State Court Administrative Office

CHILD SUPPORT SPECIALTY DOCKET ESTABLISHMENT GUIDE

April 2021

INDEPENDENCE · ACCESSIBILITY · ENGAGEMENT · EFFICIENCY

INTRODUCTION

The purpose of the Child Support Specialty Docket Establishment Guide is to help courts develop and implement child support specialty dockets (CSSDs). The Guide has 25 steps divided among six sections which (1) explain the various aspects that need to be considered when planning a CSSD, (2) include checkboxes to keep track of what you have done and what you still need to do, and (3) provide tips and examples from other specialty courts. While the steps are in chronological order, there may be times when multiple steps can be worked on simultaneously. Depending on the scope of your CSSD, some considerations within a step – or even entire steps – may be irrelevant to establishing and operating your project.

This resource has been adapted, with permission, from Starting a Juvenile Drug Court: A Planning Guide (JDC Planning Guide) by the National Council of Juvenile and Family Court Judges. Specifically, this resource utilizes and modifies 25 of the 30 steps laid out in the JDC Planning Guide to reflect the considerations needed to plan a CSSD. Some explanatory language from the JDC Planning Guide appears verbatim. The JDC Planning Guide – authored by Betty Gurnell, M.Ed.; Meg Holmberg, MSW, M.Ed.; and Susan Yeres, Ed.D. – was funded by Grant Number 2010-DC-BX-K125 from the Office of Juvenile Justice and Delinquency Prevention.

I. GETTING STARTED

1. Define the problem.

Planning and operating a child support specialty docket (CSSD) takes a significant amount of time, money, and other resources. To begin, you need a clear picture of how the problem you have identified (e.g., lack of skills, unemployment, substance abuse, criminal record, mental health issues) impacts children, families, and child support payment compliance.

☐ Analyze data to determine the problem in your caseload that you hope to address. Use data to justify your conclusions.

Some places to find data include, but are not limited to: Michigan Child Support Enforcement System (MiCSES), Judicial Data Warehouse, local non-profits, the KIDS COUNT Data Center, state or local agencies, the Federal Office of Child Support Enforcement, and the National Center for State Courts.

☐ Would a CSSD impact the problem? If so, how?

☐ Do you have the resources necessary to establish a CSSD and provide extra services? If so, what are they?

2. Assemble the planning team, additional contributors, and the operations team.

Effective specialty dockets depend on close, day-to-day collaboration between multiple agencies, both governmental and private. Some agencies may have experience working together, while for others, the CSSD will require a shift in how they do their work. From the beginning, you need to lay the groundwork for supportive, non-adversarial relationships among these agencies so that later on, your CSSD will be able to provide a seamless continuum of services.

Thoughtfully-selected teams will enable you to build community partnerships, engage the neighborhood and broader community, maximize the use of resources, and generate innovative approaches. None of this is possible when a single person or agency takes on all the work of planning.

PLANNING TEAM. The planning team is responsible for designing the CSSD, defining the population it will serve, determining the services it will provide, determining how the CSSD will provide services, setting goals, and defining success. Look for individuals who (1) can represent the goals and interests of their agency and the population to be served; (2) are flexible in how they discharge their responsibilities; (3) are in

> **Tip:** Having a member of the operations team on the planning team will provide (1) insight for the operations team into how the plan was developed, and (2) a reality check for the planning team on what is and is not possible in the real world.

a position to influence their agency's policies and decisions; and (4) are comfortable with assuming a non-adversarial role. Consider including the following on the planning team:

- Judge or Referee
- Court Administrator
- SCAO Representative
- Office of Child Support (OCS) Policy Representative
- Prosecuting Attorney

- Family Law Attorney
- Friend of the Court (FOC) Representative
- Partner Agency Representatives
- Operations Team Member

Tip: Including the evaluator as an additional contributor will help the team (1) form goals and measurable objectives, (2) design a system for data collection, (3) ensure baseline data is collected with the first participants, (4) ensure longitudinal comparisons will be possible, and (5) provide interested volunteers or funders with data and outcome measures.

ADDITIONAL CONTRIBUTORS. Beyond the team members listed above, you will probably identify other people as essential to your planning process. To keep your planning team to a manageable size, we recommend 8-12 people. Designate "Additional Contributors" who could be brought in at particular points in the planning process to add their expertise or the perspective of the organization they represent. Consider including the following as additional contributors:

- County Administrator
- MiCSES Analyst
- Evaluator
- Law Enforcement Representative

- Federal Office of Child Support Enforcement Representative
- Private treatment providers

OPERATIONS TEAM. The operations team will implement the CSSD. At a minimum, the CSSD operations team should include a judge or referee, case manager, and community or ancillary service providers. As previously stated, the operations team may include members of the planning team.

Example: One CSSD operations team had a referee, program coordinator, project director, case manager, community partner representative, and a judge.

☐ Identify all the organizations and agencies the CSSD will depend on.

☐ Recruit representatives from each organization and agency as members of the planning team, additional contributors, or members of the operations team.

☐ Will you include an evaluator as an additional contributor? If so, how will you ensure the evaluator remains neutral?

☐ Determine if any planning team members will also be part of the operations team.

3. Have the first planning team meeting.

It is likely that each member of the planning team will arrive at your first meeting with a different concept of what a CSSD is. To avoid confusion and miscommunication, invest time now to forge a common picture of what it is you are trying to create. You will want to be on the same page about how a CSSD functions, what the CSSD can be expected to accomplish, and what makes a CSSD unique. To do this, you may want to have a point person at the first meeting to establish the vision for the project, as well as someone who can move the agenda forward (this may or may not be the same person). To answer the following questions, it may be helpful for the planning team to shadow an operational program and get copies of their materials.

Tip: Financial concerns will likely be the top reason on someone's list for not moving forward with the CSSD. Having an understanding of the financial considerations in advance is a good way to ensure the CSSD is not over before it starts.

☐ Discuss the following question with the planning team:

- o   How will CSSD cases be handled differently from cases on the regular docket?

