

**Cabarrus County Court/Community  
Permanency Planning Collaborative  
Memorandum of Agreement**

**This Memorandum of Agreement (MOA) is entered by and between the following agencies:**

Cabarrus County Department of Social Services (CCDSS)  
Cabarrus County Guardian ad Litem Program (GAL)  
North Carolina Judicial District 19A District Court

**❖ PURPOSE**

**The purpose of this agreement is to:**

- Establish a collaborative relationship between key players in juvenile abuse, neglect, and dependency cases;
- Ensure and improve outcomes to children and families involved in the court system as it relates to safety, permanency, due process, timeliness, and well-being;
- Implement and utilize evidence-based practices, best practices, and promising approaches;
- Jointly gather and share information and findings from local, state, and federal program reviews and/or audits;
- Identify trends and barriers to permanence and other factors which impact children and families in District 19A and develop responsive strategies;
- Engage in training activities to enhance practice in juvenile abuse, neglect, and dependency court;
- Increase timely decisions and final resolution of abuse, neglect, and dependency cases and conduct more meaningful, thorough hearings.

**❖ PARTNERSHIP BACKGROUND AND GOALS OF THE MOA**

Since 2007, North Carolina Judicial District 19A has participated in the North Carolina Court Improvement Program. The North Carolina Court Improvement Program's mission is to improve the performance of North Carolina's Juvenile Courts in abuse and neglect cases so that safety, permanence and well-being for each child and family are achieved in a fair and timely manner. The Court Improvement Program implements various juvenile court best practices and collaborates with various community agencies in order to accomplish this mission.

The Cabarrus County DSS has the responsibility of ensuring the health, well-being, and safety of children in Cabarrus County. This responsibility is outlined in the juvenile statutes and NCDSS policy. The agency provides family centered services to each family involved with the agency through the Multiple Response System and the System of Care philosophy utilizing Child and Family Teams. This will be accomplished through collaborative partnerships with other agencies to include stakeholders in the Court Improvement Program of District 19A to promote safety and permanence for children.

A division of the North Carolina Administrative Office of the Courts, the mission of the Cabarrus Guardian ad Litem program is to recruit and train community volunteers to provide advocacy for children in foster care. The volunteer is responsible for visiting the child monthly, conducting an independent investigation and submitting a fact-based written report to the court with a recommendation that reflects the best interest of each child. The Cabarrus GAL program uses the North Carolina GAL Guidelines for Best Practice as their primary tool for working to ensure children are in a safe, permanent home as expeditiously as possible.

The goal of the MOA is to ensure that all participants work collaboratively to ensure that the safety, permanency, well-being, and due process needs of families served are met.

## ❖ AGREEMENT

### I. Court

The parties to this MOA agree to support the following Juvenile Court Best Practices and Policies:

#### ➤ **Judicial Specialization**

The parties to this MOA agree to create a written plan addressing how specialized training needs will be met and how calendaring changes can be made to ensure judicial continuity in a case, ensure sufficient court time to conduct thorough hearings and ensure conformance to timeline mandates.

#### ➤ **Quality Representation of Parties**

The parties to this MOA agree to develop written qualification standards for attorneys practicing in abuse/neglect/dependency court and include how specialized training needs will be met and what scheduling accommodations will be made to allow attendance at such trainings. Further, the parties to this MOA agree to identify and correct barriers that may cause qualified attorneys to remove themselves from the appointment list to represent parents.

#### ➤ **Active Case Flow Management**

The parties to this MOA agree to frequent and regular review of available data to determine the number of children in the local court system, whether timelines are being followed and whether agreed upon outcomes are being met. The parties to this MOA agree to use this data to identify and correct barriers that are preventing cases from having appropriate outcomes in a timely manner.

#### ➤ **Court Rules**

The parties to this MOA agree to a regular review and updating of the local court rules (at least annually). The parties to this MOA agree that the process of writing or revising court rules will be a collaborative effort by all of the key players.

#### ➤ **Child Planning Conferences (CPC)**

The parties to this MOA agree to implement CPC's. The parties agree to develop or update local rules for scheduling CPCs, determining and notifying the participants, identifying the issues to be discussed and determining how any agreement or failure to agree is brought to the court's attention.

