

2014

RESEARCH REPORT
ASSESSING PARENTAL ENGAGEMENT
IN JUVENILE COURT HEARINGS



NATIONAL COUNCIL OF JUVENILE
AND FAMILY COURT JUDGES

JUVENILE LAW PROGRAMS

JUNE, 2014

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This research was made possible by Cooperative Agreement No. 2009-MU-MU-K001 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. The U.S. Department of Justice was not involved in the study design; collection, analysis, and interpretation of data; or in the writing of the manuscript. Points of view or opinions are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice or the National Council of Juvenile and Family Courts Judges.

EXECUTIVE SUMMARY

The Milwaukee County Children’s Court has established itself as a laboratory for systems change through its work with the National Council of Juvenile and Family Court Judges (NCJFCJ) as a contract model court and as a Project ONE court.

In 2012, the Milwaukee County Courts and the NCJFCJ developed goals and objectives for improving their court around three main areas: reducing the number of out-of-home placements, increasing efficiency in case processing, and implementation of the Child Safety Guide in court processes and procedures.

The Wisconsin Court System contracted with the NCJFCJ on October 21, 2013 to provide consulting services to the Milwaukee Model Court team. The contracted services consisted of two site visits to Milwaukee County, one cross-site visit to another jurisdiction, multi-disciplinary training on the new NCJFCJ Resource Guidelines, ongoing Continuous Quality Improvement (CQI) technical support, and quarterly progress reports to all contracting parties.

On April 9, 2014, the Milwaukee Model Court team received training on the Enhanced Resource Guidelines from Judge Stephen Rubin. On April 15-17, 2014, an initial site visit was conducted in the Milwaukee County Children’s Court, which included, by request of the Court and the CIP Director, a comprehensive assessment of the court system with training on CQI, a trauma audit, and an assessment of parental engagement.

Two sources of information were used to examine the level of parent engagement in the juvenile court system and its relationship to perceptions of the courtroom experience. The first source was court observations from 47 juvenile dependency hearings across 7 judicial officers. The second source was a survey collected from 52 participants (i.e., mothers, fathers, and “other”) who are currently involved in the juvenile dependency or juvenile delinquency system. “Other” parties who responded to the survey were defined as grandparents (some of whom were guardians), foster parents, and a relative’s caregiver. Court observation and parent survey response data for 14 juvenile dependency cases were linked with one another for further analysis.

COURT OBSERVATION

- For mothers and fathers, the highest levels of engagement occurred with regard to the judge making eye contact with the parents, respectful treatment between the judge and parents, and the judge giving the parents an opportunity to be heard.
- For mothers and fathers, the lowest level of engagement occurred with regard to the parents having an opportunity to choose services, the court considering the family's needs when scheduling the next hearing, and the judge explaining the hearing process.

SURVEYS

- Participants tended to have a somewhat positive perception of their courtroom experience.
- The survey items or statements with the highest average level of agreement were “The judge treated me with respect,” “It was easy to find where I was supposed to be at court today,” and “The judge explained to me the reason for his/her decision.”
- The survey items or statements with the lowest average level of agreement were “I had to wait a long time on my hearings,” “I found attending court today to be very stressful,” and “I believe my family will get the help we really need from CPS.”
- Several survey items were collapsed into four perception categories: case understanding, respectful treatment, CPS fairness, and CPS trust. Mothers and fathers significantly differed from “other” respondents on the case understanding, respectful treatment, and CPS fairness categories. “Other” respondents had a higher level of agreement to these categories than mothers and fathers.
- Race differences in responses were minimal. Across the four perception categories, the only race difference was between African Americans and non-African Americans on the CPS fairness variable. African American respondents had a higher level of agreement to the statement “I feel like I can trust CPS to be fair and see my side of things” than non-African American respondents.
- Across mothers and fathers, agreement with court decisions was positively related to perceptions of their courtroom experience.

COMBINED COURT OBSERVATION AND SURVEYS

- The average level of mother engagement was positively related to several survey items or statements including, “the judge treated me with respect,” “the judge spoke directly to me,” and “the judge explained to me the reason for his/her decision.” This indicates that as

mothers were engaged more in the hearing process, their perception of their courtroom experience become more positive.

- The average level of father engagement was negatively related to almost all survey items. This indicates that as fathers were more engaged in the process, their perception of the courtroom experience was more negative. Alternatively, as fathers were less engaged in the process, their perception of the courtroom experience was more positive. Possible explanations for these counterintuitive findings are explained further in the discussion section of the report.

The findings from the court observation and survey data indicate that parents are being treated with respect and are being allowed an opportunity to be heard. There are a few areas, however, which could benefit from improvement; specifically, parents' perspectives regarding services and hearing dates. In addition, the parents' case understanding, perception of respectful treatment, and trust in CPS's fairness could also be improved.

The findings from the combined court observation and survey data offer conflicting outcomes. The more mothers were engaged in the hearing process, the more they indicated that they had a positive courtroom experience. Fathers, on the other hand, had an overall negative courtroom experience. These findings support the notion of continued judicial engagement with mothers, and suggests analysis of fathers' persistent negative perceptions.

INTRODUCTION

The Milwaukee Children’s Court embarked on a comprehensive assessment of its court practices and processes in order to improve the outcomes for the children and families they serve. In April 2014 the court invited NCJFCJ staff to participate in a site visit, a trauma audit, training on CQI principles and a survey of parental engagement in the courtroom. NCJFCJ’s comprehensive site visit resulted in the identification of potential areas of improvement in case processing, child safety, intake procedures, trauma-informed practices, and judicial engagement with parents and other parties.

