Raising the Bar!
What You Need to Know:
Family Treatment Court Best Practice Standards

Kathryn Barry, Terrence D. Walton, Theresa Lemus, Meghan M. Wheeler & Jane Pfeifer

NADCP 2019 | All Rise | Better Together
Acknowledgement

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Welcome

• Kathryn Barry
  Grants Management Specialist, OJJDP Juvenile Justice System Improvement Division

• Terrence D. Walton
  Chief Operating Officer, NADCP

• Theresa Lemus
  Director, CCFF National Family Drug Court Training and Technical Assistance Program
9:15 – 9:30 Welcome

9:30 – 10:30 Introduction to the Family Treatment Court Best Practice Standards (FTC BPS)
  • Jane Pfeifer, Director, CCFF
  • Meghan Wheeler, Director, NADCP

10:30 – 10:45 Break

10:45 – 11:15 Engaging with the FTC BPS
  • Kirstin Frescoln, Senior Program Associate, CCFF
  • Lisa McElroy, Program Associate, CCFF

11:15 – 12:15 Sharing Impressions of the Standards
Learning Objectives

1. Summarize the need for and development of the FTC BPS and how they align with the National Strategic Plan for Family Drug Courts

2. Explain how states and local jurisdictions can use the FTC BPS to improve FTC practice and inform statewide standards and local policies and procedures

3. Describe the ways that the FTC BPS reflect earlier policy and practice guidance for family treatment courts
4. Identify the 8 Family Treatment Court Best Practice Standards and the Provisions which describe each of the FTC BPS

5. Discuss how the FTC BPS relate to your FTC’s current practice and explore how each of the Provisions can be operationalized by a local FTC
What is the Need for Family Treatment Court Best Practice Standards?
Every family in the child welfare system affected by parental/caregiver substance use disorders will have timely access to comprehensive and coordinated screening, assessment, and service delivery for family’s success.

National Vision for All Families
Top 3 Threats to the FTC Movement

1. Accountability to the FTC Model

2. Being Apart from Systems Change vs. Being A Part of Systems Change

3. Disproportionality and Equity
A Road Map for the Movement

National Strategic Plan for Family Drug Courts

MARCH 2017

Ensure Quality Implementation

Expansion of FTC Reach

Build Evidence Base

Available at: https://www.cffutures.org/report/national-strategic-plan/
Supported by the Office of Juvenile Justice and Delinquency Prevention

Center for Children and Family Futures

FTC Best Practices Standards

National Association of Drug Court Professionals
FTC BPS Development Process

1. Reviewed existing literature from the FTC Guidelines
2. Created matrix of effective strategies
3. Created Advisory Group and held Kick-Off event
4. Reviewed matrix to further refine draft Standards
5. Developed first draft by Advisory Group
6. Review and edit process
Important Practices of FTCs

1. System of identifying families
2. Timely access to assessment and treatment services
3. Increased management of recovery services and compliance with treatment
4. Improved family-centered services and parent-child relationships
5. Increased judicial oversight
6. Systematic response for participants – contingency management
7. Collaborative non-adversarial approach grounded in efficient communication across service systems and court

Sources: 2002 Process Evaluation and Findings from 2015 CAM Evaluation
FTC Best Practice Standards Development

157 Effective Strategies
FTC Guidelines

73 selected for potential inclusion in FTC BPS

Review Matrix for Selected Research-Based Strategies and Practice-Based Wisdom
August 2017

Development of First Drafts
January 2018

Advisory Group Review of Revised Drafts
November 2018

Anticipated Release
Summer 2019

July 2017
Convene Advisory Group

September 2017
Advisory Group Meeting, in Washington, DC

May 2018
Advisory Group Meeting, in Houston, TX

January 2019
OJJDP, Peer Review, & Public Comment
# Advisory Group Leadership

## PROJECT OFFICERS

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<td>Kellie Blue</td>
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## PROJECT LEADS

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## PROJECT STAFF

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# Advisory Group Members

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<td>Magistrate Judge Retired – Washington, DC</td>
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<td>Amy W. Hall</td>
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<td>Administration for Children and Families, Children’s Bureau</td>
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Family Treatment Court Best Practice Standards

