NORTH DAKOTA DUAL STATUS YOUTH INITIATIVE

FINAL REPORT

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EXECUTIVE SUMMARY

Dual status youth (DSY) are children and adolescents who come into contact with both the child welfare and juvenile justice (delinquency) systems. They may have different types of contacts or legal status within these systems, including dual identification (youth with current involvement in one system and a history of prior involvement with the other) dual involvement (concurrent involvement in both systems) or dual adjudication (concurrent legal findings regarding maltreatment and delinquency). Regardless of their formal legal status, dual status youth are among the most vulnerable and challenging populations served by public agencies.

A strong and growing body of research confirms the problems these youth face and the complex needs they present. This research suggests that dual status youth have experienced complex trauma – typically repeated or prolonged trauma within family or caregiver relationships – at significantly higher rates than other youth. Complex trauma, in turn, is associated with the types of behavioral problems that can bring children and youth into contact with delinquency systems.¹

Perhaps not surprisingly then, child maltreatment or neglect has been shown to increase likelihood of arrest as a juvenile (a 59% increase) and arrest as an adult (a 28% increase).² Maltreated children also tend to be younger at first arrest, commit more offenses and experience more frequent arrests – all factors associated with “persistence” of offending into adulthood. In the short term, dual status youth are removed from their homes more frequently than other youth, are detained more frequently and stay in detention for longer periods of time.³ Longer term outcomes related to education, employment, self-sufficiency and reliance on public systems are similarly troubling.⁴ To compound matters, child welfare and delinquency systems are typically not designed to coordinate, share relevant information, or collaborate to ensure delivery of needed services or supports to dual status youth or their families. In fact, these agencies may operate with very different or even conflicting statutory mandates, policies, funding streams, missions, cultures and resources.

Despite these troubling outcomes and very real systemic obstacles, there is reason for optimism. Dual status youth – like all children and youth – are highly responsive to therapeutic interventions, trauma-informed care and developmentally appropriate interventions. Child welfare and delinquency systems across the country have begun to collaborate to coordinate their responses to dual status youth and

families and, in doing so, to improve the services and supports available to children, youth, families and the child welfare and delinquency professionals who serve them.

It is against this backdrop that North Dakota’s child welfare and juvenile justice leaders took on the challenge of examining the state’s dual status youth data and practice, with the goal of maximizing positive outcomes for these vulnerable and challenging youth and families. To do so, the North Dakota Supreme Court, the North Dakota Department of Human Services – Children and Family Services Division (CFS), the North Dakota Department of Corrections and Rehabilitation – Division of Juvenile Services (DJS), and the North Dakota Juvenile Justice State Advisory Group forged an agreement to guide their dual status system improvement efforts and engaged the Robert F. Kennedy National Resource Center for Juvenile Justice to utilize its Framework for Dual Status Youth Reform. 5

The Framework guided North Dakota’s system leaders, staff, and community stakeholders through a four-phase process including preparation and mobilization, systemic analysis (including data collection and analysis, resource and practice analysis and policy/legal analysis), development of action strategies and planning for implementation and evaluation. A trio of committees met regularly throughout the course of a year to gather data and develop a detailed cross-system map of how each system independently interacts with dual status youth and how these systems do—and do not—coordinate those interactions. An Executive Committee comprised of key system leaders, stakeholders, and constituents managed the work of the committees, identified desired outcomes, and developed action strategies to address gaps in dual status policy or practice.

Several important findings have emerged from North Dakota’s analysis of data regarding the state’s dual status youth including:

- North Dakota’s dual status youth are young; in the sample accessed, 76% were 14 years old or younger upon first arrest.
- A significant number of these youth were in out of home placement or facilities at the time of arrest (17%). A significant number of the charges (38%) arose in school settings.
- Behavioral health concerns are prevalent among these youth and their families - 62% of DSY cases had substance abuse as a parental need; 30% of these parents had kids with an identified drug and alcohol need as well.
- 69% of dual status youth had parents who were previously arrested or had recent incarceration.
- Native American youth were significantly overrepresented in this population, confirming a need for collaboration to address these disparities.

In examining the systems serving these youth and the current policies and practices affecting dual status youth, the North Dakota team made several key findings, including:

- In general (and like many states), North Dakota’s data systems don’t “talk” to one another, creating challenges in identifying dual status youth and obstacles to sharing relevant information.
- Some community members and practitioners believe that youth have to be “charged” in order to access services and/or that juvenile justice system involvement opens up access to more services or creates more leverage with families and youth to access these services.
- At the same time, there are widespread concerns about a lack of resources (especially behavioral health services) in many areas of the state, often the most rural.
- Out of home placement may be overused sometimes due to an immediate need to resolve a crisis and a lack of alternate resources. Placements may be made on the availability of “an open bed” and not well-suited to youth/family needs. In particular, it can be very difficult for North Dakota practitioners to find treatment placements for high need youth, and foster home placements are generally lacking.
- At times one system may refrain from becoming involved with a youth or family because practitioners see that the other system is already involved. There can be a tendency to battle over who has to serve the youth.

Based upon these findings, North Dakota’s Dual Status Youth Initiative generated a set of policy and practice recommendations. Recommended policy and practice changes include:

- Implementation of a protocol to ensure reliable, early identification of dual status youth;
- Development of a multi-agency agreement or Memorandum of Understanding to facilitate necessary data and information sharing;
- Standardized, cross-system practices (including, where appropriate, Multi-Disciplinary Team Processes) to assess, plan and manage multi-system cases;
- Improved training and workforce development of child welfare and juvenile justice practitioners, as well as for related fields such as school personnel, law enforcement and school resource officers;
- Increased collaboration with tribal leadership to address Racial/Ethnic Disparities;
- Closer examination of the use of out of home placement in North Dakota and addressing factors which may give rise to any overuse/ineffective use of those costly, intense interventions;
- Closing gaps in resource availability through coordination with other legislative and executive initiatives underway in North Dakota.

These recommendations, among others, comprise a comprehensive action strategy that is detailed in the full report. Given the complexity and multi-faceted nature of many of the recommendations, the strategy is divided into three tiers: Tier One activities are those that can be accomplished more immediately, with little delay; Tier Two activities are those that are dependent on other decisions or actions occurring, but can be achieved within a relatively short timeframe; and Tier Three activities are
the most complex and wide-reaching and require ongoing and concerted efforts among systems leaders to achieve. With this structure, North Dakota has developed a blueprint for significant and meaningful reform on behalf of dual status youth.

Like their counterparts in other states, North Dakota’s dual status youth – and the child welfare, human services and juvenile justice professionals who serve them – face significant challenges. Without collaborative policies and practices as well as carefully-crafted services and supports, these children and youth can struggle to become healthy, safe and productive members of their communities. Fortunately, North Dakota has recognized these challenges and taken important steps to understand where individual and systemic strengths can be built upon and gaps in resources and information can be closed. This year-long endeavor undertaken by a wide variety of stakeholders has demonstrated a deep capacity for reflection and transformation and has produced a thoughtful strategy that complements legislative and executive priorities in North Dakota. At this important moment, and with this strategy in hand, there is tremendous potential to produce positive results for many of the most vulnerable youth and families in the state of North Dakota.
The term “dual status youth” refers to juveniles who come into contact with both the child welfare and juvenile justice systems and occupy various statuses in terms of their relationship to the two systems. For example, a youth may have an open child welfare case and have been recently arrested. Or, the youth may be on probation when his family is referred to the child welfare system. Regardless of how a youth becomes dual status, a growing body of research has consistently confirmed that, in comparison to youth without such cross-system involvement, dual status youth present a range of important challenges and experience particularly troubling outcomes. Dual status youth are likely to have experienced complex trauma; they often are placed in out of home care, with disproportionate rates of placement in congregate care; and they experience frequent placement changes, which interrupts continuity of care and the ability to form meaningful and supportive relationships. Dual status youth are more likely to be detained when they touch the juvenile justice system, and when detained, it is for longer periods of time. Dual status youth have higher rates of recidivism and worse outcomes in young adulthood related to criminal justice involvement and reliance on public systems. These distressing outcomes, which result in significant costs to systems, communities, and youth themselves, strongly suggest the need to devise and implement innovative ways to prevent and manage these difficult cases.

Recognizing these challenges, North Dakota agency and department leaders and stakeholders were compelled to act to change the trajectory for this vulnerable population of youth. These leaders, of their own volition, sought to examine current practice, learn about best practice, and alter accordingly the way in which each of their systems work – independently and together – to positively impact the youth they have in common. The North Dakota Supreme Court, the North Dakota Department of Human Services – Children and Family Services Division (CFS), the North Dakota Department of Corrections and Rehabilitation – Division of Juvenile Services (DJS), and the North Dakota Juvenile Justice State Advisory Group entered into an agreement to memorialize their commitment to work together in this endeavor (see Appendix A). The agreement is premised on the belief that multi-disciplinary coordination and integration is best accomplished through a planning process that involves a wide range of stakeholders, including agency personnel as well as family and community organization representatives. With this agreement, the State of North Dakota commenced its effort to improve outcomes for dual status youth.

THE FRAMEWORK FOR DUAL STATUS YOUTH REFORM

In launching its dual status youth efforts, North Dakota engaged the Robert F. Kennedy National Resource Center for Juvenile Justice (RFK National Resource Center) to provide technical assistance in utilizing its established Framework for Dual Status Youth Reform. The Robert F. Kennedy National Resource Center, led by the Robert F. Kennedy Children’s Action Corps, has worked for more than 15 years to provide guidance for state and local jurisdictions in their efforts to improve outcomes for dual status youth and families and to enhance system performance among the critical youth- and family-serving agency partners. This consultation work is advanced by two pioneering publications that delve
into research and best practice and provide step-by-step guidance in applying the Framework in any jurisdiction:


**Dual Status Youth – Technical Assistance Workbook.** By John A. Tuell, Jessica K. Heldman, and Janet K. Wiig (Robert F. Kennedy Children’s Actions Corps, 2013)

The Framework for Dual Status Youth Reform includes four phases of activity, listed below. The technical assistance supports each phase and is delivered over the course of 12-15 months, including 6 site visits as well as monthly conference calls with leadership and/or initiative participants.

1) Readiness & Mobilization
2) Analytical Examination, including:
   - Data Collection, Management and Performance Measurement
   - Resource and Practice Analysis
   - Legal and Policy Analysis (e.g. information sharing, confidentiality provisions)
3) Development of Action Strategy
   - Protocols
   - Policies
   - Procedures
   - Legislation
4) Implementation & Evaluation

During the first phase of Readiness and Mobilization, North Dakota established an infrastructure to execute the work of the initiative. The infrastructure included the following:

- An Executive Committee comprised of 16 key leaders, stakeholders, and constituents representing the child welfare, juvenile justice and related systems to direct the work, identify the desired outcomes, and complete the corresponding products. The work of this Committee included:
  - Detailing the process and timeline for completion of the work
  - Articulation of the goals of the initiative and identified objectives
  - Identification of the universe of issues for review (e.g. data collection, resource, legal, political, etc.)
  - Identification of individuals to provide subject matter expertise to assist in the identification of expected outcomes of the analysis (i.e., recommendations for reform or policy change)
  - Ongoing review and guidance of the work and products of the subcommittees
  - Finalization of an action strategy
• Three Subcommittees to engage in study and analysis specific to the areas highlighted above:
  o Data Collection, Management and Performance Measurement
  o Resources and Practices
  o Law, Policy and Information Sharing

The engagement of court, probation, child welfare, education and other relevant leaders, practitioners, and stakeholders through such an infrastructure is essential to developing recommendations and findings that capitalize on local expertise and seize viable opportunities for reform consistent and aligned with best practices.

During the Analytical Examination phase, the framework encouraged North Dakota to examine statewide data to determine dual status youth case prevalence and characteristics to inform the designing of appropriate interventions and the development of corresponding policy, procedure, practice, and where necessary or desired, legislative proposals. In addition to an exploration of local data, the Analytical Examination promotes an exploration of key system decision points (process mapping). These decision points may include current arrest, intake, identification of dual involvement, investigation, diversion, case planning and management, and court processing related to the treatment of the dual status youth. This analysis forms the basis for crafting recommendations for policy and practice changes that typically improve screening and assessment, case management, case planning, resource allocation, and service delivery – and provide an opportunity to positively impact multi-system youth and family outcomes.

Ultimately, the findings and recommendations generated through the Analytical Examination phase form the basis of an action strategy that details what the jurisdiction aims to achieve and how it will do so. Implementation is the final phase, where a deliberate effort to understand and incorporate principles of effective implementation and sustainability can promote meaningful and long-term success.

More than 30 jurisdictions across the nation have utilized this Framework as well as the corresponding support of RFK National Resource Center through training and technical assistance. These jurisdictions have realized substantial benefits for youth, families, and systems, including reductions in detention, formal processing, and recidivism for dual status youth. North Dakota is poised to achieve similar results and more through the application of this Framework.

BUILDING THE FOUNDATION FOR REFORM

Early in the process North Dakota participants undertook initial steps to establish an important foundation for their efforts. Part of this foundation was the desire to coordinate with and advance the strategic initiatives already put forth by the Governor. When considering dual status youth policy and practice, the Governor’s focus on Behavioral Health and Addiction, Transforming Education, Tribal Partnerships, and Reinventing Government, is informative and
Instructive. Throughout the process, these priorities were woven into discussion and action planning for the dual status youth initiative.

In addition to reflecting upon and integrating the Governor’s priorities, the leaders at the helm of the dual status youth initiative participated in several important early activities:

1. Exploring common themes for reform
2. Establishing a target population
3. Crafting goals, guiding values, and desired outcomes

EXPLORING COMMON THEMES

Through facilitated discussions with the Executive Committee and the Subcommittees, the following key themes and priorities emerged to guide reform efforts:

- Ensuring early identification of youth needs and better matching of services to these needs.
- Developing mechanisms to share information consistently and in a timely fashion among system partners.
- Ensuring access to services across the state, including developing ample mental health and substance abuse services as well as appropriate placements for youth in foster care.
- Focusing on effectively engaging the family and treating the needs of the whole family.
- Focusing on the best interest of the child rather than his or her status as deprived or delinquent.
- Breaking down silos when multiple systems are involved and ensuring that best practices infiltrate all levels of the agencies, so that policies and practices benefit all youth, families and practitioners.
- Developing a statewide approach to system integration and practice with dual status youth instead of localized or patchwork practices.
- Avoiding the criminalization of behavioral health issues. Instead, increase awareness within agencies regarding the unique challenges and needs of dual status youth and the value of individualized plans for each child.
- Making better connections for youth within their communities and ensuring ongoing and extended support is available to foster youth.
These themes emerged continually and from a wide variety of individuals throughout the process. They served as touchstones, ensuring that emerging ideas and strategies comported with the original vision and priorities underlying the initiative.

