

# West Virginia Supreme Court of Appeals

Child Abuse and Neglect Database

Statewide Trends



2009 - 2013 Data  
Published: July 2014

## Introduction

Over the last few years the West Virginia Supreme Court of Appeals has demonstrated its commitment to children through its attention to child abuse and neglect proceedings. Aided by the collaboration of West Virginia's Court Improvement Program Board, a nationally recognized database was created to collect information on the timeliness of events within child abuse and neglect cases. The database is administered by the West Virginia Supreme Court of Appeals, Division of Court Services. Funding is provided by Court Improvement Program grant funds awarded by the United States Department of Health and Human Services, Administration for Children and Families.

The data reflects the work of all professionals involved in abuse and neglect proceedings on each judge's caseload. These professionals include child protective service workers, attorneys, guardians ad litem, and child advocates, among others. Additionally, abuse and neglect cases often involve children and families with unique circumstances that can complicate the process. Some circumstances are significant enough to merit or require a departure from the normal timeframes in a case. Knowing this, it is not the goal of the project to obtain 100% compliance to the various performance measures. The project's purpose is to provide each circuit court and the Supreme Court the data-tools to aid in identifying areas in need of improvement to expedite permanency for children.

In the following pages, child abuse and neglect caseloads for West Virginia's Circuit Judges are summarized through the performance measures related to the various stages and timeframes in these proceedings. For each performance measure four calculations are provided. The number of applicable records indicates the number of records available for reporting. The average column provides the arithmetic mean of the results when the given performance measure is applied to all applicable records. The median (midpoint) of these results is also provided. The final column includes the percent of records which were compliant with the given performance measure's limit (as provided in the performance measure title). Following the yearly statewide compliance reports is a statewide trend chart which shows the trends of each performance measure. Complete reporting methodology for each of the performance measures is provided in the appendix.

## Statewide Compliance Data: 2009

Statewide Performance Measures aggregates data reported for ALL Circuit Courts

### Performance Measures - Statewide Statistics

Measure	Applicable Records	Average (Days)	Median (Days)	% Statewide Compliance
Time to Adjudication	2924	96.3	54.0	
Time to Disposition	3049	288.0	232.0	
Petition Filing to MDT Convene Date (33 day compliance limit)	1120	51.7	33.0	51.0%
Time to Termination of Parental Rights (TPR)	1033	343.3	300.0	No Standard
Time to Permanent Placement	919	552.5	402.0	

### Number of Judges Per Case

The following data shows the median, mean, and maximum number of judges per case in the time frame specified

Number Of Cases	Median Judges Per Case	Mean Judges Per Case	Maximum Judges Per Case
1991	1	1	3

#### Notes:

- Performance measures shown on this report represent all case activity during the time frame. For methodology on performance measures please refer to the methodology information provided in the appendix.
- All Circuit Judges with an abuse and neglect case load during 2009 were included in this report. Judges excluded from reporting included those without abuse and neglect cases assigned to them during 2009, and those who retired or left office during 2009. Judges Yoder, Sanders, Silver, Wilkes, and Young, although active judges during 2009, did not have a caseload including child abuse and neglect cases. Therefore, they are not included in this report.
- This project was supported by Grant Number PN13178 awarded by the United States Department of Health & Human Services , Administration for Children and Families.

Report Generated on 07/01/2014 at 10:14 AM

## Statewide Compliance Data: 2010

Statewide Performance Measures aggregates data reported for ALL Circuit Courts

### Performance Measures - Statewide Statistics

Measure	Applicable Records	Average (Days)	Median (Days)	% Statewide Compliance
Time to Adjudication	3231	95.8	52.0	
Time to Disposition	3308	292.9	232.0	
Petition Filing to MDT Convene Date (33 day compliance limit)	1132	54.4	30.0	55.3%
Time to Termination of Parental Rights (TPR)	1201	358.1	297.0	No Standard
Time to Permanent Placement	1299	564.6	447.0	

### Number of Judges Per Case

The following data shows the median, mean, and maximum number of judges per case in the time frame specified

Number Of Cases	Median Judges Per Case	Mean Judges Per Case	Maximum Judges Per Case
2078	1	1	3

#### Notes:

- Performance measures shown on this report represent all case activity during the time frame. For methodology on performance measures please refer to the methodology information provided in the appendix.
- All Circuit Judges with an abuse and neglect case load during 2010 were included in this report. Judges excluded from reporting included those without abuse and neglect cases assigned to them during 2010, and those who retired or left office during 2010. Judges Yoder, Sanders, Silver, Wilkes, and Young, although active judges during 2010, did not have a caseload including child abuse and neglect cases. Therefore, they are not included in this report.
- This project was supported by Grant Number PN13178 awarded by the United States Department of Health & Human Services , Administration for Children and Families.

