

# *COLD CASE PROJECT ANNUAL REPORT*

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Prepared by the Administrative Office of the Courts  
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Office of Children, Families and the Courts

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## *Introduction*

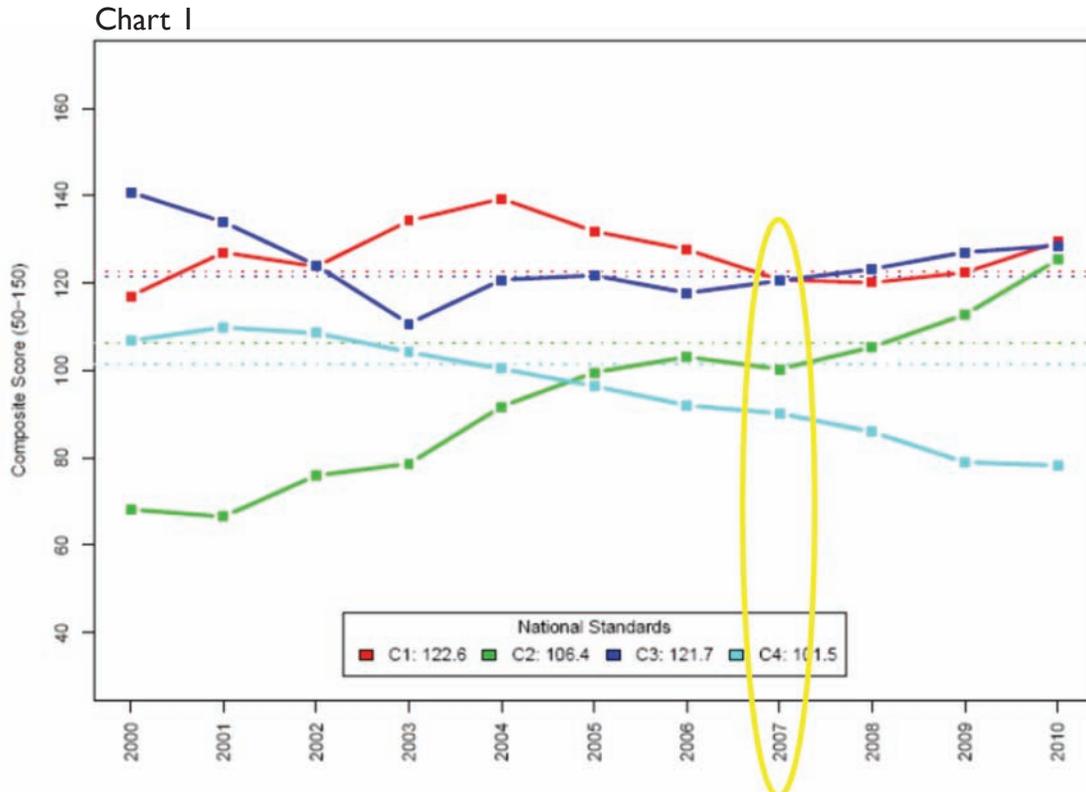
The Supreme Court of Georgia Committee on Justice for Children (J4C), which is staffed by the Administrative Office of the Courts, began a one-year study in April of 2009 known as the Cold Case Project, with the purpose of improving outcomes for children in long term foster care. The scope of the project was to review case files to identify legal barriers to permanency for children who had spent at least two years in foster care. A report from that initial year is

published on the J4C website at [www.gajusticeforchildren.org](http://www.gajusticeforchildren.org).

Georgia's Division of Family and Children Services (DFCS) began the Permanency Roundtable Project (PRT) in January, 2009 in collaboration with Casey Family Programs, with the similar purpose of finding families for children languishing in foster care. More information on PRTs is available at [www.casey.org/resources/publications/garoundtable.htm](http://www.casey.org/resources/publications/garoundtable.htm).

## History

In 2007, the federal Child and Family Services Review (CFSR) indicated Georgia was not in substantial conformity with any of its four Permanency Composites<sup>i</sup> (see Chart 1):



The dotted lines indicate the national standard, which Georgia failed to meet on all composites in 2007. Composite 3, represented by the blue line, measures state compliance with the national priority of preventing long stays in foster care and finding permanency for all children in care, particularly older youth and legal orphans<sup>ii</sup>. In response to the CFSR, leadership from DFCS and J4C<sup>iii</sup> met frequently and identified strategies to improve outcomes for children in foster care for long periods of time. Casey Family Programs also became a partner in these efforts, and in 2009 the Cold Case Project and PRTs were identified as the projects which DFCS and J4C would use to improve on Permanency Composite 3.

