

A Cohort Study of 'Ohana Conferencing in Child Abuse and Neglect Cases

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'Ohana means “family” in Hawaiian, and 'Ohana Conferencing is Hawaii's application of family group conferencing for select child protective services (CPS) cases. With a focus on building collaboration and partnerships between state institutions and families, 'Ohana Conferencing draws from Hawaiian values and the example of New Zealand's Maori people (EPIC, Inc., 2003). It is described as a “relatively pure derivative of the family group conferencing model” with a “specific focus on community capacity building” (National Council of Juvenile and Family Court Judges, 2003).

An important Hawaiian value in human interactions and the maintaining of harmony is the concept of pono, meaning goodness, uprightness, morality, and equity (Puki & Elbert, 1986). Ho'oponopono is a Hawaiian practice for dealing with conflict when pono has been disturbed. “Ho'oponopono is a group process of putting things right, using community leaders to bring together people and their conflicts in a problem-solving process. Although Ho'oponopono involves spiritual techniques that take years to master, its basic elements of bringing together people from the 'Ohana (family) and highlighting relevant cultural practices, such as song, prayer, and food, have become an integral part of Hawaii's family group conferencing model” (Adams &

Chandler, p. 503, 2002).

'Ohana Conferencing relies on the participation of the family in developing a plan to deal with the report of child abuse and neglect (CAN). Professionals attend the conferences to provide information to the family about the CAN problems and consequences; however, they, along with the facilitator, leave the 'Ohana Conference while the family formulates the initial plan during family private time. Many child welfare conferencing models that are based on New Zealand's experiences, including 'Ohana Conferencing, involve “family private time,” during which the family meets, without the professionals and facilitator, to develop a plan to deal with the CAN problems identified in the CPS case. (Most conference models for criminal cases [except in New Zealand] do not include private time for the offender's family. In criminal cases it is important to include victims and related community members in planning how to deal with the harm, along with the offender. The crime has affected them all, and they need to participate in deciding how to repair the harm. Also, unrelated professionals usually do not participate in conferences for criminal cases as they do in the child welfare conferences.) Some family involvement models used for CPS cases do not include family private time, and professionals participate in the development of the plan (LeCroy & Milligan, 2001).

In 'Ohana Conferencing, after the family agrees on a plan, the group reconvenes. With the social worker's acceptance, the plan is codified in an agreement between the family and the State. In rare



cases in which the social worker does not accept a plan because it does not achieve safety and permanency, the facilitator engages the family in negotiation with the social worker. The most common reason for a social worker not accepting a family's plan is that it places children in the home of a family member who has a felony record or was party to a child protection case. If negotiation between the family and social worker does not resolve the problem, an 'Ohana Conference report that reflects both the family's and the social worker's plans is provided to the court, which decides which plan should be implemented.

'Ohana Conferencing in Hawaii

According to Hawaii Revised Statutes (2001), an 'Ohana Conference is a "family-focused, strength-based meeting facilitated by trained community facilitators designed to build and strengthen the network of protection of the extended family and the community for the child." The statutes further read, "Ohana conferences include extended family members and other important people in the child's life and rely on them to participate in making plans and decisions. The purpose of the Ohana conference is to establish a plan that provides for the safety and permanency needs of the child."

'Ohana Conferencing was developed and first used in November 1996 as the result of collaboration between the Family Court in Honolulu and State of Hawaii's Department of Human Services (DHS). An independent non-profit agency, EPIC, Inc., was created to provide 'Ohana Conferences for families and DHS. To date, 3,016 'Ohana Conferences have been convened, serving 32,650 participants. In addition, 97% of all the conferences have resulted in agreements between families and DHS (EPIC, Inc., 1997-2004).