- o   What additional resources are part of the CSSD?

- o   Is there a difference in staff time commitment? If so, what?

- o   What challenges might you face in having so many different disciplines – some traditionally adversarial – work together on a team?

- o   How will you ensure that each discipline understands the work of the others?

☐ Will your team shadow an operational program? If so, who will set up the visit?

4. Create a planning team charter.

A team charter is a written agreement that specifies how your team will work together. While there are other topics you may wish to cover, at a minimum, a team charter should discuss member roles, decision-making, ground rules, resolving conflicts, logistics, and adding new members. This step involves drafting a charter for the planning team. Once created, the operations team should develop a charter of its own.

Tip: A common difference exists in terminology and processes – clinicians do not know court processes, and judges do not know how treatment works.

As you put your shared expectations in writing, you will likely unearth differences you were not aware of. What will seem obvious to some team members may not be as

obvious to others. It will be easier to deal with these differences now, rather than trying to iron them out later while the team is in the midst of pressing decisions about the design of your program. So, an investment of time now will help avoid frustrating delays later down the line.

☐ Draft a planning team charter that addresses the following questions:

- o What will be the "roles" on the team (e.g., facilitator, scribe)? How will roles be assigned?

- o What primary method of decision-making will you use in planning how your CSSD will operate (e.g., unanimous consent, majority rule)? In the case of gridlock, what backup method will you use? Are there state or federal guidelines that will impact decisions? What types of decisions will need approval from outside the team, and from whom?

- o What "ground rules" will you follow in your work together (e.g., do not interrupt, be on time, speak respectfully)?

- o What differences exist among your agencies and organizations that could potentially lead to conflict? How will you resolve conflicts?

- o When, where, and how often will you meet? How will you communicate between meetings (e.g., email)?

- o How will you integrate new members into your work? What will they need to know about the mission, their role on the team, and policies? Who will give them this information, and when?

5. Map your planning process.

It is easy to underestimate how much time is needed to develop partnerships, hire staff and the evaluator, and obtain any required approvals. Before planning the docket, take some time to "plan for planning" (i.e., give yourself a bird's eye view of the work that lies ahead and a way to track your progress).

> **Example:** One CSSD took seven months just to develop initial forms and workflow.

☐ Look through this guide and organize your work accordingly, setting starting dates and deadlines.

☐ Who is responsible for what?

☐ When should you bring in people with special expertise?

II. SETTING A DIRECTION

6. Define "success," and write a mission statement.

A mission statement (a concise description of what you intend to do and why) will help your team stay focused and strengthen your message in funding proposals and community-outreach materials. To craft a clear, inspiring mission statement, tap into your best hopes for your CSSD and the difference it could make in your community. If applying for a grant, there is value in indicating how your mission is different than any other CSSD. In fact, the grant application will likely ask how your CSSD is different from everyone else's.

> **Example Mission Statement**. "Assist low-income noncustodial parents (NCPs) in developing financial stability to enable them to pay child support and participate more fully in their children's lives."

☐ If you have not already done so, select a program evaluator to help with this step.

☐ Combine your answers to the following questions to create your mission statement.

- o What is your CSSD's purpose?

- o Who is the broad target population?

- o How will the CSSD accomplish its purpose?

- o What is the expected outcome of the CSSD?

7. Develop goals.

Your mission statement has captured the "big picture" of your program. Now it is time to start filling in the details with goals that directly support your mission and broadly state what you want to accomplish.

☐ If you have not already done so, select an evaluator to help with this step.

☐ What are your *process* goals (i.e., what do you plan to do?)

> **Examples**. A process goal could be having at least 200 project participants. An outcome goal could be increasing child support payments.

☐ What are your *outcome* goals (i.e., what impacts do you want to make as a result of the things you do)?

In a traditional planning process, the next step would be to write measurable objectives for each goal. In this planning process, you will write objectives in step 20, after you have designed your program.

8. Recruit a steering committee.

Steering committees are often an effective way to ensure the success of a CSSD. A steering committee can be the same as the planning committee but with a revised role of monitoring and adjusting the CSSD as operational issues materialize. However, a steering committee can be more than that. It can be a committee that champions your CSSD in a way that enhances the CSSD and ensures its sustainability. An effective steering committee can be made up of key leaders in the community – people who are in a position to leverage resources, enlist the cooperation of other agencies, influence policy making, and build community awareness of your work. If you get the buy-in of these leaders early on and consult them throughout your planning process, they will be more likely to own the final program design and, once the CSSD is operating, to advocate for its continuation.[1]

> **Example Responsibilities.** Steering committee members could be responsible for (1) identifying potential funders, (2) making introductions to decision-makers, (3) making available resources from their own organizations, (4) removing barriers (e.g., political, organizational) to planning and implementation, and (5) championing the CSSD in their organizations and community.

> **Tip.** While judges and court employees may participate in your steering committee, they cannot engage in fundraising for your CSSD.

Each member will need a clear purpose with specific tasks and responsibilities. It is likely that several members of your planning team, including the judge, will also serve on the steering committee, and some steering committee members might become part of the operations team. Because these leaders may already belong to other boards and committees, consider looking for an existing group with a related focus that would be willing to add your CSSD. Try to keep the committee to a manageable size of about 10 to 15.

☐ Discuss exactly how you would like the steering committee to support your work.

☐ Draft a policy statement that describes the steering committee's purpose, how often it will meet, and what you expect of members.

☐ Identify prospective members, spell out the unique role each will play on the steering committee, and begin recruiting members.

You will hold your first steering committee meeting after you have completed the steps in Section III.

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[1] Having key community leaders can also be advantageous when you obtain grant funding that requires a "soft" match. A soft match is a contribution from the grantee that can either be actual spending or the value of time a person who works with the grantee devotes to the project.

III.   SELECTING PARTICIPANTS

9.   Define a target population, and set eligibility criteria.

TARGET POPULATION. The pool of individuals who fit the general characteristics you are looking for will make up your *target population*. A clearly defined target population will help maintain focus on the problems identified, which will increase the CSSD's chances of achieving its goals. It will also make it more likely that you will get appropriate referrals or applications to participate.

