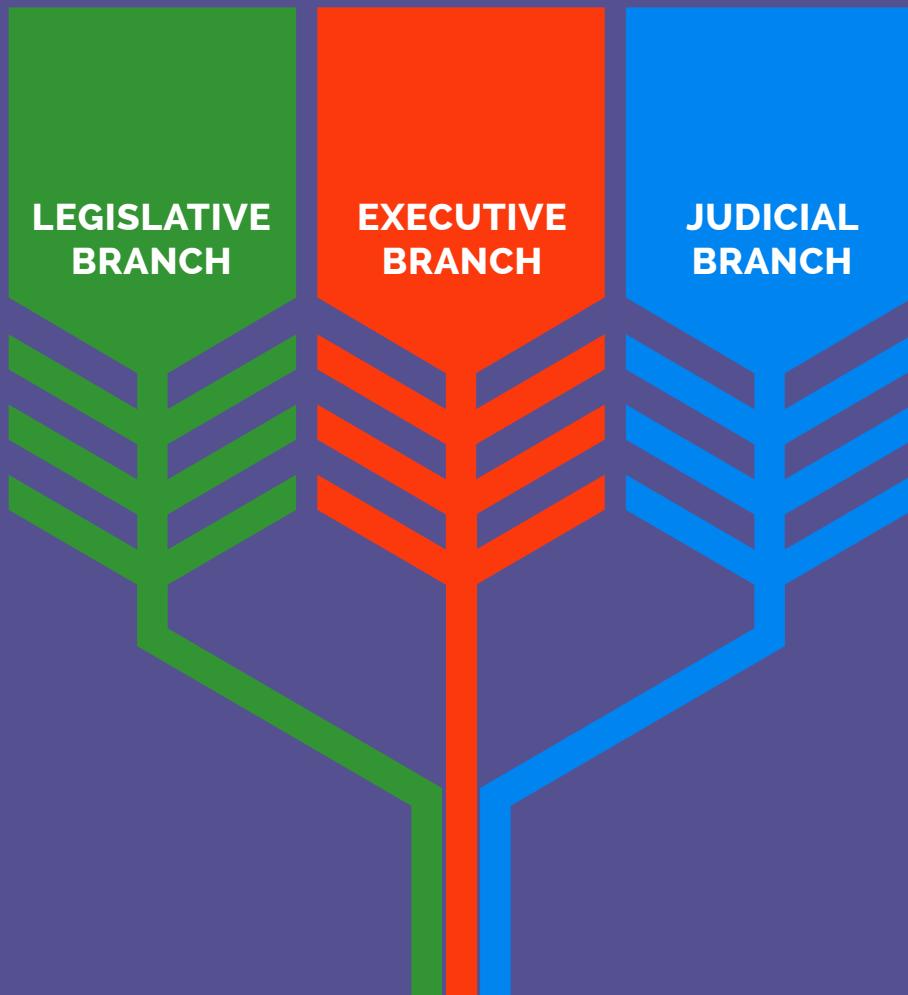
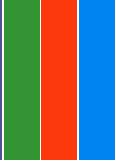


A TOOLKIT FOR SUCCESS



Reforming Child Welfare Through a Three-Branche Approach





ABOUT NGA

Founded in 1908, the National Governors Association is the voice of the nation's governors and one of the most respected public policy organizations in the country. The association's members are the governors of the 55 states, territories and commonwealths. Members come to the association from across the political spectrum, but NGA itself is boldly nonpartisan. Because of that, governors can share best practices, speak with an informed voice on national policy and develop innovative solutions that improve citizens' lives through state government and support the principles of federalism. For more information about NGA, please visit www.nga.org.

ABOUT NCSL

The National Conference of State Legislatures is the bipartisan organization dedicated to serving the lawmakers and staffs of the nation's 50 states, its commonwealths and territories. NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues, and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

- Improve the quality and effectiveness of state legislatures
- Promote policy innovation and communication among state legislatures
- Ensure state legislatures a strong, cohesive voice in the federal system

The conference operates from offices in Denver, Colorado and Washington, D.C.



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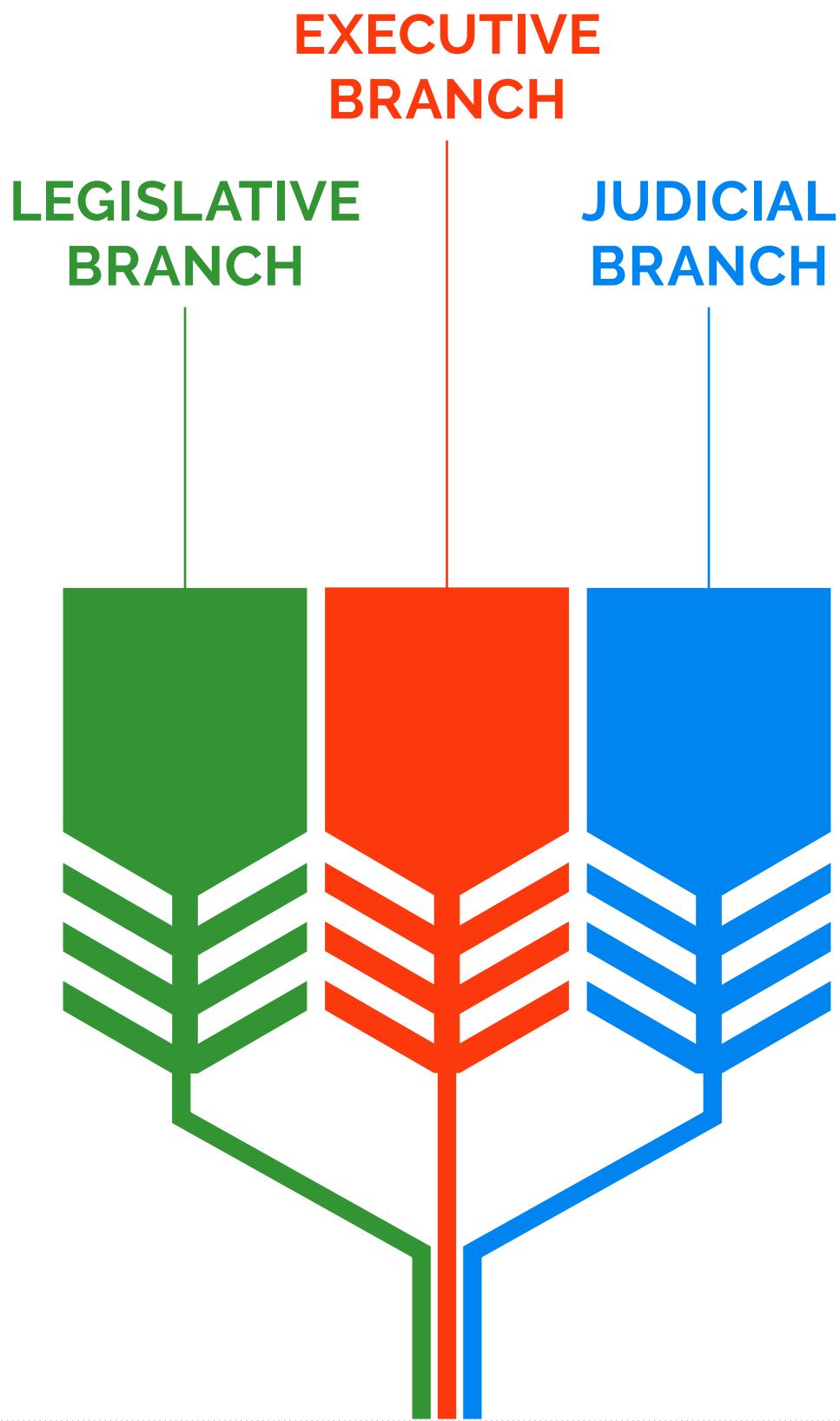
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EXECUTIVE SUMMARY

In state government, all three branches — executive, legislative and judicial — play major roles in establishing the legal and policy framework for state child welfare systems. Recently, several states have developed initiatives that engage all three branches to improve outcomes for children and families. This **three-branch approach** creates intentional opportunities for all three branches of state government to unite in a nonpartisan effort to change the way child- and family-serving systems operate. States taking this approach have focused their initiatives on specific issues that affect children and families known to the child welfare system, often with the greater goal of embedding and normalizing work across the three branches to address the broader systemic issues these children and families face.

The **Three-Branch Toolkit** contains actionable strategies for states interested in making a coordinated, nonpartisan, cross-jurisdictional effort to improve outcomes for children and families.

State leaders can use this toolkit to:

- Build the core elements of their three-branch approach.
- Launch a three-branch approach.
- Create a strategic plan that incorporates successful strategies from previous three-branch approaches.
- Proactively address challenges before they arise.
- Learn from other state examples and case studies.

How to Use This Toolkit

The Three-Branch Toolkit is intended for use by anyone in any branch of government who wants to break down barriers; move beyond siloed thinking, planning and funding; and take an innovative approach to solving the systemic problems that vulnerable children and families face. This can include child welfare agency directors or staff, policy staff in the governor’s office, legislators or legislative staff, judges and judicial officials, court administrators, child advocates, state agency officials and local philanthropic organizations.

This toolkit takes planners through the process of gaining buy-in from one government branch, and then approaching the other two branches to form cross-branch project teams; creating a vision for vulnerable children and families; identifying an issue on which to focus; and developing, implementing and monitoring a strategic plan to fulfill that vision.

Next, users go through the steps to launch a three-branch approach, with strategies for success that states have developed during their journey through each step. The toolkit also contains an in-depth discussion of challenges that states might face as well as potential solutions that successful three-branch teams have used to address them. Appendices contain checklists, sample agendas and strategic plans, examples of memorandums of understanding, and other practical material that states will find useful as they move forward. States can easily download customizable checklists and forms from the online version of this toolkit.

The goal of this toolkit is to help states foster cross-branch collaboration and develop sustainable relationships to improve policies and practices that affect children’s lives. By working through this toolkit, state leaders will learn how to communicate effectively with all three branches, understand and respect the complementary and varied roles of each branch, effectively share information and data, engage others’ views and share diverse perspectives, develop cross-branch strategies that achieve shared goals, and engage the public to build buy-in and a sense of ownership of both the issues and their solutions.





INTRODUCTION

Recent developments in the field of child welfare have challenged child welfare professionals to approach the work of promoting child and family safety, well-being and permanence in new and innovative ways. When the federal Commission to Eliminate Child Abuse and Neglect Fatalities released its groundbreaking report in 2016, it helped launch a national dialogue about child safety and significantly shifted the national narrative about maltreatment-related fatalities.

The prevailing model in child welfare has long been to manage the crisis in the system that emerges when a child dies or is severely injured. The Commission's work helped states begin to shift their approach from one that reactively props up a culture of fear, blame and shame in the system to one proactively focused on evidence-informed policies and practices that prevent maltreatment.

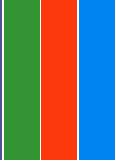
With the passage of the federal Family First Prevention Services Act in 2018, states were given another opportunity to move farther from crisis response toward strengthening families facing substance use disorder (SUD), mental health (MH) issues and other common stressors known to lead to child maltreatment. The law aims to prevent children from entering foster care by providing federal reimbursement for MH services, substance use treatment and prevention and in-home parenting skills training before children are removed from their home. The legislation also seeks to improve the well-being of children already in foster care by reducing unnecessary placement of children in congregate care settings and improving the effectiveness of residential care, when necessary.

Successfully moving child welfare systems toward a holistic focus on child and family well-being will require the energy, commitment and resources of all three branches of state government to ensure that new funding and programmatic opportunities benefit vulnerable children and families. This **Three-Branch Toolkit** helps state leaders communicate effectively among branches, understand and respect the complementary roles of each branch, effectively share information and data, navigate differing views and perspectives, develop cross-branch strategies that achieve shared goals, and engage the public to build buy-in and a sense of ownership of both the issues and the solutions affecting child and family well-being.

What Is a Three-Branch Approach?

All three branches of state government — executive, legislative and judicial — play significant roles in establishing the legal and policy framework for state child welfare systems. In the executive branch, the governor's office has primary responsibility for setting a vision and statewide priorities. State and county executive branch agencies implement that vision through their child protection and child welfare systems. The legislative branch develops the policy framework for child protection, appropriates funding for child welfare and related public systems, and provides oversight of the executive branch. The judicial branch makes critical child protection decisions, including when children should remain at home or be placed in an alternative setting, when they can safely be reunited with their families and when parents must participate in treatment plans for MH issues or SUD, among other concerns.

Several states have developed cross-branch collaborations after recognizing that no single branch of government can reform child- and family-serving systems in isolation. A three-branch approach creates intentional opportunities for the three branches of state government to unite in a nonpartisan effort to improve outcomes for children and families. States that have taken this approach have benefited from mutual education and cross-training as well as a deliberative planning process to address some of the most pressing issues children and families face. This toolkit is based on lessons learned from these initiatives.



How to Use This Toolkit

This toolkit is intended for use by anyone from any branch of government who wants to break down barriers; move beyond siloed thinking, planning and funding; and take an innovative approach to solving the systemic problems faced by vulnerable children and families. Target users include child welfare agency directors or staff, policy staff in the governor's office, legislators or legislative staff, judges and judicial officials, court administrators, child advocates, state agency officials other than child welfare and local philanthropic organizations.

The Three-Branch Toolkit takes planners through the process of gaining buy-in from one government branch, and then approaching the other two branches to form cross-branch project teams; creating a vision for vulnerable children and families; identifying an issue on which to focus; and then developing, implementing and monitoring a strategic plan to fulfill that vision.

After defining the three-branch approach, the toolkit describes the steps for launching the approach, followed by strategies for success that states have developed during their journey through launch. The toolkit also includes an in-depth discussion of challenges that states will face as well as potential solutions that successful three-branch teams have used to address those challenges. Appendices contain checklists, sample agendas and strategic plans, examples of memorandums of understanding and other practical material that states will find useful as they move forward. States can easily download customizable checklists and forms from the online version of this toolkit.

Successfully moving child welfare systems toward a holistic focus on child and family well-being will require the energy, commitment and resources of all three branches of state government to ensure that new funding and programmatic opportunities benefit vulnerable children and families.





The Three-Branch Institute

The Three-Branch Institute began in 2009 as a project of the National Governors Association (NGA), the National Conference of State Legislatures (NCSL), the National Center for State Courts and the National Council of Juvenile and Family Court Judges (NCJFCJ). Casey Family Programs provided funding, guidance and subject matter expertise. For eight years, these organizations jointly provided intensive technical assistance to states interested in working together across government branches. The Three-Branch Institute addressed a variety of issues, such as increasing permanency for older adolescents in foster care, improving the social and emotional well-being of children in foster care and preventing child maltreatment fatalities. A consistent structure was used for each initiative and, in all cases, representatives from the three branches of government collaborated on the development and implementation of a strategic plan. The Institute helped states develop integrated approaches by building on earlier efforts and existing plans, such as performance improvement plans, plans for judicial summits, commission reports, state child welfare advisory group recommendations and partnership agreements with foundations.