In the past, CPS cases were selected for 'Ohana Conferences when the DHS social worker recommended the process and the family agreed to participate. In August 2004 DHS changed its policy and now states: "Families can directly contact EPIC to request an Ohana conference" (DHS, 2004). EPIC's criteria for providing families with conferences involve whether there are extended family members or support systems that can participate in the process (Livingston, 2004). Social workers may object to a family's request and EPIC's recommendation to convene an 'Ohana Conference. When a social worker disagrees and does not want a family to have a conference, DHS administrators ultimately determine whether one will be convened (DHS, 2004). DHS is considering a further policy change to offer all families 'Ohana Conferences in the future (Tsark, 2004).

Comparing outcomes

The study described here compares differences in outcomes in CPS cases in which parents voluntarily agreed to the foster placement of their children when 'Ohana Conferencing was used and when it was not used. The study observed and compared 60 CPS families in which parents voluntarily agreed to DHS authority and the foster custody of their children. All 60 families were randomly selected out of 364 DHS cases of voluntary foster custody. Thirty-three families where 'Ohana Conferences were used, along with 27 families where the process was not used, were reviewed. (Review was done of actual case files and electronic review of computer records.) Of the 33 'Ohana Conferenced families, outcomes for 54 children were reviewed, and of the 27 non-conferenced families, outcomes for 30 children were reviewed. The number of children reviewed was chosen by convenience and represents 59% of



the total children from families in the 'Ohana Conference group and 49% of the total children from families in the non-conferenced group.

The groups came from four different areas of O'ahu, the most populated Hawaiian island. The cases studied in each group were randomly selected from all the CPS cases where parents voluntarily agreed to foster custody of their children. An attempt was made to select an equal number of cases from CPS offices located in the same geographical location for each group; however, this was not possible. In the 'Ohana Conferenced group, 42% of the cases came from a single rural CPS office, and in the non-conferenced group, only 22% of the cases came from that same office. The remaining cases came in different proportions from different CPS offices in the two groups representing populations in various locations on O'ahu.

All cases in each group were opened between 1996 through 2002. Eighty-seven percent of the cases in the 'Ohana Conference group were opened between 1999 and 2001, and 81% of the control group cases were opened during that same three-year period.

The two groups were well matched by age, sex, and family size. The average age of the children in the 'Ohana Conference group was 8.6 years (SD 5.51), and the average age of the children in the control group was 8.3 years (SD 6.27). Forty-three percent of the children in the conferenced group were female and 44% of the children in the control group were female. The average family size of the cases in the 'Ohana Conference group was slightly larger at 2.75 children per family, while the average family size in the control group was 2.25 children per family.

The outcomes reviewed here were considered after application of the 'Ohana Conference. For

example, the number of foster placements and court hearings were counted after the intervention was applied. No pre- and post-periods for either group were determined.

The data sources used for this study were the actual DHS case files and additional information kept on each of the cases on the DHS computer system. The case files were each reviewed along with the information stored on the computer system for each case. The author, an independent contractor hired to do the research, collected and reviewed data from the case files, and a DHS employee collected and reviewed data from the computer system. This study was conducted over a six-month period between January and June 2003.

While the 60 cases reviewed were randomly selected for this retrospective study, they were not randomly selected by the social workers in applying the 'Ohana Conference. As reported here, this study found that the cases social workers referred for 'Ohana Conferences had a significantly lower number of prior CAN reports, but selection bias was not unique to Hawaii's system or a surprising outcome of this study. Because conferencing is a voluntary process in the United States and other countries, except New Zealand where it is mandated, and professionals use their judgment on which cases to refer, there is an element of selection bias in almost all the studies of the process outcomes (Merkel-Holguin, Nixon, & Burford 2002; McCold & Wachtel, 1998). Research published on New Zealand's conferencing outcomes is mainly limited to criminal matters rather than child welfare cases (Maxwell, 2003).