1. Organization and Structure
2. Role of the Judge
3. Ensuring Equity and Inclusion
4. Early Identification, Screening, and Assessment
5. Timely, Quality, and Appropriate Substance Use Disorder Treatment
6. Comprehensive Case Management, Services, and Supports for Families
7. Therapeutic Responses to Behavior
8. Monitoring and Evaluation
Important Practices of FTCs

- System of identifying families
- Timely access to assessment and treatment services
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Sources: 2002 Process Evaluation and Findings from 2015 CAM Evaluation
Important Practices of FTCs

• System of identifying families
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4. Early identification & assessment
5. Timely, quality, & appropriate substance use disorder treatment
6. Comprehensive case management, services, and supports for families
**Important Practices of FTCs**

- Increased judicial oversight
- Systematic response for participants – contingency management
- Collaborative non-adversarial approach grounded in efficient communication across service systems and court

1. Organization and structure
2. Role of the judge
7. Therapeutic responses to behavior
3. Ensuring equity and inclusion
8. Monitoring and evaluation
FDC Guidelines as a Framework
FDC Guidelines as a Framework

1. Create shared Mission and Vision
2. Develop interagency partnerships
3. Create effective communication protocols for sharing information
4. Ensure interdisciplinary knowledge
8. Garner community support

1. Organization and Structure
   - Shared Mission and Vision
   - Partnerships, Community Resources, and Support
   - Communication and Information Sharing
   - Cross Training and Interdisciplinary Education
FTC Guidelines as a Framework

4. Early Identification and Assessment

5. Develop protocols for early identification and assessment

5. Timely, Quality, and Appropriate Substance Use Disorder Treatment

6. Address the needs of parents

6. Comprehensive Case Management, Services, and Supports for Families
FTC Guidelines as a Framework

7. Address the needs of children

10. Evaluate for shared outcomes and accountability

9. Implement funding and sustainability strategies

6. Comprehensive Case Management, Services, and Supports for Families

8. Monitoring and Evaluation
GOAL

To create model standards to guide the daily operations of family treatment courts
GOAL

To create model standards to support state decisions regarding resource development and priorities
GOAL

To create model standards to improve outcomes for individuals, children, and families affected by substance use and mental health disorders who are involved in the child welfare system.
Family Treatment Court Best Practice Standards

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Structure of FTC Best Practice Standards

**Description** – each Standard begins with a descriptive summary paragraph

**Provisions** – these expand on the description and are mandates stating what FTCs should do; they are designed to be as directive and measurable as possible

**Rationale** – describes the reasoning and applicable research base for each provision, drawing upon both practice-based evidence and empirical studies from a wide range of related fields of study

**Key Considerations** – provide additional explanation of the provision and practical implementation advice

**References** – are included at the end of each section
Structure of FTC Best Practice Standards

The FTC Best Practice Standards are not a how-to document

• The Rationale provides many useful resources and research articles for each Provision

• CCFF and NADCP will work with our other national partners, funders, states, and communities to develop training curricula, webinars, and other resources to support adoption of the FTC BPS
Staffing and Court Observation Tools

Family-Centered Focus of the Court

34. If needed, does the court provide or arrange for child care for participants' children while they are in court? Please answer the next set of questions by checking the box in the table below:

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
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<tbody>
<tr>
<td>Did the Judge ask about or discuss:</td>
<td>Choose an item</td>
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<tr>
<td>General status of the children in the family?</td>
<td>Choose an item</td>
</tr>
<tr>
<td>The experiences of the participant as a parent or caregiver to other children?</td>
<td>Choose an item</td>
</tr>
<tr>
<td>What skills or knowledge the participant is learning from their parenting program?</td>
<td>Choose an item</td>
</tr>
<tr>
<td>Status of or need for other clinical services for children?</td>
<td>Choose an item</td>
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<tr>
<td>General status of the spouse, partner or significant other?</td>
<td>Choose an item</td>
</tr>
<tr>
<td>Status of or need for services for the spouse, partner, or significant other?</td>
<td>Choose an item</td>
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<tr>
<td>General status of other relevant family members?</td>
<td>Choose an item</td>
</tr>
<tr>
<td>Status of or need for services for other relevant extended family members?</td>
<td>Choose an item</td>
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<tr>
<td>Status of or need for other supportive services for the family as a whole (e.g., transportation, housing, child care, etc.)</td>
<td>Choose an item</td>
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*Reflect generally how they are doing, how things are going, whether they are having any challenges, etc.
Adopting the FTC Best Practice Standards