Parental engagement is a key element in child abuse and neglect cases. Components of engagement may include parents’ understandings of case issues and court procedures, ability to speak directly to the judicial officer, and perceptions of procedural and outcome fairness. The limited research on parent-social worker relationships indicates that parental engagement and cooperation with the social worker is essential. Parents who cooperate are less likely to be referred to court in the first place (Karski, 1999) and are less likely to lose custody of their child (Atkinson & Butler, 1996). Further, active participation can help parents to persevere when facing difficult situations (Hess, McGowan, & Botsko, 2003) and can lead to fewer future maltreatment issues (Atkinson & Butler, 1996).

Engaging the parents in the process can have the added benefit of increasing feelings of procedural justice, or fairness in the system. Perceived fairness has been linked to many pro-social outcomes, including cooperation with the legal system (De Cremer & Tyler, 2005; De Cremer, Tyler, & den Ouden, 2005; Tyler, 1990; Tyler & Blader, 2000; Tyler & Huo, 2002). Moreover, individuals who perceive the process as fair and just are more likely to be accepting of the outcome—even a negative one—than individuals who do not perceive the process as fair and just (Tyler, 1988).

The extant literature on parental engagement and procedural justice misses a vital component of the juvenile dependency court process—the judge. Judicial officers are in a unique position to positively engage parents in the process, which could enhance parental compliance with the case plan and ensure a better chance of parent-child reunification. Judicial engagement with regard to parents entails, among other things, speaking directly to parents, giving parents an opportunity to be heard (not through counsel), explaining the hearing process, and asking parents whether they have any questions.

Prior research has highlighted the positive benefits of judicial engagement. In a study of parents from Louisville, Kentucky, those who were more likely to believe that they were treated with respect, were more engaged in the process, and understood what occurred in court, were also more likely to agree with the court's decision. The current assessment seeks to replicate these findings in another jurisdiction and expand the parental engagement literature.

STUDY OVERVIEW

The purpose of this study was to assess the level of parent engagement in the juvenile dependency system. NCJFCJ staff collected data during an on-site visit to the Milwaukee County Circuit Court in Milwaukee, Wisconsin in April 2014. Data collected included hearing information (e.g., start and end time), level of parent engagement, and parents' perceptions of their courtroom experience. The current study poses two research questions:

- 1) How are parents being engaged in the juvenile dependency system?
- 2) Does the level of engagement relate to parents' perceptions of their courtroom experience?

METHOD

SAMPLE

Data were collected from Milwaukee, Wisconsin between April 15, 2014 and April 18, 2014. The data collection procedure was a two part process. For part one, NCJFCJ research staff used a structured court observation instrument to collect basic hearing information (e.g., parties present, start time of hearing, and end time of hearing) and elements of judicial engagement (e.g., allowing the parents an opportunity to speak and speaking directly to the parents). Data were collected from 47 juvenile dependency hearings across 7 judicial officers. The number of hearings coded from each judge ranged from 2 to 11.

For part two, parties were surveyed as they exited the courtroom. Participants responded to 17 statements about their perceptions of their courtroom experience. Fifty-two participants (16 mothers, 15 fathers, and 21 "other") completed surveys. "Other" participants included grandparents, uncles, and foster parents. While the primary research focus was on parents, they were not always involved in cases due to extenuating circumstances, such as death, incarceration, or their

whereabouts being unknown. Moreover, extended family or foster parents were sometimes the primary caretakers for the children. Including additional parties that are involved in the case gives a broader and more accurate representation of engagement in the juvenile court system.

When possible, survey data and court observation data from parties were linked with one another. Data from 6 mothers, 9 fathers, and 9 “other” parties were able to be linked. Data from “other” parties were not used in analyses because there were no corresponding parental engagement ratings from the court observation instrument. In addition, data from parties involved in the juvenile delinquency system were not linked because the focus in these hearings is often on the child and not the parents. The resulting sample of linked juvenile dependency cases was 14, as one case was linked to a mother and father.

OUTCOME MEASURES

COURT OBSERVATION

The structured court observation instrument was used to collect several outcome measures: (1) party presence, (2) level of discussion, (3) level of party engagement, and (4) general case information (e.g., hearing type and hearing start time). Data regarding party presence was collected using a dichotomous yes/no variable for each party. In addition to the presence of mother, father, and child, information was collected on the presence other parties including mother’s attorney, father’s attorney, child’s attorney, guardian ad-litem, foster parent, relative, and treatment provider.

Data were collected on the level of discussion across various topics for the mother, father, and child. These topics included relative resources, well-being, and resilience. The level of discussion was rated on a 3-point scale where 0 = No Discussion, 1 = Statement Only, and 2 = More than Statement. See Appendix A for the court observation instrument.

Data were collected on the level of party engagement across various topics for the mother, father, and child. Topics included whether the party was given an opportunity to be heard, the judge identified the next steps, the judge made eye contact with the person, and there was respectful treatment between judge and parties. The level of engagement was rated on a 3-point scale where 0 = Not at All, 1 = Somewhat, and 2 = Definitely.

Four additional statements specific to the judge were also included in the engagement outcomes. These statements evaluated whether the judge spoke directly to the person, addressed the person

by name, asked if the person had any questions, and asked if the person understood the next steps. Responses to these questions were on a 3-point scale where 0 = No, 1 = Yes, and 2 = Not Applicable.

SURVEYS

The survey contained 17 statements related to the parents' court experience, such as "I understood what happened in court today," "The judge listened to me," and "I agree with the decisions made in court today." Participants indicated their agreement to these statements using a 5-point scale where 1 = Strongly Disagree and 5 = Strongly Agree. Participants were also provided an opportunity to provide additional comments if they wished. See Appendix B for the survey instrument.

