

# Vermont Judicial Commission on Family Treatment Dockets

## Meeting Minutes:

**Date:** April 2<sup>nd</sup>, 2018

**Present:**

Hon. Paul Reiber  
Hon. Karen Carroll  
Hon. Brian Grearson  
Ms. Patricia Gabel  
Commissioner Ken Schatz  
Deputy Commissioner Karen Shea  
Ms. Theresa Scott  
Dr. Frederick C. Holmes  
Senator Jane Kitchel  
Mr. Marshall Pahl  
Attorney General T.J. Donovan  
Senator John Campbell  
Ms. Mary Alice McKenzie  
Ms. Lisa Ventriss  
Tracy Shriver

Also present at the meeting was Mr. Jeremy Zeliger, Senior Programs Manager with the Vermont Office of the Court Administrator, as well as Nora Sydow, Senior Court Management Consultant with the National Center for State Courts.

**I. Call to Order.** Chief Justice Reiber called the meeting to order at 10:05am.

**II. Review of Minutes from February 12<sup>th</sup> Meeting.** Chief Justice Reiber noted that the draft minutes were distributed in advance and posted on the website. A motion to approve the draft minutes was made by Judge Grearson, seconded by Dr. Holmes, and carried unanimously.

**III. Review and Discussion of Draft Commission Principles.** Justice Carroll introduced the principles and explained that they are draft principles meant for discussion by the Commission and to help guide the Commission's development of recommendations. The principles were addressed individually by the Commission as follows:

- **SAFETY.** There was consensus that the safety principle should be clarified to indicate that "screening" was intended for parents and children. It was also decided that this principle should be updated to focus on the court's role and perhaps clarify that the court involvement begins when it is determined that child safety is at risk. There was a discussion of the reality of service availability across the state and to what extent the principles should be aspirational. There was also a discussion of what impact a family treatment docket would have in the child safety domain and whether or not it would "widen the net". It was also noted by several Commission

members that the screening/treatment protocols and their quality vary considerably across the state, and the Commission should explore what programs and services are most effective for families.

- **TIMELINESS**

Justice Carroll explained that findings in the [Lean Analysis](#) indicated that what is in an affidavit has a considerable impact on the direction a CHINS case takes, and it would be helpful if there was a consistent understanding of what is imminent risk for purposes of a CHINS affidavit. Commissioner Schatz noted that DCF has worked with assistant attorneys general and DCF has significantly revised the affidavit template to show imminent issues. There was a general discussion of focusing this principle on timeliness in the various stages of the CHINS case, *i.e.*, time from petition to merits, disposition, TPR, permanency, etc.

- **DUE PROCESS**

There was a discussion of capacity in terms of caseload and workload of the professionals involved in CHINS cases, including case workers, attorneys, judges, and court staff. There was general consensus that the Commission should explore the resource demands of family treatment dockets. It was acknowledged that while the Commission isn't necessarily going to recommend a family treatment docket in all 14 jurisdictions, given the nature of the opioid epidemic across the state, the Commission will explore the principles of family treatment dockets and how they might be infused into the CHINS process around the state. There was a general discussion of how do we reconcile the federal and state statutory timelines of the CHINS process with the timeline and science of addiction recovery.

- **PERMANENCY**

It was suggested that this principle should more clearly link how parent-child contact connects to permanency, and also that the principle should explicitly state that permanency is the overarching goal.

**IV. Review and Discussion of Draft Stakeholder Survey Questions.** Chief Justice Reiber explained that once the Commission approved the finalized survey, it would be programmed into an online survey with a link that would be distributed to the various stakeholder groups. There was consensus that the group of respondents should be expanded to include foster parents, youth, and parents who have experienced the CHINS process. However, it was noted that these groups of respondents should receive survey questions tailored specifically to them. Marshall Pahl volunteered to draft survey questions for youth and parents. The question was raised whether the survey questions should align with the principles.

**V. Public Comment Period.** There were no members of the public present.

The meeting was adjourned at 11:50 am.