The projects were then, and have since, been run separately for several reasons. The PRT was more akin to an internal staffing; that is, a tool for local DFCS offices to review cases and identify innovative permanency options. PRT was broader than the Cold Case Project, and was designed to change the culture around permanency from within the agency. The Cold Case Project was more akin to an external quality assurance review. Case files were reviewed by lawyers to identify legal barriers to permanency. The Cold Case Project took a more narrow approach, focusing on the most complex cases.

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## 2009: Year One of the Cold Case Project

The Cold Case Project was driven by a predictive model developed using DFCS data that identified, through multivariate regression, seven factors<sup>iv</sup> as most predictive for a case to become “cold” - that is, a case most likely to negatively impact our state’s performance on Permanency Composite 3. The model identified over 400 “coldest” cases out of more than 7,500 children in the overall foster care population.

Using Court Improvement Program grant funds, J4C hired eleven child welfare attorneys to review the files. These attorneys, hired as ‘Cold Case Fellows,’ each earned an “A” on a substantive child welfare legal test administered prior to hiring, received over 30 hours of in-class training, and demonstrated an ongoing commitment to child welfare.<sup>v</sup> The Cold Case Fellows represented a mix of agency (Special Assistant Attorneys General), parent, and child attorneys. Ashley Willcott, a Special Assistant Attorney General, was and is the Project Lead.

In 2009, 214 of the ‘Cold Cases’ were randomly

assigned to a case-study group, and the remaining 233 cases were assigned to a control group. The children in both groups were more male than female, slightly more non-white, the most populous age range was 13-15 and over 78% had an identified disability. Demographical data of both groups are described in greater detail on page 18 of the 2010 Cold Case Report. Upon reviewing the files of children in the case-study group and discussing them with DFCS case managers, the Fellows filled out a pre-designed instrument to identify legal barriers to permanency. After the review, the Fellows wrote up a brief narrative of the case to share and discuss during a scheduled follow-up teleconference with the child’s case-manager and other stakeholders working on the case. The idea was to brainstorm and develop recommendations to improve the likelihood of permanency for these children. If necessary, additional calls occurred to monitor progress. Prior to the teleconferences, the Fellows discussed every case reviewed amongst themselves.