Three-Branch Institutes have resulted in substantial policy, program and practice changes, including:

- Public education campaigns on safe sleep to reduce the risk of sudden infant death syndrome and other sleep-related infant deaths.
- Expansion of kinship guardianship programs to increase permanency options for children in foster care.
- Centralized intake screening processes to ensure that the right families receive the right intervention at the right time.
- Family drug court implementation and enhancement.
- Improved practice and policy for substance-exposed newborns and plans of safe care.
- Comprehensive and coordinated multidisciplinary teams to support pregnant women with SUD.



Three-Branch Institutes have resulted in substantial policy, program and practice changes.



WHAT IS A THREE-BRANCH APPROACH?

A three-branch approach takes an intentional step back from governing as usual toward improving outcomes for children and families as a shared objective of all three branches of government. This section highlights the role of the executive, legislative and judicial branches and the collaborative structure of the approach.

The role of each branch

Each branch of state government plays an important role in establishing the framework for child welfare policy and practice. Each branch must fully engage in the approach and understand the role of the other branches to ensure strong collaboration. Together, all three branches:

- Develop a coordinated strategic plan to achieve a common goal.
- Implement and monitor the strategic plan.
- Periodically meet to assess progress, address challenges and communicate needs.
- Educate peers on the mission, purpose and goals of the approach.
- Recruit leaders from their respective branch to participate in the larger implementation team.

**LEGISLATIVE**

- Potentially lead and staff the three-branch approach.
- Develop a legislative action plan to support the approach's goals.
- Hold hearings and briefings to educate legislative peers and the public on the three-branch approach's goals, issues and strategies.
- Enact legislation that supports and promotes the approach's goals.
- Authorize funding to support and implement the three-branch strategic plan.
- Convene and educate legislative stakeholders and community members in districts.
- Bring knowledge of the state's political landscape to the team.

EXECUTIVE

- Lead and staff the three-branch approach.*
- Plan and facilitate meetings.
- Coordinate cross-branch communication.
- Align work on the approach with ongoing agency work and gubernatorial priorities.
- Monitor progress toward achieving goals.
- Incorporate the three-branch strategic plan into executive branch policies and practices.

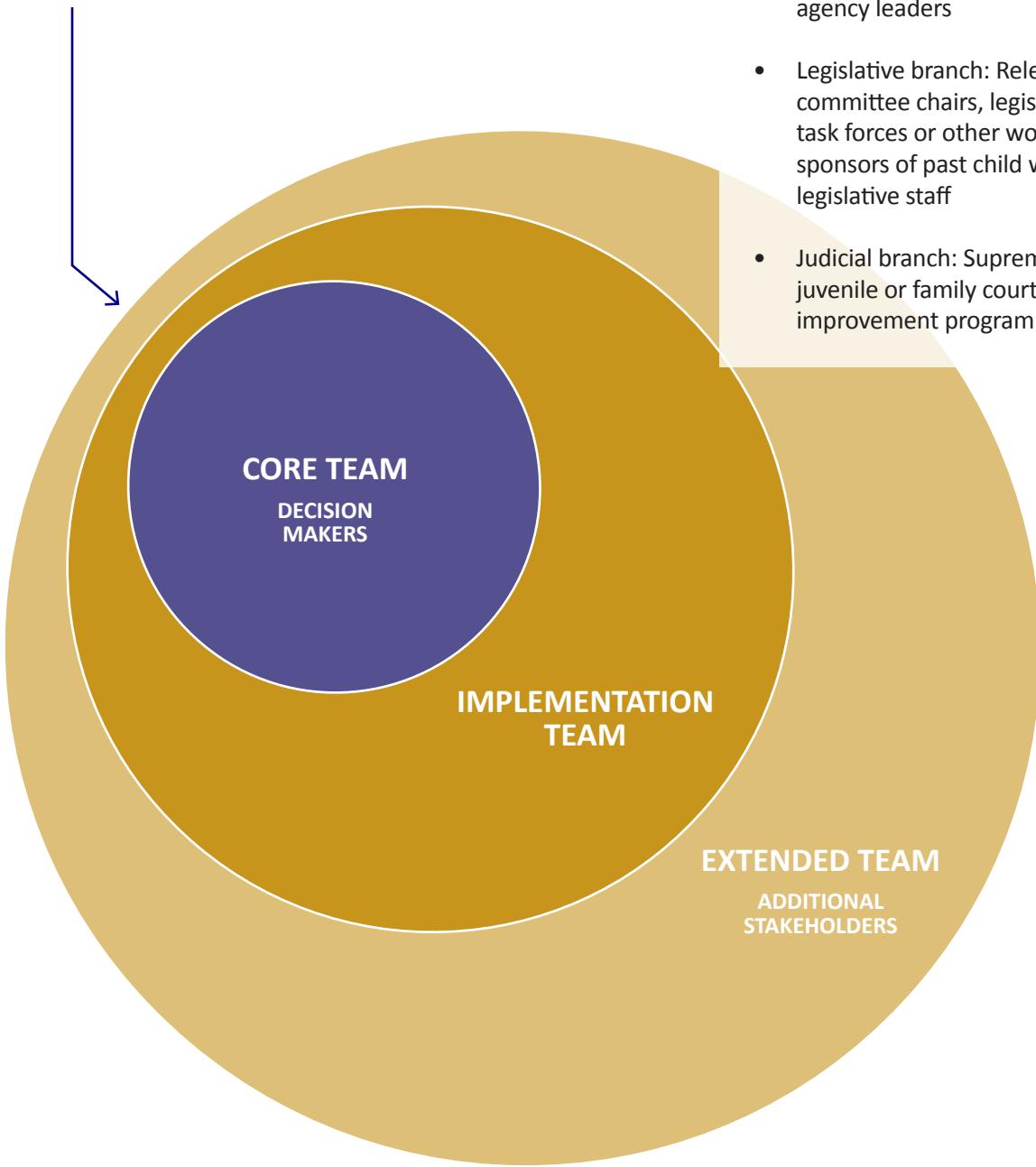
JUDICIAL

- Potentially lead and staff the three-branch approach.
- Develop a judicial action plan to support the approach's goals.
- Provide judicial oversight.
- Enact rules of the court to support and promote the approach's goals.
- Embed the initiative's work into ongoing judicial projects and committees.
- Convene and educate judicial and legal stakeholders, including local model court/multidisciplinary dependency improvement teams.
- Educate legislative and executive members on the impact of potential legislation and executive branch policies and practices on court processes.

*In most states that have participated in a Three-Branch Institute, the executive branch has led and staffed the initiatives. However, three-branch approaches can be led or staffed by any branch of government, depending on leadership within the branch, state politics, relationships, time constraints or other factors.

Collaborative structure

A successful three-branch approach involves three groups: a core team of decision makers, an implementation team and an extended team of additional stakeholders. Each team has critical responsibilities in developing, implementing and overseeing a coordinated strategic plan.



THE CORE TEAM

WHO?

- Executive branch: Governor's office, state agency leaders
- Legislative branch: Relevant legislative committee chairs, legislators engaged in task forces or other work on child welfare, sponsors of past child welfare legislation, legislative staff
- Judicial branch: Supreme court justices, juvenile or family court judges, court improvement program representatives





THE IMPLEMENTATION TEAM

WHO?

- Additional leaders from the executive branch (e.g., human services, health, education, criminal justice, public safety, workforce and behavioral health).
- Additional legislators, including members of appropriations, health, education, human services and other committees; legislative staff; and legislators who may be foster parents, former foster youth, adoptive parents, social workers, law enforcement or medical professionals.
- Additional judicial branch representatives.
- City and county officials.
- Tribal child welfare leaders, tribal council representatives.
- Birth families, foster youth or alumni, kinship care providers and foster parents.
- Private-sector service providers.
- Community-based organizations (CBOs).

THE EXTENDED TEAM

WHO?

- Advocates and constituents (when appropriate).
- Supervisors and staff representing the frontline perspective.
- Business leaders and other private-sector representatives.
- Legal representatives of children, parents and families.
- Representatives of the faith community.
- Child and family policy or research organizations.
- Representatives of higher education and workforce training programs.
- Media representatives.



THE CORE TEAM



WHAT DO THEY DO?

- Identify shared goals and outcomes for children, families, communities or the child welfare system.
- Develop a coordinated strategic plan to achieve a common goal.
- Participate in and monitor implementation of the strategic plan.
- Provide leadership and encouragement and model three-branch collaboration for all involved in implementing the plan.
- Periodically assess progress, address challenges and communicate needs with other branches.
- Educate peers on the mission, purpose and goals of the approach.
- Recruit leaders from the branch to participate in the implementation team and extended team.
- Lead work groups to address specific elements of the strategic plan.
- Develop a plan to communicate the vision, mission and goals of the plan to the broader community.

WHEN AND HOW OFTEN DO THEY MEET?

- Meet regularly (monthly or biweekly) in person or virtually.
- Communicate regularly by email or phone.
- Participate in regular, issue-specific work group meetings.



THE IMPLEMENTATION TEAM

WHAT DO THEY DO?

- Assist with development of the strategic plan.
- Assist with implementation of the strategic plan.
- Participate in issue-specific work groups.
- Demonstrate the value and behaviors of a three-branch approach to the broader group.
- Help communicate the vision, mission and goals of the strategic plan to the broader community.

WHEN AND HOW OFTEN DO THEY MEET?

- Meet regularly (quarterly, bimonthly) in person or virtually.
- Communicate regularly by email or phone.
- Participate in regular, issue-specific work group meetings.

THE EXTENDED TEAM

WHAT DO THEY DO?

- Build broad understanding of and buy-in for the strategic plan.
- Provide perspective on the strategic plan and its implementation.
- Help communicate the vision, mission and goals of the strategic plan to the broader community.
- Help implement the strategic plan.

WHEN AND HOW OFTEN DO THEY MEET?

- Convene at the outset of the initiative, and then as needed to build broad buy-in for the strategic plan.
- Participate in issue-specific work group meetings.
- Communicate regularly by email or phone.



LAUNCH A THREE-BRANCH INITIATIVE

After those in state government have discussed with other state government representatives, child advocates and local philanthropic organizations whether this approach will work in the state, the next step is to walk through the stages of launching a successful three-branch approach: (1) identifying the issue or outcome to be addressed through the approach, (2) creating the core team, (3) investigating factors that contribute to the problem or desired outcome, (4) building the solution, (5) creating a strategic plan to address the issue or accomplish the desired outcome, (6) implementing the strategic plan, and (7) tracking progress toward the goals and adjusting the strategic action plan based on that progress. These stages are not necessarily chronological and may occur simultaneously. In addition, three-branch approaches do not need to be ongoing efforts. In some cases, they are short-term projects that dissolve when they have achieved their goals; in other cases, three-branch approaches require the active, ongoing, long-term participation of all three branches of government.

The Three-Branch Approach in Oregon

In 2018, Oregon's Senate Committee on Human Services established a three-branch work group to address policy, budget and communication needs related to implementation of the 2018 federal Family First Prevention Services Act (Family First). This effort, spearheaded by the committee chair, who was also the state team lead for Oregon's 2016-2017 Three Branch Institute on Improving Child Safety and Preventing Child Fatalities, aims to identify actions Oregon can take to meet the requirements of Family First.





Stages of a Three-Branch Approach

Stage 1: Identify the issue.

- Identify an issue that should be addressed systemically.
- The issue should be compelling to all three branches and amenable to system-level change. (This could be an issue that one branch has already identified but not been able to address on its own.)
- The core, implementation and expanded teams will expand on the issue.

Stage 2: Create the core team.

- With buy-in from one branch secured, reach out to the other two branches for their commitment to participate on the core planning team (e.g., contact legislative leadership — the speaker of the house and the senate president — to ask them to nominate members, seek out legislative staff to participate in the effort).
- The core team should include staff from each branch who understand the issue and are committed to developing, implementing and monitoring the strategic plan.
- Core team members should have decision-making authority within their branch and ideally be able to remain involved throughout the initiative.
- The core team should identify a team lead to serve as the team's point of contact (POC), be responsible for coordinating activities and remain involved throughout the initiative.
- The core team is responsible for clearly delineating the roles and responsibilities of team members.
- Core team members can identify a neutral, third-party organization to facilitate core, implementation and extended team meetings; monitor development and implementation of the strategic plan; assist in conflict resolution; hold all branches accountable; and generally move the work forward.
- This facilitator could be from a university child and family services research or training program; a local foundation; a policy think tank; a local consultancy; or another well-respected, independent entity.



**Stage 3:
Identify
the desired
outcome.**

- The core team identifies the desired outcomes, which should be timely and relevant to the state's children and families.
- The desired outcome should be relevant to and shared by each branch and clearly benefit from an intentional three-branch approach.
- The outcome could be connected to emerging federal legislative and funding opportunities.

**Stage 4:
Investigate
the factors
that affect
the desired
outcome.**

- The core team recruits and engages the implementation team, which can consist of additional members of the executive branch (human services, health, education, criminal justice, public safety, workforce and behavioral health), the legislative branch and the judicial branch; children, youth and families; CBOs; providers; practitioners; and frontline staff, to build a holistic understanding of the issue.
- The core and implementation team members educate themselves on the current system, challenges, other proposed solutions and system-reform efforts.
- The core and implementation teams identify key questions to be answered, the data sources for those answers and how to access and interpret the data.
- Both teams examine services across the state and map existing efforts; review existing policies, processes and standards; and continue to collect and share relevant data and findings.

**Stage 5:
Build the
strategies that
will achieve
the desired
outcome.**

- The core and implementation teams recruit and engage the extended team, which can consist of advocates and constituents, child welfare agency supervisors and staff, business leaders and other private-sector representatives, legal representation and members of the faith community.
- All teams identify evidence-based and promising practices, including best practices from other states.
- All teams convene key stakeholders (through joint legislative hearings, town hall meetings, roundtable discussions, regional listening sessions) to build a common understanding of the problem and a joint commitment to the solution.

**Stage 6:
Create a
strategic plan.**

Together, the core, implementation and extended teams create a strategic plan that clearly articulates:

- The vision and mission of the approach.
- Clear, realistic and measurable goals and objectives.
- Actionable, high-impact strategies for achieving goals.
- Benchmarks to measure and track progress toward achieving identified goals.
- Team members responsible for implementing strategies.

**Stage 7:
Implement
the strategic
plan.**

- Create issue-specific work groups made up of members of the core team, implementation team and extended team to implement elements of the strategic plan.
- Throughout implementation, the core team should meet periodically to assess progress, address challenges and communicate needs.

**Stage 8:
Track, monitor
and adjust.**

- The core team closely monitors progress toward meeting benchmarks and goals according to the established timeline.
- Consider whether to modify the strategic plan based on recent assessments and unforeseen consequences.
- Commemorate small victories as benchmarks are met or obstacles are overcome.





