accompanying narrative about the task force as needed (See PI pages 5 - 6)
4. A budget narrative
5. An updated Self-Assessment (See Attachment B)
6. A proposed five-year Strategic Plan (See Attachment E)

\*You may want to confirm these with your fiscal/grant office prior to submission.

## State Court Improvement Program 2021 Annual Self-Assessment Report

This self-assessment is intended as an opportunity for Court Improvement Programs (CIPs) to review progress on CIP projects, joint program planning and improvement efforts with the child welfare agency, and the ability to integrate CQI successfully into practice. The self-assessment process is designed to help shape and inform ongoing strategic planning and should include meaningful discussion with the multi-disciplinary task force and candid reflection of key CIP staff. The self-assessment primarily focused on assessing efforts undertaken to date while the strategic plan maps out efforts going forward in more detail. Questions are designed to solicit candid responses that help CIPs apply CQI and identify support that may be helpful.

**I. CQI Analyses of Required Projects** *It is ok to cut and paste responses from last year, updating according to where you currently are in the process, and, if you do so, highlight text to show anything that is new.*

### Joint Project with the Child Welfare Agency:

Provide a concise description of the joint project selected in your jurisdiction.

Identify the specific safety, permanency, or well-being outcome(s) this project is intended to address.

Approximate date that the project began:

Which stage of the CQI process best describes the current status of project work?

How was the need for this project identified? (Phase I)

What is the theory of change for the project? (Phase II) *If you do not yet have a theory of change and/or would like assistance, please indicate such in the space below.*

Have you identified a solution/intervention that you will implement? If yes, what is it? (Phase III)

What has been done to implement the project? (Phase IV)

How are you or how do you intend to monitor the progress of the project? (Phase V). *Be specific in terms of what type of evaluation (e.g., fidelity or outcome, comparison group, etc.) and what results you have, if any. If you have already evaluated your effort, how did you use these data to modify or expand the project?*

Have there been notable factors that delayed or accelerated this effort?

What assistance or support would be helpful from the CBCC or the Children's Bureau to help move the project forward?

Hearing Quality Project:

Provide a concise description of the hearing quality project selected in your jurisdiction.

Approximate date that the project began:

Which stage of the CQI process best describes the current status of project work?

How was the need for this project identified? (Phase I)

What is the theory of change for the project? (Phase II) *If you do not yet have a theory of change and/or would like assistance, please indicate such in the space below.*

Have you identified a solution/intervention that you will implement? If yes, what is it? (Phase III)

What has been done to implement the project? (Phase IV)

How are you or how do you intend to monitor the progress of the project? (Phase V). *Be specific in terms of what type of evaluation (e.g., fidelity or outcome, comparison group, etc.) and what results you have, if any. If you have already evaluated your effort, how did you use these data to modify or expand the project?*

Have there been notable factors that delayed or accelerated this effort?

What assistance or support would be helpful from the CBCC or the Children's Bureau to help move the project forward?

Quality Legal Representation Project:

Provide a concise description of the quality legal representation project selected in your jurisdiction.

Approximate date that the project began:

Which stage of the CQI process best describes the current status of project work?

How was the need for this project identified? (Phase I)

What is the theory of change for the project? (Phase II) *If you do not yet have a theory of change and/or would like assistance, please indicate such in the space below.*

Have you identified a solution/intervention that you will implement? If yes, what is it? (Phase III)

What has been done to implement the project? (Phase IV)

How are you or how do you intend to monitor the progress of the project? (Phase V). *Be specific in terms of what type of evaluation (e.g., fidelity or outcome, comparison group, etc.) and what results you have, if any. If you have already evaluated your effort, how did you use these data to modify or expand the project?*

Have there been notable factors that delayed or accelerated this effort?

What assistance or support would be helpful from the CBCC or the Children's Bureau to help move the project forward?

**II. Trainings, Projects, and Activities** For questions 1-12, provide a *concise* description of work completed or underway to date in FY 2020 (October 2019-June 2020) in the below topical subcategories. For question 1, focus on significant training events or initiatives held or developed in FY 2020.

