



Juvenile Justice and Child Welfare Agencies: Collaborating to Serve Dual Jurisdiction Youth Survey Report

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Research suggests that children who are abused or neglected are more likely to commit delinquent acts than the general population (Carter et al., n.d.; English et al., 2002). Those that do become delinquent form a population of youth known as *dual jurisdiction youth*. For the purposes of this report, dual jurisdiction youth are children and youth under the jurisdiction of the dependency system, placed in out-of-home care, and who come to the attention of the juvenile justice system. Out-of-home care can consist of foster care, group care, kinship care, or residential placement. These dual jurisdiction youth cross between or concurrently exist in both the child welfare and juvenile justice systems. From the standpoint of child welfare and juvenile justice professionals, dual jurisdiction youth pose special challenges and require special attention, thereby straining limited resources. From the standpoint of dual jurisdiction youth, contact with the juvenile justice system may result in heightened trauma and also contribute to a child's propensity to antisocial behavior and impair a child's educational attainment and income (Conger & Ross, 2001).

Although dual jurisdiction youth make up only a small percentage of the juvenile court's total caseload¹, the research suggests that these youth may require a disproportionate share of agency resources, accounting for a large proportion of the court's deeper-end delinquency caseload. For instance, in Arizona although dual jurisdiction youth make up only 7% of those with a delinquency petition, 42% of all juveniles in probation placement

¹ There has been no attempt to gauge the size of the dual jurisdiction youth population nationally.

also had a dependency petition active for at least a portion of that calendar year (Halemba et al., 2004). In the same study, dual jurisdiction youth have higher recidivism rates than those with no history of involvement with the child welfare system. Dual jurisdiction youth also may pose special administrative and logistical problems for juvenile justice and child welfare agencies. Additionally, studies show a link exists between child maltreatment and delinquency; children who have been abused are more likely than the general population to commit delinquent acts (Luntz & Widom, 1994; Maxfield and Widom, 1996; Widom, 1991a; 1991b; 1994; 1995; Widom & Ames, 1994; Widom & Kuhns, 1996; Widom & Maxfield, 1996; and Widom, 1989, as cited in Carter et al., n.d.).

Given this link, research suggests that the most effective responses to dual jurisdiction youth would involve collaboration between juvenile justice and child welfare agencies (Wiig et al., 2003). Few examples of collaborative efforts in relation to dual jurisdiction youth are in the current literature, however (Halemba et al., 2004; Petro, in press; Siegel & Lord, 2004). It is possible that very few collaboration initiatives just have been undertaken, but it is also possible that these initiatives are taking place, either at the formal or informal level, and have not been evaluated.

The Child Welfare League of America (CWLA), therefore, is seeking to learn about and provide support for methods by which child welfare and juvenile justice agencies can collaborate, coordinate, and integrate public agency and private provider efforts to better serve dual jurisdiction youth and prevent children with a history of maltreatment from penetrating deeper into the delinquency system. Through the ongoing generous support of the John D. and Catherine T. MacArthur Foundation, the Juvenile Justice Division of CWLA and the Research and Evaluation Division conducted a nationwide survey of child welfare and juvenile justice professionals to gauge what agencies are doing *at the state level* to address the challenges and issues that surround dual jurisdiction youth. The survey specifically examined whether collaborative efforts are underway, and if so, what collaborative efforts have these agencies undertaken to identify and deliver services to dual jurisdiction youth?

Methodology

The goal of the survey is to identify any practices, programs, or policies in relation to dual jurisdiction youth at the state level. State level child welfare and juvenile justice administrators, therefore, were surveyed. CWLA staff attempted to contact one juvenile justice and one child welfare professional from each state. Child welfare administrators were identified using CWLA's National Data Analysis System database. Juvenile justice administrators were identified using the Google Internet search engine. Not all states have state-level juvenile justice administrators. It was necessary in some cases to contact regional, county, or local-level administrators in these instances. Because the samples of the child welfare and juvenile justice agencies are not necessarily comparable, cross-agency analysis was not conducted.