> **Example Target Population**. Young child support payers, including those with little workforce experience or education, residing in X County, with an ongoing current child support obligation, who are at least two months in arrears.

Your target population can be based on criteria that includes, but is not limited to reasons for nonpayment, case type or age, arrearage levels, types of qualifying offenses, geography, and the court's determination that traditional enforcement measures have not worked.

> **Tip:** An evaluator can ensure your plan, target population, and eligibility criteria meet the evaluator's needs.

☐ If you have not already done so, select an evaluator to help with this step.

☐ What is your target population?

☐ Do you have the resources to serve the target population?

ELIGIBILITY CRITERIA. After an individual has been referred to or has applied for the program, the operations team will need to screen for additional, harder-to-identify characteristics using a set of *eligibility criteria*.

> **Tip:** Be willing to examine and change the eligibility criteria throughout the project. The eligibility criteria should match services for the greatest benefit.

There are two kinds of eligibility criteria, "qualifiers" must be present for the individual to be accepted into the program, while "disqualifiers" automatically eliminate an individual from participation. Select participants based on objective criteria whenever possible (e.g., the "score" on a screening instrument), and be careful that eligibility criteria does not rule out individuals most in need of the CSSD (e.g., geographic location).

☐ What characteristics set your target population apart from the rest of the population you serve (i.e., what is your eligibility criteria)?

10. Establish a process for recruitment, referral, screening, and assessment.

Now that you have determined which individuals your program will serve, you are ready to design recruitment, referral, screening, and assessment processes that will bring these individuals into your program in a fair, timely, and effective manner.

☐ As you design these processes, how will you ensure the processes are unbiased and will not limit access to the program for any group of individuals?

☐ Will participants be given the opportunity to "opt in" or "opt out" of the program? If so, when?

☐ How will you deal with pilot services for parents who do not meet the project qualifications?

RECRUITMENT AND REFERRAL. If you plan on having individuals voluntarily apply for your program, those individuals will first need to know that your program exists and the potential benefits. You may want to consider partnering with other agencies to increase your project's visibility. Another way to gain participants is through referral.

> **Example:** One CSSD Project recruited 51% of participants by mass mailing and 45% by agency referral.

☐ How will you get the word out about your CSSD so individuals can apply for it?

☐ How will individuals be able to apply for the CSSD?

☐ How will you ensure your recruitment and referral processes are streamlined (i.e., that individuals will be able to enter the program as quickly as possible)?

☐ Establish a referral procedure by answering the following questions.

  o Who can refer potential participants?

  o Who will receive the referrals, and how?

  o What is the optimal amount of time from referral to admission?

☐ What is the latest date a participant can enter the CSSD and still complete it by the end of the pilot?

☐ How will you educate referral sources about your CSSD and the referral procedure?

SCREENING. Recruited and referred individuals will need to be screened before the operations team decides whether to admit them to the program. Screening should be a brief process that uses the eligibility criteria to determine who qualifies for the CSSD. Participants who are screened into the program should be randomly assigned to either a

pilot group or a control group. Having as many similarities as possible between the pilot and control groups will help ensure you can accurately measure your results.

☐ Establish a screening procedure by answering the following questions.

- o   What is the timeframe for each step?

- o   In what order will the partnering agencies review and screen the referral?

- o   What is each agency responsible for in the screening process?

- o   What specific tools and instruments will be used for screening?

ASSESSMENT. Assessment is a more comprehensive and individualized examination of problems and needs identified in screening. It includes identifying contributing or exacerbating factors and determining whether the program can address each individual's needs. It should be done as early in the admission process as possible.

Assessments should be conducted by professionals qualified to carry out an in-depth, strengths-based, bio-psycho-social assessment using evidence-based testing instruments and interview techniques that are trauma-informed and culturally sensitive. Review of records, interviews with participants, and discussions with other service and agency professionals are combined to get the most holistic picture. Because of the instruments used and the necessary assessor qualifications, assessment requires more extensive time and fiscal resources than screening.

> **Example**. One project identified individuals who would benefit from the program, but did not consider whether the program could solve the participants' issues. This resulted in numerous participants being administratively dismissed from the program and interfered with the analysis of the project's success.

Proper assessment allows you to identify potential risk behaviors; resources and the level of treatment needed; the connection between participants' contributing factors, co-existing conditions, and threats to possible interventions; additional related problems (e.g., medical, educational, family relations); participant strengths; and if participants' needs are beyond the purview of the CSSD.

☐ Establish an assessment process by answering the following questions.

- o   What is the timeframe for each step?

- o   What is each agency responsible for in the assessment process?

- o   What specific tools and instruments will be used for assessment?

☐ Once the assessment is completed, who will translate the identified barriers and proposed solutions into an individualized case plan (see step 17)?

IV.   STRUCTURING YOUR PROGRAM

11. Design program "phases."

In the previous step, you determined how individuals from your target population will come to your CSSD. Now it is time to determine what will happen during their time in your program (i.e., the "phases" each individual will move through on the way to graduation).

> **Example**. One CSSD Project, designed to help participants gain employment, had six phases. Phases I and II addressed drug addiction and mental health issues. Phases III through V included employment assistance training and job-searching. Phase VI involved weekly follow-up and employment oversight.

ATTRIBUTES OF A GRADUATE. To design the sequence of phases for your program, the best place to begin is at the end. Comparing the attributes you want your graduates to have with the characteristics of your target population will highlight the changes that will need to occur during an individual's time in your program.

☐ What attributes do you want your graduates to have?

LENGTH OF PROGRAM. Consider how long each service will take to have an impact on the target population and how long individuals would remain involved in the regular child support docket. The length of the CSSD should be proportional to the services needed to accomplish the CSSD's goals.

☐ How long will your CSSD be?