**1. Trainings**

<i>Topical Area</i>	<i>Did you hold or develop a training on this topic?</i>	<i>Who was the target audience?</i>	<i>How many persons attended?</i>	<i>What type of training is it? (e.g., conference, training curriculum/program, webinar)</i>	<i>What were the intended training outcomes?</i>	<i>What type of training evaluation did you do? S=Satisfaction, L=Learning, B=Behavior, O=Outcomes</i>
Data	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Hearing quality	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Improving timeliness/permanency	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Quality legal representation	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Engagement & participation of parties	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Well-being	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Disparity/Disproportionality	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
ICWA/Tribal collaboration	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Sex Trafficking	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Normalcy/Reason. Prudent Parent	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Prevention	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A
Safety	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A

<i>Topical Area</i>	<i>Did you hold or develop a training on this topic?</i>	<i>Who was the target audience?</i>	<i>How many persons attended?</i>	<i>What type of training is it? (e.g., conference, training curriculum/program, webinar)</i>	<i>What were the intended training outcomes?</i>	<i>What type of training evaluation did you do? S=Satisfaction, L=Learning, B=Behavior, O=Outcomes</i>
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> B <input type="checkbox"/> O <input type="checkbox"/> N/A

On average, how many training events do you hold per year?

What is your best prediction for the number of attorneys and judges that will participate in a training annually?

The Family First Prevention Services Act amended the Social Security Act adding an eligibility criterion for the training of judges and attorneys on the congregate care provisions of the Act. See the highlighted portion below.

(1)<sup>1</sup> IN GENERAL.— In order to be eligible to receive a grant under this section, a highest State court ... *shall provide for the training of judges, attorneys, and other legal personnel in child welfare cases on Federal child welfare policies and payment limitations with respect to children in foster care who are placed in settings that are not a foster family home...*—

Have you been involved in planning with the agency on implementing Family First?  Yes  No  
If yes, please describe how the CIP has been involved.

Have you developed/been developing your Family First judicial training plan?  Yes  No  
If yes, please describe what you have done.

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<sup>1</sup> Sec. 50741(c) of P.L. 115-123 revised sec. 438(b)(1) to add language regarding training. Effective as if enacted on 1/1/18 (sec. 50746(a)(1) of P.L. 115-123).

**2. Data Projects.** Data projects include any work with administrative data sets (e.g, AFCARS, CCWIS), data dashboards, data reports, fostering court improvement data, case management systems, and data sharing efforts.

Do you have a data project/activity?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
<i>(add narrative here)</i>	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

(a) Do you have data reports that you consistently view?  Yes  No

(b) How are these reports used to support your work?

**3. Hearing Quality.** Hearing quality projects include any efforts you have made to improve the quality of dependency hearings, including court observation/assessment projects, process improvements, specialty/pilot court projects, projects related to court orders or title IV-E determinations, mediation, or appeals.

Do you have a hearing quality project/activity?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**4. Improving Timeliness of Hearings or Permanency Outcomes.** Timeliness and permanency projects include any activities or projects meant to improve the timeliness of case processing or achievement of timely permanency. This could include general timeliness, focus on continuances or appeals, working on improvement in specific outcomes such as around reunification, guardianship, adoption or a focus on APPLA and older youth.

Do you have a timeliness or permanency project/activity?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**5. Engagement & Participation of Parties.** Engagement and participation of parties includes any efforts centered around youth, parent, foster family, or caregiver engagement, as well as projects related to notice to relatives, limited English proficiency, or other efforts to increase presence and engagement at the hearing.

Do you have an engagement or participation of parties project/activity?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**6. Well-Being.** Well-being projects include any efforts related to improving the well-being of children and youth. Projects could focus on education, early childhood development, psychotropic medication, trauma, social network support, cultural connections, or other well-being related topics.

Do you have any projects/activities focused on well-being?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**7. Disparities/Disproportionalities.** These projects include any efforts related to improving equity in child welfare systems whether around race, sexual orientation or gender identity, national origin or immigration status, persons with disabilities, geographic or otherwise.

Do you have any projects/activities focused on disparities/disproportionalities?  Yes  No

Project Description	How would you categorize this project?	Work Stage (if applicable)
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**8. ICWA/Tribal collaboration.** These projects could include any efforts to enhance state and tribal collaboration, state and tribal court agreements, data collection and analysis including of ICWA practice.

Do you have any projects/activities focused on ICWA or tribal collaboration?  Yes  No

Project Description	How would you categorize this project?	Work Stage (if applicable)
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**9. Preventing Sex Trafficking.** These projects could include work around domestic child sex trafficking, a focus on runaway youth, collaboration with other agencies around this topic, data collection and analysis, data sharing, or other efforts to fully implement these sections of the Preventing Sex Trafficking and Strengthening Families Act into practice.