Report Generated on 07/01/2014 at 10:15 AM

# Statewide Compliance Data: 2011

Statewide Performance Measures aggregates data reported for ALL Circuit Courts

## Performance Measures - Statewide Statistics

Measure	Applicable Records	Average (Days)	Median (Days)	% Statewide Compliance
Time to Adjudication	4184	80.8	49.0	
Time to Disposition	4225	260.1	203.0	
Petition Filing to MDT Convene Date (33 day compliance limit)	1427	54.4	31.0	54.6%
Time to Termination of Parental Rights (TPR)	1518	307.6	245.0	No Standard
Time to Permanent Placement	1807	519.0	379.0	

## Number of Judges Per Case

The following data shows the median, mean, and maximum number of judges per case in the time frame specified

Number Of Cases	Median Judges Per Case	Mean Judges Per Case	Maximum Judges Per Case
2194	1	1	4

### Notes:

- Performance measures shown on this report represent all case activity during the time frame. For methodology on performance measures please refer to the methodology information provided in the appendix.
- All Circuit Judges with an abuse and neglect case load during 2011 were included in this report. Judges excluded from reporting included those without abuse and neglect cases assigned to them during 2011, and those who retired or left office during 2011. Judges Yoder, Sanders, Silver, Wilkes, and Young, although active judges during 2011, did not have a caseload including child abuse and neglect cases. Therefore, they are not included in this report.
- This project was supported by Grant Number PN13178 awarded by the United States Department of Health & Human Services , Administration for Children and Families.

Report Generated on 07/01/2014 at 10:16 AM

## Statewide Compliance Data: 2012

Statewide Performance Measures aggregates data reported for ALL Circuit Courts

### Performance Measures - Statewide Statistics

Measure	Applicable Records	Average (Days)	Median (Days)	% Statewide Compliance
Time to Adjudication	4415	75.5	45.0	
Time to Disposition	4480	264.7	220.0	
Petition Filing to MDT Convene Date (33 day compliance limit)	1476	45.8	29.0	58.1%
Time to Termination of Parental Rights (TPR)	1689	312.7	250.0	No Standard
Time to Permanent Placement	1970	479.8	377.0	

### Number of Judges Per Case

The following data shows the median, mean, and maximum number of judges per case in the time frame specified

Number Of Cases	Median Judges Per Case	Mean Judges Per Case	Maximum Judges Per Case
2401	1	1	4

**Notes:**

- Performance measures shown on this report represent all case activity during the time frame. For methodology on performance measures please refer to the methodology information provided in the appendix.
- All Circuit Judges with an abuse and neglect case load during 2012 were included in this report. Judges excluded from reporting included those without abuse and neglect cases assigned to them during 2012, and those who retired or left office during 2012. Judges Yoder, Sanders, Silver, Wilkes, and Young, although active judges during 2012, did not have a caseload including child abuse and neglect cases. Therefore, they are not included in this report.
- This project was supported by Grant Number PN13178 awarded by the United States Department of Health & Human Services , Administration for Children and Families.

Report Generated on 07/01/2014 at 10:17 AM

## Statewide Compliance Data: 2013

Statewide Performance Measures aggregates data reported for ALL Circuit Courts

### Performance Measures - Statewide Statistics

Measure	Applicable Records	Average (Days)	Median (Days)	% Statewide Compliance
Time to Adjudication	4763	76.5	46.0	
Time to Disposition	4784	270.9	230.0	
Petition Filing to MDT Convene Date (33 day compliance limit)	1538	42.5	30.0	61.2%
Time to Termination of Parental Rights (TPR)	1962	322.6	261.5	No Standard
Time to Permanent Placement	2171	491.1	397.0	

### Number of Judges Per Case

The following data shows the median, mean, and maximum number of judges per case in the time frame specified

Number Of Cases	Median Judges Per Case	Mean Judges Per Case	Maximum Judges Per Case
2593	1	1	4