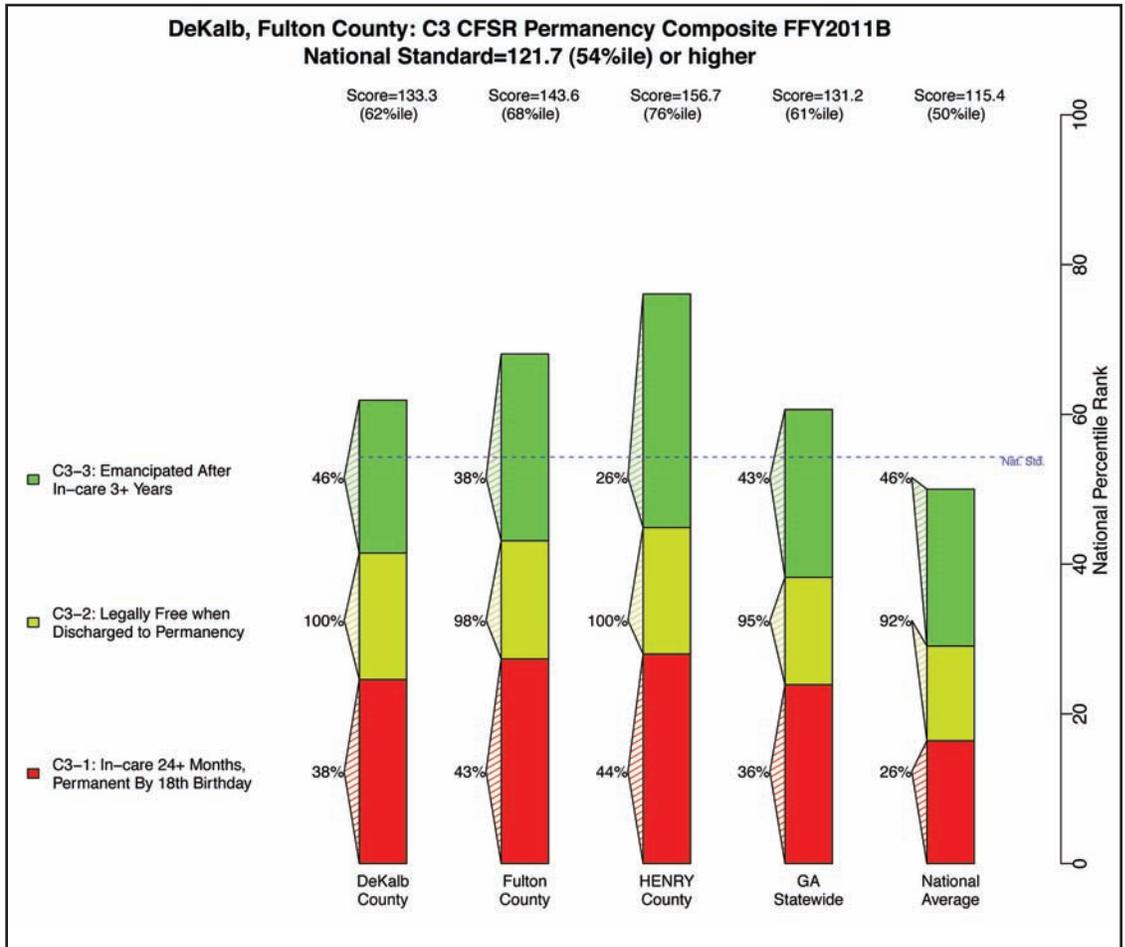
# Year Two of the Cold Case Project: 2010 to 2011

By late 2010, Georgia was exceeding the national standard for Permanency Composite 3 and continued to do so in 2011. Chart 2 demonstrates Georgia's success in achieving substantial conformity with Permanency Composite 3 as of September 2011, reflected both statewide and in many counties, including DeKalb and Fulton which comprise the City of Atlanta.

However, recognizing an ongoing need for program improvement, a Cold Case Project restart in late 2010 was made possible through collaboration with Casey Family Programs. The Cold Case Project was again conducted in full partnership with DFCS; however, there were a number of changes to the project:

1. The predictive model was refined to create a new Cold Case list. The original model was not as accurate when applied to the most recent data. Due to the complex nature of child welfare dynamics, it is appropriate to periodically refine the model.

Chart 2



2. The control group was dropped as the project was no longer run as a scientific study. Children were reviewed by priority, starting with the 'coldest' cases, and the Cold Case list was shared with many professionals throughout the state.

3. Ashley Willcott, project lead, began contractually running the project inside DFCS. She was provided a DFCS workspace, phone number, and e-mail address. This seemingly small change made a remarkable difference on the responsiveness and receptiveness of the local DFCS offices to the Cold Case Project.

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4. Five Fellows continued on the project and two new attorneys were hired, totaling seven Fellows.
  5. Follow up calls with the county became routine and strengthened. Rather than following up on an as-needed basis, cases were continuously reviewed and a protocol for escalating issues within the local and state leadership of DFCS was established.
  6. Permanency Counseling was added as a resource for the agency. J4C and DFCS partnered with Georgia CASA to train a number of CASA volunteers on how to conduct permanency counseling. Sue Badeau of Casey Family Programs led the workshop, attended by CASAs, the Cold Case Fellows, and other child welfare professionals. The training was taped and archived online by Georgia Public TV. A link to the training is posted on the J4C website. Sue Badeau's training provided the right skills and mentality to engage children in their permanency planning in a meaningful way – something necessary for many of these children.
  7. Based on the findings of the 2009 study that psychotropic medications were over-utilized for children

in care, the Cold Case Project enlisted the services of a child psychiatrist made possible through collaboration with Casey Family Programs, in partnership with the Barton Center at Emory University School of Law. The psychiatrist continues to provide consultation to the state agency on individual cases, reviews files for quality assurance, and provides training to DFCS case managers and other stakeholders regarding advocacy for children with medical and mental health needs.