ESTABLISHING A TARGET POPULATION

Another critical foundational activity is the selection of a target population. As noted above, dual status youth comprise a number of different statuses in relation to their child welfare and juvenile justice system involvement. Each jurisdiction must consider which specific subset of youth it seeks to impact in order to: 1) provide clarity to policy makers and practitioners; 2) ensure focus on the youth with the greatest need or opportunity for positive impact; and 3) assess whether developing strategies are feasible and likely to be effective. The Executive Committee first determined that youth with a “services required” finding in the child welfare system and a concurrent referral in the juvenile justice system comprised an essential population on which to focus. In addition, the Executive Committee expressed a deep interest in the population of youth who have an “open assessment” in child welfare, meaning that the youth has come to the attention of CFS but has not yet had a “services required” finding. This is a cohort that is of great importance when attempting to establish opportunities for early intervention. It was determined that this population of youth would likely benefit from some level of enhanced practice. Therefore, the target population selected for the Dual Status Youth Initiative became the following:

Youth with an “open assessment” or “services required” finding and an unruly/delinquent referral.

CRAFTING GOALS, GUIDING VALUES, AND DESIRED OUTCOMES

The Executive Committee was charged with developing a set of goals, values and desired outcomes to guide the work of the Initiative. Over the course of the process, Executive Committee members drafted two documents outlining these components. The documents were shared with Subcommittees and were incorporated into presentations to state legislators and the Lt. Governor and Chief Counsel. The documents can be found in Appendices B & C.
FINDINGS AND RECOMMENDATIONS

The Subcommittees, named above, engaged in extensive efforts to compile and analyze information, generate findings, and craft recommendations for the Action Strategy. To support these efforts, participants undertook a qualitative review to ensure that a variety of stakeholders from across the state were able to provide their insights and suggestions for reform. This qualitative research consisted of onsite discussion with a focus group of multi-system agency and service provider representatives as well as a statewide survey provided to a wide range of personnel working in relevant youth-serving systems. Particular areas of concern/opportunity that emerged from qualitative review include:

- The challenge of data and information sharing. In general, North Dakota data systems don’t “talk” to one another, resulting in the lack of a routine method for identifying DSY. Information sharing is primarily guided by “gut feelings” rather than policy or procedure, often resulting in either an oversharing or undersharing of information.

- There is a concern that systems operate with a belief that youth have to be charged in order to access services. This concern is closely connected to a nearly universal concern that there is a severe lack of resources (especially behavioral health services) in many areas of the state, often the most rural. In addition, there is a common belief that the juvenile justice system has access to more services and can force compliance where other systems cannot.

- Two issues were raised regarding placements: 1) certain placements can be overused due to the need for a short-term solution to an immediate crisis; and 2) when placement is used, it is not matched well to the youth/family needs or location, but is selected instead because it is simply vacant. In particular, it can be very difficult to find treatment placements for high need youth, and foster home placements are generally lacking.

- At times one system may refrain from becoming involved with a youth or family because they see that the other system is already involved. There can be a tendency to battle over who has to serve the youth.

- At times, community providers will choose not to work with families that have been chronically involved with the systems.

- Multi-disciplinary Team meetings (MDTs) – the practice of bringing together the various professionals involved with youth and families across systems - can be valuable but are not necessary or effective for all youth. There should be set criteria for who has an MDT in order to avoid net-widening (bringing youth into systems who wouldn’t otherwise be involved) and to target scarce resources.
• Where collaboration is routine and meaningful it is happening not because of a standard protocol, but as a result of personal relationships and informal methods of communication. This lack of formal and standardized methods of communication results in families being confused or overwhelmed with dual system involvement.

• Survey respondents indicated, with consistency, that family engagement is a strong component of policy and agency practice.

A full summary of survey results can be found in Appendix F. Building off of the foundational work as well as the qualitative review findings, each Subcommittee examined particular topics critical to DSY reform and generated findings and recommendations to inform the development of the final action strategy. Below is a summary of the work of each Subcommittee and the resulting findings and recommendations.

**DATA SUBCOMMITTEE**

The Data Subcommittee began its work by gathering data to help stakeholders understand the prevalence and characteristics of recent dually-involved youth and families. The Data Subcommittee considered what was and was not feasible regarding collecting and analyzing such retrospective data. Following that analysis, retrospective data regarding prevalence and characteristics of North Dakota dual status youth with a referral to juvenile court as well as a “services required” finding in 2015 was collected and reported to the Executive Committee and Subcommittee members. This is a challenging process in almost any jurisdictions. It is the rare jurisdiction that has established the ability to identify and collect data on its dual status youth population, much less the ability to analyze that information and use it meaningfully. The Data Subcommittee in North Dakota achieved the remarkable feat of collecting extensive data early in the initiative’s process in order to inform all efforts going forward.

The full report on DSY retrospective data (from FFY 2015) can be found in Appendix G. Highlighted findings and corresponding opportunities include:

• Young Age - 76% were 14 or under at first offense
  ✓ Opportunity/need to intervene early

• High number of DSY in residential group homes or facilities compared to non-DSY
  ✓ Costly interventions/treatment

• Location of the charges - 38% of the charges come from schools; 17% occur in facilities
  ✓ Opportunity to look at procedures for handling behavior issues and the role of law enforcement. State policies regarding runaways are not consistent and facilities may be calling law enforcement too quickly.
• Behavioral health concerns are prevalent among these youth and their families - 62% of DSY cases had substance abuse as a parental need; 30% of kids had substance abuse in their own need profile; 30% had drug and alcohol need within the same family unit.  
  ✓ Opportunity to address the lack of behavioral health services in some areas

• 69% of kids had parents who were previously arrested or had recent incarceration  
  ✓ Opportunity to design early identification and intervention strategies for this population

• Over-representation of Native American youth in this population  
  ✓ Collaboration needed to address disproportionality

This data provided the necessary information to guide conversations among the Executive Committee, the Subcommittees, legislative representatives, representatives from the Governor’s Office, and agency leadership as they worked to identify priority areas for policy and practice development.

The Subcommittee was also charged with exploring the potential for obtaining data and information in an ongoing manner to meet the long-term goals and objectives of the Dual Status Youth Initiative. Given the limitations of the various data systems involved in the initiative, the Subcommittee confronted – and continues to confront - numerous challenges in working to develop a routine process for identifying, tracking, and reporting important data. Through this process, the Subcommittee developed a set of recommendations designed to support data efforts going forward:

• Ensure that the definition of DSY is clear, including specific inclusion and exclusion criteria (i.e. when does a DSY “stop” being a DSY?)

• Identification of the target population should happen routinely as a result of either an automated process or a manual process (i.e. a Cognos report sent twice per week to the Juvenile Court from the child welfare data system [FRAME]) if an automated process is not feasible.)

• Outcome tracking of DSY should focus on specific elements that are relevant, available and achievable. Priority outcomes include:
  o Decrease in the number of DSY who experience a new unruly or delinquent offense
  o Improved educational performance
  o Increased development of social competencies
  o Increase stability in home or placement
  o Improve family functioning

• Ongoing reporting should occur:
  o Quarterly - reporting the data that is most feasible to obtain through automated methods
  o Every 6 months – reporting outcomes of the existing FFY 2015 cohort
  o Annually – trend analysis report for publication
• Long-term tracking needs must be identified
  o Consider the use of a statewide data tracking sheet; however, it is recognized that consistency in data collection is suspected to be an issue.
  o Determine whether the existing FFY 2015 cohort should continue to be tracked, specifically to look at outcomes of youth who have “closed” their case v. kids who are still engaged?

• Identify necessary training for policy/protocol implementation
  o General training on DSY as well as on the process of identification; if a tracking form is utilized, there will need to be training on how to use the form and where to submit it.

• Identify a small group (subgroup) to continue managing the data work related to the DSY initiative.
  o This group will continue to meet monthly to continue momentum and will work as part of the Implementation Team

The above recommendations have been incorporated into the action strategy and its tiered approach. With the tremendous efforts of this Data Subcommittee, North Dakota will continue to achieve meaningful data collection and analysis to guide and support the development and implementation of effective policy, protocols, and practices.

PRACTICES AND RESOURCES SUBCOMMITTEE

The Practices and Resources Subcommittee was charged with examining the processes and practices of both the juvenile justice and child welfare systems, identifying key decision points within the case flow processes to establish opportunities to coordinate and collaborate on behalf of DSY. This process is critical because, due to the siloed nature of the systems, individuals tend to understand their own role and system relatively well, but may not have a reason or opportunity to understand how the systems as a whole function, how their decisions affect practitioners and youth / families at other stages of the process, and how families experience contacts with these systems. In addition, this Subcommittee led the effort to inventory screening and assessment tools, as well as available and utilized resources, and considered where there are opportunities to streamline these processes and services and where there are gaps to fill.

Highlighted findings resulting from process mapping and discussion include:

• There is a great deal of local variation in practice and resource access. Collaboration does happen in many instances, but it is on an informal and inconsistent basis and is often driven by relationships or habits. When collaboration does occur, it often happens for a particular event and then the professionals “retreat back to their silos.”
• Juvenile Court Officers (JCOs) are currently able to determine whether a youth has ever had a services required finding (SRF) with Children and Family Services. However, there is no record of an assessment that did not result in an SRF or if there is an assessment pending. It would be helpful to know of an open assessment to both notify CPS as well as identify any issues that may be relevant to juvenile court processing and decision-making. It would also be helpful for the JCOs to know of the family’s current or prior engagement with services, in order to avoid duplication or gaps in services.

• For DSY, there is a need to ensure an opportunity to identify community supports for families regardless of whether a services required finding is made. Often the circumstances that result in a youth becoming a DSY are related primarily to unmet mental health or behavioral health needs.

• Arrested/detained/juvenile justice-placed youth whose parents refuse to take them home after release is a situation that occurs with some frequency in North Dakota.

• There is a pattern of youth who are voluntarily placed in group care by their parents being more likely to be arrested and have placement terminated than youth who are placed by CPS or DJS.

• DSY would benefit from multi-disciplinary teaming in a number of circumstances; there is a need to establish criteria indicating which identified DSY should have an MDT to prevent net-widening and ensure a focus on higher risk or needs youth and families.

• There are existing models for multidisciplinary teaming in the State of North Dakota. For example, if a youth is removed from his or her home, a Child and Family Team Meeting is scheduled. It must be held within 30 days of removal as well as at regular intervals. There is a need for similar meetings to be held earlier – before the placement decision is made. To that end, some counties hold Family Team meetings early in the CPS process, as well as within the juvenile justice process, however this is not standardized practice and even counties that have employed this practice have had to adapt it or discontinue it due to the conclusion of the formal pilot and therefore the discontinuation of funding for the program. As of the writing of this report, North Dakota is beginning a roll-out of Family Centered Engagement (FCE) practices that are likely to align well with the desired goal of early MDTs for DSY.

Upon completion of the study and analysis phase, the Practices and Resources Subcommittee developed a number of recommendations to inform the action strategy.

• Definitions of terms used within the dual status youth target population description and the developing protocol/practices should be standardized. These include the terms Active Involvement, Previous Involvement, Open Assessment, and Services Required.

• Routine identification of DSY should occur through either an automated or a manual process, if an automated process is not feasible. The manual process would involve receipt by the Juvenile
Court of an automated report (Cognos report) generated by CPS 2 times per week. The Juvenile Court would then enter the youth’s information so a record is created in CMS for current and future reference.

- DSY cases should be flagged and should receive a priority response from the juvenile court.

- The Juvenile Court and Social Services should exchange information about a dual status youth early in the process in order to inform the decisions and recommendations being made within both the Juvenile Court and CPS/CFS Case Management.

- Multi-disciplinary Team (MDT) meetings should be required for the following:
  - When there is an open active case in both systems (e.g. CPS and intake; CPS and supervision; case management and intake; case management and supervision)
  - When there is a youth in detention or another placement who refuses to go home, or the parents will not take him or her home.

- MDT meetings in other circumstances are discretionary. They should be held whenever the social worker and court officer feels it will be beneficial to the youth and/or family’s success.

- MDT meetings should be facilitated by a neutral party, such as the facilitators used in the Family Centered Engagement practice.

- The development of a statewide resources guide would be extremely valuable. Within such a guide should be clarification regarding criteria for certain services.

These thoughtful recommendations are incorporated into the tiered approach in the action strategy section below. In addition, to support the implementation of these recommendations, a draft protocol template for DSY practice was developed by RFK and refined by the Subcommittee. That document is included in this report as Appendix E.

**LEGAL SUBCOMMITTEE**

The Law, Policy and Information Sharing Subcommittee explored why – based on law and policy – certain practices exist, helped determine what policy and practice changes are allowed under applicable law, and spearheaded the drafting of documents to advance policy change and facilitate interagency agreements. To accomplish this, the Subcommittee dedicated significant time and effort to analyzing statutes, regulations, rules, and policies that impact interagency collaboration as well as considering whether current court practices support or hinder collaborative agency efforts. This in-depth analysis in North Dakota produced the following findings:

- After exploring missions and mandates among youth and family-serving systems, the Subcommittee identified that the systems had some shared articulated goals including: working
in the best interests of the youth, promoting public safety, and ensuring access to appropriate services. Conflicting goals may be in the interpretation of best interests, and in the balance between removing the taint of criminality and sharing necessary information for decision-making.

- It is notable that “collaboration,” “coordination,” and “multidisciplinary” do not appear as language in the Juvenile Court Act, whereas DHS CPS statutory language clearly envisions coordination and family engagement. In addition, the Juvenile Court Act does not define the role of State’s Attorney because a prosecutor wasn’t originally envisioned within the juvenile court. The court was intended to be rehabilitative rather than adversarial.

- There is concern regarding eliciting information from parents and youth during meetings that could be used against them in either the pending legal proceedings or independent legal proceedings (including criminal prosecutions). There are relevant North Dakota statutes and court rules that can offer protection, however any ongoing concerns warrants further discussion regarding whether additional statutes or court rules need to be developed.

