



North Dakota's Statewide Dual Status Youth Initiative
An Evaluation of Its First Six Months

John M. Greacen
Greacen Associates, LLC

November 28, 2019

Executive Summary and Recommendations

This report documents the first six months of the North Dakota statewide Dual Status Youth Initiative. Dual Status Youth (DSY) are young people who are simultaneously involved with both the child welfare and juvenile justice systems. Research has shown that these youth have a very poor prognosis for success in later life. North Dakota is the first jurisdiction to implement a program to attempt to improve outcomes for DSY youth statewide. Its objective is to minimize deeper involvement of DSY youth in both systems. The initiative is based on a protocol negotiated by the stakeholder state entities, following a research report from the Robert F. Kennedy Foundation. It is overseen by an Executive Committee made up of representatives of its various stakeholder groups; staffing is provided by the North Dakota judicial branch and the North Dakota Department of Human Services. The protocol outlines procedures for staff to follow throughout the social services and court systems.

The initiative moved to the implementation phase in January 2019. After the first two months of working out the programmatic details, the initiative formally started its evaluation phase in March 2019. The North Dakota Department of Human Services gets reports of new referrals to both the child welfare and juvenile court systems, searches the other system's database and generates reports of matches. These youth are considered DSY youth.

The initial look back period for these searches was ten years; it has recently been shortened to five years based on feedback from practitioners. During its first six months – the period covered by this report – the initiative followed the initial ten-year look back process.

The judicial branch staff disseminate this information in weekly emails to social service and court staff in the county where the most recent referral to either the social service or court system took place. Court staff, using data provided by their social service counterparts, report extensive data on every DSY case to the judicial branch staff. In order to have comparison data for evaluation purposes, the North Dakota Department of Human Services has compiled a data base of information on all 2015 cases that meet the DSY definition of an “involved youth”¹ opened during and after March 2015. Judicial branch staff has pruned this comparison data base to make it comparable to the current DSY database.

The evaluation shows that North Dakota has been highly successful in launching the DSY initiative. It has negotiated the agreements required to support it and organized an Executive Committee which functions effectively to provide guidance for the initiative. The Executive

¹ An “involved” youth is one who is already involved in both systems. An “identified” youth is one who has a current juvenile court case and has just been referred to social services for an assessment or had a social services case that was closed sometime within the last ten years and has just been referred to the juvenile court.

Committee developed a training program for both court and social service staff, which was presented live for affected staff and is available on the judicial branch website for viewing. It has developed and disseminated a “hard card” for judges to use on the bench as a reference to the recommended procedures for these cases.

The North Dakota Department of Human Services developed a software application that searches both the Child Protective Services FRAME data system and the court system’s Case Management System (CMS) to match prior cases in either system with a currently referred youth. The output of those searches is transmitted to the judicial branch staff, which reviews and sorts it for weekly dissemination to court and social service staff in the appropriate county. The judicial branch has added a flag to its Odyssey Case Management System to identify DSY cases for judges and juvenile court staff. A “test screen” has been added to the CMS system for the purpose of reporting data about DSY cases. All of these automated tools and processes work – no small accomplishment when trying to pull and integrate data from multiple systems.

The programmatic outcomes for the first six months are positive. DSY youths are much more likely today than in 2015 to have their cases diverted and less likely to be taken into the custody of the court or of the social service system. We are not able to compare out of home placements with the 2015 comparison data base. But only 10% of DSY “involved” youths have been removed from their homes during the first six months of the initiative. There has been no significant change in the likelihood that an “involved” DSY youth will have a subsequent unruly or delinquency referral than a 2015 youth meeting the same DSY definition.

It is puzzling, however, that the initiative has delivered these results without fully implementing the programmatic innovations intended to produce them. Those innovations are two-fold – 1) immediate information sharing between the court and social services staff upon notification that a DSY youth has been identified and 2) the conduct of a Multidisciplinary Team Meeting (MDT) or Family Centered Engagement (FCE)² for every case involving an “involved” youth. The protocol requires an initial contact within two days and information sharing within a week. The MDT/FCE – which includes the youth and parent(s) as well as court and social service workers and other treatment professionals – is to take place within seven to ten days.

² An FCE is an evidence-based process for bringing youth, parents, custodians, treatment providers, and court and welfare workers together with a trained facilitator to identify a youth’s needs and to work out an agreed plan for addressing them. It is provided by a contractor to the North Dakota Department of Human Services and is available in only selected North Dakota counties. An MDT is a similar approach to be facilitated by court or social services staff designed specifically for this initiative. Staff in counties where FCE facilitators are available can use either process. Where FCE services are not available staff are expected to use the guides included in the protocol to conduct the process.

The data shows that information is shared in most cases. When information is shared it is found to be useful. Limitations of the data have prevented us from being able to assess whether the data transfers have been conducted within the timeframes called for by the DSY protocol.

Compliance with the requirement for MDT/FCE meetings has been less consistent. Over the first six months they have been held in only 30% of cases with “involved” youth. The DSY database calls for a reason why an MDT was not held. A reason is missing in 18% of the cases. The DSY staff considers only 6% of the reasons given for not holding an MDT to be sufficient under the terms of the protocol. 44% of the reasons given are insufficient. The remaining 50% are not clear enough to be determined sufficient or insufficient. The frequency of insufficient reasons has declined over the period of the initiative. When the rate of compliance is adjusted to give credit for sufficient reasons for not holding an MDT, and to remove the cases with ambiguous reasons from the calculation, the percentage compliance increases to 47% -- still less than half of the cases with “involved” youth.

It is understandable that the percentage of compliance is quite low for August. The data spreadsheet was submitted to the evaluator with the information as of the last day of August, giving the agencies little time to record MDT/FCE data for cases identified during that month.

Compliance with the MDT/FCE requirement differs widely from county to county, with Stark County serving as a model for the rest of the state. None of the three largest North Dakota counties has a particularly good performance record. Fifteen of the counties have held no MDTs in cases with “involved” youth despite having as many as eight involved youth cases. MDT/FCEs were held in 21 cases with “identified” youth – cases in which such meetings are not required, but, of course, are permitted.

As with the initial contact process, it has not been possible to assess the timeliness of the holding of MDT/FCEs due to limitations of the data.

Input from parents who participate in the MDT/FCEs that have been held is very positive – demonstrating their utility.

Only 21% of the referees and judges handling juvenile cases responded to a survey about the DSY initiative. Those who did expressed general support for its objectives, but reported that they do not inquire about the conduct of an MDT/FCE or what recommendations came from it.

Staff of both the juvenile court and county social services agencies – both in an online feedback survey and in face-to-face feedback sessions conducted throughout the state – expressed similar support for the objectives of the initiative, but reported problems with its

implementation. The most frequent laments were lack of understanding of the protocol requirements and complaints that its timeliness requirements are unreasonable.

In considering what recommendations to include in this six month report, Greacen Associates recognizes that the staff and the Executive Committee have constructed extensive lists of matters to address following the regional feedback sessions. We agree with the steps that they are planning to take, but we have chosen not to include all of the items on those lists in this report. As an outsider to the North Dakota process, we make a few additional suggestions:

- While there are clear indications that understanding of the details concerning the holding of MDT/FCEs and their timeliness is increasing over time, we believe there would be substantial benefit in refining and expanding on the list of sufficient and insufficient reasons for not holding an MDT contained in this report. In particular, it would be helpful to have more detailed data concerning when parental refusal to participate is and is not a sufficient reason. Likewise, it would be useful to provide guidance on the appropriate and inappropriate use of the phrase “identified not involved” as a reason for not holding an MDT.
- We believe that the juvenile referees and judges can play a much more influential role in the full scale implementation of the MDT/FCE requirement if they were to 1) always identify whether a case falls within the DSY initiative, 2) always inquire whether an MDT or FCE was held and what recommendations emanated from it, and 3) adjust their calendaring practices to accommodate the needs of court and social services staff to arrange and conduct MDT/FCEs, including the possibility of temporarily adjourning a hearing so that an MDT could take place on the spot in the courthouse. Having a training for judges at the next available opportunity would help implement these recommendations. Having an experienced judge conduct that training would increase its impact. It may prove useful to revise and re-issue the “hard card” to emphasize these points.
- We recommend increasing the role of the State’s Attorneys in the initiative. They need to be included in the initial emails if no other way can be found to inform them consistently and reliably of a youth’s DSY status. Including a State’s Attorney representative on the Executive Committee might be an effective way to bring them more fully into the initiative.
- During one of the regional feedback sessions, Cathy Ferderer suggested that Court Improvement Project funding might be available for selected projects designed to address specific resource deficiencies identified in the field. We encourage the judicial branch to pursue that concept, perhaps with a pilot effort to establish a dedicated DSY

point of contact in one of the larger counties with responsibility for ensuring that MDT/FCEs are arranged and held in all cases in which they are required by the protocol.

- Staff in counties where FCEs are not currently available uniformly expressed their desire for the North Dakota Department of Human Services to implement the legislative mandate to expand the FCE program statewide. We must point out, however, that FCE services are not being fully utilized where they have been available. Staff must accept responsibility for making full use of FCE resources that the state makes available if they expect the Department of Human Services to increase those services.
- Finally, we encourage the continued provision of bi-monthly performance data to the field as a way of providing feedback and creating accountability for implementation of the initiative throughout the state.

