

Benchmarks & Bar Charts

Arkansas Court Statistics Research

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Juvenile Court Research Issue: Dependency-Neglect

Fast Facts About Dependency-Neglect in Arkansas

- Dependency-neglect filings have increased 31% from 2,119 in fiscal year 1999 to 2,779 in fiscal year 2000.
- Dependency-neglect proceedings take 1.6 times as much court time as juvenile delinquency.
- In calendar year 2000, 74% of all dependency-neglect filings were adjudicated by the court as abuse or neglect.

Introduction

Juvenile courts in Arkansas have statutory authority in three types of cases. Juvenile delinquency cases, involving the criminal actions of minors, are most often associated with the court. Juvenile courts also process Family in Need of Services (FINS) petitions concerning families whose juveniles exhibit behavior such as truancy, running away, or habitually disobeying parents or guardians. Dependency-neglect cases are referred to the court when abandonment, physical abuse, sexual abuse or exploitation, neglect, or parental unfitness pose a substantial risk of harm to a juvenile.

The Administrative Office of the Courts (AOC) collects filing and adjudication data on all cases filed in Arkansas' juvenile courts. Moreover, the AOC houses several programs that coordinate additional services utilized by juvenile courts. Among those services, dependency-neglect issues are predominant. Court Appointed Special Advocates (CASA) and Attorneys Ad Litem are examples of two such programs that aid in the dependency-neglect court process.

This issue of *Benchmarks & Bar Charts* will examine dependency-neglect data available at the AOC. Among

Inaugural Issue

Benchmarks & Bar Charts: Arkansas Court Statistics Research will be a quarterly publication of the Administrative Office of the Courts. In each report, a specific issue within a general court topic will be addressed. Topic areas will rotate within a reporting year. This issue features dependency-neglect cases in juvenile court. Future issues will include criminal court topics, civil court topics, and special interest topics. *Benchmarks & Bar Charts* is set to be published in January, April, July, and October of each year.

the data in this issue are filing statistics, adjudication statistics, and program evaluations of CASA and Attorneys Ad Litem.

How does the process for investigating juvenile abuse and neglect occur?

In Arkansas, the Department of Human Services' (DHS) Division of Children and Family Services (DCFS) and the Arkansas State Police's Family Protection Division investigate claims of child abuse and neglect. If an investigator assesses that abuse or neglect may have occurred, a case may then be forwarded for filing a dependency-neglect petition in juvenile court.

Most cases enter juvenile court through an emergency ex parte petition, resulting in a probable cause hearing. If probable cause is found, an adjudication is set.

Exhibit A: System of Filing Dependency-Neglect in Arkansas*

Fiscal Year	Assessments	Founded Assessments	Dependency-Neglect Filings	Filings to Founded Assessment Ratio**
1991	12,014	3,821	1,589	4/10
1992	12,828	4,094	1,928	5/10
1993	11,859	6,324	1,668	3/10
1994	18,420	4,462	1,770	4/10
1995	17,612	5,364	1,680	3/10
1996	19,586	5,615	1,816	3/10
1997	18,192	5,762	2,407	4/10
1998	17,775	5,209	2,102	4/10
1999	18,352	5,775	2,119	4/10

*For fiscal years 1997-1999, assessments include DCFS and Family Protection Division numbers.

**Ratio example: In 1991, 4 out of every 10 cases founded by DHS to be true neglect/abuse were filed in court. DCFS data was obtained from DHS Annual Statistics Reports. Dependency-Neglect filings were obtained from the AOC database.

How many cases flow through the system each year?

Exhibit A displays statewide caseloads from DCFS, the Family Protection Division, and juvenile court.¹ Not all DCFS and Family Protection Division assessments are found to be true instances of abuse or neglect; thus, the number of “founded assessments” are lower than the total number of assessments.

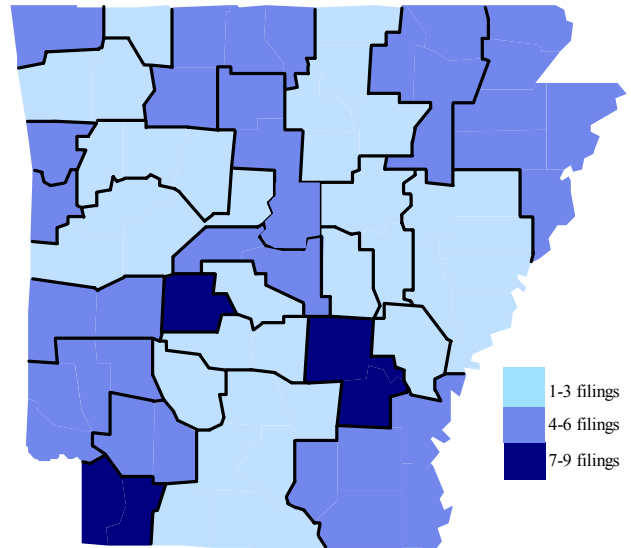
After an investigator finds abuse or neglect, the agency may choose one of two routes for the family in question. DCFS may choose to work with the family through counseling or other measures, or the agency may pursue court involvement through a dependency-neglect petition. Therefore, founded assessments may not always go to court.

Founded assessments and dependency-neglect filings for years following 1991 have exceeded the 1991 numbers. However, when the two variables are compared to each other in the “filings to founded assessments ratio,” they exhibit a relatively stable flow of cases through the system.

How much court time does dependency-neglect take?

In fiscal year 2000, approximately 14% of Arkansas’ juvenile court caseload was dependency-neglect. Previous weighted caseload studies by the Judicial Resources Assessment Committee suggest that dependency-neglect proceedings take approximately 4 court hours to complete, longer than juvenile delinquency (2.5 hours) and FINS (2 hours).