NCJFCJ research staff wrote the approximate time on the survey before giving it to parties. The survey time and hearing end time from the court observation instrument were matched to link the court observation and survey responses. Fourteen were able to be linked.

RESULTS

COURT OBSERVATION

Across the 47 hearings, several types were coded. Figure 1 below indicates the number and type of each hearing. Twelve of the hearings were coded as "other." "Other" hearings included guardianship hearings, settlement conferences, revision hearings, and status hearings.

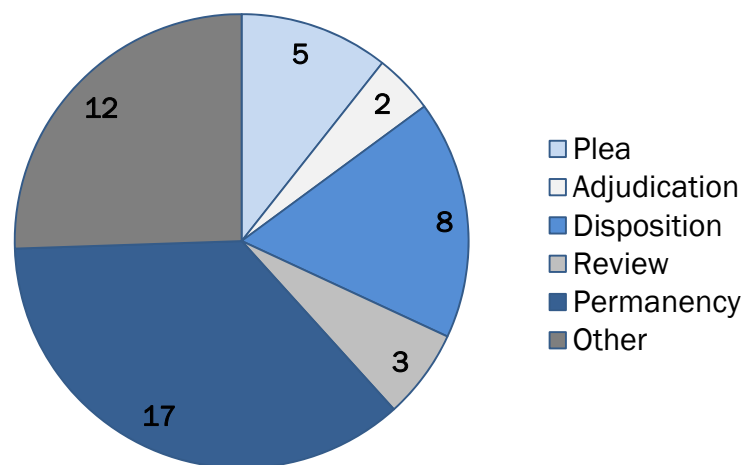


Figure 1. Number of hearings observed, by type.

The average hearing took 17.07 ($SD^1 = 13.58$) minutes, with plea hearings lasting the shortest amount of time ($M = 10.8, SD = 3.56$) and review hearings lasting the longest ($M = 27, SD = 39$). See Table 1 below for each hearing type and the respective average hearing length.

Hearing Type	Average Length of Hearing (in minutes)
Plea	10.8
Adjudication	17.5
Disposition	14.8
Review	27.0
Permanency	15.5
Other	21.2

PARTY PRESENCE

Mothers were present at 58% ($n^2 = 27$) of the hearings. An attorney for the mother was present 79% ($n = 37$) of the time. Fathers were present 36% ($n = 17$) of the time. An attorney for the father was present 51% ($n = 24$) of the time. Children were present 30% ($n = 14$) of the time.

PARTY ENGAGEMENT

Party engagement was calculated by averaging the level of engagement (0 to 2) across all applicable topics. For example, if there were three applicable topics at a hearing and the “given an opportunity to be heard” statement was rated a 2, the “judge explained the hearing process” statement was rated as a 1, and the “parties were given a choice re: services” statement was rated as 1, the average level of engagement would be 1.33 $((2+1+1)/3)$. The minimum average value of party engagement was 0 (not at all on any of the applicable topics) and the maximum value was 2 (definitely across all applicable topics).

The average level of mother engagement was .95 ($SD = .47$) across all applicable statements, with a range of 0 to 1.75. As indicated in Table 2, the three items with the highest level of engagement were the judge making eye contact with the mother ($M = 1.58, SD = .76$), respectful treatment

¹ Standard deviation indicates how much variation there is from the average value and small standard deviations indicate that the data points are close to the average. Conversely, high standard deviations indicate that the data points are spread across a large range of numbers.

² n represents a portion of the full sample. For example, if the total number of participants was 48 and 23 of these participants responded to a question a certain way, the n would equal 23 or 45% of participants.

between the judge and mother ($M = 1.48, SD = .64$), and giving the mother an opportunity to be heard ($M = 1.19, SD = .92$). The three items with the lowest level of engagement were the mother being given a choice of services ($M = .19, SD = .48$), the court considering the family's needs when scheduling the next hearing ($M = .37, SD = .74$), and the judge explaining the hearing process ($M = .81, SD = .96$).

The average level of father engagement was $.85 (SD = .50)$, with a range of 0 to 1.5. The three items with the highest level of engagement were respectful treatment between the judge and father ($M = 1.35, SD = .70$), the judge making eye contact with the father ($M = 1.29, SD = .85$), and giving the father an opportunity to be heard ($M = 1.18, SD = .88$). The three items with the lowest level of engagement were the father being given a choice of services ($M = .0, SD = .0$), the court considering the family's needs when scheduling the next hearing ($M = .35, SD = .79$), and the judge explaining the hearing process ($M = .50, SD = .89$).

The average level of child engagement was $1.02 (SD = .48)$, with a range of $.25$ to 1.75 . The three items with the highest level of engagement were the judge making eye contact with the child ($M = 1.79, SD = .58$), respectful treatment between the judge and child ($M = 1.71, SD = .61$), and the child having an opportunity to be heard ($M = 1.36, SD = .84$). The three items with the lowest level of engagement were the court considering the family's needs when scheduling the next hearing ($M = .33, SD = .65$), the child being given a choice of services ($M = .38, SD = .77$), and the judge explaining the hearing process ($M = .46, SD = .88$).