Introduction

The North Dakota Dual Status Youth Initiative grew out of a multi-year study by the Robert F. Kennedy Foundation that found that the lifetime prospects for youth in North Dakota are significantly impaired if they are simultaneously in the state's child welfare and juvenile delinquency systems. Youth in this situation are referred to as "dual status youth." While a number of counties in the United States have pursued programs to reduce their dual status youth populations, North Dakota is the first state to implement a statewide initiative for this purpose.

The initiative is a collective effort of the North Dakota Department of Human Services (which is responsible for the child welfare system), the North Dakota Division of Juvenile Services (responsible for juvenile corrections), the North Dakota Supreme Court, and the North Dakota Association of Counties. It consists of three programmatic initiatives:

- a computer program that searches FRAME (the social services automated information system) and CMS (the state court system's automated case management system for these cases) to learn whether a youth referred within the last 30 days to one of the systems has had contact with the other system. During the first six months of the evaluation period, the system "looked back" ten years and identified the youth as an "involved youth" if s/he had a currently active case in both systems or as an "identified" youth if s/he is currently in one system and has had any prior contact with the other system. A typical example of an "involved" youth is one with a current juvenile court matter who has just been referred to social services as a possible subject of abuse or neglect. When a match is found, the information is sent to the DSY initiative staff at the

Administrative Office of the Courts which sends bi-weekly emails to the child welfare offices and court units in the counties in which the most recent referral has arisen.³

- a requirement that the office with the current referral contact its counterpart within two working days to obtain information about the counterpart's experience with the youth and the youth's family.
- a requirement that the office with the current referral convene a Multi Disciplinary Team meeting (MDT) or a Family Centered Engagement (FCE) to include the youth, her or his parents, guardian or other family member, representatives of any entity or program in which the youth has been placed, workers from both social services and the courts, and any mental health or other treatment specialists working with the youth, to discuss with the youth and parents or guardians the youth's situation and programmatic and dispositional alternatives, and develop a plan of action to recommend to the entity that will act on the current referral. This meeting is to take place before any court hearing on a new delinquency referral or emergency petition to remove a child from the home.⁴

The MDT meeting is modelled on an existing program developed by the North Dakota Department of Human Services called Family Centered Engagement (FCE), which has been implemented in several pilot counties and is conducted by a contractor, The Village. The only significant difference between the two approaches is that The Village provides a neutral, trained facilitator for FCEs, while a staff member from either social services or the courts (whichever has had the most significant contact with the youth) presides over the MDT. An exception will be made if the agency with the most prior contact with the youth feels that its staff have an adversarial relationship with the youth or the family. An FCE can only be held if the parent(s) agree to participate; there is no such requirement for holding an MDT. An FCE cannot be held if the youth has already been put into an out-of-home placement; there is no such limitation for holding an MDT.

The initiative is staffed by three persons in the Administrative Office of the Courts; they are funded from the federal Court Improvement Program designed to support improvements in the court processes for handling of child abuse and neglect cases. The Administrative Office of the Courts chose Greacen Associates, LLC , to evaluate the program, based on its performance in evaluating a judicial branch mandatory custody mediation program.

³ Creation and operation of this system, which is performed in the North Dakota Department of Human Services, required the negotiation and execution of a Memorandum of Understanding between the two branches of government which includes an agreement for sharing otherwise confidential information.

⁴ These steps are set forth in a formal protocol that the personnel of all participating entities are to follow.

The protocol went into effect on January 1, 2019. The initiative's Executive Committee decided to delay the start of formal data collection and evaluation until March 1, 2019 in order to give the process a two month "break in" period. Data for the program is maintained by the AOC staff in a spreadsheet with extensive data on each DSY case, based on information drawn from FRAME and ODYSSEY supplemented with data entered by local Juvenile Court Officers into a CMS "test screen" designed specifically for the support of this initiative. The spreadsheet is updated with information on subsequent referrals of DSY youths. The North Dakota Department of Human Services has produced a "baseline database" for use in this evaluation containing the same information for all cases of "involved" youth initiated in both systems between March 1, 2015 and February 29, 2016.

Greacen Associates provided an analysis of the first two months' data, reporting that the MDT/FCEs had been held in only 15% of the cases with "involved" youth. It provided a similar analysis at the end of the fourth month, at which point the percentage of involved youth cases with MDT/FCEs had risen to 20%. These reports were disseminated to the field. The Administrative Office of the Courts distributed three types of surveys to obtain input on the initiative from parents, from court and social services staff, and from juvenile court judges and referees. The chair of the Executive Committee and two staff persons conducted feedback sessions with groups of court and social services staff in counties in the northeastern, southeastern, central and western parts of the state at the beginning of the fifth month; John Greacen participated in the meetings in the central and western parts of the state.

Greacen Associates prepared preliminary summaries of the data for the first six months of the program for a meeting of the Executive Committee on October 3, 2019. The summary included a report on the input from parents, court and social services staff, and judges and referees. During that meeting, the committee decided to reduce the "look back" period for FRAME from ten to five years.

The DSY Initiative is being conducted during a period of significant upheaval in the North Dakota Department of Human Services. The Department is engaged in an organizational "Redesign" which will convert its traditional county-based structure to a regional structure. It is also introducing performance standards and evaluating its staff based on those standards. Of particular significance for the DSY Initiative is a new standard – initially implemented in selected areas of the state – that 50% of all new abuse and neglect referrals must have a finding of "Services Required" or "Services Not Required" within 25 days of the receipt of the referral.

During the last legislative session two actions were taken that will affect the DSY initiative and its evaluation. Effective August 1, 2019 the minimum age of culpability was raised from seven

to ten years. The Department of Human Services received spending authority to expand the Family Centered Engagement program statewide.⁵

The Evaluation Design

This evaluation will simply assume that DSY youth will benefit from not becoming involved in the other system if s/he is currently involved in only one system today and from reducing deeper penetration into the juvenile court and social services systems if s/he is currently involved in both systems. We will not measure the educational performance of youth involved in the DSY initiative, their drug and alcohol use, mental health indicators, changes in family dynamics, ability to form and maintain interpersonal relations, success in obtaining and maintaining employment, etc. This research has been done in other jurisdictions; we will simply assume that the benefits from reducing further penetration into the juvenile justice and child welfare systems will accrue in North Dakota as they have elsewhere.

A recent study by the North Dakota Division of Juvenile Services has reported that 80% of North Dakota youth currently in correctional custody are dual status youth – with histories including involvement in both the abuse and neglect and juvenile delinquency systems in North Dakota.

The evaluation will focus on whether the protocol was implemented – whether information sharing and MDT/FCE meetings took place. It will report on three outcome measures – changes in dispositions, removals from home after a youth has become “involved,” and subsequent court referrals after a youth has become part of the DSY initiative.

The process evaluation will address these questions:

1. Was an effective governance/management process implemented and maintained?
2. Was a DSY protocol adopted and were its contents clear to all participants?
3. Was the information sharing MOU negotiated and implemented?
4. Did preliminary information sharing take place regarding identified DSY youth?
5. Did MDT/FCE meetings take place? Did parents feel involved and listened to?
6. Did training take place? Was it evaluated as effective?

⁵ The Executive Committee has asked the North Dakota Department of Human Services when this expansion will be implemented. The response has been that for the time being the unused capacity of the pilot program will be made available to nearby counties, but that there are no immediate plans to implement the program statewide.

7. Was regular reporting implemented and data collected?

The outcome measures will be addressed by comparing dispositions, removals from the home and subsequent referrals during the DSY initiative with the 2015 baseline data set.

The evaluator will also remain alert to the possibility that other changes might occur during the implementation of the program, such as changes in the demographics of DSY youth.

Limitations of the Data

The data collected for the project is maintained in an Excel spreadsheet with a single row for each youth involved in the initiative. A youth is entered into the spreadsheet when s/he is first identified in an email to the field. This occurs when s/he has received a referral to either the child welfare or juvenile delinquency system and is matched with a current or previous involvement in the other system. If s/he receives an additional, subsequent referral to either system, this is noted as a “subsequent referral” and information on the subsequent referral is recorded on the same row as the initial referral. A second row is never created for the same youth.

The date of the initial email to the field is recorded as the date of commencement of the case. This date is never altered and serves as the start date for completion of the steps called for in the protocol.

Information about the progress of the case, including completion of the steps called for in the protocol and the ultimate disposition of the initial and all subsequent referrals is reported to the initiative staff by the juvenile court officer involved in the case. The JCO uses a CMS “test screen” to enter and report the data. The initiative staff then enter the data from the test screen into the data spreadsheet. The spreadsheet is the place where all data concerning the initiative is maintained and data is only entered into the spreadsheet by initiative staff to maintain consistency.

A test screen once submitted cannot be edited, but it can be erased and re-entered in its entirety. Juvenile court officers therefore have an incentive to wait for the events associated with a referral to be completed before preparing a test screen for that referral. This has led to a lag in the reporting of information about case events. For example, when the spreadsheet is sent to the evaluator at the end of a two month period, much information for cases commenced during the most recent month has not yet been entered. Lack of information in the spreadsheet is not necessarily an indication that events have not occurred; they may have occurred but not yet been reported and recorded in the spreadsheet.

Additional test screens are submitted for subsequent referrals associated with the same youth. It is not unusual for staff in the field to take initial referrals less seriously and subsequent referrals of the same youth more seriously. If, for instance, the staff conclude that an initial referral does not warrant an MDT/FCE, they may hold one at the time of a subsequent referral. There is only one field in the spreadsheet for entry of information about an MDT/FCE. Initiative staff have followed a practice of entering MDT/FCE information for the case whenever it occurs – for the first or for a subsequent referral. This produces complete information on the holding of an MDT/FCE for the case. However, information on the timeliness of the MDT/FCE – based on the elapsed time from the date of the initial email to the date of the MDT/FCE – is no longer accurate because the initial email date is no longer the appropriate point from which to measure the MDT/FCE’s timeliness.