#### Notes:

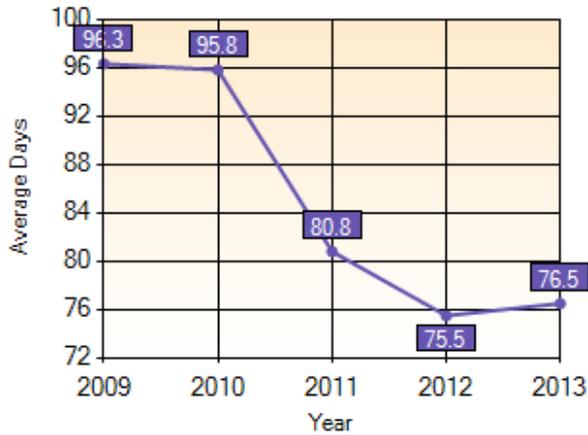
- Performance measures shown on this report represent all case activity during the time frame. For methodology on performance measures please refer to the methodology information provided in the appendix.
- All Circuit Judges with an abuse and neglect case load during 2013 were included in this report. Judges excluded from reporting included those without abuse and neglect cases assigned to them during 2013, and those who retired or left office during 2013. Judges Yoder, Sanders, Silver, Wilkes, and Young, although active judges during 2013, did not have a caseload including child abuse and neglect cases. Therefore, they are not included in this report.
- This project was supported by Grant Number PN13178 awarded by the United States Department of Health & Human Services , Administration for Children and Families.

