

**SECTION II(D)  
SYSTEM PROFESSIONALS AND MEDIA  
SURVEY-ROUND II**

**D. System Professionals And Media Survey-Round II**

**METHODOLOGY**

**Instrument Design**

The National Center for State Courts and the Minnesota Supreme Court Office of the State Court Administrator, with input from the Open Hearings Steering Committee worked collaboratively to design surveys for each of the following professional categories: judges/referees, court administrators, county attorneys, public defenders, guardians ad litem (GALs), social workers, and the news media. The instruments contained a combination of forced choice and free response questions. The Round II instruments were modified to reflect the passage of time and potential attitudinal shifts from the Round I distribution. Copies of the instruments can be found in *Appendix A*.

**Survey Distribution**

Based upon the information and mailing labels received from the Minnesota Supreme Court Office of the State Court Administrator, surveys were mailed directly to each respondent for each class of system professional. On March 15, 2001, NCSC mailed reminder postcards to each of the survey recipients. Table 3 indicates the survey response rates for each professional category and the total response for all categories.

**Table 3  
 Survey Response Rates**

<b>Professional Category</b>	<b>Number of Surveys Mailed</b>	<b>Number of Returned Surveys</b>	<b>Percentage of Returned Surveys</b>
County Attorney	54	22	40%
Court Administrator	62	32	51%
GALs	277	122	44%
Judges	48	39	81%
Media	116	12	10%
Public Defender/ Children's Law Centers	129	52	40%
Social Services Workers	364	179	49%
<b>Total</b>	<b>1050</b>	<b>458</b>	<b>44%</b>

**Analysis**

Of the 1,050 surveys sent out for distribution, 458 were returned as of 3/31/2001, the specified cutoff date for return. Of the 458 returned surveys, 123 of the respondents answered that they had never participated in a child protection hearing that had been opened to the public and were subsequently dropped from the analysis. Most of those dropped were GALs and social workers (74 percent). Consequently the analysis was based on 335 useable surveys.

The responses to each question were cross tabulated with Type of Professional to detect differences in response between the different types of professionals surveyed. A Chi-square statistic was used to test for statistical significance. Since the content of the media survey was much different than the other surveys, a separate analysis was conducted for the responses to this survey. Thematic responses were collected and entered into a separate database. For a complete review of thematic responses to the Round II surveys, see *Appendix C-2*.

**Results**

**Description of Respondents**

- *Distribution of respondents by type of profession*

Type of Profession	Initial Survey		Follow-up Survey	Percent
	Frequency	Percent		
Judge/Referee	27	13.9	29	9.0
County Attorney	20	10.3	19	5.9
Court Administrator	20	10.3	28	8.7
Public Defender	30	15.5	37	11.5
Guardian Ad Litem	56	28.9	75	23.2
Social Worker	41	21.1	135	41.8
Total	194	100	323	100.0

*Note:* The number of responses from judges/referees and county attorneys were nearly identical in both waves of the survey. The number of responses from court administrators and public defenders increased by eight and seven, respectively. Larger increases were recorded for GALs (19 more responses) and especially social workers (94 more responses).

• *Counties in which professionals primarily work*

County		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Chisago	Count	6	4	3	2		9	24
	%	23.1	21.1	10.7	6.7		8.0	8.6
Clay	Count	3	1	7	2	1	7	21
	%	11.5	5.3	25.0	6.7	1.6	6.2	7.5
Goodhue	Count	2	1	1		1	5	10
	%	7.7	5.3	3.6		1.6	4.4	3.6
Hennepin	Count	6	6	2	19	53	66	152
	%	23.1	31.6	7.1	63.3	82.8	58.4	54.3
Houston	Count	1	1	4	2	4	4	16
	%	3.8	5.3	14.3	6.7	6.3	3.5	5.7
LeSueur	Count	1		1	3	2	3	10
	%	3.8		3.6	10.0	3.1	2.7	3.6
Marshall	Count	1	1	1		2	3	8
	%	3.8	5.3	3.6		3.1	2.7	2.9
Pennington	Count			2			3	5
	%			7.1			2.7	1.8
Red Lake	Count		1	2			3	6
	%		5.3	7.1			2.7	2.1
St. Louis (Virginia)	Count	2	2	2	1		5	12
	%	7.7	10.5	7.1	3.3		4.4	4.3
Stevens	Count	2	2	2		1	3	10
	%	7.7	10.5	7.1		1.6	2.7	3.6
Watonwan	Count	2		1	1		2	6
	%	7.7		3.6	3.3		1.8	2.1
Total	Count	26	19	28	30	64	113	280
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* Chisago and Hennepin Counties each had the largest number of responding judges (six each), followed by Clay with three. Chisago and Hennepin Counties also accounted for more than half of the responding county attorneys. Clay, Houston, and Chisago had the largest number of responding court administrators. Hennepin County accounted for almost two-thirds of the responding public defenders, more than 80 % of the GALs, and nearly 60% of the social workers.

- *Average number of years of service by type of profession*

Type of Profession	Frequency	Average Number of Years of Service (Second Wave)	Difference of Average Number of Years of Service Between Waves of Surveys
Judge/Referee	29	8.7	0.5
County Attorney	18	10.7	-1.1
Court Administrator	28	12.6	1.5
Public Defender	36	10.6	-1.1
Guardian Ad Litem	74	4.8	0.3
Social Worker	135	10.7	2.2
Total	320	9.3	0.9

*Note 1:* Guardians Ad Litem (GALs) had (statistically) significantly fewer numbers of years of service in their profession than any of the other professions, except judges and county attorneys. Though the number of years of service for GALs was considerably less than that for judges/referees and county attorneys, the small numbers of respondents in the latter two groups make statistically significant results more difficult to obtain. No other differences were statistically significant.

*Note 2:* Compared to the first wave of responses, court administrators and particularly social workers responding to the second wave of surveys report more years of experience, while county attorneys and public defenders report less. Overall, respondents to the second wave of surveys report almost a years more experience, but this is heavily influenced by the large number of social workers who responded to the second wave. Given the relatively long number of years in service for all professional groupings in both waves, it is unlikely the additional experience reported for the second wave would influence results.

- *Number of years professionally involved in child protection matters*

		Professional Category						
Number of Years		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Less than 1 year	Count	2	2	2	3	11	8	28
	%	6.9	11.1	7.4	8.1	14.7	5.9	8.7
1 to 2 years	Count	7	1	4	5	26	18	61
	%	24.1	5.6	14.8	13.5	34.7	13.3	19.0
3 to 5 years	Count	3	3	4	5	18	38	71
	%	10.3	16.7	14.8	13.5	24.0	28.1	22.1
5 or more years	Count	17	12	17	24	20	71	161
	%	58.6	66.7	63.0	64.9	26.7	52.6	50.2
Total	Count	29	18	27	37	75	135	321
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* Guardians Ad Litem (GALs) had (statistically) significantly fewer numbers of years of involvement in child protection matters than any of the other professions. No other differences were statistically significant. Similar results were reported for the first wave of surveys.

• *Did respondents complete survey for the first wave of distribution?*

Complete Survey for First Wave?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
No	Count	7	6	7	20	41	82	163
	%	25.0	31.6	28.0	58.8	56.9	65.6	53.8
Yes	Count	21	13	18	14	31	43	140
	%	75.0	68.4	72.0	41.2	43.1	34.4	46.2
Total	Count	28	19	25	34	72	125	303
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The responses to this question indicate the extent to which it is possible to ascertain trends over time in the responses when comparisons are made between first and second wave of surveys. The majority of judges, county attorneys, and court administrators were responding to the survey for a second time, suggesting that it should be possible to ascertain trends for these groups. However, the majority of public defenders, GALs, and especially social workers were responding for the first time, making generalizations about trends for these groups more problematic.