Similarly, if information about the date of initial contact between social service and court staff is taken from a test screen for a subsequent referral, the elapsed time from the date of the initial email is no longer an appropriate indicator of the timeliness of the initial contact.

There are similar lags in the entry of information about child welfare services into the North Dakota Department of Human Services FRAME system. When this occurs for new abuse or neglect referrals, the case can be identified as a DSY case – and child welfare workers notified by email of its DSY status – well after the child welfare workers have received, investigated and acted on the child abuse and neglect report. Child welfare staff raised this “late notice of DSY status” as an issue during the July feedback sessions. The data entry time lag also produces anomalous data for the date of first contact, which is frequently reported to be as much as two months prior to the date of the initial email – reflecting the fact that child welfare staff actually first contacted juvenile court staff to seek information concerning a case well before they received an email alerting them to the youth’s DSY status.

When the DSY initiative staff first began sending DSY status emails, they simply sorted and sent information about all cases referred by the North Dakota Department of Human Services as a result of its matching software program. As the staff became more familiar with the process, they began to look into the history of the referred cases and cull out cases that did not fully meet the DSY definition. This resulted in fewer numbers of “identified youth” cases being taken into the initiative. The recent change in the look back period from ten to five years will produce a much larger reduction in this number of cases included in the initiative in the future.

Because of these data limitations, this evaluation report does not contain information on the timeliness of DSY initiative events. The report notes when these data limitations should be taken into account in interpreting other data.

Data on the source of a referral and the location from which the referral was made is included in the spreadsheet for each case. However, the only source for this information is from the records of the juvenile court. The source of a social services child abuse and neglect report is confidential. Consequently, the referral source and referral location data will not relate to the referral that generates the DSY case if that referral is to social services. It will instead relate to the matched juvenile court referral which could have been some time in the past. This issue will be noted in the report when it is relevant to understanding the data.

The First Six Months of the Dual Status Youth Initiative

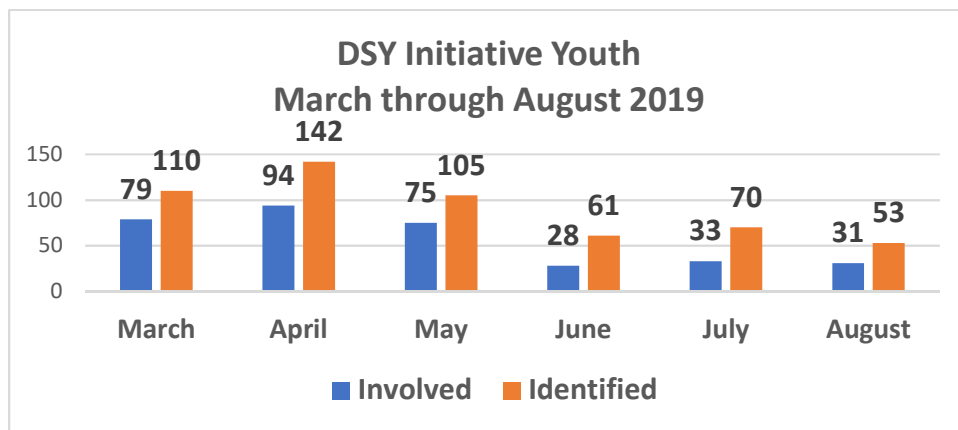
Several of the process evaluation questions have been answered conclusively during the first six months of the DSY initiative:

- An effective governance/management process has been implemented and maintained. The Executive Committee has functioned well, as have the staff of the North Dakota Department of Human Services and the Administrative Office of the Courts. The Executive Committee has received preliminary data reports from the evaluator and has conducted site visits to obtain first hand reports from participating agencies and staff on the progress of the initiative.
- The DSY protocol was adopted. Whether its requirements are clearly understood will be addressed below.
- The information sharing MOU was negotiated and implemented. The identification of DSY youth is working, with the limitations noted above related to the timeliness of data reporting.
- Training took place. Its efficacy will be addressed below.
- Regular reporting and data collection have been implemented. The initiative staff have taken steps to insure consistency in the data entered into the spreadsheet. The analyses contained in this report note where participants have and have not provided data. The only awkward part of the automation is that the test screen used to collect data on active cases cannot be edited. If data is reported before case processing is completed, the data has to be completely re-entered to correct or supplement the information originally entered. There appears to be no likelihood that this feature can be altered. But it explains slowness in entering data about a case in order to avoid duplicative data entry.

Data on dual status youth

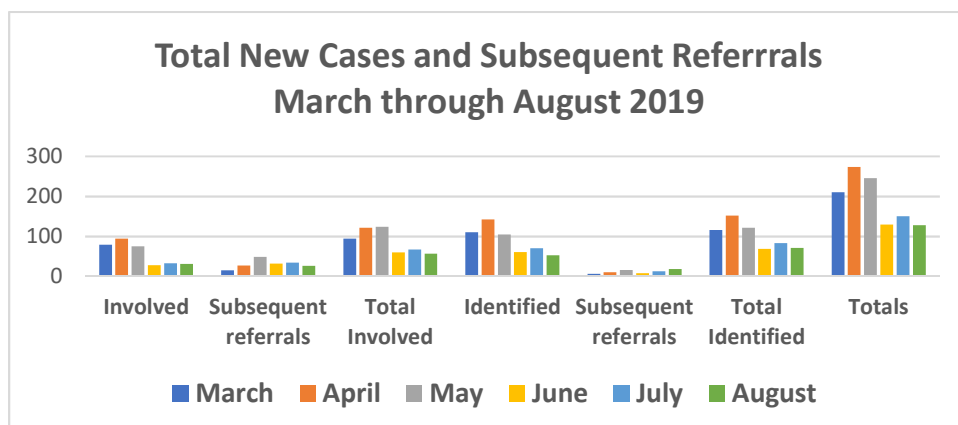
During the first six months of the DSY initiative, it engaged with 881 North Dakota youth. Using the definitions of the initiative, they are either “Involved” or “Identified.” Of the 881 cases, 340 are Involved and 541 are identified.

The number of youths included in the initiative declined during the last three months from levels during the first three months, as shown below. The June/July/August totals for involved youth were 37% of the totals for the previous three months. For identified youth, the percentage was 52%.



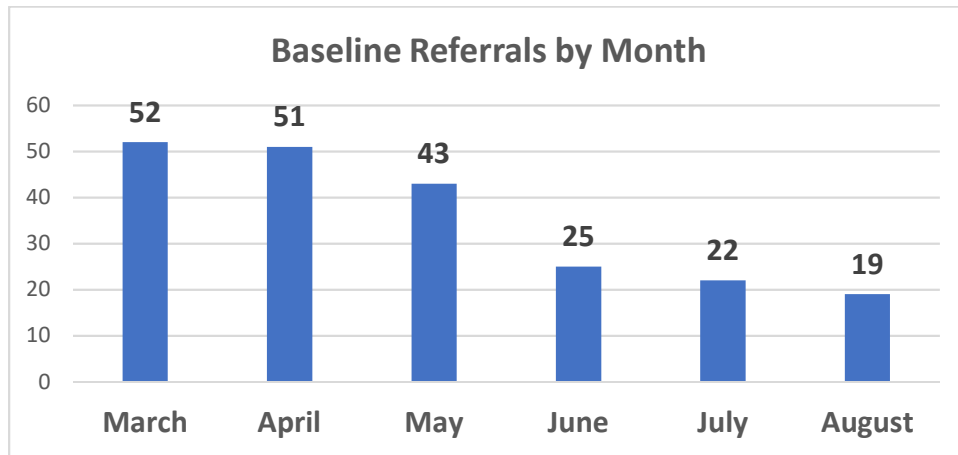
The data collected for the evaluation does not conclusively resolve why this decline took place.

The initiative itself did have the effect of reducing the number of new DSY cases reported. When a youth already in the program had a new referral, it was not counted as a new case, but rather as a subsequent referral in the existing case. However, the chart below shows that this phenomenon does not explain the reduction. The differences, when the subsequent referrals are treated as if they were additional new cases, remains at a 54% reduction for involved youth and a 57% reduction for identified youth during the second three months of the initiative.

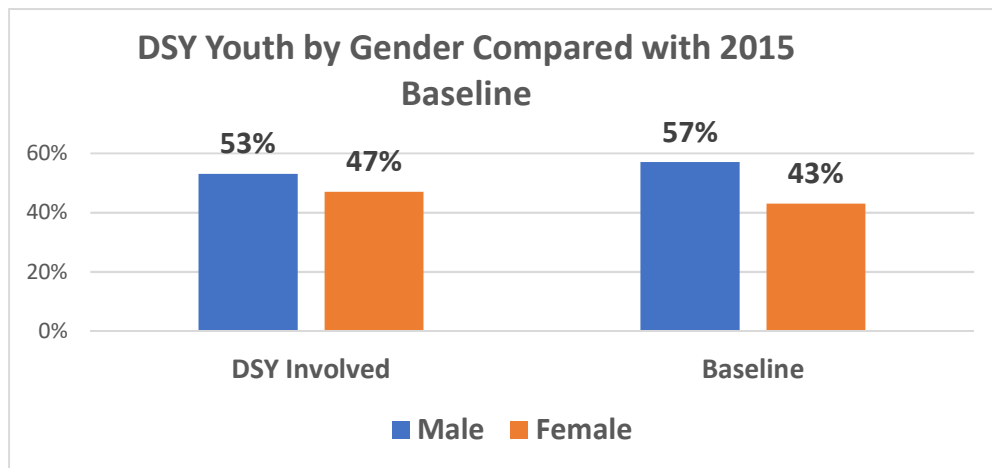


It seems more likely that the difference in new cases reflects the difference between spring and summer, when personal and school vacations reduce the available time of enforcement officials, eliminates the school as a source of referrals, and lowers the social pressures on youth. Because of the limitations on the data on the source and location of referrals, we are not able to test this hypothesis.