Do you have any projects/activities focused on preventing sex trafficking/runaways?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**10. Normalcy/Reasonable and Prudent Parent.** These projects could include any work around normalcy or the reasonable and prudent parent standard or practices, collaboration with other agencies around this topic, data collection and analysis, data sharing, or other efforts to fully implement these sections of the Preventing Sex and Strengthening Families Act into practice.

Do you have any projects/activities focused on normalcy/reasonable prudent parenting?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**11. Prevention.** Prevention projects include work around preventing child maltreatment including primary prevention (preventing maltreatment from occurring in the first place), secondary, and tertiary prevention.

Do you have any projects/activities focused on prevention?  Yes  No

<b>Project Description</b>	<b>How would you categorize this project?</b>	<b>Work Stage (if applicable)</b>
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**12. Safety.** Safety projects are those that focus on decision-making around safety including decision-making practices in substantiation, removal, family time/visitation, and decisions about safety in out of home placements.

Do you have any projects/activities focused on safety?  Yes  No

Project Description	How would you categorize this project?	Work Stage (if applicable)
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

**III. CIP Collaboration in Child Welfare Program Planning and Improvement Efforts**

1. Please describe how the CIP was involved with the state’s CFSP due June 30, 2021.

a. Does the CFSP include any of the following:

- the CIP/Agency Joint Project
- the Hearing Quality Project
- the Legal Representation Project
- other judicial strategies
- other attorney strategies

If yes, please describe.

2. Please describe how the CIP was or will be involved in the most recent/upcoming title IV-E Foster Care Eligibility Review in your state.

3. Please describe how the CIP was or will be involved in preparing and completing round 3 of the CFSP and PIP, if required, in your state.

The current version of the PIP includes (check all that apply):

- the CIP/Agency Joint Project
- the Hearing Quality Project
- the Legal Representation Project
- other judicial strategies
- other attorney strategies

4. What strategies or processes are in place in your state that you feel are particularly effective in supporting joint child welfare program planning and improvement?
5. What barriers exist in your state that make effective joint child welfare program planning and improvement challenging?
6. Does the state child welfare agency currently offer professional partner training to judges, attorneys, and court personnel as part of its Title IV-E Training Plan?  
If yes, please provide a brief description of what is provided and how.  
  
If no, have you met with child welfare agency leadership to discuss and explore utilizing professional partner training for judges, attorneys and court personnel?
7. Have you talked with your agency about accessing Title IV-E funding for legal representation for parents or for children? Is your state currently planning to seek or currently receiving reimbursement? If yes, describe any plans, approaches, or models that are under consideration or underway.

#### IV. CQI Current Capacity Assessment

1. Has your ability to integrate CQI into practice changed this year? If yes, what do you attribute the change to?
2. Which of the following CBCC Events/Services have you/your staff engaged in this past year?
  - Judicial Academy
  - CQI Consult (*Topic:* \_\_\_\_\_)
  - Virtual Evidence-Building Workshop
  - Constituency Group - Data/Evaluation
  - Constituency Group - Family First Prevention Services Act
  - Constituency Group - Hearing Quality
  - Constituency Group - ICWA
  - Constituency Group - New Directors
  - Constituency Group - Virtual Hearings/Court Processes

Constituency Group - Other \_\_\_\_\_

CIP All Call -- *What % of All Calls does your CIP participate in?* \_\_\_\_%

**3. Do you have any of the following resources to help you integrate CQI into practice?**

- CIP staff with data expertise
- CIP staff with evaluation expertise
- Consultants with CQI expertise
- a University partnership
- a statewide court case management system
- Contracts with external individuals or organizations to assist with CQI efforts
- Other resources: \_\_\_\_\_

**3a. Do you record your child welfare court hearings?**  Yes  No

If yes, are they  audio  video

**3b. Can you remotely access your court case management system? *For example, Odyssey systems often allow remote access to case files.***

Yes  No

**3c. What court case management software does your state use? If multiple, please indicate the most common:**

\_\_\_\_\_

**3d. Have you employed any new technology or applications to strengthen your work?**

\_\_\_\_\_

**4. Please describe any continuity planning the CIP has led or has been involved in if not noted above. Continuity planning includes prevention and recovery planning for threats such as public health crises, natural disasters, or cyber-attacks. This may include, for example, technology support for remote hearings or legal representation, developing guidance, coordinating with other agencies, or otherwise ensuring back-up approaches are in place to ensure needed services are able to continue.**

5. Considering the phases of change management and how you integrate these into practice, are there phases of the process (e.g., Phase I-need assessment, Phase II-theory of change) that you struggle with integrating more than others?
  
