



**FFY 2023
Court
Performance
Measures
Report**

Indiana Court Improvement Program

**Indiana Office of Court Services, Children and Families Division
Office of Judicial Administration**

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Court Improvement Program

The Court Improvement Program (CIP) is administered by the Indiana Office of Court Services to enhance the safety, timely permanency, and well-being outcomes for children and families involved in child welfare proceedings. This report and the statewide collection of metrics are supported by CIP funding granted to the Indiana Supreme Court by the United States Department of Health and Human Services, Administration for Children and Families.

About this Report



This report contains statewide data on time to permanency as well as the timeliness of certain child welfare hearing types.

Judges should review the data contained in this report and:

- Work collaboratively with their local DCS and other stakeholders to implement strategies to safely reduce the time to permanency
- Address measures that are not in compliance with national and state standards

This report gathers data on measures taken from the Court Performance Measures in Child Abuse and Neglect Cases Technical Guide, commonly known as the “Toolkit.” The Toolkit is a set of measures developed in 2008 (updated in 2009) by the U.S. Department of Health and Human Services’ Children’s Bureau and the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) with technical support provided by the American Bar Association, the National Center for State Courts, and the National Council of Juvenile and Family Court Judges.

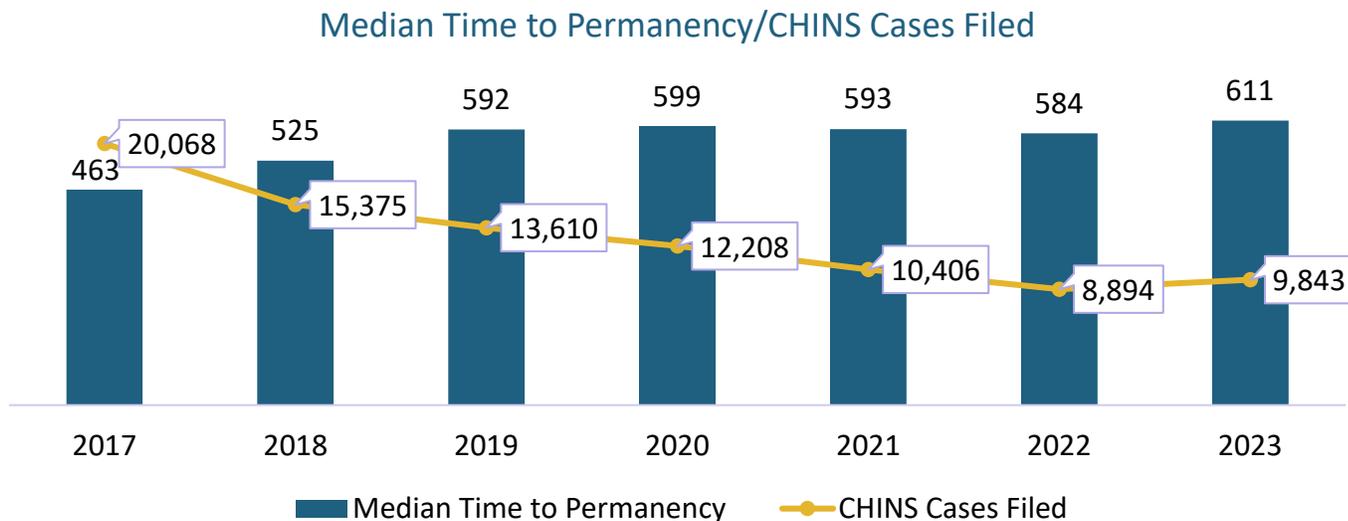
Executive Summary

The data presented in this report is for FFY 2023 and includes CHINS cases that closed between October 1, 2022 and September 30, 2023. Cases that opened before October 1, 2017 are excluded as those cases may not be a true representation of current practice.

County, DCS Region and Judicial District level data for each measure is available on the [public facing dashboard](#). This data includes the most recent quarterly data and the preceding five years.

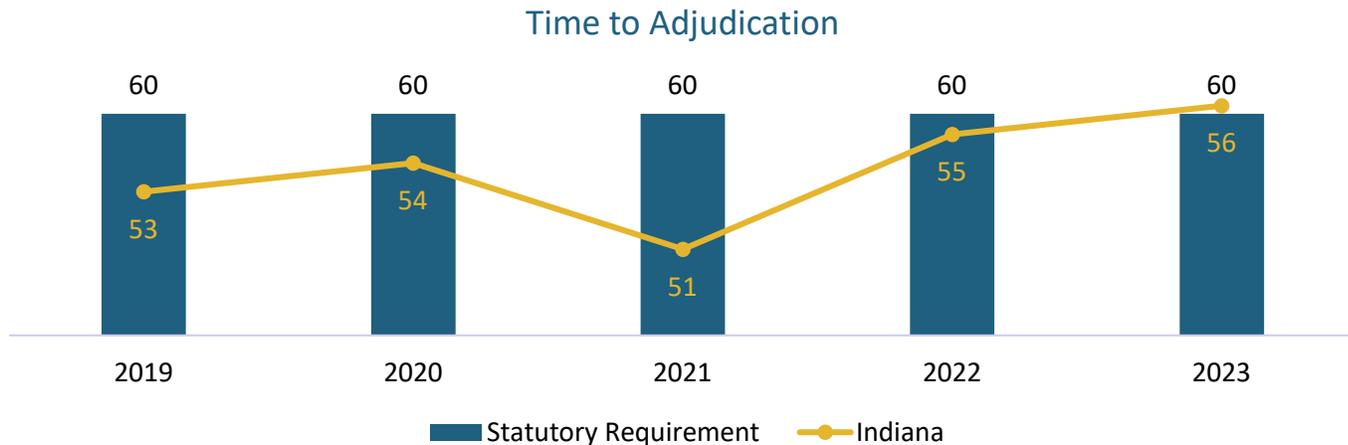
CHINS Cases Filed

The provisional 2023 data¹ from the [Indiana Trial Court Statistics by County](#) report shows an increase in CHINS cases filed for the first time since 2017. The chart below shows the median time to permanency in FFY 2017 was 463 days, with 20,068 CHINS cases filed. In FFY 2023 the median time to permanency was 611 days, with 9,843 CHINS cases filed.