**Developmental** – Adoption of all Standards will take patience, persistence, and time

**State Standards** – States can modify existing State Standards to encompass FTC Best Practice Standards or use to develop State Standards

**Measure Progress** – FTC Best Practice Standards “set the bar” for practice, use these to measure growth and progress toward full adoption
Adopting the FTC Best Practice Standards

Developmental

• The Standards set out what is “best practice” – what FTCs should do to increase the likelihood of stable recovery and healthy, unified families affected by SUD and MH and involved in child welfare
• Resources may not be available to meet all provisions
• How can communities meet the needs of individuals, children, and families participating in FTCs?
• What resources need to be developed and/or policies/procedures changed to most closely achieve these provisions?
Adopting the FTC Best Practice Standards

**State Standards**

- Even states that have State Standards may not have Standards for FTCs (often criminal focused)
- Which stakeholders need to be involved to modify and adopt State Standards that encompass the different stakeholders, legal procedures, and outcomes of families involved in child welfare?
- How can state systems – Court Improvement Program, Family Courts, Treatment, Child Welfare, Medicaid, etc. – work to support adoption of these Standards?
Adopting the FTC Best Practice Standards

Measure Progress

• Begin by establishing your jurisdiction’s strengths and needs in regard to the FTC BPS

• Determine which Provisions you can quickly adopt and which will take more time or resources

• Develop a plan to move toward adoption of all Provisions
Adopting the FTC Best Practice Standards

Direct Service Practitioners can use the Standards to reflect on and enhance their work with children, families, individuals, and communities.

Community Leaders can use the Standards as a tool for capacity building within their community.

Policymakers can adopt the Standards as a means of establishing expectations for quality practice for children, families, and individuals involved in child welfare and affected by substance use and mental health disorders.

Funders can adopt the Standards for use in requests for proposals, program monitoring, and quality assurance.
Family Treatment Court Best Practice Standards

1. Organization and Structure
2. Role of the Judge
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Using the Resources We Already Have

Pilots, Demos, and Grant-funded Projects

The “Real” Resources Already in the Community

TANF

Domestic Violence

Hospitals

Courts

Medicaid

Families

Schools

Housing

Mental Health

Police

Substance Use Disorder Treatment

Treatment Courts
Family First Prevention Services Act (2018)

Makes changes to federal child welfare financing, including allowing for federal Title IV-E dollars to reimburse states for substance use, mental health prevention and treatment services and parenting programs for children at imminent risk of being placed in foster care and their families

- Provisions Related to Substance Use and Mental Health Treatment for Families
  - Reimbursement for Family Residential Substance Use Disorder Treatment – October 1, 2018
  - Use of Title IV-E Funds to Prevent Child Placement in Out-of-Home Care – October 1, 2019
  - Reauthorization of Regional Partnership Grants
Family Treatment Court Best Practice Standards

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5. Timely, Quality, and Appropriate Substance Use Disorder Treatment
6. Comprehensive Case Management, Services, and Supports for Families
7. Therapeutic Responses to Behavior
8. Monitoring and Evaluation
1. Organization and Structure

The family treatment court (FTC) has agreed-upon structural and organizational principles that are supported by research and based on evidence-informed policies, programs, and practices. The core programmatic components, day-to-day operations, and oversight structures are defined and documented in the FTC policies and procedures manual, participant handbook, and memoranda of understanding (MOUs).
1. Organization and Structure

A. Multidisciplinary Collaboration and Systemic Approach
B. Partnerships, Community Resources, and Support
C. Multidisciplinary Team
D. Governance Structure
E. Shared Mission and Vision
F. Communication and Information Sharing
G. Cross Training and Interdisciplinary Education
H. Family-Centered and Trauma-Informed Services
I. FTC Policy and Procedure Manual
J. FTC Pre-Court Staffing and Court Review Hearing
2. Role of the Judge