8. To raise public awareness about our profession and the children and families we serve, the Cold Case Project began publishing a monthly column in the Juvenile Justice Information Exchange ([www.jjie.org](http://www.jjie.org)). The column highlights lessons learned as well as success stories of Cold Case children who have achieved permanency.
9. The Cold Case Project team continues to seek national systems improvement by presenting at local and national conferences and assisting other states in starting similar projects to help find permanent families for children in foster care for long periods of time.

## Cold Case Profile for 2010/2011

The predictive model, as refined, continues to be more than 90% accurate in identifying children most likely to negatively impact Permanency Composite 3. While this sounds technical, the model identifies children most likely to spend two years in care without finding permanency, or legal orphans who will emancipate from care, or children who emancipate after spending at least three years in care.<sup>vi</sup> The most recent model identifies the following six factors as the strongest predictors of a Cold Case:

1. per-diem (greater than \$17);
2. the placement type NOT being either Pre-Adoptive or Trial-Home-Visit;
3. length of stay in care (greater than 36 months);
4. not receiving IV-E or adoption reimbursement;
5. number of placement settings during current removal episode;
6. termination of parental rights not established on both parents.

## Permanency Outcomes for Cold Cases Reviewed in 2009

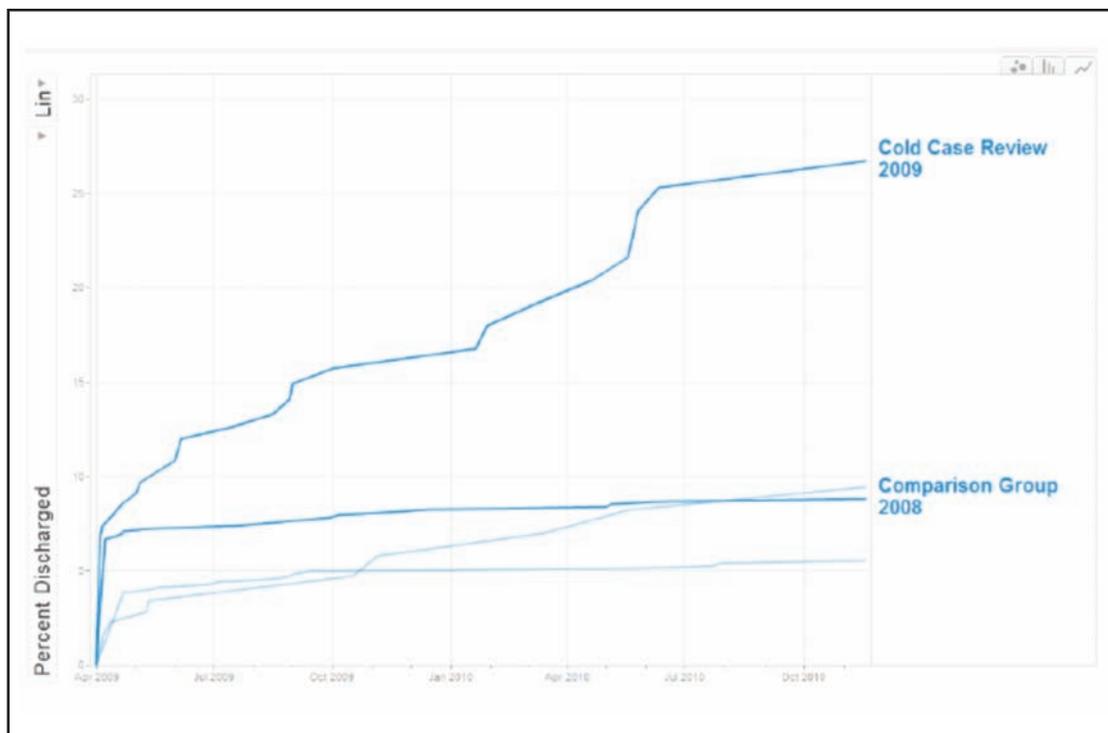
Measuring the results of the original scientific study is an ongoing commitment. Early efforts to compare the permanency rates of the control and case-study groups yielded little difference. There could be several possible explanations for this: (1) the Cold Case Project had no quantitative effect; (2) the randomization of the case-study and control groups was compromised; (3) the Cold Case Project and PRTs had a “contagion effect” – that is, the projects themselves influenced the control group; (4) other factors led to changes that positively impacted all children in long term care.