SET REALISTIC EXPECTATIONS. As you set goals and requirements for each phase, consider what can realistically be expected of participants in each phase. You want to create a program that will succeed with participants who have failed at other interventions.

> **Example.** Requiring participants to attend financial management classes at 12 p.m. on a Thursday might disadvantage participants who work at that time. Instead, consider offering the class at different times.

☐ What phases will make up your program?

☐ How will you ensure that expectations do not disadvantage any particular group of participants, thereby increasing the chance they might fail?

MOVING FROM ONE PHASE TO THE NEXT. As they progress through the program, participants need to know at all times what is expected of them. You may not have an activity or goal for each expectation at each phase of your program. Consider what the individual is capable of achieving and plan accordingly. Ideally, participants will set their own goals, and the phases will serve as the framework to help them achieve these goals.

☐ What is the timeframe for each phase?

☐ What is the criteria for moving from one phase to the next?

☐ How will you communicate your expectations to participants?

☐ Will you have short term milestones within each phase?

Short term milestones allow participants to experience success early and often. This promotes confidence-building and program buy-in, and is a good fit for individuals who are motivated by immediate results. Instead of having a small number of longer phases, creating a program with more phases that are shorter in length makes it easier for participants to experience success and overcome setbacks.

ISSUES THAT AFFECT PHASE MOVEMENT. No matter how specific you make the requirements for phase movement, when you apply the requirements to individual participants, there will always be judgment calls. Movement in the phase structure should always be forward. If a participant is struggling with the expectations of a particular phase, you can add supports, increase requirements, consider additional restrictions, and hold the participant at the current phase status. Once the participant shows progress, return the participant to the scheduled program expectations for the phase and move forward to the next phase.

☐ How will you keep participants moving toward graduation rather than regressing?

To make good decisions about each participant, your operations team will need to be in close, regular communication. You will provide for this communication in Step 14.

12. Clarify roles and responsibilities of the operations team.

The success of a CSSD depends in large part on day-to-day collaboration among professionals from a range of disciplines who may not be accustomed to working as part of an inter-agency team.

Example. The coordinator will seek funding; prepare and maintain the budget; build partnerships with referral sources; ensure candidates are screened; orient new participants; provide team management functions; ensure data collection and reporting requirements are met; and ensure the team receives training.

You will want to have staff solely for the CSSD, including a project manager dedicated full-time to all aspects of the project. Invite any already assigned members of the operations team (or those who may serve on the operations team) to take part in this discussion.

☐ What will each team member's role be?

☐ What responsibilities come with each team member's role? Are there any overlaps or gaps in responsibilities?

☐ To help orient new members, draft a written description of the CSSD process from start to finish, including the roles of each member and the member's corresponding responsibilities. Include drafts of any forms that will be used be in the process.

13. Provide for jurist supervision.

One of the hallmarks of a CSSD is the personal relationship between participants and the jurist.[2] The jurist can provide participants' with structure and support that are otherwise absent, and the jurist must demonstrate (1) interest in each participant's accomplishments, and (2) sensitivity to each participant's unique issues. To establish this personal relationship, jurist supervision must be intensive – especially when a participant is just starting the program.

Tip: The jurist should spend sufficient time during status review hearings to review each participant's progress in the program.

HEARINGS. Nearly all contact between a participant and the jurist happens during regularly scheduled hearings when the jurist reviews each participant's situation and formalizes decisions about phase movement, incentives and sanctions, graduation, and termination.

☐ For each phase, how frequently will participants appear before the jurist? Should the frequency be linked to participant needs or risk?

☐ Which members of the operations team will attend hearings? What will their role be?

☐ What will be the participant's role at the hearing?

☐ Who may be present at the hearing, and how will confidentiality be handled?

Tip: Have participants appear before the same jurist throughout their enrollment.

The CSSD caseload should be restricted to one jurist's docket, and the jurist should be aware that the cases will be an additional demand. The jurist must take the initiative to dig deeper into each case, asking hard questions and searching for possibly unconventional solutions. This will require the jurist to interact directly with the participant and may require the court to abandon "standard" orders. The jurist must also regularly review the participants' progress to ensure ongoing compliance.

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2   A jurist can be either a judge or a referee.

14. Provide for case management.

No matter how carefully you design the various components of your program, your work will make little difference unless participants actually participate in the services planned for them. Case management ensures that this participation happens. Think of it as the glue that holds all the pieces together, maintaining connections among the participants, the agencies providing services, the operations team, and the court.

> **Example.** One CSSD provided cell phones to its participants and required regular communication through text messaging. The case manager used text messaging to communicate information to each participant.

Case management has three critical functions: (1) to confirm services for participants are arranged and delivered; (2) to monitor each participant's progress and accountability; and (3) to keep the operations team informed about each participant's progress and the performance of service providers. When done well, case management puts a human face on the CSSD. Ideally, a case manager is a consistent presence from the participant's first contact with the court, ensuring continuity of care, identifying gaps or duplication in services, and advocating for participants as they negotiate their way through what can be an intimidating maze of agencies and paperwork. Essentially, case management ensures that the CSSD is actually working.

CASE MANAGEMENT. There are three primary ways to organize case management.

1. In the *independent* model, each system (e.g., treatment, the court) has its own case manager who reports to the operational team. This can be overwhelming for participants who receive services from multiple systems as they will be working with multiple case managers. Because services are not coordinated, they are more likely to overlap, and gaps can be hard to identify and fill.

2. In the *coordinated* model, a single, dedicated case manager communicates among the various systems to gather and coordinate information about each participant. The case manager provides progress reports to the team, alleviates overlaps, and advocates for the participants. The case manager is also able to fill in any gaps in service that may exist.

3. In the *collaborative* model, case managers from each system work together to compile one complete progress report for the team. This results in everyone being on the same page and strongly advocating for participants. This model requires time and cooperation from systems and case managers. If any gaps are identified, one of the agencies must be able to provide or locate gap services.

☐ Which model will your CSSD use?

☐ Who will perform case management functions?

☐ How will case managers receive assessment information?