Judicial leadership is critical to the effective planning and operation of the family treatment court (FTC). The FTC judge works collectively with leaders of partner agencies and other stakeholders to establish clear roles and a shared mission and vision. He or she has the unique ability to engage the leaders and stakeholders in the development, implementation, and ongoing operations of the FTC. The judge is a vital part of the operational team, convening meetings that encourage team members to identify shared values, voice concerns, and find common ground. Additionally, the judge’s development of rapport with participants is among the most important components of the FTC.
2. Role of the Judge

A. Convene Community Partners
B. Judicial Decision Making During Progress Review Hearings
C. Interaction with Participants
D. Participate in Pre-Court Team Staffing
E. Professional Training
F. Length of Judicial Assignment to FTC
3. Ensuring Equity and Inclusion

The Family Treatment Court (FTC) has an affirmative obligation to continually assess its operations and those of partner organizations for policies or procedures that could contribute to disproportionality and disparities. Disproportionality is the result of processes which produce over or under representation of a group compared to the percentage of that same group in the population of interest. Disparities are inequitable differences in the services received or outcomes by race, gender, or other characteristic. The FTC actively collects and analyzes program and partner organization data to determine if there are examples of disproportionality or disparities within the program; members of the FTC operational team and steering committee implement corrective measures to eliminate them.
3. Ensuring Equity and Inclusion

A. Equivalent FTC Program Admission Practices
B. Equivalent FTC Retention Rates and Child Welfare Outcomes
C. Equivalent Treatment
D. Equivalent Responses to Participant Behavior
E. Team Training
4. Early Identification, Screening, and Assessment

The early identification, screening and assessment of families to enter into family treatment court (FTC) provides the greatest opportunity to fully meet the comprehensive needs of children, parents and families in the child welfare system. Families entering the child welfare system are promptly, systematically, and universally screened and referred to the FTC as early as possible in the child welfare case. FTC team members screen and assess all referred families using objective eligibility and exclusion criteria based on the best available evidence indicating which families can be served safely and effectively in FTCs. FTC team members use validated assessment tools and procedures to promptly refer children, parents and families to the appropriate services and levels of care. FTC team members conduct ongoing validated assessments of the needs of the child, parent, and family, while also addressing barriers to recovery and reunification throughout the case. Service referrals match identified needs and connect children, parents and families to evidence-based interventions, promising programs and trauma informed, culturally responsive and family centered practices. FTC team members have varying roles for this process to occur in a timely and efficient manner.
4. Early Identification, Screening, and Assessment

A. Target Population, Objective Eligibility, and Exclusion Criteria
B. Standardized Systematic Referral, Screening, and Assessment Process
C. Use of Valid and Reliable Screening and Assessment Instruments
D. Valid, Reliable, and Developmentally Appropriate Assessments for Children
E. Identification and Resolution of Barriers to Treatment and Reunification Services
5. Timely, Quality, and Appropriate Substance Use Disorder Treatment

Substance use disorder (SUD) treatment is provided to meet the individual and unique substance-related clinical and supportive needs of persons with substance use disorders. For participants in family treatment court (FTC), it is important that the SUD treatment agency or clinician provide services in the context of the participants’ family relationships, particularly the parent–child dyad, and understand the importance of and responsibility to ensure child safety within the Adoption and Safe Families Act timeline for child permanency. SUD treatment providers’ continuum of SUD services includes early identification, screening, and brief intervention; comprehensive standardized assessment; stabilization; timely, appropriate, manualized, evidence-based treatment including medications if warranted; timely communication with the FTC team; and continuing care. The parent, child, and family treatment plan is based on individualized and assessed needs and strengths and is provided in a timely manner including concurrent treatment of needs such as SUD, mental health, and physical health.
5. Timely, Quality, and Appropriate Substance Use Disorder Treatment