Engagement Item	Mother	Father	Child
Given opportunity to be heard	1.19	1.18	1.36
Parties given a choice re: services	.19	0	.38
Judge identified the next steps to the person	.88	.87	.46
Judge explained the hearing process	.81	.50	.46
Judge made eye contact with person	1.58	1.29	1.79
Court considered the family's needs when scheduling the next hearing	.37	.35	.33
Attorney advocated for his/her client	1.18	1.19	1.21
Respectful treatment between judge and parties	1.48	1.35	1.71

0 = Not at All, 1 = Somewhat, 2 = Definitely

An additional series of analyses were conducted to examine the relationship between the level of discussion, the level of parental engagement, and the length of the hearings. The relationship between hearing length and level of discussion for mother was positive, but modest in strength. The relationship between hearing length and level of discussion for father was also positive, but this relationship was moderately strong. This suggests that for both parents, but moreso fathers, as the level of discussion increased, the length of the hearing also increased.

There was no relationship between hearing length and the average level of parental engagement for mother. For the father, on the other hand, there was a moderate positive relationship between hearing length and average level of engagement. As the level of engagement of father increased, the length of the hearing also increased.

There was a moderate relationship between the average level of discussion and average level of parent engagement for mothers and fathers. For mothers and fathers, as the level of discussion increased, the level of parent engagement also increased.

JUDGE-SPECIFIC PARTY ENGAGEMENT

The percentage of engagement specific to the judge was calculated by dividing the number of yes responses to the four judge-specific statements by the total number of applicable judge-specific statements. For example, if there were three yes responses out of a possible four responses, the percentage of judicial engagement would be .75 (3/4). The average level of judicial engagement was .41 (*SD* = .32) for the mother, .36 (*SD* = .32) for the father, and .54 (*SD* = .24) for the child. Table 3 indicates the percentage of yes responses to each of the four items.

Judge-Specific Item	Mother (<i>n</i> = 27)	Father (<i>n</i> = 17)	Child (<i>n</i> = 14)
Speak directly to the person	81.5% (<i>n</i> = 22)	70.6% (<i>n</i> = 12)	92.9% (<i>n</i> = 13)
Address the person by name	40.7% (<i>n</i> = 11)	35.3% (<i>n</i> = 6)	85.7% (<i>n</i> = 12)
Ask if the person has any questions	30.8% (<i>n</i> = 8)	25.0% (<i>n</i> = 4)	21.43% (<i>n</i> = 3)
Ask if person understands next steps	8.0% (<i>n</i> = 2)	0.0% (<i>n</i> = 0)	0.0% (<i>n</i> = 0)

SURVEYS

Fifty-two participants (16 mothers, 15 fathers, and 21 “other”) completed surveys after exiting the courtroom. These “other” parties were grandparents (some of whom were guardians), foster parents, and a relative’s caregiver. Forty-two parties were currently involved in the juvenile dependency system, five parties were currently involved in the juvenile delinquency system, and five parties indicated that they were involved in some other type of proceeding. Of the 52 respondents, 15 were White, 27 were African American, 3 were Native American, 3 identified as having a Hispanic origin, and 4 indicated more than one race. The average age was 39.35 (SD = 13.53) years.

Four surveys (one mother, two fathers, and one other) were removed because these participants engaged in “nay-saying” or “yea-saying.” That is, they consistently disagreed (nay-saying) or agreed (yea-saying) with all 17 items without varying their responses. The statements were worded in such a way that total agreement or disagreement indicates that respondents were not reading the questions carefully.

Prior research has indicated race differences with regard to perceptions, with Black parents having lower perceptions of judicial respect than non-Black parents (NCJFCJ, 2012). As a result, responses to the current engagement survey questions were examined for race differences. There were no differences between the participants’ race and their responses to any of the statements. Therefore, all responses are presented independent of participant race.

As indicated in Table 4, participants tended to have somewhat positive perceptions of their courtroom experience. The survey items with the highest average level of agreement were “The judge treated me with respect” (4.39), “It was easy to find where I was supposed to be at court today,” (4.24), and “The judge explained to me the reason for his/her decision” (4.18). The survey items with the lowest average level of agreement were “I had to wait a long time on my hearings” (2.37), “I found attending court today to be very stressful” (3.12), and “I believe my family will get the help we really need from CPS” (3.23).

Table 4. Mean Agreement/Disagreement Ratings for Survey Items	
Question	Mean
It was easy to find where I was supposed to be at court today	4.24
I had to wait a long time on my hearings	2.37
I found attending court today to be very stressful	3.12
I believe my family will get the help we really need from CPS	3.23
The judge treated me with respect	4.39
The judge explained to me the reason for his/her decision	4.18
The judge listened to me	4.02
I had a chance to say everything I wanted to say	3.82
The judge spoke directly to me	4.02
I feel like I can trust CPS to be fair and see my side of things	3.24
I helped make the decisions for my case	3.53
I understood what happened in court today	4.12
I understand what I am supposed to do next	4.10
All of my questions were answered	3.90
CPS is not out to get me	3.57
The judge was fair	4.14
I agree with the decisions made in court today	3.75

1 = Strongly Disagree to 5 = Strongly Agree

AGREEMENT WITH COURT DECISIONS

Prior research has indicated that perceptions of the courtroom experience are related to agreement with decisions that were made in court (NCJFCJ, 2012). We examined this notion by correlating the statement “I agree with the decisions made in court today” with all other survey items. We did this for mothers, fathers, and all respondents. Only moderate correlations (values over .40) are reported.

For mothers, agreement with court decisions was positively correlated with several survey items. A positive correlation indicates that the values of the two variables move together in the same direction (increase or decrease). These items were:

- It was easy to find where I was supposed to be at court today
- I believe my family will get the help we really need from CPS
- The judge treated me with respect
- The judge explained to me the reason for his/her decision

- The judge listened to me
- The judge spoke directly to me
- I helped make the decisions for my case
- I understood what happened in court today
- I understand what I am supposed to do next
- All of my questions were answered
- CPS is not out to get me
- The judge was fair

Agreement with court decisions was also negatively correlated to one statement, “I found attending court today to be very stressful.” A negative correlation indicates that the values of the two variables move in opposite directions from one another (i.e., one value increases while the other value decreases, or vice versa).

