

NEW JERSEY

**DYFS/DHS STAFFING AND
OUTCOME REVIEW PANEL**

CITIZEN REVIEW PANEL

FOR PERIOD JULY 1, 2005 - JUNE 30, 2006

ANNUAL REPORT



State of New Jersey

DEPARTMENT OF CHILDREN AND FAMILIES
Division of Youth and Family Services (DYFS)

PO Box 717
Trenton, NJ 08625-0717

JON S. CORZINE
Governor

KEVIN M. RYAN
Commissioner

September 21, 2006

Dear SORP Member:

Enclosed, please find the 2005-2006 Staffing and Outcome Review Panel (SORP) Annual Report. Copies will be provided to Governor Jon S. Corzine and the Legislature, as required by N.J.S.A.30:4C.6(b). The Department of Children and Families (DCF) Commissioner, Kevin Ryan, and the Division of Youth and Family Services (DYFS) Director, Eileen Crummy have also received a copy. I will request that the SORP Annual Report be posted on the DCF website.

As you are all aware, the SORP in its present format was abolished in the legislation that created the new Department of Children and Families. Therefore, on behalf of Commissioner Ryan, and Director Crummy, I would like to extend a thank you for all of your efforts and hard work on behalf of Division staff and the children and families we serve. Your dedication is recognized and deeply appreciated.

On a personal note, I want you to know that I was impressed by your commitment to the mandate of the SORP and I have enjoyed working with all of you in supporting your efforts.

Please feel free to contact me with any DYFS issues in the future. I can be reached at 609-984-4219.

Sincerely,

Jacqueline Zavaglia
Executive Assistant
Office of the Director

JZ:cl

Enclosure: SORP Annual Report

c: Kevin Ryan, DCF Commissioner
Eileen Crummy, DYFS Director

July 25, 2006

Dear Governor Corzine and members of the New Jersey Senate and Assembly:

The Staffing Outcomes and Review Panel (SORP) was created by the Legislature to provide oversight of the Division of Youth and Family Services in regard to staffing issues and outcomes for child and family services. Since its first report in June 2003, the SORP has necessarily focused its attention on how state efforts to reform the state child welfare system, resulting from a class action lawsuit against the state, have impacted on staffing and outcomes. The attached 2005-2006 report continues to address how the state has fared in improving problems in staffing and outcomes.

As in prior years, the SORP found that significant problems continue to exist in regard to ensuring a competent, sufficient work force in the child welfare system. Caseloads remain high and retention of staff is problematic. Outcomes for children, particularly those in the adoption system, continue to be troublesome, with far too many children awaiting permanent homes. The report provides further details about these and other continuing problems.

In issuing these findings, however, it must be noted that the last meeting of the SORP was in March 2006. Two meetings planned for June were not held due to conflicts in scheduling because the state was engaged in negotiations for new settlement agreement in the lawsuit. As a result, there was a lag in data reported by the state to the SORP. Further, any reports provided to the SORP after March were not included in the report since there was no opportunity for discussion by members of the panel.

This is important to note since the state has made several efforts to address two issues that have been identified by the SORP. One is the development of a new management tool to provide a detailed office-by-office analysis of caseloads based on the standards established for intake and permanency workers. Getting accurate detailed information about caseload size has been very difficult for the SORP. We were hopeful that this new management tool would resolve this problem. However, we did not have the opportunity to discuss it with staff from the Office for Children's Services.

On June 28, then Human Services Commissioner Ryan issued a report outlining the state's revised approach to the reform efforts entitled "New Jersey Child Welfare Reform: Focusing on the Fundamentals." This report confirms many of the problems identified by the SORP and outlines detailed plans for improvement. This report is not addressed in the 2005-2006 SORP report because we did not have an opportunity to meet as a group to discuss it. However, the SORP is encouraged that this plan refocuses the state's attention to the fundamentals of staffing, services and accountability, which have been persistent

themes of the SORP since its first report in 2003. The SORP views this as a positive step to system improvement.

The 2005-2006 SORP report also includes goals for next year and identifies areas that the SORP intended to focus on monitoring in the upcoming year. In July, legislation was signed into law that eliminates the SORP as originally designed and creates a similar body as an independent subcommittee of the Task Force on Child Abuse and Neglect. It is anticipated that the new panel will be reconstituted in a somewhat different way and will have an opportunity to revise its goals and objectives. The SORP felt that it was necessary to include its goals and objectives as a guide to the new panel. In doing so, we hope to preserve consistency and continue the focus on critical problems in staffing and outcomes.