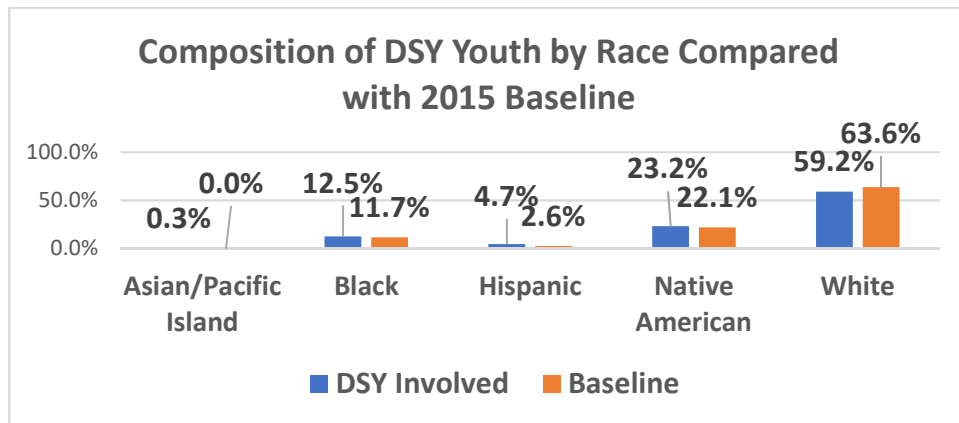
The seasonal variation in numbers of referrals is also present in the baseline data, as shown below.



One of the objectives of the evaluation is to remain aware for unanticipated changes that might result from the DSY initiative. The composition of the DSY youth has not changed significantly, with the proportion of females dropping slightly since the 2015 baseline but the proportion of minority group youth inching up marginally. The baseline database is comparable to the DSY “involved” youth. By that comparison, the proportion of female DSY youth has dropped from 47% to 43% during the initiative. Females constitute only 39% of the group of identified youth in the initiative.



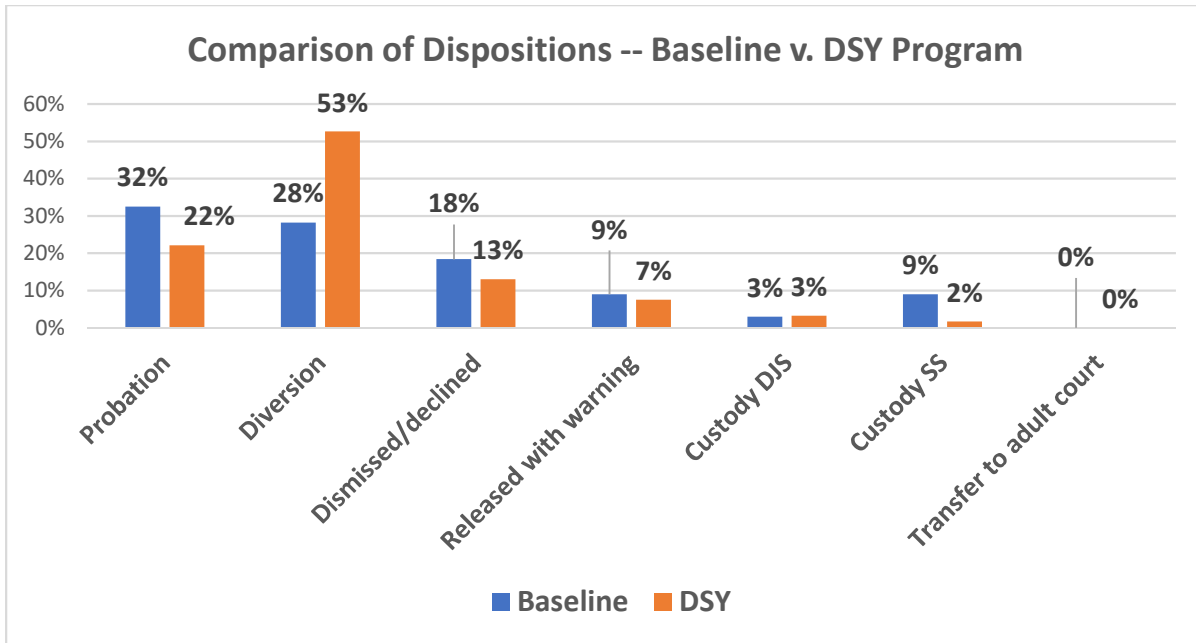
Minority youth are a larger proportion of the DSY involved youth today than they were in 2015. The proportion of all non-white groups increased compared to the baseline – 49.8% compared to 46.4%. The Census Bureau’s 2017 estimate is that the North Dakota youth population is 77.3% White, so non-White DSY youth are 2.1 times more likely than White youth to be in the DSY initiative “involved” cohort. Native American youth are present in the DSY sample at 2.5 times their proportion of all North Dakota youth. Sixty percent of the Native American referrals take place in urban or nearby suburban counties – in the Bismarck, Fargo, and Grand Forks areas.



Outcome measures

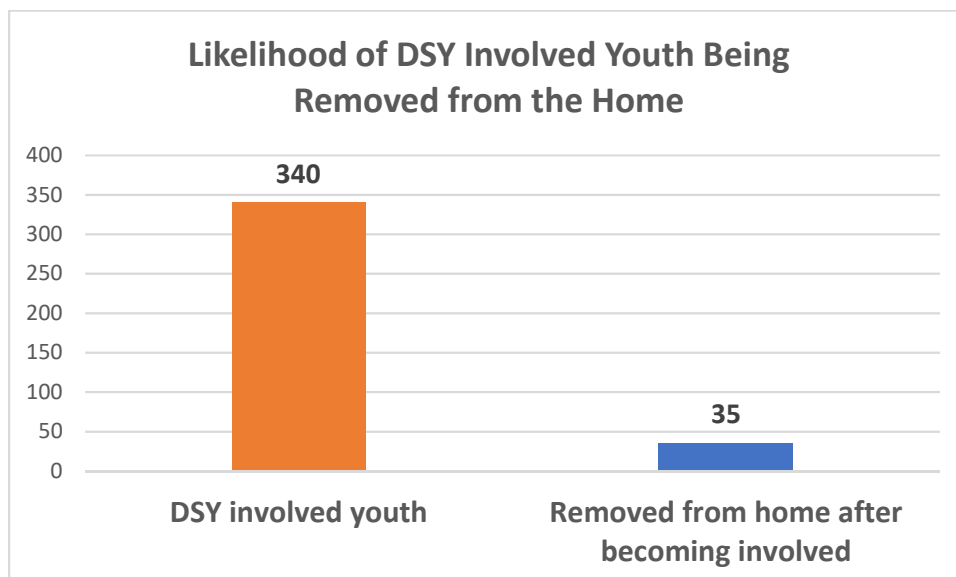
The evaluation collected and analyzed data on all three of the outcome measures – comparing dispositions for DSY “involved” youth cases with the baseline cases from 2015, counting the number of cases in which a DSY youth has been removed from the home, and comparing the number of subsequent referrals of DSY initiative “involved” youth with youth from the 2015 baseline cohort during the first six months of their involvement following their initial referral.

Disposition data is categorized in accordance with the standard treatment of dispositions in the North Dakota Judicial Branch annual report. The following chart shows how the dispositions of DSY involved cases compare with the dispositions from the 2015 baseline data set.

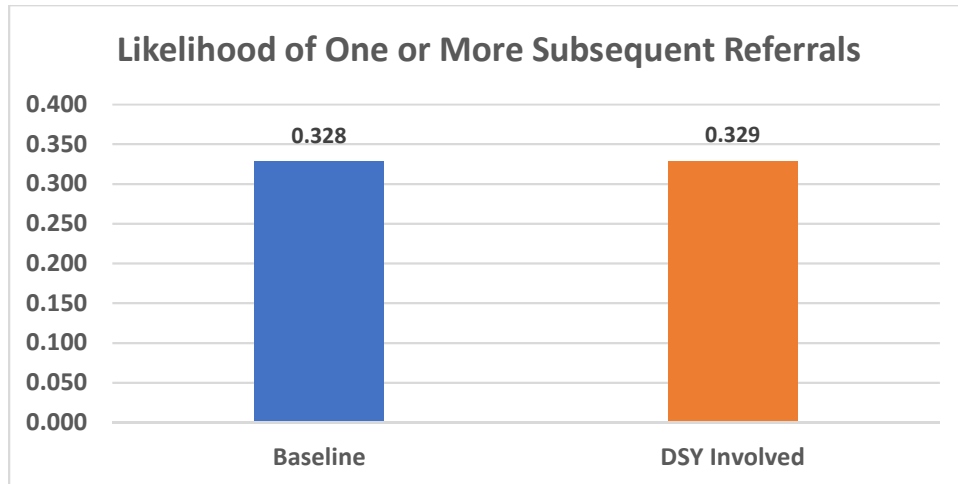


The disposition data shows that under the DSY initiative, “involved” youth are almost twice as likely to be diverted today than in 2015. The likelihood of being placed in DJJ custody has remained the same, of being placed in the custody of the North Dakota Department of Human Services has dropped by 78%, and of formal probation has dropped by 31%.