For fathers, agreement with court decisions was positively correlated with several survey items:

- I believe my family will get the help we really need from CPS
- The judge treated me with respect
- The judge explained to me the reason for his/her decision
- The judge listened to me
- I had a chance to say everything I wanted to say
- The judge spoke directly to me
- I feel like I can trust CPS to be fair and see my side of things
- I helped make the decisions for my case
- I understood what happened in court today
- I understand what I am supposed to do next
- All of my questions were answered
- CPS is not out to get me
- The judge was fair

Similar to mothers, agreement with court decisions was negatively correlated to the statement “I found attending court today to be very stressful.”

Collapsing across all court participants (mothers, fathers, and “other”), agreement with court decisions were positively correlated to several items:

- I believe my family will get the help we really need from CPS
- The judge treated me with respect
- The judge explained to me the reason for his/her decision
- The judge listened to me
- I had a chance to say everything I wanted to say
- The judge spoke directly to me
- I feel like I can trust CPS to be fair and see my side of things
- I helped make the decisions for my case
- I understood what happened in court today
- I understand what I am supposed to do next
- All of my questions were answered
- The judge was fair

Once again, agreement with court decisions was negatively correlated to the statement “I found attending court today to be very stressful.”

PARENTAL PERCEPTION CATEGORIES

An aggregation of the 17 statements revealed four distinct parental perception categories: (1) case understanding, (2) respectful treatment, (3) CPS fairness, and (4) CPS trust. Those statements that did not have a strong relationship to a category were dropped. Table 5 indicates the way in which the included statements were aggregated.

Table 5. Statements that Comprise the Parental Perception Categories	
Case Understanding	
<ul style="list-style-type: none"> • I understood what happened in court today • I understand what I am supposed to do next 	
Respectful Treatment	
<ul style="list-style-type: none"> • The judge treated me with respect • The judge explained to me the reason for his/her decision • The judge listened to me 	
CPS Fairness	
<ul style="list-style-type: none"> • I feel like I can trust CPS to be fair and see my side of things 	
CPS Trust	
<ul style="list-style-type: none"> • CPS is not out to get me 	

We compared mothers and fathers to “other” respondents on the four perception categories. As indicated in Figure 2, mothers and fathers significantly differed from “other” respondents on three of the four categories: case understanding, respectful treatment, and CPS fairness. There was no difference in the CPS trust category. As indicated in the graph below, with the exception of CPS trust, “other” respondents had a higher level of agreement to these categories than mothers and fathers.

We further examined differences in perception categories by comparing mothers and fathers. This was done to ensure that the significant differences between mothers/fathers and “other” were not attributable to differences between mothers and fathers. There were no significant differences between mothers and fathers on the four categories.

As a final analysis, we re-examined race differences by collapsing all non-African American respondents into one group and comparing them to African American respondents. There was only one difference between the two groups on the CPS fairness variable. African American respondents had a higher level of agreement (3.62) to the statement “I feel like I can trust CPS to be fair and see my side of things” than non-African American respondents (2.84).

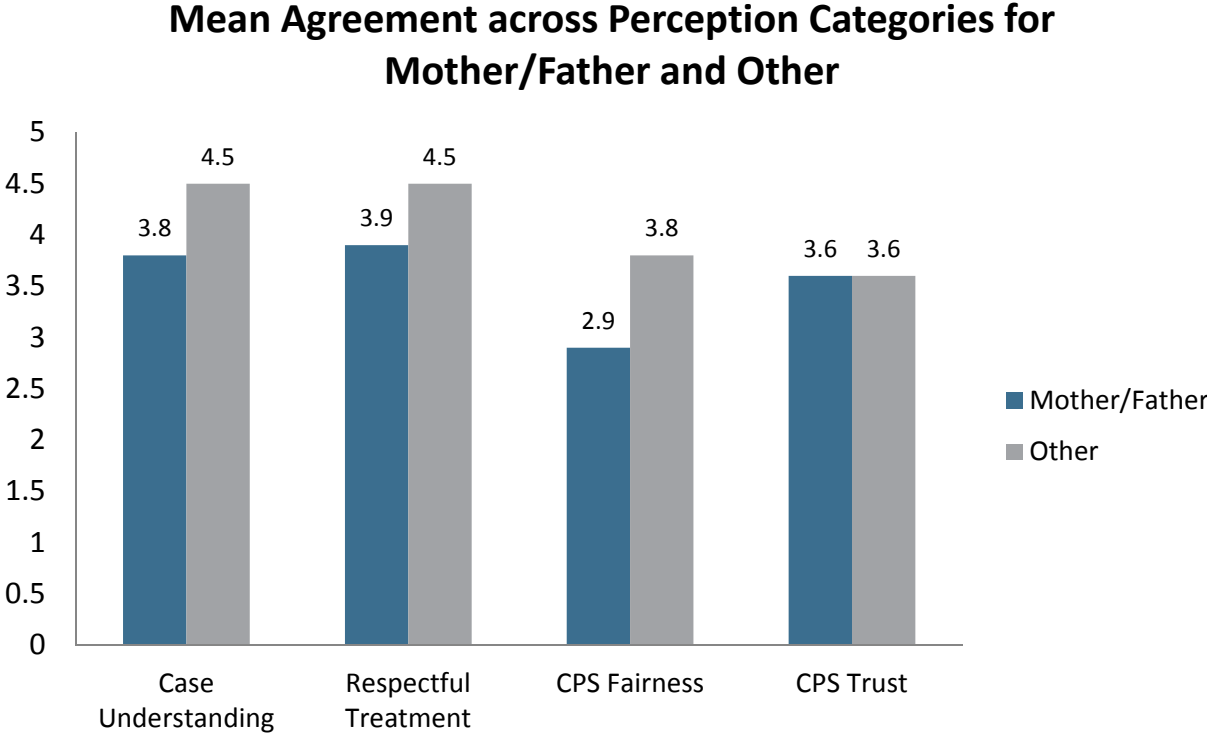


Figure 2. Mean agreement across perception categories for mother/father and other