For almost 4 years, the SORP has provided a consistent focus on child welfare services, identifying and proposing remedies for problems in the state child welfare system that continue to leave vulnerable children at grave risk of harm. Members of the SORP, both public and private, served with extraordinary commitment, devoting both time and energy to one goal – to ensure that New Jersey can protect the children entrusted to its care. It has been an honor to serve in this capacity and we hope that the future oversight effort maintains this independence, commitment and dedication.

Angela Estes, Chairperson

Cecilia Zalkind, Vice-Chairperson

Angela Estes, M.Ed., Chairwoman
Executive Director, Robins' Nest, Inc.

Cecilia Zalkind Esq., Vice-Chairwoman
Executive Director, Association for Children of New Jersey

Paul Alexander, President CWA Local 1034	Hetty Rosenstein, President CWA Local 1037
Harry T. Cassidy, Assistant Director Administrative Office of the Courts Family Practice Division	Marjorie Schwartz, Assistant Commissioner, Department of Personnel
Molly Armstrong, DHS-OCS Director of Policy & Planning, Designee of Commissioner Kevin M. Ryan, Department of Human Services	Yvonne Segars, Public Defender for the State of New Jersey, Divisions of Law Guardian and Parental Representation
Joanne Dietrich, Chief, Administrative Office of the Courts, Family Practice Division	Pending (2) Appointments from the N.J. State Senate & (2) from the NJ State Assembly
Catherine Farley, Director of Human Resources, Department of Law & Public Safety	Julie Kashen, Office of the Governor
Janet Farrand, President, Foster and Adoptive Family Services	<u>Staff</u>
Sherryl Gordon, Executive Director, AFSCME Council 1	Jacqueline Zavaglia, MSW DYFS, Office of the Director Acting SORP Coordinator (present)
Patricia Myers, M.S.W., L.S.W. Supervising Social Worker, Legal Services of New Jersey	Ritchie Ortiz, DYFS, Office of the Chief of Staff SORP Coordinator (past)
Joy Norsworthy, Vice-President, Foster and Adoptive Family Services	Michelle D. Iadanza, Esq. DYFS Data Analysis and Reporting Unit SORP Liaison
Robert Smartt, Dept. of Treasury, Deputy State Treasure, Designee of State Treasurer, Stewart Abelow	Norma Vieile, Executive Assistant DYFS Office of Human Resources SORP Liaison
Vacant, Office of Child Advocate	

SORP Annual Report – 2006

Introduction

The current reporting year was the fourth year of operation for the DYFS Staffing and Outcome Review Panel (SORP). Pursuant to P.L. 2001, c.252, the SORP is charged with reviewing: staffing levels of the New Jersey Division of Youth and Family Services (DYFS) in order to develop recommendations regarding those levels and the most effective methods of recruiting, hiring and retaining staff; and 2)DYFS performance in the achievement of management and client outcomes.

In conducting its work, the SORP took a systematic approach to requesting data and identifying the issues which the members wanted to address. This report describes the SORP's activities during the past year and reviews the status of actions taken to address the findings and issues raised in the 2005 Annual Report.

On July 9, 2004, the Department of Human Services finalized its plan to reform child welfare services in New Jersey and that plan was approved by the Child Welfare Panel and incorporated into the settlement of a class action lawsuit brought against the State of New Jersey and the New Jersey Department of Human Services. The plan is called "A New Beginning of Child Welfare Reform in New Jersey". The legally enforceable elements of the Child Welfare Reform Plan and the mandate of the Staffing and Outcome Review Panel intersect in the areas of staffing and outcomes for clients and management. In the intervening years since the plan was adopted, the SORP has monitored the Division's implementation of the reform plan and addressed many of the same elements outlined in the Child Welfare Reform Plan.

Findings and Conclusions

In its meetings this year, the SORP focused on two topics of long-standing interest: caseload size and staffing levels. To inform its monitoring of the review plan, the SORP requested and received data from the Department of Human Services (DHS) and DYFS and heard presentations from leadership in DHS and DYFS.