- Information sharing at the point of juvenile court intake (allowing CPS to share with the JCO that a youth has an open assessment) will require the development of an MOU, but state and federal statutes are not seen as an impediment to sharing. Nevertheless, there is some concern regarding the potential for redisclosure of this information.

- Information shared through communication between juvenile court officers and social services/CPS workers following identification appears to be a legitimate exchange of information under the law and the MOU can include this scope.

- Information sharing during MDTs can be facilitated through obtaining a signed release. A standard multi-agency release form already exists and will be revised near the end of this initiative.

- There is concern regarding who oversees the plan that is generated through the MDT, particularly related to how payment for services will be obtained. Therefore, the MDT should include two steps: 1) identifying what is needed, without consideration of who will provide, and then 2) discussing how the necessary service will be provided and by whom.

- The court may at times issue conflicting orders when there is both a delinquency case and a deprivation case (e.g. conflicting visitation orders, drug testing orders). It is agreed that it would be beneficial to have the same judge hearing deprived and delinquent cases. This practice is often followed in the state’s population centers, which have the services of judicial referees in juvenile cases. In rural areas, however, this may be a challenge because district judges travel to handle juvenile cases, which prevents continuity.
• A bench card specific to DSY would be beneficial in educating the bench as well as attorneys.

The above findings led to the development of the following recommendations:

• Execute the information sharing MOU drafted by the Legal Subcommittee in order to allow for the identification of DSY and the initial communication between juvenile court officers and social services/CPS workers. Implementation should include the exploration of whether a court rule is necessary to provide guidelines around redisclosure of this information.

• Utilize the modified multi-agency release in dual status cases and develop a dual status youth-specific cover page/brochure to accompany the release.

• Develop a bench card specific to North Dakota to help educate and guide decisions and practice among bench officers and attorneys in the juvenile court.

• Explore the concept of one judge/one family in order to reduce the occurrence of conflicting court orders.

Through the work of this productive and insightful Subcommittee legal issues are clearly identified and solutions are suggested or already underway. This positions North Dakota to approach the development and implementation of new policy and practice from a strong and well-informed place.
The findings and recommendations presented above provide the basis for the development of an action strategy through which North Dakota can work to realize its goals for dual status youth. The strategy is organized into three tiers: Tier One includes the actions that can be taken immediately following the conclusion of the technical assistance provided by RFK. Whereas other steps in the action strategy may require continued development or debate, or may require the designation of funds, or may even require the development of legislation or court rule to achieve, the Tier One activities are anticipated to be ready to implement with little to no delay.

Tier Two includes actions that are dependent on completing other actions before being ready to implement. Nevertheless, it is anticipated that these actions can be taken and questions resolved within a relatively short time-frame. Tier Three includes important actions that must be part of the overall action strategy, yet require significant additional efforts to either design, implement or both. These Tier Three efforts are likely to be dependent on commitments made by entities not directly leading or implementing the dual status youth reforms, which therefore requires additional outreach, engagement, and planning.

**TIER ONE [IMMEDIATE ACTIONS]**

- Establish ongoing infrastructure for implementation
  - Continue the Executive Committee meetings, with the purpose of overseeing implementation of Tier One work and continuing efforts to achieve Tier Two and Tier Three goals. This oversight includes developing a plan for sustainability. To support these efforts, it is recommended that the Executive Committee engage in a formal sustainability planning process addressing the six key elements set out in *Sustaining Change: A Models for Change Guidebook* ([http://www.modelsforchange.net/publications/289](http://www.modelsforchange.net/publications/289)).
  - Create an Implementation Team that is charged with the following:
    - Finalize and formalize policy and protocols to operationalize DSY practices and procedures. These should be formalized into the format typical to each agency (e.g. in policy manuals, special notices, agency protocols). Refer to the draft protocol template in Appendix E for guidance.
    - Develop tools to guide execution of the DSY practices and procedures. These include a finalized release for information sharing, statewide bench card, and forms related to the MDT such as a joint “case planning” form. Be sure to explore whether a court rule providing guidelines for redisclosure is necessary.
- Develop a training plan, including training objectives, the setting of expectations for staff performance, and development of methods for evaluating performance. Also identify those responsible for developing and providing training.

- Develop a basic evaluation plan that is used to show whether the practices have been carried out as intended and how effective this activity has been in reaching the desired outcomes. A more robust evaluation plan is contemplated to be developed in conjunction with an outside evaluator as a Tier Two activity. This Tier One activity can include determining which data elements are required for outcome tracking and are easily accessed, and which are more difficult and time-consuming to access, and are therefore more appropriate for the research project with an external partner.

- Construct a logic model that illustrates what is to be accomplished and how, depicting the relationship between the activities undertaken and the outcomes sought.

- Meet to discuss timelines and responsibilities regarding launching the new practices in all involved communities. Continue to meet regularly to provide an opportunity to assess effectiveness of implementation and to troubleshoot issues or challenges that arise.

- Identify a process for internal and external reporting of implementation progress.

- Execute the information sharing MOU drafted by the Legal Subcommittee in order to allow for the identification of DSY and the initial communication between juvenile court officers and social services/CPS workers.
  
  - Determine a method through which a dual status youth within the FRAME system can be designated. Consider utilizing an existing field within FRAME to avoid delay and cost.

- Disseminate policy guiding the implementation of the identification procedure statewide. Provide necessary training to ensure adoption and effective implementation of policy by all necessary personnel.

- Disseminate policy guiding the implementation of the communication expectations between Court Officers and Social Services workers statewide. Provide necessary training to ensure adoption and effective implementation of policy by all necessary personnel.

- Generate regular data reports:
Quarterly reports will include data that can be generated from CMS. These reports will focus on general prevalence and characteristics trends.

Annual reports will require cross-matching between CMS and FRAME. These reports will focus on outcomes related to DSY and the implemented reforms, ideally in conjunction with evaluation efforts undertaken by an outside evaluator.

**TIER TWO [SHORT-TERM GOALS]**

- Finalize MDT Policy/Practice – although there is agreement that dual status youth across North Dakota in particular circumstances will benefit from a multidisciplinary teaming response, final design of this policy will need to align with the design of the Family Centered Engagement (FCE) development by CFS. Specifically, CFS will be determining 1) the sequence in rolling out the program, and 2) the resources allocated to the program. At that point the DSY Executive Team can determine to what extent the anticipated DSY MDTs can utilize FCE as a resource.

- Disseminate policy guiding the implementation of the MDT policy/practice. Provide necessary training to ensure adoption and effective implementation of policy by all necessary personnel.

- To enhance access to targeted, evidence-based intervention services, including those that address trauma and prevention/early intervention, agencies should intensify training for case managers to prepare them to work effectively with behavioral health issues. Additionally, agencies should train professionals on the trauma screening tool, and educate on access to referral to Human Service Centers (HSC) trauma therapists.

- Incorporate aggregate data from DPI into DSY quarterly and annual reporting to allow North Dakota leadership to analyze the educational needs of and particular educational concerns regarding dual status youth in the aggregate. Determine a legally allowable method for obtaining case level education information to ensure it is available at MDT meetings.

- Develop a plan for extensive evaluation of implemented dual status youth practices. The Executive Committee and Implementation Team should consider:
  
  - Potential entities to lead the evaluation, such as University partners
  
  - Funding needs and sources to support the evaluation activities
  
  - Internal capacity to support an external evaluation
  
  - Legal requirements related to working with an external evaluator

- Obtain necessary endorsement and dissemination of the dual status youth bench card through the North Dakota Supreme Court. Ensure necessary training is provided to accompany the dissemination of the bench card.
TIER THREE [LONG-TERM GOALS]

- Address the need for more behavioral health services, especially in rural areas. Throughout this initiative, the lack of these types of resources has been identified as an extremely significant barrier to effectively serving dual status youth and their families, as well as other groups of North Dakota youth and families.
  - Among the reasons identified for the lack of resources is poor reimbursement from the state for behavioral health services; this creates and disincentive to developing these needed services. Funding structures should be examined to ensure alignment of expenditures with identified service needs of dual status youth.
  - Stakeholders indicated concern with the largely unchecked ability of providers and placements to reject and eject clients, which exacerbates the challenges in finding appropriate services and placements for youth with significant needs. These policies should be revisited.

- The high rate of out of home placement in North Dakota was raised as frequent concern throughout this initiative. Initiative leaders noted that the inappropriate use of out of home placement fails to resolve the family needs giving rise to removal of youth, causes unnecessary trauma to youth and their families, and is costly – taking scarce resources away from other interventions which may be more effective in the long-term. The Executive Committee therefore needs to continue to consider strategies for reducing the rate of out of home placement. Increasing supportive services, treatment services, 24/7 crisis lines, and safe beds can help to reduce the overreliance on out of home placement. Additional action steps include:
  - Analyze residential and correction bed capacity based on national averages and review the outcome data for children in such placement.
  - Analyze existing effective community based prevention services for purpose of determining expansion of those programs with good outcome data.
  - Analyze gaps in services.
  - Prepare funding recommendations for agency budget building spring of 2018; include prevention services to retain children in their home, as well as a reduction in the use of congregate care while increasing reimbursement for specialized family foster homes if out of home placement is required.

- Related to the high rate of out of home placement is the high number of dual status youth within placement facilities. Data shows that 17% of dual status youth received charges while placed in facilities. Concerns regarding the mixing of youth populations (abuse victims with delinquent/unruly youth) in order to get services should be explored.

- The involvement of law enforcement in schools and facilities has emerged as an issue to consider further. It may be that schools and facilities are too quick to involve law enforcement
and solutions could include incorporating restorative justice practices and strategies into schools and facilities, and providing more crisis line support to families and facilities.

- Among the considerations should be the standardization of SRO practices. Currently SROs are in some schools/districts and not others. Where they are utilized, there need to be continuing efforts to ensure that SROs are not misused as a first line of discipline when classroom management strategies are more appropriate.

- Recognizing the importance of screening and assessment in developing appropriate and effective plans for youth, there is a gap in legislative language in that, unlike DJS, CPS and service providers are not required to assess and diagnose youth in order to determine the treatment that is in the best interest of the child and state. Ultimately, the better identification of needs will facilitate a more effective matching of services to those needs, resulting in more effective interventions. Legislative action requiring assessment of children involved with child welfare should be considered.

  - In addition, the efforts to implement trauma screening statewide is essential. This effort should be supported by ensuring sufficient training of all personnel on trauma-informed care and services.

- North Dakota leaders wish to consider establishing a state level cabinet/commission that brings together leadership from all youth- and family-serving systems. The establishment of such an entity will provide the opportunity to communicate, share information, and solve problems across systems. Previous legislation provided for Regional Children’s Services Coordinating Committees for this purpose, but the legislation is long since expired. This model should be revisited and a new entity should be established.

- Support the development of a statewide data repository. This would greatly simplify efforts at producing aggregated data reports with a variety of meaningful data points. Similarly, efforts to link juvenile and adult databases should be actively supported, as doing so would allow for the tracking out outcomes of dual status youth into adulthood.

- The North Dakota Supreme Court should consider revising policy regarding juvenile court scheduling to provide for the best practice of one family/one judge in juvenile cases. It is the position of the Dual Status Youth Initiative that such a practice would be beneficial to youth and families as well as system participants.

- Renew efforts of SB2046 (Tribal, Juvenile Court, and DJS pilot program to provide tribal youth access to the same continuum of services and supervision available to youth adjudicated in state courts).

- Develop an MOU to incorporate information on tribal youth into FRAME. This is considered a long-term goal due to the long list of priorities for FRAME updates as well as the likelihood of
FRAME to be replaced. The DSY Leadership will work with the Tribal and State Court Relations Committee to discuss the development of this MOU.
APPENDIX A: MOU

North Dakota Memorandum of Understanding for Commitment to a Dual Status Youth Initiative

Parties to the Agreement
This agreement is made and entered into by the North Dakota Supreme Court, the North Dakota Department of Human Services - Children and Family Services Division, the North Dakota Department of Corrections and Rehabilitation – Division of Juveniles Services, and the North Dakota Juvenile Justice State Advisory Group.

Purpose of the Agreement
The purpose of this agreement is to improve multi-disciplinary policies and practices impacting youth with prior histories in the child welfare system that are entering the juvenile justice system. This may include arrest, intake, identification of dual involvement, diversion, case planning and management, and/or court processing. The parties to this agreement believe that greater multi-system coordination and integration is best accomplished through a comprehensive planning process that embraces and values inclusion of youth, families, and a broad based representation of youth serving agencies and organizations. Since a wealth of basic and applied research, program and practice models, and accessible resources already exist, the parties to this approach will utilize the best available information, research, and practices to guide the process. In this regard, technical assistance from the Robert F. Kennedy National Resource Center for Juvenile Justice will be sought to provide the framework for improved outcomes for dual status youth. This agreement between the parties is to enhance the level of collaboration and improve the quality of services delivered to youth and families.

Areas of Agreement
The parties to this agreement will form an Executive Committee who will participate for a period of twelve months and be comprised of key leaders, stakeholders, and constituents to direct the work, identify the desired outcomes and develop an action strategy for reform, and develop and execute an implementation and sustainability plan. This will include:
- Detailing the process and timeline for completion of the work
- Articulating the goals of the initiative and identified objectives
- Identifying the issues for review (i.e. data collection, resource, legal, etc.)
- Identifying individuals to provide subject matter expertise
- Providing ongoing feedback on findings and recommendations generated through the process

The Executive Committee will coordinate and integrate resources/policies/practices to interrupt the trajectory of abused and/or neglected children into the juvenile justice system. The parties to this agreement will collaboratively support the work of the Executive Committee.

The parties to this agreement will identify data sets that must be shared across agencies and ensure that this information contributes to improved analysis of current trends. This effort will lead to enhanced decision-making, particularly regarding prioritizing the allocation of shared resources among and across agencies.
The parties to this agreement will conduct an examination of the legal, policy, and procedural mandates unique to each agency in order to make recommendations for changes that will contribute to improved coordination of initial decision-making, case management, and service delivery.

The parties to this agreement will examine and analyze current agency budgets to determine the feasibility of integrated funding opportunities to reduce duplication of resources and improve service delivery for youth and families.