**Respondents' General Opinions of Open Hearings/Records**

• *Did respondents want child protection hearings and records accessible to the public?*

Hearings/records accessible?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
No	Count	10	5	13	28	15	39	110
	%	34.5	29.4	48.1	75.7	20.5	30.2	35.3
Yes	Count	14	11	5	7	53	72	162
	%	48.3	64.7	18.5	18.9	72.6	55.8	51.9
No Opinion	Count	5	1	9	2	5	18	40
	%	17.2	5.9	33.3	5.4	6.8	14.0	12.8
Total	Count	29	17	27	37	73	129	312
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The majority of county attorneys, GALs, and social workers were clearly in favor of the policy of open hearings/records in child protection cases. In addition, this was the most frequently occurring response for judges, although about a third of this group was opposed to the policy. Another 17 percent of the judges responded with no opinion regarding open hearings/records. All differences were statistically significant.

*Note 2:* Three-fourths of the public defenders were opposed to the policy of open hearings/records. This was also the most frequently occurring response for court administrators. Only about 18 percent of the court administrators responded in favor of the policy while a third had no opinion. All differences were statistically significant.

- *Did respondents change their opinions about public accessibility of child protection hearings/records in the last year?*

		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
No	Count	24	19	24	32	65	108	272
	%	82.8	100.0	88.9	97.0	94.2	84.4	89.2
Yes	Count	5		3	1	4	20	33
	%	17.2		11.1	3.0	5.8	15.6	10.8
Total	Count	29	19	27	33	69	128	305
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The large majority of every category of respondent did not change their opinion about the public accessibility of child protection hearings/records in the last year.

- *Should greater efforts be made to inform the general public about the open child protection hearings and records policy?*

Increase efforts to inform public about open hearings/records?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
No, greater efforts should not be made	Count	13	8	19	25	27	49	141
	%	52.0	47.1	73.1	71.4	37.5	39.2	47.0
Yes, the media should make greater efforts	Count	6	3	3		11	27	50
	%	24.0	17.6	11.5		15.3	21.6	16.7
Yes, judicial system personnel should make greater efforts	Count		1		1	4	4	10
	%		5.9		2.9	5.6	3.2	3.3
Yes, both should make greater efforts	Count	6	5	4	9	30	45	99
	%	24.0	29.4	15.4	25.7	41.7	36.0	33.0
Total	Count	25	17	26	35	72	125	300
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The majority of judges, court administrators, and public defenders believe that greater efforts should not be made to inform the general public about the open child protection hearings and records policy. On the other hand, most county attorneys, GALs, and social workers felt that greater efforts should be made, the former by a slight majority and the latter two by large majorities. Of those who felt that greater efforts should be made, most felt that either the media alone or the media in collaboration with the judicial system, rather than the judicial system alone, should make greater efforts to inform the public.

*Note 2:* Interestingly, even though judges were more likely to respond that they wanted child protection hearings and records open to the public than not open (see 6.), a slight majority was not in favor of increasing efforts to inform the public of this policy. Similarly, even though almost two-thirds of the county attorneys were in favor of open hearings/records, only slightly more than half of this group was in favor of increasing efforts to inform the public of this policy. While 52% of the court administrators were either in favor of open hearings/records or had no opinion, 73% were against increasing efforts to inform the public of this policy. Thus while judges and county attorneys are generally in favor of open hearings/records, they share the reluctance of court administrators to increase efforts to educate the public about the policy.

*Note 3:* The responses to this question were generally consistent between both waves of survey administration for all professionals except judges. While fully two-thirds of the judges responded that efforts to inform the public about open hearings/records should not be pursued on the initial survey, only 52% responded in this fashion to the second survey.

*Note 4:* The written responses to this question from those favoring increased efforts to publicize open hearings generally show that they feel that this will enhance professional accountability. Written responses in the negative reveal concerns about the privacy of children and family and of media frenzy for sensational cases. Many note the current lack of interest in open hearings/records and argue that public interest should be allowed to follow the “laws of supply and demand.” That is, that when the public shows more interest, more publicity should follow. Others argue that efforts should be made to publicize child protection matters generally, rather than a narrow focus on open hearings and records.



**Impact of Open Hearings/Records on Court Operations**

- *Length of Hearings*

		Professional Category						
Length of Hearings		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Shorter hearings	Count	2			1		3	6
	%	7.4			3.4		2.7	2.5
Longer hearings	Count				6		11	17
	%				20.7		9.8	7.0
No change	Count	25	16	22	22	38	98	221
	%	92.6	100.0	100.0	75.9	100.0	87.5	90.6
Total	Count	27	16	22	29	38	112	244
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The large majority of all professionals thought that there was no change in the length of CHIPS hearings since the advent of the open hearings/records policy. However, public defenders were significantly more likely than any of the other professionals to feel that hearings had become longer. These results were almost identical to those obtained from the initial administration of the survey.

*Note 2:* Reasons given for longer hearings in the written responses include media presence, interested people who were not parties to the case but who seek to interject themselves into the proceedings, and extra time required for motions to close the proceedings. Reasons given for shorter hearings in the written responses include not having to wait for parties to exit the courtroom before starting new proceedings, less time spent “rounding up” participants because they can wait in the courtroom, and better prepared professionals. Others note that while the length of most hearings are not affected; the effects can be very profound in sensational cases that attract media attention.

- *Use of court resources*

Use of Resources		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Increased	Count	7	3	12	5	1	13	41
	%	26.9	18.8	48.0	17.2	3.8	12.5	18.1
Decreased	Count	1					1	2
	%	3.8					1.0	0.9
No change	Count	18	13	13	24	25	90	183
	%	69.2	81.3	52.0	82.8	96.2	86.5	81.0
Total	Count	26	16	25	29	26	104	226
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The majority of every professional category thought that there had been no change in the use of resources. However, judges, and especially court administrators were significantly more likely to observe an increase in the use of court resources (staff time, court space, etc.) than the other professions. Both judges and public defenders were less likely to report that use of court resources had increased as a result of the open hearings/records policy and more likely to report no change when responses from the first and second waves of surveys are compared.

*Note 2:* Written responses to this question show that the largest impact on the resources of professionals occurs with court administrative staff that must now redact documents, separate files, prepare written material to protect the child's identity, and deal with requests for documents. Public defenders report more of their time is required to prepare clients for open hearings.

- *Quality of child protection hearings (issues discussed, decisions made, respect for participants, etc.)*

Quality of Hearings		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Increased	Count	4	6		5	4	20	39
	%	14.3	35.3		16.1	9.3	18.0	15.7
Decreased	Count	4	1		10	2	15	32
	%	14.3	5.9		32.3	4.7	13.5	12.9
No change	Count	20	10	18	16	37	76	177
	%	71.4	58.8	100.0	51.6	86.0	68.5	71.4
Total	Count	28	17	18	31	43	111	248
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* Most respondents noted no change in the quality of child protection hearings since the implementation of the open hearings/records policy. However, about a third of the county attorneys felt that the quality of hearings had improved. On the other hand, nearly a third of the public defenders felt that the quality of hearings had diminished.

*Note 2:* For some professionals, there has been change in the response patterns to this question between waves of the survey. The percentage of county attorneys who responded that the quality of hearings had improved nearly doubled on the second administration of the survey compared to the first. Even though more public defenders responded that the quality of hearings had diminished than responded that they had improved in both waves of the survey, the percentage reporting that quality had improved was much higher for the second than the first administration of the survey (16 percent vs. 4 percent, respectively). The percentage of GALs reporting that the quality of hearings had diminished was much smaller for the second than the first administration of the survey (5 percent vs. 19 percent, respectively). Among social workers, percentage reporting that quality had improved was higher for the second than the first administration of the survey (18 percent vs. 11 percent, respectively) while the percentage of GALs reporting that the quality of hearings had diminished was smaller for the second than the first administration of the survey (14 percent vs. 20 percent, respectively).

*Note 3:* Among the written responses to this question, those reporting increased quality of hearings cite more information and better reports, increased professionalism, helpful input from individuals who would not have been able to attend under old rules, more respect for families, more advance preparation, and more accountability. Those reporting decreased quality of hearings cite reticence to share sensitive information (e.g., psychological reports), decreased candor from parties to the case, and increased “posturing” and confrontation by participants.