We are not able to compare the likelihood of an out-of-home placement with the baseline data because that data set records all out-of-home placements that occurred during the year after initial referral. The DSY initiative has only been in operation for six months. But the table below shows that only 10% of involved youth have been removed from their homes during these first six months of the initiative.

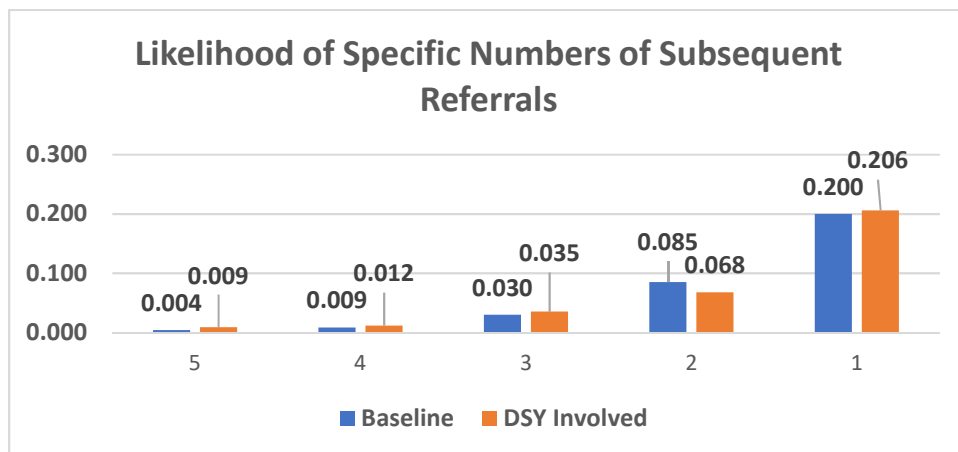


The DSY initiative staff have edited the 2015 baseline data so that it includes only subsequent referrals that occurred within the first six months following the initial referrals included in the baseline cohort. The next charts show that there is virtually no difference in the likelihood of subsequent referrals for “involved” youth under the DSY initiative.

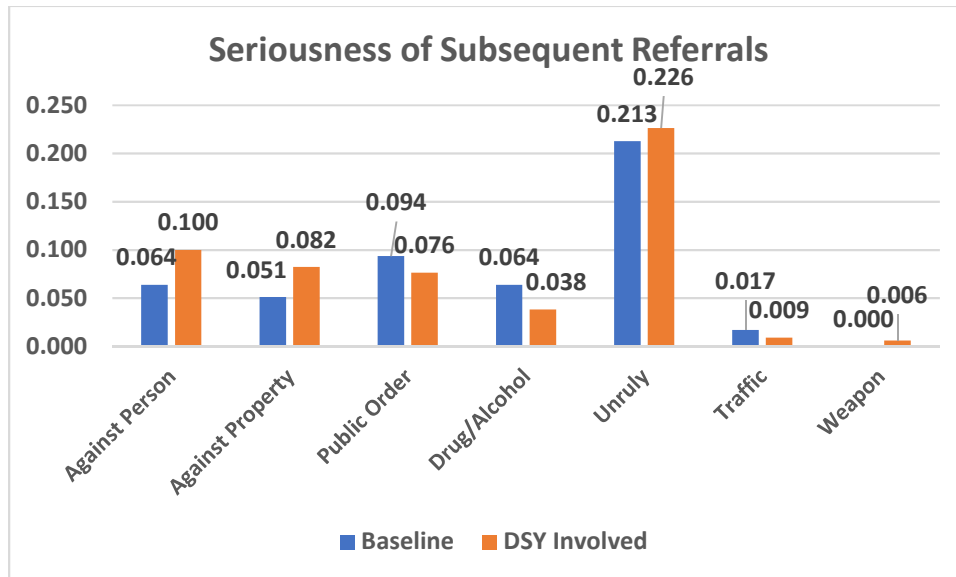


The numbers shown on the chart represent the number of youths in the baseline and in the DSY involved cohort who had one or more subsequent referrals following inclusion in the program, divided by the number of cases in each group. It therefore represents the likelihood of subsequent referral for each cohort – roughly 1 in 3 for both the baseline and the DSY involved youth. The likelihood of one or more subsequent referrals for DSY identified youth is much less – roughly and 1 in 8 (0.123).

The likelihood of specific numbers of subsequent referrals is shown on the next chart. DSY involved youth are slightly more likely to have 1, 3, 4, and 5 subsequent referrals, but less likely to have 2. The conclusion to be drawn is, again, that there is no real difference between the baseline and the DSY involved youth likelihood of receiving subsequent referrals.



Finally, we were able to determine the seriousness of the referrals for the baseline and DSY involved youth cohorts. The data shows that DSY involved youth are a bit more likely to have subsequent referrals for crimes against the person and against property, and less likely to be referred for public order, drug and alcohol offenses, and traffic matters than the youth in the 2015 baseline.



Compliance with the Protocol

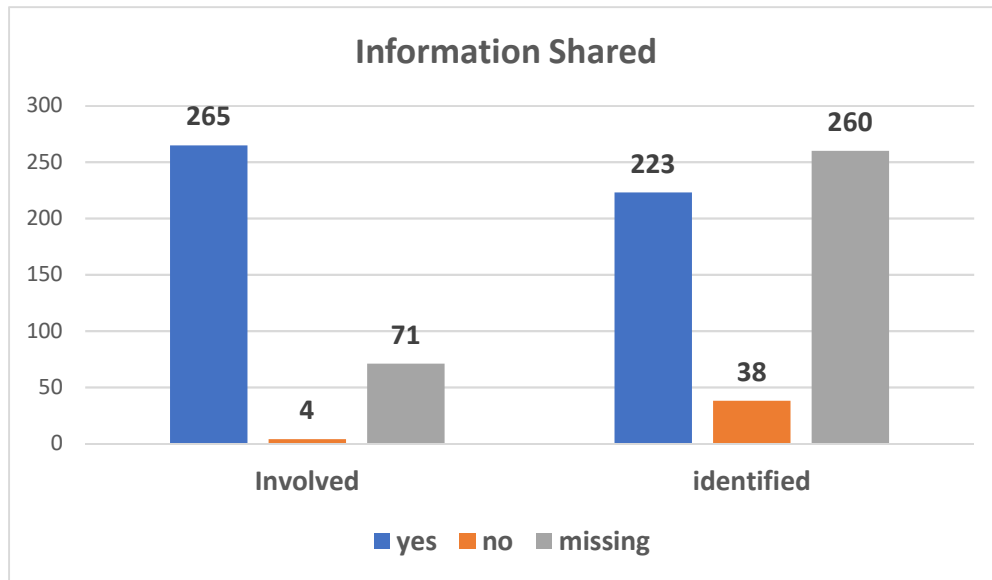
The protocol calls on social service and court staff to perform two specific tasks to achieve the objective of reducing deeper youth penetration into either or both systems – sharing information on all cases and conducting MDT/FCE meetings for cases with involved youth. The juvenile court officers are tasked with entering data into the CMS test screen, but they must obtain a good part of the information from their social service colleagues.

The information sharing requirement

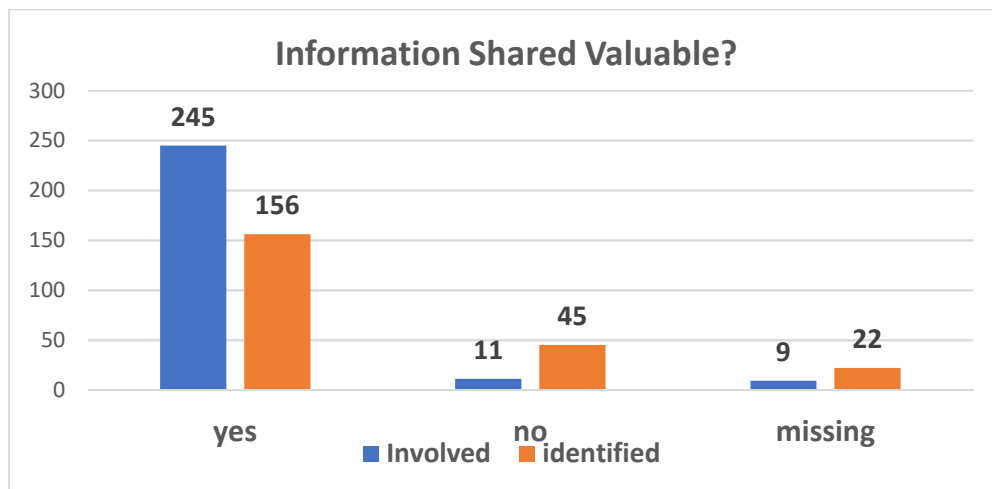
The information sharing requirement is that the unit with the new referral contact the unit with the previous referral within two days of receiving notice of the youth’s DSY status as either involved or identified. The test screen records the date contact was made, whether information was shared, and, if so, whether it proved valuable.

We have calculated whether contact was made based on whether a date of first contact was entered into the database. By that measure, contact was made in 490 of the 881 DSY cases – or 56% of the cases. This includes 86 cases in which the date contact was made predates the date of the email. Although some of those dates are questionable, we have chosen to take them as indications that the counterparts had been in previous communication about a particular case,

particularly as a result of delayed data entry into the FRAME system (as discussed earlier in the section on limitations of the data). By this measure, contact was made in 265 of the 340 involved cases (81%) and in 223 of the 541 identified cases (40%). Combined, contact was made in 56% of the DSY cases. There is a good deal of missing data (neither “yes” data was shared or “no” data was not shared). Data is missing for 21% of the involved youth and for 46% of the identified youth. This information is shown in the next table.