The survey was administered by telephone between June and September 2005. Participants were asked about their state's funding strategies; barriers to collaboration; their opinions and attitudes about the issues surrounding dual jurisdiction youth; and, finally, any programs, policies, and practices that their state may have in relation to dual jurisdiction youth. The purpose of the survey was to gather information about what types of collaborative initiatives were taking place between the child welfare and juvenile justice systems at the state level to serve dual jurisdiction youth. The survey instrument was designed to collect general descriptive information about different state child welfare and juvenile justice system practices related to dual jurisdiction youth.

The survey addressed some possible programmatic responses that juvenile justice and child welfare agencies might have undertaken in order to address youth. The survey asked participants if their state has any programs that specifically address dual jurisdiction youth in the following areas: screening, assessment, case flow management, case assignment, and case planning and supervision. These five areas were based on the recommendations made by Siegel and Lord (2004) in their analysis of dual jurisdiction youth in four Arizona counties.

Definition of Terms

No universal definition of dual jurisdiction youth exists. During the course of the interviews, dual jurisdiction youth were defined as children and youth who are under the jurisdiction of the child welfare system, placed in out of home care, and come to the attention of the juvenile justice system. Out-of-home care can consist of foster care, group care, kinship care, or residential placement. These youth can cross between or concurrently exist in both the child welfare and juvenile justice systems.

The survey identifies a number of funding strategies that states might use. These strategies and their definitions were provided by CWLA's Juvenile Justice Division. Survey participants were given the several definitions during the course of the interview. *Blended funding* is when jurisdictions conduct a review and analysis of funding sources and revenue streams to better align the funding. *Pooling* is the combination of funds from several agencies or programs into a single funding stream. *Decategorization* is the removal of narrow eligibility requirements or other rules that restrict how groups can spend funding. *Coordinating* is the alignment of categorical funding from a number of agencies and funding streams to support community based initiatives. Lastly, *devolving* is the delegation of authority for the allocation of funds from higher to lower levels, such as from state to community-based organizations or agencies.

Data

Data are reported in one of two ways: by the number of respondents or by the number of states. Qualitative questions and those that sought to capture the respondents' attitudes or opinions are reported by the number of respondents. Questions that seek to capture state programs and policies are reported by the number of states. Because attempts were made to contact one child welfare and juvenile justice professional from each state, some states have more than one respondent. In the cases where a state has two respondents and that their answers are inconsistent, the state was reported as having an affirmative answer. For example, if two respondents from the same state were asked whether their state had a certain programmatic response and one respondent answered "yes" while the other answered "no," the state was reported as having such a program. In these cases, we

assumed that one agency had a program of which the other agency was unaware, or the agency answering “no” did not want to speak for the other agency. The only exception to this rule was on the question, “Do your state’s child welfare and juvenile justice agencies collaborate or coordinate to serve dual jurisdiction youth?” If one agency answered that such coordination takes place while the other does not, the positive response was considered invalid.

We attempted to contact one child welfare and one juvenile justice professional from each state and the District of Columbia. The survey was successfully completed with 71 out of 102 possible respondents: a 70% completion rate. Of these, 37 were child welfare professionals and 32, juvenile justice professionals. Two respondents stated that they are both a child welfare and juvenile justice professional and declined to choose one agency over the other. Forty-three states are represented in the data (including the District of Columbia). Only 26 states had respondents from both the child welfare and juvenile justice agencies.

Respondents were asked the open-ended question, “How does your agency define dual jurisdiction youth?” The majority of respondents (57%) provided a definition similar to the one stated previously: those youth under the jurisdiction of child welfare and juvenile justice agencies at the same time. Thirty-three percent responded that their agency does not define dual jurisdiction youth. Of this 33%, 7% indicated that, in their state, a child may only be in the jurisdiction of one agency or the other. Nine percent stated that, while they agree with the definition, their state does not have an official definition of dual jurisdiction youth.

The survey sought to determine how many states include coordination or collaborative efforts between their child welfare and juvenile justice agencies. Thirty-five states (or 81% of the states represented) reported that the child welfare and juvenile justice agencies in their state collaborate or coordinate their efforts to serve dual jurisdiction youth either formally or informally. Twenty-four states (55%) reported that there is either a memorandum of understanding (MOU) or agreement (MOA) or an executive order

between the child welfare and juvenile justice agencies in their state that directs work on behalf of dual jurisdiction youth.