Signatures
In Witness Whereof the parties hereto have entered into this Memorandum of Understanding as evidenced by their signatures below:

For the North Dakota Court System:

________________________________________  ____________________________
Sally Holewa, State Court Administrator  Date

For the Department of Human Services – Children and Family Services Division:

________________________________________  ____________________________
Shari Doe, Director  Date

For the Department of Corrections and Rehabilitation – Division of Juvenile Services:

________________________________________  ____________________________
Lisa Bjergaard, Director  Date

For the North Dakota Juvenile Justice State Advisory Group:

________________________________________  ____________________________
Terry Traynor, Chair  Date
APPENDIX B: GUIDING VALUES
NORTH DAKOTA’S DUALLY-IDENTIFIED YOUTH INITIATIVE
A JOINT PROJECT OF THE JUVENILE COURT, DHS CHILDREN AND FAMILY SERVICES, DIVISION OF JUVENILE SERVICES ND DOCR, AND ND JUVENILE STATE ADVISORY GROUP
Implementing System and Practice Reform to Improve Outcomes for Dually-Identified Youth

The Challenge

- It is well documented that youth exiting foster care have poor educational outcomes, and struggle with homelessness, substance abuse, mental health challenges, unemployment and crime.

- Recent research on youth that touch both the child welfare and the juvenile justice system demonstrate that these dually-identified youth have even worse outcomes.

- In addition to all of the challenges experienced by youth exiting foster care, mentioned above, dually involved youth have higher rates of recidivism, greater dependence on service systems such as public welfare, and diminished opportunities for gainful employment.

- Further, children of color are dramatically overrepresented in both the child welfare and juvenile justice system.

- Without effective cross-system communication and collaboration, and a shared vision of how best to serve dually-identified youth, this population will continue to suffer in dramatic ways.

North Dakota’s Response:

- Juvenile Court, DHS Children and Family Services, Division of Juvenile Services ND DOCR, ND Juvenile State Advisory Group, and other Stakeholders are committed to working collaboratively to explore how we can:
  - Prevent youth in the child welfare system from formally penetrating the juvenile justice system.
    Example: Formalize a coordinated process by which systems work together to identify youth who are susceptible to "crossing over" and jointly provide appropriate services to prevent crossover from occurring.
  - More effectively serve youth that touch both systems.
    Example: Move from a model where only one system can serve a youth at a time, to a model where youth and families can benefit from the unique expertise of both systems.
  - Use evidence-based research and promising practices to inform changes in both systems so that we can better serve youth and families.
    Example: Joint assessments and coordinated case planning have been identified as promising practices. Therefore, we are considering how to integrate these practices into our process for serving dually-involved youth.
Given the high level, multi-system commitment to this work, we are confident that we can improve outcomes for dually identified youth.

Guiding Values:

- Facilitate opportunities for children to be raised in healthy home environments
  - Our goal is to support families so they are able to raise their children in a healthy home environment, keeping families intact wherever possible, and minimizing system involvement to the greatest extent possible.

- Reduce racial and ethnic disparities of system involved youth
  - Our work is guided through the lens of reducing racial disparities within the juvenile justice and child welfare systems.

- Strength based, solution oriented approach
  - We approach the work from a strength-based framework, drawing from the inherent strengths that children, their families and communities possess.

- Youth & Family Engagement
  - We seek to meaningfully engage youth and families throughout the development and implementation of this initiative in effort to increase the potential for improved outcomes.

- Trauma-Informed Service Delivery
  - Training staff on providing trauma-informed services is a fundamental component of our work and one that is a necessary precursor to system change.

- Discontinue practices that do not result in desired outcomes; persistently pursue creative solutions.
  - Recognizing that our systems which are intended to protect (child welfare) and reform (juvenile justice) children, often unintentionally cause harm, we are committed to finding solutions that result in positive outcomes for all.

- Support children and families without "widening the net."
  - We seek to implement more effective interventions for youth, without increasing the number of youth that formally penetrate the dependency and juvenile justice systems.
North Dakota Dual Status Youth Initiative

Goal:
Change the trajectory of alleged abused and/or neglected children from entering the Juvenile justice system (including Juvenile Court, Probation, and Corrections) by establishing child and family-centered multi-disciplinary policies and practices.

Target Population:
Youth with an “open assessment” or “services required” finding and an unruly/delinquent referral.

Objectives to measure the achievement of the DSYI Goal

Overall System Outcomes
1. Improved data collection and information sharing across youth-serving systems, for individual case management as well as outcome tracking and trend analysis.

A. DATA COLLECTION and SHARING
   i. Information can be shared under a state wide MOU between DHS and ND courts to share data and information regarding the target population (youth with an open assessment or services required finding AND a referral in juvenile court).
   ii. Define with clarity what practices will be put in place, what services will be provided and what data will be collected on this target population

B. INDIVIDUAL CASE MANAGEMENT
   i. Modify FRAME to send notice to juvenile court of child protection investigations.
   ii. While a full FRAME modification is pending; Children and Family Services (CFS) could modify a current Cognos Report to extract from FRAME any new CPS assessments. Under the MOU this report could be shared with JC via email two times per week sorted by court district.

C. OUTCOME TRACKING
   i. Maintain a core group of the data subcommittee as a team who will continue to meet for the purpose of discussing data analysis.
   ii. Juvenile Court will continue to gather information in order to run recidivism analysis. Therefore, it is imperative that the CPS data be entered into juvenile court confidentially secured database.
   iii. Produce a DSYI quarterly update for the Executive Committee to review.
   iv. Produce a DSYI annual trend analysis report for publication.
2. Effective use of multidisciplinary teams engaged in and cross-system assessment, case planning, case management, and case supervision methodologies.

   A. Access to Family Engagement Strategies (FES) is essential for success.
      i. This resource is funding through CFS and must be made available statewide and in sufficient capacity.

   B. Capacity analysis is identified by resources and practices committee

   C. This population requires skilled and targeted case management capable of addressing family’s needs and behaviors.

3. Enhanced access to targeted, evidence-based intervention services, including those that address trauma and prevention/early intervention.

   A. Intensify training for case managers to prepare them to work effectively with behavioral health issues.

   B. Train professionals on the trauma screening tool, educate on access to referral to HSC trauma therapists.

4. Formalized protocols and procedures to ensure efficient use of limited resources and consistent outcomes for dual status youth.

   A. Implement statewide trauma screening with capacity for follow up assessment used at first formal system contact.

   B. Implement state juvenile court best practices in every juvenile court district to include completing risk assessment.

   C. Juvenile court districts will report risk assessment data to the DSYI executive committee on an annual basis.

5. Reduced reliance on costly and ineffective placement and incarceration (specifically reducing the rate of out-of-home placements below the national average).

   A. EXECUTIVE COMMITTEE
      i. Analyze residential and correction bed capacity based on national averages and review the outcome data for children in such placement.

      ii. Analyze existing effective community based prevention services for purpose of determining expansion of those programs with good outcome data.

      iii. Analyze gaps in services.

      iv. Prepare funding recommendations for agency budget building spring of 2018; include prevention services to retain children in their home, as well as a reduction in the use of congregate care while increasing reimbursement for specialized family foster homes if out of home placement is required.

6. Reduced racial/ethnic and gender disparities

   A. Renew efforts of SB2046 (Tribal, Juvenile Court, and DJS pilot program to provide tribal youth access to the same continuum of services and supervision available to youth adjudicated in state courts).
B. Adopt MOU between tribal social services and state juvenile courts to facilitate information sharing and collaboration for youth and families that relocate between reservations and cities.

Youth & Family Outcomes

1. Recidivism
   A. Low Recidivism
      i. Decrease in the number of Dual Status Youth (DSY) who experience new unruly or delinquent offense adjudicated within one year, two year and three years of supervision closure/termination.
   B. Prevent deeper delinquency through diversion
      i. % of youth who complete a diversion program
      ii. Reduce Dual Status Youth being removed from their family.

2. Improved educational performance for Dual Status Youth
   A. Decrease in school suspensions and expulsions
   B. Increase in school attendance
   C. Decrease in school dropout rates

3. Increased development of social competencies
   A. Increase in the number/percent of youth participating in pro-social activities (i.e. mentoring, sports, arts, employment, clubs)
   B. Reduction in display of problem behaviors

4. Increased stability in home or placement
   A. Decrease in deprived court cases
   B. Decrease in the number of out-of-home placements
   C. Increase in family reunifications

5. Improved family functioning
   A. % of new CPS investigations after a youth is identified dual status youth
   B. Increase in the number of families completing needed programing
   C. Increase family participation in quarterly team meetings
MEMORANDUM OF UNDERSTANDING ON INFORMATION SHARING

This agreement is between the state of North Dakota, acting by and through the Director of the Department of Human Services (DHS) and the Office of North Dakota State Court Administrator (COURT).

This agreement is effective when signed by all parties and terminates on ______.

The purpose of this agreement is to facilitate the sharing of information currently maintained separately by DHS and the COURT so that both entities may better address the needs of and provide services to children involved in both the child welfare system and the juvenile justice system.

ARTICLES OF AGREEMENT

ARTICLE 1

SHARING OF INFORMATION

1. DHS and COURT agree to share information necessary to identify children who are involved in the juvenile justice system and also subjects of a services required finding or a child protective services open assessment.

2. This information will be deposited into a shared database accessible only to authorized DHS and COURT officials who have been designated to identify children involved in both the child welfare system and the juvenile justice system.

3. Upon identification of a child involved in both the child welfare system and the juvenile justice system, a COURT representative will contact DHS to exchange information as necessary to carry out the COURT’s and DHS’s responsibilities under the law to protect children from abuse and neglect and to further fulfill the official duties of COURT and DHS.

4. All information obtained as a result of this agreement is to be used exclusively for the purposes described herein.

ARTICLE II

STATEMENT OF PERMISSIBLE USE

Sharing of information between the COURT and DHS must comply with North Dakota Century Code Sections 27-20-51 and 50-25.1-11 and the federal Child Abuse Prevention and Treatment Act (P.L. 93-247) and all other provisions of federal and state law in connection with the activities contemplated under this agreement.

ARTICLE III
ADMINISTRATIVE CONDITIONS

1. Amendment. The terms of this agreement may not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by the parties.

2. Assignments. The COURT may neither assign nor transfer the COURT's interests or duties under this agreement without the express written consent of DHS.

3. Merger and Waiver. This agreement constitutes the entire agreement between the parties. No waiver, consent, modification, or change of terms of this agreement bind either party unless in writing and signed by both parties. Such waiver, consent, modification, or change, if made, will be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified here regarding this agreement.

4. Errors or Omissions. The COURT agrees and acknowledges that DHS will not be responsible for omissions or errors in the records furnished to the COURT under this agreement. Furthermore, DHS makes no representations, either expressed or implied, regarding accuracy, use, or fitness for any specific or general purpose of the record information furnished to the COURT, other than the record is the then current record information as available and kept by DHS at the time of transmission to the COURT.

5. Force Majeure. If performance of this agreement is rendered impossible or is delayed, interrupted, or prevented by reason of any strike or similar labor difficulty, accident, fire, explosion, flood, mobilization, war, hostilities, riot, rebellion, revolution, blockade, act of public enemies, act of God, act of the federal or state government, or by any other cause, whether or not specifically enumerated above, which is beyond the reasonable control of the parties, then the parties may be excused from performance of any obligation under this agreement.

6. Governing Law and Venue. Notwithstanding any rules regarding the choice of law or venue, it is agreed by the parties that this agreement will be governed by and construed in accordance with applicable Federal Law and the laws of the state of North Dakota, at the time this agreement was executed.

7. Conformity to Codes. This agreement is governed under the laws of the state of North Dakota. The COURT agrees to conform to all applicable federal and state laws in effect during the period of this agreement which, in any manner, affect the access and utilization of any DHS-maintained information the COURT acquires and uses under this agreement. Information from any record marked or "flagged" under state and federal privacy laws may only be released to a party entitled to access under those laws.

8. Notice. All notices, certificates, or other communications are given when delivered or mailed, postage prepaid, to the parties at their respective places of business as set forth below or at a place designated in writing by the parties.
9. Disputes. In the event of any disagreement between the COURT and DHS arising under or relating to the performance of this agreement, the parties must, upon written request of either party, consult and work together in good faith and in a timely manner to resolve the disagreement. Any dispute that is not resolved or mutually extended by means of consultation within thirty (30) days of the written request for consultation will be decided by the DHS director or designee. The DHS director's decision is reviewable consistent with each party's legal rights.

10. Severability. If any provision of this agreement should be found to be illegal, invalid, or otherwise void, it is severable. The remaining provisions may not be impaired and the agreement must be interpreted, as far as is possible, to give effect to the parties' written intentions.

11. Termination. DHS reserves the right to terminate this agreement, with or without cause, upon written notice.

DHS and the COURT, by the signature below of their authorized representatives, hereby acknowledge that DHS and the COURT have read this agreement, understand it, and agree to be bound by its terms and conditions.
APPENDIX E: DSY PROTOCOL TEMPLATE

North Dakota Dual Status Youth Policy and Protocol Template

I. Introduction
[Use language from the Guiding Values and Goals/Objectives/Outcomes document to frame the issue, North Dakota’s response, and the values that undergird the policy and protocol]

[Use language from legal subcommittee’s exploration of missions and mandates to establish overlapping goals and missions between child welfare and juvenile justice]

II. Definitions
a. Active Involvement – any current involvement with a child welfare or juvenile justice entity; i.e. an “open case or assessment”
b. Previous involvement – past involvement with a child welfare or juvenile justice entity; i.e. a “closed case or assessment”
c. Open assessment – child protection report in follow up that hasn’t been approved or denied by the Department of Human Services regional representative
d. Services required – decision that is made by the Department of Human Services as a result of a child protection assessment that child abuse/neglect is confirmed
e. [consider define all terms necessary for ensuring readers have the same understanding of language used, including: deprived, unruly, delinquent, informal adjustment, diversion, dually-involved, dually-adjudicated, dually-identified, family]

III. Target Population: a youth who has an “open assessment” or “services required” finding and an unruly/delinquent referral.