In its recommendations for reform issued in 2003, the SORP identified staffing, services and accountability as the three critical elements of reform and made specific recommendations in each area:

- **Strengthen staffing.** Adequately trained, experienced staff with manageable caseloads, is the underpinning of reform. Caseload size must be reduced, staff training developed and implemented, staff retention and turnover addressed and

expectations for case practice clear and accountable. Higher expectations for experience and education must be implemented in hiring of new staff.

- **Expand services for families.** Services must be relevant to family needs, be of high quality and fully accessible. Drug treatment services are a priority, as well as in-home services, housing, mental health treatment and parent-child visitation. Better coordination of services across divisions and departments is critical, especially now that there are two new divisions, in addition to DYFS, providing child welfare services.
- **Stronger accountability.** New, stronger accountability mechanisms are needed to implement and maintain the reform effort. This includes regular examination of caseload and case practice issues, as well as reporting of data to the SORP and to the public.

After reviewing and discussing the information provided to the panel, the SORP continues to conclude that the fundamental components of reform identified by the SORP have not been adequately addressed.

In monitoring State implementation of the child welfare reform plan, the SORP remains concerned that too little progress has been made. The problems that the SORP identified in its annual report last year have not been remedied, as described more fully in the findings and conclusions outlined below. Case practice at the field level continues to be in disarray. Agency policies are inconsistent and confusing, the area and local offices are not fully functioning and case practice, such as adoption, has not been fully implemented. The SORP continues to be concerned that reform is still too focused on structure on the state level and that progress will not be made unless the focus is on field operations.

Furthermore, the SORP is concerned that the local area offices lack the infrastructure to handle day-to-day operations. Without clearer direction and stability on the local level, the Division's ability to protect children is undermined. Adoption cases are of particular concern, now that the ARCs have been dismantled.

The following are the SORP's specific concerns in last year's report and an assessment of their current status including discussion of any progress made during the past year:

1) Significant Problems Continue in the Adoption System

The SORP remains concerned about the continued problems in adoption. The specialized ARC offices no longer exist, having been dismantled in December 2004, and the foundation for adoption has yet to be developed in the area and local offices. Expertise in adoption has been lost, with adoption staff leaving the agency or moving to other offices, many to non-adoption functions. As of the SORP's last meeting in March 2006, adoption specialists were not in place in the local offices and these offices continue

to struggle to handle adoption cases. Although adoptions have been finalized, there are still over 2,000 children for whom DYFS has terminated parental rights for whom adoption is not complete, 470 of which are children with no identified adoption home. DYFS submitted a second plan for adoption, which was approved by the Child Welfare Panel, permitting special adoption caseloads or adoption units in offices with a high number of children in placement. This was approved as a temporary plan until adoption expertise could be developed in the local offices. To date, this has not been fully implemented and children moving to permanence through adoption continue to languish in foster care.

When Commissioner Ryan met with the SORP on March 1, 2006, he acknowledged the problems in the adoption system and identified adoption as a priority for immediate attention.

2) Caseload size has not been sufficiently reduced.

When examining caseload size, the SORP reviewed data relative both to the overall DYFS caseload as well as the numbers of children on individual workers' caseloads.

Following the March 2006 meeting, the Department developed a new management tool which tracks office-by-office where staff caseloads do not meet the two standards now established for both intake and permanency workers. The data generated from this new tool was to be presented at the June meeting of the SORP, which was postponed initially because the State was in the midst of negotiations with Children's Rights and then because of the budget hearings. A subsequent report entitled "New Jersey Child Welfare Reform: Focusing on the Fundamentals" issued on June 28, 2006, contains data relative to caseload size. However, with the cancellation of the June 30th meeting, the SORP did not have the opportunity to review the data. Therefore, it could not be included in the SORP's 2006 report.

The chart below indicates the SORP's findings between November 2002 and December 2005:

Date	# of caseworkers	Caseload Size			
		# of caseworkers With over 100 Children	75 +	50 +	5 or less
11/02	1,326	13	*	*	92
11/03	1,526	44	*	*	233
2/04	1,501	77	*	*	139
5/04	1,505	70	*	*	111
8/05	2,057	1	22	235	175
12/05	2,079	1	21	235	226
3/06	<i>SORP did not receive data by children</i>				

Although the number of caseworkers with over 100 children has been reduced from a high of seventy-seven (77) in February 2003 to only one (1) reported in this past year, there continues to be a significant number of extremely high caseloads. The range of caseload size, especially the number of caseworkers with significantly high caseloads, has not been adequately addressed, despite the hiring of large numbers of new workers. It is also unclear as to why there is such a high number of caseworkers with five or less cases. This does not appear to be explained by new workers.