- *Services (foster care, drug and alcohol treatment, anger management classes, etc.) offered to children and families*

Have services been impacted by open child hearings/records?				
		Frequency	Percent	Valid Percent
Valid	Services increased	10	3.1	4.4
	Services decreased	4	1.2	1.7
	No change	215	66.6	93.9
	Total	229	70.9	100.0
Missing	Don't know	91	28.2	
	System	3	0.9	
	Total	94	29.1	
Total		323	100.0	

*Note 1:* There were no statistically significant differences among the professionals. The large majority of respondents noted no change in the quality of services, as was the case with the initial administration of the survey.

*Note 2:* Among the written responses to this question, those reporting increased services cite more information and better reports, increased professionalism, helpful input from individuals who would not have been able to attend under old rules, more respect for families, better preparation, and more accountability for professionals and parents. Among the written responses to this question, those reporting decreased services cite reticence to share sensitive information (e.g., psychological reports) and decreased candor from parties to the case. Others cite increased dialogue about child and family services in general as a result of open hearings/records.

- *Professional's ability to work with other case participants since the advent of open hearings/record*

- *Parents*

Ability to work with Parents		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Easier	Count	2		1		7	7	17
	%	7.7		4.2		14.6	5.6	6.2
More difficult	Count	3	1	1	8	2	12	27
	%	11.5	5.9	4.2	24.2	4.2	9.6	9.9
No change	Count	21	16	22	25	39	106	229
	%	80.8	94.1	91.7	75.8	81.3	84.8	83.9
Total	Count	26	17	24	33	48	125	273
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories reported that there was no change in their ability to work with parents since the advent of open hearings/records. Public defenders were significantly more likely to report that it had become more difficult to work with parents. County attorneys and public defenders were less likely to respond that it had become more difficult to work with parents when the second wave of surveys is compared to the first.

• *Children*

		Professional Category						
Ability to work with Children		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Easier	Count	1			2	4	4	11
	%	3.8			6.3	8.5	3.1	4.0
More difficult	Count	3			6	5	13	27
	%	11.5			18.8	10.6	10.2	9.9
No change	Count	22	16	23	24	38	111	234
	%	84.6	100.0	100.0	75.0	80.9	86.7	86.0
Total	Count	26	16	23	32	47	128	272
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* As was the case with the initial survey, the majority of all professional categories reported that there was no change in their ability to work with children since the advent of open hearings/records. Of the minority of respondents that noted change, respondents were more than twice as likely to report that it had become more difficult to work with children than they were to report that it had become easier. Public defenders were significantly more likely to report that it had become more difficult to work with children.

• *Judges*

		Professional Category					
Ability to work with Judges		County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Easier	Count			1	6	6	13
	%			2.9	13.0	4.8	5.3
More difficult	Count	1		6	1	10	18
	%	5.9		17.6	2.2	7.9	7.3
No change	Count	16	23	27	39	110	215
	%	94.1	100.0	79.4	84.8	87.3	87.4
Total	Count	17	23	34	46	126	246
	%	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories reported that there was no change in their ability to work with judges since the advent of open hearings/records. Public defenders were significantly more likely than other professionals to report that it had become more difficult to work with judges but less likely to report this for the second wave of surveys than the first (18 percent vs. 30 percent respectively). The only other change between waves of the survey was that GALs were more likely to report that it had become easier to work with judges in the second than first wave (13 percent vs. 2 percent).

- **County Attorneys**

		Professional Category					Total
		Judge/Referee	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
Easier	Count	2	1	2	6	6	17
	%	7.7	4.2	6.1	13.0	4.7	6.6
More difficult	Count	3	1	4	2	7	17
	%	11.5	4.2	12.1	4.3	5.5	6.6
No change	Count	21	22	27	38	115	223
	%	80.8	91.7	81.8	82.6	89.8	86.8
Total	Count	26	24	33	46	128	257
	%	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories reported that there was no change in their ability to work with county attorneys since the advent of open hearings/records. GALs responding to the second wave of surveys were more likely to report that it had become easier to work with county attorneys than those responding to the first wave (13 percent vs. 5 percent, respectively).

- **Court Administrators**

Ability to work with Court Administrators				
		Frequency	Percent	Valid Percent
Valid	Easier	10	3.4	4.3
	More difficult	8	2.7	3.4
	No change	217	73.6	92.3
	Total	235	79.7	100.0
Missing	No basis for opinion	57	19.3	
	System	3	1.0	
	Total	60	20.3	
Total		295	100.0	

*Note:* The majority of all professional categories reported that there was no change in their ability to work with court administrators with no significant differences between the professional categories, as was the case in the first wave of surveys.

- **Public Defenders**

		Professional Category					
Ability to work with Public Defenders		Judge/Referee	County Attorney	Court Administrator	Guardian Ad Litem	Social Worker	Total
Easier	Count	3		1	6	5	15
	%	11.5		4.2	13.0	3.9	6.3
More difficult	Count	4			1	10	15
	%	15.4			2.2	7.9	6.3
No change	Count	19	17	23	39	112	210
	%	73.1	100.0	95.8	84.8	88.2	87.5
Total	Count	26	17	24	46	127	240
	%	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The majority of all professional categories reported that there was no change in their ability to work with public defenders since the advent of open hearings/records. The only professionals who reported that it had become more difficult to work with public defenders in statistically significant numbers were judges. However, statistically significant numbers of judges and GALs reported that it had become easier to work with public defenders.

*Note 2:* There were differences in the response patterns to this question between the two waves of survey administration for some categories of professionals. Judges responding to the second wave were less likely to report no change than judges responding to the first wave. Judges responding to the second wave were more likely to report that it had become easier and also that it had become more difficult to work with public defenders than judges responding to the first wave. As was the case with the first wave, judges who noted changes were about evenly split with regards to whether it had become easier or more difficult to work with public defenders. While county attorneys responding to the first wave of surveys were significantly more likely to report that it had become more difficult to work with public defenders than the other professionals, those responding to the second wave uniformly noted no change. GALs responding to the second wave were much more likely to report that it had become easier to work with public defenders than those responding to the second wave (13 percent vs. 2 percent).

- **Guardians Ad Litem (GALs)**

Ability to work with GALs				
		Frequency	Percent	Valid Percent
Valid	Easier	12	4.8	5.2
	More difficult	13	5.2	5.7
	No change	204	82.3	89.1
	Total	229	92.3	100.0
Missing	System	19	7.7	
Total		248	100.0	

*Note:* The majority of all professional categories reported that there was no change in their ability to work with GALs with no significant differences between the professional categories, as was the case in the first wave of surveys.

- **Social Workers**

Ability to work with Social Workers				
		Frequency	Percent	Valid Percent
Valid	Easier	10	5.3	6.9
	More difficult	10	5.3	6.9
	No change	125	66.5	86.2
	Total	145	77.1	100.0
Missing	System	43	22.9	
Total		188	100.0	

*Note 1:* The majority of all professional categories reported that there was no change in their ability to work with social workers with no significant differences between the professional categories, as was the case with the first wave of surveys.

*Note 2:* Written responses to this question reveal that some feel that parents are more difficult to work with because of concerns about their privacy, that judges appear to be more interested in cases, that information is shared more freely among professionals. Others feel that parents are easier to work with as they seek to avoid having their “dirty laundry” made public. There was concern on the part of some that children were intimidated by the presence of outsiders. Some GALs think that other professionals are taking them more seriously. The ability of service providers to attend hearings was seen as a plus.

- **Content changes since the advent of open hearings/records**

- **Petitions**

		Professional Category						
Changes in the contents of petitions?		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Yes	Count	7	8	5	5	2	32	59
	%	30.4	47.1	27.8	16.7	5.0	26.7	23.8
No	Count	16	9	13	25	38	88	189
	%	69.6	52.9	72.2	83.3	95.0	73.3	76.2
Total	Count	23	17	18	30	40	120	248
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* Although most respondents in every professional category felt that the content of child protection petitions had not changed, county attorneys were almost equally divided in their responses to this question. County attorneys were significantly more likely to feel that the content of petitions had changed since the implementation of the open hearings/records policy than any other category of professional. Sizeable proportions of judges (30 percent), court administrators (28 percent), and social workers (27 percent) noticed changes in the contents of petitions.

*Note 2:* The differences among the professionals noted above for the second wave of surveys contrast sharply with the pattern of responses to this question for the first wave of surveys. Responses from the first wave indicated that the majority of all professional categories reported that there has been no change in the content of petitions with no significant differences between the professional categories.



