

ADR: PHC, FTM, FGC, CDM: WHAT ARE THESE ACRONYMS?

2009 NEBRASKA CHILDREN'S SUMMIT
ACTION TO IMPACT
September 10, 2009
Concurrent Session B, 11:15 a.m. - 12:15 p.m.

Nebraska Office of Dispute Resolution
Administrative Office of the Courts
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What *really* is the goal, or desired outcome of an abuse/neglect juvenile court matter?

- ☐ And how do we in the justice system help ... or hinder ... these outcomes?
 - Justice system
 - Family system
 - Child welfare system
 - Provider system
- ☐ Which processes enhance the potential for individual change? Or reinforce resistance or apathy to change?

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**"Most of the time we don't
communicate, we just take turns
talking."**

Dr. Robert Anthony

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Collaborative approaches (ADR) in child welfare cases

Why collaborative (ADR) approaches?

- ☐ Increases family voice in decision-making
- ☐ Increases buy-in
- ☐ Decreases resistance and apathy
- ☐ Increases understanding
- ☐ Decreases time in system
- ☐ Increases self/family-responsibility for change
- ☐ Decreases “silo approach” to problem solving
- ☐ Decreases imposed external decision-making

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ADR Acronyms

ADR – Alternative Dispute Resolution . . .
collaborative child welfare practices

Juvenile court – one of the first ADR or collaborative court practice in the US justice system

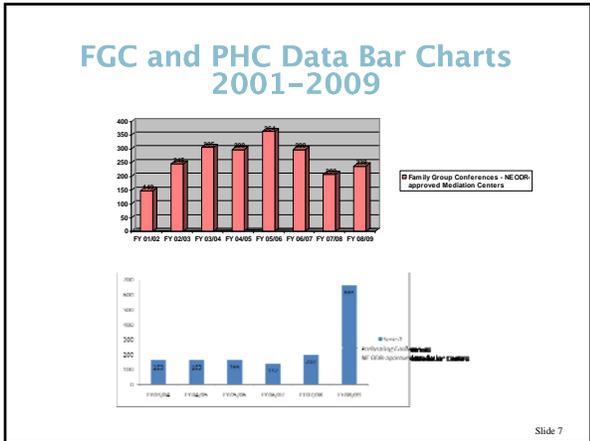
- ☐ **PHC** – Prehearing conference
- ☐ **FTM** – Family team meetings
- ☐ **FGC** – Family group conferencing, also known as **FDGM** – family group decision making
- ☐ **EFGC** – Expedited FGC
- ☐ **CDM** – Child dependency mediation

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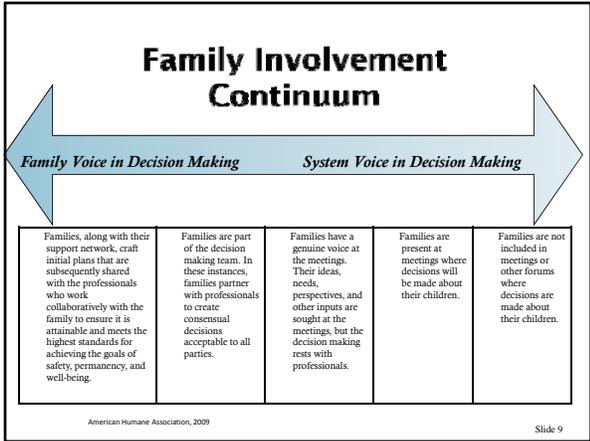
FGC and PHC Nebraska ODR-approved centers Data 2001–2009

Family Group Conference	FY 01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08	FY 08-09
Neglect/Abuse	109	179	243	232	289	225	178	210
Adoption	4	1	2	6	5	1	1	0
Juvenile	19	48	31	32	50	43	10	13
Other	17	17	29	28	20	29	19	15
Totals	149	245	305	298	364	298	208	238
Prehearing Conference			One center	One center	One center	One center	Six centers	Six centers
			163	163	165	142	202	665

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- ### Terminology
- Family Involvement Models:**
- Family Group Conference (FGC) (developed in 1989)
 - Family Unity Meeting Model (FUM) (developed in 1990)
 - Family Team Conferencing (FTC) (developed by the Child Welfare Practice and Policy Group)
 - Hybrid Models that combine FGC, FTC, and FUM
 - Expedited FGC (EFGC) - Nebr.
- Case Decision Making Models:**
- Team Decision Making (TDM)
 - Family Team Meetings (FTM)
 - Prehearing Conferencing (PHC)
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Distinctive Elements