Increased case volume has made it increasingly difficult to control caseload size. In January 2001, the DYFS caseload was 49,863. This number increased to a high of 64,694 in January 2004 and lowered by December 2005 to 55,975.

The challenge to reducing caseload size was further complicated by a change in policy requiring immediate response to all hotline calls referred for investigation, even for low-risk cases. In Commissioner Ryan's presentation at the March meeting, he noted this practice of immediate response for all allegations was problematic and needed to be addressed.

As part of the effort to reduce caseload size, DYFS instituted a caseload closing project starting in September 2003. This has been a very costly project, with little impact on the overall DYFS caseloads. SORP has attempted to monitor the effectiveness and cost of this project; however, the SORP has not received sufficient data on a consistent basis to achieve this goal. SORP did receive data on September 9, 2005, that the case closing project closed 2,519 cases in the previous quarter at a cost of \$2,003,571. At that time, Assistant Commissioner Cotton acknowledged that this expenditure was consistent with quarterly costs of the project, in which case the average cost per closed case was \$807.29. Projecting the cost for a year, DYFS may have spent over \$8,000,000 on a case closing project that did not result in getting caseloads reduced. This is an issue that requires closer analysis by the new administration.

Finally, the SORP is concerned about the number of unassigned/uncovered cases reported as follows:

8/6/05	773 families
11/5/05	460 families
12/3/05	473 families

Monitoring caseload size has been challenging because of concerns relative to the reliability of the data. However, the new administration has taken significant steps to clean up the data to improve its reliability. As SACWIS becomes implemented, the SORP anticipates improvement in both reliability and timeliness.

3) Concerns continue about training of caseworkers and supervisors

At this time last year, the curriculum for improved new worker training had not been developed as required by the reform plan. As a result, hundreds of new workers hired in 2004-2005 were not being trained in the new casework model. During the past year, the training curriculum was developed and implemented. It is not clear if supervisors or experienced workers have been trained under the new curriculum. The SORP remains concerned that trainees are returning to district offices under the supervision of individuals not trained in, and committed to, the new casework model. Further, it is unclear if better training for new supervisors has been developed, especially management training, which was a strong recommendation of the SORP.

The SORP continues to see training as a priority issue. Following the presentation on the new curriculum in September 2005, the SORP has had no follow-up information on what has actually happened. Plans to implement concurrent planning training were also presented to the SORP, but no information has been provided to the SORP on whether it happened or the results.

A concern on the SORP is that the training unit appears to have too wide a range of training demands to meet and needs to prioritize focusing on basic training needs of field staff and supervisors and phase in other training. An assessment of the Division's training needs and the capacity of the training unit should be made in order to determine strategies to meet training needs efficiently and effectively.

4) Staff retention and turnover have not been adequately addressed.

This is an area where SORP identifies a lack of progress with no evidence of any meaningful analysis of retention issues. The SORP is concerned that the Division lacks a retention plan and has encouraged the Division to conduct exit interviews to acquire the data necessary to analyze the reasons workers are leaving their positions. On September 9, 2005, DYFS reported that 74 of 112 workers left before reaching two years of service and 84 out of 112 left prior to reaching three years of service. On November 17, 2005, there were 283 vacancies (6.8%) in DYFS local offices.

Although the SORP has requested data on the categories of staff leaving the agency, the reasons for departure, and the resulting impact on staffing levels and vacancies, this information has not been provided, apparently because it is not currently being collected. The promise that DYFS will do exit interviews of staff who resign appears not to be operational in any meaningful way. Despite repeated questioning, the SORP continues to be unable to make any assessment of how changes in hiring practices affect turnover. The tuition assistance program is another area of concern, and the SORP would like the Division to provide a thorough assessment of the program's effectiveness relative to staff retention.

5) Concerns continue about data and accountability

Any data that the SORP has received for review has been provided at the specific request of the SORP. Data has not been provided to the SORP on a regular and routine basis. Some data, especially around staff retention, has not been provided. When data is provided at the SORP's request, it is often with the caveat that it is incomplete or most likely inaccurate. Since consistent and reliable data is a fundamental aspect of strong accountability, the SORP remains concerned that critical data is still not routinely available.