- **Answers**

	<b>Changes in the contents of answers?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Yes	31	9.6	14.4
	No	185	57.3	85.6
	Total	216	66.9	100.0
Missing	No basis for opinion	97	30.0	
	System	10	3.1	
	Total	107	33.1	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there was no change in the content of “answers” since the advent of open hearings/records, with no significant differences among the professional categories. This contrasts with the first wave of surveys when social workers were significantly more likely to report that the content of answers had changed than the other professionals.

- **Exhibits**

<b>Changes in the contents of exhibits?</b>		<b>Professional Category</b>						
		<b>Judge/Referee</b>	<b>County Attorney</b>	<b>Court Administrator</b>	<b>Public Defender</b>	<b>Guardian Ad Litem</b>	<b>Social Worker</b>	<b>Total</b>
Yes	Count	7	4	1	4	1	9	26
	%	30.4	26.7	7.1	13.8	2.9	8.9	12.0
No	Count	16	11	13	25	33	92	190
	%	69.6	73.3	92.9	86.2	97.1	91.1	88.0
Total	Count	23	15	14	29	34	101	216
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* Although the majority of all professional categories reported that there has been no change in the content of exhibits, judges and county attorneys were significantly more likely than the other professionals to notice such changes. Responses to this question from the first wave of surveys indicated no significant differences between the professional categories.

- **GAL Reports**

	Changes in the contents of GAL reports?	Frequency	Percent	Valid Percent
Valid	Yes	37	11.5	15.4
	No	204	63.2	84.6
	Total	241	74.6	100.0
Missing	No basis for opinion	72	22.3	
	System	10	3.1	
	Total	82	25.4	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the content of GAL reports with no significant differences between the professional categories, as was the case with the first wave of surveys.

- **Social Worker Reports**

		Professional Category						
Changes in the contents of social worker reports?		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
		Yes	Count	8	7	2	7	5
	%	33.3	46.7	11.8	22.6	12.8	23.6	23.3
No	Count	16	8	15	24	34	94	191
	%	66.7	53.3	88.2	77.4	87.2	76.4	76.7
Total	Count	24	15	17	31	39	123	249
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* Although the majority of all professional categories reported that there had been no change in the content of social worker reports and the differences between professional categories failed to reach statistical significance, large proportions of judges/referees and county attorneys noted changes. In contrast to these results, county attorneys responding to the first wave of surveys were less likely to note change (22 percent vs. 47 percent) while social workers responding to the first wave were more likely to note change (40 percent vs. 24 percent).

• *Courtroom Statements*

Changes in the contents of courtroom statements?		Professional Category						Total
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
Yes	Count	8	6	2	11	6	28	61
	%	36.4	35.3	11.1	36.7	14.6	23.7	24.8
No	Count	14	11	16	19	35	90	185
	%	63.6	64.7	88.9	63.3	85.4	76.3	75.2
Total	Count	22	17	18	30	41	118	246
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories reported that there was no change in the content of courtroom statements since the advent of open hearings/records. There were no statistically significant differences among the professionals, unlike the first wave of surveys when public defenders were significantly more likely to report that the content of courtroom statements had changed than the other professionals.

• *Judge's Statements*

Changes in the contents of judge's statements?		Professional Category					Total
		County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
Yes	Count	6	1	11	4	28	50
	%	37.5	5.6	36.7	10.0	23.9	22.6
No	Count	10	17	19	36	89	171
	%	62.5	94.4	63.3	90.0	76.1	77.4
Total	Count	16	18	30	40	117	221
	%	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The majority of all professional categories reported that there has been no change in the content of judge's statements but county attorneys and public defenders were significantly more likely than the other professionals to report change, in contrast to the first wave of surveys, which reported no significant differences.

*Note 2:* Written responses to this question show that many feel that the contents of many of statements and documents are now more accurate, reflecting greater accountability. Others cite instances where documents and reports have been "softened" and/or shortened, leaving out potentially helpful but sensitive information, because of possible public scrutiny.

**The Exceptions: Closed Hearings and Protective Orders**

- *Frequency of issuance of protective orders restricting the public's access to court file records that otherwise would have been accessible to the public under the open hearings and records*

Frequency of Protective Orders		Professional Category						Total
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
Always	Count	0	0	0	0	0	0	0
	%	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Sometimes	Count	1	1	3	6	5	9	25
	%	3.7	6.3	14.3	20.7	10.6	9.6	10.7
Rarely	Count	10	8	10	13	9	46	96
	%	37.0	50.0	47.6	44.8	19.1	48.9	41.0
Never	Count	16	7	8	10	33	39	113
	%	59.3	43.8	38.1	34.5	70.2	41.5	48.3
Total	Count	27	16	21	29	47	94	234
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The most frequently occurring responses for all professional categories were that courts have rarely or never issued protective orders since the advent of open hearings/records. Interestingly, judges were more likely than any other professional category to report that protective orders were never ordered. Judges and GALs were significantly more likely to report that courts “never” issue protective orders than the other professionals.

*Note 2:* The response patterns to this question changed for most categories of professionals between waves of the survey. For most professionals fewer tended to report that protective orders were “rarely” issued while more reported that they were “never” or “sometimes” issued, when the second wave is compared to the first. GALs responding to the second wave were less likely to report that courts “never” issue protective orders and more likely to report that protective orders are “rarely” or “sometimes” issued. Social workers responding to the second wave were more likely to report that protective orders are never issued than those responding to the first wave.

- *Have any child protection hearings been closed to the public as a result of the open hearings Pilot Project?*

CHIPS hearings ever closed?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
No	Count	22	12	8	29	66	100	237
	%	75.9	66.7	47.1	80.6	88.0	75.2	76.9
Yes	Count	7	6	9	7	9	33	71
	%	24.1	33.3	52.9	19.4	12.0	24.8	23.1
Total	Count	29	18	17	36	75	133	308
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories reported that courts have rarely or never closed CHIPS hearings to the public since the advent of open hearings/records. Interestingly, court administrators were significantly more likely to report that courts closed hearings than the other professionals. While only 24% of the judges reported having closed a hearing, the court administrators split about 50/50 as to whether any hearings had been closed. These results were generally consistent with the results from the first wave of surveys.

- *If the respondent noted a closed child protection hearing in (16.), of how many were they aware?*

	How many closed hearings?	Frequency	Percent	Valid Percent
Valid	1	37	11.5	59.7
	2	11	3.4	17.7
	3	7	2.2	11.3
	4	2	0.6	3.2
	6	1	0.3	1.6
	15	4	1.2	6.5
	Total		62	19.2
Missing	0	33	10.2	
	System	228	70.6	
	Total	261	80.8	
Total		323	100.0	

*Note:* There were only 62 valid responses to this question, too few to make meaningful distinctions between professional categories. Seventy-seven percent reported only one or two closed hearings.

- *Are there particular types of cases (such as those involving allegations of sexual abuse) that are more likely to be closed to the public than others?*

Are some cases more likely to be closed than others?		Professional Category						Total
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
No	Count	11	3	22	12	40	59	147
	%	37.9	16.7	84.6	38.7	62.5	48.8	50.9
Yes	Count	18	15	4	19	24	62	142
	%	62.1	83.3	15.4	61.3	37.5	51.2	49.1
Total	Count	29	18	26	31	64	121	289
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* County attorneys were significantly more likely and court administrators significantly less likely than any of the other professionals to report that some child protection case were more likely to be closed. The majority of judges, public defenders, and social workers (slightly) reported that some child protection cases were more likely to be closed than others. Most GALs, like court administrators, reported that there were no cases more likely to be closed than others.

*Note 2:* These results contrast with those obtained from the first wave of surveys when the majority of all professional categories reported that there were particular types of cases that were more likely to be closed than others. There were no significant differences between the professional categories.

*Note 3:* Written responses to this question indicate that cases involving incest, sexual abuse, parents psychological condition, child death, cases where the identity of the child is readily discernable, cases involving HIV, and sensational cases are more likely to be closed.