➤ **Settlement and Pre-Trial Conferences**

The parties to this MOA agree to develop or update local rules regarding discovery and sharing of relevant records such as, but not limited to, the DSS file and medical, mental health, educational and criminal records.

The parties to this MOA agree to develop or update local rules regarding the early exchange of court reports prepared by any of the parties and any exhibits intended to be offered into evidence.

The parties to this MOA agree to develop or update local rules regarding settlement and pre-trial conferences that will establish when they occur and who will attend.

➤ **Continuous Calendaring**

The parties to this MOA agree to implement continuous calendaring. At the end of each hearing, the presiding judge/CIP Director shall determine the next date and type of hearing that will occur. Parties' information will be entered into JWISE in accordance with the Clerk's Rules of Record-Keeping/Jwise User Manual. Further, the CIP Director and /or juvenile clerk shall receive the information, in writing, to the parties before they leave the courtroom.

➤ **Timely Court Orders**

The parties to this MOA agree to update local rules that ensure the timely drafting, reviewing and signing of court orders. The parties to the MOA agree to utilize various options such as the AOC form orders, local form orders, and memoranda of judgment to minimize the length of time between the hearing and the entry of the order. Further, the parties agree to develop or update local rules ensuring that orders not entered the date of the hearing are reviewed by all parties prior to submission to the presiding judge for signature.

➤ **Expedited Hearings**

The parties to this MOA agree to continue implementing the Expedited Hearing docket and update local rules regarding the types of hearings to be included, when the hearings occur and how notice is disseminated to the parties.

## **II. Partner Collaboration**

The parties to this MOA recognize and support the vital role of partnerships with each other and with other agencies and organizations in improving outcomes for abused, neglected and dependent children. The parties agree to utilize "The Six Principles of Partnership", which are as follows: 1. Everyone deserves respect, 2. Everyone needs to be heard, 3. Everyone has strengths, 4. Pre-judgments can wait, 5. Partners share power, and 6. Partnership is a process. In addition, all parties agree to utilize the resources and agreements developed

Further, the parties to this MOA support the concept of shared leadership. Environments where shared leadership and collective visioning exist are able to support open exchanges of information, better relationships among C.I.P. participants, and stronger commitments to common goals.

The parties to this MOA agree to participate and attend District 19A Court Improvement Project Steering Committee Meetings. The CIP Steering Committee is comprised of key players in abuse/neglect/dependency court cases. Sub-committees can be formed to address particular issues valid to the court-community collaborative process.

The parties to this MOA further agree that the CIP Steering Committee will meet the second Wednesday of every month from 12:45 P.M. to 1:45 P.M., unless agreed upon by the majority of the parties. The CIP Steering Meeting will meet regularly not only to address administrative issues, but to develop both short and long term goals for the community that will improve the lives of children and their families.

Issues to be addressed at these meetings can include legal and administrative issues in the court process such as continuous examination of causes of delay and ongoing review of the local rules to ensure compliance with state and federal legislation as it relates to achieving outcomes and securing funding. Issues to be addressed at these meetings can also include all legal and administrative issues related to working together with the court-community collaborative system such as dual jurisdiction cases involving juvenile justice, mental health, school system, and/or social services, change of venue cases involving more than one county/state, cases involving challenges around confidentiality and release of information, and the issue of professional respect among all parties involved in the court process. Finally, issues to be addressed at these meetings can include non-legal and administrative issues such as identifying needed services within the community and formulating a plan to make the services available and CIP accomplishments and success.

### **III. Training and Cross Training**

The parties to this MOA are committed to identifying unmet training needs and increase training opportunities for all key players in District 19A Juvenile Abuse, Neglect, and Dependency Court. To attain this goal, the parties are committed to:

#### **Establishing a Training Committee**

The District 19A training committee will be made up of individuals from the Court Improvement Program, District Court, Department of Social Services, Guardian ad Litem, and other agencies within the community who are willing to provide assistance. The committee will elicit suggestions for training topics from their agencies, as well as community partners. The information will be used to establish a local training plan.