When information was shared was it of value to the receiving party? This information was not provided for 3% of involved cases (and in 10% of identified cases) in which information was reported to have been shared. For the cases for which information was provided, the participants reported that the information was valuable in 96% of the involved cases and in 78% of the identified cases.



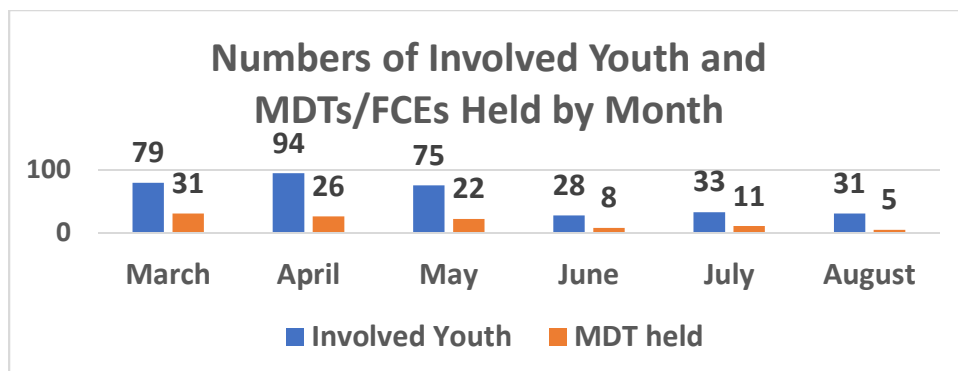
Because of limitations in the data, we have not been able to analyze whether information sharing took place within the timeframe specified in the protocol.

Multidisciplinary Team Meetings (MDTs and FCEs)

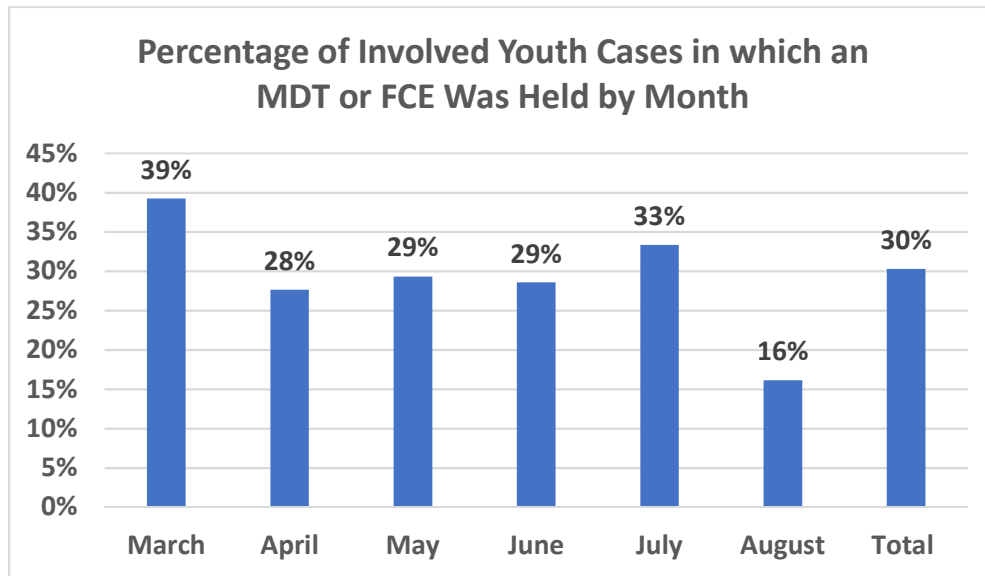
The DSY protocol calls for the courts and social services to conduct a Multi Disciplinary Team meetings (MDT) for every case with an Involved Youth. The meeting is to be arranged by the unit with the most significant contact with the youth. It is to include the youth (depending on the youth’s age), parents, guardians, or other family members, representatives of the court and social services, a foster parent or representative of another out of home placement, and treatment professionals who have been involved with the youth. The protocol contains a detailed outline of the MDT process.

If the county is covered by the North Dakota Family Centered Engagement (FCE) program, an FCE can be held instead of an MDT. The only significant difference between the two processes is that an FCE is arranged and conducted by a neutral third party employed by and trained by a statewide contractor called The Village. By the terms of the state contract, an FCE cannot be conducted unless a parent participates nor may an FCE be held after a child enters foster care. Counties in which the program has been deployed are allotted a certain number of FCEs per month. For the most part, these available “slots” have not been fully utilized by North Dakota counties. When FCEs may not be used because of the restrictions in the state contract, an MDT can be held.

Compliance with the protocol’s MDT/FCE requirement has been a problematic part of the initiative from its inception. The next chart shows the percentage of involved youth cases in which the protocol requirement of an MDT or FCE was held over the first six months of the initiative. Greacen Associates has used the entry of an MDT date in the DSY database as evidence that an MDT or FCE was held, unless there is also a reason given for not holding an MDT. For the first six months of the initiative, MDTs or FCEs were held in 103 of the 340 cases with involved youth.



The second chart shows the percentage of involved youth cases in which an MDT/FCE was held for each of the first six months. The percentage of cases in which the protocol's MDT requirement was held has varied from a high of 39% in March to a low of 16% in August. The average compliance rate over the first six months was 30%. There has not been a marked trend in the MDT/FCE rate, other than the March data showing the highest compliance and the August data showing the lowest.



Greacen Associates provided interim reports on MDT/FCE compliance for each two month period as the initiative's implementation progressed. Those reports showed a lower compliance rate, with a gradual improvement over time – statewide compliance increasing from 15% to 20% to 28%, with a six month average of 19%. Since those reports were prepared, the MDT/FCE data in the DSY database has been updated to show greater compliance. We believe that the updating was the result of the interim reports and Greacen Associates' presentation of the negative findings to various groups of professionals around the state. A general reaction to the interim reports was that they did not reflect the full extent of MDT/FCE completion; participants in those meetings stated their intention to review their data submissions to make sure that their counties received credit for all MDT/FCEs that had been conducted. We suggest that the low participation for August is attributable to the lack of time by the end of August to conduct MDT/FCEs in all of the new DSY cases identified during that month and the lack of time to report on all MDT/FCEs actually conducted.

We have reason to believe that the MDT/FCE requirement, although laid out clearly in the protocol and in the online training,⁶ is not fully understood in the field. This was the feedback we obtained from both the online survey and from regional feedback sessions conducted in July. It is also supported by entries in the DSY spreadsheet for the “reason that an MDT/FCE was not held.” For the 237 involved youth cases in which MDT/FCEs were not held, the database contains 201 reasons for not holding an MDT. No reason was given for the other 18% of these situations. From the standpoint of the DSY staff, 11 (6%) of the reasons that were given are sufficient, 89 (44%) are insufficient, and the sufficiency of the remaining 101 (50%) is unclear. Greacen Associates grouped the 201 reasons into general categories of reasons given. This is the staff’s assessment of each reason given:

Sufficient:

- Attempt to set up MDT/FCE not successful (*this would be sufficient –assuming the parents are not returning calls, etc.*)
- Meeting held recently, no need to change treatment
- Youth moved or moving to another state

Insufficient:

- No services required; SS case closed (*The guidance in the training is that an MDT/FCE should be held even if the case has been closed or is about to be closed by either social services or the court.*)
- Youth taken into detention/DJS assessment
- Removal from home initiated by SS
- SS already put in placement (apparently as a result of this referral)
- “Other”
- Law enforcement involved
- SS forgot to invite JC
- SS refused/did not think MDT necessary
- Juvenile within weeks or months of turning 18 (*They are not 18 yet. Very important to reach them while we can!*)
- JC already diverted (*This is listed in the protocol as a reason TO hold a meeting.*)
- Already in placement or custody in one system with the other system agreeing to divert or No Services Required (*Same as above.*)

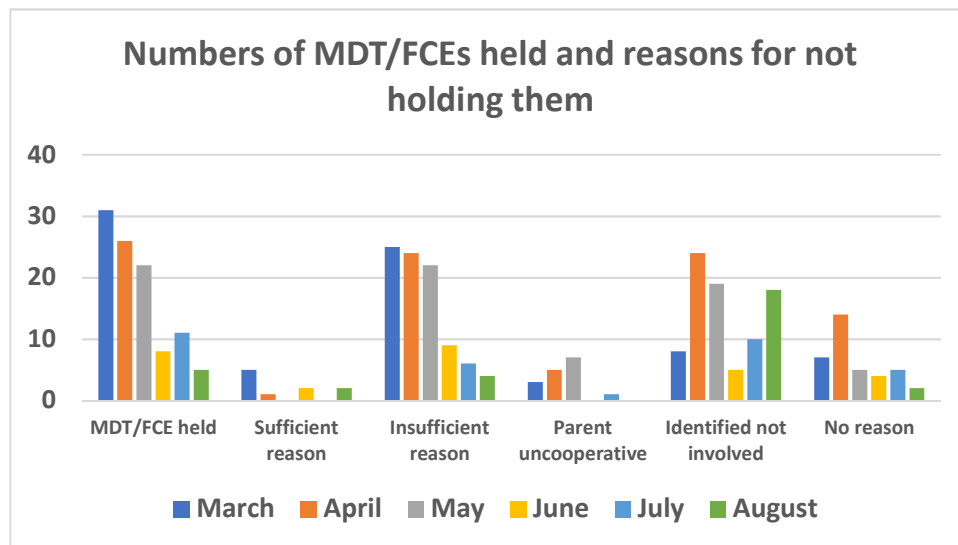
⁶ There is one area in which the protocol itself is not completely clear and that is the time period within which an MDT must be held. If it is to be held before a court hearing in the case, there are a number of requirements for speedy hearings in cases in which a youth is held in custody or an emergency out of home placement which require very quick planning for and conducting of an MDT/FCE.