6. Is there a topic or practice area that you would find useful from the Capacity Building Center for Courts? Be as specific as possible (e.g., data analysis, how to evaluate trainings, more information on research about quality legal representation, how to facilitate group meetings, etc.)

## DEFINITIONS

### Definitions of Evidence

**Evidence-based practice** – evidence-based practices are practice that have been empirically tested in a rigorous way (involving random assignment to groups), have demonstrated effectiveness related to specific outcomes, have been replicated in practice at least one, and have findings published in peer reviewed journal articles.

**Empirically-supported-** less rigorous than evidence-based practices are empirically-supported practices. To be empirically supported, a program must have been evaluated in some way and have demonstrated some relationship to a positive outcome. This may not meet the rigor of evidence-base, but still has some support for effectiveness.

**Best-practices** – best practices are often those widely accepted in the field as good practice. They may or may not have empirical support as to effectiveness, but are often derived from teams of experts in the field.

### Definitions for CQI Phases

**Identifying and Assessing Needs** – This phase is the earliest phase in the process, where you are identifying a need to be addressed. The assessing needs phase includes identifying the need, determining if there is available data demonstrating that this a problem, forming teams to address the issue.

**Develop theory of change**—This phase focuses on the theorizing the causes of a problem. In this phase you would identify what you think might be causing the problem and develop a “theory of change”. The theory of change is essentially how you think your activities (or intervention) will improve outcomes.

**Develop/select solution**—This phase includes developing or selecting a solution. In this phase, you might be exploring potential best-practices or evidence-based practices that you may want to implement as a solution to the identified need. You might also be developing a specific training, program, or practice that you want to implement.

**Implementation** – the implementation phase of work is when an intervention is being piloted or tested. This includes adapting programs or practices to meet your needs, and developing implementation supports.

**Evaluation/assessment** – the evaluation and assessment phase includes any efforts to collect data about the fidelity (process measures: was it implemented as planned?) or effectiveness (outcome measures: is the intervention making a difference?) of the project. The evaluation assessment phase also includes post-evaluation efforts to apply findings, such as making changes to the program/practice and using the data to inform next steps.

**Paperwork Reduction Act**

Under the Paperwork Reduction Act of 1995 (P.L. 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number. The OMB control number for this collection is 0970-0307 and it expires 11/30/2022. The estimated time to complete the CIP Complete Application is 92 hours