IV. Protocol
a. Identification
   i. All youth meeting the definition of the target population specified above will be identified regularly through either a manual or automated process. Options described below:
      1. Automated process
         a. [to be described]
      2. Manual process
         a. Reports
            i. Each Monday and Thursday a Cognos report will be generated from CPS and sent to the Juvenile Court. The report will list all youth with a new open assessment as well as open assessments that have been closed since the previous report.
1. Report fields will be:
   a. Child Name
   b. Child DOB
   c. Parent Name
   d. Assessing agency
   e. Agency CPS worker
   f. Date CPS assessment open
   g. Date CPS assessment closed, if applicable
   h. Decision made ***a case will be removed from this report once the assessment is approved or denied by Department of Human Services regional representative

b. Documentation
   i. Juvenile Court will enter the names of youth on the Cognos report into CMS within 72 hours of receipt of the report. A new referral code will be created in CMS to accommodate this practice.
   ii. When a youth is identified as a dual status youth (e.g. the name from the Cognos list is currently in CMS as an unruly/delinquent case), the youth will be designated a dual status youth within CMS. This should be flagged for the JCO III to help expedite actions on behalf of a dual status youth.

c. Identification
   i. Prior to making an intake decision on a new referral, the JCO III and/or support staff checks the court database (CMS) for any entries of the youth, determining whether the youth is dual status.
   ii. The Cognos report will be provided to the Court Officers for their review. If any youth are on the report that they are currently working with or have previously worked with, they will make contact with CPS worker within 48 hours.
   iii. Social Service case managers, as part of their active case management, will check with Juvenile Court on youth they are working with that are within the juvenile court delinquent/unruly jurisdiction age (7-17) within 2 weeks of case assignment.

b. Actions Following Identification
   i. For a new Delinquency or Unruly Referral/Citation
      1. If a youth is determined to have active involvement with child welfare, the JCO III will contact the local social service office to make contact with the assigned social worker on the youth’s case prior to making an intake decision.
2. If youth is determined to have previous involvement with child welfare the JCO III will contact the local social service office to request information that will assist the JCO III prior to making an intake decision.

ii. For a new CPS referral
   1. If a youth is determined to have a currently active delinquency or unruly case, the CPS worker will contact the juvenile court to make contact with the assigned court officer as part of the initial assessment within one week.
   2. If a youth is determined to have a previous delinquency or unruly case, and not current, the CPS worker will contact the juvenile court to request a courtesy update on the youth.

iii. Information to be shared between agencies
   1. **Juvenile Court to Social Services:**
      a. Current and historical delinquent/unruly referrals
      b. Probation case plan (services being provided)
      c. Current/ongoing concerns regarding juveniles behaviors
      d. Parental cooperation with assisting in the completion of the caseplan
      e. Safety issues in regards to the parents and/or juvenile
   2. **Social services to Juvenile Court**
      a. Type of abuse – current and historical
      b. Status of assessment
      c. The subject of the report
      d. Services being provided or offered

c. Multi-Disciplinary Team Meetings (MDTs)
   i. [final design of this policy will need to align with the design of the Family Centered Engagement (FCE) development by CFS. Specifically, FCE will be determining 1) the sequence in rolling out the program, and 2) the resources allocated to the program. At that point the DSY Executive Team can determine to what extent the anticipated DIY MDTs can utilize the FES meeting structure. Presently, the following criteria and purpose can be used to inform development of these practices specifically for dual status youth.]
   
   ii. Criteria
      1. MDTs are required to be held in the following circumstances:
         a. When there is active involvement of the youth in both systems
         b. When there is a youth in detention or another placement who cannot return home
      2. MDTs can also be held whenever the social worker and court officer feel, within their discretion, that an MDT would be necessary to the youth and/or family’s success.

   iii. Purpose
      1. Although each MDT will define its own unique purpose, the following are guidelines for the goals of an MDT meeting:
a. Determine if placement of the child outside the home is necessary and/or appropriate  
b. Engaging families and juveniles in services to avoid further involvement or deepening their involvement in the juvenile court system  
c. To jointly assess the risk, needs and strengths of the family  
d. To determine roles and responsibilities to accomplish and support the completion of a jointly developed plan.  
e. To plan for follow up meetings (this could be meetings that are already in place by the agencies working with the family) to check on the status of the case plan.

iv. Attendees  
1. Required:  
   a. Parents  
   b. Youth  
   c. Social Services  
   d. Juvenile Court  
2. Invited:  
   a. Personal supports identified by youth and/or family  
   b. Other professionals working with the youth/family

v. Procedures  
1. [insert information on the extent to which the MDTs will align with Family Centered Engagement procedures; this should include the duties of the facilitator to prepare for and facilitate the meeting.]

2. Timeline  
   a. In most cases, MDTs should occur prior to the next court date or decision  
   b. In shelter care/“emergency” cases, meetings will be held within 48 hours

3. Guidelines for information sharing:  
   a. Parent/legal guardian will be asked to sign a multi-agency release of information in preparation for the MDT

V. Court Procedures  
a. [Executive Committee to continue discussion of standardizing one family/one judge approach]  
b. [Executive Committee to continue discussion regarding the utilization of bench card]

VI. Training  
a. Opportunities  
   i. Juvenile Court Conference – twice a year
ii. Family Based Conference – annual Children and Family Services Conference – every other year
iii. Each region has a quarterly training – each workers gets CEUs

b. Methods
i. Development of guidebook prior to doing the trainings.
ii. Joint training with Social Services and Juvenile Court.
iii. Trainings to be held in the 4 Units of the Courts: Fargo, Grand Forks, Minot and Bismarck – offering 2 different dates at each location.
iv. Training facilitators should be members of both agencies – Social Services and Juvenile Court.
v. Training should also include an overview of each system – and the “why are we doing this” Education of adolescent brain, trauma etc.
vi. Training format and trainers should provide consistent information at all trainings.
vii. Offer a go to meeting to those that were unable to attend and those trainings being recorded and available for new staff.

VII. Tribal Partnership [to be discussed by Implementation Team]

VIII. Evaluation Process [to be discussed by Implementation Team]
APPENDIX F: SURVEY RESULTS SUMMARY

North Dakota Survey Results Summary
January 2018

Notes:

- Most questions allowed for more than one answer. Therefore, percentages frequently add up to more than 100%.
- In the majority of questions, there was at least some indication that practice varies depending on the case.
- There was great consistency in identified challenges:
  - Lack of resources in rural areas, especially addiction and mental health services
  - Lack of foster and treatment placements
  - A tendency to expect the other agency to handle the case. There is not coordination, but rather a battle over who has to serve the family.
  - The variety of professionals involved in these cases can lead to confusion among families
- What would primarily be deemed helpful included:
  - More opportunities to be informed and to have multidisciplinary responses early in a case
  - More services in rural areas and transportation assistance to ensure families can access services
  - Opportunities to work together and collaborate and have guidance in how to collaborate, including better defined roles and responsibilities for each agency.
- There was good consistency in reporting that family engagement is a strong component of policy and agency practice.

Summary of Findings:
1. 106 responses were generated from 28 different counties
2. 57% of the responses were from DCFS, 28% from Juvenile Court, and 15% from DJS
3. 87% responded that they are made aware when youth and families they work with have involvement with another system.
   a. 73% of those that answered yes indicated that they are made aware through self-report by the youth and/or family
   b. Only 37% of those that answered yes indicated that they are made aware through a record check done as part of intake
   c. A number of comments indicated that contact was made with them by the other entity, often through a phone call (e.g. Juvenile Court contacts DCFS)
   d. Several comments indicated “mostly by chance or word of mouth” and “this is not consistent practice”
4. 70% responded that when they are made aware of involvement with another system, it happens early in the case. 41% responded that it happens midway.
4. Comments overwhelmingly indicated that the timing varies depending on the case; it does not happen consistently.

5. Regarding what action is triggered by the identification of multi-system involvement, respondents indicated that most often it is the sharing of relevant information (64%). Less often was the conduct of multi-disciplinary team meetings for joint assessment (29%). 28% of respondents indicated that no specific action is triggered.

   a. In a later question, however, 88% of respondents indicated that when a youth has dual system involvement, there is an opportunity for the workers to meet and confer.

      i. Respondents are evenly split in responding whether the opportunity to meet is through a formal construct such as a Child and Family Team Meeting.

         1. One respondent indicated that if the family is involved in case management there would be cooperation at a child and family team meeting. If there is only a child protection assessment, however, there is likely not a team meeting.

      ii. 69% of respondents indicated that families are invited to the meeting, and comments indicated that they often do attend.

      iii. 59% of respondents indicated that the output/product of the meeting is a joint case plan for a family, but only 12% indicated that the meetings produce a joint recommendation for the court. Comments indicate that what generally results is information sharing, but not a particular product.

         1. Some comments indicate that there is not a lot of collaboration, but rather the meeting serves as an opportunity for a hand-off. Specific comments include:

            a. “Once our agency (DCFS) is involved, Juvenile Court generally discontinues or drastically minimizes their involvement.”

            b. “It could be a joint recommendation or joint case plan but that depends on if everyone involved agrees; often we have different points of view despite meeting.”

      iv. Reconvening of the meeting happens either not at all (26%) or when there is a change of circumstances (33%). Several comments indicated that meetings are reconvened every 3 months. This seems to be tied to the process required by the Child and Family Team Meetings.

   v. Comments regarding what is most effective about these meetings:

      1. “Meeting as a team so all parties know what is going on in the case”

      2. “when having all the helping professionals on the same page”

      3. “one plan rather than multiple, makes things a little easier for the families”

      4. “The opportunity for the family to work together for a solution rather than a solution being handed to them by an agency.”

      5. “Knowing what services are being provided” and “determining who will provide and refer which service”

      6. “clarification of history of case, problems, and goals”
7. “family building their own plan”
8. “Team meetings are most effective when members can meet face to face and having multiple entities present helps ensure all people working with the youth and family have the same goals”

vi. Comments about what is least effective about these meetings:
1. “when invitees don’t show up”
2. “when no one is ‘in charge’”
3. “no follow through or help to the family following the meeting”
4. “when one agency just expects the other agency to do all of the work now that they are involved”
5. “sometimes the juvenile justice system already has formulated their own plan and desired outcome. Tough to intervene on any other plan.”
6. “once a child is in “county” custody that the hands of punishment/consequences are tied.

6. 70% of respondents indicated that they often encounter youth or families involved with both the child welfare and juvenile justice system on their caseload; 30% indicated that this occurs rarely.

7. 87% of respondents indicated that their organization has a stated policy to recognize and/or respect diverse backgrounds of parents and caregivers.

8. Almost 100% of respondents felt that their organization consistently provides information to families in a clear and understandable way.

9. 87% indicate that they receive training on effective family engagement practices

10. 87% indicate that staff always or frequently works to meet families in their home or a community setting.

11. 92% indicate that they always or frequently follow up with either the families or the organization to which they have referred clients to ensure that particular services were received.

12. 24% felt that their agency/organization rarely or never creates opportunities to exchange information, share lessons learned, and partner with other organizations.

13. Almost all respondents felt that the staff works in partnership with parents and caregivers to set long-term goals and establish relationships to realize the goals.

14. 83% of respondents reported that their agency/organization uses written agreements to develop a common definition and goal for parent engagement with others as a means for coordinating resources and programming.

15. What unique challenges do you think dual status youth and their families face or present?
   a. “multiple needs”
   b. “families may become overwhelmed at times”; “it may be confusing for parents and youth to work with two case managers, have two sets of meetings, two court hearings, two case plans, etc.”; “families get overloaded with too many players at the table”
   c. “road blocks to accessing services”
   d. “dealing with 2 different case managers and lots of different services. Sometimes too many people are involved and not enough communication is had”
e. “lack of resources in the state of North Dakota”; “lack of services in some areas (rural) and the travel time and expense to get to these services”; “lack of mental health and addiction services”; “quality of services being provided” “not enough services available in the community in which to access timely”; “little to no placement resources to serve high needs children.

f. “it can be difficult to find treatment facilities or placements for youth that need a higher level of care due to mental health because their behaviors exceed what ND facilities are willing to accept.”

g. “confusion about the different roles within these agencies”

h. “working with multiple providers and systems, having several goals to accomplish”

i. “with multiple agencies being a part of their lives it may be easier to find things they aren’t doing well or set them up for failure.”

j. “It would be ideal for there to be a coordinated response to dual status youth that has all agencies working towards the same goals so that the level of confusion from the perspective of the child and family is significantly reduced.

k. “Two different systems with workers who look at things from different lenses. Punitive versus family engagement.”

l. “one agency pushing off work on the other” “tendency of one agency to drop out if they know the other is involved”

16. What system challenges or barriers do you face in working with families of dual status youth?

   a. “unless a family tells us they are involved in juvenile court, we don’t know”

   b. “coordinating services with other case managers”

   c. “lack of services” “accessing services” “lack of local services”

   d. “agencies do not work together – us vs. them vs courts battle of who should serve the youth and family”

   e. “lack of resource and understanding of mental health. Mental health gets criminalized. Treatment facilities having youth charged with offense; rather than seeing behavior as a treatment need.”

   f. “lack of foster care placements and treatment placements”

   g. “That juvenile justice has been equipped with multiple evidence based screenings, techniques and resources to diver youth from juvenile justice involvement. Child welfare has received no support in these areas. Juvenile justice frequently divert youth to child welfare on the basis of “the child’s mental health” as the reason for their involvement. Child welfare has the same resources to address child mental health needs as juvenile justice does. Child welfare does NOT have the same resources to handle aggressive/violent/criminal behavior that juvenile justice does. These youth end up placed out of state.”

   h. We need more time. Sending off a piece of paper to referral agencies is a heartless way to make a referral. I had the time to drive with a family to an agency and make the connection for the family with the referral source, it might demonstrate for a family the investment we have in making a difference in their future. I think it’s one of many, many way that we can show that we care. Also, each agency needs to overcome this obstacle
of thinking we know what the best solution for children and families is. Working with families with this "I know best attitude" creates a tangible friction between professionals. Our interventions should be based on an accumulation of accurate information and practices that are evidence based.

i. “Not always getting the information needed. Having the other system working with the family ‘assume’ I was aware of something.

17. What information, resources, or support would help you work with these families and improve outcomes?

a. “more services available” “24/7 support crisis line” “services closer to home”; “access to the same services no matter where the youth resides”; “addiction and mental health services”

b. “have a specific protocol for agencies working with dual status youth”

c. “for child welfare to have access to ‘time out’ programming at YCC...development of instate placement options for DD youth, youth with violent behaviors and youth with sexualized behavior”

d. “consistency between systems on goals and need for the families”

e. “use of formal resources such as Family Group Decision Making”

f. “clear guidelines why some kids are considered delinquent and other delinquent kids are placed with social services”

g. “run all programming through one agency, keep it simple for families to understand”; once case manager to handle all cases

h. “information that family is dually involved available quickly (same day) as intake”

i. “consistent joint meetings, follow up with each service/agency, defined responsibilities, education on what agencies do and their limitations”

j. “the ability to have multi-disciplinary team staff meetings early in the process would help make sure kids/families get connected to the services that will be most effective.”
The ND Dual Status Youth Initiative in consultation with the Robert F. Kennedy Foundation is supported by the ND Juvenile Court, ND Department of Human Services Children and Family Services, ND DOCR Division of Juvenile Services, in partnership with the ND Juvenile State Advisory Group and other stakeholders all committed to working collaboratively to explore how ND can:

- **Prevent youth in the child welfare system from formally entering the juvenile justice system.**
  
  *Example:* Formalize a coordinated process by which systems work together to identify youth who are susceptible to “crossing over” and jointly provide appropriate services to prevent crossover from occurring.