- Youth receiving services from a private provider at family expense (*An MDT could still be beneficial.*)
- Youth pending adjudication and parents pending criminal prosecution
- Youth denies charge; referred to State’s Attorney for review (*Meeting is not about the charge – admit or denied.*)
- State’s Attorney declined to pursue

Sufficiency Unclear:

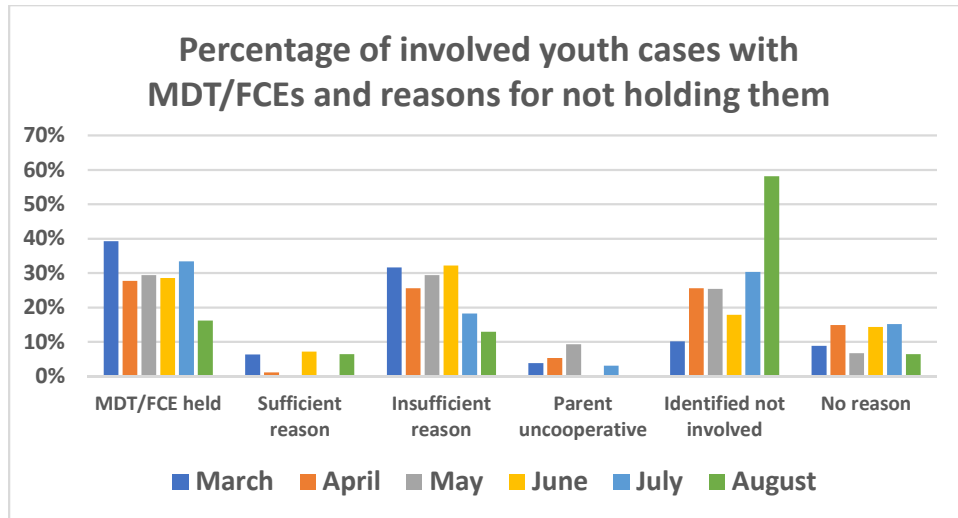
- Parent/family refused to participate/cooperate (*According to the training – if any party still wants to meet a meeting is held, however, an FCE way not be held if the parent(s) refuse to cooperate.*)
- Youth not the subject of the referral (*The MDT is about the family, not the specific youth.*)⁷
- Identified not involved — (*Because of how data is pulled sometimes systems have a different interpretation and it’s hard for us to determine whether this is accurate.*)

The data concerning the reasons given for not holding an MDT/FCE is shown in the following graph. The frequency of insufficient reasons and reasons with unclear sufficiency fell significantly over the course of the first six months, suggesting that clarity concerning the MDT /FCE requirement increased as the initiative progressed.



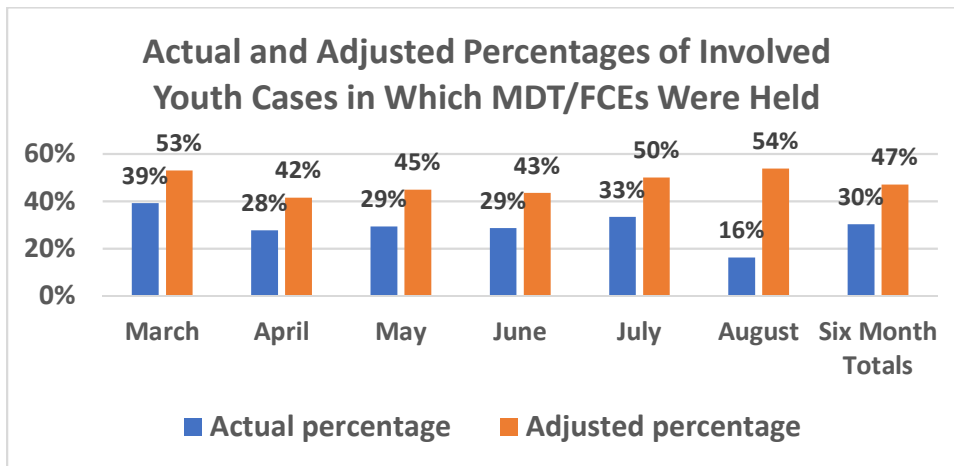
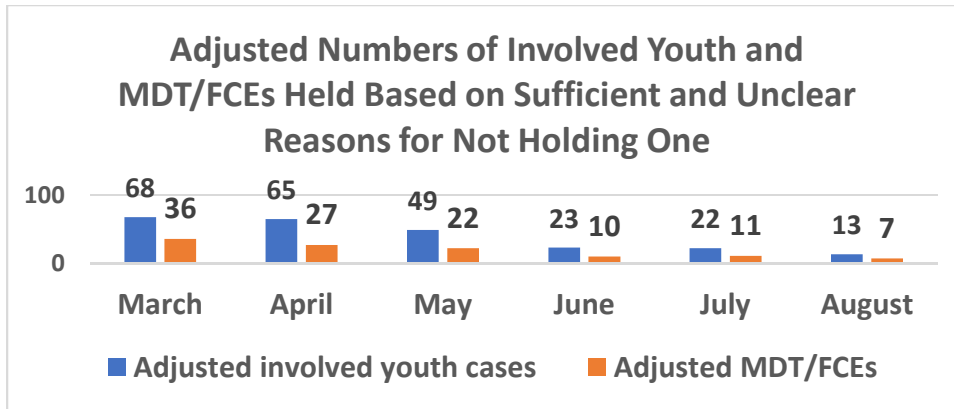
⁷ For purposes of analyses reported later in this report, this category of reasons of unclear sufficiency is combined within the “identified not involved” category. Both deal with the characteristics of the referred youth.

Since the total number of new involved youth cases also fell sharply from the first three months to the last three months, the next chart may provide more useful information – the percentage of involved cases that included an MDT/FCE or a reason why one was not held.



This perspective confirms the decreasing rate of insufficient answers over the course of the initiative, but shows a very high rate of the unclear “identified not involved” reason for August. This may be due to the short period time available to staff to hold and to provide information about MDT/FCEs before the close of data entry into the spreadsheet on the last day of August. The number of “identified not involved” answers is high, but its unusually high percentage is the result of very low numbers in most of the other categories.

If the data on MDT/FCE compliance is adjusted to consider that MDTs were held in the 11 cases in which sufficient reasons were given for not holding one, and the 101 cases in which the sufficiency of the reasons given could not be determined are removed from the analysis (because the meetings may or may not have been needed), the overall rate of compliance with the MDT/FCE requirement goes up appreciably, as shown in the following two charts. For the first six months, the compliance rate goes up from 30% to 47%. Even with this adjustment, MDT/FCEs are still being held in fewer than half the cases for which they are required by the protocol.



MDT/FCEs were held in an additional 21 cases of identified, rather than involved, youth. The protocol does not require MDT/FCEs to be held for identified youth. These identified youth MDT/FCEs were more likely to have taken place early in the initiative; 7 were held for March cases, 4 for April cases, 2 for May cases, 4 for June cases, 3 for July cases and 1 for an August case. These MDT/FCEs were unusual in two ways – 6 of them occurred prior to the email date and 7 of them were held one or two months after the email dates. This suggests that a majority of these identified youth case MDT/FCEs were held not because of the referral that brought them into the DSY initiative but because of a prior or subsequent referral.

Compliance with the MDT/FCE requirement varies widely from county to county. The table below shows the counties that have participated in the MDT/FCE process, the number of involved cases they have had, the number and percentage of cases in which they have conducted MDTs or FCEs, the numbers of sufficient, insufficient, and ambiguous reasons they gave for not holding an MDT/FCE, and the adjusted percentage produced by considering the information about the reasons given. Stark County has the highest compliance rate – at 73% or 80% with the adjusted rate. Five counties have participation rates of 50% or greater— eight

when the adjusted rate is used. None of North Dakota’s largest counties reach the 50% level, although Burleigh County (Bismarck) reaches 60% when the adjusted rate is used.

MDT/FCE Participation by County – March – August 2019

	Involved	Held	Sufficient Reason	Insufficient Reason	Parent refused	Identified not involved	No reason	%	Adjusted %
Stark	22	16	0	4	0	2	0	73%	80%
Barnes	7	4	0	1	0	2	0	57%	80%
Morton	19	10	1	5	0	2	1	53%	65%
Dunn	2	1	0	0	0	1	0	50%	100%
Walsh	4	2	0	2	0	0	0	50%	50%
Stutsman	14	6	0	2	3	2	0	43%	67%
Grand Forks	51	19	2	15	2	8	5	37%	51%
Burleigh	42	14	4	10	2	10	2	33%	60%
Cass	68	19	2	29	3	6	10	28%	38%
Rolette	4	1	0	0	0	3	0	25%	100%
Williams	24	5	0	4	0	13	2	21%	45%
Ramsey	13	2	0	0	2	6	3	15%	40%
Ward	29	4	0	6	5	4	10	14%	20%

Fifteen counties have not yet participated in this aspect of the DSJ initiative even though they have had involved youth cases.