☐ Who will be responsible for coming up with a service plan?

STAFFINGS: WHERE IT ALL COMES TOGETHER. No matter what model you select, the information gathered about each participant through case management should be reviewed at *staffings*. Staffings are meetings of the operations team held prior to each status hearing to (1) review the progress of each participant scheduled to appear, (2) discuss any concerns that might have come to light, (3) formulate recommendations to the court, and (4) resolve problems.[3]

> **Tip:** Having a plan to overcome confidentiality and security issues is key for information sharing. Some partners may not be able to share information with other partners because of the nature of the information. See Step 19 for more on confidentiality.

At staffings, the case manager(s) furnishes the team with up-to-date information about each participant, either in a written or oral report. Working from this information and the case plan, the team formulates recommendations for incentives and sanctions, phase movement, additional services the participant might need, and – when necessary – termination.

It is useful to develop a case summary sheet, a form where you can record the team's recommendations and the information on which they are based, to ensure you have covered all relevant areas for each participant, and the jurist will have all the information readily available at the hearing. Information sharing is the foundation of effective case management and staffings.

☐ Are you going to hold staffings?

    o   Who will attend staffings?

    o   What will each role contribute to staffings?

    o   How will the team communicate between staffings?

☐ If you are not going to hold staffings, how will the team communicate with the jurist about each participant's progress and issues?

☐ Who will develop the case summary sheet form? What information will it include?

☐ What will your team do if you cannot agree about a recommendation to the court?

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[3] Having the jurist attend staffings may raise concerns about violating Rule 2.9: Ex Parte Communications, of the Model Code of Judicial Conduct. In determining who should attend staffings, consider Rule 2.9 and the Comment on Rule 2.9.

As the team discusses individual participants during staffings, general program issues are likely to surface. Because time is often tight at staffings, it is best to defer these general issues to a separate policy meeting.

15. Design incentives and sanctions.

An effective system of incentives and sanctions will encourage each participant to take responsibility and be accountable for his or her actions. The following guidelines present key ideas drawn from behavior research and juvenile drug court practice that will help you develop such a system.

Example Incentives. Arrears reduction, enforcement suspension, a portfolio for important documents, certificates, special acknowledgment during a hearing, gas or gift cards, bus passes, case manager's direct phone number, parenting time activities, waived bench warrant fee, driver's license restoration, employment assistance, and/or financial management assistance.

IMMEDIATE. The impact of incentives and sanctions is diminished by any delay between the participant's behavior and the purposeful response to that behavior.

CERTAIN. Certainty, or predictability of response, is paramount to participants making the connection between their behavior and the consequence. Knowing ahead of time what will happen in response to their actions (or inactions) puts participants in control and fosters a sense of responsibility.

CONSISTENT. In the early stages of behavior change, positive reinforcement brings about more rapid change when given every time the target behavior occurs. Sanctions given intermittently (or inconsistently) are more likely to reinforce the undesirable behavior than to diminish it.

	Reinforcement	Punishment
Positive	Adding a desired consequence (e.g., social praise) for meeting a specific goal.	Adding an undesirable consequence (e.g., increase hearings) for displaying an undesirable behavior.
Negative	Reducing an undesirable consequence (e.g., arrears) for meeting a specific goal.	Reducing a desirable consequence (e.g., removal of a privilege) for displaying an undesirable behavior.

FAIR. Participants will be more likely to feel that they are being treated fairly if you clearly spell out expectations, respond consistently, provide participants the opportunity to be heard, and work to build trust. Incentives and sanctions are more effective when viewed by the participant as an effort to provide an opportunity for success.

APPROPRIATE INTENSITY. Incentives should be significant enough to be meaningful, while sanctions should be significant enough to get the participant's attention and bring about at least some discomfort. If the sanction is perceived as too strong, it might trigger

defiance, retaliation, or the participant might simply give up. Another thing to consider – if you start out with too high a level of incentive, or too strong a sanction, you are left with nowhere to go.

GOAL ORIENTED. Goal oriented incentives and sanctions will help you target specific behaviors and track the impact of the responses themselves.

> **Example Sanctions.** Unfavorable reports to jurist, formal or informal hearings, contempt hearings, bench warrants, work crews, and/or incarceration.

GRADUATED. When determining the level of response, consider the participant's phase in the program and the corresponding level of expectations, as well as the significance of the achievement or seriousness of the infraction. Social recognition and natural consequences have a stronger impact than tangible rewards.

> **Tip**: Participants tend to trust the jurist more when sanctions are applied consistently, fairly, and in a predefined way.

INDIVIDUALIZED. While you want to create a framework of behavioral expectations and possible consequences, you also need to maintain enough flexibility to allow for individual differences. Keep in mind developmental differences, cultural issues, and personal perceptions of rewards and punishments.

THERAPEUTICALLY SOUND. Changes in a treatment regimen should come from the treatment provider, sometimes at the recommendation of the team. Court imposed sanctions for non-compliance should support rather than contradict treatment goals.

☐ Where will you find the resources to support your use of incentives and sanctions?

☐ Create a system to monitor behavior and deliver immediate responses.

☐ How will you clarify behavioral expectations and consequences with participants during orientation (orientation is discussed further in the next step)?

☐ How will you ensure you follow through consistently during the program?

☐ How will you ensure participants understand the reason for the incentive or sanction, especially when language or cultural barriers exist?

☐ Develop a plan that supports consistent delivery of consequences for targeted behaviors. Include who on the team can deliver the incentive or sanction and when. Provide a written copy of the plan with team members.

☐ Develop a range of incentives and sanctions so you can match the level of response with the level of improvement or non-compliance.

☐ What specific, observable behaviors would indicate progress toward goal attainment? How will you use incentives to reinforce or encourage these behaviors?

☐ What specific, observable behaviors would indicate lack of progress toward goal attainment? How will you use sanctions to discourage or eliminate these behaviors? How will you distinguish between court sanctions and treatment responses?

☐ How will you ensure participants have the resources to accomplish their goals?