## Change Management Questions

CQI/CHANGE MANAGEMENT PHASE <i>(Questions to ask about the project during each phase)</i>	IMPORTANT MILESTONES FOR MOVING TO THE NEXT PHASE OF THE WORK
<b>Phase I: Identify and Assess Needs</b>	<b>Milestones</b>
<p><b>Identify a need to be addressed. <i>How do you know this is an issue in your state?</i></b>  <i>What do you know about the need? Who (e.g., stakeholders) identified this as a need? Population most affected? Scope of need (e.g., how widespread)? How long has this been a need? Is there data to support this? What outcome do you hope to change by addressing this need? Is the need at the system, policy, or practice level?</i></p> <p><b>Form teams to guide the change process. <i>Who are the stakeholders that should contribute to this discussion?</i></b>  <i>What is the goal the team will achieve? Purpose of the team? Single or multiple teams? What roles and expertise are required? Structure of the team? How will decisions be made? Logistics and communication?</i></p> <p><b>Gather data, explore the problem in depth, and identify who is most affected. <i>What have you learned (or what can you learn) by digging deeper into the issue?</i></b>  <i>What are the available data sources? How can these be used (e.g., data elements)? Quality/reliability of data? What story do the data tell? Characteristics of those most affected? Is more data needed? If so, how will you get it?</i></p>	<ul style="list-style-type: none"> <li>• Need is clearly defined and documented.</li> <li>• An initial goal or outcome has been identified.</li> <li>• A team has been established to guide the change and implementation process; decision-making protocols have been established.</li> <li>• There is sufficient data and information to understand the underlying nature of the problem.</li> </ul>
<b>Phase II: Develop Theory of Change</b>	<b>Milestones</b>
<p><b>Develop a theory about the causes of the need and how to address them. The theory of change links outcomes and activities to explain HOW and WHY the desired change is expected to occur. <i>How will this program affect outcomes?</i></b>  <i>What are the possible causes of the problem? What data support this? Categorize and prioritize root causes (e.g., what are the most likely causes?). What are the constraints (e.g., resources)? Develop your theory of change. What are the potential short-term and long-term outcomes of this change? How will outcomes be tracked? Develop a logic model to summarize theory of change.</i></p>	<ul style="list-style-type: none"> <li>• Developed and documented a theory about the causes of the need or opportunity, how to address them, and a pathway towards improvement.</li> </ul>
<b>Phase III: Develop or Select Solutions</b>	<b>Milestones</b>
<p><b>Identify, research, and select best possible solutions that will address the need and reflect the theory of change. <i>What is the best way to address this need?</i></b>  <i>Is solution based on root cause? What does available research say about approaches to this need? What do the logic model and theory of change indicate is best way to address need? What resources are available to provide expertise? What research and literature is available on existing approach? Are there evidence-informed practices that can be applied? Feasibility of implementation? Cost-benefit?</i></p> <p><b>Adapt existing interventions or design new ones. <i>How will the program/practice be most effectively integrated into practice in your state?</i></b>  <i>Can the intervention be adapted or do you need to design a new intervention to meet your needs? Are stakeholders familiar with intervention? Is there agreement that this addresses theory of change? What do you know about how others have implemented? Can this be used with the population of interest? Are experts available to provide insight? Will you need to create a new intervention? Are resources available to support this solution? How will you know intervention is working? How often should data be gathered? What data? What support is needed?</i></p>	<ul style="list-style-type: none"> <li>• The intervention has been selected and will address the root causes.</li> <li>• Multiple options for interventions have been identified and evaluated or sufficient justification has been demonstrated to consider a single intervention.</li> <li>• Minimum specifications for the desired intervention have been identified and take into consideration existing barriers.</li> <li>• There has been a successful development or adaptation of an intervention that directly relates to the theory of change.</li> <li>• Core components of the intervention have been clearly defined, including how they relate to the rationale.</li> </ul>