#### **Establishing a Training Plan**

The training plan will include the following:

- An annual training event to review legislative changes, recent juvenile appellate decisions, and other topics relevant to achieving permanence for children in a timely manner.
- Trainings for new social workers, guardian ad litem staff and volunteers, parent attorneys, and other community participants to address juvenile court practices, policies, and procedures will be held at least four times per year.
- Trainings will be held to address issues/topics as decided on by the training committee at least four times per year. The trainings will extend to all collaborative partners to ensure cross-training knowledge.
- The committee will schedule training events to maximize participation of everyone involved in juvenile abuse, neglect and dependency proceedings.

- The training committee will combine resources and jointly make logistical arrangements for each training event. This includes arranging for adequate facilities, securing guest speakers, and making arrangements to offer continuing education credits for attorneys and social workers.
- The training committee will meet at a minimum bi-monthly. The training committee will report back to the CIP Steering Committee all committee activities.

#### **IV. Roles and Responsibilities**

The expectation of all MOA participants is that all parties agree to and abide by District 19A Juvenile Abuse, Neglect, and Dependency Court Local Rules and the North Carolina Juvenile Code as they relate to agency roles and responsibilities. In addition, all parties agree to utilize and abide by the guidelines of their agency's most recent policy and procedure manuals, administrative letters, applicable statutes, as well as educate other members of the court-community collaborative.

This includes:

- North Carolina Health and Human Services Family Support and Child Welfare Manual: Chapter X: The Juvenile Court and Child Welfare;
- North Carolina Health and Human Services Family Support and Child Welfare Administrative Letters;
- North Carolina Rules of Civil Procedure;
- General Rules of Practice for the Superior and District Courts;
- North Carolina District 19A Administrative Rules and Orders;
- North Carolina Administrative Offices of the Court Administrative Letter;
- North Carolina General Statutes 7B-1200, 7B-1201, and 7B-601 for the Guardian ad Litem program;
- North Carolina Guardian Ad Litem Attorney Practice Manual;
- The North Carolina Guardian Ad Litem Volunteer Training Curriculum Workbook For Volunteer Training;
- J Wise User's Manual for Abuse, Neglect, and Dependency Juvenile Cases;
- North Carolina Records of the Clerks of Superior Court Rules of Record Keeping;
- Performance Guidelines for Attorneys Representing Parent Respondents in Abuse, Neglect, Dependency or TPR Proceedings.

The parties to this MOA agree to create, utilize, and update a written "Best Practice Manual" addressing how the court-community collaborative will work together in order to ensure the safety, permanence, and well-being of the children and families served are met adequately.

#### **V. Case Planning**

It is the philosophy that case planning begins at the point of intake and extends through the life of the case up to case closure. Child and Family Team Meetings will be utilized as a collaborative effort to work with families in order to achieve timely permanence for children and as a means to safely prevent initial placements

The parties to this MOA support the concept of case planning, agree to utilize CFT meetings as a tool for families in the abuse/neglect/dependency court system, and recognize the right of the family to determine who participates in each CFT meeting.

The parties to this MOA agree to develop or update local juvenile court rules to address the relationship between the CFT process and the legal process including the role of attorneys in the case planning process, the process for convening a CFT meeting, and when and how a "Family Services Agreement" is disseminated to the court and the parties.

❖ **TERMS OF AGREEMENT**

This agreement will be effective from the date of signature. This agreement will be reviewed annually.

❖ **REVISIONS**

Revisions of this agreement may be made upon the approval of all agencies and shall become effective upon the date of the agreement.

❖ **SIGNATURES**

William G. Hamby, Jr.  
William G. Hamby, Jr.  
Chief District Court Judge  
North Carolina Judicial District 19A

Date: 12/9/09

William "Ben" Rose  
William "Ben" Rose  
Director  
Cabarrus County Department of Social Services

Date: 12-9-09

Juanita Boger Allen  
Juanita Boger Allen  
Senior Attorney  
Cabarrus County Legal Services

Date: 12-9-09

Jeanne A. Dixon  
Jeanne A. Dixon  
District Administrator  
Cabarrus County Guardian ad Litem

Date: 11/18/09