STRATEGIES FOR SUCCESS

In launching a three-branch approach, states can use several strategies to build the infrastructure necessary for lasting success. Such an infrastructure includes developing a shared vision and common goals, diversifying team membership, staffing the three-branch approach, building relationships within and across branches, formalizing collaboration, defining and inventorying existing programs and initiatives, and identifying and seeking easy wins.

1. Develop a Shared Vision and Common Goals

State teams must commit to developing a shared vision, identifying desired outcomes for children and families in their state and developing common goals for their three-branch approach. Representatives from all three branches of government should be involved at the outset of this process to ensure that all are equally invested in the initiative. The importance of full involvement from all branches at this stage cannot be overstated. Investing time and attention early is critical to relationship-building efforts and will increase participation throughout the initiative. This also is an important opportunity for members to help identify and define their roles and responsibilities and make individual commitments to the initiative.

When the core team has developed a common vision for the effort, the strategic planning process can begin. All three branches must work together to identify concrete and specific roles in the strategic plan, with measurable goals, benchmarks for success and timelines. Leaning on one branch to lead and set directives could result in myopic goal-setting and timelines.

Be prepared to revise or expand goals and rethink factors that contribute to desired outcomes for children. A careful root cause analysis often reveals additional factors, system dynamics and other nuances.

"Set a strong, overarching vision that everyone agrees on. You can use that vision as a relaunching point to continuously build on as you encounter and work through challenges that will pop up through planning and implementation."

—Legislative participant



2. Diversify the Team.

Develop a diverse team that includes staff from all levels of state government. Many positions are prone to staff turnover, leadership transition, rotating assignments or changes resulting from elections and term limits. It is important to involve leadership with the authority to make decisions in the core and implementation teams, but engaging more diverse personnel helps ensure sustainability. Teams can also consider creating written succession plans, with agreement on who will take over assigned roles and tasks within each branch when members leave.

3. Staff the Initiative.

Managing a three-branch approach is time intensive. Team members have competing priorities outside the initiative that may take precedence over three-branch work. Developing agendas, scheduling meetings, taking minutes, circulating notes and holding team members accountable to agreed-upon action items require time and effort. Hiring a project manager to assume these responsibilities can reduce pressures on others, but the financial implications are clear. Most states have drawn on executive branch staff to manage the initiative, but other strategies may divide the responsibility among staff from all three branches or pool funding from all three branches to hire a staff person. Co-funding staff may boost engagement and provide a sense of ownership. States can also seek support from philanthropies or anchor organizations. Building three-branch responsibilities into job descriptions promotes efficient use of existing resources.

Virginia

Virginia created a project manager position for its three-branch initiative by reassigning duties for an existing position in the Virginia Department of Social Services. This project manager was responsible for managing day-to-day operations, including developing meeting agendas, managing communication among branches and following up on action items.

"Including Court Improvement Program (CIP) directors and not just local judges helped foster continuity when judges rotated assignments. Additionally, CIP directors can bring court data to the discussions, resources for larger convenings to gather input or educate stakeholders on the initiative, as well as staff support for the collaborative."

—Judicial participant

"It's important to have the right people at the table. Our plan to start small and bring in more people later on did not work. I wish we would have planned for a larger, more diverse group at the beginning [of our project] and worked to get them committed from the get-go."

—Legislative participant



4. Build Relationships Within and Across Branches.

Deepening relationships across branches and creating a sense of shared investment in the work are critical to a successful three-branch approach. Holding in-person meetings at the outset of the initiative helps build rapport and create a shared understanding of the issues state teams want to address. Building positive relationships is critical to addressing challenges before they arise.

Participants must also continually reach out to colleagues within their respective branches of government. Developing clear information and presentations on the work of the three-branch approach and how it advances better outcomes for children and families can help attract the support of additional leaders to participate on the implementation team. For example, legislators can educate their colleagues through committee hearings, child welfare-related task forces and other forums for engagement. Judges can present at judicial summits, statewide children's conferences, judicial commission meetings and similar judicial convenings.

"It was important to have the legislators at the table, learning with us, and getting an understanding of what it might mean on our end in terms of implementing a solution. As they were developing legislation, we were already at the table and were bought-in from the beginning."

—Child welfare agency leader

Wisconsin

Wisconsin lawmakers who participated on the core team of the 2016-2017 Three-Branch Institute on Improving Child Safety and Preventing Child Fatalities involved the bipartisan legislative Children's Caucus (itself created out of the 2013 Three-Branch Institute on Child Social and Emotional Well-Being) in holding five regional roundtables in 2017 to highlight local services and needs related to strategies to prevent child abuse and neglect. The goal of the roundtables was to increase the awareness of other legislators on children and family issues and to highlight successful initiatives for the legislature to consider as it developed public policies related to children and families.





5. Formalize Collaboration.

Collaboration across the three branches of government is both an important component of and successful outcome of a three-branch initiative. Several methods exist for achieving this collaboration, including establishing formal memoranda of understanding (MOUs) among agencies and across the three branches, holding regularly scheduled cross-branch meetings in person and over the phone and creating cross-system task forces. Schedule meetings far in advance to avoid conflict with judicial schedules and legislative calendars.

Tennessee

Tennessee developed a formal mutual accountability agreement that stipulates the collective and individual commitments of the executive, legislative and judicial branches. The three branches agreed to collaborate for a limited time and to adopt and support a common agenda. The agreement established the roles and responsibilities of each branch as well as mechanisms for internal and external communication. It also stated that the three branches share mutual accountability for individual and collective responsibilities through:

- Assumption of good-faith efforts to advance child welfare and juvenile justice systems.
- Maintaining open lines of communication.
- Engaging in proactive problem-solving, with an expectation for mutually beneficial solutions.
- Recognizing interdependence of efforts and the effects of policy decisions.

This 2013 agreement is available in Appendix M of this toolkit.

6. Clearly Understand the Role of Each Branch, and Make Cross-Branch Meetings Relevant to All Team Members.

Maintaining consistent engagement across all three branches throughout the initiative will be challenging. To ensure robust participation and encourage a sense of ownership among leaders across branches, consider the following strategies:

- Devote time to understanding each branch's current role in child welfare, policy development processes and limitations or restrictions in engaging in the initiative.
- Ensure that all participants understand the roles and responsibilities of each branch in advancing the goals of the collaboration.
- Involve each branch from the beginning stages of planning the collaboration, and encourage each branch's input into all aspects of the initiative, including:
 - Identifying the issues to address and the outcomes to achieve.
 - Recommending implementation and extended team members.
 - Developing the overarching goals and objectives, data indicators, interim benchmarks, implementation and oversight strategies, timelines and people/departments responsible for tasks.
 - Monitoring, oversight and evaluation when implementation has begun.
- Write specific roles and responsibilities, with clear timelines, into the strategic plan.
- When developing agendas for core, implementation and extended team meetings or for public/constituent educational sessions, there should be an agreed-upon role for each branch. This is especially important for members of the legislative and judicial branches, who may not be as closely involved in the day-to-day work as the executive branch but can make critical contributions and need to feel central to the process.



7. Clearly Define and Inventory Existing Policies, Programs, Practices and Initiatives.

A comprehensive understanding of current programs and initiatives, including identifying which agencies are responsible for administering them and the initiatives, allows for better strategic planning for current work. Similarly, clearly defining existing policies, programs, practices and initiatives can help dispel misunderstanding and craft strategies for improvement and reduces duplication of effort. In fact, several states that have undertaken successful three-branch approaches did so by identifying an existing effort as the focus of their work. A cross-branch collaborative approach brought new life to the existing initiative, which was then expanded across the state.

8. Research the Identified Issue.

Cross-branch teams can hold formal listening sessions, joint hearings or public forums to involve experts and other community members in building a shared understanding of the identified issue. Bring in experts and those with lived experience, including including youth in foster care or formerly in care, foster parents, birth parents, and kinship caregivers, to help build shared understanding. Teams can also review relevant existing and prior studies, research, reports and plans (such as the state's Child and Family Service Review).

9. Build on Existing Cross-System Collaborative Structures.

Many states already have some form of cross-system collaborative structure — for example, children's cabinets, children's caucuses, statewide children's advisory groups or task forces and behavioral health children's task forces. Three-branch approaches should build on such structures to save time during planning and for participants. A thorough inventory of existing collaborations can prevent duplication of effort. Building on existing collaborative structures can help embed a three-branch approach into the way the state does business.

10. Identify Easy Wins.

Large-scale system reform of any kind requires a long-term commitment. Identifying easy wins early, even during the initial implementation period, and celebrating small victories boost morale and deepen cross-branch relationships. Often, process changes such as continuing to hold regularly scheduled cross-branch meetings and developing relationships and lines of communication among branches are not initially identified as initiative goals, but they are necessary to sustain engagement and should not be overlooked as measures of success. Celebrating easy wins is an important strategy to bolster morale while the team is tackling more difficult issues. In addition, convening and developing shared policy goals before a major win, such as the passage of legislation or the signing of an executive order, is integral to presenting a united front to constituents and advocates.

Wisconsin

The judicial members of a Wisconsin three-branch approach on youth transitioning out of foster care led to the development of a video featuring foster youth relaying their experiences in court. The video was used to educate judges about the importance of giving youth a voice in court proceedings.



COMMON CHALLENGES

Cross-branch collaboration is time and labor intensive, and it requires careful planning and coordination. The successes of previous three-branch approaches have been significant, but all such initiatives have faced challenges working across and within branches. Many of the challenges teams will face are common to all government initiatives, but the three-branch approach takes an intentional step back from common collaborative practice to focus on an issue in a new, more intensive way. Acknowledging these challenges at the outset of the initiative and addressing them as they arise can be the difference between success and failure.

Recognizing and Addressing Common Cross-Branch Challenges

COMMON CHALLENGE	ACTION STRATEGIES
Effective communications	<ul style="list-style-type: none">Hold in-person meetings early and throughout the initiative to facilitate effective interpersonal communications.Identify a project manager to be the POC for questions, concerns, ideas and requests and to promote consistency and prevent duplication.Proactively resolve conflict as it arises.Develop discussion items for core teams to address early in the process — for example:<ul style="list-style-type: none">Relationships between branches.Negative media attention about a child welfare-related issue or incident.Current political climate related to these or other issues.
Aligning priorities, developing consensus and dealing with limited resources	<ul style="list-style-type: none">Remind participants often of the desired outcomes for children that are shared across branches, along with common issues or problems.Invite those with relevant lived experiences to help team members contextualize issues.
Data sharing across agencies and branches	<ul style="list-style-type: none">Reach consensus with leadership in all three branches regarding data sharing, including the goals and circumstances for sharing information, the types of information to be shared and the mechanisms for effectively and appropriately sharing data.Ask the state attorney general's office or other legal experts for guidance on laws governing data sharing.Enter into a data-sharing MOU, or introduce legislation that addresses data sharing.Contract with a third party to assist with data exchange and analysis.



COMMON CHALLENGE	ACTION STRATEGIES
Educating colleagues	<ul style="list-style-type: none"> Hold educational meetings with colleagues within each branch. Create short, informational memorandums on the issue. Provide colleagues with regular updates on the three-branch approach. Develop material, such as presentations, fact sheets and talking points, that team members can share with colleagues. Request to present information about the three-branch approach at existing meetings or conferences. Create a central hub where information can be stored and accessed by colleagues.
Difficulty effecting change at the state level in states with county-administered child welfare systems	<ul style="list-style-type: none"> Involve county child welfare administrators in the core and implementation teams, or develop regional three-branch groups to work locally. Regional three-branch groups can be formed from members of the existing core, implementation or extended team that represents a county. Include local leaders as part of the extended team to help build broad buy-in to the initiative. Launch pilot initiatives in multiple locations to demonstrate success. Offer statewide or regional training opportunities on relevant topics to educate stakeholders on the initiative's intended outcomes. Actively engage local leadership in the issue and in developing strategies for success.
Engaging members throughout the entirety of the initiative	<ul style="list-style-type: none"> Formalize the three-branch approach through written MOUs or the cross-branch work groups or task forces that outline staff roles and responsibilities and the level of engagement required from the outset of the initiative. These documents can also be used to hold team members accountable. Ensure that team members understand the goals of the initiative and their role in achieving those goals. Create a role for each team member each time the initiative team convenes. Establish an anticipated initiative duration: <ul style="list-style-type: none"> Three-branch initiatives do not need to be long-term efforts. In some cases, short-term initiatives that dissolve when goals have been achieved make good sense. In other cases, the ongoing participation of all three branches is warranted.
Conflict over leadership and direction	<ul style="list-style-type: none"> Build broad buy-in from team members. Develop a shared sense of the problem through cross-branch educational activities. Ensure that team members are aware of their role in the initiative to help mitigate tensions over leadership. Proactively address conflict over leadership and direction as it arises. Build work groups that are chaired or co-chaired by implementation team members and involve diverse stakeholders from the implementation and extended teams.
Addressing turnover	<ul style="list-style-type: none"> As teams are developed, be mindful of participants' predictable turnover caused by term limits, elections, judicial rotations and other factors. Diversify team membership by including participants from all levels of state government from all branches. When turnover occurs, onboard new team members as quickly as possible, and hold in-person meetings to jumpstart rapport building. Draft short summaries of the three-branch approach to provide to new team members, with clear descriptions of their roles and responsibilities within the initiative to help enable a smooth transition. Develop a written succession plan at the outset of the initiative to ensure continuity of work when leadership or staff transitions occur.



STATE CASE STUDIES

Kentucky Case Study: Reducing child fatalities related to parental substance use

One goal of Kentucky's three-branch initiative was to reduce the number of child fatalities related to substance abuse within the child welfare system through a series of high-impact strategies, including improved court engagement with biological parents and other caregivers with SUDs, the incorporation of two-generation approaches in human services provision and the review of child protective services initiation timeframes. The initiative was led by the Kentucky Department for Community Based Services (DCBS). The core team included staff from DCBS; a member of the Kentucky Interim House Joint Committee on Health and Welfare and Family Services; the chair of the Kentucky Senate Committee on Health & Welfare, who was also the co-chair of the Child Welfare Oversight and Advisory Committee; and the Kentucky Administrative Office of the Courts (AOC).

In developing its action plan, the core team identified the following activities designed to meet that goal.

Measurable Goal	High-Impact Strategies	Actions to Implement Strategies
Reduce the number of child fatalities related to parental substance abuse.	Improve court engagement with biological parents and other caregivers of origin with SUDs.	<ul style="list-style-type: none">Participate in judicial training (Kentucky Cabinet for Health and Family Services [CHFS]/DCBS).Explore national family-drug court models, and promote them to the extent possible (AOC).Coordinate CHFS' Child and Family Services Plan and the Program Review and Investigations Committee's foster care and adoption recommendations with court improvements (AOC, CHFS/DCBS).
	Incorporate a two-generation approach into human and social services	<ul style="list-style-type: none">Support legislation and related efforts to address disproportionality in child welfare, juvenile justice, behavioral health and education (whole team).Learn from best practices in other states (e.g., Tennessee) (CHFS/DCBS).Consider search and application for grant and technical assistance opportunities (CHFS/DCBS).Review DCBS practices and operations to incorporate approach to extent possible (DCBS).