Twenty-two states (51%) reported that their state had a law in place specifically related to dual jurisdiction youth. Respondents also were asked whether their agency had a written policy in place at the state level that specifically related to dual jurisdiction youth.

Twenty-six respondents representing 22 different states indicated their agency did have such a policy. In all, respondents indicated that in 30 of the 43 represented states, a law or a written policy was in place that specifically related to dual jurisdiction youth (Table 1).

<i>TYPE OF POLICY</i>	<i>NUMBER OF STATES</i>	<i>% OF STATE</i>
Law	22	51%
Written Policy	22	51%
MOU/MOA or Executive Order	24	56%

The survey also intended to record any programmatic responses states may have for dual jurisdiction youth. Programs in five different areas are recommended by Siegel and Lord (2004) for states to more effectively respond to dual jurisdiction youth: screening, assessment, case assignment, case planning and supervision, and case flow management. Respondents were asked if their state had any programs in these areas. We did not give definitions of these terms, nor did we reference the document by Siegel and Lord. Responses, therefore, were based on the respondent's own understanding and interpretation of the term. The following number of states reported having programs or efforts that relate specifically to dual jurisdiction youth in the program areas:

- Screening—19 states
- Assessment—38 states
- Case assignment—7 states
- Case flow management—8 states
- Case planning and supervision—21 states

Additionally, 32 states reported collecting data on dual jurisdiction youth and 15 states reported the presence of a lead coordinator in charge of work with dual jurisdiction youth.

Innovative funding strategies would most likely make up an important part of a state’s plan to address dual jurisdiction youth. CWLA’s Juvenile Justice Division identified five funding strategies and supplied descriptions or definitions of these strategies. The following funding strategies were reported to be used: blended funding, 26 states; pooling, 25; coordinating, 36; devolving, 33; decategorization, 15 (Table 2). Ten states (23%) allocated funding or resources used *specifically* for dual jurisdiction youth. Thirty-two states (74%) indicated the use of Title IV-E funding for juvenile justice programs and services.

Table 2. Funding Strategies Used by States

FUNDING STRATEGY	NUMBER OF STATES	% OF STATES
Blended	26	60%
Pooling	25	58%
Coordinating	36	84%
Devolving	33	77%
Decategorization	15	35%
		0%
Title IV-E Funding?	32	74%
Allocate funding and/or resources that are used specifically for dual jurisdiction youth	10	23%

The survey allowed respondents to express their opinions and attitudes about issues surrounding dual jurisdiction youth. Ninety-four percent of respondents agreed² with the following statement: “Dual jurisdiction youth pose special or unique challenges to juvenile justice and child welfare agencies.” When asked about the magnitude of the challenges posed by dual jurisdiction youth, 48% indicated they were a major challenge; 45%, somewhat of a challenge; 6%, minor challenge; and zero, no challenges exist. Sixty-one percent of respondents agreed³ with this statement: “The needs of dual

² Includes those that responded that they “strongly agree” (54%) or “agree” (41%).

³ Includes those that responded that they “strongly agree” (18%) or “agree” (42%).

jurisdiction youth are not being adequately met in my state.” Seventy-three percent of respondents reported that dual jurisdiction cases were common in their state⁴, while 24% reported that they were rare. Only 1% responded that dual jurisdiction cases do not occur in their state.

Lastly, the survey sought to identify barriers most likely to inhibit the coordination and collaboration between child welfare and juvenile justice agencies. Respondents were first asked an open-ended question in which they were to name any barriers that might inhibit coordination in their state. These responses then were coded into 13 categories. The most common response was *funding*, with 44% of respondents. Fourteen percent specified that the restrictions on how their state spends funding inhibited coordination or collaboration. The next most common responses were *interagency dynamics* and *organizational structure or lack of legal clarity in roles and responsibilities*, each with 18%.