## Change Management Questions

CQI/CHANGE MANAGEMENT PHASE <i>(Questions to ask about the project during each phase)</i>	IMPORTANT MILESTONES FOR MOVING TO THE NEXT PHASE OF THE WORK
<b>Phase IV: Plan, Prepare, and Implement</b>	<b>Milestones</b>
<p><b>Assess readiness and plan for implementation of the intervention(s). <i>Is the CIP ready to implement the intervention?</i></b>  <i>Do you have the capacity to implement the intervention?            Who needs to be on the implementation team? When will intervention begin? How long will it be in place? What is the scale of the intervention?            What are the most important evaluation questions? What fidelity measures are needed? How frequently will data be collected? What resources are needed for outcome measurement or data collection? What is the data collection plan? What tasks are required to implement? What is the timeframe? How will implementation be staged?</i></p> <p><b>Build capacity to support implementation. <i>What does the CIP need to support implementation?</i></b>  <i>What capacities/competencies need to be developed? How will this occur? What resources are needed for program? Will this intervention require staff training? How will this be achieved? Are there external partnerships that need to be developed?            Has the CIP implemented similar interventions in the past?</i></p> <p><b>Pilot and/or stage implementation of the interventions(s). <i>Changes to practice begin. What is the best way to pilot/stage intervention?</i></b>  <i>What environmental factors should be considered re: timing of change? What priorities impact scheduling of intervention?            What are the sites selected for intervention (highest need, best capacity)? Is it feasible to collect data as planned? Is implementation going as planned? What is the plan to monitor implementation over time? What feedback should be solicited from stakeholders?</i></p>	<ul style="list-style-type: none"> <li>• A strategy for implementation has been created and the likelihood of implementation success has been assessed.</li> <li>• An implementation plan has been created with tasks and timelines.</li> <li>• Evidence suggests that capacity has been built to support implementation, including the ability to measure progress against project milestones and intervention outcomes.</li> <li>• An appropriately scaled plan has been documented and is being implemented to facilitate the change from the current state to the future state. This includes at a minimum:               <ul style="list-style-type: none"> <li>○ Input from internal and external leaders on necessary actions for the change to take effect;</li> <li>○ Indicators to know whether the transition is occurring; and</li> <li>○ Feedback measures to determine if the transition initially appears to be having the desired result.</li> </ul> </li> </ul>
<b>Phase V: Evaluate and Apply Findings</b>	<b>Milestones</b>
<p><b>Collect and use data to adjust the intervention and/or implementation strategies. <i>Think about fidelity, effectiveness, and sustainability of the program. Is the intervention meeting expectations?</i></b>  <i>Do data suggest improvements are needed? Will data be meaningful to other regions? Confidence in data collection? How will data be reported and used? Is data qualitative or quantitative? Resources for data analysis? What outcomes are being achieved? What changes could improve fidelity, effectiveness, sustainability? How/when will change be made (resources, persons)? Feedback from stakeholders?</i></p> <p><b>Evaluate to measure implementation quality and short- and long-term outcomes. <i>Is the intervention meeting objectives/outcomes?</i></b>  <i>Do short-term outcome data suggest significant progress? Was intervention implemented as intended? What changes should be made to achieve outcomes? Consensus that the correct things are being measured?</i></p> <p><b>Make decisions to further spread, adjust, or discontinue the intervention. <i>Should the intervention be modified, discontinued, or taken to scale?</i></b>  <i>Has intervention achieved desired outcomes? Any additional positive outcomes? Is it sustainable? Can intervention be expanded (other jurisdiction, populations)? What components are critical for success? Are additional supports needed for new sites? How will the CIP know implementation is occurring with fidelity? How will CIP monitor program on ongoing basis?</i></p>	<ul style="list-style-type: none"> <li>• Data has been collected and analyzed to adjust the intervention and/or implementation strategies.</li> <li>• The intervention has been adjusted based on usability testing and data analysis and is ready for broad implementation.</li> <li>• Implementation is of high quality (i.e., the CIP has clearly defined high fidelity practice in terms of observable outcomes).</li> <li>• CIP has collected and reviewed data pertinent to implementation fidelity and short- and long-term outcomes.</li> <li>• A decision has been made to adjust, sustain, spread, or discontinue the intervention based on the evidence collected, and the decision and rationale has been documented.</li> </ul>

## **Attachment D**

### **Indicators of a Quality Hearing**

The below is a list of elements that if included in court hearings and reviews, may increase the likelihood that a quality court hearing or review will occur. For purposes of this PI, a quality hearing or review is one in which: due process rights are protected for all parties; high quality legal representation is provided to parents, children, and the title IV-B/IV-E agency and the tribe (if applicable); all parties are actively engaged; all important judicial inquiries are made and adequately answered; and all required judicial determinations are made as a result of the review of evidence and meaningful discussion of case specific facts.

Hearings and reviews are critical opportunities for quality assurance on both the individual case and systemic level. Pro-forma hearings in which little or no evidence is heard or discussions are held are missed opportunities to keep families safe, together and strong. Moreover, pro forma hearings fall short of the judicial oversight required by statute and may contribute to child safety concerns, prolonged foster care stays, delays in reunification, adoption and other permanency outcomes, poor child and youth well-being outcomes, and unnecessary financial costs to the state and local government.

#### **Legal Representation and Engagement**

Parents are present.

Child/Youth is present.

Legal counsel for all parent(s) is present.

Legal counsel for child/youth is present.

Foster or kinship care provider is present.

CASA or lay guardian ad litem is present.

Legal counsel for parents, youth/child all demonstrate familiarity with their client and all important elements of the case.

Parent's legal counsel makes contributions to hearing (i.e. introduces evidence, examines or cross examines witnesses, advocates for client's position orally).

Legal counsel for child/youth makes contributions to the hearing (i.e., introduces evidence, examines or cross examines witnesses, advocates for the client's position orally).

Parents feel that their voice has been heard.

Child/youth feel that her/his voice has been heard and that he/she was included in the decision-making process.

In ICWA cases, legal counsel for the tribe is present.

In ICWA cases, tribes feel that their voice has been heard.

Foster parent or kinship provider perspective is sought.

CASA or lay guardian ad litem makes contributions (i.e. meaningful information presented on the safety, permanency and well-being of the child).