Report Generated on 07/01/2014 at 10:17 AM

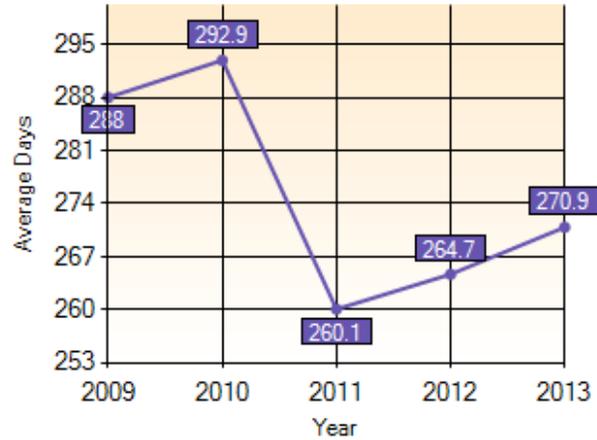
# Statewide Performance Measure Trends

Trend Charts for ALL Circuit Courts - Statewide data 2009 - 2013

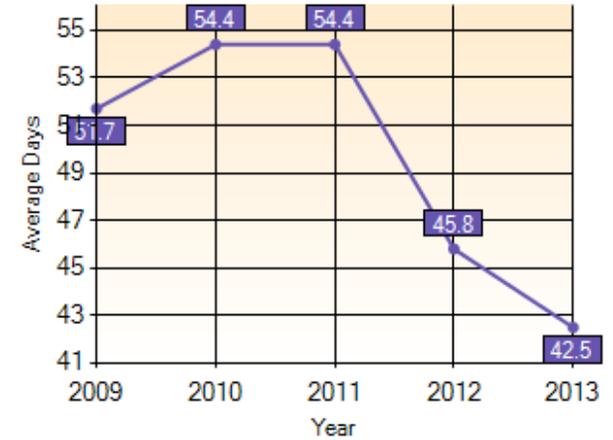
### Time to Adjudication



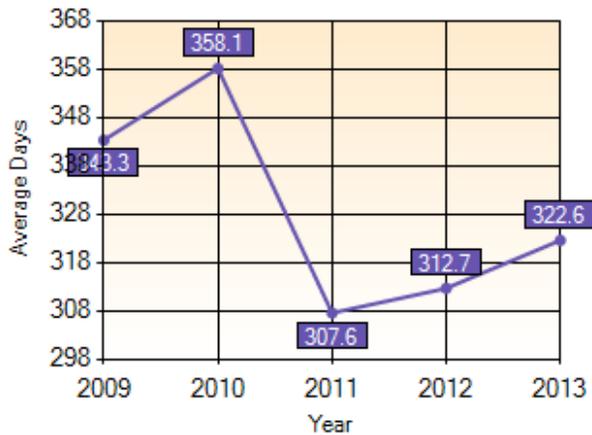
### Time to Disposition



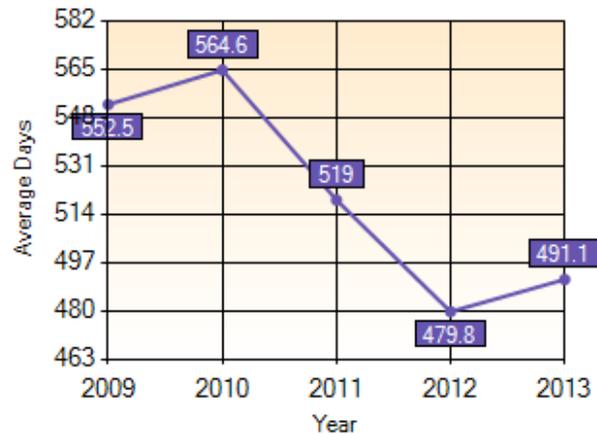
### Petition Filing to MDT Convene Date



### Time to Termination of Parental Rights (TPR)



### Time to Permanent Placement



**Notes:**

- Performance measures shown on this report represent all case activity during the time frame. For methodology on performance measures please refer to the methodology information provided in the appendix.
- All Circuit Judges with an abuse and neglect case load during 2009 were included in this report. Judges excluded from reporting included those without abuse and neglect cases assigned to them during 2009, and those who retired or left office during 2009. Judges Yoder, Sanders, Silver, Wilkes, and Young, although active judges during 2009, did not have a caseload including child abuse and neglect cases. Therefore, they are not included in this report.
- This project was supported by Grant Number PN13178 awarded by the United States Department of Health & Human Services, Administration for Children and Families.

**Appendix A:**  
**Reporting Methodology**

## **Reporting Methodology**

**If there are multiple judges on a case, how does the system determine who the case record belongs to?**

Record ownership is determined for each performance measure. The judge who is active during only part of a case will receive credit only for those case activities during which he was judge. For example, on the performance measure which calculates Filing to Preliminary Hearing, the judge assigned to the case at the time of the Preliminary Hearing will receive credit for the case on that measure. However, on the same case there may have been a different judge assigned when the child reaches permanency. This second judge would receive credit for Time to Permanency measure. Ownership of the record for each performance measure is determined by the judge assigned to the case at the time of the latest activity date used to calculate a given performance measure.

**What activity dates are used to group the cases into the date ranges chosen for reports?**

You may select a range of dates to be displayed in your reports, or graph your data over a series of years. When you do this, you are reviewing the judge's work during those time periods. For example, if you run a report with the date parameters January 2009 to December 2009 for the Filing to Preliminary Hearing performance measures it will reflect all cases in which the judge has held a preliminary hearing during the year 2009. Likewise, if you run a report for that same time period for the measure Time to Permanency, it will reflect all those cases assigned to the judge that reached permanency during that time period. Keep in mind when you look at the MyStats report, the different measures will reflect different populations of cases depending upon where in the judicial process each case is within the judge's caseload.

**How are cases with amended petitions handled for reporting?**

The reporting site will now calculate Amended Petitions within the Performance Measures. The measure has been modified to include Amended Petitions when applicable and can be found within Time to Adjudicatory Hearing without Child Removal, Time to Adjudication, and Time to Termination of Parental Rights. In order to give the judges an opportunity to remain in compliance, the measurement is based on individual respondents within each case. Calculations will begin the date the Amended Petition is filed for the particular respondent rather than the date the original petition was filed.

## **Appendix B:**

### **Performance Measure Methodology**

# Performance Measure Methodology

## Judicial Measures

### Time to Adjudication

This measure will include calculating the average (mean) and median time from filing of the original petition to adjudication. The average will be calculated using all respondent records including original petition filing date and the beginning date of the adjudicatory hearing date for each respondent. If a respondent was added after the preliminary hearing as a result of an Amended Petition, or service was delayed to a respondent who was included in the original petition, time to the Adjudicatory Hearing would be calculated from the date the respondent was added or served rather than the original petition date.

### Time to Disposition

This measure will include calculating the average (mean) and median time from filing of the original petition to disposition. The average will be calculated using all respondent records including original petition filing date and the date of the earliest provided disposition date for each respondent. If a respondent was added after the preliminary hearing as a result of an Amended Petition, or service was delayed to a respondent who was included in the original petition, time to the Disposition Hearing would be calculated from the date the respondent was added or served rather than the original petition date.

### Petition Filing to MDT Convene Date

The Benchbook states ‘within 30 days of the original filing of the petition, the court shall cause to be convened a meeting of a multidisciplinary treatment team (MDT) assigned to the child’s case... [The MDT] shall meet with the court at least every three months until the case is dismissed...’ The number of days, including all holidays, weekends and workdays, between the filing of the original petition and the first meeting of the MDT is calculated. A case is determined within compliance if the result of the calculation is less than or equal to 33 days, reflecting 30 days plus the three day grace period.

## **Time to Termination of Parental Rights (TPR)**

This measure consists of the average (mean) time from filing of the original petition to termination of parental rights for each respondent. All respondent items including applicable dates for both items will be included in the calculation. If a respondent was added as a result of an Amended Petition, or service was delayed to a respondent who was included in the original petition, time to the Termination of Parental Rights would be calculated from the date the respondent was added or served rather than the original petition date.

## **Time to Permanent Placement**

Time to placement is measured by the average (mean) and median time from filing of the original petition to permanent placement. This is calculated using all records including both original petition filing date and the date of permanent placement.