MDT/FCE Non-participation by County – March – August 2019

	Involved	Held	Sufficient Reason	Insufficient Reason	Parent refused	Identified not involved	No reason	%	Adjusted %
Richland	8	0	1	3	0	3	1	0%	20%
Benson	6	0	0	0	0	5	1	0%	0%
Trail	4	0	0	1	0	3	0	0%	0%
Griggs	3	0	0	2	0	1	0	0%	0%
McKenzie	3	0	0	0	0	3	0	0%	0%
McLean	3	0	0	0	0	3	0	0%	0%
Nelson	3	0	1	1	1	0	0	0%	50%
Foster	2	0	0	1	0	1	0	0%	0%
Sargent	2	0	0	1	0	0	1	0%	0%
Divide	1	0	0	0	0	1	0	0%	0%
Pembina	2	0	0	1	0	1	0	0%	0%
Grant	1	0	0	1	0	0	0	0%	0%
Mountrail	1	0	0	0	0	1	0	0%	0%
Sioux	1	0	0	0	0	1	0	0%	0%
Towner	1	0	0	0	1	0	0	0%	0%

The 21 MDT/FCEs held in cases involving identified, rather than involved, youth took place in 14 different counties: Grand Forks (5); Barnes, Burleigh, and Cass (2 each), and Adams, Logan, McKenzie, Morton, Pembina, Ramsey, Ransom, Rolette, Stark, and Stutsman (1 each). Pembina and McKenzie Counties are included within the table of counties that have not held any MDT/FCEs for involved youth.

The initiative collected feedback questionnaires from parents/guardians/family members of DSY youth who participated in MDTs. Seventy-eight questionnaires were completed⁸ during the first six months of the initiative. Participants were asked to indicate their agreement with a series of statements on a scale of 1 to 5, with 5 being the highest score. The questions addressed whether the time and place of the meeting were convenient, whether the process was explained clearly, whether s/he had an opportunity to express her/his point of view, whether it was taken seriously, whether s/he was treated with respect, whether her/his role was taken seriously, and whether s/he would recommend that other parents participate in this process. The average scores were exceptionally high, averaging from 4.5 to 4.7 for every statement.

This is the strongest possible indication that the MDTs that have been held have been productive, well-received, and worth the time of court and social service personnel invested in them.

Feedback from judges

The DSY Initiative staff sent an online questionnaire to 78 judges and magistrates who handle juvenile cases. Twelve responded – a 21% response rate. That response is not sufficient to serve as a basis for conclusions or actions by the DSY Initiative Executive Committee. Almost all of the judicial officers who responded agreed on a few items – that they are aware of the Initiative, support its aims, and believe that it is important for North Dakota that it succeed. None of them reported that they inquired at the time of a hearing whether an MDT/FCE had been held or what recommendations came from it. Some but not all reported that they were aware of the DSY status of youth appearing before them. All believe more training for judges would be useful.

⁸ There were 103 MDT/FCEs conducted. Questionnaires were completed in 76% of these cases – a high response rate, especially considering that we do not know if they were used by the FCE facilitators.

Feedback from court and social services personnel

The initiative received organized feedback from court and social services personnel through two processes. An online survey, similar to the one sent to all judges and magistrates, went out to all social service and court staff who have been involved in DSY cases. During the second week of July the staff, the chair of the Executive Committee, and the consultant met face to face with court and social services personnel in Jamestown, Fargo, Grand Forks, Devils Lake, Bismarck, Dickinson, Williston, and Minot. These meetings were organized by the local Juvenile Court Officer. Staff from nearby counties were invited and a number of them attended.

Survey results

The number of responses from this group – 125 completed surveys from 102 social services staff and 23 from court staff – was higher than that of the judges.⁹ The way the data was recorded does not allow us to differentiate the responses from social services and court staff.

84% agreed or strongly agreed that they are well aware of the DSY initiative. 70% similarly reported that they had received training on the initiative but only 54% reported that the training had provided them with the information. and only 45% with the skills, needed to implement the protocol. 54% reported that they are familiar with the protocol and understand how it affects their day-to-day work. Like the judges, 70% and 67% respectively believe that the DSY initiative is important for the welfare of DSY youth and for the welfare of North Dakotans.

Only 16% of the respondents agreed or strongly agreed that the protocol is working well. 27% disagreed or disagreed strongly. 57% were neutral. The respondents were a bit more positive about the performance of their counterparts in the system: 40% agreed or agreed strongly that they were fulfilling their obligations; 18% disagreed; 42% were neutral.

74% agreed or strongly agreed that the protocol takes more time, but 36% agreed that the positive results were worth the additional time. 9% disagreed and 55% were neutral on the question of the tradeoff between extra effort and positive results.

55% expressed the view that they could use more training on the initiative and the protocol; 20% disagreed; 25% were neutral.

⁹ We have not computed a response rate because we do not know how many court and social services staff were sent emails inviting them to complete the Survey Monkey questionnaire.

84% estimated that they spend from 1 to 4 hours a week on the DSY initiative; 11% estimated their time at 5 to 8 hours per week. 1% believe they are spending 20 or more hours a week on this work.

The survey respondents were given two opportunities to provide answers to open-ended questions. The first asked for suggestions for improving the DSY protocol. The second asked what additional resources are needed for the initiative to be effective.

In order of the frequency with which they were suggested, here is a brief summary of the feedback on the protocol:

- Untimely notification – no services required has already been decided by the time that we know that the case is an involved or identified DSY case
- The look back period for the data report is too long – 10 years is too long. FRAME data 10 years old is not accurate. Three years would be sufficient.
- Unrealistic timelines for holding MDT/FCEs
- Confusion about when MDT required – develop a “hard card” for social service and court staff. Provide more training. Designate primary contacts in every unit responsible for making and following up on MDT decisions.
- Include The Village on emails where FCEs are currently available
- There is just too much going on in Social Services for this initiative to get the attention it needs to succeed.

The input on the issue of additional resources needed is presented in a similar fashion, with resources directly associated with the DSY initiative listed before resources generally needed for DSY youth.

- Statewide implementation of FCE
- More training, to be conducted jointly by SS and JC
- Sufficient staff to allow for dedicated MDT coordinators
- More services for rural youth, including transportation
- More drug and alcohol treatment
- More mental health, individual and family therapy

- More emergency placements
- Day and night care services for working parents
- More staff, including law enforcement
- Minority group outreach, esp. Native American
- IT to integrate our automated systems
- A new agency to do this

Feedback from regional meetings

The overall tone of the regional feedback meetings was positive – widespread support for the purpose of the initiative and appreciation for the accomplishments to date. The discussions focused on four topics – the DSY website, the DSY youth identification and notification processes, information exchange practices at the local level, and the conduct and utility of MDT/FCEs.

The Website. Participants urged the addition of several resources to the DSY website: the data sharing MOU, which also contains the authorization to share confidential information; the FCE/MDT forms and checklists; the MDT parent satisfaction data; and quarterly reports on DSY performance data. One of the staff prepared a Question and Answer resource based on the issues raised during the feedback session; this will also be a valuable addition to the website.

DSY youth identification and notification processes. There was considerable discussion of the definitions of involved and identified youth. These designations are made at the time of the weekly referral process; staff in the field should not alter them. There is widespread sentiment that a ten year lookback period in FRAME is too long. Although it is not implemented, the state has an expungement policy for older FRAME data. That policy reflects the lack of utility of out of date FRAME information. Experience to date shows that older social service case information is not available due to the retirement or transfer of case workers and the retirement of files. Two or three years look back should be sufficient.¹⁰

There was discussion about the feasibility of sending emails more frequently than biweekly in order to reduce the frequency of social services closing newly referred cases before they know

¹⁰ The Executive Committee in September asked the North Dakota Department of Human Services to reduce the FRAME lookback to five years. They agreed to implement the change..

that they concern DSY youth. A number of participants urged that the courts be given direct access to the FRAME system.

An issue that the initiative needs to monitor is whether the social service Redesign process will create problems in identifying the appropriate social services unit or individual to whom to send the initial email. So long as social services are organized on a county level, identifying the correct recipient is obvious. When they are organized regionally, it may become more involved.

Communications between court and social service staff at the local level. One of the challenges of the DSY initiative has been to break down the historic separation of juvenile court and social services staff. The feedback session participants reported considerable progress, with phone and face to face communications working better than email. Staff in rural counties appear to have fewer hurdles to overcome in this regard than those in urban areas. Where juvenile court staff took the lead in establishing lines of communication, the results were positive. There remain questions about the timeliness requirements for these communications.

One area in which communication has not been effective is with the State's Attorney. The prosecutors are not included on the weekly emails. They are not able to view the DSY flag in the Odyssey case management system. The judicial "hard cards" have been provided to the chair of the State's Attorney's association, but they have not been distributed. At this point, the juvenile court officer is responsible for informing the prosecutor of a youth's DSY status.

MDT/FCEs. Where FCEs are available, they are not fully utilized. Where they are not available, the feedback session participants strongly seek them. Having a trained neutral facilitator would take the burden off staff to arrange and facilitate these meetings. There are reports that FCEs will only be conducted before a placement decision has been made and will only be provided once in a case. MDTs have proved useful and effective, but some counties find it hard to find the staff time to schedule and conduct them. Some areas are having trouble holding MDTs before the first court hearing, which in some cases must be held within the first 96 hours. Some courts schedule them more quickly. Better coordination with the court's scheduling process – or setting up an expectation that MDTs can be held the morning of the first scheduled court appearance – may alleviate this problem.