☐ Because people are motivated by different things, will you involve participants in developing their incentives and sanctions? If so, how?

☐ How will you hold participants accountable for only those behaviors and actions that are within their capability and control?

16. Design an orientation for participants and families.

Shortly after their acceptance into the CSSD, participants will need a complete orientation to the program. The purpose of the orientation is to make a positive first impression; clarify expectations, roles, and responsibilities; and help participants feel comfortable with the program.

> **Tip:** Conduct a "mini-orientation" at the beginning of each phase to remind participants of what they heard and agreed to during the initial presentation.

Suggested topics include: (1) number of steps; (2) roles of each team member; (3) movement through steps; (4) hearings; (5) incentives and sanctions; (6) financial expectations; (7) dress code; (8) expected court behavior; (9) treatment process; and (10) whether participation is voluntary or mandatory.

☐ How often will you hold orientation? Who will conduct it? Will you involve current participants?

☐ What topics will you cover?

☐ Will orientation be done individually or in groups?

> **Example:** One CSSD provided each participant with all the participant's future court dates at orientation. In hindsight, the CSSD would have included the future court dates in a document that also outlined every step in the process.

☐ Develop an orientation presentation and written materials. In doing so, be sure to account for language barriers. If you have formal court documents that participants need to sign, make the documents non-confrontational and easy to understand.

☐ Will you spread the orientation across more than one session?

V.   DETERMINING TREATMENT, SERVICES, AND RESOURCES

17. Establish a procedure for on-going assessment and service planning.

The case manager – with input from the participant and court team – will need to create an individualized, strengths-based case plan for each participant to serve as a roadmap. The case plan should (1) specify goals; (2) help the case manager monitor and assess progress toward those goals; (3) guide the need for re-assessment; and (4) serve as a tool to determine readiness for phase movement.

In conjunction with the treatment provider, the case manager matches participants with available services, taking into account any substance abuse, mental health issues, trauma, medical issues, the participant's education or vocation, and the participant's social environment.

Tip: If you want to collect payments and build assets, employment assistance partners are key in helping payers learn how to write a resume, explore different job searches, learn job skills, and gain employment.

The case manager, treatment provider, and participant should review the case plan regularly, then revise it as additional issues and needs are identified. Periodic reassessments should look at completed treatment goals, change in family situation, additional needs that become apparent during treatment, and indications of change in the participant's life.

Consider using a "behavioral contract" as an integral part of each participant's case plan to specify milestones, responsibilities, and timeframes. The contract clarifies the short term steps a participant will take to reach goals, identifies the resources available to support the participant's efforts, and outlines the consequences for achievement and noncompliance.

☐ Create a case plan template so case plans are in a consistent format for every participant.

☐ Determine a plan for periodic reassessment.

☐ Will you use behavioral contracts? If so, who will draft them?

18. Select service providers.

It is important to identify community treatment agencies and ancillary services that could assist participants in overcoming the barriers they face in paying child support or exercising parenting time. Common barriers include a lack of: a GED, transportation, legal identification, job skills training, credit counseling, and employers willing to hire payers with criminal backgrounds. Additional services to consider using are: substance abuse counseling, parenting classes, and physical/mental healthcare.

☐ Based on your target population and program goals, list treatment providers in your area. Note which services they do and do not offer, and for whom they will provide treatment (e.g., age-specific or gender-specific treatment). Keep in mind that your participants' needs will likely change as they progress through the program; what you think might be the most important service at the beginning could likely be less important towards the middle and end of the program.

> **Tip:** Plan and negotiate contracts early to get the program up and running. Agencies cannot do anything without payment agreed upon.

☐ Develop a plan to recruit providers.

☐ Draft memorandums of understanding (MOU) with each participating agency. Include (1) what you will communicate about each participant, how that information will be shared, and when; and (2) how you will monitor and evaluate the effectiveness of services.

19. Ensure confidentiality.

To design and supervise the best treatment plan for each participant, the entire operations team will need information about the participant's background and progress in the program. At the same time, the team must honor federal and state confidentiality laws designed to protect the privacy of participants and their families.

The assurance of confidentiality is important for more than just legal reasons. Individuals are more likely to participate fully and honestly in the program if they trust that their information will be kept confidential.

☐ Review federal and state laws and regulations concerning confidentiality.

☐ Create detailed, written policies and procedures for the following:

  o   What information will be kept?

  o   How will information be stored?

  o   Who will have access to information?

  o   How will information be transferred from one team member to another?

  o   How will participants consent to sharing information among the team?

  o   If you have an evaluator, how will participants consent to being part of an evaluation?

  o   How should team members handle requests for information from outside entities (e.g., law enforcement, the media)?

- o   What information will be disclosed during hearings?

- o   How will new staff be informed of these policies and procedures?

☐ Will you have your policies and procedures reviewed by someone familiar with this area of law?

☐ Thoroughly brief team members about the confidentiality policies and procedures.

VI. SUSTAINING YOUR PROGRAM INTO THE FUTURE

20. Write goal objectives.

When a CSSD is struggling to get off the ground, evaluation can easily become an after-thought. Unfortunately, by the time the team gets around to evaluation, it may be too late to gather critical baseline information needed to document the program's accomplishments and impact. Even if this information can be reconstructed, doing so after the fact often takes a lot more work than collecting it as you go along. Think about evaluation as a way to make continuous program improvements and ensure you are on the right course – true to your vision and mission.

> **Example Goal and Corresponding First-Year Objectives.** One goal for a CSSD could be that participants increase their likelihood of achieving employment. The corresponding first-year objectives could be that 80% of participants complete job-search training and 75% of participants create or update their resume.

The important thing about an objective is that you can measure it. In contrast, a goal is usually too general to be measured. Although writing objectives may appear straightforward, it can actually be quite tricky, requiring time, thought, and patience. Ideally, you will have an evaluator on hand to facilitate the writing process. If you do not have an evaluator, you will need to assign a team member to facilitate the discussion.