- **More effectively serve youth that touch both systems.**
  
  *Example:* Move from a model where only one system can serve a youth at a time, to a model where youth and families can benefit from the unique expertise of both systems.

- **Use evidence based research and promising practices to inform changes in both systems so that we can better serve youth and families.**
  
  *Example:* Joint assessments and coordinated case planning have been identified as promising practices. Therefore we are considering how to integrate these practices into our process for serving dually-involved youth.

Given the high level, multi-system commitment to this work, we are confident that we can improve outcomes for dually identified youth. The overall goal of ND DSYI is to “change the trajectory of alleged abused and/or neglected children into the juvenile justice system (including Juvenile Court, Probation, and Corrections) by establishing child and family-centered multi-disciplinary policies and practices.”

The ND DSYI created three subcommittees (data, legal, and resources/practice) to support the ND DSYI Executive committee in making decisions on how to best proceed with statewide program and practice changes. The data subcommittee was charged with analyzing client data from juvenile court systems CMS and Odyssey, while cross referencing the information to open program clients in the child welfare database, FRAME. A subgroup of four committee members was developed to focus on the data collection efforts. It took an estimated 225 hours of combined professional staff time to complete the data analysis inclusive of identifying the population, cross referencing data systems, extracting data fields from FRAME, extracting data fields from CMS and Odyssey, completing the qualitative review, creating this document and more.

Initially, there were 242 cases first identified in the Dual Status youth Initiative (DSYI) target population, referenced as the baseline population. The data was been pulled from various sources including: Juvenile Court database, Juvenile Court files, Child Welfare database in two separate analysis (quantitative + qualitative). It was determined that two cases from the original baseline were not eligible as the children did not receive child welfare programming (no CPS services required, In Home or Foster Care programs opened).

**240 youth in the baseline:**

- 153 youth (64%) were offered In-home services and
- 180 youth (75%) were in foster care.

Of the 240 clients, there were 93 (38%) duplicated cases; meaning the child was an “In-Home” client at least once and had at least one open “Foster Care” program during their service period.
# Dual Status Youth Initiative (DSYI) Client Demographics

## 240 Baseline Count

<table>
<thead>
<tr>
<th>Dual Status Youth by Gender</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>138</td>
<td>57.5%</td>
</tr>
<tr>
<td>Female</td>
<td>102</td>
<td>42.5%</td>
</tr>
<tr>
<td>Total</td>
<td>240</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dual Status Youth by Race</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>140</td>
<td>58.3%</td>
</tr>
<tr>
<td>Native American</td>
<td>56</td>
<td>23.3%</td>
</tr>
<tr>
<td>Other*</td>
<td>25</td>
<td>10.4%</td>
</tr>
<tr>
<td>African American</td>
<td>19</td>
<td>7.9%</td>
</tr>
<tr>
<td>Total</td>
<td>240</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Other= Multi-racial, Unknown, Pac_Isln, Unknown Hispanic, Hispanic, Asian

## Dual Status Youth by Race

- **White**: 58.3%
- **Native American**: 23.3%
- **Other***: 10.4%
- **African American**: 7.9%

N=240
Following the principles of Balanced and Restorative Justice, the mission of the North Dakota Juvenile Court is to promote public safety, hold juvenile offenders accountable, and increase the capacity of juveniles to contribute productively to their community. The courts empower victims, encourage community participation, and support parental responsibility.

**ND Juvenile Court Jurisdictions**

![Bar chart showing youth distribution across units](chart-1.png)

**Summary:** 240 youth with a referral in Juvenile Court were located in the above four units. Majority of the referrals (46%) were identified in Unit 3 (Bismarck/Dickinson). It is speculated that the difference in how a child protection "services required" assessment utilizes the team process more often in Bismarck, in addition to the increased instruction to parents and providers to call police, makes the option more readily available to cite children in lieu of de-escalating the situation or utilizing a crisis call to prevent law enforcement. Lastly, in Unit 4 the majority of referrals were in Williston over Minot, ND.

**Summary:** The age of first offense for DSYI was reviewed; 51 youth (21%) were age 10 and under. There was one age six referral to Juvenile Court, however age of culpability in ND is age 7. 182 youth (76%) were under the age of 15; highlighting the growing number of youth charged at a younger age in ND.
### # of Youth vs. Charges

<table>
<thead>
<tr>
<th>Location</th>
<th># of Youth (n=240)</th>
<th>%</th>
<th># of Charges</th>
<th>%</th>
<th>Avg # Charges per youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>In Community</td>
<td>101</td>
<td>42%</td>
<td>471</td>
<td>39%</td>
<td>4.66</td>
</tr>
<tr>
<td>In School</td>
<td>93</td>
<td>38%</td>
<td>246</td>
<td>21%</td>
<td>2.65</td>
</tr>
<tr>
<td>In Home</td>
<td>90</td>
<td>38%</td>
<td>272</td>
<td>23%</td>
<td>3.02</td>
</tr>
<tr>
<td>In Facility</td>
<td>41</td>
<td>17%</td>
<td>212</td>
<td>18%</td>
<td>5.17</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1201</td>
</tr>
</tbody>
</table>

**Summary:** The above chart highlights 240 youth with at least one charge (some youth with multiple charges) and the location where the charges took place. 90 youth received 272 charges in their home (38%). In the school setting there were 93 youth who received 246 charges (39%), while 101 youth received 471 charges in the community. Lastly, 41 youth received 212 charges when placed in a facility. ND Department of Human Services Children and Family Services oversee the administration of foster care service delivery in ND. The locations listed above are not a surprise; given the highest number of charges occur in the community and at the home of the child. The more alarming statistics include charges occurring in ND schools and facilities. A greater exploration will occur as ND DSYI engages all partners to ensure proper training, resources, and collaboration exist to best meet the needs of children and families across North Dakota.

### ND Licensed Facilities

ND Department of Human Services approves the licensure for six Psychiatric Residential Treatment Facilities (PRTF), ten Residential Child Care Facilities (RCCF), and many family foster homes (800+). The intent to review the facility data with a deeper data analysis was available to the DSYI Data Subcommittee, but also given the administration of facility licensing duties, as well as the authority to reimburse for the care of foster children; such “youth charges” warranted further exploration. The ND Juvenile Court tracks the number of charges in a facility; inclusive of the licensed settings indicated above, however will also include assessment centers, attendant care, Youth Correction Center, etc.

[Map of North Dakota with locations indicated]
### 41 Youth Charged in Facility – By State Location

<table>
<thead>
<tr>
<th></th>
<th>Charges</th>
<th>Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>127</td>
<td>10</td>
</tr>
<tr>
<td>Eastern</td>
<td>68</td>
<td>8</td>
</tr>
<tr>
<td>Western</td>
<td>17</td>
<td>3</td>
</tr>
<tr>
<td>Totals</td>
<td>212</td>
<td></td>
</tr>
</tbody>
</table>

**Summary:** The majority of youth charges occurred in central ND (Minot and Bismarck), however the greatest number of facilities are also located in this area of the state: 10 facilities with 127 charges. There are eight eastern ND (Grand Forks and Fargo) facilities included in this sample, resulting in 68 charges. In western ND, there were three facilities with 17 charges.

### 41 Youth Charged in Facility – By Custodian

<table>
<thead>
<tr>
<th>Custodian</th>
<th># of Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>30</td>
</tr>
<tr>
<td>DJS / County</td>
<td>5</td>
</tr>
<tr>
<td>DJS</td>
<td>2</td>
</tr>
<tr>
<td>NDDHS</td>
<td>3</td>
</tr>
<tr>
<td>Tribe</td>
<td>1</td>
</tr>
<tr>
<td>Total Youth</td>
<td>41</td>
</tr>
</tbody>
</table>

**Summary:** 41 youth charged in a facility location were primarily under the custody of a ND county. Historically, there has been speculation of encouragement to contact law enforcement and charge youth for inappropriate behavior, in efforts to transfer custody from County to DJS and or place a child in a higher level of care. However, this data for these 41 DSYI cases does not fully support the theory.

### Charges in ND Facilities

**Summary:** Of the 240 unduplicated dual status youth, 41 (17%) of the youth were charged with 212 charges (5.1 charges per youth). The Psychiatric Residential Treatment Facility (PRTF) placements (n=16) had 91 varied charges. The Residential Child Care Facility (RCCF) placements (n=33) were charged 94 times. Very few youth (n=7) placed in a family foster home and those (n=9) residing in other facilities settings such as attendant care, YCC, Youthworks, an area assessment center were charged.
Summary: There were 212 charges which occurred in a facility; the above 184 (87%) charges were the majority. Charges were primarily runaways (23 youth), public order misdemeanors including disorderly conduct charges (23 youth), followed by charges against a person misdemeanors including simple assault and mutual conflict (17 youth) resulting in no harm and lastly, 26 charges of property misdemeanors by 13 youth resulting in less than $3000 of damage.

Disposition of Charges
PRTF (n=91) & RCCF (n=94) Facilities

<table>
<thead>
<tr>
<th>Outcome</th>
<th>PRTF</th>
<th>RCCF</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case monitored by Social Services</td>
<td>35</td>
<td>52</td>
<td>87</td>
</tr>
<tr>
<td>Diverted to Another Agency</td>
<td>16</td>
<td>22</td>
<td>38</td>
</tr>
<tr>
<td>No Further Action</td>
<td>11</td>
<td>6</td>
<td>17</td>
</tr>
<tr>
<td>Custody to Social Services (New or Extended)</td>
<td>9</td>
<td>10</td>
<td>19</td>
</tr>
<tr>
<td>Case monitored by Court Officer</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Informal Adjustment - Probation</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Custody to DJS</td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Dismissed</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Case monitored by DJS</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Adjudication – No Conditions</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>States Attorney Declined Prosecution</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Summary: The above chart displays the Juvenile Court disposition for charges received by youth in a PRTF and RCCF facility (n= 185). In a majority of the cases, the Juvenile Court referred the matter to the legal custodian to address the charge, typically in collaboration with the facility. This action by the Juvenile Court is reflected in the Case Monitored by Social Services/DJS outcomes, as well as in the Diverted to Another Agency (some cases in this category were referred to restorative justice programming, however, the Diverted to Another Agency outcome was often used to reflect that the matter was referred back to the legal custodian to handle).

Future Analysis for DSYI Efforts
The charges are duplicative, meaning a youth had more than one charge and may have contributed to the number of charges in more than one facility. The data snapshot will assist the DSYI in analyzing what can be done to reduce the number of charges in all locations, review the appropriate use of law enforcement and to reinforce when youth are placed in residential treatment they are expected to have behaviors; what are we accomplishing by charging youth? DSYI will also analyze ND foster care policy and review the emergent response of when to contact law enforcement for runaway youth; qualitative review indicates that a facility will call the custodian first, wait for a determined period of time, then contact law enforcement to report a missing person/youth on the run.
**Summary of In Home:** In-home case management is a service provided to families who have come to the attention of the child welfare agency through a child protection report or self-referral. In-home case management services are designed to ensure the safety and well-being of children and youth in their homes, prevent their initial placement or re-entry into foster care, and preserve, support, and stabilize their families. The ND Wraparound Practice Model is the process used in the provision of in-home case management services. There are two types of in-home cases:

1. **In-Home Protective Services:** Intervention provided to the family following a finding of “services required,” in which the child is believed to have been a victim of abuse or neglect and remains with his/her parents (i.e. is not removed from the home and placed into foster care). It is well recognized that child abuse and neglect can produce long term destructive effects upon a child. Intervention becomes imperative to prevent further abuse and/or neglect and to promote functional behavior by individuals and families.

2. **In-Home Voluntary Services:** Intervention provided to the family who requests help for their particular circumstances. These cases are handled differently than a case in which a parent’s behavior, condition, or circumstance results in a safety threat to a child. In voluntary in-home cases the case manager determines service needs, provides assistance, and works with the family to access services that address the goals developed with the family and documented in the care plan.