### **Participation of Public in Open Hearings**

- *Number of people in the courtroom “audience” for any given case*

	Number of People in Courtroom Audience	Frequency	Percent	Valid Percent
Valid	No Additional People	113	35.0	38.8
	1 to 5 Additional People	161	49.8	55.3
	6 or More Additional People	17	5.3	5.8
	Total	291	90.1	100.0
Missing	Don't Know	29	9.0	
	System	3	0.9	
	Total	32	9.9	
Total		323	100.0	

*Note:* There were no statistically significant differences among the professionals. A majority of respondents noted that there were 1 to 5 additional people in the courtroom since the advent of open hearings/records. Compared to the first wave of surveys, respondents to the second wave were slightly more likely to observe additional people in the courtroom (53 percent vs. 61 percent).

- How often are “audience” members asked to identify themselves?

How often are audience members asked to identify themselves?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Always	Count	7.0		10	6	18	34	75
	%	25.9		47.6	16.7	26.5	25.8	24.9
Sometimes	Count	6.0	11.0	7	14	28	50	116
	%	22.2	64.7	33.3	38.9	41.2	37.9	38.5
Rarely	Count	4.0	4.0	2	12	11	32	65
	%	14.8	23.5	9.5	33.3	16.2	24.2	21.6
Never	Count	10.0	2.0	2	4	11	16	45
	%	37.0	11.8	9.5	11.1	16.2	12.1	15.0
Total	Count	27.0	17.0	21	36	68	132	301
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* The majority of every professional category responded courtroom audience members were “always” or “sometimes” asked to identify themselves. Court administrators were significantly more likely than any of the other professionals to report that court “audience” members were always asked to identify themselves and county attorneys were significantly more likely than any of the other professionals to report that court “audience” members were “sometimes” asked to identify themselves during child protection proceedings. Judges were significantly more likely to report that audience members were never asked to identify themselves than any of the other professionals.

*Note 2:* In contrast to the results reported for the second wave, there were no statistically significant differences among the professionals responding to the first wave. Then, nearly a third of the respondents reported that members of the audience were always asked to identify themselves while another third noted that this occurred during at least some of the hearings.

- *On average, how often does the extended family attend open hearings?*

How often does the extended family attend?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Always	Count	1	2	1	2	5	9	20
	%	3.7	11.1	5.0	5.6	6.8	6.7	6.5
Sometimes	Count	25	15	10	28	56	113	247
	%	92.6	83.3	50.0	77.8	75.7	84.3	79.9
Rarely	Count	1	1	9	6	7	12	36
	%	3.7	5.6	45.0	16.7	9.5	9.0	11.7
Never	Count					6		6
	%					8.1		1.9
Total	Count	27	18	20	36	74	134	309
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* As was the case with the first wave of surveys, the majority of all professionals noted that extended families always or at least sometime attend open hearings in child protection proceedings. Court administrators were significantly more likely to report that the extended family rarely attended open hearings than the other professionals. Compared to the first wave of surveys, judges, county attorneys, GALs, and social workers were more likely to report that extended family members “always” or “sometimes” attended open hearings.

- *On average, how often does the media attend open hearings?*

How often does the media attend?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Always	Count							
	%							
Sometimes	Count	2			2	4	8	16
	%	7.7			5.9	6.2	6.2	5.4
Rarely	Count	11	12	9	15	14	62	123
	%	42.3	66.7	40.9	44.1	21.5	47.7	41.7
Never	Count	13	6	13	17	47	60	156
	%	50.0	33.3	59.1	50.0	72.3	46.2	52.9
Total	Count	26	18	22	34	65	130	295
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professionals noted that the media rarely or never attends open hearings. County attorneys were significantly more likely to report that the media “rarely” attends while GALs were significantly more likely than the other professionals to report that media “never” attends open hearings. These results are very similar to those reported for the first wave of surveys.



- *On average, how often do foster parents attend open hearings?*

How often do the foster parents attend?		Professional Category						Total
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
Always	Count	4		4	2	5	10	25
	%	14.3		19.0	5.6	7.0	7.6	8.2
Sometimes	Count	21	12	15	24	30	58	160
	%	75.0	70.6	71.4	66.7	42.3	44.3	52.6
Rarely	Count	3	5	2	9	20	48	87
	%	10.7	29.4	9.5	25.0	28.2	36.6	28.6
Never	Count				1	16	15	32
	%				2.8	22.5	11.5	10.5
Total	Count	28	17	21	36	71	131	304
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories except GALs reported that foster parents always or sometimes attend open hearings. By a slim majority, GALs reported that foster parents rarely or never attend the hearings. Many social workers also shared the views of the GALs (48 percent). The responses of the GALs and social workers were significantly different than the responses of the other professionals. These results were similar to the results from the first wave of surveys except that social workers were more likely to respond that foster parents rarely or never attend the hearings for the first compared to the second wave of surveys.

- *On average, how often does the faith community attend open hearings?*

How often does faith community attend?		Professional Category						Total
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
Always	Count	1						1
	%	3.7						0.3
Sometimes	Count	8	2	2	10	11	20	53
	%	29.6	12.5	9.5	30.3	16.7	15.5	18.2
Rarely	Count	13	10	10	17	13	61	124
	%	48.1	62.5	47.6	51.5	19.7	47.3	42.5
Never	Count	5	4	9	6	42	48	114
	%	18.5	25.0	42.9	18.2	63.6	37.2	39.0
Total	Count	27	16	21	33	66	129	292
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* The majority of all professional categories reported that representatives from the faith community rarely or never attend open hearings. GALs were significantly more likely than any of the other professions to report that representatives from the faith community never attend open hearings. When the results of the first and second waves of surveys are compared, there is a slight overall tendency for respondents to be more likely to report that members of the faith community “sometimes” or “rarely” attend and less likelihood that they would respond, “never attend.”

- *On average, how often do service providers attend open hearings?*

How often do service providers attend?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Always	Count	10	3	6	12	16	9	56
	%	35.7	18.8	28.6	34.3	22.2	6.9	18.5
Sometimes	Count	17	8	9	18	42	78	172
	%	60.7	50.0	42.9	51.4	58.3	59.5	56.8
Rarely	Count	1	4	4	4	11	31	55
	%	3.6	25.0	19.0	11.4	15.3	23.7	18.2
Never	Count		1	2	1	3	13	20
	%		6.3	9.5	2.9	4.2	9.9	6.6
Total	Count	28	16	21	35	72	131	303
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: As was the case with the first wave of surveys, the majority of all professional categories reported that service providers “sometimes” or “always” attend open hearings.

### **Media Response to Open Hearings/Records**

- *In your geographic area, how often do you see or hear news stories regarding Minnesota child protection cases?*

How often do you see or hear news stories about child protection cases?		Professional Category						
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	Total
Always	Count						2	2
	%						1.5	0.6
Sometimes	Count	6	2	4	6	35	61	114
	%	20.7	11.1	14.3	16.7	46.7	45.2	35.5
Rarely	Count	13	13	16	26	37	63	168
	%	44.8	72.2	57.1	72.2	49.3	46.7	52.3
Never	Count	10	3	7	4	3	9	36
	%	34.5	16.7	25.0	11.1	4.0	6.7	11.2
None of the above	Count			1				1
	%			3.6				0.3
Total	Count	29	18	28	36	75	135	321
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note 1: The majority of all professional categories reported that they rarely or never saw or heard news stories regarding Minnesota child protection cases. Judges were significantly more likely to report that they “never” saw or heard news stories while GALs and social workers were significantly more likely to report that they “sometimes”

saw or heard news stories about child protection cases than the other professional categories. These results were generally similar to those obtained with the first wave of surveys.

*Note 2:* Written responses to this question indicate that as a rule only the most sensational child protection cases receive significant media coverage. The larger issues of child protection policy receive scant attention. Several respondents complained about the tendency for media coverage of sensational cases to lead public policy on child protection issues. Media interest seemed to be greatest when open hearings/records was first implemented and has since declined substantially, especially in rural areas. Some noted that media coverage usually results from a corresponding criminal case open at the time.