One good way to get started with writing objectives is to examine each goal and ask, "What will we need to accomplish to meet this goal?" Those necessary accomplishments can be shaped into objectives.

As you set objectives for the first year, consider the time needed to get your program up and running and then to full capacity. For example, in Year 1, you will not have many "successful program completions" or graduations. So your objective might be, "60% of participants will reach Phase II or Phase III in year one."

☐ To lay the foundation for evaluating your program, write objectives for each goal you listed in Step 7, focusing on objectives you can realistically expect to meet by the end of the CSSD's first year. You can develop objectives for years 2 and 3 later.

21. Build a system to monitor the program.

Monitoring simply means keeping track of what your program is doing. For example, what services are being provided? Are they being provided as they were contracted for, for the full number of specified hours, in an appropriate setting? Are participants actually getting to the service? If not, what are the barriers?

There are three important reasons to monitor your program.

*(1) Without monitoring, you will not be able to explain the outcome of your program –
the impact it has made (or failed to make) on participants – unless you know exactly what
the program did.* If your program falls short of the impact you hoped for, was it because
the program did not happened as planned? Or, was it because the program you planned
and delivered simply did not result in the outcomes you expected? You will not be able
to tell the difference unless you have documented what was done.

*(2) You will want to be able to make
adjustments as you go along.* For
example, if there are barriers to
participants receiving services, you
will want to remove them. This
continual fine-tuning will make it
more likely that you will reach your
outcome goals. Sometimes, this is
referred to as **quality assurance**.

> **Example Adjustment.** Financial classes
> were offered to the pilot group in one
> CSSD project, but feedback from a focus
> group found that some participants were
> unable to attend the classes due to their
> work schedules. In response, the project
> offered more classes and at different times
> to accommodate shift workers.

*(3) You will want to provide
periodic reports to stakeholders.*
Gathering this information as you go along is far more efficient and accurate than trying
to reconstruct it the day before your report is due.

In this step, you will determine what aspects of program delivery you want to monitor,
and then you will design a system for gathering data.

In Section II, **Setting a Direction**, we encouraged you to recruit a program evaluator to
help develop a mission and goals. However, if that was not possible, we also suggested
that another member of the team could take on the evaluator role.

> **Example System.** One CSSD project designed
> and maintained a centralized database that kept
> track of where participants were in the program
> and allowed data entry and access to all partners.
> Data from intake forms, appointments, and case
> notes were stored based on an assigned case
> tracking number for each participant. Selected
> data from MiCSES was incorporated, as well.

If you do not have the funds or
resources to engage an
evaluator in your team
planning or operations,
consider looking for a local
college that can offer graduate
level students or a project-
based intern. There might also
be technical assistance money
available to bring an evaluator
in to help with goal-setting, objective development, and developing a plan for
monitoring. When applying for funding to bring on an evaluator, it may be helpful to
provide data about the number of people served or basic outputs of the project to show
that the project warrants further evaluation. Be aware that not all evaluators have
expertise in data collection and management information systems (MIS). So, you may
want to bring in an additional person to help with developing data systems. Your county
MIS department can be a helpful resource with this step.

☐ For each process objective, what information will you need to assess progress in meeting that objective?

☐ For each service provider, what information will you need to assess whether the provider is meeting its obligations to the program? What information will you need to assess the quality of services provided?

Tip: Many consultants may not be familiar with the data available to the child support program. You may want to set aside time to review your case management and reporting systems with the consultant.

☐ How will your operations team and planning team communicate regularly about barriers to meeting objectives and making adjustments accordingly?

☐ If you have not already, choose an evaluator to provide periodic, objective oversight.

22. Make a plan for program evaluation.

In the previous step, you designed a system for monitoring your program. Here, you will make a plan for program evaluation. You might be asking, what is the difference between **monitoring** and **evaluation**?

Example Evaluation Plan. Over the course of a 3-year CSSD Project, the team collected evaluation data using intake forms, partner interviews, follow-up surveys, focus groups, and database queries. The evaluator submitted yearly interim reports during the project, and a final evaluation report at the end of the project.

When you **monitor**, you keep track of your program's activities and level of quality. **Evaluation** goes beyond monitoring and considers whether your activities have made a difference in the problem your program set out to fix. In other words, monitoring focuses on *process* goals, while evaluation focuses on both process *and* outcome goals.

Monitoring and evaluation go hand-in-hand. A year from now, if you can show that you carried out all the activities planned for your program (i.e., that you met all your process goals), that will mean little unless you know whether these activities have actually made a difference for the participants.

As you plan for program evaluation, keep in mind the eventual audiences for your evaluation findings. What will your funder want to know? Other stakeholders? If your evaluation addresses these questions, its findings can be used to help sustain your program into the future.

You may want to find and contract an independent evaluator to help determine the project's evaluation criteria and evaluation plan. Some funders will require independent

evaluation of the project, and many eventual audiences might more readily trust your findings if the evaluation is conducted independently.

Some independent evaluators will require approval of the evaluation study by an institutional review board (IRB), a committee that reviews proposed research methods to ensure they are ethical. Any research that is directly or indirectly funded by the federal government must receive IRB approval.[4]

You will want to minimize the burden of paperwork for the operations team, your service providers, and the program participants. An evaluation consultant can alert you to potential pitfalls and help you create a realistic system of data collection that is efficient while still enabling you to assess whether your program has met its goals and objectives.

For best results, have your staff input data regularly instead of saving data entry for the end of the project. This will enable you to evaluate your data and make tweaks to your program. When possible, set up data collection methods to avoid human error.

> **Tip:** Periodic evaluations (e.g., monthly or quarterly) allow the program to make modifications along the way to increase services to participants. This, in turn, can help improve evaluation results. It also helps the program learn what works and what does not.

☐ For each outcome goal and objective you developed in Step 20, determine what information you will need in order to assess whether you have met the objective.

☐ How will you gather the information you need to assess your success? What forms and procedures will be used for data collection?