COMBINED COURT OBSERVATION AND SURVEYS

Of the 14 juvenile dependency cases that were able to have their court observation and survey responses linked, there were two plea, three disposition, one review, four permanency, and four “other.”

We examined the relationship between the average level of parental engagement (from 0 to 2) and responses to the 17 survey items. The relationship varied depending on the role of the parent. The average level of parental engagement for the mother was positively correlated with several survey items:

- I found attending court today to be very stressful
- The judge treated me with respect
- The judge explained to me the reason for his/her decision
- The judge spoke directly to me

The average level of parental engagement for the mother was also negatively correlated to several survey items:

- I had to wait a long time on my hearings
- I believe my family will get the help we really need from CPS
- I feel like I can trust CPS to be fair and see my side of things
- I helped make the decisions for my case

The average level of parental engagement for the father was positively correlated with one survey item, “I found attending court today to be very stressful.” Of the remaining items, all of them were negatively correlated with the level of father engagement.

DISCUSSION

The findings from the court observation and survey data indicate that parents are being treated with respect and are being allowed an opportunity to be heard. There are a few areas, however, which could benefit from improvement; specifically, parents’ perspectives regarding services and hearing dates. Although there is an understanding that parents should not have unlimited input into their case plan, allowing them an opportunity to have a voice in the services that are being offered/ordered may help them have a better sense of control. In addition, there is an understanding

that the court and attorneys are limited on the days and times that they can hold a hearing for a specific case; however, it may be beneficial to parents to inquire whether the selected date works for the parents' schedule. In many instances the date and time will likely work, but allowing parents an opportunity to provide input may increase their sense of control and engagement into the process. These recommendations coincide with the notion of procedural justice that indicates a fair procedure is one in which the parties who are affected by the decisions are allowed an opportunity to voice their opinion (Fondacaro, Brank, Stuart, Villanueva-Abraham, & Luescher, 2006; Thibaut & Walker, 1975).

The survey responses also indicate that parents and "other" parties differed on perceptions of their courtroom experience. Parents believed that they had less of a case understanding, received a lower level of respectful treatment, and have less trust in CPS's fairness than "other" parties. A plausible explanation for the CPS fairness finding is that many of the "other" parties were not as closely connected to the case as were the parents (i.e., the "other" parties were not charged with child abuse and neglect). Therefore, the "other" parties' perceptions of CPS's fairness would not be as negative as the parents because the "other" parties' interactions with CPS were likely less contentious. Another plausible explanation is that parents are having or have had a traumatic history with CPS and this may be unduly influencing their current perceptions .

Regarding the case understanding and level of respectful treatment, the explanation is less clear. The case understanding component was comprised of agreement with the statements "I understood what happened in court today" and "I understand what I am supposed to do next." When examining the level of engagement for the mother, in 55% of cases the judge did not identify the next steps for the mother and in 67% of cases the judge did not explain the hearing process. A similar percentage occurred for fathers (53% and 75%, respectively). This suggests that it may be beneficial for judges to articulate to parents the next steps in the case. For example, telling a mother that she needs to continue attending her drug treatment courses, keep in contact with her attorney, continue to comply with the case plan, and that a review hearing will be held in six months to evaluate her progress.

It may also be beneficial for the judge to explain to parents the purpose of the current hearing. For example, if it were a review hearing, the judge could inform the parents that review hearings are intended to, among other things, examine their progress since the conclusion of the last hearing, make any necessary revisions to the case plan, and re-examine long-term case goals. These recommendations would require minimal time and effort on the part of the judge, but could help to

increase parents' sense of engagement. Moreover, a better understanding could result in better case plan compliance or court attendance for parents.

It should be noted that the survey items or statements with the lowest average level of agreement were "I had to wait a long time on my hearings" and "I found attending court today to be very stressful." These low agreement ratings, however, are not indicative of a negative outcome. Since they were on a scale of disagreement to agreement, a lower score indicates a lower level of agreement. Therefore, participants were reporting that they did not believe that they waited a long time and did not find attending court to be very stressful.

A possible explanation for the participants' low level of perceived stress and the perception that they did not have to wait long on their hearing may be that, for a majority of them, this was not the first hearing on their case. However, when comparing those respondents who had attended a prior hearing versus those who had not, there was no difference in the agreement ratings on these two items. A possible explanation is a lack of insight on the part of the parents regarding the level of stress elicited by the hearings. The underlying case issues, the fact that their child has been removed from them, the requirements of Child Protective Services, *inter alia*, may be the primary stressor and, in comparison, the hearings are not as stressful. A second possible explanation is that the Milwaukee County Circuit Court may be operating efficiently, and in a manner that does not elicit extreme levels of stress from its participants.

The findings from the combined court observation and survey data offer conflicting outcomes. The more often mothers were engaged in the hearing process, the more they indicated that they had a positive courtroom experience. Fathers, on the other hand, had a different courtroom experience. The more often fathers were engaged in the hearing process, the more they indicated that they had a *negative* courtroom experience. This suggests an area for future examination.