There is disagreement in the United States and other countries over which CPS cases are best suited for conferencing (LeCroy & Milligan, 2001). Since 1989, when New Zealand mandated the use of conferencing, it has been used primarily for



difficult cases in that country (Morris & Maxwell, 1993; Maxwell & Morris, 1994; McCold, 2001). A recently published study of conferencing in the Netherlands found that social workers there selected more “complicated cases” for conferencing (van Beck, 2004, p. 32). In the Netherlands, families are often referred for a child welfare conference after a juvenile criminal conference has been held when child protection issues arise and visa versa (van Pagee, 2005).

To address the potential for selection bias, a recent California study is expected to be published soon (Cohen, 2004), in which the conferenced cases evaluated were not referred by professionals but randomly selected from cases that met a threshold criteria established by the state agency charged with child protection. Even though potential for selection bias exists in the present study of 'Ohana Conferencing, important information has been obtained. The results are promising, and areas for further research have been identified.

Outcomes

This study looked for differences in case and child outcomes based on application of 'Ohana Conferences. The outcomes reviewed include length of time the case was open in the CPS system; number of times the case went to court; number of times children were placed in foster care; number of times children were placed in emergency shelter care; number of foster placements with relatives; number of permanent custody orders; number of prior CAN reports; and participant satisfaction with the CPS system. These outcomes were reviewed because they are important for healthy child development, family cohesion, worker-client relationships, and the state's expenditures of limited resources.

Study findings

Results of this study showed there are statistically significant differences in a number of important CPS outcomes between the 'Ohana Conferenced group and the group that did not participate in a conference. To determine whether the average differences were statistically significant, a statistical *t* test was used to compare the outcomes (except participant satisfaction differences).

Time in the CPS System

The time a CPS case remains open in the agency is an important cost factor. Here, time in the system was determined from the date the Department of Human Services (DHS) verified a CAN report to the date the CPS case was closed by DHS.

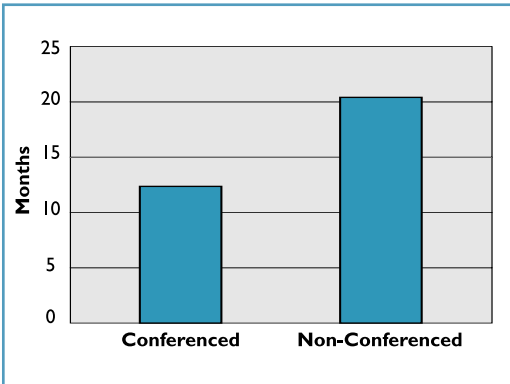
Maintaining CPS cases uses the time and resources of many individuals and agencies. Multiple agencies and personnel provide services and maintain records for each CPS case. This infrastructure and bureaucracy are costly, and decreases in expenditures in this area result in valuable savings.

The *t* test showed that there were statistically significant differences ($P < .001$) between CPS cases that received a conference and cases that did not. As Figure 1 shows, the average time that the conferenced cases remained open in the CPS system was 11.9 months, while the average time the non-conferenced cases remained open was 20.2 months.

This difference may have been due to the children in the non-conferenced group having difficulty with consistent placements. The 'Ohana Conferenced cases were more likely to result in longer-term foster placements than the non-conferenced cases. Unstable placements could have created a greater risk for the children, necessitating continued state oversight. Additionally, the study found that the non-conferenced cases had more



Figure 1 Time in CPS system.



prior CAN reports than the 'Ohana Confereced cases, which could help explain why the cases remained open longer. Finally, it is likely that, when families participated in an 'Ohana Conference and were given the opportunity to voice their views and concerns, their input resulted in greater safety measures for their children, and therefore, less need for their cases to remain open in the CPS system.

Number of court hearings

Rules of DHS require that voluntary cases go to court within 90 days of the signing of the voluntary agreement between the family and the state, while confereced cases are required to go to court within 180 days, providing additional time to convene the conference (Hawaii Administrative Rules Title 17). A review of the implementation of the 90-day rule for the non-confereced cases by the auditor of the State of Hawaii found that DHS was not complying and that many non-confereced cases were not going to court within 90 days as mandated by the law.