Measurable Goal	High-Impact Strategies	Actions to Implement Strategies
Reduce the number of child fatalities related to parental substance abuse.	Foster a higher profile for state review panels and improved dissemination and action planning regarding the panels' recommendations.	<ul style="list-style-type: none"> • Establish a cross-agency committee to identify common priorities, monitor implementation of strategies and recommendations, and develop a communication plan to disseminate information to stakeholders. (Kentucky Justice & Public Safety Cabinet [JPSC], CHFS/DCBS/ Kentucky Department for Public Health [DPH]). • Request technical assistance from national partners to assist the Child Fatality and Near Fatality External Review Panel with strategic planning and guidance in the areas of determining risks and formulating recommendations (JPSC).
	Conduct an inventory, map regional and local programs and document promising practices related to working with families struggling with substance abuse and addiction.	<ul style="list-style-type: none"> • Refer the matter to the State Interagency Council Service Array Subcommittee (CHFS/Kentucky CHFS Department for Behavioral Health, Developmental and Intellectual Disabilities [DBHDID]), and incorporate updates as they become available from the subcommittee (CHFS/DBHDID). • Develop a formalized continuum and related policy needs for DCBS in-home service provision (DCBS).
	Review the DCBS initiation time frames for Kentucky Child Protective Services.	<ul style="list-style-type: none"> • Study other states' initiation time frames (DCBS). • Draft the proposal (DCBS). • Outline recommendations from the proposal if they differ from present-day initiation time frames through regulatory amendment, practice changes and supporting information technology infrastructure (DCBS).



Using the Three-Branch Approach

The core team was convened and staffed on a day-to-day basis by personnel at the Kentucky DCBS. The core team met on an approximately monthly basis to discuss project updates and ensure that the project stayed on schedule. The team included the state senator who chaired the Kentucky Senate Committee on Health & Welfare, the commissioner of the Kentucky DCBS, the state's child welfare agency and the AOC.

The implementation team, which included representatives from multiple public and private agencies, met once as a large group, with ongoing contact through small-group meetings and by email. Members of the core and implementation teams struggled with constraints on time and their ability to carry out their ambitious agenda, but the meetings they held were worthwhile to the key state partners who attended them in terms of building support, planning and disseminating best practices across the state.

Outcomes

Kentucky's three-branch approach created a lasting culture of collaboration and engagement among the three branches. The greatest success that the team lead identified was the positive momentum, commitment and strong partnerships forged among public partners of all branches of government and private partners. The strong partnership between the core team and the implementation team helped increase the capacity of the three-branch approach team in carrying out its overall vision. The initiative created peer learning opportunities where attendees heard about innovative approaches and best practices. The key advocates, program administrators and political leaders who participated committed to maximizing their resources to effect positive change for Kentucky's families and children.

The three-branch approach affected policy and practice in each branch of state government. Judges can access training on parental substance abuse and substance-exposed newborns at a variety of judicial conferences to ensure that they are fully prepared to work with families dealing with SUD that appear before them in court. The AOC and DCBS worked with Jefferson County to establish a family drug court with the help of a private philanthropic group. The Legislature used its new knowledge of kinship care to pass legislation that would recognize fictive kin as a placement for a child and maintain current Kentucky practices in compliance with the Child Abuse Prevention and Treatment Act. The initiative informed the state child welfare agency's legislative proposal and budget request for the 2018 session, including House Bill 1, an omnibus child welfare bill that was a priority of the 2018 Kentucky General Assembly. Finally, agency leadership amended administrative regulations governing child protective services initiation time frames, which were also subject to legislative oversight. The time frame change adopted in December 2017 was informed and supported through technical assistance received through the three-branch project.

Kentucky Three-Branch Initiative's Implementation Team

Kentucky recruited diverse public and private stakeholders to participate on its implementation team, including:

- Kentucky DPH.
- Kentucky DBHID.
- The Kentucky DCBS Division of Family Support (over public assistance programs).
- Field staff managers of the Kentucky DCBS.
- Kentucky Department for Medicaid Services.
- Kentucky CHFS Division of Family Resource and Youth Service Centers.
- Prosecuting attorney representative.
- Kentucky AOC.
- Legislative Research Commission.
- Kentucky Office of the Attorney General.
- Kosair Charities.
- Prevent Child Abuse Kentucky.
- Kentucky Association of Children's Advocacy Centers.
- Kentucky Youth Advocates.
- Kentucky Medical Association
- Kentucky Department of Education.



Maryland Case Study: Substance-Exposed Newborns

A goal of Maryland's three-branch initiative was to improve early identification of populations at high risk for SUD during pregnancy and provide appropriate services to decrease the impact of substance exposure on newborns. The initiative was led by the Maryland Department of Human Services (DHS); the core team included two staff members from Maryland DHS, two judges and two legislators.

Using the Three-Branch Approach

The core team met weekly to discuss project updates and troubleshoot challenges to implementing the strategic plan. The larger implementation team met monthly and included:

- Representatives from Maryland Department of Health.
- Additional legislators from the Maryland House of Delegates and Senate.
- A representative of county government.
- A representative from the Maryland Chapter, American Academy of Pediatrics (MDAAP).
- A data analyst from the university system.
- A representative from the home visiting program.
- A representative from the law school legal clinic.
- A representative from a major nonprofit child welfare provider.

Maryland often invited outside experts to present at core and implementation team meetings on issues relevant to their teams' goals. In this way, core and implementation team members had the opportunity to learn together, building a shared sense of both the issue and the best strategies for moving forward. Team leads noted that legislators and judges remained involved in the core team but frequently attended and actively participated in implementation team meetings.

In developing its strategic plan, the teams identified several activities designed to improve early identification of high-risk populations and provide appropriate services to decrease the impact of substance exposure on newborns.

Activity	Branch Lead
Gather data related to substance-exposed newborns: <ul style="list-style-type: none"> • Frequency. • Number reported to child welfare. • Jurisdiction. • Current services provided to determine needs at each point on the child welfare continuum. 	Executive: Maryland Department of Health; University of Maryland, Baltimore (UMB); Maryland DHS; Maryland Children's Health Program
Determine service array, capacity and funding sources of existing substance use services.	UMB
Expand the availability of evidence-based early intervention services that can be provided to pregnant women during the pre- and postnatal period.	Executive: Maryland Department of Health, Maryland DHS, Maryland State Department of Education
Review current policies on substance use, revise them as needed and explore requiring new or revised standards of practice in local Departments of Social Services (DSSs).	Executive: Maryland Department of Health, Maryland DHS



Activity	Branch Lead
Compare current legislative requirements to those set forth by amendments made through the Comprehensive Addiction and Recovery Act (CARA) to the Child Abuse Prevention and Treatment Act (CAPTA) regarding the development of plans of safe care and notification of child welfare agencies.	Legislative
Examine current judicial practice related to mandating referrals to child welfare for infants born affected by substances.	Judicial
Investigate current practice for weighing different drug addictions in family court proceedings.	Judicial

Outcomes

Maryland's three-branch initiative created a lasting culture of collaboration and engagement among the three branches. In addition, the peer learning opportunities provided at the core and implementation team meetings helped members of each branch develop a more comprehensive understanding of best practices for serving substance-exposed newborns and their families. Representatives of each branch worked to advance and implement policy and practice changes to create better outcomes for children and families in the state of Maryland.

Executive branch outcomes included the following:

- Expanded the service array of evidence-based practices to help children and parents when substance misuse was detected.
- Launched a training program to help child welfare workers better understand SUD and how it intersects with child welfare while also implementing evidence-based practices to serve parents with SUD.
- Agency-wide changes provided training for child welfare, home visiting, and infant and toddler program frontline staff to better serve substance-exposed newborns and families affected by SUD in an interdisciplinary way.

Legislative branch outcomes included the following:

- Enacted 2018 House Bill 1744, Chapter 410, to bring the state into compliance with the CARA requirements for child welfare notification of a substance-exposed newborn.

Judicial branch outcomes included the following:

- Creation of judicial training opportunities for judges on parental substance abuse and substance-exposed newborns at annual conference and at other educational convenings.
- Developed a plan for consistently applying CARA requirements to the creation and monitoring of plans of safe care throughout the state.



Virginia Case Study: Child Safety and Child Fatality Reduction

The Virginia Department of Social Services (DSS) led several successful three-branch approaches. This case study provides an overview of Virginia's participation in the 2016-17 Three-Branch Institute focused on promoting child safety and reducing child fatalities. The initiative was led by the Virginia DSS and the core team consisted of two representatives from Virginia DSS; a representative of the Virginia Department of Medical Assistance Services (DMAS); the chair of the House committee on Health, Welfare and Institutions; a member of the Senate Committee on Rehabilitation and Social Services; a leader from the Court Improvement Program (CIP); and a Juvenile and Domestic Relations Court judge.

Using the Three-Branch Approach

Virginia DSS created a project manager position to staff its initiative by reassigning duties from an existing position within Virginia DSS. This project manager was responsible for managing day-to-day operations of the three-branch initiative, including developing meeting agendas, managing communications between branches and following through on action items.

The state formed work groups based on the four strategic goals:

- Increase understanding of risk and protective factors that are predictive of or associated with child maltreatment and child fatalities.
- Assess the effectiveness of existing screening, safety and risk tools, and explore the development of new or expanded policies, practices and protocols.
- Strengthen existing efforts to enhance child safety through primary prevention and family engagement strategies across systems.
- Enhance child welfare recruitment and retention efforts to create and sustain a culture of safety in the workforce.

Those work groups included members of the core and implementation teams, who met frequently to discuss project updates related to their individual work group goal. At core and implementation team meetings,

Virginia Three-Branch Initiative's Implementation Team

The state recruited diverse stakeholders to participate in its implementation team, including:

- Additional members from the Virginia House of Delegates.
- Additional members from the Virginia Senate.
- Additional Juvenile and Domestic Relations Court judges.
- Guardians ad litem.
- The Virginia Commission on Youth.
- Additional members from the CIP.
- The Office of Health and Human Resources.
- The Virginia Children's Cabinet.
- Additional representatives from Virginia DSS.
- Representatives from the Virginia League of Social Service Executives.
- The Office of Children's Services.
- The Virginia Department of Health.
- The Virginia Board of Social Services.
- The Family and Children's Trust Fund of Virginia.
- DMAS.
- The Virginia Department of Behavioral Health and Developmental Services.
- The Virginia Department of Criminal Justice Services.
- Henrico County Police.
- The Virginia Association of Chiefs of Police.
- The Office of the Attorney General.
- A commonwealth attorney.



representatives from the different work groups would provide status updates from their work groups to the larger team. The team would use these meetings to share lessons learned from work groups and to address challenges to accomplishing their goals.

In developing its strategic plan, the team identified overarching strategies, high-impact strategies, actions, responsible team members and associated timelines to meet each identified goal. An excerpt from the Virginia strategic plan is provided on page 37.

Outcomes

As a result of its three-branch approach, Virginia launched a Safe Sleep Campaign in partnership with Baby Box Co. The campaign included a Safe Sleep 365 campaign website, billboards, a social media kit and a series of public service announcements. The state also launched a research study with Virginia Commonwealth University to evaluate the effectiveness of safe sleep messaging combined with universal distribution of Baby Boxes. In addition to the Safe Sleep Campaign, Virginia enacted the following legislation:

- 2017 Virginia Acts of the Assembly Chapter 428 (Senate Bill [S.B.] 1086) and 2017 Virginia Acts of the Assembly Chapter 176 (House Bill [H.B.] 1786) require mandated reporters to file a report if a finding is made by a health care provider that a child is (i) born affected by substance abuse or experiencing withdrawal symptoms from in utero drug exposure; (ii) the child has an illness, disease or condition, that is attributed to maternal abuse of a controlled substance during pregnancy; or (iii) a child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol. Local departments of social services are to conduct a family assessment and develop a plan of safe care in accordance with federal law.
- 2017 Virginia Acts of the Assembly Chapter 64 (S.B. 868), which requires local DSSs to respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of two within 24 hours of receiving such report or complaint.
- 2017 Virginia Acts of the Assembly Chapter 197 (H.B. 2162) directs the Virginia secretary of Health and Human Resources to convene a work group to study barriers to treatment of substance-exposed infants in the commonwealth.

The state partially credits its success to having dedicated staff focused on completing the tasks of the three-branch initiative. The team leads also noted that many of the participants in the initiative had prior positive working relationships, which facilitated camaraderie and support within the teams. Virginia is now using the relationships and infrastructure it built through several three-branch initiatives to implement Family First.

Based on its initial three-branch approach, Virginia developed four work groups focused on different aspects of implementing Family First. Each work group met regularly and was chaired by representatives from both the core and extended teams. At core team meetings, representatives from each work group presented updates from their work and strategized to address challenges and road blocks. During the 2019 legislative session, lawmakers enacted House Bill 2014 which aligns the Code of Virginia with the federal Family First Prevention Services Act, and defines Qualified Residential Treatment Program (Q RTP), fictive kin, and family and permanency team.



Strategy	High-Impact Strategy	Actions to Implement Strategies	Lead
Strategy 1: Provide education and public awareness focused on the family.	Conduct judicial outreach to at least 50% of the Juvenile Domestic Relations District Court judges on the Virginia Children's Services Practice Model, implementation of child welfare practice profiles and trauma-informed practice.	Prepare and present information at two judicial conferences.	Judicial: CIP Executive: Virginia DSS
	Convene a joint briefing for members of the Virginia General Assembly on adverse childhood experiences, trauma, child safety and family well-being.	Consider the joint briefing to the Virginia General Assembly on adverse childhood experiences, trauma, child safety and family well-being.	Executive: Virginia DSS Legislative
Strategy 2: Evaluate opportunities to apply Medicaid and other financial resources to support primary prevention strategies.	Explore opportunities to expand home visiting programs through Medicaid and enhance collaboration with managed care organizations (MCOs).	Obtain outcome data on home visiting programs funded by Medicaid and MCOs.	Virginia DMAS
		Obtain quarterly reports from the Pay for Success Council regarding the status of home visiting programs throughout the state.	Public sector: Prevent Child Abuse Virginia
		Plan data briefings for the Virginia General Assembly on the progress of home visiting programs.	Executive: Virginia DSS
		Propose budget amendment to implement the Nurse-Family Partnership model as a Medicaid service.	Legislative
	Explore initiating a safe sleep campaign to educate communities and reduce the risks of unsafe sleep-related fatalities.	Research existing safe sleep campaigns, with a focus on programs that provide sleeping spaces (Baby Boxes, Pack n' Plays, cribs, etc.).	Executive: Virginia DSS
		Convene a work group of three-branch initiative members and community stakeholders to develop implementation and evaluation proposal for a safe sleep campaign and pilot program.	Executive: Virginia DSS
		Present and finalize a safe sleep campaign and pilot program proposal to the expanded implementation team.	Executive: Virginia DSS
		Analyze data from the pilot program to identify trends and recommend further research, expansion and possible legislative and budget recommendations.	Executive: Virginia DSS





CONCLUSION

This toolkit provides actionable strategies for states interested in taking a coordinated, nonpartisan, cross-jurisdictional effort to improving outcomes for children and families in their state. By working through this toolkit, states can foster sustained cross-branch collaboration to improve the lives of children and families in their state. The appendices that follow provide additional frameworks for state leaders to use while they build the core elements of their three-branch approach, launch a three-branch initiative, create strategic plans and work to operationalize lessons-learned from other states.