Exhibit B: Dependency-Neglect Filings Per Thousand Juveniles in the Population Fiscal Year 1999-2000



What is the dispersion of dependency-neglect cases statewide?

The raw number of dependency-neglect filings may be useful to track trends statewide or within a particular area. However, such raw numbers have limited utility for comparing judicial districts to one another.

Exhibit B presents a geographic analysis of dependency-neglect filings per 1,000 people under age 18 in the 2000 Census. The units of analysis in this map are the 28 judicial districts, outlined in bold.

Three judicial districts stand out as having more filings per capita than the rest. They are 18 East (composed of Garland County) in the central section of the state, 8 South (composed of Miller and Lafayette Counties) in the southwest corner, and 11 West (composed of Jefferson and Lincoln Counties) in the southeast. Each of these districts have a major city as a hub: Hot Springs (18 East), Texarkana (8 South), and Pine Bluff (11 West). Further, each are near or within Census-defined Metropolitan Statistical Areas (MSA). However, the 6th Judicial District (Pulaski and Perry Counties), which encompasses the greater Little Rock area, ranked in the middle tier.

¹ The DHS Annual Report for Fiscal Year 2000 has not yet been published. Therefore, this comparison displays all years available.

How many filings are found to be dependent-neglect in court?

During calendar year 2000, 74% of 2,717 dependency-neglect petitions were found to be abuse or neglect. Another 16% were dismissed. The remaining 10% were ordered to undergo family services.

How effectively are children represented in the dependency-neglect system?

In addition to the judge and the attorney for the family in question, several key players are involved in the dependency-neglect court process. The Department of Human Services has at least two entities in court, an attorney from the Office of Chief Counsel (OCC) and the DCFS caseworker. The DHS personnel present evidence as to why a dependency-neglect adjudication has been sought.

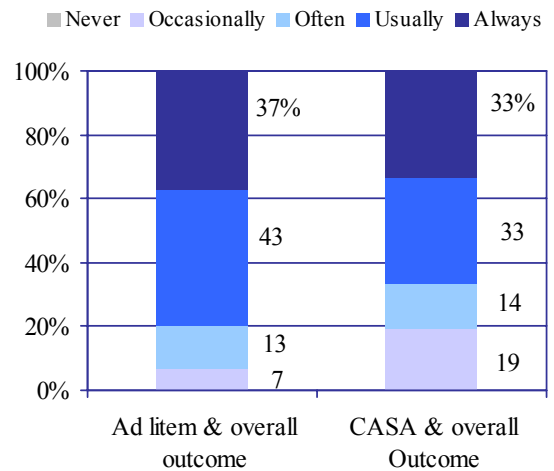
When a dependency-neglect petition is filed, an attorney ad litem must be appointed by the court. The attorney ad litem has statutory authority to present the court with witnesses and evidence to protect the child's best interest. Currently, all 75 counties in Arkansas have attorneys ad litem to serve in dependency-neglect cases.

The court may also appoint a CASA volunteer to track the case and gather independent information pertaining to the child's situation. A volunteer is assigned no more than 3 cases at a time so that he or she may have sufficient time to dedicate to each case. Currently, CASA operates programs in 20 of Arkansas' 28 judicial districts, spanning 42 of the 75 counties.

Early in 2001, both the Attorney Ad Litem Program and CASA completed evaluations in which key figures were surveyed about program effectiveness. Full results from each evaluation are available online.

Exhibit C displays results from congruent questions asked of juvenile judges in both program evaluations. The exhibit reveals that over half of judges surveyed perceive both programs as being important to the overall outcome of a case at least 67% of the time.

Exhibit C: How often is the Attorney Ad Litem/CASA Volunteer important*



*The survey questions defined the response scale as the following percent of the time: Never (0%), Occasionally (1-33%), Often (34-66%), Usually (67-99%), Always (100%).

Conclusion

The issue of dependency-neglect presents a resource dilemma for Arkansas juvenile courts. Since dependency-neglect is estimated to take 1.6 times as much court time as juvenile delinquency, further increases in dependency-neglect could hamper the courts' effectiveness.²

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External Sources

Arkansas Department of Human Services. 1992-2000. *Annual Reports for Fiscal Years 1991-1999.*

Arkansas Judicial Resources Assessment Committee (JRAC), 2000. "JRAC Handout Booklet for September 2000 Meeting."

Census State Data Center, University of Arkansas at Little Rock, Institute for Economic Advancement. 2001. "Arkansas *Census 2000 Data.*"

² The JRAC case weight for dependency-neglect is 4 hours, while the weight for juvenile delinquency is 2.5. The figure 1.6 is a multiplier (i.e., 2.5 hours for juvenile delinquency multiplied by 1.6 equals the 4 hours it takes for dependency-neglect).

For More Information

Benchmarks & Bar Charts: Arkansas Court Statistics Research is available on the web with additional files to download at http://courts.state.ar.us/courts/aoc_pubs.html. Copies of statistical data files and program evaluations used in this analysis are included.

Arkansas Court Appointed Special Advocates has a web site at <http://www.ar.ncasaa.org>.

The Census State Data Center, located within the Institute for Economic Advancement at the University of Arkansas at Little Rock, is home to Arkansas' Census data on the web. Their site also contains a link to the Arkansas Children's Research Center. The web address is <http://www.aiea.ualr.edu/csdc>.

Benchmarks & Bar Charts: Arkansas Court Statistics Research is a publication by the Arkansas Administrative Office of the Courts. Contributions, comments, or inquiries for data are welcome. Please submit to Kellye Mashburn, AOC, Justice Building, 625 Marshall, Little Rock, AR 72201. Phone (501) 682-9400.

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