- ***In the media coverage given to child protection cases, have you seen information presented about the types of child protection cases reported or filed in Minnesota? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	<b>News stories about types of child protection cases?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	No	7	2.5	7.1
	Yes	91	32.0	92.9
	Total	98	34.5	100.0
Missing	System	186	65.5	
Total		284	100.0	

*Note:* The majority of all professional categories who responded to this question (N=98) reported having seen or heard news stories that presented information about the types of child protection cases reported or filed in Minnesota. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (68 percent vs. 93 percent).

- ***In the media coverage given to child protection cases, have you seen information presented about the number of child protection cases reported or filed in Minnesota? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	<b>News stories about number of child protection cases?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	No	1	0.4	1.3
	Yes	78	27.5	98.7
	Total	79	27.8	100.0
Missing	System	205	72.2	
Total		284	100.0	

*Note:* The majority of respondents (N=79) reported having seen or heard news stories that presented information about the number of child protection cases reported or filed in Minnesota. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (52 percent vs. 99 percent).

- ***In the media coverage given to child protection cases, have you seen information presented about the average caseload of a Minnesota child protection worker? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	<b>News stories about average caseload?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	No	2	0.7	7.4
	Yes	25	8.8	92.6
	Total	27	9.5	100.0
Missing	System	257	90.5	
Total		284	100.0	

*Note:* The majority of all professional categories (N=27) reported having seen or heard news stories that presented information about the average caseload of a Minnesota child protection worker. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (24 percent vs. 93 percent).

- ***In the media coverage given to child protection cases, have you seen information presented about the availability and cost of foster care in Minnesota? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	<b>New stories about availability and cost of foster care?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	No	2	0.7	3.0
	Yes	65	22.9	97.0
	Total	67	23.6	100.0
Missing	System	217	76.4	
Total		284	100.0	

*Note:* The majority of all professional categories (N=67) reported having seen or heard news stories that presented information about the availability and cost of foster care in Minnesota. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (33 percent vs. 97 percent).

- ***In the media coverage given to child protection cases, have you seen information presented about the average length of a child's stay in foster care in Minnesota? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	<b>News stories about average length of stay?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	No	2	0.7	4.0
	Yes	48	16.9	96.0
	Total	50	17.6	100.0
Missing	System	234	82.4	
Total		284	100.0	

*Note:* The majority of all professional categories (N=50) reported having seen or heard news stories that presented information about the average length of a child's stay in foster care in Minnesota. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (27 percent vs. 96 percent).

- ***In the media coverage given to child protection cases, have you seen information presented about the availability of services (such as anger management classes or alcohol and drug abuse treatment) for children and parents in Minnesota child protection cases? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	<b>News stories about availability of services?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	No	2	0.7	4.7
	Yes	41	14.4	95.3
	Total	43	15.1	100.0
Missing	System	241	84.9	
Total		284	100.0	

*Note:* The majority of all professional categories (N=43) reported having not seen nor heard news stories that presented information about the availability of services for children and parents in Minnesota child protection cases. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (22 percent vs. 95 percent).

- ***In the media coverage given to child protection cases, have you seen information presented about the availability of funding for services for children and parents in Minnesota child protection cases? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

	News stories about availability of funding for services?	Frequency	Percent	Valid Percent
Valid	No	2	0.7	6.7
	Yes	28	9.9	93.3
	Total	30	10.6	100.0
Missing	System	254	89.4	
Total		284	100.0	

*Note:* The majority of all professional categories (N=30) reported having not seen or heard news stories that presented information about the availability of funding for services for children and parents in Minnesota child protection cases. The percentage reporting having seen or heard such news stories increased considerably between the first and second wave of surveys (28 percent vs. 93 percent).

- ***Have local media responsibly covered child protection stories that have been opened to the public as a result of the Open Hearings Pilot Project? Excludes respondents who reported never having heard or seen news stories about Minnesota child protection cases.***

Has local media covered child protection cases responsibly?		Professional Category						Total
		Judge/Referee	County Attorney	Court Administrator	Public Defender	Guardian Ad Litem	Social Worker	
No	Count	6.0	3.0	3	15	30	64	121
	%	35.3	23.1	17.6	53.6	45.5	56.6	47.6
Yes	Count	11.0	10.0	14	13	36	49	133
	%	64.7	76.9	82.4	46.4	54.5	43.4	52.4
Total	Count	17.0	13.0	17	28	66	113	254
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note 1:* A slight majority of respondents (53 percent) reported that local media responsibly covered child protection stories that have been opened to the public as a result of the Open Hearings Pilot Project, down from 60 percent reported in the first wave of surveys. County attorneys and court administrators were significantly more likely to respond that media had provided responsible coverage than the other professionals. Nearly two-thirds of the judges also felt that the media had been responsible in their coverage. While a slight majority of GALs felt that the media had been responsible in their coverage, the majority of public defenders and social workers felt that the media had not been responsible in their coverage. There were no significant differences between the professional categories for the first wave of the survey.

*Note 2:* Written responses to this question indicate a general lack of media interest in child protection proceedings (except in the most sensational cases) and issues. Some feel that the print media are more responsible in their coverage than the TV media. There is dissatisfaction with the lack of coverage of broad public policy issues related to child protection issues.

**Impact of Open Hearings/Records on Accountability of Child Protection Professionals**

- *Changes in the accountability of child protection system professionals to children involved in child protection matters since the advent of open hearings/records*

- *Judge*

	<b>Change in the accountability of judges?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	57	17.6	23.8
	Decreased Accountability	5	1.5	2.1
	No Change	178	55.1	74.2
	Total	240	74.3	100.0
Missing	Don't Know	77	23.8	
	System	6	1.9	
	Total	83	25.7	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the accountability of judges with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of judges increased from 15 percent to 24 percent, comparing the first to the second wave of surveys.

- *County Attorney*

	<b>Change in the accountability of county attorneys?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	51	15.8	21.4
	Decreased Accountability	6	1.9	2.5
	No Change	181	56.0	76.1
	Total	238	73.7	100.0
Missing	Don't Know	79	24.5	
	System	6	1.9	
	Total	85	26.3	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the accountability of county attorneys with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of county attorneys increased from 14 percent to 21 percent, comparing the first to the second wave of surveys.

- **Public Defender**

	<b>Change in the accountability of public defenders?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	35	10.8	15.2
	Decreased Accountability	6	1.9	2.6
	No Change	189	58.5	82.2
	Total	230	71.2	100.0
Missing	Don't Know	85	26.3	
	System	8	2.5	
	Total	93	28.8	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the accountability of public defenders with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of public defenders increased from 11 percent to 15 percent, comparing the first to the second wave of surveys.

- **Court Administrator**

	<b>Change in the accountability of court administrators?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	33	10.2	14.9
	Decreased Accountability	5	1.5	2.3
	No Change	184	57.0	82.9
	Total	222	68.7	100.0
Missing	Don't Know	93	28.8	
	System	8	2.5	
	Total	101	31.3	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the accountability of court administrators with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of court administrators remained virtually unchanged (15 percent), comparing the first to the second wave of surveys.



- **Social Workers**

	<b>Change in the accountability of social workers?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	55	17.0	23.0
	Decreased Accountability	5	1.5	2.1
	No Change	179	55.4	74.9
	Total	239	74.0	100.0
Missing	Don't Know	76	23.5	
	System	8	2.5	
	Total	84	26.0	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the accountability of social workers with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of social workers increased from 18 percent to 23 percent, comparing the first to the second wave of surveys.

- **GALs**

	<b>Change in the accountability of GALs?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	44	13.6	18.3
	Decreased Accountability	5	1.5	2.1
	No Change	191	59.1	79.6
	Total	240	74.3	100.0
Missing	Don't Know	75	23.2	
	System	8	2.5	
	Total	83	25.7	
Total		323	100.0	

*Note:* The majority of all professional categories reported that there has been no change in the accountability of GALs with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of GALs increased from 15 percent to 18 percent, comparing the first to the second wave of surveys.

