The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
S-230, U.S. Capitol Building  
Washington, DC  20510

The Honorable Charles E. Schumer  
Minority Leader  
United States Senate  
S-221, U.S. Capitol Building  
Washington, DC  20510

The Honorable Nancy Pelosi  
Speaker  
House of Representatives  
H-204, U.S. Capitol Building  
Washington, DC  20515

The Honorable Kevin McCarthy  
Minority Leader  
House of Representatives  
H-204, U.S. Capitol Building,  
Washington, DC  20515

Re: COVID-19 Funding for the Court Improvement Program (CIP)

Dear Majority Leader McConnell, Speaker Pelosi, and Minority Leaders Schumer and McCarthy:

We are writing on behalf of the Conference of Chief Justices and the Conference of State Court Administrators to express strong support for including $30 Million in supplemental funding for the state Court Improvement Program (CIP) in any forthcoming COVID-19 relief legislation. This money would be made available to state courts under the CIP to help us handle child welfare cases impacted by the COVID-19 crisis. The impact of this crisis on children cannot be understated as families face loss of jobs, housing, and many of the necessities of life. Children are not only some of the most vulnerable of our citizens, in many instances they become quick targets for caregivers to take out their frustrations and stress. Including this increase in any emergency recovery legislation is critically important given that the crisis is now; it does not align with the regular appropriations process.

Congress created CIP in 1993 (P.L. 103-66) to assist state courts in improving their handling of child abuse and neglect cases. It is the only source of federal funding to state courts to help them fulfill their responsibilities under federal law to oversee child abuse and neglect cases and ensure that reasonable efforts are made to prevent the need for foster care and, when children must be removed, to achieve timely reunification and permanency.
Because CIPs exist in every state, they are well-positioned to address challenges in the administration of legal proceedings in child welfare, especially during the ongoing COVID-19 pandemic. CIPs provide a vital link between the courts, the legal community (including attorneys and Court Appointed Special Advocates – CASA), and state and federal child welfare agencies.

$30 Million in emergency supplemental funding for CIP would mitigate the impact of child welfare issues arising out of the pandemic on courts handling child abuse and neglect cases. Court shutdowns, technology shortages, and reduced staffing have resulted in hearing delays and, ultimately, compromised child safety, delayed reunification, and loss of accountability and critical support to child victims and their families. As state courts have delayed many types of cases and designated others as “essential” for continued processing, cases involving protection of vulnerable populations, such as abused and neglected children are a high priority. Many child welfare experts expect to see a substantial increase in child protection cases as the country returns to normal public activities. Two of the major sources for discovering and reporting child abuse, schools and day care centers, have been shuttered by the crisis. Accordingly, we anticipate a significant surge of cases in the coming months.

State courts need funding to address unforeseen expenses brought on by COVID-19 that impact the effective processing of child abuse and neglect cases. Three key areas of need:

**Technology Investments** to facilitate the transition to remote hearings for dependency courts. Technology investments to facilitate the transition to remote hearings for dependency courts. The Children’s Bureau at the U.S. Department of Health and Human Services recently issued guidance for the child welfare legal and judicial community which called on CIPs to consider using funds “to support and enhance virtual participation for parents, children, youth, and their attorneys in hearings and reviews.” A follow-up letter from the Children’s Bureau urged state supreme courts “to work closely with the CIP in your state or territory to help acquire and support telework and video-conferencing equipment and software that will allow judges to continue to provide statutorily required oversight in ways consistent with public health mandates.” When dependency courts lack technology and support to hold hearings remotely during this crisis, agencies and courts cannot advance pending child welfare cases to ensure children reunify when appropriate or exit foster care to other permanent placements such as adoption and guardianship. In the longer term, many courts are already beginning to evaluate what hearings and other activities can continue to be most effectively conducted remotely.

**Training for judges, attorneys and caseworkers** on how to facilitate and participate in remote technology hearings that still comply with due process, meet congressionally mandated requirements, ensure child safety and well-being, and help inform critical judicial decision-making. CIPs are the best positioned in each state to facilitate that training given existing infrastructure and relationships with the legal community, but they lack sufficient resources to meet the current needs. Training in this area is also highly relevant for attorneys and agency participants in hearings, which CIPs also are well-positioned to facilitate on the local level.

**Innovative programs to help families** address aspects of the case plan that prevent delays in the legal proceedings. As part of the process of ensuring children exit foster care in a timely manner, families must continue to fulfill legal requirements in their case plan. This includes engagement with multidisciplinary legal teams, family time and visitation, and access to counseling and parenting support services. Given CIPs’ strong
collaborative relationships with child welfare agencies, all levels of state courts, and the legal community, they are well-equipped to design the plan that best meets the needs of local courts and communities to keep dependency cases on track and prevent children from unnecessarily languishing in foster care.

Thank you for your leadership during this momentous time and considering this request to join the state courts in addressing the needs of children and families in our child protection courts. If you need additional information or assistance, please feel free to contact us or Chris Wu at the National Center for State Courts. Mr. Wu can be reached at (925) 349-8917 or cwu@ncsc.org.

Sincerely yours,

The Honorable Nathan L. Hecht
President
Conference of Chief Justices

J. Joseph Baxter
President
Conference of State Court Administrators

cc: Hon. Loretta Rush, Chief Justice, Supreme Court of Indiana, Co-Chair, CCJ/COSCA Children and Family Committee
Corey Steel, Nebraska State Court Administrator, Co-Chair, CCJ/COSCA Children and Family Committee
Chris Wu, National Center for State Courts