Time to Adjudication

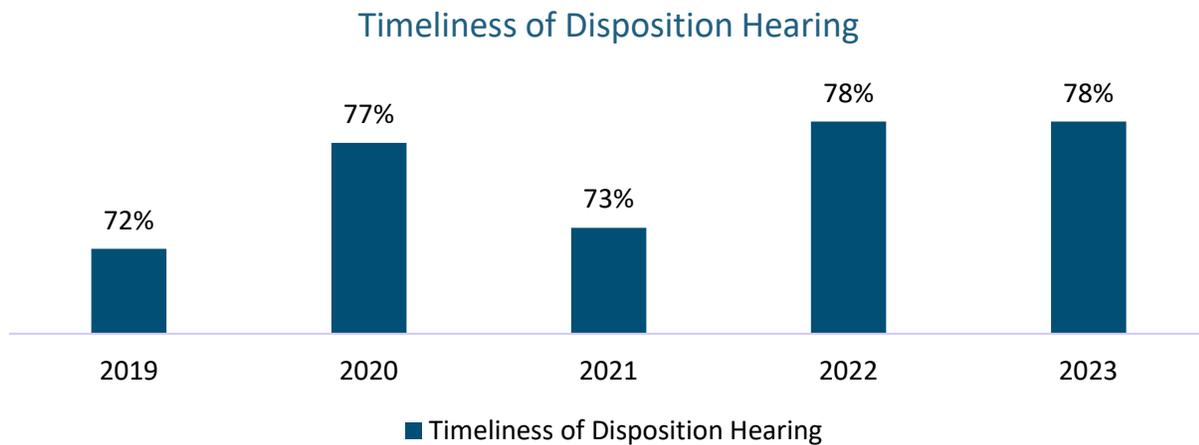
The median time to adjudication for Indiana in FFY 2023 is fifty-six days. [Indiana Code 31-34-11-1](#) requires the juvenile court to complete a factfinding hearing not more than sixty days after a petition alleging that a child is a CHINS is filed. Indiana is consistently below the statutory requirement of sixty days for this measure.



¹ 2023 Indiana Trial Court Statistics by County is provisional data and subject to change.

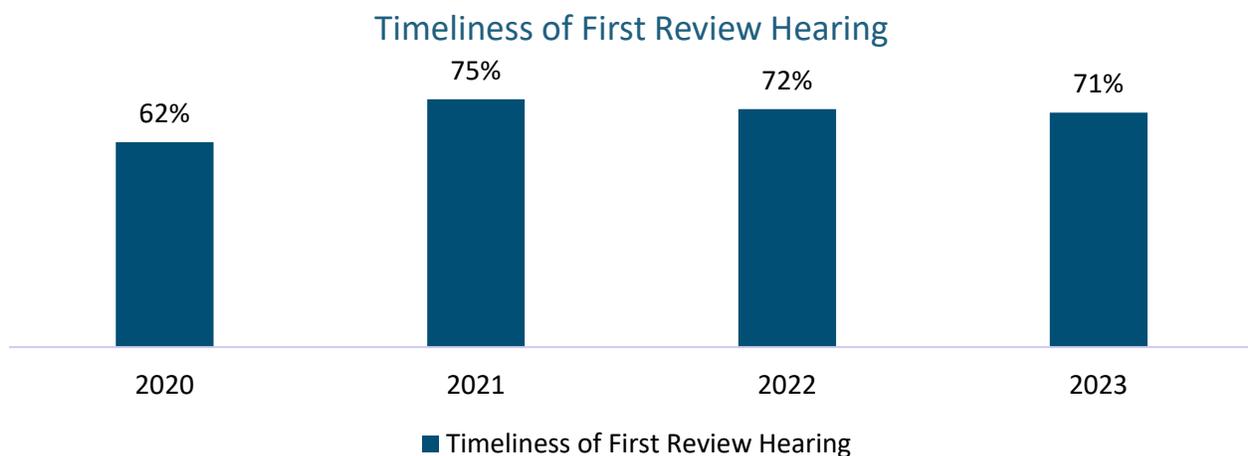
Time to Disposition

For FFY 2023, 78% (4,880 out of 6,218) of the disposition hearings were held within 30 days of the date the court made findings the child was a CHINS (adjudication) in compliance with [Indiana Code 31-34-19-1](#). This is unchanged from FFY 2022 data.

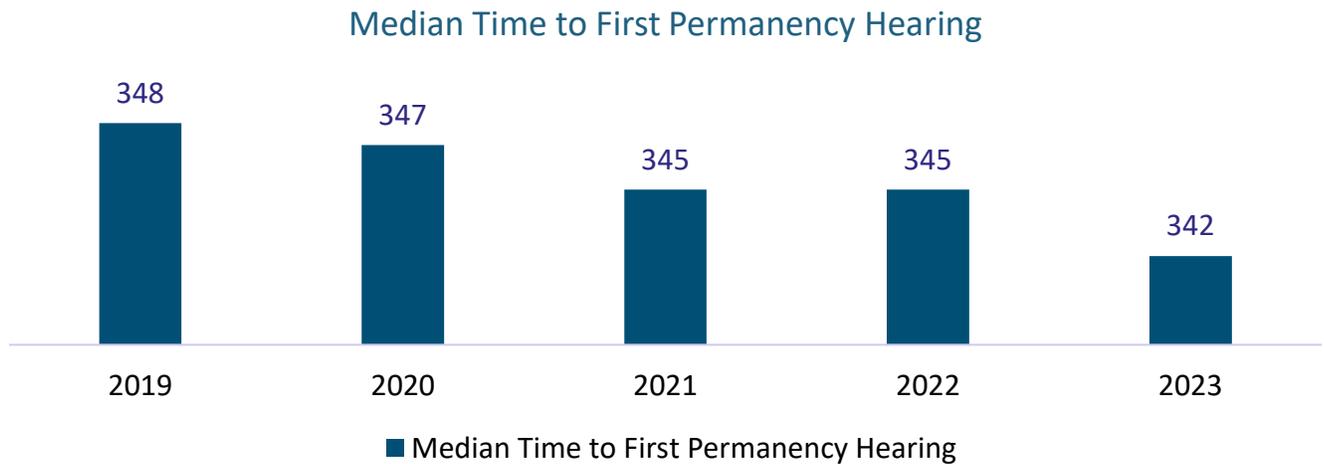


Review and Permanency Hearings

[Indiana Code 31-34-21-2](#) requires a periodic case review hearing on each CHINS case at least once every 6 months from the date the child is removed from the home or the date of the dispositional decree, whichever comes first. Consistent and ongoing review and permanency hearings are instrumental in helping courts ensure that the child is receiving the necessary care and treatment to move the case toward reunification or another permanency goal. For FFY 2023, the first review hearing was held within 6 months in 71% of the cases (3,672 out of 5,205 cases). FFY 2020 was the first year that data was available for timeliness of first review hearing data.