Looking Forward

State child welfare systems can benefit from a collaborative, statewide effort to engage the three branches of government in planning, implementation and oversight of important issues. The three-branch approach will not be easy; relationship-building is at the heart of these efforts, and while this process can be quite difficult, it can also be extremely rewarding as states identify and address a range of systemic policy and practice issues. It is our hope that states will be able to use this process to address new issues and concerns as they arise and that viewing child welfare, and other state systems, through a three-branch lens will become commonplace.





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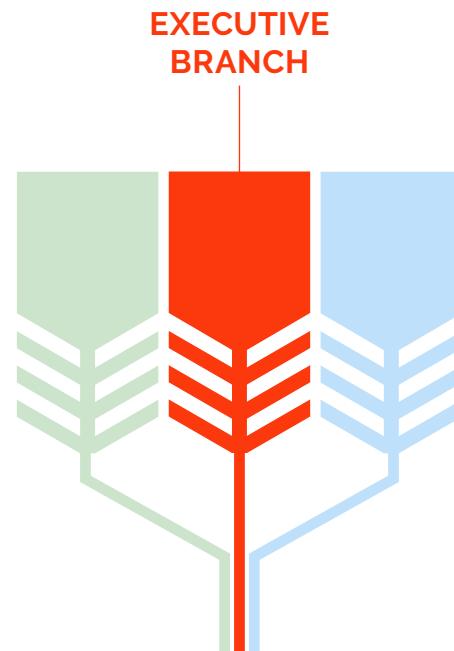


APPENDIX A: THE ROLE OF THE EXECUTIVE BRANCH

In the executive branch, the governor's office has major responsibility for setting a vision and statewide priorities for child welfare. State agencies implement that vision through the operation of the child protection and child welfare legal framework in the state.

RESPONSIBILITIES

- ❑ **Lead and staff the three-branch initiative.** This duty typically falls to the executive branch because of the policy or practice changes that must occur within state agencies. States have found success hiring new staff or identifying staff from the governor's office or the state child welfare agency to serve as the project coordinator.
- ❑ **Plan and facilitate meetings.** The executive branch takes a leading role in scheduling cross-branch and cross-agency meetings, setting agendas, facilitating meetings and following up on action items identified during meetings.
- ❑ **Coordinate cross-branch communication.** Between meetings, staff from the executive branch facilitate cross-branch communication.
- ❑ **Align the initiative with other agency work and gubernatorial priorities.** State agencies are typically under the direction of a cabinet-level official who reports directly to the governor. Therefore, the executive branch plays a unique role in ensuring that the work of the three-branch initiative is aligned with gubernatorial priorities and relevant work across agencies.
- ❑ **Monitor progress toward achieving goals.** Executive branch staff are responsible for monitoring the state's progress toward achieving stated goals. This monitoring can occur through regularly established meetings, where staff tasked with action items report on their progress, and through regular check-ins between meetings.
- ❑ **Embed strategies from the three-branch approach into the executive branch's day-to-day work.** The governor, governor's office and executive branch leaders can work with other branches to develop a shared vision for child welfare, commitment to transparency and information and data sharing agreements with the other branches.



BEST PRACTICES

Engage colleagues within your branch.

- ❑ Invite staff from the governor's, first spouse's or lieutenant governor's office to meetings.
- ❑ Host cross-agency convenings to build rapport among staff and a shared sense of the problem.
- ❑ Develop a formal agreement (e.g., memorandum of understanding [MOU] or charter) establishing collaboration between branches and agencies.
- ❑ Set regularly scheduled, in-person meetings with core team members (more frequent) and implementation team and extended team members (less frequent).
- ❑ Establish clear and ongoing channels of communication over email, through project management software or through regularly scheduled phone calls.
- ❑ Add the work of the three-branch initiative to the agenda for cabinet meetings.



Engage the legislative branch.

- Provide opportunities for legislators to engage with caseworkers, intake workers or other agency staff for a clearer understanding of how legislation could affect frontline work.
- Schedule meetings when legislators are not in session or when they are not required to be in hearings or on the floor.
- When inviting legislators to meetings, ensure a concrete role or request for them.
- Host topic-specific convenings or training events for legislators from relevant committees and state agency staff.



Engage the judicial branch.

- Schedule meetings far in advance to give judges with active dockets an opportunity to participate.
- Provide opportunities for judges to interact with caseworkers, intake workers or other frontline staff.
- Host cross-branch training sessions.
- Involve Court Improvement Program directors and regional or statewide judicial leadership to foster sustainability when judges rotate to different assignment.



Ensure that team members understand their role.

- At the beginning of the project, discuss the role of each branch and each team member.
- Develop an MOU or other formal agreement that clearly delineates roles and responsibilities.
- Establish a plan to communicate these roles and responsibilities as turnover occurs.



Ensure continued participation of the other two branches throughout the entire project.

- Establish clear, measurable goals at the outset of the initiative.
- Create a sense of co-ownership of the initiative by co-creating a clear vision, mission and goals.
- Ensure that action plans and core team meetings have a clear role for the legislative and judicial branches.
- Celebrate milestones and achievements as a team, and consider sharing major achievements with the press.
- Many aspects of the three-branch approach can be embedded into the way branches function daily, but keep in mind that the ongoing work of the three-branch initiative may be time limited and conclude when established goals have been achieved.



Prepare for transition.

- Embed day-to-day work in career state agency staff members' responsibilities so that turnover does not impede progress.
- Create a clear, concise document that conveys the purpose and goals of the initiative, achievements to date, ongoing work and a description of who is involved. Share it with new team members as they join the initiative.
- Reconvene the core team and revisit the vision, mission and goals when transitions among key team members occur.



Identify and address conflict as it arises.

- Identify areas of conflict, and prioritize items that must be addressed to maintain progress toward identified goals.
- Identify points of agreement and disagreement.
- Develop a prioritized list of discussion items related to identified conflict to address as a group before moving forward.



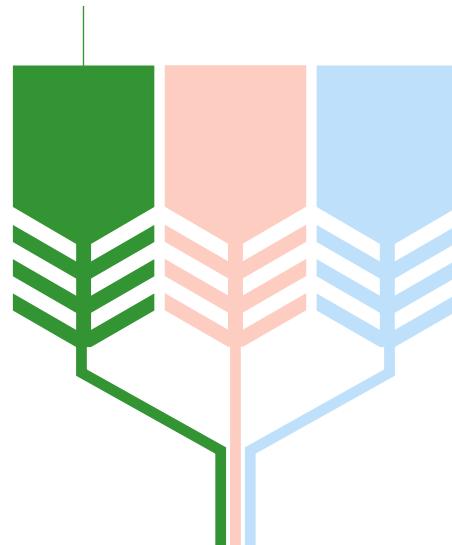
APPENDIX B: THE ROLE OF THE LEGISLATIVE BRANCH

Legislators are responsible for enacting legislation related to child safety and well-being, allocating resources to promote effective child safety partnerships and providing ongoing cross-agency oversight. In a three-branch approach, legislators can also lead and staff the initiative; recruit legislators and legislative staff (including key legislative policy and committee staff) to be members of the implementation and extended teams; and engage families, foster youth, community-based organizations, representatives of the faith community and many others in this work.

RESPONSIBILITIES

- Enact legislation. The legislative branch takes a lead role in drafting legislation resulting from the three-branch approach, shepherding it through committee, gaining support from other legislators and championing the legislation when it comes to a vote.
- Authorize funding. Legislators are responsible for adequately funding the initiative through the state appropriations process.
- Galvanize support among legislative stakeholders and constituents. Legislators are responsible for building understanding and consensus among legislators and community members for proposed legislation resulting from the initiative.
- Educate the extended three-branch team on the policy landscape, background on policy development and existing state policies related to the outcome being examined. Legislators are directly accountable to their constituents and understand the environment that local service providers face. In a three-branch approach, legislators can use this knowledge to inform their team of what can be done at the local level.

LEGISLATIVE BRANCH



BEST PRACTICES

Engage colleagues within the branch.

- Host meetings to build rapport and a shared sense of the problem among legislators.
- Hold a joint hearing or briefing for the full legislative body.
- Develop talking points and fact sheets to share with colleagues.
- Engage colleagues in informal or private meetings over meals.
- Prepare packets with information for other legislators and legislative staff on related committees, such as health, education, judiciary, public safety and appropriations.
- Establish clear and ongoing channels of communication over email, through project management software or through regularly scheduled phone calls.
- Develop a legislative action plan to clarify the branch's role in the state's three-branch approach.
- Mandate and develop legislative children's caucuses that can hold educational meetings on child welfare during the legislative session.



Engage with the executive branch.

- Schedule a meeting with the governor, lieutenant governor or first spouse.
- Invite state agency leaders to testify at legislative hearings.
- Partner with state agencies (child welfare, health, behavioral health, human services) to request and review data.
- Participate in legislator ride-alongs, or spend a day with a caseworker.
- Establish a three-branch policy or implementation work group to examine and develop policies, plan for implementation and be responsible for oversight of the initiative.
- Assist with development and engagement of implementation and extended teams.



Engage with the judicial branch.

- Visit courts and observe hearings as appropriate.
- Schedule meetings far in advance to give judges with active dockets an opportunity to participate.
- Provide opportunities for judges to interact with other legislators and legislative staff to ensure that legislation is helpful and not an obstacle.
- Host or participate in cross-branch training sessions and judicial roundtables.



Review existing state policies, procedures and laws.

- Create an interim study committee or another mechanism to examine existing policies, processes and standards in child welfare and to identify potential policy barriers, gaps in services or service delivery and any gaps in policy support.
- Learn about promising evidence-based practices, and assess the policy support or changes that may be needed to implement those practices in the state.



Examine needs across the state.

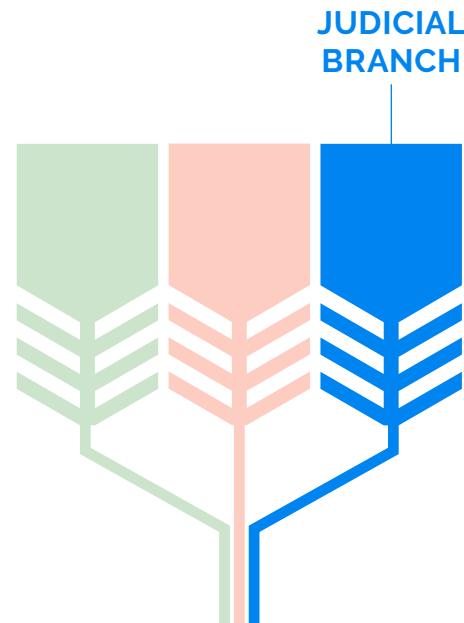
- Consult with community providers and agencies to learn about the needs of families at risk of child welfare involvement.
- Examine the services available in the state that support and stabilize families.
- Hold local or regional listening sessions to learn from families, providers, county workers and community members.
- Ensure that families, children and youth have a voice in system reform; invite them to plan and participate in hearings, listening sessions, meetings, task forces and work groups.

APPENDIX C: THE ROLE OF THE JUDICIAL BRANCH

The judicial branch makes critical child protection decisions, including when children should remain at home or be placed in an alternative setting, when they can safely be reunited with their family and when parents must participate in treatment plans for issues involving mental health or substance use disorder.

RESPONSIBILITIES

- ❑ **Provide insight into local service needs and practices.** Given their interactions with the children and families that appear in court before them, judges are often the team members closest to the ground. Their perspective on local service needs, practices and gaps in available services or training is especially critical to a successful three-branch approach.
- ❑ **Ensure that policy changes are coordinated and achieve their desired goal.** Judges can provide invaluable feedback to legislators and executive branch officials on how legislation or executive actions affect court processes and interactions with families as well as fiscal implications within the courts.
- ❑ **Convene and educate judicial stakeholders.** The dispersed system of judges throughout each state requires the judicial branch to cooperate with and educate members in jurisdictions throughout their state, including local model courts and multidisciplinary dependency improvement teams that may not be involved with the core or implementation team.
- ❑ **Align the three-branch initiative with ongoing judicial work.** The policy and practice changes resulting from the three-branch initiative should be embedded in educational convenings and training sessions for court administrators and judges throughout the state.



BEST PRACTICES

Engage colleagues within the branch.

- ❑ Convene and educate presiding judges, administrative judges, chief judges, court leaders, local model court teams, multidisciplinary dependency improvement teams and other judicial stakeholders.
- ❑ Involve Court Improvement Program directors, who can provide court data and resources to gather input and educate stakeholders about the initiative and potentially provide staff to support the initiative.
- ❑ Involve the judicial administration office that sets education and messaging parameters for judges.
- ❑ Recruit judicial champions for change — people who are passionate and can motivate others.



Engage with the executive branch.

- Develop a formal agreement establishing collaboration among the three branches.
- Meet face to face with executive agency staff to develop rapport.
- Engage in cross-branch training sessions.
- Build succession plans into the overall project to ensure smooth transitions when turnover occurs.
- Invite representatives to serve on or present information to judicial committees.



Engage with the legislative branch.

- Host cross-branch, topic-specific convenings that bring together legislators from relevant committees and from different parts of the state.
- Meet with legislators to educate them about frontline experiences and practices as well as policy barriers and support needed before discussing potential legislation.
- Engage legislators during the bill-drafting process to reach consensus on legislative proposals before they are introduced.
- Ensure that meetings do not conflict with important legislative hearings or committee meetings.



Prepare for transition.

- Develop a succession plan for each team member who may transition off the initiative because of rotation, term limits or other foreseeable reasons.
- Create a clear and concise document that conveys the purpose and goals of the initiative, achievements to date, ongoing work and a description of who is involved. Share it with new team members as they join the initiative.



Help scheduling meetings to ensure judicial branch participation.

- Help the team lead schedule meetings well in advance to ensure judicial branch representation.
- Request regularly scheduled meetings, with specific roles for judicial representatives.
- Encourage lunch-time meetings and allow judges to call in when unable to attend in person.

APPENDIX D: THREE-BRANCH READINESS ASSESSMENT

This worksheet is intended to help representatives from any of the three branches of government — executive, legislative or judicial — or from outside the branches assess the state’s readiness for a three-branch approach to addressing the systemic problems that face vulnerable children and families. The worksheet can be used prior to forming a core team or after the core team has been formed.

The information gathered in this worksheet can serve several purposes:

- Engaging other colleagues both within the representative’s branch of government or across branches to gain buy-in for taking a three-branch approach to reforming child welfare.
- Conducting a state landscape analysis for use during the strategic planning process.
- Determining specific challenges that must be addressed as well as strengths to build on.
- Further developing the state’s strategic work plan.