Court requested reports meaningfully reviewed and discussed (including the most recent mental health, substance abuse, domestic violence and commercial sexual exploitation screening and assessment reports, treatment reports, education reports and updates, medical reports and updates, and any other specific screening, assessment or update reports that are pertinent to the specific child and family needs).

**Breadth and Depth of:**

Child safety has been discussed, with safety concerns specifically identified.

Where concerns have been identified, meaningful discussion has occurred regarding how those concerns may be or are being addressed.

A safety plan has been discussed, created, or reviewed.

An Indian Child Welfare Act (ICWA) inquiry has been made in every case. There should be an ongoing, active inquiry that seeks to understand the efforts taken and if additional information has been gained that may indicate that the child may be an Indian child.

Meaningful discussion of family time/visitation has occurred.

For each parent, updates on all needs and concerns contributing to the potential removal of a child from the home or standing in the way of reunification.

The specific service needs and progress of each parent is meaningfully discussed, including what is going well and where barriers to progress may lie.

For each child or youth, updates on well-being and normalcy.

The specific efforts to address child and youth well-being and normalcy are meaningfully discussed, including what is going well and where barriers to progress may lie.

**Judicial Determinations**

Agency efforts to prevent removal have been meaningfully discussed and evidence has been provided that clearly shows reasonable efforts have been made.

A finding that reasonable efforts to prevent removal has been made on the record and is included in the court order.

Meaningful discussion has occurred addressing whether it is contrary to the welfare of the child to remain in the home and evidence has been provided to support the determination.

A finding that it is contrary to the welfare of the child to remain in the home has been made on the record and is included in the court order.

Reasonable efforts to finalize the permanency plan have been meaningfully discussed and evidence has been provided that clearly shows reasonable efforts have been made.

A finding that reasonable efforts to finalize the permanency plan has been made on the record and is included in the court order.

Where Another Planned Living Arrangement (APPLA) is the permanency goal for a youth, the agency has provided a compelling reason to the court demonstrating that all other permanency goals are not in that youth's best interest.

All parties leave the courtroom with copies of court orders clearly identifying all necessary services, actions and plans.

*See also*, Conducting Effective Remote Hearings in Child Welfare Cases

[https://www.acf.hhs.gov/sites/default/files/cb/covid19\\_conducting\\_effective\\_hearings.pdf](https://www.acf.hhs.gov/sites/default/files/cb/covid19_conducting_effective_hearings.pdf)

Strategic Plan Template

State Name: \_\_\_\_\_

Date Strategic Plan Submitted: \_\_\_\_\_

Timeframe Covered by Strategic Plan: \_\_\_\_\_

**Overall Goal/Mission of CIP:** *Aim, purpose, direction, or priority to be achieved by the CIP over the span of the grant.*

**Priority Area #1:** Choose an item.

*Copy and paste the portion below the blue line for your activities/projects.*

**Outcome #1:** *The change the CIP seeks in law, process, or for those served by the program in terms of procedure, knowledge, skills, attitudes, behaviors, capacity, or conditions*

**Need Driving Activities & Data Source:** *How do you know this is a need in your state? Description of the need of the court or service population leading to the proposed outcome and activities; in addition, please provide the source describing this need.*

**Theory of Change:** *Provide a summary (overview) of how the activities/projects below will lead to the anticipated outcome above.*

**Grant(s) supporting this area (i.e. basic, data, training):**

<b>Activity or Project Description</b> <i>Specific actions or project that will be completed to produce specific outputs and demonstrate progress toward the outcome.</i>	<b>Collaborative Partners</b> <i>Responsible parties and partners involved in implementation of the activity.</i>	<b>Anticipated Outputs of Activity</b> <i>What the CIP intends to produce, provide or accomplish through the activity.</i>	<b>Goals of Activity (short and/or Long-term)</b> <i>Where relevant and practical, provide specific, projected change in data the CIP intends to achieve. Goals should be measurable.</i> <b>Progress toward Outcome</b>	<b>Timeframe</b> <i>Proposed completion date or, if appropriate, "ongoing".</i>	<b>Resources Needed</b> <i>Where relevant identify the resources needed to complete the activity.</i>	<b>Plans for Evaluating Activity</b> <i>Where relevant, how will you measure or monitor change?</i>
Briefly describe the overall activity or project that should help lead to the outcome identified above.						
<i>Action Step 1 – Briefly identify the activities/action steps needed to implement project 1</i>						
<i>Action Step 2 -</i>						[tab to add rows]

Under the Paperwork Reduction Act of 1995 (P.L. 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number and expiration date. The estimated time to complete the CIP Complete Application is 92 hours.