### In Home Client Demographics

<table>
<thead>
<tr>
<th>Dual Status Youth in In-Home Programs by Gender</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>82</td>
<td>53.6%</td>
</tr>
<tr>
<td>Female</td>
<td>71</td>
<td>46.4%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>153</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dual Status Youth in In-Home Programs by Race</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>94</td>
<td>60.6%</td>
</tr>
<tr>
<td>Native American</td>
<td>32</td>
<td>21.3%</td>
</tr>
<tr>
<td>Other*</td>
<td>16</td>
<td>10.3%</td>
</tr>
<tr>
<td>African American</td>
<td>11</td>
<td>7.7%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>153</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

### Client Household Make Up

<table>
<thead>
<tr>
<th>Dual Status Youth in In-Home Programs by Type of Client Household</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single parent household*</td>
<td>71</td>
<td>46.4%</td>
</tr>
<tr>
<td>Two parent household**</td>
<td>51</td>
<td>33.3%</td>
</tr>
<tr>
<td>Non-parent relative caregiver household (includes relative foster care)</td>
<td>20</td>
<td>13.1%</td>
</tr>
<tr>
<td>Unknown</td>
<td>7</td>
<td>4.6%</td>
</tr>
<tr>
<td>Non-relative caregiver household (includes non-relative foster care)</td>
<td>3</td>
<td>2.0%</td>
</tr>
<tr>
<td>Group home or residential treatment setting</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>Total</td>
<td>153</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Single parent household categories combined

**Two parent household categories combined**
### FFY 2015 AGENCY PROVIDING IN-HOME SERVICES

<table>
<thead>
<tr>
<th>County</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>BURLEIGH COUNTY</td>
<td>45</td>
<td>29.4%</td>
</tr>
<tr>
<td>STARK COUNTY</td>
<td>12</td>
<td>7.8%</td>
</tr>
<tr>
<td>MCLEAN COUNTY</td>
<td>10</td>
<td>6.5%</td>
</tr>
<tr>
<td>WARD COUNTY</td>
<td>9</td>
<td>5.9%</td>
</tr>
<tr>
<td>CASS COUNTY</td>
<td>7</td>
<td>4.6%</td>
</tr>
<tr>
<td>GRAND FORKS COUNTY</td>
<td>5</td>
<td>3.3%</td>
</tr>
<tr>
<td>MORTON COUNTY</td>
<td>6</td>
<td>3.9%</td>
</tr>
<tr>
<td>RAMSEY COUNTY</td>
<td>6</td>
<td>3.9%</td>
</tr>
<tr>
<td>SOUTHEAST – Prior Partnerships</td>
<td>5</td>
<td>3.3%</td>
</tr>
<tr>
<td>STUTSMAN COUNTY</td>
<td>5</td>
<td>3.3%</td>
</tr>
<tr>
<td>WILLIAMS COUNTY</td>
<td>5</td>
<td>3.3%</td>
</tr>
<tr>
<td>BARNES COUNTY</td>
<td>4</td>
<td>2.6%</td>
</tr>
<tr>
<td>Dickey COUNTY</td>
<td>3</td>
<td>2.0%</td>
</tr>
<tr>
<td>MCKENZIE COUNTY</td>
<td>3</td>
<td>2.0%</td>
</tr>
<tr>
<td>NORTH CENTRAL</td>
<td>3</td>
<td>2.0%</td>
</tr>
<tr>
<td>ADAMS COUNTY</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>GRANT COUNTY</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>KIDDER COUNTY</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>MERCER COUNTY</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>NORTHEAST – Prior Partnerships</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>PEMBINA COUNTY</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>WALSH COUNTY</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>WEST CENTRAL – Prior Partnerships</td>
<td>2</td>
<td>1.3%</td>
</tr>
<tr>
<td>BENSON COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>DIVIDE COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>FOSTER COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>GOLDEN VALLEY COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>LOGAN COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>MCHENRY COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>NELSON COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>PIERCE COUNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td>RANSOM CNTY</td>
<td>1</td>
<td>&lt;1.0%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>153</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

**Summary:** Above table shows the FFY 2015 data for in-home cases entered in FRAME. The chart below shows how preventative services, such as In Home, have increased overtime offering families additional services and support.
DSYI – FOSTER CARE CLIENTS

Summary of Foster Care: “Foster care for children” means the provision of substitute parental child care for those children who are in need of care for which the child’s parent or guardian is unable, neglects, or refuses to provide, and includes the provision of food, shelter, security and safety, guidance, and comfort on a twenty-four-hour basis, to one or more children under twenty-one years of age to safeguard the child’s growth and development and to minimize and counteract hazards to the child’s emotional health inherent in the separation from the child’s family. Foster care may be provided in a family foster home, group home, or residential child care facility (NDCC 50-11).

DSYI data included youth with at least one day documented with an open foster care program in the statewide child welfare database FRAME. In FFY 2015, there were an estimated 2243 children in ND foster care; 240 youth in the DSYI baseline, meaning 8% of the total FFY 2015 foster care population was identified as dual status. 75% of the DSYI cases entered foster care.

Client Demographics

<table>
<thead>
<tr>
<th>Dual Status Youth in Foster Care by Gender</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>98</td>
<td>54.4%</td>
</tr>
<tr>
<td>Female</td>
<td>82</td>
<td>45.6%</td>
</tr>
<tr>
<td>Total</td>
<td>180</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dual Status Youth in Foster Care by Race</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>98</td>
<td>54.4%</td>
</tr>
<tr>
<td>Native American</td>
<td>48</td>
<td>26.7%</td>
</tr>
<tr>
<td>Other*</td>
<td>20</td>
<td>11.1%</td>
</tr>
<tr>
<td>African American</td>
<td>14</td>
<td>7.8%</td>
</tr>
<tr>
<td>Total</td>
<td>180</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Other= Multi-racial, Unknown, Pac_Isln, Unknown Hispanic, Hispanic, Asian

Client Household Make Up

<table>
<thead>
<tr>
<th>Dual Status Youth in Foster Care by Type of Client Household</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single parent household*</td>
<td>84</td>
<td>46.6%</td>
</tr>
<tr>
<td>Two parent household**</td>
<td>62</td>
<td>34.4%</td>
</tr>
<tr>
<td>Non-parent relative caregiver household (includes relative foster care)</td>
<td>21</td>
<td>11.7%</td>
</tr>
<tr>
<td>Non-relative caregiver household (includes non-relative foster care)</td>
<td>5</td>
<td>2.8%</td>
</tr>
<tr>
<td>Unknown</td>
<td>5</td>
<td>2.8%</td>
</tr>
<tr>
<td>Group home or residential treatment setting</td>
<td>3</td>
<td>1.7%</td>
</tr>
<tr>
<td>Total</td>
<td>180</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Single and dual parent households (mom/dad) categories combined

Educational IEP

<table>
<thead>
<tr>
<th>Youth with IEP (N=53)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Male</td>
</tr>
<tr>
<td>32.1%</td>
</tr>
<tr>
<td>Female</td>
</tr>
<tr>
<td>67.9%</td>
</tr>
</tbody>
</table>

Summary: Of the 180 foster youth, 53 (29%) had a documented IEP in FRAME. This data does not include a 504 plan. It is suspected, this IEP data is documented at a lower rate than the actual number of youth on an IEP. Further analysis and exploration will be done as/if data sharing allows ND DSYI.
## Dual Status Youth in Foster Care by Type of Custodian Agency

<table>
<thead>
<tr>
<th>Agency</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADAMS COUNTY</td>
<td>3</td>
<td>1.7%</td>
</tr>
<tr>
<td>BARNES COUNTY</td>
<td>6</td>
<td>3.3%</td>
</tr>
<tr>
<td>BENSON COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>BOWMAN COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>BURLEIGH COUNTY</td>
<td>28</td>
<td>15.6%</td>
</tr>
<tr>
<td>CASS COUNTY</td>
<td>15</td>
<td>8.3%</td>
</tr>
<tr>
<td>DHS (TPR YOUTH)</td>
<td>4</td>
<td>2.2%</td>
</tr>
<tr>
<td>DICKEY COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>DIVIDE COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>DJS - Badlands</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>DJS - Lake Region</td>
<td>5</td>
<td>2.8%</td>
</tr>
<tr>
<td>DJS - North Central</td>
<td>5</td>
<td>2.8%</td>
</tr>
<tr>
<td>DJS - Northeast</td>
<td>6</td>
<td>3.3%</td>
</tr>
<tr>
<td>DJS - Northwest</td>
<td>3</td>
<td>1.7%</td>
</tr>
<tr>
<td>DJS - Southeast</td>
<td>5</td>
<td>2.8%</td>
</tr>
<tr>
<td>DJS - West Central</td>
<td>10</td>
<td>5.6%</td>
</tr>
<tr>
<td>DUNN COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>GOLDEN VALLEY COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>GRAND FORKS COUNTY</td>
<td>12</td>
<td>6.7%</td>
</tr>
<tr>
<td>GRANT COUNTY</td>
<td>2</td>
<td>1.1%</td>
</tr>
<tr>
<td>MCKENZIE COUNTY</td>
<td>2</td>
<td>1.1%</td>
</tr>
<tr>
<td>MCLEAN COUNTY</td>
<td>10</td>
<td>5.6%</td>
</tr>
<tr>
<td>Missing/Unknown</td>
<td>4</td>
<td>2.2%</td>
</tr>
<tr>
<td>MORTON COUNTY</td>
<td>8</td>
<td>4.4%</td>
</tr>
<tr>
<td>MOUNTAIL COUNTY</td>
<td>2</td>
<td>1.1%</td>
</tr>
<tr>
<td>NELSON COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>PEMBINA COUNTY</td>
<td>2</td>
<td>1.1%</td>
</tr>
<tr>
<td>PIERCE COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>RAMSEY COUNTY</td>
<td>3</td>
<td>1.7%</td>
</tr>
<tr>
<td>RANSOM COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>STANDING ROCK SIOUX TRIBE</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>STARK COUNTY</td>
<td>7</td>
<td>3.9%</td>
</tr>
<tr>
<td>STEELE COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>STUTSMAN COUNTY</td>
<td>3</td>
<td>1.7%</td>
</tr>
<tr>
<td>WALSH COUNTY</td>
<td>1</td>
<td>&gt;1.0%</td>
</tr>
<tr>
<td>WARD COUNTY</td>
<td>13</td>
<td>7.2%</td>
</tr>
<tr>
<td>WILLIAMS COUNTY</td>
<td>9</td>
<td>5.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>180</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Summary:** FFY 2015 indicated Division of Juvenile Services (n=35), Burleigh (n=28) and Cass (n=15) had the greatest caseload of dual status youth, followed by Ward, Grand Forks and McClean counties.
Foster Care Placement Setting

Summary: Historically, ND data has shown that 80% of the entire foster youth population is placed in a family foster care setting, 15% are placed in group/facility care, and the remaining 5% in non-foster care placements (hospital, detention, YCC, etc). The DSYI data is specific and generates a higher degree of residential placements due to typical age and treatment need.

The chart above shows the most recent placement option for dual status youth. Majority of the dual status youth were placed in a licensed foster care setting (n=78). This number includes family foster homes both county (n=22), PATH therapeutic (n=10), and 46 youth (59%) were placed in residential group home/facility. In addition, 53 youth were placed back with their parents or home of removal, 13 youth were in a relative placement where the family was not licensed.

<table>
<thead>
<tr>
<th>FC Level of Care</th>
<th>Cost/Day</th>
<th>Placements</th>
<th>Days</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Foster Care (Age 13+)</td>
<td>$32.06</td>
<td>22</td>
<td>365</td>
<td>$257,441</td>
</tr>
<tr>
<td>Therapeutic Foster Care Rate</td>
<td>$108.18</td>
<td>10</td>
<td>365</td>
<td>$394,857</td>
</tr>
<tr>
<td>RCCF Rate</td>
<td>$290 avg</td>
<td>46</td>
<td>200</td>
<td>$2,668,000</td>
</tr>
<tr>
<td><strong>FC Payment Costs for Care average total per year</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$3,320,298</strong></td>
</tr>
</tbody>
</table>

Summary: Of the 78 most recent placements in foster care placements the costs to support the reimbursement of care vary, but highlights the extreme costs associated with caring for young people in need of placement. Research supports receiving treatment required then returning timely to a family setting to maintain routine, structure, and stability in a family environment.
Parents in DSYI Cases in Need of Services

Summary: The chart above shows 80% (n=191) of the 240 DSYI cases had documented identified needs for parents.

Identified Parental Needs in DSYI Cases (n=191)

<table>
<thead>
<tr>
<th>Need Identified</th>
<th>#</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug &amp; Alcohol</td>
<td>120</td>
<td>62.8%</td>
</tr>
<tr>
<td>Mental Health</td>
<td>78</td>
<td>40.8%</td>
</tr>
<tr>
<td>Depression</td>
<td>54</td>
<td>28.2%</td>
</tr>
<tr>
<td>Medical</td>
<td>6</td>
<td>3.1%</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>4</td>
<td>2.1%</td>
</tr>
<tr>
<td>Other</td>
<td>10</td>
<td>5.2%</td>
</tr>
</tbody>
</table>

Summary: Of the 240 DSYI cases, 191 of the cases had identified needs for parents. Parents may have had more than one identified need (duplicated needs = 272). The mental health category includes various diagnoses with the exception of depression. Mental health diagnosis include: bipolar, ADHD, PTSD, personality disorder, schizophrenia, etc. The “other” category includes services needed for parents identified as developmentally disabled and sex offenders.

Services Provided to Parents in DSYI Cases (n=191)

<table>
<thead>
<tr>
<th>SERVICES PROVIDED</th>
<th>#</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug &amp; Alcohol</td>
<td>77</td>
<td>40.3%</td>
</tr>
<tr>
<td>In Home Therapy</td>
<td>47</td>
<td>24.6%</td>
</tr>
<tr>
<td>Family Therapy</td>
<td>46</td>
<td>24.0%</td>
</tr>
<tr>
<td>Individual Therapy</td>
<td>39</td>
<td>20.4%</td>
</tr>
<tr>
<td>Parental Capacity</td>
<td>31</td>
<td>16.2%</td>
</tr>
<tr>
<td>Parent Aid Services</td>
<td>27</td>
<td>14.1%</td>
</tr>
<tr>
<td>Family Team Decision Making</td>
<td>27</td>
<td>14.1%</td>
</tr>
<tr>
<td>Other</td>
<td>14</td>
<td>7.3%</td>
</tr>
<tr>
<td>No services provided</td>
<td>11</td>
<td>5.7%</td>
</tr>
</tbody>
</table>

Summary: Of the 191 DSYI cases with identified parental needs, 180 (94%) services were offered and documented as provided to meet parental needs. The remaining 11 DSYI cases were undocumented or did not receive services to meet their identified parental needs. One of the greatest documented “reasons for foster care” is parental substance abuse, which is a leading cause of child abuse and/or neglect. There were 120 parents with documented need of drug and alcohol services; 77 parents (64%) were offered and or participated in drug and alcohol treatment or services.
Parental Arrests/Incarceration

Summary: Of the 240 dual status youth, 69% (n=165) of the parent/guardians listed as head of the household had documentation of previous arrests or recent incarceration (drug/alcohol charges, domestic violence charges, sexual crimes, etc.) Research shows that prior history of arrest/incarceration of a family member places a child at increased risk of abuse or neglect, as well as at increased risk to offend or re-offend themselves.

ND DSYI YOUTH (n=240) in Need of Services

Summary: The chart above shows 86% (n=207) of the DSYI youth had documented identified needs. Youth participating in the “in home” program may have had less needs identified.