To explore some of these explanations, J4C creat-

Each factor is a strong predictor standing alone. The original predictive model utilized many cross-interaction terms and relied heavily on child and family demographics. However, the current model predicts cold cases based on single variables that are unmistakably tied to professional decision-making. In other words, where the old model depended on a child’s age or race, the new model predicts more accurately based on, say, placement type and length of stay. The front-line, day-to-day decisions made by child welfare professionals are paramount to improving permanency for children in long-term foster care.

ed a Comparison Group from 2008 DFCS data. The Comparison Group involved children in state custody prior to the Cold Case Project and PRTs that were scientifically matched to subjects in the original case-study group (the Cold Cases that were reviewed). By building this new comparison group, the need for randomization was eliminated, alleviating many of the concerns in comparing the control and case-study groups. As shown in Chart 3, analyzing the case-study group and the comparison group suggested that the Cold Case Project may have shortened the case-study children’s time in care as well as increased their number of discharges to legal permanency.

Chart 3



This type of chart is most often referred to as a survival curve. A survival curve displays the time it takes for some event to happen to a group of subjects. Most often, this is used in the medical field to measure the time it takes patients to die (or how long they survive) after exposure to a treatment. For our purposes, the subjects are the Cold Case Review 2009 case-study group (those children whose files were reviewed) and the 2008 Comparison Group discussed above. The timeframe on the horizontal axis goes from April 2009 – the start of the Cold Case Project – to November 2010, the most recent data available. The event of interest is discharge to permanency. The vertical axis represents the percentage of Cold Case and comparison group subjects discharged to legally permanent placements.

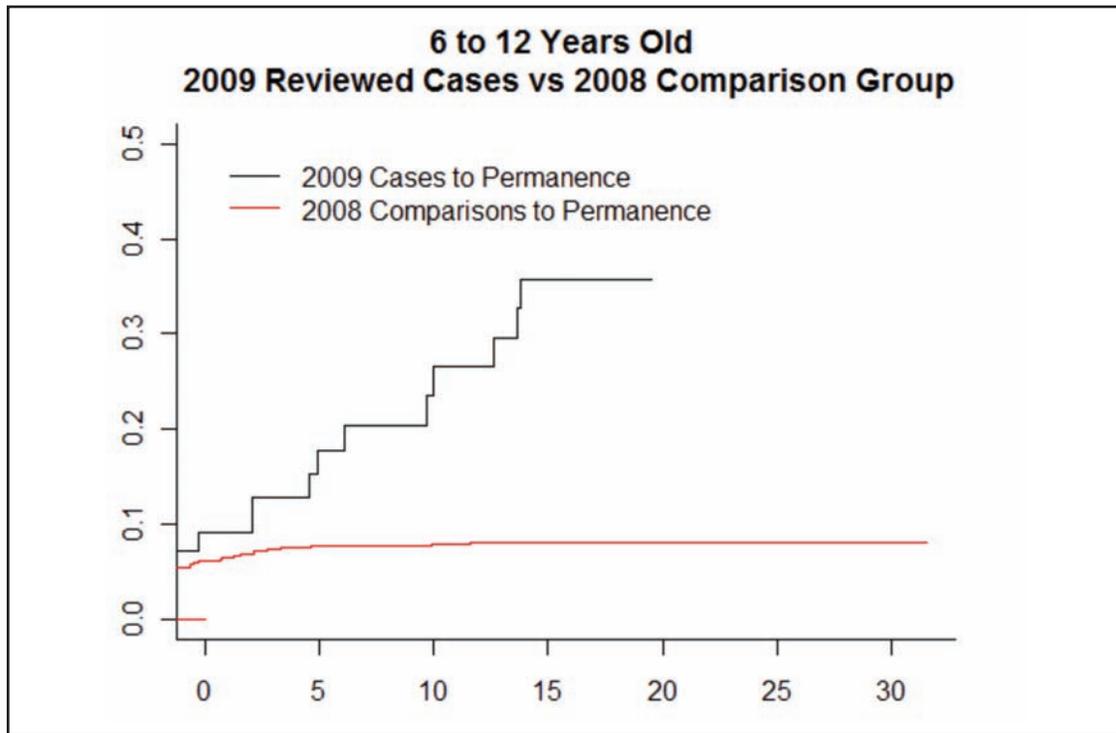
It is worth discussing two aspects of this chart. First, by the end of November 2010, over 20%<sup>vii</sup> of the Cold Case subjects had exited to legal permanency.