Assuming, however, that DHS did comply with the 90-day rule for non-confereced cases, the difference in the days required to go to court (compared to the Ohana Confereced cases which

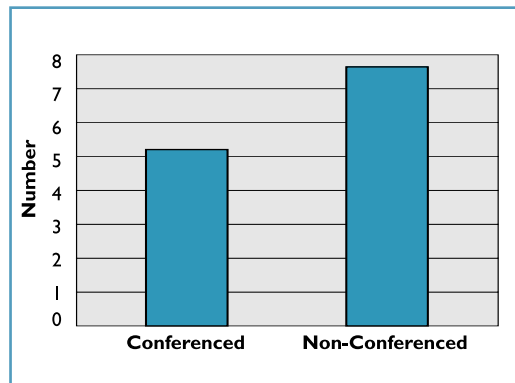
have 180 days) was controlled for by eliminating one court hearing from the total number of court hearings for each non-confereced case in the control group. Even after controlling for this difference, confereced cases go to court significantly less often than the non-confereced cases. The number of court times for cases in the 'Ohana Confereced group were counted after the intervention. The difference in the number of times cases go to court results in cost savings.

The average number of court hearings for 'Ohana Confereced cases was significantly less ($P < .005$) than the average number of court hearings for cases where no conference was held. As shown in Figure 2, non-confereced cases went to court an average of 2.5 times more than the confereced cases. 'Ohana Conference cases went to court an average of five times more than the non-confereced cases, which went to court an average 7.5 times. The *t* test showed these differences were significant.

Number of foster home placements

It is well known that foster care drift can adversely affect a child's ability to form necessary and healthy attachments. The failure to develop emotional bonds to caretakers can create life-long

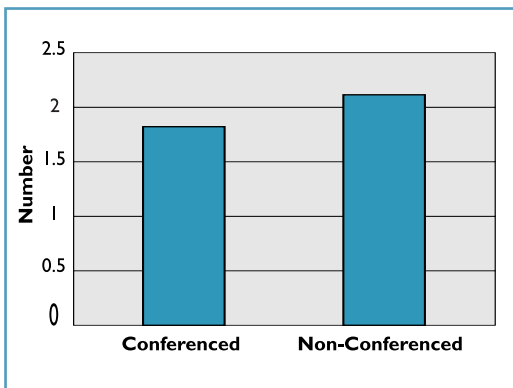
Figure 2 Court hearings.



problems (Goldstein, Freud & Solnit, 1986). The more frequently a child is moved, the greater the chances the child will fail to develop the attachments that are vital for becoming an adult capable of forming lasting relationships.

This study showed after families had an 'Ohana Conference, the children were placed in licensed foster homes an average of approximately one time fewer than children whose families did not attend conferences, and this difference was significant ($P < .05$) (Figure 3).

Figure 3 Foster home placements.



'Ohana Conferencing provides children and their families the opportunity to address their placement needs. This study indicates that their placement resources are often more effective than what the state can provide. As the maternal aunt of a child reviewed in this study—a woman who was in foster custody herself as a teenager—said: “If I could have been allowed to have a choice in what I felt was best for me to be, I could have probably found a better place to live than what the state found me.”

Number of emergency shelter placements

Children whose cases were subject to 'Ohana Conferences were placed in emergency shelters

significantly fewer times than were children in non-conferenced cases (Figure 4). The average of 1.0 placements for non-conferenced cases was significantly greater ($P < .01$) than the average of 0.24 placements for the 'Ohana Conferenced cases.

Placement needs were addressed at conferences. The cousin of a mother whose case was not conferenced stated: “I offered to take the kids right away, but it took the social worker six months to even allow me to visit with the kids and, after that, it took another three months for me to become their foster parent. All that time the kids had to live with strangers. I adopted all three of them. They are doing great now. They're happy and I am happy. A meeting at the beginning of the case with the whole extended family would have been very helpful, but it was like CPS didn't want the kids to be with anyone in their family.” An 'Ohana Conference provides social workers with the necessary information about the family's interest and ability to care for the children early in the case, likely preventing placement of the children in shelters.