The median time to first permanency hearing dropped to 342 days for FFY 2023. This measure is routinely below the statutory requirement of one year.



Termination of Parental Rights

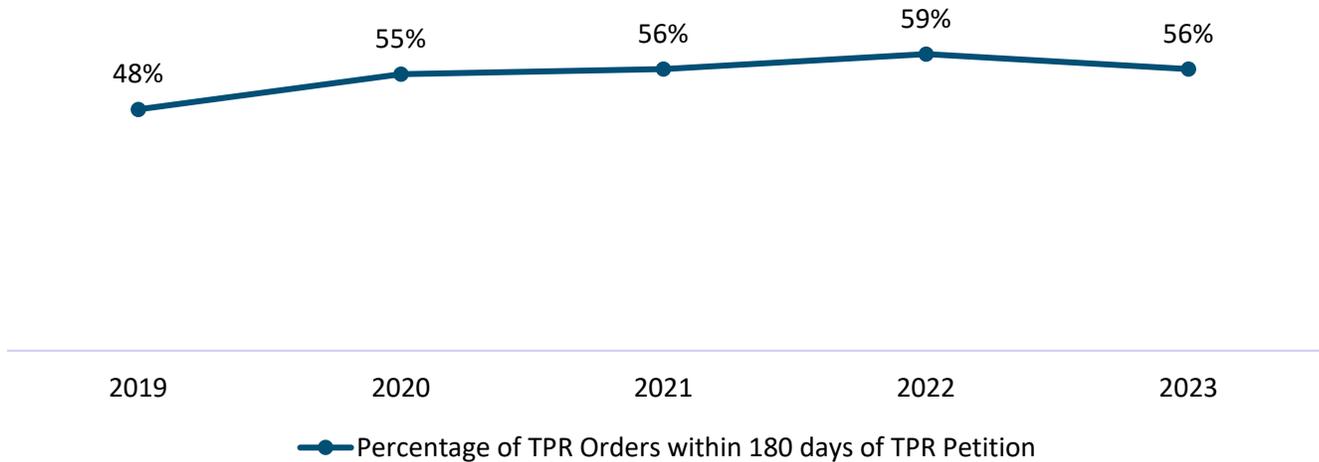
The data for TPR measures are calculated only in those cases in which TPR data was provided by counties (844 cases across 73 counties); it is not a required field. Mandatory petitions filed in accordance with [Indiana Code 31-35-2-4\(b\)\(2\)iii](#), that are subsequently dismissed, are not included in this data.

“Termination of parental rights is a pivotal stage in the court process because it allows a child to be adopted. It is a gateway to permanency for children who cannot return home safely.” (Hardin & Koenig, 2009, p. 209)

Timeliness of TPR proceedings measures the percentage of cases in which there is a final TPR order within 180 days of the date the TPR petition was filed.² The percentage of cases in which the TPR order was completed within 180 days of the TPR petition being filed decreased from 59% (523 out of 894) in FFY 2022 to 56% (479 out of 853) for FFY 2023.

² Although IC 31-35-2-6 requires that when a TPR hearing is requested, the court shall commence a hearing on the petition not more than 90 days after a petition is filed and complete a hearing on the petition not more than 180 days after a petition is filed, this measure shows how long it takes from the date the TPR petition is filed to the date the TPR order is signed, as that is the data we have available.

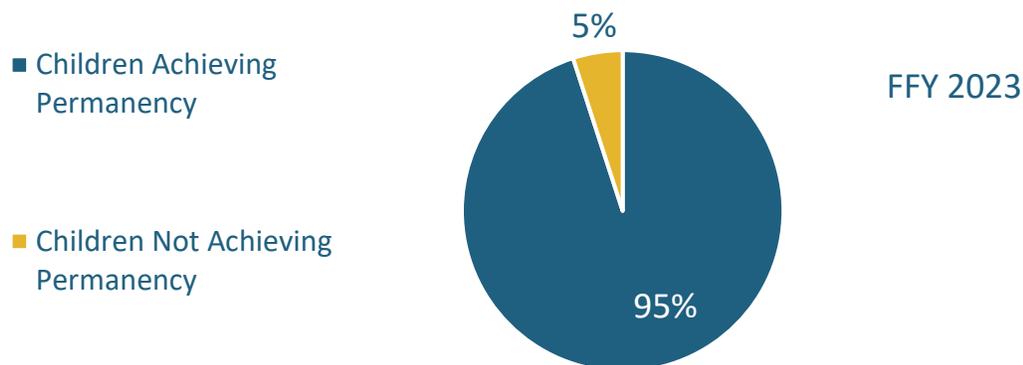
Percentage of TPR Orders within 180 days of TPR Petition



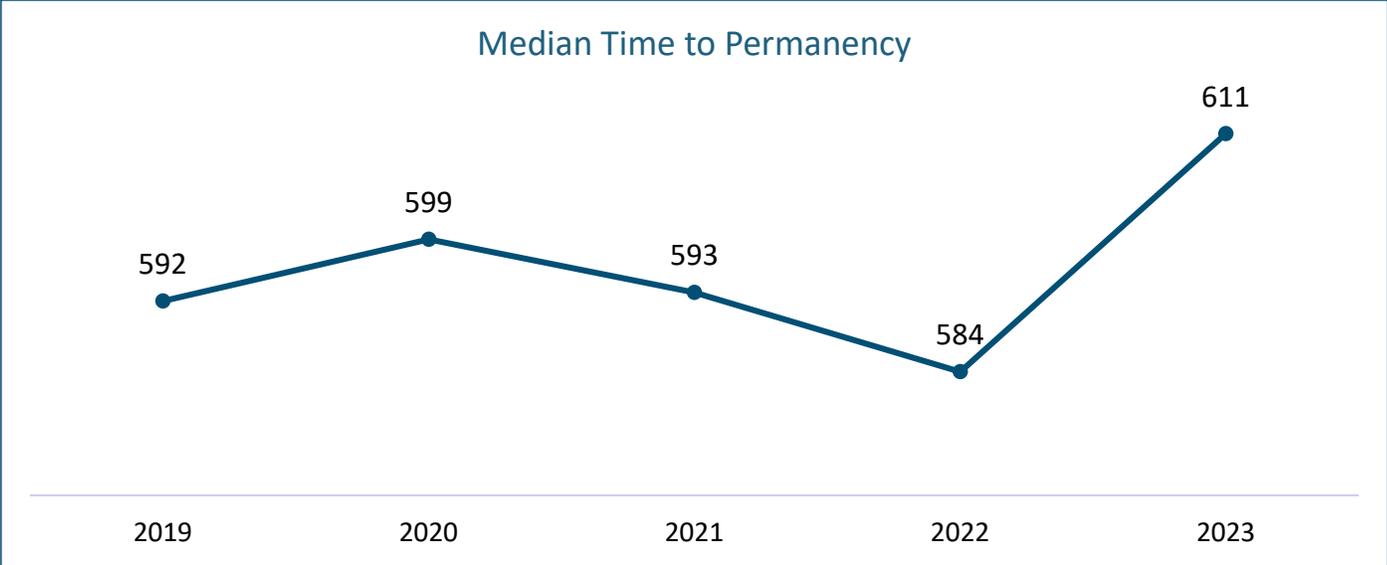
CIP is continually working with counties to improve the quality and accuracy of data collection. A field was added in October 2023 to track the final TPR hearing to provide measures that align with [Indiana Code 31-35-2-6](#). FFY 2025 data will utilize this new field to report on the median time from TPR petition to final TPR hearing.

