



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES
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May 14, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230, U.S. Capitol Building
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
S-221, U.S. Capitol Building
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker
House of Representatives
H-222, U.S. Capitol Building
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
House of Representatives
H-204, U.S. Capitol Building
Washington DC 20515

RE: COVID-19 Emergency Supplemental Funding for Court Improvement Programs

Dear Majority Leader McConnell, Speaker Pelosi, and Minority Leaders Schumer and McCarthy:

As president and chief executive officer of the National Council of Juvenile and Family Court Judges (NCJFCJ), we write on behalf of our board of directors and members to express strong support for \$30 million in supplemental funding for the state Court Improvement Program (CIP) to be included in forthcoming COVID-19 relief legislation. The NCJFCJ is the oldest judicial membership organization in the country, and over the last 83 years it has provided all judges, courts, and related agencies with the knowledge and skills to improve the lives of families and children in the court system. CIPs work directly with courts and child welfare agencies to enhance the processing of child abuse and neglect cases and improve the lives of families and children in the court system. The NCJFCJ is committed to ensuring that our most vulnerable citizens have timely access to justice during the COVID-19 crisis.

Congress created the CIP twenty-eight years ago. It is the primary source of federal funding to help state courts fulfill their responsibilities for overseeing child abuse and neglect cases as provided in federal law. Courts are required to ensure that before removing children from their homes, reasonable efforts requirements in federal law are met; and that when children must be removed, reasonable efforts are made to finalize their permanency. CIPs exist in every state and are thus best positioned to address state-specific challenges in the administration of child welfare legal proceedings. The CIP continues, as it has historically, to serve as the bridge between courts,

the legal community, including attorneys and Court Appointed Special Advocates (CASA), and local, state, and federal child welfare agencies.

This pandemic has adversely impacted an already overwhelmed and under-resourced child welfare system, whose programs are being cut due to COVID-19. In addition, families are facing job loss, an inability to keep food on the table, possible loss of housing, drug and alcohol abuse, violence in the home, and mental health issues. This is not only a health crisis but also a social justice crisis for our most vulnerable communities at a time when a critical safety net for many of our children is not available because schools are closed. These deleterious effects increase the need for emergency supplemental funding to manage and address the impact of COVID-19 in child welfare cases.

The NCJFCJ joins the Conference of Chief Justices, the Conference of State Court Administrators, the American Bar Association, and other national organizations in requesting funds focused on the following three key areas to sustain, enhance, and expand child welfare reforms in light of COVID-19:

Technology: Courts need investments in technology to expand and support the transition to remote hearings and to ensure due process for children and families who lack access to technology. In recently issued guidance for the child welfare legal and judicial communities, the Children’s Bureau, U.S. Department of Health and Human Services, called on the CIPs to consider using funds “to support and enhance virtual participation for parents, children, youth and their attorneys in hearings and reviews.” Although many judges have transitioned to remote hearings, additional support is needed to make the technology available consistently across the country. The NCJFCJ has held many conference calls, virtual meetings, and webinars where it is apparent that judges and court system professionals are seeking guidance and resources to implement and sustain remote hearing practice, and to increase its availability and access to parties. Their goal, and ours, is to protect due process and access to justice for all who are required or need to appear in our courts. Courts also need technology to enable parties to electronically file petitions, motions, court reports, and enter evidence.

Training: In order to use the technology, funding must provide training for judges, attorneys, case workers, and CASAs on what technology is available to them and how to use it to ensure due process. CIPs can facilitate and curate trainings and publications for this purpose, but they lack sufficient funds to meet the need.

Innovative Programs: Innovative programs will help families address their case plans, prevent delay in court proceedings, and help ensure family engagement and visitation can still occur in a healthy and safe environment. Research shows that children suffer profound trauma and grief when they are removed from their families, so the value of meaningful and positive connections are immeasurable. Visitation and connectivity with parents, siblings, and community can be achieved through innovation and an understanding of what different technology platforms can offer us. The NCJFCJ has conducted a survey and review of technology and application providers, and made available a list outlining different platform functions, costs, and comparisons so courts can determine the best option for their particular court system.

Thank you for your leadership in these challenging times. We appreciate your consideration of this request and are available to answer any questions. Please feel free to contact us using the information below.

Sincerely,



The Honorable Ramona A. Gonzalez
President, NCJFCJ Board of Directors
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