State landscape: The issue What is the current state landscape related to your identified issue?			
Prompt	Response		
Relevance: Is the issue timely and important to children and families in your state?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure Additional Information:
Relevance: Does each branch play a clear role in the issue? Will the issue benefit from a three-branch approach?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure Additional Information:
Relevance: Is the issue connected to emerging federal legislative and funding opportunities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure Additional Information:
State context: What is the current state context as it pertains to the topic you want to address? Include: <ul style="list-style-type: none">• Trends and characteristics of children and families involved in the issue.• Relevant data.			
Key challenges: What are the key challenges facing each branch related to the topic you want to address?	Executive branch: Legislative branch: Judicial branch:		
Existing efforts: Provide information about past or current efforts focused on the issue.			



CONTEXT: Cross-branch collaboration How do you currently collaborate across branches?	
Prompt	Response
<p>State context: How are branches currently collaborating to address the issue? Include:</p> <ul style="list-style-type: none"> • Existing formal cross-branch collaborative efforts. • Past collaborative efforts. 	
<p>Key challenges: What are the key challenges facing each branch related to cross-branch collaboration?</p>	<p>Executive branch: Legislative branch: Judicial branch:</p>
<p>Opportunities for learning: Describe how each branch could learn from peers in other branches of government.</p>	<p>Executive branch: Legislative branch: Judicial branch:</p>

STRENGTHS AND WEAKNESSES RELATED TO CROSS-BRANCH COLLABORATION

List up to three main strengths (include brief comments and supporting evidence):

- 1.
- 2.
- 3.

List up to three main weaknesses (include brief comments and supporting evidence):

- 1.
- 2.
- 3.

Key questions for clarification on any of the readiness assessment categories:

- 1.
- 2.
- 3.

SUMMARY RECOMMENDATION

Please highlight one response. Based on your review of the state team's readiness assessment, should the team move forward with a three-branch approach?

- Seriously consider moving forward with a three-branch approach.
- Consider moving forward with a three-branch approach, but follow up with the team to clarify whether certain information is recommended.
- Seriously consider not moving forward with a three-branch approach.



APPENDIX E: STRATEGIES FOR SUCCESS CHECKLIST

In launching a three-branch approach, states can use several strategies to build the infrastructure for lasting success:

**Strategy 1:
Develop a
shared vision
and common
goals, and
continue to
expand it as
you form core,
implementation
and extended
teams and bring
on additional
stakeholders.**

- Hold at least one meeting specifically devoted to developing a high-level vision for children and families in your state.
- Use the readiness assessment and strengths-weaknesses-opportunities-threats (SWOT) analysis to assess the current landscape in your state and organize your thoughts based on wants and needs for cross-branch collaboration.
- Consider a separate vision statement for each branch of government that feeds directly into the common vision and goals of the three-branch approach.
- Solicit feedback from state advocacy or advisory boards that include current or former foster youth, foster parents, kinship caregivers and birth parents.

**Strategy 2:
Diversify team
membership.
Think beyond
the “usual
suspects” (i.e.,
those who
typically engage
in collaborative
efforts).**

- Ask legislators to identify legislative staff to join the implementation team.
- Invite judicial representatives from various court agencies, including Court Improvement Program staff, to join.
- Create written succession plans to handle turnover.

**Strategy 3:
Staff the
initiative.
Designate
a project
manager to
coordinate the
initiative.**

- Find a local philanthropic organization to fund the position, or pool funding from all three branches to hire a full-time project manager.
- Assign a portion of a government agency staff person’s time to managing the project.
- Divide project management responsibilities among the three branches. For example, one staff person could schedule meetings, another could develop agendas and a third could take minutes.
- Consider identifying a volunteer, intern or social work student as a project manager, meeting planner or note-taker.



**Strategy 4:
Build
relationships
within and
across
branches.**

- Schedule an informal get-together with colleagues outside the office, such as for lunch, dinner, coffee or early breakfasts, to become acquainted.
- Hold monthly meetings, with no formal agendas or notes, to work through barriers, challenges and obstacles to coordination and collaboration for children and families.
- Use existing meetings, task forces, town halls, listening sessions, summits, statewide conferences, coffee talks and other convenings to talk about the three-branch approach.
- Develop several Microsoft PowerPoint presentations, short briefs or talking points with clear messaging that describes the three-branch approach.

**Strategy 5:
Formalize
collaboration.**

- Establish formal memorandums of understanding among agencies and across the three branches on working together as a three-branch team.
- Develop a formal public awareness plan to ensure that community members; families; local providers; county child welfare office staff; and local stakeholders in health, mental health, education and law enforcement are aware of the three-branch approach and initiative goals.
- Host joint press events, and participate in each branch's social media outreach efforts.





Strategy 6:
Clearly understand the role of each branch, and make cross-branch meetings relevant to all team members.

- Set up regularly scheduled meetings for all teams and work groups, with agendas and specific, agreed-upon roles for all branches.
- Schedule all meetings far in advance, and be respectful of legislative and judicial schedules.
- Always provide food and coffee; ask local philanthropic organizations to pay.
- Hold meetings and listening sessions throughout the state, not just in the state capitol.
- Core, implementation and extended team members in each branch of government should consider participating in presentations or meetings at each other's state and local conferences and meetings.
- Use the statewide strategic plan to clearly define team structure and roles in addition to clearly stating the overarching goals and objectives, data indicators interim benchmarks, implementation and oversight strategies, timelines and staff responsible for tasks.
- Disseminate the strategic plan widely across the state, and briefly review it at all gatherings.

Strategy 7:
Clearly define and inventory existing outcomes, trends, programs and initiatives.

- Hold core, implementation and extended team sessions specifically devoted to sharing and examining data on state- and local-level child welfare outcomes, performance and trends.
- Inventory existing programs and initiatives around the state, and identify gaps in services that affect desired outcomes.
- Allow time for participants to present on programs in their communities at local convenings.



**Strategy 8:
Formally
research the
issue.**

- Connect with local universities, think tanks, national organizations and advocates to learn about the latest research and best practice in other states.
- Hold regional and local listening sessions, joint hearings or other public forums to learn about the issue and its impact on children and families.
- Gather research, studies, reports and plans such as the state's Child and Family Services Review for information.
- Allow foster parents, birth parents, kinship caregivers and foster youth to provide their unique experience and insight into the state's child welfare system.
- Enlist the aid of social work students or interns in conducting this research.
- Contact the National Conference of State Legislatures for 50-state legislation.

**Strategy 9:
Build on
existing
cross-branch
collaborative
structures.**

- Include existing cross-branch collaboratives such as children's cabinets, children's caucuses, statewide children's advisory groups or task forces and the children's ombudsman.

**Strategy 10:
Seek easy
wins to
continue
momentum
and
enthusiasm.**

- Be sure to include easy wins in the interim benchmarks in the strategic plan.
- Open each gathering of the core, implementation and extended teams with acknowledgements.
- Provide certificates of appreciation or other awards to highlight efforts.
- Easy wins can include good attendance at monthly meetings; making regular presentations to colleagues; presenting at branch-specific summits; stakeholder participation in local, regional and statewide three-branch events; and acknowledgement of the three-branch initiative at various events and gatherings across the state.
- Identify accomplishments relevant to all three branches of government.
- Provide recognition of some kind to active members of the initiative; this recognition can include certificates, small plaques, formal awards ceremonies and news releases.

APPENDIX F: SWOT ANALYSIS TOOL

Three Branch Approach: SWOT Analysis Tool*

An analysis of strengths, weakness, opportunities and threats (SWOT) will help you identify internal and external factors that can facilitate the development of your state's goals and strategies. Complete the SWOT analysis for your branch or agency. Then, use your results to help develop your Specific, Measurable, Attainable, Relevant and Timely (SMART) goals.

Evaluate: SWOT Analysis Tool

Identify strengths, weaknesses, opportunities and threats for your state with regard to the issue you want to address in your three-branch approach. Weaknesses and threats are gaps to be addressed in planning; the absence of strengths or opportunities clarifies the need for further planning or development before action is taken.

	Factors to maintain	Factors to address
Potential internal criteria <ul style="list-style-type: none">• Collective capabilities.• Morale, commitment and leadership.• Governance, participation norms and defined roles.• Resources, funding, assets and people.• Experience, knowledge and data.• Innovative aspects.• Collaboration tools.• Accreditations, certification, requirements and mandates.• Processes, systems, information technology and communications.• Cultural, attitudinal and behavioral norms.	STRENGTHS What does your organization or branch do well?	WEAKNESSES In what ways is your work lacking?
Potential external criteria <ul style="list-style-type: none">• Political, legislative and financial environment.• Stakeholder involvement.• Technology development and innovation.• Quality of partnerships.• Development of knowledge.• Uptake in disseminated knowledge or best practices.• Competing or synergistic outside efforts.• Trends in child welfare that may affect the team's work.	OPPORTUNITIES What external factors help facilitate your organization or branch's activities in this space?	THREATS What external factors hinder your activities?

*Adapted from Alan Chapman 1995-2006.



APPENDIX G: SMART GOALS WORKSHEET

SMART Goals Worksheet

You can use the results from your strengths-weaknesses-opportunities-threats (SWOT) analysis to develop goals. Use this worksheet to verify that your goal is Specific, Measurable, Attainable, Relevant and Timely (SMART).

Goal

Specific. You have a much greater chance of achieving a specific goal than a general goal. To set a specific goal, answer the six “W” questions:

- **Who:** Who is involved?
- **What:** What does my state want to accomplish?
- **Where:** What is the location?
- **When:** What is the time frame?
- **Which:** What are the requirements and constraints?
- **Why:** What are the specific reasons, purpose or benefits of accomplishing the goal?

What exactly will the team accomplish? What are the desired outcomes associated with this goal?

Measurable. Establish concrete criteria for measuring progress toward attainment of each goal you set. When you measure your progress, you stay on track, reach your target dates and experience the exhilaration of achievement that spurs you on to reach your goal. To determine if your goal is measurable, ask questions such as:

How much?

How many?

How will we know when it is accomplished?

Which indicators are associated with this goal? How will the team know when it has achieved success?



Attainable. When you identify the goals most important to your agency, organization and stakeholders, you begin to figure out ways to make them come true. You develop the attitudes, abilities, skills and financial capacity to reach them. You begin seeing previously overlooked opportunities to bring your state closer to the achievement of its goals.

Is achieving this goal realistic with effort and commitment? Do you have the resources to achieve this goal? If not, how will you get them?

Realistic. A realistic goal is one that your state is both willing and able to achieve. Goals can be both high and realistic, but they should always represent substantial progress.

A high goal is frequently easier to reach than a low one because a low goal exerts low motivational force. Some of the hardest jobs you have ever had actually seemed easy simply because they were labors of love.

Why is this goal significant? Is there a role for all three branches?

Timely. A goal should be grounded within a time frame. With no time frame tied to it, there is no sense of urgency. When a goal is anchored within a time frame — such as “by May 1” — then, you have set your team on a path to begin working on the goal. Your goal is probably realistic if you truly believe that it can be accomplished. Additional ways to know whether your goal is realistic including determining whether you have accomplished anything similar in the past or asking yourself what conditions would have to exist to accomplish the goal.

When will you achieve this goal?

How will the implementation team and other stakeholders be engaged?



Specific action steps. Which steps must you take to get you to your goal?

Action or strategy	Who is responsible	Partners to work with	Time frame



APPENDIX H: DISCUSSION GUIDE FOR DEVELOPING STRATEGIC PLANS

Once a representative from within or outside state government has obtained commitments from all three branches of government to proceed with the three-branch approach, this guide can help state core, implementation and extended teams create or expand a statewide strategic plan by designing a series of brainstorming discussions that result in the identification of measurable goals relevant to each branch, performance indicators tied to each goal for use in tracking progress and a set of concrete action steps. Specifically, this guide outlines four discussion sessions, which should be spaced out to give team members time to process and reflect on material discussed during the sessions.

Discussion Session Overview

- Session 1: Define and Refine the Vision.
- Session 2: Conduct Strengths-Weakness-Opportunities-Threats (SWOT) Analysis.
- Session 3: Refine Goals and Action Steps.
- Session 4: Finalize the Strategic Plan.

Role of Facilitators

Planners should identify a neutral party to serve as a facilitator for all four discussion sessions. This facilitator has an important role:

- The facilitator should not have a preconceived idea of what the state “should” be doing but rather through discussion help the teams move to consensus and action on their own ideas.
- The facilitator should prompt discussion, ask questions, encourage each branch to participate in the strategic planning process, encourage the team to think about new ideas or strategies and help the team move to action.
- The facilitator should keep notes on the teams’ discussions and help them capture a snapshot of their plans to share at the conclusion of the meeting. The SMART Goals Worksheet (Appendix G) helps teams record their goals and planned activities.
- The facilitator can encourage teams to consider new ideas presented during the sessions and by guest speakers and make revisions as necessary to involve all branches of government.

Prework

Prior to hosting brainstorming discussion sessions, team members should have an opportunity to educate themselves about the selected issue. Team members should receive relevant report or related data to review prior to attending the sessions. Planners can also use the meeting to bring in experts to present on the selected topic or share important perspectives from children and families with lived experience.



Session 1: Define and Refine the Vision.

Objectives and Desired Outcomes of Session 1

Desired outcomes:

- Teams understand the role that each branch plays in the identified issue.
- Teams have a snapshot of current practice and state-specific data.
- Teams have a starting point in the three-branch approach and an initial definition of success following initiative implementation.

Structure	Discussion questions
Introductions Team member and facilitator introductions and discussion of desired outcomes: <input type="checkbox"/> Three measurable goals they want to focus on that are relevant to each branch. <input type="checkbox"/> A performance indicator (or indicators) associated with each goal to track progress. <input type="checkbox"/> Action steps with associated time frames. <input type="checkbox"/> Facilitator manages the flow of the discussion and encourages all to participate.	Reflection <input type="checkbox"/> What ideas or opportunities did you learn about in your prework that resonated with your work or planned work? <input type="checkbox"/> Did approaches you learned about resonate with your state's goals with regard to the issue identified? <input type="checkbox"/> Is there an expert that you would like to invite to future meetings, if the person is available?
Reflection <input type="checkbox"/> Discuss reactions to materials provided prior to the session.	Review <input type="checkbox"/> Based on the data, what challenges does your system appear to face with regard to the identified issue? <input type="checkbox"/> What activities and relevant collaborations are currently in place in each branch that can be used for this work?
Review <input type="checkbox"/> As a group, team members will review challenges, potential activities and collaborations that team members had identified individually.	Vision <input type="checkbox"/> What does success look like when your state has completed and implemented the strategic plan?
Vision <input type="checkbox"/> Reflect on what success will look like after implementation of the strategic plan.	



Session 2: Conduct SWOT Analysis.

Objectives and Desired Outcomes of Session 2

Desired outcomes:

- Teams have completed a SWOT analysis to inform goals.
- Teams have started to develop or refine their state goals, performance indicators and action steps.