Permanency

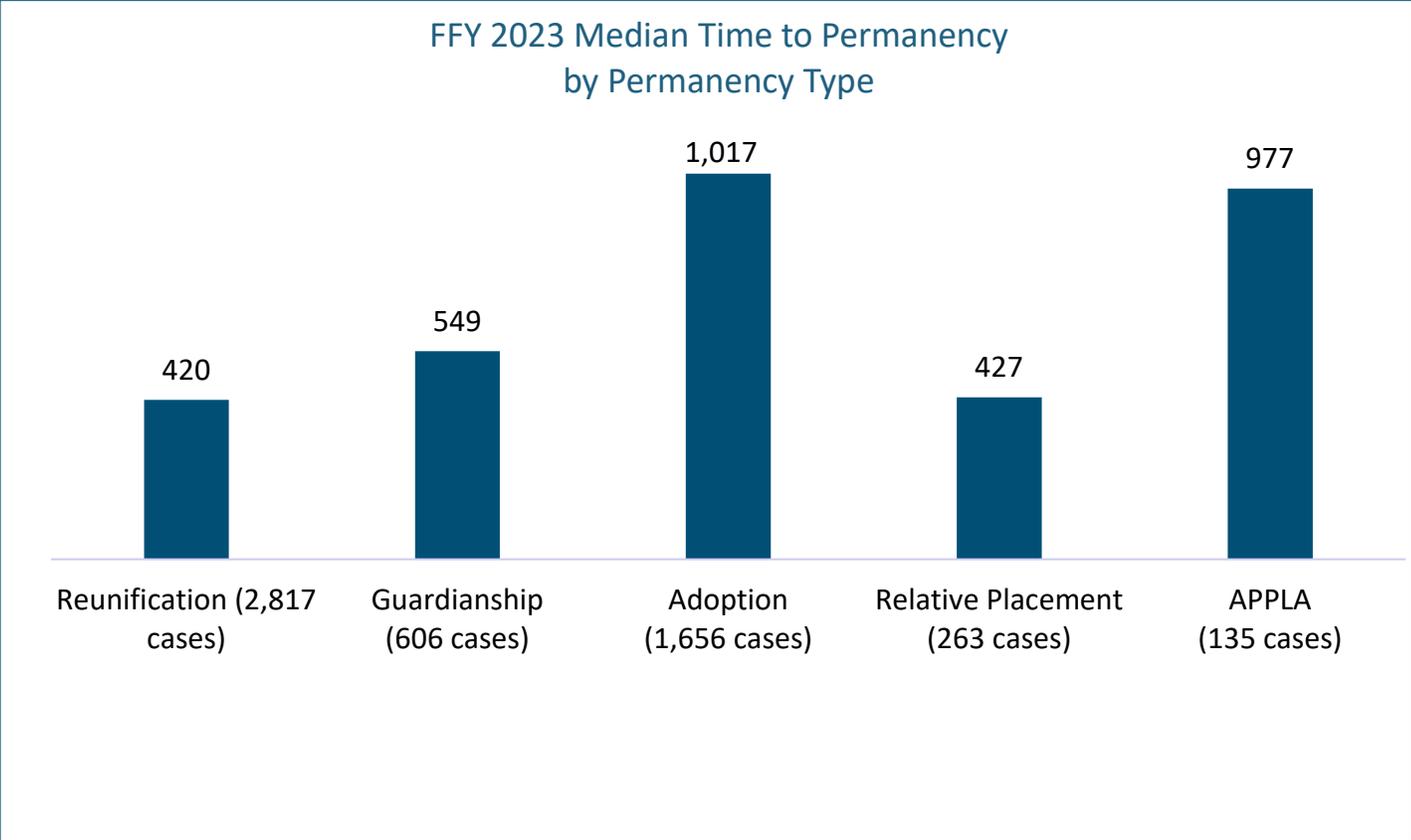
Achievement of permanency is defined in Indiana as the percentage of children in foster care who reach legal permanency by reunification, adoption, guardianship, or relative placement. Those cases which have a wardship termination of Another Planned Permanent Living Arrangement (APPLA) and Other (cases that reach disposition but close for other reasons such as “aging out”, case transfer, death of the child, runaway, emancipation, or other such reasons unrelated to the child’s permanency) are defined as not having reached permanency. For cases closed in FFY 2023, 95% (5,342 of 5,647) of children achieved permanency.