Interestingly, the difference between mothers and fathers in perceptions of the courtroom experience is not due to variations in courtroom treatment. There was no significant difference between the average level of engagement between mothers (.95) and fathers (.85). Moreover, in the opinions of the NCJFCJ research staff who observed hearings, mothers and fathers were being engaged in a similar tone.

One possible explanation for the differences in perceptions between mothers and fathers is the level of discussion in hearings directed toward each party. When comparing the average level of discussion for each topic when mothers and fathers were present at hearings, in all but one topic

area (family strengths), there was a higher level of discussion directed toward mothers. Therefore, fathers may have a negative perception of their courtroom experience because there is more of a focus on the mothers. This may also be the reason why mothers have a positive perception of their courtroom experience.

A second possibility is that mechanisms by which mothers and fathers gauge “engagement” differ. The mean engagement for mother and fathers did not differ, but there were some differences on individual engagement items. Although the differences were not statistically significant, for choice regarding services, judge explaining the hearing process, judge making eye contact with the person, and respectful treatment between judge and parties, mothers had higher engagement scores than fathers. (In all but three topic areas, children had higher engagement scores than fathers as well). It may be possible that fathers assess engagement as respectful treatment, eye contact, and explaining the process. Having an opportunity to be heard, having their attorney’s advocate for them, or having the judge identify the next steps may not be as important to fathers as it is to mothers.

A third possibility is that the differences between mothers and fathers’ responses to the survey items are due to differences in perceptions of fathers. It is possible that fathers and mothers enter the juvenile dependency system or approach hearings with a different mentality. Whether this is due to gender differences or experiential differences is an area for future examination; however, prior literature has indicated that fathers are not viewed by juvenile dependency system stakeholders in a positive light (O’Donnell, Johnson, D’Aunno, & Thorton, 2005; Malm, Zielewski, & Chen, 2008).

While onsite, researchers were able to observe interactions of parents, social workers, and attorneys before and after hearings. Though anecdotal in nature, these observations can provide insight into the perceptions of how parents are treated through the lens of an outsider. Researchers observed that, before hearings, parents were relatively calm and relaxed, however, after leaving the courtroom, parents were more likely to be highly emotional. When in this state, parents were less likely to participate in the survey, specifically mothers. Particularly after permanency hearings, parents seemed less likely to participate, possibly due to the nature of these hearings. This is important to consider when interpreting results, as parents who had a more favorable experience in court may have been more likely to participate. Researchers also observed how social workers interacted with parents. Generally speaking, there was respect between both parties, but in one particular situation it was observed that both parties were disrespectful towards each other. In this situation, the father was observed prior to the hearing to be amicable and after he became combative towards CPS workers. Although the father was combative, the CPS workers in this

situation spoke down to the father in a condescending tone. On another occasion, researchers observed a parent have her visitation with her infant immediately after a hearing. There were many people surrounding the mother and it appeared to researchers as a stressful environment in which to have to visit with your child. These observations were not captured in the survey and can help provide another perspective of how parents may feel they were treated.

Overall, the possible explanations for fathers are speculative. We were not able to obtain specific information from fathers regarding their perceptions of their level of engagement. Future research could benefit by conducting more in-depth discussions with fathers about their perceptions of the juvenile court process and their interactions with court personnel. However, the findings of the current assessment suggest that all system stakeholders, not just judicial officers, could benefit by becoming more cognizant of their interactions with fathers.

It should be noted that this report provides a snapshot of parental engagement in one jurisdiction during a one-week period. As a result, a limited number of surveys were collected from mothers and fathers, and a limited number of hearings were observed. This small number of surveys and coded hearings also limits the ability to draw strong inferences from the data. The data is descriptive in nature, but provides an initial glimpse into the level of parental engagement in the juvenile court system. A follow-up study in Milwaukee is needed on the cases included in this report to examine the relationship between parental engagement and case outcomes (e.g., final child placement and case plan compliance). Collecting data on additional cases from Milwaukee, as well as additional cases from other jurisdictions, would help to bolster the current findings.

Despite the aforementioned limitations, the current findings do provide insight into the level of parent engagement in the juvenile court system. Several recommendations can be made based upon the current findings:

- 1. Consider focusing more on engaging fathers in the hearing process.** Engaging fathers has been a challenging area in the juvenile dependency system. Fathers are often seen by caseworkers as impediments to case progression (Malm et al., 2008) and some caseworkers are relieved when fathers do not show an interest in participating in the case (O'Donnell et al., 2005). However, extant literature suggests that engaging fathers leads to better outcomes for children (Coakley, 2008). Moreover, the presence of fathers at disposition and review hearings has been found to be related to an increase in the likelihood of reunification (Wood & Russell, 2011).

The current findings indicated that there was a negative relationship between father engagement and agreement to the survey statements. This suggests that increasing father engagement is not related to an increase in positive perceptions of the courtroom experience. As a result, the court should consider ways to further engage fathers. Based upon earlier recommendations of Judge Leonard Edwards (2009), judicial officers can further engage fathers by treating them with respect, appointing legal counsel early in the case, identifying and removing barriers to involvement, and encouraging fathers to take pride in their status as father. Judicial officers could also make a concerted effort to discuss topics related to the father more often. Finally, knowing the common perception of caseworkers regarding fathers, judicial officers could follow-up and monitor the activity of CPS toward fathers.