The 2008 Comparison Group, after the same length of time, had flattened at less than 10%<sup>viii</sup> exiting to permanency. In other words, the Cold Case Project may have improved the likelihood that these vulnerable children would exit to legal permanency.

Second, for reviewed cases, there was continuous progress towards permanency. However, the rate of legal permanency for the 2008 Comparison Group leveled off in just a few months. While Cold Cases continued to steadily move toward permanency, the Comparison Group cases remained stuck in care. More visualizations, including animated motion charts powered by free Google software, are available at: <http://fosteringcourtimprovement.org/tmp/ccp1.html>.

For children 6 to 12 years old, the 2009 Cold Case Review Group seemed to fare better with respect to timely permanency than the 2008 Comparison Group<sup>ix</sup>. The survival curve below indicates that within a year of the study, 26.7% of children 6 to 12 years

Chart 4



old in the reviewed cohort were discharged to permanency. This is, more than three times the rate of the 2008 Comparison Group (8.1%).

In Chart 4, the horizontal axis represents the time (in months) since the review while the vertical axis

indicates the percentage of children discharged to permanency. These data strengthen our belief that elementary age children benefit more from projects that focus on preventing long stays in foster care.

## Lessons Learned From the Cold Case Work from 2009 through 2011

While we continue to monitor the data to help inform the work we are doing, we have recognized a number of lessons learned and unquantifiable benefits from the project that cannot be overstated:

1. The on-site reviews exposed a number of systemic defects: patterns of over-utilization of psychotropic medication, poorly executed relative searches, not enough attention paid to children's legal rights, few relative and sibling connections. Data gathered from these reviews validated the legal deficiencies underpinning the sad stories of the children these files represented.
2. The on-site reviews were lengthy and expensive. Reviews could take up to four hours in billable time. Since the project was statewide, extensive travel was required of the Fellows, an added expense. The reviews were insufficient in some cases without aggressive follow-up and innovative case management. For 2012, we plan to experiment with a more prudent and efficient manner to identify legal defects on both the individual case and systemic level.
3. Identification of Cold Cases was an integral part of the project – perhaps the biggest return on investment for our state. We immediately realized the benefits of the Hawthorne Effect: by virtue of announcing and describing the project, people changed their practices to mirror the message and values of the Cold Case and PRT projects. By showing a tangible list of children in state custody to stakeholders and promising that a review by the Supreme Court J4C team was coming, children on the list began to move toward permanency. The project by design prioritized these children for increased attention and work effort, attention needed and deserved.
4. The State of Georgia now has a new list of child welfare experts. Most of the Cold Case Fellows have gone on to become Child Welfare Legal Specialists. Some have ended up in other high profile positions within the child welfare legal field, one has been appointed to an important child law position at the State Bar. Two others have strengthened their practice and become specialists in child or parent attorney representation, and another is a pro tem judge.
5. The collaborative relationship forged and strengthened between the judicial and executive branches epitomizes the hallmark of good government. The two branches of government – on the state and local level – shared information openly and with the common goal of systemic improvement. The judicial branch and executive branch child welfare leaders enjoy a stronger working relationship today. When the Cold Case Project was originally proposed, it was not resoundingly embraced. Reviews that at first could have fairly been characterized as “merely tolerated” have morphed into collaborative and lively meetings centered on permanency for children. Cold Case Fellows today find themselves actively participating and brainstorming with the front-line staff about permanency options. Cold Cases are often complex and overwhelming, but one can never underestimate the power of bringing the brightest minds together to solve a problem we all care so deeply about. The judicial branch, via the Cold Case Project, is now an asset rather than a threat, now a member of the team rather than an outsider. It has taken two years to get to this point.

## Initial Summary of Results from the 2011 Reviews

In 2011, the Cold Case fellows reviewed a total of 258 cold cases from the "Phase II" predictive model list.<sup>x</sup> In addition to reviewing the hard files for each of these cases, the fellows interviewed case managers and participated in telephone conferences with the local and State DFCS offices to discuss and overcome barriers to permanency.