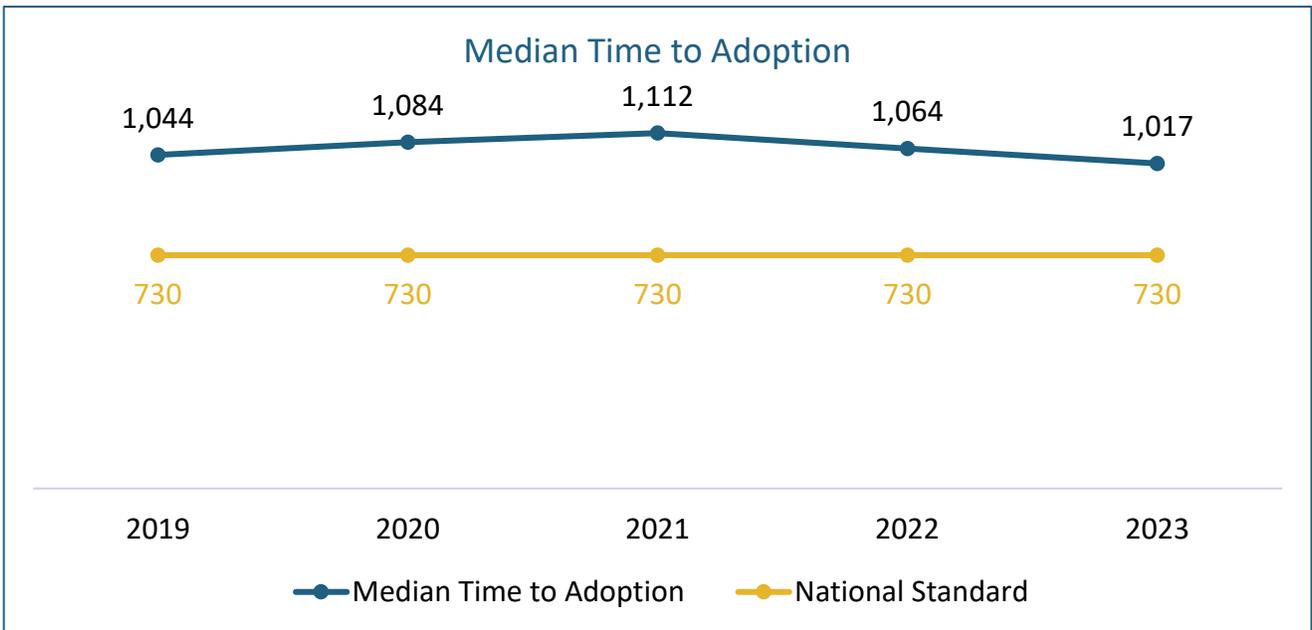
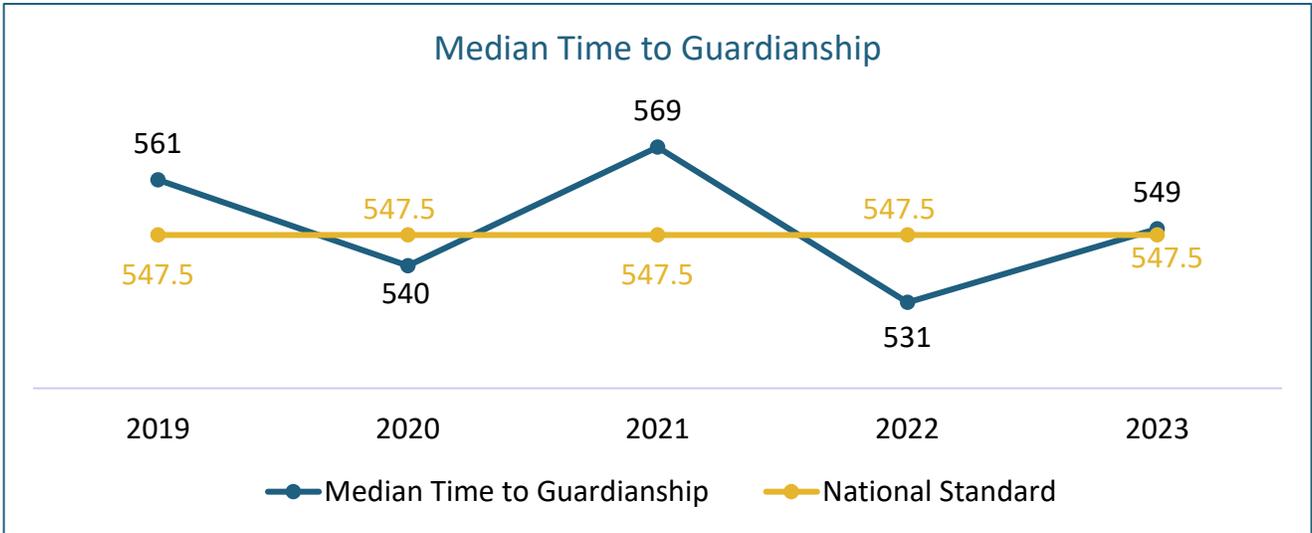
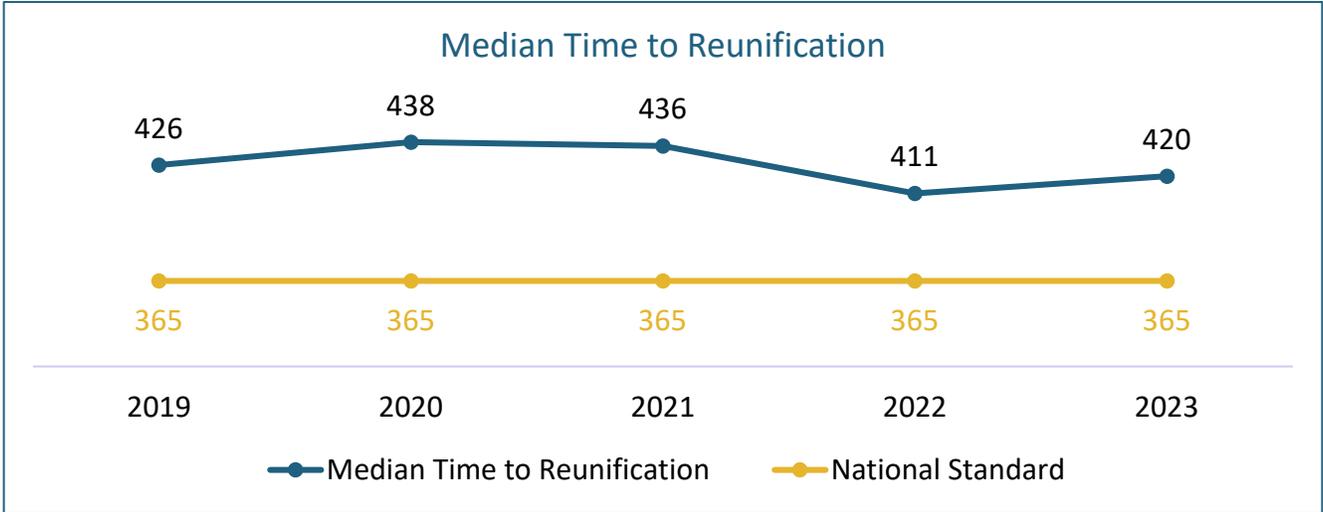


Time to permanency is only calculated on those case where the child has been removed from the home. In FFY 2023, wardship was terminated on 5,477 CHINS cases (excludes “other” wardship terminations) in which a child was removed from the home. These cases took a median of 611 days from the date the CHINS petition was filed to the date wardship was terminated.



Time to permanency is further broken down by the types of permanency outcomes: reunification, adoption, guardianship, relative placement and another planned permanent living arrangement (APPLA).