- **Service Providers**

	<b>Change in the accountability of service providers?</b>	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>
Valid	Increased Accountability	38	11.8	16.6
	Decreased Accountability	5	1.5	2.2
	No Change	186	57.6	81.2
	Total	229	70.9	100.0
Missing	Don't Know	86	26.6	
	System	8	2.5	
	Total	94	29.1	
Total		323	100.0	

*Note 1:* The majority of all professional categories reported that there has been no change in the accountability of service providers with no significant differences between the professional categories, as was the case with the first wave of surveys. The percentage reporting that there had been an increase in the accountability of service providers increased from 14 percent to 17 percent, comparing the first to the second wave of surveys.

*Note 2:* Changes in accountability are difficult to document though the perception of many of the professionals who provided written responses to this question perceive that "professional" accountability has been enhanced. The presence of WATCH in the courtroom also seems to be an effective factor for increasing professional accountability in the courtroom. Many felt that increased public and media interest in open hearings/open records would help the accountability process.

### **Suggestions for Improvement and Other Comments**

*Note:* The concluding question to the first wave of surveys inquired as to whether the respondent had suggestions for improving the open hearings Pilot Project while this question in the second wave inquired as to whether the respondent had any other comments regarding opening child protection hearings and records to the public. Regarding suggestions for improvement, a voluntary civilian review board on child protection issues was suggested, a need to hold spectators accountable for their behavior in the court, suggestions for more regular meetings of child protection professionals to set policy and procedures, updates on the project should be provided to the media, and media involvement with child protection issues should be encouraged (although many feel the opposite on this issue). It would be fair to say that sentiments about continuing and expanding the policy were definitely mixed in the responses from both the first and second waves of surveys with some, especially public defenders, opposed and others definitely in favor. Those in favor generally cite increased professional accountability, real and potential, and the general need for openness in all public matters in a free society. Those opposed cite concern about the privacy of children and families. Some called for a clearer articulation of the goals of open hearings/records. As an aside, several respondents suggested opening up delinquency cases as well as child protection cases.

Media Results

**Description of Media Respondents**

- *Distribution of respondents by type of media*

	Type of Media	Frequency	Percent	Valid Percent
Valid	TV	2	16.7	18.2
	Radio	2	16.7	18.2
	Newspaper	6	50.0	54.5
	Other (Court Watch)	1	8.3	9.1
	Total	11	91.7	100.0
Missing	System	1	8.3	
Total		12	100.0	

- *County where primarily work*

	County Where You Primarily Work	Frequency	Percent	Valid Percent
Valid	Hennepin	5	41.7	50.0
	Houston	1	8.3	10.0
	Pennington	1	8.3	10.0
	Red Lake	1	8.3	10.0
	St. Louis (Virginia)	2	16.7	20.0
	Total	10	83.3	100.0
Missing	System	2	16.7	
Total		12	100.0	

- *Did respondents complete survey for the first wave of distribution?*

	Complete Survey for First Wave?	Frequency	Percent	Valid Percent
Valid	Yes	5	41.7	50.0
	No	5	41.7	50.0
	Total	10	83.3	100.0
Missing	System	2	16.7	
Total		12	100.0	

**Media Respondents' General Opinions of Open Hearings/Records**

- *Did respondents want child protection hearings and records accessible to the public?*

	Hearings/records accessible?	Frequency	Percent	Valid Percent
Valid	No	1	8.3	10.0
	Yes	9	75.0	90.0
	Total	10	83.3	100.0
Missing	Total	2	16.7	
Total		12	100.0	

- *Did respondents change their opinions about public accessibility of child protection hearings/records in the last year?*

	Opinion changed?	Frequency	Percent	Valid Percent
Valid	No	8	66.7	88.9
	Yes	1	8.3	11.1
	Total	9	75.0	100.0
Missing	Total	3	25.0	
Total		12	100.0	

- *Should greater efforts be made to inform the general public about the open child protection hearings and records policy?*

	Increase efforts to inform public about open hearings/records?	Frequency	Percent	Valid Percent
Valid	Yes, judicial system personnel should make greater efforts	1	8.3	12.5
	Yes, both (judicial system and media) should make greater efforts	7	58.3	87.5
	Total	8	66.7	100.0
Missing	System	4	33.3	
Total		12	100.0	

**Media's Experience with Open Hearings/Records**

- *In your geographic area, how often do you see or hear news stories regarding Minnesota child protection cases?*

How frequently do you see or hear news stories about CHIPS cases?	Frequency	Percent
Sometimes	6	50.0
Rarely	3	25.0
Never	3	25.0
Total	12	100.0

- *If in Question 7 you indicated that you have seen media coverage or news stories regarding Minnesota child protection cases, in any of those stories have you seen information about the following?*

Seen information about child protection topic in media?		Type of Child Protection Topic						
		Types of CHIPS Cases	Number of CHIPS Cases	Average Caseload of Child Protection Worker	Availability and Cost of Foster Care	Average Length-of-Stay in Foster Care	Availability of Services for Parents and Children	Availability of Funding for Services for Parents and Children
No	Count	1			1	1		2
	%	11.1			11.1	11.1		22.2
Yes	Count	3	5	4	7	3	5	2
	%	33.3	55.6	44.4	77.8	33.3	55.6	22.2
Missing	Count	5	4	5	1	5	4	5
	%	55.6	44.4	55.6	11.1	55.6	44.4	55.6
Total	Count	9	9	9	9	9	9	9
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- *Since June 1998, has your organization sent a representative to any child protection hearings that have been opened to the public as a result of the Open Hearings Pilot Project?*

Sent a representative to open hearing?	Frequency	Percent	Valid Percent
Yes	6	50.0	50.0
No	6	50.0	50.0
Total	12	100.0	100.0

- *Since June 1998, approximately how many news stories or articles relating to child protection issues has your media organization published or issued?*

	Number of stories/articles	Frequency	Percent	Valid Percent
Valid	0	5	41.7	45.5
	6	1	8.3	9.1
	7	1	8.3	9.1
	9	2	16.7	18.2
	12	1	8.3	9.1
	14	1	8.3	9.1
	Total	11	91.7	100.0
Missing	System	1	8.3	
Total		12	100.0	

- *During the period from 1998 through today, has your media organization published the photograph or visual image of any child involved in any child protection proceedings?*

Published photograph or visual image?	Frequency	Percent
No	2	16.7
Missing	10	83.3
Total	12	100.0

- *During the period from 1998 through today, has your media organization published the name of any child or parent involved in any child protection proceedings?*

Published name of any child or parent?	Frequency	Percent
No	1	8.3
Yes	1	8.3
Missing	10	83.3
Total	12	100.0

- *During the period from 1998 through today, has your media organization published the address of any child or parent involved in any child protection proceedings?*

Published address of any child or parent?	Frequency	Percent
No	2	16.7
Missing	10	83.3
Total	12	100.0

- *If you responded in the affirmative to 11, 12, or 13, was there a corresponding criminal case open at the time?*

Corresponding criminal case open?	Frequency	Percent
Yes	3	25.0
Missing	9	75.0
Total	12	100.0

- *Do you believe that your organization has responsibly covered child protection stories that have been opened to the public as a result of the Open Hearings Pilot Project?*

	Responsible coverage by your media organization?	Frequency	Percent	Valid Percent
Valid	No	3	25.0	30.0
	Yes	7	58.3	70.0
	Total	10	83.3	100.0
Missing	Total	2	16.7	
Total		12	100.0	

- *Do you believe that other media organizations have responsibly covered child protection stories that have been opened to the public as a result of the Open Hearings Pilot Project?*

	Responsible coverage by other media organizations?	Frequency	Percent	Valid Percent
Valid	Yes	7	58.3	100.0
Missing	Total	5	41.7	
Total		12	100.0	

**Impact of Open Hearings/Open Records in Child Protection Proceedings on the Media**

- *Has opening child protection proceedings and records to the public impacted your ability to report on child protection cases?*

Impact	Frequency	Percent
Positive	6	50.0
No Change	3	25.0
Don't Know	3	25.0
Total	12	100.0

*Note 1:* The majority of the media respondents felt that open hearings/records had a positive impact on their ability to report on child protection cases.

*Note 2:* Written responses to this question generally indicate an enhancement of the media's ability to cover child protection matters, especially on the part of WATCH.