Structure	Discussion questions
<p>Analysis Using the SWOT Analysis Worksheet, ask each team member to identify any strengths, weaknesses, opportunities and threats to this work from each branch's perspective.</p> <p>Planning It's important to help the teams focus on three goals so that they can identify a manageable to-do list within the time frame of the planned three-branch approach:</p> <ul style="list-style-type: none"><input type="checkbox"/> Discuss the difference between strategies and goals. When someone suggests a strategy, ask, "What is the underlying reason you would pursue that strategy?" Help them develop a goal.<input type="checkbox"/> For each goal, the teams should determine one or more performance indicators they can use to measure progress toward that goal.	<p>Reflection</p> <ul style="list-style-type: none"><input type="checkbox"/> Which aspects of the conversation from the first discussion session resonate with you as we dive further into developing the state strategic plan? <p>Analysis</p> <ul style="list-style-type: none"><input type="checkbox"/> Round robin: What are strengths, weaknesses, opportunities and threats with regard to moving the work forward? <p>Planning (use SMART Goals Worksheet)</p> <ul style="list-style-type: none"><input type="checkbox"/> Based on the SWOT analysis, what are potential goals for your state's work?<input type="checkbox"/> With regard to goals in the current draft strategic plan, are there changes you would like to make?<input type="checkbox"/> Questions to consider during discussion of performance indicators for each goal:<input type="checkbox"/> What data points can paint an accurate picture of progress toward a goal?<input type="checkbox"/> What data are available in the state right now?<input type="checkbox"/> Who has access to these data?<input type="checkbox"/> How often are the data points updated?<input type="checkbox"/> Are there data to which the state teams do not currently have access but could gain access?<input type="checkbox"/> If the SMART Goals Worksheet is used, walk through additional embedded questions.



Session 3: Refine Goals and Action Steps.

Objectives and Desired Outcomes of Session 3

Desired outcomes:

- Teams develop and refine goals and action steps

Structure	Discussion questions
Reflection	Reflection
<input type="checkbox"/> State teams will share reflections on what they have covered in sessions thus far.	<input type="checkbox"/> What have you heard that reinforced what your team discussed? <input type="checkbox"/> Did new ideas emerge that you would like your team to consider?
Planning	Planning
<input type="checkbox"/> Teams will continue to identify or refine actions associated with each goal. They will assign roles for each team member and for stakeholders, including the implementation team.	<input type="checkbox"/> Which action steps need to be taken to bring the goal to reality? <ul style="list-style-type: none"> • Consider short-term and long-term steps. <input type="checkbox"/> Who will take the lead on each action step, and what is the time frame or deadline?
Barrier busting	Barrier busting
Teams will reflect on potential barriers and challenges to reaching the identified goals, including: <ul style="list-style-type: none"> <input type="checkbox"/> Policies — those currently in place that hinder implementation of a strategy or those that do not exist but are needed to move forward with a strategy. <input type="checkbox"/> Judicial or legislative practices or systems challenges. <input type="checkbox"/> Political considerations or sensitivities. <input type="checkbox"/> Communication issues. <input type="checkbox"/> How will the teams' work continue through possible transitions in gubernatorial administrations and legislative leadership? 	<input type="checkbox"/> Which barriers, challenges or issues currently stand in the way of taking those actions? <input type="checkbox"/> How might those barriers be addressed to move forward? <input type="checkbox"/> How can the state work around barriers if they cannot be changed?



Session 4: Finalize the Strategic Plan.

Objectives and Desired Outcomes of Session 4

Objectives:

- Solidify action steps.
- Understand which team members are responsible for each action step.
- Determine the timeline for moving forward.

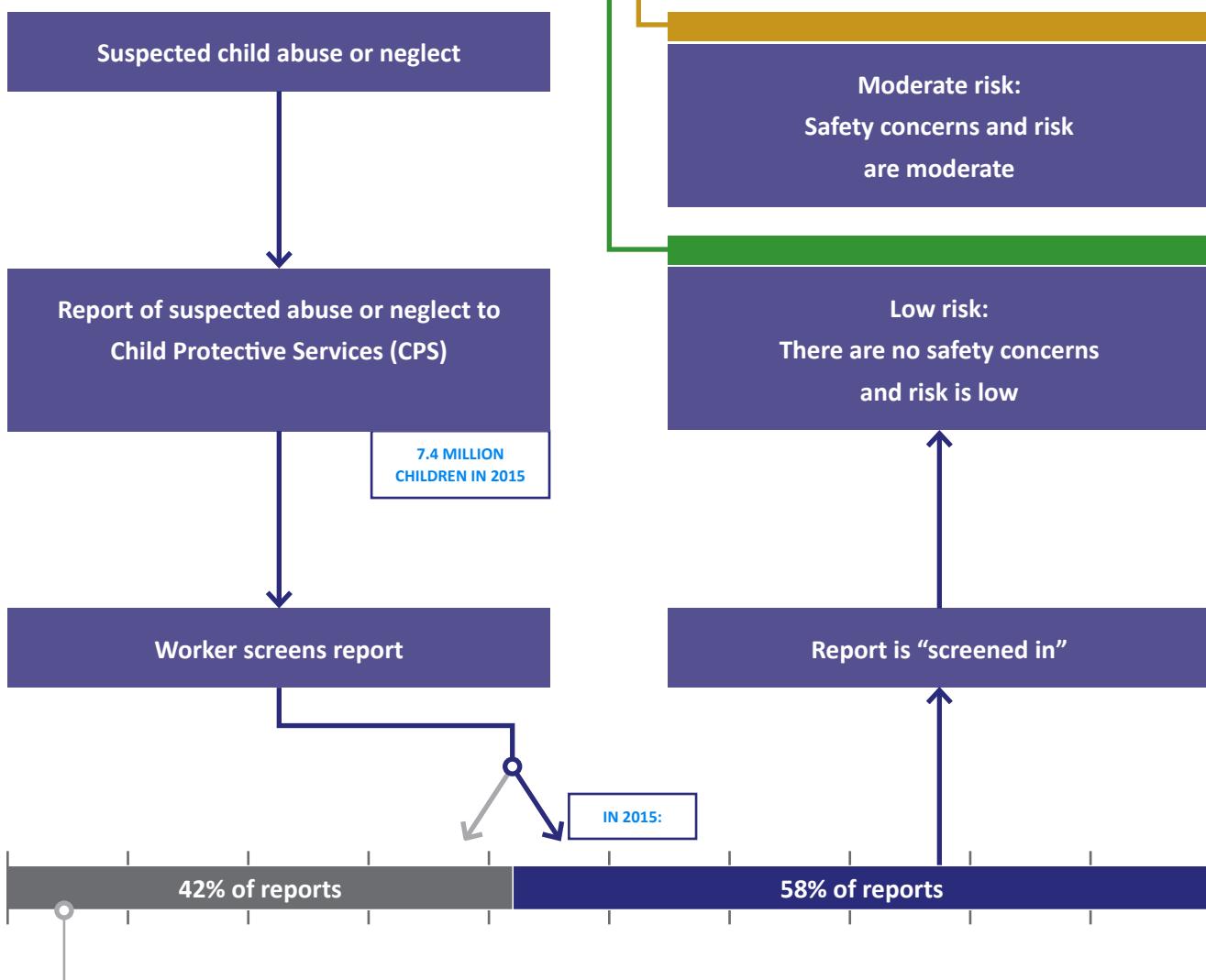
Desired outcomes:

- Teams finalize action steps.
- Identify the next meeting date.

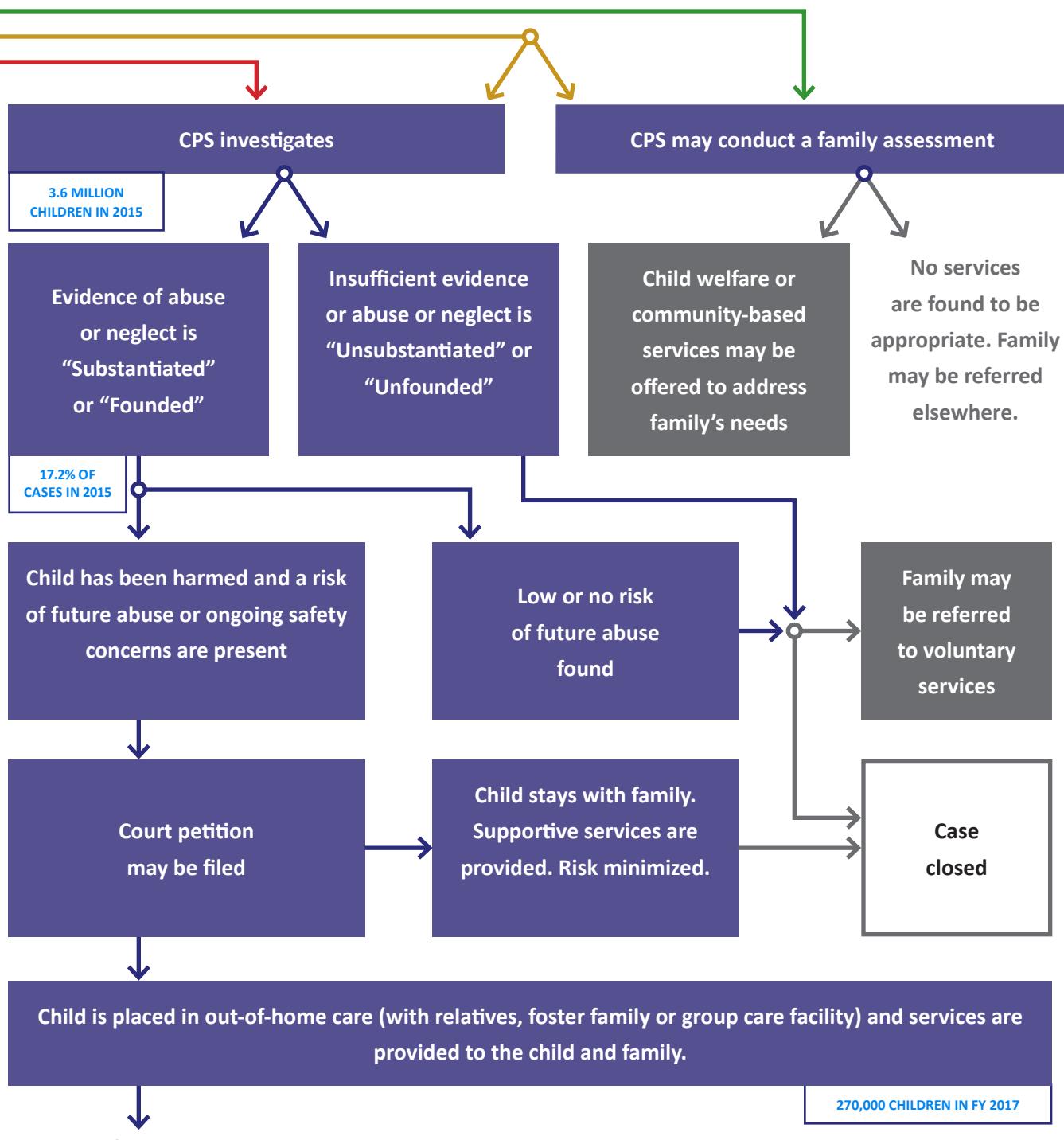
Structure	Discussion questions
<p>Review and assessment Review the plan (or SMART Goal Worksheet), paying particular attention to action steps that have been identified for each SMART goal. Also review the timeline for undertaking both short- and long-term actions to keep timelines manageable. Make adjustments as needed.</p> <p>Preparing for the next session Walk the teams through preparing for the next session, including gaining individual commitments from team members prior to the next meeting.</p>	<p>Review and assessment</p> <ul style="list-style-type: none"><input type="checkbox"/> In total, how does this look? Will it get you where you want to go?<input type="checkbox"/> Is it reasonable?<input type="checkbox"/> Is there sufficient involvement from each branch? <p>Preparing for the next session</p> <ul style="list-style-type: none"><input type="checkbox"/> When will this group convene next?<input type="checkbox"/> Who else needs to be brought in?<input type="checkbox"/> What needs to happen before the next session?<input type="checkbox"/> What individual commitments will team members make?



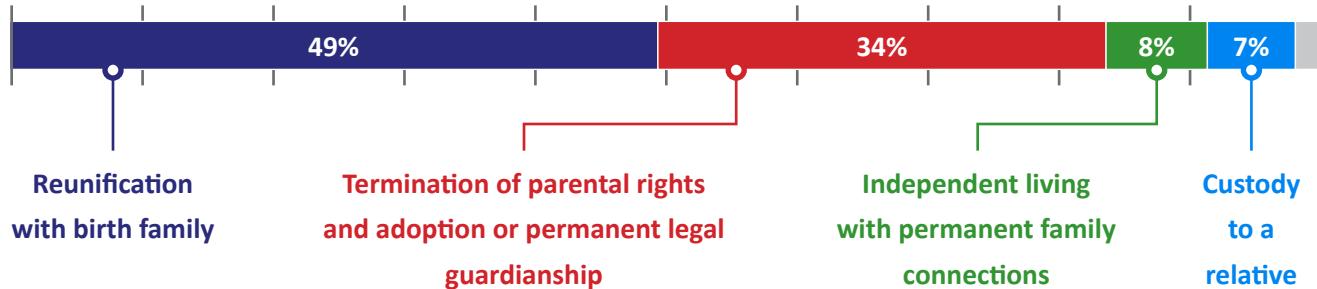
A child's journey through the child-welfare system



Data from AFCARS Report #25 and Child Maltreatment 2016 from the Children’s Bureau of the U.S. Department of Human Services Administration for Children and Families



Outcomes for children in FY 2017





APPENDIX J: SAMPLE WORK PLAN

Work plan goals and strategies	Key steps	Timeline	Lead	State update/notes
GOAL 1				
Strategy 1:				
Strategy 2:				
Strategy 3:				
GOAL 2				
Strategy 1:				
Strategy 2:				
Strategy 3:				
GOAL 3				
Strategy 1:				
Strategy 2:				
Strategy 3:				



APPENDIX K: LEGISLATOR GUIDE TO THE THREE-BRANCH APPROACH

These resources are intended for use by legislators and legislative staff who are participating in a state three-branch approach to address a systemic problem facing vulnerable children and families. The three-branch approach is a coordinated, nonpartisan, cross-jurisdictional effort to improve outcomes for children and families.

Background

All three branches of state government play significant roles in setting the legal and policy framework for state child welfare systems. In the executive branch, the governor's office has primary responsibility for setting a vision and statewide priorities; state and county executive branch agencies implement that vision through their child protection and child welfare systems. The legislative branch develops the policy framework for child protection, represents constituents' interests, appropriates funding for child welfare and related public systems and provides oversight of the executive branch. The judicial branch makes critical child protection decisions, including when children should remain at home or be placed in an alternative setting, when they can safely be reunited with their families and when parents must participate in treatment plans for mental health or substance abuse, among other concerns.