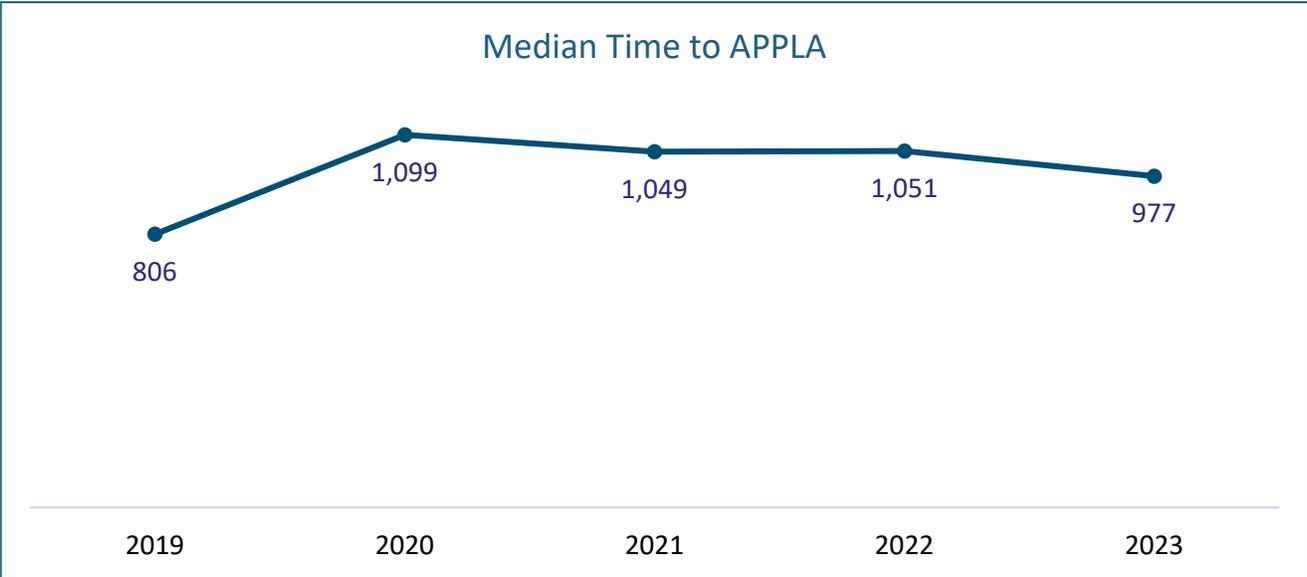
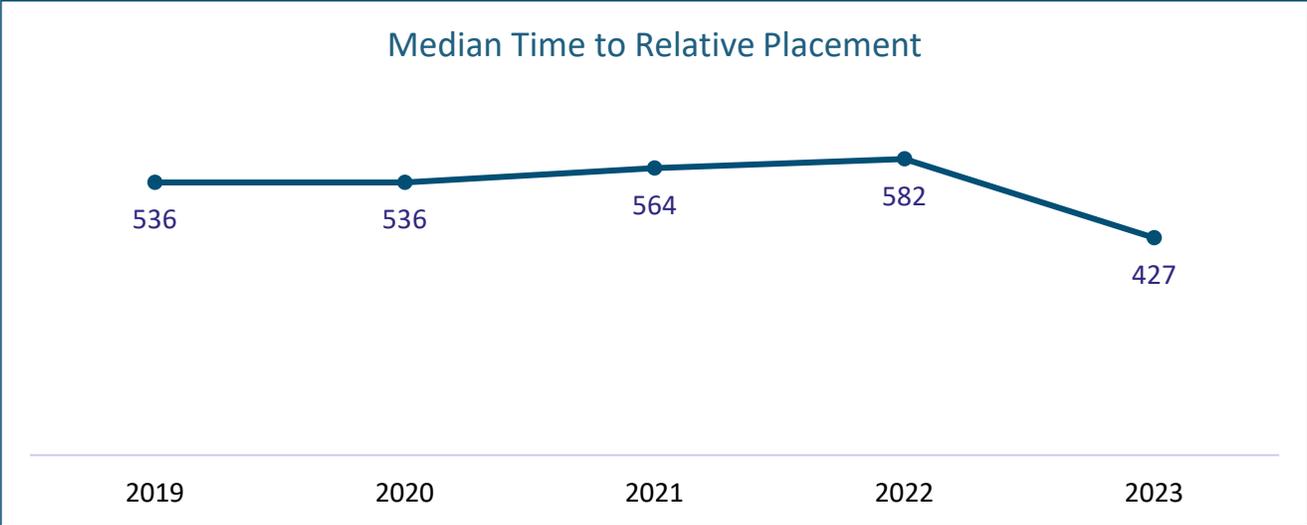




The table below shows progress from 2022 to 2023 compared to National Standards.

| Permanency Type | 2022 median days | 2023 median days | change since 2022 | % longer than National Standard |
|-----------------|------------------|------------------|-------------------|---------------------------------|
| Reunification | 411 | 420 | increased 2% | 15% longer |
| Guardianship | 531 | 549 | Increased 3% | <1% longer |
| Adoption | 1064 | 1017 | decreased 4% | 39% longer |

Time to Relative Placement and APPLA do not have a national standard for comparison.



Barriers to Permanency

Several workgroups comprised of attorneys, DCS representatives, guardian ad litem (GAL)/ court-appointed special advocates (CASA), judicial officers, and parent and youth advisors reviewed court performance data and shared the following barriers to collaboration with courts and timely achievement of permanency:

- Lack of effort to locate missing parties
- Failure to follow procedure for publication on unknown or missing parties
- Not utilizing parent or family members as sources of information
- Missing affidavits of service or diligent inquiries to locate missing parties
- Not considering hearsay ramifications
- Not making the record for later trials or appeals
- Not focusing on elements of the petition and burden of proof
- Timeliness of order completion (both court and DCS drafted)
- DCS technological issues in the case management system
- Overcrowding of the dockets
- Scheduling difficulties due to shortage of available public defenders
- Mediator and program unavailability in some areas
- Senior judges not being available and/or willing to hear CHINS cases
- Lack of uniformity in practice across counties
- Turnover (DCS, Courts, Attorneys, and Providers)
- Lack of notice of changes in FCM/DCS attorney assignments
- Lack of provider availability (service deserts)
- Lack of placements for children with high acuity needs
- Case stagnation
- Lack of concurrent planning