- ▣ Prehearing Conference (PHC)
 - Brief, limited meeting
 - Usually immediately prior to court hearing
 - Independent facilitator
 - Parent and other key stakeholders present
- ▣ Family Team Meetings (FTM)
 - Coordinator and facilitator are separate roles
 - Meetings held within 72 hours of referral
 - Only used for placement decisions
 - Tends to be more professionals than family



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Distinctive Elements

- ▣ Family Group Conference (FGC)
 - Independent coordinator
 - Comprehensive preparation
 - More family than professionals
 - Private family time
 - Minimized facilitation
 - Family culture embraced
- ▣ Child Dependency Mediation (CDM)
 - Specific issue-related
 - Few participants
 - One to three sessions; one to two hours each
 - Independent trained mediator
 - Can be used at any point through the case



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PHC, FTM, FGC, CDM Integration

- ▣ PHC
 - Prior removal hearing
 - Primary goal: brief information sharing
 - Few if any decisions made
 - Determine if FGC or other collaborative process useful
- ▣ TDM or FTM
 - Emergency crisis point, or scheduled monthly reviews
 - Short term decision
 - Set stage for comprehensive FGC



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PHC, FTM, FGC, CDM Integration



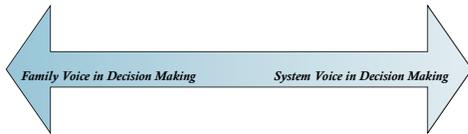
- **FGC**
 - Usually scheduled either (a) as a voluntary, pre-filing intervention (*Nebraska, British Columbia*) OR (b) after 30-45 days of filing
 - Extensive kinship development and engagement
 - Highest level of family voice in decision making
 - More family-focused because of preparation
 - Comprehensive trust-building and case planning process
- **CDM**
 - Scheduled any time throughout the child welfare case
 - Case manager, family member, other professional can refer
 - To address issues arising through FTM, FGC, or in case
 - (example: need for parenting plan arises)

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Where on the continuum?

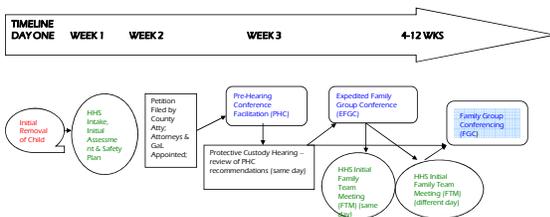
- TDM/FTM - professionally-driven, family infused process
- FGC - family-driven, professionally-infused process
- PHC - court-driven, professionally-infused process
- CDM - open-ended

Adapted from AHA, Doolan (2005)



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SAMPLE FLOWCHART First Twelve Weeks Child Welfare Case



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The Child and Family Service Review

The Child and Family Services Review (CFSR) is a collaborative effort between the federal and state governments to monitor child welfare and juvenile justice services in each state. The U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau conducts the review.

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CFSR Outcome: Family Involvement

Item 14. *How effective is the agency in preserving connections for children (continuity of family relationships)?*

- Strength: 21 states
- Needs improvement: 31 states

Item 18. *How effective is the agency in involving parents and children in the case planning process?*

- Strength: 5 states
- Needs improvement: 47 states

Diaz and Freundlich (2003) whose review of CSFRs in 22 states identified "seven states currently using or attempting to develop Family Group Conference in an effort to more fully involve families and children in case planning. In about one-third of the states, strengths were noted in efforts to involve older children in decision making. In one of these states, the reviewers found this effort was strongest where Family Group Conference also was being used."

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What is the future of FGC and other collaborative practices in Nebraska?



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What are the International Outcome Findings on FGC?



- ▣ Compares favorably in providing child safety.
- ▣ Creates stability for children
- ▣ Provides timely decisions and results.
- ▣ Keeps siblings and families together.
- ▣ Increases family supports and helps family functioning
- ▣ Reduces family violence.
- ▣ Promotes child and family well-being.

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What are the International Findings on FGC Process?

- ▣ Children's involvement and participation varies.
- ▣ FGCs increase involvement of fathers and paternal relatives.
- ▣ Social workers and service providers are satisfied with the process.
- ▣ Social worker rates of referral fluctuate.
- ▣ Referral processes need further review.
- ▣ FGC democratizes decision-making.
- ▣ Cost neutral or savings.



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Principles Inherent in FGC



- ▣ Family voice is first priority in decision making
- ▣ Families as experts
- ▣ Your own family as your best guide
- ▣ Respect for families
- ▣ Families as primary decision makers
- ▣ Mistakes as opportunities for growth and development
- ▣ Resolutions are based on strengths
- ▣ Celebration of difference

Kinpower Associates 2000

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Case Analysis

Ki mai ki au. He aha te taonga nui o te ao? Maku e ki, he tamariki, he tamariki.

Should you ask me, what is the greatest treasure in the world, I would reply, It is children, it is children, it is children.



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