**Attachment F**

**FY 2020 Court Improvement Grant Allocations**

	<b>Basic</b>	<b>Training</b>	<b>Data</b>
Alabama	\$ 172,412	\$ 157,226	\$ 157,226
Alaska	\$ 99,382	\$ 96,883	\$ 96,883
Arizona	\$ 216,915	\$ 193,999	\$ 193,999
Arkansas	\$ 141,119	\$ 131,370	\$ 131,370
California	\$ 803,667	\$ 678,824	\$ 678,824
Colorado	\$ 186,307	\$ 168,708	\$ 168,708
Connecticut	\$ 145,788	\$ 135,228	\$ 135,228
Delaware	\$ 101,443	\$ 98,586	\$ 98,586
District of Columbia	\$ 95,874	\$ 93,985	\$ 93,985
Florida	\$ 423,106	\$ 364,370	\$ 364,370
Georgia	\$ 285,702	\$ 250,836	\$ 250,836
Hawaii	\$ 108,893	\$ 104,742	\$ 104,742
Idaho	\$ 120,249	\$ 114,125	\$ 114,125
Illinois	\$ 313,547	\$ 273,844	\$ 273,844
Indiana	\$ 211,184	\$ 189,263	\$ 189,263
Iowa	\$ 144,340	\$ 134,031	\$ 134,031
Kansas	\$ 141,713	\$ 131,861	\$ 131,861
Kentucky	\$ 165,777	\$ 151,744	\$ 151,744
Louisiana	\$ 171,666	\$ 156,611	\$ 156,611
Maine	\$ 105,320	\$ 101,791	\$ 101,791
Maryland	\$ 192,071	\$ 173,471	\$ 173,471
Massachusetts	\$ 199,512	\$ 179,619	\$ 179,619
Michigan	\$ 260,145	\$ 229,719	\$ 229,719
Minnesota	\$ 188,348	\$ 170,395	\$ 170,395
Mississippi	\$ 141,813	\$ 131,943	\$ 131,943
Missouri	\$ 195,159	\$ 176,022	\$ 176,022
Montana	\$ 103,363	\$ 100,173	\$ 100,173
Nebraska	\$ 123,089	\$ 116,472	\$ 116,472
Nevada	\$ 138,770	\$ 129,429	\$ 129,429
New Hampshire	\$ 106,394	\$ 102,677	\$ 102,677
New Jersey	\$ 240,132	\$ 213,182	\$ 213,182
New Mexico	\$ 123,608	\$ 116,901	\$ 116,901
New York	\$ 413,665	\$ 356,569	\$ 356,569
North Carolina	\$ 271,127	\$ 238,793	\$ 238,793
North Dakota	\$ 99,458	\$ 96,946	\$ 96,946
Ohio	\$ 293,385	\$ 257,185	\$ 257,185
Oklahoma	\$ 161,219	\$ 147,978	\$ 147,978
Oregon	\$ 154,781	\$ 142,658	\$ 142,658
Pennsylvania	\$ 300,682	\$ 263,214	\$ 263,214
Puerto Rico	\$ 134,317	\$ 125,750	\$ 125,750
Rhode Island	\$ 102,499	\$ 99,458	\$ 99,458
South Carolina	\$ 174,303	\$ 158,789	\$ 158,789

South Dakota	\$	102,292	\$	99,288	\$	99,288
Tennessee	\$	205,005	\$	184,158	\$	184,158
Texas	\$	670,696	\$	568,949	\$	568,949
Utah	\$	158,297	\$	145,564	\$	145,564
Vermont	\$	95,087	\$	93,335	\$	93,335
Virgin Islands	\$	87,116	\$	86,749	\$	86,749
Virginia	\$	235,780	\$	209,586	\$	209,586
Washington	\$	216,583	\$	193,724	\$	193,724
West Virginia	\$	114,340	\$	109,243	\$	109,243
Wisconsin	\$	188,114	\$	170,201	\$	170,201
Wyoming	\$	95,691	\$	93,833	\$	93,833

Total                                    \$            10,441,245    \$            9,410,000    \$            9,410,000

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