Strategies to Improve Time to Permanency

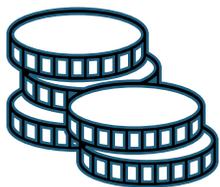
- Establish local multidisciplinary teams to analyze permanency data, identify causes for delays, and implement steps to improve outcomes. County specific data is available on the [Child Welfare Court Performance Measures Dashboard](#)
- Consider mediation at different stages of a CHINS and TPR case
- Carefully review whether reasonable efforts are being made to achieve permanency
- Address child safety at each court hearing
- Require evidence that the child cannot safely return home before accepting other permanency plans
- Hold frequent review hearings following TPR and utilize post-TPR benchcards
- Utilize senior judges to hear non-contested guardianship and adoption cases
- Order DCS to refer children legally free for adoption without an identified adoptive family to the Indiana Adoption Program
- Expedite adoption hearings for children legally free for adoption and placed in pre-adoptive homes

Helpful Resources

- [Essential Questions to Ask at Each Hearing to Promote Permanency](#)
- National Council of Juvenile and Family Court Judges (NCJFCJ) [Enhanced Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases](#)
- NCJFCJ [Enhanced Resource Guidelines: Child Welfare Caseworkers' Companion Guide](#)
- NCJFCJ [Bench Cards](#)
- [Spotlight Series for the Legal and Judicial Communities – CFSR Round 4](#)
- DCS Central Eligibility Unit (CEU) [Eligibility Binder](#) contains Desk Guides, Fact Sheets, Checklists, and other resources regarding: Adoption Assistance, Candidacy for Imminent Risk of Removal, Guardianship Assistance, Medicaid/Medicaid Enrollment, Title IV-A Emergency Assistance (EA), Title IV-E Collaborative Care Eligibility, Title IV-E Foster Care Eligibility (CHINS), and Social Security
- Capacity Building Center for Courts (CBCC) online learning experience, "Child Safety Training for Judges and Attorneys." The course covers the nuts-and-bolts of safety decision making in child welfare cases and is based on the ABA's [Child Safety: A Guide for Judges and Attorneys](#). Access the free course on [CapLEARN](#)
- [Post-TPR Benchcard](#) (child not in pre-adoptive home)
- [Post-TPR Benchcard](#) (child in pre-adoptive home)
- [Indiana Adoption Program](#) is a statewide initiative to help match adoptive families with waiting children
- Indicators of a Quality Court Hearing
https://www.acf.hhs.gov/sites/default/files/documents/cb/pi1605_attachment
- [Child Welfare Court Performance Measures Dashboard](#) is an interactive webpage that provides the most recent statewide data with the ability to look at data at the state level, by individual county, DCS region or Judicial District

Current CIP Activities

Grant & Scholarship opportunities



CIP provides grant funding to Indiana courts that exercise jurisdiction over Children in Need of Services (CHINS), Termination of Parental Rights (TPR), and Dual Status cases. CIP also supports Indiana legal services, civil legal aid, and pro bono organizations providing legal assistance to clients involved in the child welfare system.

For Federal Fiscal Year (FFY) 2023, CIP provided grants to seven counties totaling \$103,553. These funds supported mediation/facilitation programs, dual diagnosis peer support, data collection, equipment, and training.

CIP also provides scholarship funds to assist judicial officers with juvenile court jurisdiction to expand their professional development by attending child welfare-related seminars, conferences, meetings, and membership in professional organizations. The scholarships reimburse expenses up to \$3,000 and require a 25% match, which may be in the form of in-kind contributions. For FFY 2023, CIP awarded professional development scholarships to eleven judicial officers in the amount of \$26,899.53.

Timeliness Measures in Child Welfare Cases

The Court Performance Measures were established in 2013 under Indiana Administrative Rule 1(F) to track and measure court performance in CHINS and TPR cases. These measures allow courts to assess compliance with national and state case processing timeliness standards, recognize strengths and areas for improvement, enhance the quality of timeliness of hearings, and improve outcomes for children and families involved in child welfare proceedings.



Education and Training



CIP works with the Indiana Office of Court Services (IOCS) Education Division to support and provide funding for the annual statewide training for judicial officers with juvenile and family court jurisdiction, the GAL/CASA annual conference, and the new juvenile and family court judges orientation. One hundred and forty-eight judicial officers across the state attended trainings funded by CIP, covering topics such as ethics, diversity equity and inclusion, human trafficking, competency, juvenile interstate compact, youth engagement, and recent legislation and caselaw updates. CIP also provided trainings focused on improving the accuracy of the Child Welfare Performance Measures data and understanding the enhanced Child Welfare Performance Measures Dashboard to over fifty stakeholders during the year.

Collaborative Projects: Child and Family Services Review

The CIP collaborated with the Indiana Department of Child Services to complete a [Statewide Assessment](#) in 2023 as part of the Title IV-E Foster Care Eligibility Review³ and Child and Family Services Review (CFSR). CFSRs are periodic reviews (the last review was completed in 2016) of state child welfare systems by the federal government to achieve three goals established by the Children’s Bureau Administration for Children and Families:



Ensure compliance with federal and state child welfare requirements



Determine what is actually happening to children and families as they engage in child welfare services



Achieve positive outcomes for children and families

The [Final Report](#) released in January 2024 identified the following areas for improvement:

Systemic Factors:

- Statewide information system
- Case review system
- Quality assurance system
- Staff and provider training
- Service array and resource development
- Foster and adoptive parent licensing, recruitment and retention

³ Title IV-E Foster Care Eligibility Reviews monitor the Federal Title IV-E Foster Care Program, which provides funds to states to assist with the costs of foster care maintenance for eligible children.

Safety Outcomes:

- Timeliness of initiating investigations of child maltreatment
- Services to protect children in the home and prevent removal and/or re-entry into foster care
- Risk and safety assessment and management

Permanency Outcomes

- Stability of foster care placement
- Permanency goal for the child
- Achieving reunification, guardianship or adoption
- Visiting with parents and siblings in foster care
- Preserving connections
- Relative placement
- Relationship of child in care with parents

Wellbeing Outcomes

- Needs and services of child, parents and foster parents
- Needs assessment and services to children, parents and foster parents
- Child and family involved in case planning
- Caseworker visits with child and parents
- Educational needs of the child
- Physical health of the child

Indiana was found to have strengths in the following areas:

- Agency responsiveness to the community
- Placement of child with siblings

The final report was provided to Indiana on January 2, 2024, and stakeholders submitted a Program Improvement Plan (PIP) on March 29, 2024 to address each outcome and systemic factor determined not to be in substantial conformity. There is an undetermined amount of time in which the state and Children's Bureau engage in negotiations around what measurable strategies to improve performance are included in the final PIP, after which the state has up to two years to complete the identified strategies or face financial penalties. CIP participated in workgroups tasked with drafting the PIP, in collaboration with DCS, judicial officers, IOCS, and other stakeholders.