2. Consider addressing parents by their name. The current results indicated that judicial officers are doing a good job addressing children by their name. Parents, however, are being addressed by their name less than half of the time. Instead, parents are referred to as “mother” and “father.” By addressing parents by their names, judicial officers may be able to increase their perceived level of engagement as well as the parents’ perception that they are being treated with respect. It also helps make the case feel more individualized.

3. Consider inquiring into parents’ needs when scheduling subsequent hearings. The current findings indicated that there was little consideration for parents’ needs when scheduling the next hearing. Although it may not be feasible to accommodate all parents’ requests, it would be beneficial toward instilling a sense of voice, engagement, and respect to inquire whether subsequent hearing dates and times are amenable to a parent’s schedule.

4. Consider explaining the hearing process more thoroughly to parents. There is an understanding that courts are often pressed for time and must prioritize efficiency over extensive discussion. However, attending court can be a stressful process and parents are often ill-equipped to understand all of the legal jargon used during a hearing. It may be beneficial to spend a few minutes at the beginning of each hearing explaining its purpose to parents in a lay-friendly way. If parents have specific questions about the hearing, they should have an opportunity to ask them during the hearing or after the hearing with their attorney.

In closing, the current study obtained feedback and perceptions of the parties most influenced by the juvenile court system—something that is not always considered when conducting research. In addition, the findings indicated several positive areas of parental engagement. For the most part,

parents believed that they were treated with respect, and understood the hearing process and the next case steps. Several recommendations for areas of improvement were identified. Adopting the aforementioned recommendations may help to further increase the perceived level of parental engagement and, in the case of fathers, alter negative perceptions.

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APPENDICES

APPENDIX A

COURT OBSERVATION INSTRUMENT

Court Observation

Hearing Date: MONTH DAY YEAR Case No. [] Coder (1)(2)(3)(4) Courtroom [] Judge Sex (1)(2)

Scheduled Start Time: [] Start Time: [] End Time: []

Parties Present
Mother, Prosecutor, Father, CASA, Child(ren), Child Atty/GAL, Caseworker, Foster Parent, Mother Atty, Relative, Father Atty, Interpreter, Agency Atty, Tx Provider, Other []

Hearing Type []
I = Initial Hearing; A = Adjudication; D = Disposition; R = Review; P = Permanency; O = Other

Hearing Continued? (1)(2)
Impression of Judicial Officer's Demeanor:
Uncompassionate (1)(2)(3)(4)(5)(6)(7) Compassionate

Discussion Topics
0 = No Discussion; 1 = Statement Only; 2 = More than Statement

	Mother	Father	Child
Relative resources.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Supports/services needed.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Well-being.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Resilience.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Family Strengths (Positives).....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)

Child's Current Placement
(1) Parent, (2) Relative/Kin, (3) Foster Care (includes Tx Facility and Group Home), (4) UD

General Impressions
0 = Not at All; 1 = Somewhat; 2 = Definitely

Respectful dialogue between professionals.....	(1)(1)(2)
Judge seemed familiar with family/case.....	(1)(1)(2)
Non-technical language was used by the court....	(1)(1)(2)

Engagement of Parties
0 = Not at All; 1 = Somewhat; 2 = Definitely

	Mother	Father	Child
Given an opportunity to be heard.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Parties were given a choice re: services.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Judge identified the next steps to the person.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Judge explained the hearing process.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Judge made eye contact with the person.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Court considered the family's needs when scheduling the next hearing.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Attorney advocated for his/her client.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Respectful treatment between judge and parties.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)

Did the judge?
Y = Yes; N = No; NA = Not Applicable

Speak directly to the person?.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Address the person by name?.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Ask if the person has any questions?.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)
Ask if person understands the next steps?.....	(1)(1)(2)	(1)(1)(2)	(1)(1)(2)

Notes:

[]

APPENDIX B

COURT EXPERIENCE SURVEY

We are interested in your opinion of how you were treated in court today. Your answers to these questions can be used to help improve the court system. Your answers will only be used to measure the court’s strengths and weaknesses and will not affect your case in any way. We appreciate you taking the time to complete this survey.

What month and year did your case open? _____ month _____ year
 Is this the 1st hearing on your case? _____ yes _____ no

Please indicate your agreement with each statement, using the following scale.

	1=Strongly Disagree	2=Disagree	3=Neutral	4=Agree	5=Strongly Agree
It was easy to find where I was supposed to be at court today.....	1	2	3	4	5
I had to wait a long time on my hearings.....	1	2	3	4	5
I found attending court today to be very stressful.....	1	2	3	4	5
I believe my family will get the help we really need from CPS	1	2	3	4	5
The judge treated me with respect	1	2	3	4	5
The judge explained to me the reason for his/her decision	1	2	3	4	5
The judge listened to me	1	2	3	4	5
I had a chance to say everything I wanted to say	1	2	3	4	5
The judge spoke directly to me	1	2	3	4	5
I feel like I can trust CPS to be fair and see my side of things	1	2	3	4	5
I helped make the decisions for my case.....	1	2	3	4	5
I understood what happened in court today	1	2	3	4	5
I understand what I am supposed to do next.....	1	2	3	4	5
All of my questions were answered	1	2	3	4	5
CPS is not out to get me.....	1	2	3	4	5
The judge was fair.....	1	2	3	4	5
I agree with the decisions made in court today	1	2	3	4	5

Is there anything else you would like to tell us about your experience in court today? _____

Please check your role in the case: Mother Father Other: _____
 What kind of case are you here for (mark all that apply)? Child Welfare Juvenile Delinquency Other
 Please check your race/ethnicity (mark all that apply):
 White/Caucasian Black/African American Hispanic/Latino
 Asian/Pacific Islander Native American Other: _____

What is your age? _____