Number of relative foster placements

In this study of voluntary cases, the average number of times children were placed with relatives was not significantly different for 'Ohana

Figure 4 Shelter placements.

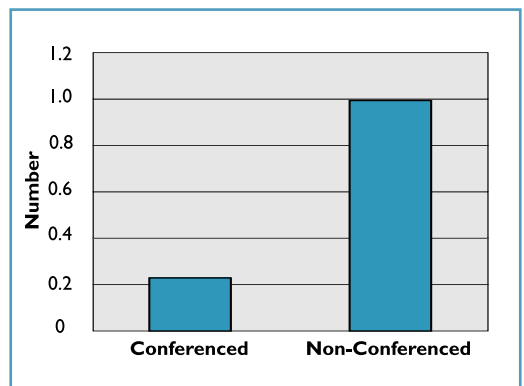
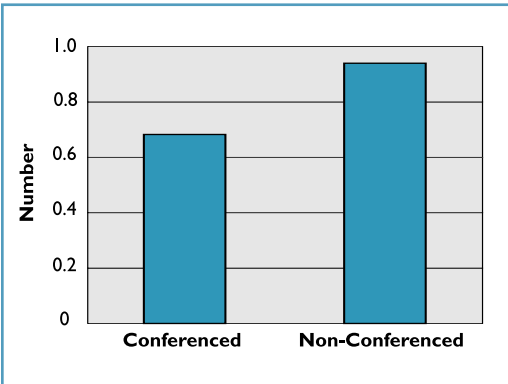


Figure 5 Relative foster placements.



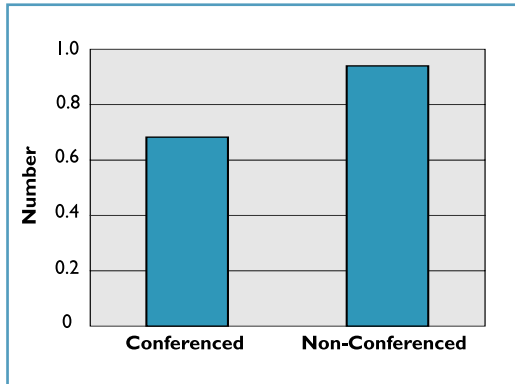
Confereced cases and non-confereced cases (Figure 5).

This outcome measured any relative placement, not just licensed foster placements. Because this study only reviewed voluntary CPS cases where parents agreed there was a CAN problem, it is predictable that children would be placed with relatives regardless of whether a conference occurred. It is likely that cases where DHS agreed to place children with relatives were ones where parents agreed that a CAN problem existed and that their children could be removed without court order. Without assurance that their children would be placed with relatives, it is unlikely parents would voluntarily agree to the children’s removal. Parents are not likely to give up their rights to trials proving CAN, unless they receive something in return (e.g., their children being placed with relatives).

Number of prior CAN reports

The study looked at prior CAN reports for indications of social worker referral bias. Data indicate that the average number of prior CAN reports for the confereced group was significantly lower ($P < .05$) than the non-confereced group (Figure 6). However, no analysis was conducted to determine whether this was due to social worker bias. The CAN reports counted were not analyzed

Figure 6 Prior CAN reports.



for the nature of the prior reports, including for factors such as number of children in the family, ages, multiple reports made during the same time, or severity of the reports. Most important, this study did not look at differences in social worker practices. A future study could be undertaken to examine these differences.