- ***In general, do you think that opening child protection hearings and records to the public has impacted the amount of attention that media organizations pay to child protection issues and policies, such as the level of funding for services for children involved in child protection proceedings; the types of services available to children and parents; or the nature, scope, and purpose of child protection matters, etc.?***

<b>Impact on media attention to child protection issues</b>	<b>Frequency</b>	<b>Percent</b>
Increased Attention	3	25.0
No Change	4	33.3
Don't Know	5	41.7
Total	12	100.0

*Note 1:* The majority of the media respondents felt that open hearings/records had either led to increased attention to child protection cases or that there had been no change since the advent of open hearings/records.

*Note 2:* One respondent reported a dramatic drop in out-of-home placements. WATCH's written response to this question from the first wave of surveys clearly articulates their view on this subject:

Though WATCH is not a media organization, with the increased information about children in need of protection or services (CHIPS) cases obtained from our court monitoring and research, we are now more able to report on child protection issues and policies. We are also more able to identify problem areas and make suggestions for improvements. For example, we have pointed out the need for juvenile court personnel on the dynamics of domestic violence and for addressing the frequent delays encountered by participants in hearings and interested observers. We intend to write a comprehensive report on all our observations/suggestions by February 2001. Recognizing that some child protection departments in the state are short on funds, it becomes even more important for the public to have information about how the system operates and the types of cases it oversees.

*Note 3:* A written response to the second wave of surveys also presents a favorable picture of the impact of open hearings/records on the amount of attention paid to child protection cases:

There has definitely been increased attention to child protection issues and policies. Recently, there has been a lot of coverage in the media about the lack of guardians ad litem for the majority of child protection cases across the state. Increased funding is currently being sought and efforts to encourage volunteerism in this area as well. WATCH has written an article about the need for more attention to children and the services they are provided in our newsletter. This article resulted in conversations and meetings with child protection system professions. We (and the Star Tribune) have also written about the impact of new permanency timelines.



- *Has greater access to child protection hearings and records changed how you cover your “beat” or changed the kinds of stories on which you report?*

Changed how “child protection beat” is covered?	Frequency	Percent
No	9	75.0
Yes	3	25.0
Total	12	100.0

*Note:* The majority of the media respondents felt that open hearings/records had not changed how they covered their “beat” or changed the kinds of stories on which they report.

- *In general, how has opening child protection hearings and records to the public impacted your ability to work with the following case participants?*

Ability to work with case participant		Case Participant							
		Parents	Children	Judges	Guardian Ad Litem	Public Defender	County Attorneys	Social Workers	Court Administrator
Easier	Count	1		3	2	2	4	1	3
	%	8.3		25.0	16.7	16.7	33.3	8.3	25.0
No change	Count	4	4	2	3	3	2	4	2
	%	33.3	33.3	16.7	25.0	25.0	16.7	33.3	16.7
No basis for opinion	Count	6	7	6	6	6	5	6	6
	%	50.0	58.3	50.0	50.0	50.0	41.7	50.0	50.0
Missing	Count	1	1	1	1	1	1	1	1
	%	8.3	8.3	8.3	8.3	8.3	8.3	8.3	8.3
Total	Count	12	12	12	12	12	12	12	12
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* With such a large proportion of the already small number of media respondents answering “No basis for opinion,” it is not possible to draw conclusions about these questions. However, it can be noted that most respondents that noted change thought that it had become easier to work with most case participants.

- *Have you or anyone from your news organization ever had difficulty in accessing records or documents from child protection court files that are a part of the open hearings Pilot Project?*

<b>Difficulty in accessing records or documents?</b>	<b>Frequency</b>	<b>Percent</b>
No	6	50.0
Yes	2	16.7
Missing	4	33.3
Total	12	100.0

*Note:* When asked the number of times that they had encountered difficulties in accessing records or documents from child protection court files, one respondent reported two instances.

**Media's Impression of Impact of Open Hearings/Records on Court Operations**

- *Do you believe opening child protection hearings and records to the public has impacted the quality of child protection hearings, such as issues discussed, decisions made, respect for participants, etc.?*

<b>Impact on quality of child protection hearings</b>	<b>Frequency</b>	<b>Percent</b>
No Change	2	16.7
Don't Know	10	83.3
Total	12	100.0

- *In general, do you believe the services offered or available to children and families (such as foster care, drug and alcohol treatment, or anger management classes) have been impacted by opening child protection hearings and records to the public?*

<b>Impact on services to children and families</b>	<b>Frequency</b>	<b>Percent</b>
Services Decreased	1	9.1
No Change	4	36.4
Don't Know	6	54.5
Total	11	100.0

**The Exceptions: Closed Hearings and Protective Orders**

- *Based upon your experience, how frequently have judges issued protective orders restricting the public's access to court file records that would otherwise have been accessible to the public under the open hearings and records Pilot Project?*

How frequently have protective orders been issued?	Frequency	Percent
Sometimes	1	8.3
Rarely	1	8.3
Never	2	16.7
Don't Know	8	66.7
Total	12	100.0

- *Have any child protection hearings in which you have been involved since June 1998 been closed to the public by order of the presiding judge?*

Child protection hearings closed?	Frequency	Percent
Yes	5	41.7
No	2	16.7
Missing	5	41.7
Total	12	100.0

- *Are there particular types of cases (such as those involving allegations of sexual abuse) that you believe a judge would be more likely to close to the public than other types of cases?*

Some cases more likely to be closed than others?	Frequency	Percent
No	4	33.3
Yes	2	16.7
Missing	6	50.0
Total	12	100.0

**Media's Impression of Public Participation in Open Hearings**

- *Based upon your experience, how often do the following "audience" members attend open hearings?*

How often?		Audience Member Category				
		Extended Family	Media	Foster Parents	Faith Community	Service Providers
Always	Count	1		1		3
	%	8.3		8.3		25.0
Sometimes	Count	3		2		2
	%	25.0		16.7		16.7
Rarely	Count		4		1	
	%		33.3		8.3	
Never	Count		1		1	
	%		8.3		8.3	
No Basis for	Count	7	6	8	9	6
	%	58.3	50.0	66.7	75.0	50.0
Missing	Count	1	1	1	1	1
	%	8.3	8.3	8.3	8.3	8.3
Total	Count	12	12	12	12	12
	%	100.0	100.0	100.0	100.0	100.0

*Note:* With such a large proportion of the already small number of media respondents answering "No basis for opinion," it is not possible to draw conclusions about these questions.

**Media's Impression of Impact of Open Hearings/Records on Accountability of Child Protection Professionals**

- *In your opinion, how has opening child protection hearings and records to the public impacted the following child protection system professionals' accountability to children involved in child protection matters?*

Impact on Accountability		Type of Professional						
		Judges	County Attorneys	Public Defender	Court Administrator	Social Workers	Guardians Ad Litem	Service Providers
Increased accountability	Count	4	4	4	4	4	4	4
	%	33.3	33.3	33.3	33.3	33.3	33.3	33.3
No change	Count	1	1	1	1	1	1	1
	%	8.3	8.3	8.3	8.3	8.3	8.3	8.3
Don't Know	Count	6	6	6	6	6	6	6
	%	50.0	50.0	50.0	50.0	50.0	50.0	50.0
Missing	Count	1	1	1	1	1	1	1
	%	8.3	8.3	8.3	8.3	8.3	8.3	8.3
Total	Count	12	12	12	12	12	12	12
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Note:* With such a large proportion of the already small number of media respondents answering “No basis for opinion,” it is not possible to draw conclusions about these questions. However, it can be noted that most respondents that noted change thought that accountability of the professionals had increased.

**Media Summary**

*Note:* Small numbers of responses to both waves of the mailed media surveys make comparisons and conclusions tentative at best. However, it is clear from both waves of surveys that the media are overwhelmingly in favor of open hearings/records in child protection proceedings and that they favor publicizing the policy to the public. Media respondents to the second wave of surveys were more likely to report that they had seen or heard new stories about child protection proceedings in Minnesota than respondents to the first wave, particularly about the cost and availability of foster care. Interestingly, media respondents to the second wave of surveys were more likely to report that their own media organization did not provide responsible coverage of child protection stories (25 percent) than respondents to the first wave (10 percent). The majority of the media respondents to both waves of surveys felt that open hearings/records had a positive impact on their ability to report on child protection cases.