Identified DSYI Youth Needs (n=207)

<table>
<thead>
<tr>
<th>Need Identified</th>
<th>#</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Mental Health</td>
<td>107</td>
<td>51.7%</td>
</tr>
<tr>
<td>ADHD</td>
<td>78</td>
<td>37.6%</td>
</tr>
<tr>
<td>Drug &amp; Alcohol</td>
<td>63</td>
<td>30.4%</td>
</tr>
<tr>
<td>Depression</td>
<td>63</td>
<td>30.4%</td>
</tr>
<tr>
<td>Anxiety</td>
<td>41</td>
<td>19.8%</td>
</tr>
<tr>
<td>Oppositional Defiance Disorder</td>
<td>29</td>
<td>14.0%</td>
</tr>
<tr>
<td>PTSD</td>
<td>25</td>
<td>12.1%</td>
</tr>
<tr>
<td>Conduct Disorder</td>
<td>20</td>
<td>9.6%</td>
</tr>
<tr>
<td>Other</td>
<td>9</td>
<td>4.3%</td>
</tr>
</tbody>
</table>

Summary: Of the 240 dual status youth, 207 (86%) identified 435 areas of need. Youth may have had more than one identified need (duplicated needs). The various mental health diagnoses were divided based on volume. The other mental health category includes various diagnoses: bipolar, personality disorder, schizophrenia, etc. The “other” category includes services needed for developmentally disabled youth and sex offenders.
Services Provided to Youth in DSYI Cases (n=207)

<table>
<thead>
<tr>
<th>SERVICES PROVIDED</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Therapy</td>
<td>165</td>
<td>79.7%</td>
</tr>
<tr>
<td>Medication Management</td>
<td>85</td>
<td>41.1%</td>
</tr>
<tr>
<td>Drug &amp; Alcohol</td>
<td>51</td>
<td>24.6%</td>
</tr>
<tr>
<td>In Home Therapy</td>
<td>35</td>
<td>16.9%</td>
</tr>
<tr>
<td>Family Therapy</td>
<td>34</td>
<td>16.4%</td>
</tr>
<tr>
<td>Psych Testing</td>
<td>28</td>
<td>13.5%</td>
</tr>
<tr>
<td>Parent Aid</td>
<td>23</td>
<td>11.1%</td>
</tr>
<tr>
<td>Partnership</td>
<td>16</td>
<td>7.7%</td>
</tr>
<tr>
<td>Group Therapy</td>
<td>14</td>
<td>6.7%</td>
</tr>
<tr>
<td>Equine</td>
<td>13</td>
<td>6.2%</td>
</tr>
<tr>
<td>FTDM</td>
<td>9</td>
<td>4.3%</td>
</tr>
<tr>
<td>Other</td>
<td>9</td>
<td>4.3%</td>
</tr>
</tbody>
</table>

Summary: Of the 240 dual status youth, 482 services were provided to meet the needs of the DSYI cases; no cases were left undocumented for services provided if identified. Medication management for older youth is more common than documented, depending on provider, the medication management is documented in files differently. Partnerships (HSC)

DSYI Family Unit – Drug & Alcohol Cycle

Summary: Of the 240 dual status youth, 120 parents had the identified need of drug and alcohol/substance abuse. Of the 120 parents needing services; 36 (30%) of their children identified in the DSYI baseline population were also in need of services to address their drug and alcohol use.

Trauma Services

The DSYI Data Subcommittee suspected a history to some degree of trauma for all DSYI cases; however without a strong screening tool being utilized consistently in ND to define the intent of such data, the data collected for the qualitative review was not analyzed.
2.17 DUAL STATUS YOUTH

2.17.1 DEFINITION. The term “dual status youth” refers to a youth involved in the child welfare and juvenile justice systems, specific to the jurisdiction’s target population.

2.17.2 PRE-HEARING CASE FILE REVIEW BY JUDICIAL OFFICER. Delinquency and Dependency files should be reviewed to confirm:

A. The youth is within the defined target population.

B. Child welfare and/or dependency case(s) status (e.g., current orders, pending matters, scheduled review hearings).

C. Delinquency case(s) status (e.g., processing stage of proceeding[s], existing orders, and motions to be considered).

D. Identification of assigned child welfare (dependency) and juvenile justice (delinquency) case workers.

2.17.3 COURTROOM PROCESS.

A. Identify all of the parties and others present in the courtroom.

B. Make a record of all persons in attendance (e.g. assigned attorneys, parents or custodial family, treatment providers, etc.).

C. Note the established dual status youth protocol.

D. Query the assigned attorneys regarding any additional matters not on the current docket but associated with the pending matter.

2.17.4 DUAL STATUS YOUTH PROCESSES. The judicial officer is charged with verifying that the endorsed dual status youth process/protocol is being used and followed properly. It is the judicial officer’s responsibility to make the following inquiries during the instant court proceeding:

A. Has the youth been properly identified as a member of the target population?

B. Was the cross-system identification made in a timely manner?

C. Were the initial cross-system communications made by professional staff (e.g., social worker, probation or court official) in a timely manner as prescribed by the protocol?
D. Has the relevant and lawful information and/or record(s) been shared by the professional staff to support the next steps in the dual status youth protocol?

2.17.5 **CONDUCT A QUERY OF THE MULTI-SYSTEM PRACTICES.** The judicial officer is also responsible for ensuring that the multidisciplinary strategies and practices established by the dual status youth protocol are followed. It is recommended that the judicial officer ask the following set of questions.

A. Was a Multi-disciplinary Team meeting (MDT) conducted?
   1. Was it convened in a timely manner?
   2. Were the mandated parties present?
   3. What are the name and role of additional parties present?
   4. Was there consideration of current Risks-Needs-Responsivity factors from multiple relevant agencies and/or organizations (safety, behavioral health, education, etc.)?
   5. Were the proper authorizations and/or consents obtained?

B. Were a set of recommendations developed collaboratively?
   1. Is there consensus among the MDT for these recommendations?
   2. Have attorneys had the opportunity to review the recommendations in a timely manner according to the dual status youth protocol?
   3. Are treatment, supervision and service recommendations articulated in order of priority?
   4. Are timelines for implementation of the recommendations and the specific parties responsible for oversight of each clearly articulated?
   5. In view of these recommendations, is there an agreement on the recommendations for handling the delinquent matter(s) before the court?

D. Youth and Family Voice
   1. During the MDT, was the youth voice heard concerning his/her perspective related to the current home and placement status, previous or current treatment services, educational situation, and concluding treatment recommendations?
   2. During the MDT, was the family or caregiver voice heard concerning his/her perspective related to the current home and placement status, previous or current
treatment services, educational situation, and concluding treatment recommendations?

3. Would the youth and/or family/caregiver like to be heard today in court on the recommendations before the judicial officer?

2.17.6 **RISKS, STRENGTHS, NEEDS, RESPONSIVITY FACTORS.** Hearings are opportunities for the judicial officer to highlight and explore the factors research shows are essential in effective case planning. Recommended questions include the following:

A. **Pro-Social Activities and Connections**

1. In what extra-curricular activities does the youth participate (e.g., drama club, church activities, scouts, team sports)?

2. Does the youth have a connection to caring and supportive adults (e.g. mentors, teachers, family friends)?

3. What are the youth’s personal goals and interests, and related strengths and/or assets?

B. **Placement/Family**

1. Ask the youth where he/she is placed. What is the youth’s opinion/impression of the placement?

2. Identify how many placements the youth has been in since entering care.

3. Discuss the current status of their placement (i.e. will the youth achieve permanency in this placement, is the youth comfortable and thriving in the placement, are relatives providing kinship care linked with all available support?).

4. Inquire if there is additional family or kin that may provide a suitable living situation and what efforts are being made to identify new potential relatives.

5. Inquire about sibling relationships and visits.

C. **Education**

1. Confirm that the youth is attending school (identify the school, grade level, progress toward graduation).

2. Discuss with the youth any current and/or needed educational services.

3. Inquire about any educational successes and challenges.

D. **Mental Health/Substance Abuse**
1. Inquire about any mental health or substance abuse services being provided and the effectiveness of those services (inquiry to include discussion about the specific type of intervention, the service provider, length of participation in the services, and impact on youth and/or family behavior).

2. Inquire about any medication prescribed for the youth. When was the medication last reviewed or evaluated for effectiveness? Does the youth report side effects or concerns?

3. Review assessments and/or inquire of providers regarding trauma:
   a. Has the child experienced a traumatic event?
   b. Has the child experienced multiple traumatic events?
   c. Is the child experiencing trauma symptoms?
   d. Has the child been screened or assessed for a trauma disorder?

2.17.7 **CASE DISPOSITIONAL ORDER.** The judicial officer shall articulate the orders to the participants in the proceeding. The order should include:

A. Treatment, supervision and / or service recommendations, time lines, and person(s) responsible for implementation, and

B. Next dates for any pending proceedings in either the dependency or delinquency courts. Hearing the matters at the same date and time is preferred.
APPENDIX I: DRAFT DUAL STATUS YOUTH BROCHURE

What is a Dual Status Youth?

A Dual Status Youth is a youth who has had contact with both social services and the juvenile court.

What is a Multi-Disciplinary Team?

A Multi-Disciplinary Team brings together agency staff with youth and their families with the goal of developing the best plan possible to support the youth and family and to address concerns.

Who is a part of the team?

- Parent(s)/Guardians/Family
- Youth
- Social Services
- Juvenile Court
- Other professionals working with the youth

North Dakota
Dual Status Youth
MULTI-DISCIPLINARY TEAM MEETINGS

This brochure was created with the technical assistance of the North Dakota National Resource Center for Youth Justice.
Your input is so important to this process that the team cannot meet without you present. It is critical that you call the contact person listed in this brochure as soon as possible if:

- The time scheduled for the Multi-Disciplinary Team meeting does not work for you;
- You need assistance with transportation; or
- You have any other questions or concerns that may prevent your attendance at the scheduled meeting.

Your questions will be addressed and the meeting may be rescheduled to a time that will work for you.

What happens at the meeting?
Each Multi-Disciplinary Team Meeting is unique, but some common goals include:
- Giving the youth and family an opportunity to share about their strengths and needs and how the team can best support them.
- Helping the youth, family, and professionals to work together to develop a plan to avoid further involvement in the juvenile justice system.
- Assisting all participants in understanding their role in supporting the plan.

What are the benefits of participating in a Multi-Disciplinary Team meeting?
- You will be in control of the process that guides your family into a safer and more stable home life.
- You will help decide the best treatment for your family in one plan with one goal.
- You will identify supports in order to achieve the plan, save time, and reduce stress within your family.

How do I prepare for the meeting?
- Come prepared to talk about things your family does well.
- Bring important documents pertaining to the youth with you to the meeting (IEP, psychological or chemical dependency evaluation, etc.)
- Come prepared to talk about your goals for this process.
- Sign and return the enclosed release to allow the agencies/entities involved to share relevant information.

STOP
COLLABORATE
AND LISTEN

Your meeting with the Multi-Disciplinary Team is scheduled for:

The meeting will be held at:

Your contact person for the team meeting is:

who can be reached at:

We need YOU!
APPENDIX J: COMMITTEE AND SUBCOMMITTEE ROSTERS

North Dakota Dual Status Youth Initiative (DSYI) - Participants

Leadership Committee:
Lisa McEvers    Supreme Court Justice
Shari Doe       Director, Children and Family Services – ND Department of Human Services
Lisa Bjergaard  Director, Division of Juvenile Services – ND Department of Corrections
Terry Traynor   Chair, ND Juvenile Justice State Advisory Group

Executive Committee:
Cory Pedersen (Chair) Juvenile Court Director – South Central Judicial District
Lisa McEvers    Supreme Court Justice
Shari Doe       Director, Children and Family Services – DHS
Lisa Bjergaard  Director, Division of Juvenile Services – DOCR
Cathy Ferderer  Juvenile Court Coordinator – North Dakota Court System
Mike Hagburg    Staff Attorney – Supreme Court
Kelsey Bless    Permanency Administrator, Children and Family Services – DHS
Pam Nesvig      Judicial Referee – South Central Judicial District
Ashely Beall    Public Defender
Rhonda Allery   Social Service Director – Ramsey County
Valerie Fischer  Director, Safe & Healthy Schools – ND Department of Public Instruction
Heather Simonich Operations Director – PATH (Behavioral Health Representative)
Pam Sagness     Director, Behavioral Health Division - DHS
Chuck Isakson   State’s Attorney
Jennifer Skjod  Parent Representative
Erica Wondrasek Judicial Systems Administrator - ND Indian Affairs Commission

Resources and Practices Subcommittee:
Cathy Ferderer (CoChair) Juvenile Court Coordinator – North Dakota Court System
Nicole Leitner (CoChair) Juvenile Court Officer III
Dean Sturn       Foster Care Administrator, Children and Family Services – DHS
Kelli Ulberg     Program Administrator, Behavioral Health Division - DHS
Carrie Hjellming Juvenile Court Officer III
Kevin McDonough  Special Education Coordinator – DPI
Lauri Nord       Program Coordinator, Neglected & Delinquent Program – DPI
Cheryl Thomas    Juvenile Corrections Specialist - DJS
Beth Desotel     County Supervisor (Cass)
Tammy Balliet    County Supervisor (Burleigh)
Lisa Piche       Regional Supervisor – Northeast Human Service Center
Janell Regimbal  Vice President of Children’s Services – Lutheran Social Services of ND
Resources and Practices Subcommittee (Continued):
Cathy Olson  Shelter Coordinator – Youthworks Fargo
Jim Vetter  Vice President, Partner and Community Relations – DBGR
Lorraine Davis  Director – Native American Development Center
Karen Van Fossan  Foster Parent, Minister
Michaela Alexander  Youth Representative
Rosalie Etherington  Director, Service Delivery Division – DHS
Marlys Baker  Child Protection Services Administrator - DHS
Megan Kummer  State’s Attorney – Richland County
Jenny Wetch  CPS Supervisor – Morton County

Data Subcommittee:
Kelsey Bless (Chair)  Permanency Administrator, Children and Family Services – DHS
Kim Weisz  Decision Support Services – DHS
Dawn Krieger  WCHSC Partnerships Administrator
Scott Hopwood  Juvenile Court Director
Neal Roth  Juvenile Court Officer II
Jim Fish  Juvenile Court Officer III
Ross Roemmich  Director, Information Technology - DPI
Dorice Miller  Assistant Director, Information Technology – DPI
Jeff Stillwell  Technology Coordinator – North Dakota Court System
Casey Traynor  Quality Assurance Manager – DJS
Craig Wysk  DJS Corrections Specialist
Natalie Anderson  Foster Care Supervisor

Law, Policy & Information Sharing Subcommittee:
Ashely Beall (CoChair)  Public Defender
Mike Hagburg (CoChair)  Staff Attorney – Supreme Court
Lauren Sauer  Assistant Director, Children and Family Services – DHS
Connie Portscheller  Judicial Referee – North Central Judicial District
Connie Cleveland  Assistant States Attorney – Cass County
Travis Finck  Indigent Defense
Karen Kringlie  Juvenile Court Director – East Central Judicial District
Shawn Peterson  Juvenile Court Director – Northeast Central Judicial District
Bob Schock  Assistant Regional Supervisor – West Central Human Service Center
Jon Alm  Staff Attorney - DHS