Number of permanent custody orders

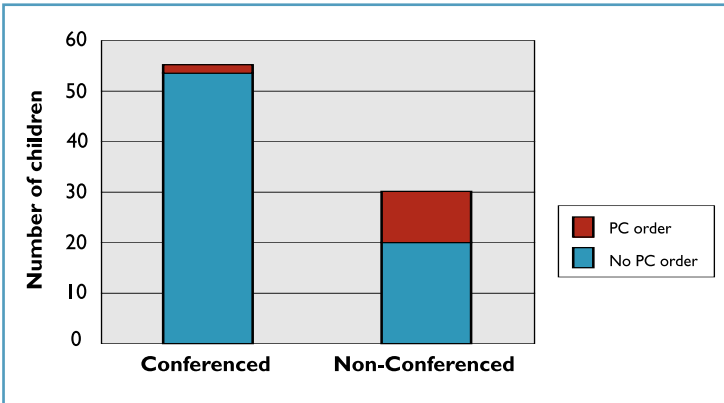
Significantly fewer children were subject to court-ordered permanent custody (PC) to the state when ‘Ohana Conferences were used (Figure 7). Only one child (out of 54 children) was subject to PC where a conference was used, while nine children (out of 30) whose cases were not confereced required a PC court action. Permanent custody actions not only are costly litigation interventions, but also undoubtedly affect a family’s satisfaction with CPS, as well as the job satisfaction levels of social workers whose valuable time is spent waiting in court.

Satisfaction with the CPS system

Family members (including members of their informal support network) who participated in cases where ‘Ohana Conferences were used were more satisfied with the CPS system than those where no conference was used.



Figure 7 Number of PC orders.



The author conducted telephone interviews during the six-month research period to compare each group’s satisfaction with the CPS system. The telephone numbers of the families were obtained from the case files. Telephone calls were made during the day and early evenings on weekdays and weekends. Open-ended questions were used to gain information. Respondents were not asked forced-choice questions; rather, their responses were qualitatively coded into categories.

The open-end questions consistently asked were: “What was your experience with CPS like?” or “How was your experience with CPS?” When respondents answered with either an affirmative or negative response (e.g., “It was a terrible experience”) they were asked another open-ended question using their language (e.g., “How was your experience terrible?”) Respondents who participated in an ‘Ohana Conference were also asked “How was the ‘Ohana Conference?” or “What did you think of the ‘Ohana Conference?”

The interviewer recorded the verbatim responses of the respondents, which were later analyzed for participant satisfaction indicators and levels. Responses were categorized as positive, satisfactory, or negative. Three examples of

responses from the control group, which did not have ‘Ohana Conferences, illustrate the analysis applied to determine satisfaction levels.

Three maternal relatives were asked: “How was your experience with CPS?” One maternal grandmother replied, “Very good. Told me they coming, they come. I leave message on machine, they call me back. Some people say

‘They very slow. They don’t call back.’ I know for me they do very good.” This response was counted as positive.

In the second example, a maternal great aunt reported, “The state’s doing okay.” This response was considered satisfactory.

In the third example, another maternal grandmother said she was “unhappy with the situation. Every time there was a court hearing the state was unprepared. The judge gave them another month to prepare and come back every time.” Her response was counted as negative.

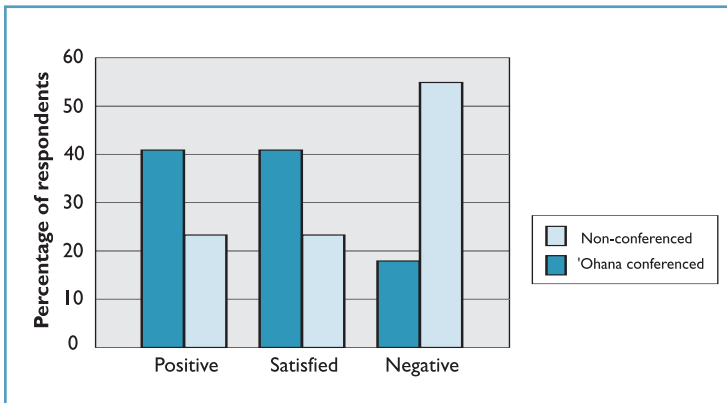
An attempt was made to contact each of the 60 families studied here by telephone; however, many phones were either disconnected or assigned to a new customer. Thirty individuals from families that were reviewed by this study were contacted by telephone.