☐ How will you combine the data collection procedures above with those you designed for program monitoring in Step 21?

☐ How will you ensure procedures do not compromise confidentiality?

☐ Who will train staff on the system if they are unfamiliar with it?

☐ How will you ensure staff input data regularly instead of saving data entry for the end of the project?

☐ How will you use the findings for program improvement or funding?

☐ Before it is time to start collecting data, set up the system you will use to collect and store the data. Test the system to make sure it works.

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[4] [45 Code of Federal Regulations (CFR) 46.109](#).

☐ Once you have completed collecting data, have an evaluator help you look at the findings and draw conclusions about process and outcomes.

23. Develop a start-up budget.

The work of funding your program has two parts: (1) the short term (i.e., the resources you need right now to get your program off the ground), and (2) the long-term (i.e., how to ensure that your program will be fiscally viable three to five years down the road). In this step, you will work on finding short-term funding, leaving the search for long-term funding for the next step.

Sometimes, planning teams assume their program will need to be grant funded and that just one funder (e.g., state or local government) will be the source of all start-up funds. This could happen for your program. Alternatively, your court could reconfigure already existing resources, supplementing them with local contributions. There are four major tasks in finding start-up funding for your CSSD.

CREATE A BUDGET. Determine exactly what you need funding for.

☐ List all the expenses associated with starting and operating your CSSD for the first one-to-two years.

☐ Estimate the costs for each category.

SURVEY RESOURCES. Next, survey the existing resources for each category. Look for opportunities to combine or realign resources, especially those that provide services to a population identical or similar to your target population.

☐ How could you reconfigure existing resources to meet your budget needs?

IDENTIFY BUDGET GAPS. By a process of elimination, you will be able to identify the expenses for which you will need to seek new in-kind contributions or grants.

☐ List the expenses for which you will need to seek new resources.

SEEK OUT POTENTIAL CONTRIBUTORS. Once you have identified the expenses that will require new resources, you will be in a good position to seek out potential contributors (e.g., community groups, local foundations, and government agencies). You will be able to make presentations and prepare funding requests because you will be able to document exactly *why* you need funding and *how* it will complement existing resources to maximize their impact.

☐ List potential contributors.

☐ What are the next steps in contacting each new potential contributor? Who on the planning team will be responsible for this follow-up?

24. Develop a five-year plan.

In the previous step, you developed a plan to find start-up funding. Now it is time to look ahead. What will happen after your start-up funding runs out?

Even if your program is a resounding success, after two or three years, it will no longer be eligible for grants designed to support new initiatives. You need to start now to build the support that will sustain it into the future. In fact, start-up funders may require a sustainability plan as part of your proposal.

Tip: To implement some of these strategies, consider enlisting the aid of your steering committee. This is a perfect opportunity to leverage their connections and influence. Remember, however, that judges and court employees cannot engage in fundraising.

If you have managed to start your program by reconfiguring existing resources, you will be a step ahead because you will not be dependent on time-limited grants. But even if you have no grants, it is still a good idea to make a plan for sustaining your current resources into the future. Consider looking ahead five years – beyond the typical life of a start-up grant, but not so far into the future that it will be hard to predict what the available resources might be.

Your challenge is to figure out how to institutionalize your program, to come up with a plan that will take it from pilot to the way business is done in your community. Below are strategies to consider. You may think of others, and you will probably want to pursue more than one.

1. *Negotiate with directors of participating agencies to make the CSSD part of the agencies' annual operating budgets*. Early in the implementation of a CSSD, it is likely that the planning team will champion the program. Over time, you want to broaden this base of support within the participating agencies so everyone is aware of and supportive of the court's work. With this foundation of support, planning team members can negotiate with agency directors to get the program integrated into their agencies' regular operating budgets.

2. *Negotiate directly with the city or county to become part of the budget*. Research the budget processes for local government entities. Then begin to gradually educate elected officials about your program and its accomplishments.

3. *Network with other CSSDs in your state to advocate for state legislation to fund CSSDs*. For example, drug courts in a number of states have been very active and vocal, resulting in state-level legislation and funding.

4. *Build relationships with managed care organizations to cover costs of treatment*. Educate executives of managed care plans on the work the court is doing and its potential benefits for their organizations. Research the insurance benefits available to families and participants from the Affordable Care Act.

5. *Apply for Federal enhancement grants*. Although Federal funding is generally not available to continue doing what you have already been doing, there are grants for program enhancement, either the addition of new services, or an expansion of current services to a new population.

6. *Join consortia for high volume discounts*. It is likely that your program will not have large enough numbers to get volume discounts on supplies and equipment. Consider forming or joining larger groups to pool monies and take advantage of lower rates.

You will need to revise your five-year plan periodically in response to changes in your community's demographics, a shifting economic picture, and new trends in funding. Try to anticipate these changes; keep your eyes open and your ears to the ground. By staying abreast of new developments, you will not be caught off guard, and you will be able to take advantage of change to create new opportunities for sustaining your program.

☐ Which budget or resource gaps does each strategy address?

☐ Which of these strategies will you pursue to sustain your program? Who will pursue the strategy, and what steps will they follow to do so?

☐ How will you make sure you revise your five-year plan periodically?

25. Establish the operations team.

For some projects, this step will be unnecessary; either your planning team is your operations team, or you have been able to include members of the operations team at key points in the planning process, so they are already prepared to implement the program.

In other projects, there may be substantial turnover from planning to operations. Typically, these team members are the line staff who will be providing the actual services (e.g., the case manager or clinicians). By planning for transition, you can ensure the original commitment to and ownership of the program is transferred to the operations team. You may want to create a transition plan that can be used to inform the operations team, and any new members as turnover occurs, of the CSSD's mission, goals, objectives, policies, and procedures. Orienting new operations team members is critical.

☐ How will you ensure new members of the operations team get an orientation to the decisions made about policies and procedures and the reasons behind those decisions?

☐ Will you create a transition plan? If so, who will draft it?

☐ What training will each member of the operations team need? Who will provide the training?