How we can help

As courts review their data and implement plans to address areas of concern, the CIP is available to give technical assistance and support to courts including:



- Research and resources on best practices
- Information on training opportunities
- Jurists in Residence to
 - Assist with projects
 - Cover court allowing judicial officer to implement projects
 - Coach/mentor
- Grants to fund facilitation/mediation programs
- Professional development scholarships
- Providing courts with data and technical assistance in comparing and analyzing data

How we compare

Indiana is part of the Children’s Bureau Region Five.

- **Illinois**
- **Indiana**
- **Michigan**
- **Minnesota**
- **Ohio**
- **Wisconsin**



The most recent data available Child Welfare Outcomes Report Data, for all six states is from 2021⁴ and is compared with FFY 2023 data.

The number of children in care has declined 37% from 20,904 (9/30/2017) to 13,239 (9/30/2021) according to Indiana Context Data provided by Children’s Bureau.

⁴ <https://cwoutcomes.acf.hhs.gov/cwodatasite/fiveOne/index>

This data shows that, for all children discharged from foster care during 2021 to a finalized adoption, Indiana had the most adoptions (in the aggregate) at 1,855. Indiana had the second fewest number of adoptions completed within 12 months at 1%. In most of the region five states, the greatest percentage of cases reaching permanency by adoption occurred between 24 and 36 months. In Illinois, the greatest number of cases reaching permanency by adoption took more than 48 months, while Minnesota had their greatest number of cases reaching permanency by adoption in the 12-to-24-month range.

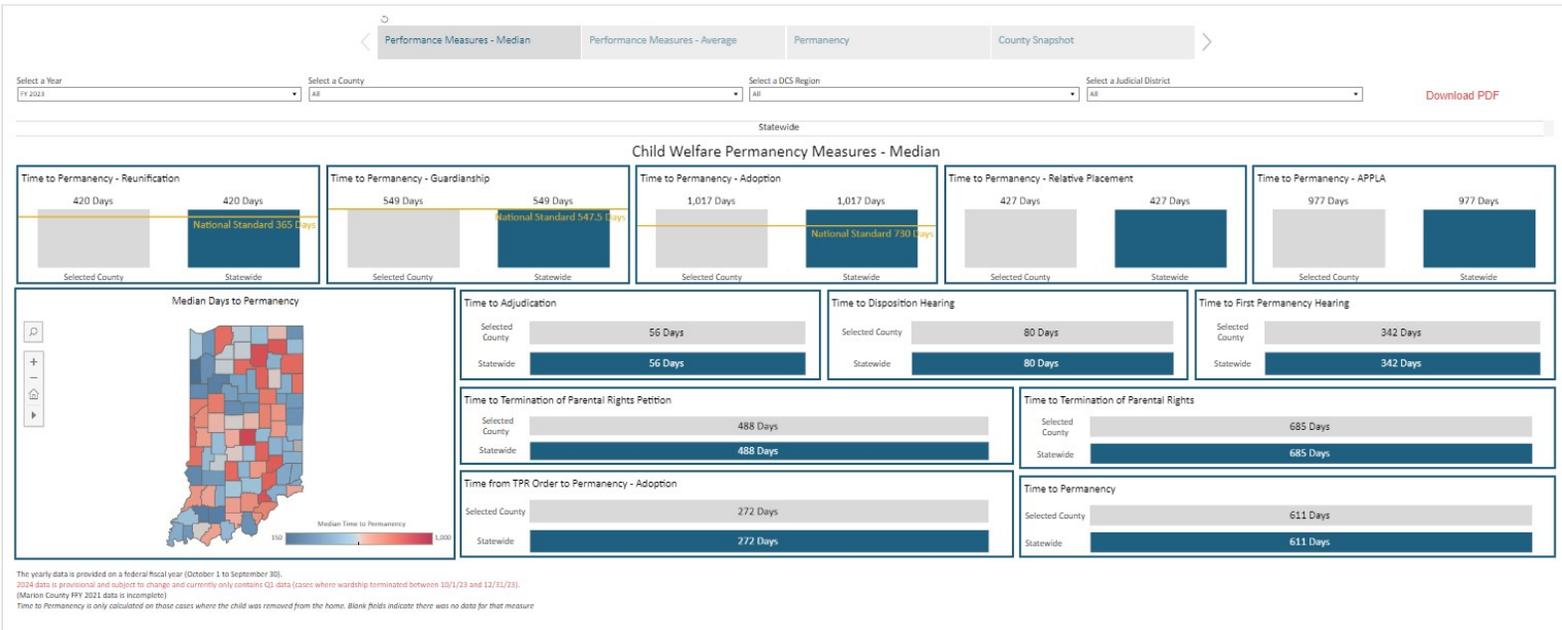
| State | Number of Adoptions | % reaching permanency within 12 months | % reaching permanency at least 12 months but less than 24 months | % reaching permanency at least 24 months but less than 36 months | % reaching permanency at least 36 months but less than 48 months | % reaching permanency 48 or more months |
|-----------|---------------------|----------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|-----------------------------------------|
| Illinois | 1639 | 0.7% | 8.2% | 25.9% | 29.1% | 35.9% |
| Indiana | 1855 | 1.0% | 10.8% | 34.9% | 26.1% | 27.2% |
| Michigan | 1702 | 2.6% | 22.3% | 38.6% | 22.9% | 13.7% |
| Minnesota | 1008 | 2.4% | 33.2% | 31.3% | 17.7% | 15.4% |
| Ohio | 1592 | 2.2% | 18.4% | 35.3% | 23.6% | 20.5% |
| Wisconsin | 712 | 4.4% | 17.6% | 29.9% | 21.2% | 27% |

The national standard for permanency in adoption cases is 24 months.

- In the 2021 data above, 88.2% of the adoptions in Indiana took 24 months or longer. The median time to permanency for adoption in 2021 was 1,112 days (36.5 months).
- FFY 2023 data shows the median time to permanency for adoption is now 1,017 days, which is a 9% reduction from FFY 2021.

Child Welfare Court Performance Measures Dashboard

Additional data on court performance measures can be located on the [Child Welfare Court Performance Measures Dashboard](#) and is updated quarterly. This data is available to be filtered by year in addition to county, DCS region, or Judicial District. The data can also be viewed in the average or median measure of central tendency by using the separate tabs provided.



For questions regarding court performance measures data please contact:

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