A. Timely Access to Treatment
B. Treatment Matches Assessed Need
C. Comprehensive Continuum of Care
D. Integrated Treatment of Substance Use and Co-Occurring Mental Health Disorders
E. Family-Centered Treatment
F. Gender-Responsive Treatment
G. Treatment for Pregnant Women
H. Culturally Responsive Treatment
I. Evidence-Based Manualized Treatment
J. Medication-Assisted Treatment
K. Drug Testing Protocols
L. Treatment Provider Qualifications
6. Comprehensive Case Management, Services, and Supports for Families

The family treatment court (FTC) ensures that children, parents, and families receive comprehensive services that meet their assessed needs and promotes sustained family safety, permanency, recovery, and well-being. In addition to high-quality substance use and co-occurring mental health disorder treatment, the FTC’s family-centered service array includes other clinical treatment and related clinical and community support services. These services are trauma responsive, include families as active participants, and are grounded in cross-systems collaboration and evidence-based or evidence-informed practices implemented with fidelity.
6. Comprehensive Case Management, Services, and Supports for Families

A. Intensive Case Management and Coordinated Case Planning
B. Family Involvement in Case Planning
C. Recovery Supports
D. High-Quality Parenting Time (Visitation)
E. Parenting and Family Strengthening Programs
F. Reunification and Related Supports
G. Trauma-Specific Services for Children and Parents
H. Services to Meet Children’s Individual Needs
I. Complementary Services to Support Parents and Families
J. Early Intervention Services for Infants Affected by Prenatal Substance Exposure
K. Substance Use Prevention and Early Intervention for Children and Adolescents
7. Therapeutic Responses to Behavior

The family treatment court’s (FTC’s) operational team applies therapeutic responses (e.g., child safety interventions, treatment adjustments, complementary service modifications, incentives, and sanctions) to improve child, parent, and family functioning, ensure children’s safety and well-being, support participant behavior change, and promote participant accountability. The FTC recognizes the biopsychosocial and behavioral complexities of supporting participants through behavior change to achieve sustainable recovery, stable reunification, and resolution of the child welfare case. When responding to participant behavior, the FTC team considers the cause of the behavior, the effect of the therapeutic response on the participant, the participant’s children and family, and the participant’s engagement in treatment and supportive services.
7. Therapeutic Responses to Behavior

A. Child and Family Focus
B. Treatment Adjustments
C. Complementary Service Modifications
D. FTC Phases
E. Incentives and Sanctions to Promote Engagement
F. Equivalent Responses
G. Certainty
H. Advance Notice
I. Timely Response Delivery
J. Opportunity for Participants to Be Heard
K. Professional Demeanor
L. Child Safety Interventions
M. Licit Addictive or Intoxicating Substances
N. FTC Discharge Decisions
8. Monitoring and Evaluation

The family treatment court (FTC) collects and reviews data to monitor participant progress, engage in a process of continuous quality improvement, monitor adherence to best practice standards, and evaluate outcomes using scientifically valid and reliable procedures. The FTC establishes performance measures for shared accountability across systems, encourages data quality, and fosters the exchange of data and evaluation results with multiple stakeholders. The FTC uses this information to improve policies and practices in addition to monitoring the strengths and limitations of various service components. Evaluation results and data are also critical components of effective stakeholder outreach and sustainability helping the FTC “tell its story” of success and needs.
8. Monitoring and Evaluation

A. Data is Maintained Electronically

B. FTC Engages in Process of Continuous Quality Improvement

C. Evaluation of FTC’s Adherence to Best Practices

D. Use of Rigorous Evaluation Methods
Discuss what is in the Standard and what you see as the benefits and challenges of adoption of the Standard and its Provisions

- 3 questions you have about the Standard
- 3 elements you are excited to embrace about the Standard
- 3 concerns you have about operationalizing the Standard

*Get into your group when you return from break*
Break!

Take 15!
Discuss what is in the Standard and what you see as the benefits and challenges of adoption of the Standard and its Provisions

• 3 questions you have about the Standard
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Capture notes on the flipcharts provided and post
Learn More!  Peer Learning Court Program

Visit the 8 Model of Family Treatment Courts

@ Exhibit Hall
Booth #414 and 416