Thirteen people who participated in non-conferenced cases were contacted and surveyed for satisfaction with the CPS system. Of these individuals, 23% indicated that their experience with the system was positive; another 23% indicated their experience was satisfactory; and the remaining 53% indicated their experience was negative, as shown in Figure 8.

Seventeen people were contacted regarding



Figure 8 Satisfaction with CPS system.



their satisfaction with the CPS system where an 'Ohana Conference was used: 41% indicated their experience was positive; 41% found their experience satisfactory; and 17% people indicated their experience was negative. While some respondents found the CPS system negative, they found the 'Ohana conference to be satisfactory. The study attempted to measure the effect of the conference on how the respondents perceived the CPS system.

A friend of a maternal grandmother who participated in an 'Ohana Conference said, "I was disappointed with CPS," but she believed the conference was satisfactory. She said, "Only thing I didn't like about the 'Ohana Conference was that the addresses of participants was not confidential. My house got egged the next day. I have a feeling [the paternal aunt] had something to do with it because I said she'd lied." Even though this woman found conferencing a satisfactory experience, her response was counted as negative for this study because it looked at satisfaction with the CPS system and not conferencing.

Conclusion

While selection bias issues exist with this study,

as in most published studies that have examined outcomes of conferencing in child welfare cases, results suggest the effectiveness of 'Ohana conferencing in several important areas.

First, the number of multiple out-of-home placements for children subject to 'Ohana conferencing was fewer than those for children in non-conferenced cases. Fewer

shelter placements were necessary and the foster placements remained more stable when conferencing was used. Second, people were more satisfied with the CPS system when they participated in an 'Ohana conference. This satisfaction resulted in more confidence in government processes by citizens.

This non-quantifiable result increases optimism, which improves life for the families of children who have been abused and neglected. Satisfaction with CPS also reduces conflict between professionals and families, which could increase social workers' satisfaction with the process, contribute to less employment turnover among them, and protect children more effectively (U.S. General Accounting Office, 2003). Finally, 'Ohana conferencing appears to be cost-effective. If less time is spent in court, foster and shelter placements, and the CPS system entirely, there could be significant economic savings. Fewer PC cases also result in large savings to the government.

This study also indicates the need for further research. An important issue is the possibility of bias in the selection of cases for conferencing. Valid comparison groups could be obtained by randomly selecting which cases will be



conferenced. This would take case selection out of the social workers and professionals' judgment. A study with cases mandated to conferencing regardless of professionals' opinions of whether the process is appropriate is necessary. This would remove the potential for bias.

Families could be asked whether they would be willing to participate in a conference, be told there is a 50% chance of being selected to participate, and be part of a comparison group for research purposes. With prior consent, cases could be randomly selected for conferences and then compared with those for which conferences were not used (but could have been). A criminal justice study using this design is being conducted in England (Strang, 2003). The design eliminates the potential bias of professionals selecting which cases undergo conferencing, and it preserves the "voluntary" nature of the process.

Of course if a family learned about the conferencing process and felt strongly that it wanted to participate, that case would be eliminated from the study and be allowed to have a conference if deemed appropriate by the parties and the court. These cases would be removed from the study because they would reintroduce bias into the sampling.

Another possible research design is to mandate all child protection cases into conferencing, as done in New Zealand, and then review the outcomes identified in this study with prior outcomes of cases before the process was mandated.

An examination of family satisfaction and its contribution to social workers' reduced turnover also needs to be conducted. Finally, additional research is needed to understand the differences in outcomes reported here, as well as other outcomes when conferencing is used. If further research

confirms that conferencing produces significant improvements in outcomes, it can be confidently recommended as the primary process for handling CPS cases.

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