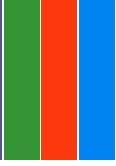
In recent years, several states have developed cross-branch collaborations after recognizing that no single branch of government can reform child- and family-serving systems in isolation. States that have taken this approach have benefited from mutual education and cross-training as well as a deliberative planning process to address the most pressing issues facing children and families.

Structure of a Three-Branch Approach

- **Core team.** A three-branch initiative's core team consists of representatives from the executive, legislative and judicial branches of state government.
- **Implementation team.** Implementation teams can consist of additional members of the executive branch (human services, health, education, criminal justice, public safety, workforce and behavioral health), the legislative branch and the judicial branch as well as other key stakeholders.
- **Extended team.** Extended implementation teams can consist of advocates and constituents, child welfare agency supervisors and staff, business leaders and other private-sector representatives, legal representation and members of the faith community.

Together, all three branches:

- Develop a coordinated strategic plan to achieve a common goal.
- Participate in implementing and monitoring that strategic plan.
- Periodically meet to assess progress, address challenges and communicate needs.
- Educate peers on the mission, purpose and goals of the initiative.
- Recruit leaders from their branch to participate in the larger implementation and extended teams.



The Legislative Role in the Three-Branch Approach

Legislators and legislative staff at all levels are key members of three-branch initiatives. They include relevant legislative committee chairs and members, legislators engaged in task forces or other work on child welfare, appropriations and budget committee members, legislative staff on child welfare- or budget-related committees, interim committees, task forces and study committees. Specific roles for core team legislators and legislative staff include:

- **Enacting legislation.** The legislative branch takes a lead role in drafting legislation resulting from the three-branch initiative, shepherding it through committee, gaining support from other legislators and championing the legislation when it comes to a vote. [See National Conference of State Legislatures Child Welfare](#) for child welfare legislative enactments in the areas of child abuse, child fatality/near fatality, foster care, adoption, kinship, child welfare workforce, older youth transitioning out of care, disproportionality and disparity in child welfare, Indian child welfare, funding, collaboration, prevention, treatment, training, siblings, health, education of children in foster care, state response to the federal Preventing Sex Trafficking Act of 2014 and Family First Prevention Services Act of 2018 and much more.
- **Authorizing funding.** Legislators are responsible for adequately funding the initiative through the state appropriations process.
- **Galvanizing support among legislative stakeholders and constituents.** Legislators are responsible for building understanding and consensus among legislators and community members for proposed legislation resulting from the initiative.
- **Educating the extended team on the political landscape.** Legislators are directly accountable to their constituents and understand the environment in which local service providers operate. In a three-branch approach, legislators can use this knowledge to inform their team of what can be done at the local level.
- **Leading the three-branch effort.** Most three-branch initiatives have been led by the executive branch, but at least one state team had a legislator and legislative staffer be the team leads on the core team responsible for convening and scheduling meetings, reaching out to key stakeholders and leading development of the strategic plan.

The following checklist provides useful tips for helping legislators and legislative staff be successful members of a three-branch approach.

Engage colleagues within the legislative branch.

- Host meetings to build rapport and a shared sense of the problem among legislators.
- Hold a joint hearing or briefing for the full legislative body.
- Develop talking points, data and fact sheets to share with other legislators and legislative staff on related committees, such as health, education, judiciary, public safety or mental health and appropriations.
- Engage colleagues in informal or private meetings over meals.
- Develop a legislative action plan to clarify the legislature's role in the state's three-branch approach.
- Mandate and develop legislative children's caucuses that can hold a series of educational meetings on child welfare during the legislative session.

**Engage the executive branch.**

- Schedule a meeting with the governor, lieutenant governor or first spouse.
- Invite state agency leaders to testify at legislative hearings.
- Partner with state agencies (child welfare, health, behavioral health, human services) to review data.
- Participate in legislator “ride-alongs,” or spend a day with a caseworker.
- Establish a three-branch policy or implementation work group to examine and develop policies, plan for implementation and be responsible for oversight of the initiative.
- Assist with development and engagement of the implementation and extended teams.

Engage the judicial branch.

- Provide opportunities for judges to interact with legislative staff to ensure that legislation is helpful and not an obstacle.
- Host cross-branch training sessions and judicial roundtables.
- Visit courts, as appropriate.

Review existing state policies, procedures and laws.

- Create an interim study committee to examine existing policies, processes and standards in child welfare and to identify gaps in services or service delivery and conflicting policies and procedures.
- Learn about promising, evidence-based practices, and assess what could be implemented in your state.
- Consider other oversight mechanisms that already exist.
- Map current structures of child welfare-related oversight mechanisms and review, such as child death review, citizen foster care review and children’s ombudsman processes.
- Review funding mechanisms for child welfare services.
- Learn how the child welfare system works; learn the perspectives of frontline caseworkers, birth parents, foster parents, youth in foster care, kinship caregivers, providers, the faith community, schools, judges, health/mental health and law enforcement.

Examine needs across the state.

- Consult with community providers and agencies to learn about the needs of families at risk of child welfare involvement.
- Examine the services available in your state that support and stabilize families.
- Hold local or regional listening sessions to learn from families, providers, county workers and other community members.
- Ensure that families, children and youth have a voice in system reform; invite them to plan and participate in hearings, listening sessions, meetings, task forces and work groups.
- Learn about the role of trauma in children’s lives and how trauma-informed care and practices can have a positive impact on children and families.



Review data.

- Partner with the state's child welfare agency, state health and public health agencies, mental health, education, law enforcement, Temporary Assistance for Needy Families and other safety net systems to explore child welfare-related data.
- Identify key data-related questions to be answered, the sources for those data and how to access the data.
- Review data sharing across agencies, including challenges and potential solutions.

Enact legislation.

- Enact legislation based on the issue your state's three-branch approach will address.
- Mandate pilot projects to test evidence-based and trauma-informed strategies in urban and rural areas of the state and with different populations, including by age; consider piloting projects to connect with families not known to the child welfare system but deemed at risk by other systems, such as law enforcement, health care providers and educators.
- Require evidence-based practices.
- Mandate data sharing across jurisdictions and agencies.
- Focus on the youngest children — one year of age and younger — who are most at risk of entry into foster care. Work with your child welfare agency to plan policies, services and programs that target this population.

Develop and strengthen the three-branch approach's infrastructure.

- Develop the implementation and extended teams; invite legislators and legislative staff to be active members.
- Determine the appropriate long-term home for three-branch work, if appropriate, when the current initiative is completed.
- Create a charter and scope of work for short- and long-term three-branch goals.
- Be proactive; do not wait for the executive branch or core team lead to assign tasks or ask how you would like to participate.



Three-Branch Approach Legislator Action Template

State: _____
Team Lead: _____

Name: _____
Contact (Phone/Email): _____

These are goals from your state strategic plan:

Measurable outcome/ performance indicator	Legislative action steps	Partners to work with	Time frame
GOAL 1			
GOAL 2			
GOAL 3			
GOAL 4			

APPENDIX L: EXAMPLE TEAM COMPOSITION

Connecticut Three-Branch Team

	Core team	Implementation team
Executive Branch	<ul style="list-style-type: none"> • Commissioner, Department of Children and Families (DCF) • Director, Health Services, Department of Social Services • Chief of Quality and Planning, DCF • Chief of Staff, DCF 	<ul style="list-style-type: none"> • Commissioner, Department of Social Services • Deputy commissioner, Department of Social Services • Office of the Child Advocate • Governor's Office • Deputy commissioner, Department of Public Health • Commissioner, Department of Corrections • Commissioner, Department of Developmental Services • Commissioner, Department of Housing • Commissioner, Department of Mental Health and Addiction Services
Legislative Branch	<ul style="list-style-type: none"> • State senator, chair of Children and Families Committee • State representative, chair of Children and Families Committee • Legislative staff 	<ul style="list-style-type: none"> • State senators • State representatives • Legislative staff
Judicial Branch	<ul style="list-style-type: none"> • Chief Administrative Judge for Juvenile Matters • Superior court judge • Superior court judge 	<ul style="list-style-type: none"> • Superior court judges • Juvenile court judges
Other		<ul style="list-style-type: none"> • DCF State Advisory Council • Chapter branch of the American Academy of Pediatrics • Association of Adoptive and Foster Parents • Local foundation



APPENDIX M: MEMORANDUM OF UNDERSTANDING

THREE BRANCHES MUTUAL ACCOUNTABILITY

WORKING AGREEMENT FINAL DRAFT

September 26, 2013

The purpose of the agreement is to articulate the collective and individual commitments of the Executive, Legislative and Judicial Branches of Tennessee government to achieve the stated mission to foster partnerships to protect children, develop youth, strengthen families and build safe communities.

Part 1. Collectively, the Three Branches will commit to

- A. Participate in a working collaboration to achieve the mission, expected to endure for two years beginning summer 2012 and ending summer 2014 unless a decision is made to alter the timeframe; and
- B. Adopt and support a common agenda in which:
 - i. The Three Branches share mutual accountability for individual and collective responsibilities through
 - a. Assumption of good faith efforts to advance Child Welfare and Juvenile Justice systems
 - b. Maintaining open lines of communication
 - c. Engaging in proactive problem-solving with an expectation for mutually beneficial solutions
 - d. Recognizing interdependence of efforts and effects of policy decisions.
 - ii. The state uses Safety Systems science to manage risk and support a culture of safety, reducing child fatalities and serious injuries through systematic analysis of deaths and near deaths to better understand and balance individual and system accountability; and
 - iii. Juvenile Justice resources are aligned for maximum habilitation through a continuum of community-based solutions for at-risk and delinquent youth in which communities are accountable for youth outcomes and communities decide how to invest savings from most restrictive settings to evidence based community alternatives to incarceration.

Part 2. Uniquely, each of the Three Branches agree to the following:

- A. Executive Branch 3BI members will
 - i. Integrate the principles and intentions of 3BI into other children-, youth-, and family-focused agendas of state and local agencies, planning groups, contract providers, advocacy organizations, institutions of higher education and segments of community infrastructure
 - ii. Contribute information and staff resources to assure high priority for evidence-based services and supports in all levels of service provision and programming
 - iii. Leverage existing services and supports that contribute to safe communities through alternatives to incarceration
 - iv. Inform the other branches about efforts to achieve the mission through reports, data that can be used at the local and regional level and in the courts
 - v. Help to educate the other branches about the 3BI Common Agenda by participating in relevant conferences, meetings and trainings
 - vi. Communicate to the Legislature information that is most important to its interests; and
 - vii. Staff the Institute and Workgroups for their duration

- 
- B. Legislative Branch 3BI members will work to:
 - i. Amend Tenn. Code Ann. §§ 37-5-105(4) and 37-2-411, which define requirements of the DCS Annual Report, to require information that will be most informative and useful to Legislators
 - ii. Identify, propose and develop any needed legislation to advance the collective work of 3BI and the state to support activities related to Safety Systems
 - iii. Educate fellow legislators about the principles and intentions of the Institute to improve the Child Welfare and Juvenile Justice systems by seeking opportunities for presentations, meetings and other trainings in legislative committee meetings and other processes
 - iv. Raise the visibility of Child Welfare and Juvenile Justice issues by reports to respective districts and caucuses
 - v. Give special consideration to financial support for evidence-based practices and resource management generally in the legislative budget process.
 - C. Judicial Branch 3BI members will work to:
 - i. Promote problem-solving at the local level
 - ii. Identify local services needs and gaps that address alternatives to incarceration or commitment
 - iii. Share with fellow judges the principles and intentions of the Institute to improve Child Welfare and Juvenile Justice systems
 - iv. Establish uniform approaches to risk assessments, data collection and use, and other lines of communication, which will increase the likelihood that children, youth and families will receive the same responses from the court regardless of where one lives, given the same conditions and circumstances
 - v. Support local initiatives to develop or sustain community-based alternatives to commitment through communication with stakeholders, city officials and other agencies that are a part of the local infrastructure
 - vi. Champion best practices among peers to implement community alternatives.

Part 3. Three Branches Institute Communications

- A. Internal Communications
 - i. [Support 3BI approach, plan and benchmarks in children's]
 - ii. [Use common communications tools about 3BI]
 - iii. [Position 3BI as one solution for addressing complex inter-governmental problems]
- B. External Communications
 - i. [Develop informational materials about 3BI in Tennessee]
 - ii. [Make public 3BI benchmarks and results]



APPENDIX N: SAMPLE WORK PLAN (VIRGINIA)

Goal: Strengthen existing efforts to enhance child safety through primary prevention and family engagement strategies across systems.

	High-impact strategies	Action to implement strategies across systems (2016-2017)	Responsibility
Strategy 1: Provide education and public awareness focusing on the family.	1. Conduct judicial outreach to at least 50 percent of the Juvenile Domestic Relations District Court judges on the Children's Services Practice Model, implementation of Child Welfare Practice Profiles and trauma-informed practice.	Prepare and present information at two judicial conferences.	Court Improvement Program (CIP) and Department of Social Services
	2. Convene a joint briefing for members of the General Assembly on adverse childhood experiences, trauma, child safety and family well-being.	The Commission on Youth will consider the joint briefing to the Virginia General Assembly on adverse childhood experiences, trauma, child safety and family well-being.	Commission chair and Department of Social Services
Strategy 2: Integrate trauma-informed practice and awareness of protective factors across branches of government.	1. Integrate trauma-informed practice and awareness of protective factors across branches of government.	Launch an e-learning and classroom course on trauma-informed practice in child welfare for child welfare workers in Virginia.	Department of Social Services
		Complete an inventory of evidence-based programs and public awareness campaigns focused on primary prevention throughout the state.	Nonprofit provider
		Implement a Trauma Toolkit for Judges	CIP
		Prepare and present information about trauma-informed practice and providers to Children's Services Act coordinators and community partners to increase funding for trauma-informed services.	Department of Social Services





APPENDIX O: SAMPLE KICKOFF MEETING AGENDA

Three-Branch Team Meeting
Implementing the Family First Prevention Services Act in Virginia
June 19, 2018

- 8:15 – 8:30 Registration**
Refreshments available
- 8:30 – 9:15 Welcome and Introductions**
Virginia Department of Social Services
- 9:15 – 10:30 Family First Prevention Services Act Overview**
Virginia Department of Social Services
- 10:30 – 10:45 Break**
- 10:45 – 12:00 What Are Prevention Services?**
Chadwick Center for Children and Families
- 12:00 – 12:45 Networking Lunch**
- 12:45 – 2:00 Selecting and Implementing Evidence-Based Services**
Chadwick Center for Children and Families
- 2:00 – 2:15 Break**
- 2:15 – 3:00 Charge for Three-Branch Team Members**
Virginia Department of Social Services
- 3:00 – 4:00 Implementing the Family First Prevention Services Act: Q&A and Initial Dialogue**
Virginia Department of Social Services
- 4:00 – 4:30 Work Group and Team Members**
Virginia Department of Social Services
- 4:30 – 5:00 Next Steps, Closing Remarks**
Virginia Department of Social Services



NATIONAL GOVERNORS ASSOCIATION



NATIONAL CONFERENCE OF STATE LEGISLATURES