The number of follow up cases from the Phase I list was 22 from Fulton County; 21 from DeKalb County; 150 from other counties which equals of total of 193 for follow up in 2011.

As for permanency outcomes for the Phase II cases, it is too early to assess, as the reviews and the

work just ended in December 2011. A master status spreadsheet of the Phase II Cold Case list is shared with all partners monthly. A number of the Cold Case children reviewed in 2011 have received permanency counseling<sup>xi</sup> and as a result have decided that they do in fact want to be adopted or have a guardianship. Other children needed more visiting resources to get started on a path toward real permanency, or they needed to be heard in court with assistance. These factors are the beginning stages of improving their permanency outcomes that will not yet be reflected in a summary of outcomes.

## Next Steps for 2012

For 2012, DFCS and J4C plan to align PRT and the Cold Case Project. Children on the Cold Case List will be scheduled for a Permanency Roundtable Plus (PRTP), which means a permanency roundtable with Cold Case Fellows at the table. To prepare for the PRTP, the Fellows will conduct an electronic review of the file to gather information. During the PRTP, the Fellows will engage in a full discussion with the case manager and other stakeholders to complete the picture.

There will be increased efforts to engage local attorneys appointed to each case, particularly the agency attorneys. These attorneys will be invited and expected to participate in the PRTP, and will be allowed to bill the agency for their participation. While there are many structural and localized barriers to successfully engaging local attorneys, J4C and DFCS are committed to investing in and developing expertise in local communities.

Strict and routine monitoring of cases after the

PRTP will continue, by email or phone. Fellows will stick to the established protocol of escalating matters when cases are not moving. Through collaboration with Casey Family Programs, additional resources will be added for local communities to utilize. These include, for example, hiring an experienced detective to help develop a more rigorous family-finding model and engaging professional marketing services to assist with adoption recruitment.

Finally, we plan to work more closely with our partners and experts at Casey Family Programs. We plan to invite Casey representatives to participate in the PRTP by phone or in person to provide technical assistance. We hope this will also benefit other states as we continue to work together to implement versions of these projects across the nation.

An annual report written jointly by DFCS with J4C, with continued data analysis by DFCS, with whom J4C shares research services, will be published in late 2012.

## Conclusion

The Cold Case Project has been a valuable tool for child welfare professionals as well as the children and families we serve. The data and practices reflect as much. Yet program improvement must be continuous.

J4C and DFCS are committed to informed decision making and inter-agency collaboration to improve outcomes for youth in care. We look forward to sharing our 2012 findings in the next report.

<sup>i</sup>A detailed description of the Child and Family Service Review Composite Measures: <http://bit.ly/zDrXmA>

<sup>ii</sup>The term 'legal orphan' is used to describe children in foster care that have no legal connection to their biological parents as a result of a court granting a termination of parental rights petition.

<sup>iii</sup>The Supreme Court of Georgia's Committee on Justice for Children manages the state's federal Court Improvement Program grant.

<sup>iv</sup>The seven factors identified are: lack of federal funding reimbursement; number of months in care; lack of termination of parental rights; caretaker year of birth; current placement in an institution; age of the child; number of placements. For a more complete description of the model, see page 13 of the 2009 Cold Case Report.

<sup>v</sup>Over 3/4 of the original Fellows have gone on to become Child Welfare Law Specialists, a legal specialty first recognized by the State of Georgia in 2010, and continue to work in child welfare as either practitioners or policy advocates.

<sup>vi</sup>It should be noted the model is applied only to children who have spent at least two years in care.

<sup>vii</sup>26.72% exactly

<sup>viii</sup>8.81% exactly

<sup>ix</sup>There were 214 children in the original Cold Case group, but some were missing data, exited too early or were not usable for some other reason. Thus, 177 cases were used and 708 were used as the comparison group. This was the largest number available that allowed all children to be matched by county. Similar comparisons were also done using a 1:1 ratio with similar results. The larger comparison group has less variance so is used in the charts.

<sup>x</sup>The Cold Case fellows and the DFCS partners refer to the "restart" of the Cold Case Project with Casey Collaboration as Phase II because a new predictive model was developed resulting in a new list. Phase III will begin in 2012.

<sup>xi</sup>For more information on permanency counseling, please see: <http://bit.ly/xC8Ule>

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