Respondents also identified *service delivery* (14%), *different philosophies between the child welfare and juvenile justice agencies* (13%), and *communication or information sharing* (13%) (see the Appendix for a complete listing of coded responses). Respondents then were asked to what extent certain preselected barriers inhibited coordination or collaboration. They were given a set of responses and asked to choose the one that they felt was the most appropriate for each barrier: very much, somewhat, not very much, or not at all. The two most common responses for each barrier are the following

- Confidentiality requirements—not very much, 44%, and not at all, 27%
- Funding restrictions—somewhat, 44%, and very much, 34%
- Different philosophies between the child welfare and juvenile justice agencies—somewhat, 54%, and very much, 23%
- Bureaucratic struggles such as red tape or negative interagency dynamics—somewhat, 44%, and not very much, 30%.

⁴ Includes those that responded that dual jurisdiction cases were “very common” (28%) or “somewhat common” (45%) in their state.

Analysis

State child welfare and juvenile justice practitioners acknowledge the fact that dual jurisdiction youth pose special or unique challenges to their agencies and that the needs of this population are not being adequately met. Sixty-one percent of respondents indicated that their state was not doing enough to serve dual jurisdiction youth. Funding was cited as the number one barrier to collaboration and coordination between child welfare and juvenile justice agencies. Although a lack of funding will almost certainly be an issue, respondents also indicated that restrictions placed on methods for spending of funds also negatively affects the way child welfare and juvenile justice agencies work together to serve dual jurisdiction youth. When asked to what extent funding restrictions inhibited the ability of the child welfare and juvenile justice agencies to work together, 34% responded “very much” while only 7% responded “not at all.” Only 23% of the states represented reported that they allocated funding specifically for dual jurisdiction youth. Many states, however, are using innovative funding strategies. Eighty-four percent reported that they used the coordinating funding strategy, while only two states reported that they did not use any of the five funding strategies presented in the survey.

Collaboration between the child welfare and juvenile justice agencies is common. Eighty-one percent of states reported that their child welfare and juvenile justice agencies collaborate or coordinate to serve dual jurisdiction youth to some extent. Fifty-five percent reported that this coordination or collaboration was formalized with a MOU, MOA, or executive order between the two agencies. Some states, however, expressed confusion as to whether such an agreement existed. Eight states occurred in which one respondent answered “yes” to having such an agreement while the other respondent from the other agency answered “no.”

Collaboration between the child welfare and juvenile justice agencies may be common, but many barriers that hinder collaboration still exist. Only 13% of respondents indicated that no barriers inhibited coordination and collaboration between the two agencies. Besides funding, other barriers were identified. In an open-ended question about other barriers, 18% mentioned problems with the organizational structure of the agencies or a

lack of clarity in the roles and responsibilities of the two agencies. Another 18% mentioned negative interagency dynamics. The means to solving problems of clarity, structure, or interagency squabbles would most likely come in the form of comprehensive laws, written policies, MOU/MOA, or executive agreements. The survey found that institutionalized policies regarding dual jurisdiction youth were fairly common. Seventy percent of states indicated that one of their agencies have an institutionalized policy regarding dual jurisdiction youth in the form of either a law or written policy. Just more than half of the states indicated that they have a MOU/MOA or executive agreement in place between the two agencies in relation to dual jurisdiction youth.

The comprehensive nature of these policies may not be sufficient. Of the five program areas recommended by Siegel and Lord (2004) to address dual jurisdiction youth, states had, on average, programs or efforts specifically addressing this population in a total of two areas. The most common area was assessment, with 88% of states reporting efforts. Only 16% of states reported having initiatives in the area of case assignment, and only 19% reported collaborative efforts in the area of case flow management.

Conclusion

A majority of states reported having either formal or informal collaboration between their child welfare and juvenile justice agencies. At the same time, a majority of states reported that the needs of dual jurisdiction youth in their state were not being met. Future studies should look at the effectiveness of these collaboration efforts. Are these agencies effectively communicating with one another? Are they sharing information? Are the goals of the collaborative efforts clearly articulated? Practitioners in child welfare and juvenile justice agencies could be asked about their knowledge of the other agency's responsibilities or the number of contacts they have had with a member of the other agency when joint case management is mandated. Such a study could look at what types of collaboration and coordination are supposed to happen, according to a state's protocols or MOU/MOA, and what action practitioners actually take on in a day-to-day basis. Additionally, future studies need to identify protocols or policies that can enhance collaborative planning and service delivery and evaluate their effectiveness in improving

coordination and system integration and, most importantly, for the outcomes for the dual jurisdiction youth and families served.

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