The new administration quickly identified the lack of reliable and meaningful data as a barrier to both accountability and continuous quality improvement and has begun taking steps to generate consistent, reliable and meaningful reports. The administration feels the reports they are now generating can be counted on for reliability and accuracy. The new administration's commitment to transparency is most encouraging, and some data is now being posted on the Department's website so that it is available to all stakeholders.

The SORP is optimistic in light of the fact that the new Commissioner has identified the lack of reliable data as a major issue which needs immediate attention and has allocated resources to clean up the data and ensure its reliability.

6) Services to families have not been greatly expanded.

Two areas where the SORP has seen significant progress is in expanded services for youth aging-out of foster care and in new services geared toward resource family retention. One of the SORP's goals in the coming year will be to assess the quality and success of these services.

However, the SORP has not been able to assess whether or not the quantity and quality of services to parents has improved. What service expansion that has occurred appears to have occurred primarily within the Division of Child Behavioral Health, which provides services when the child has a mental health diagnosis which indicates medical necessity. Although this service expansion is helpful for families who have a child with mental health or behavioral problems, these services are not accessible to address the myriad parental issues which need to be addressed in most DYFS families. In addition, the fact that Value Options acts as the gatekeeper creates an additional barrier for DYFS in accessing these services.

Recommendations for the Coming Year

Legislative Representation: The valuable presence of legislative representation has been missing. During the initial years of the SORP, two members of the Assembly and one member of the Senate were actively engaged on the SORP. Unfortunately, when these three legislators left the State Legislature, no one was appointed to fill their seats. As a result of the absence of these key players, an important aspect of the makeup and

viewpoint of the SORP is missing. The SORP may also want to assess its membership to evaluate if other key stakeholders should be invited to participate.

Accurate and Meaningful Data: It has been a struggle to get accurate and meaningful data. In spite of the huge investment in the Reform Plan and in technology, data is not systematically generated and made accessible to all parties concerned, including the SORP. Rather, the SORP is only provided data on a request basis, and this data is developed just for us. Often, there are no standard reports which can be generated, requiring staff manually collect and aggregate the information we need to monitor current status. Even more troublesome has been the unreliability of the data that has been presented. To meet its mandate, the SORP needs data to be consistent and reliable. The SORP is encouraged that the Division's new leadership understands the need for consistent and reliable data and has initiated the process to generate reports with a commitment to full transparency.

Consistent Staffing for the SORP: The SORP has experienced administrative changes on both a macro and micro level. With the transition in January 2006 from one administration to another, the work of the SORP was put on hold. At the same time, the SORP's work was impeded with numerous reassignments of the SORP Coordinator, creating a lack of continuity. In order to be effective, the SORP needs a consistent and capable person to staff it.

Response to the SORP Report: Unfortunately, the SORP did not receive a response from the Department of Human Services to last year's Report. It is hoped this year the Department will provide feedback relative to any steps being taken to address issues which the SORP has raised.

Summary

In conclusion, this has been a difficult transition year, during which the work of the SORP has been "on hold." Many issues raised in last year's report have not been addressed, fundamental issues relative to data acquisition have presented challenges, and more recently there has been a complete change in State leadership.

The SORP continues to raise the issues of the Child Welfare Reform Plan's focus on long-term and structural change rather than on the day-to-day functioning of the agency. The SORP has consistently pressed the Division to focus on fundamentals of reform and to prioritize those areas which impact the delivery of direct services to children and families.

The SORP is hopeful that the new administration will be effective in re-focusing reform on the areas which directly impact the delivery of services for New Jersey's most vulnerable children. The SORP strongly supports the continuation of the current level of financial support to the Child Welfare Reform Plan. We believe that sufficient resources are essential to continued progress towards meeting the needs of the children of New Jersey. It is clear that without sufficient funding essential reform will not succeed.

Goals for Next Year

A critical goal for the SORP next year is to develop mechanisms to ensure that there is regular and consistent reporting of the data which the SORP needs to meet is legislative mandate of overseeing staffing and outcomes for the state child welfare system. In response to last year's SORP annual report, leadership at DYFS and DHS agreed to report key data needed by the SORP on a regular basis. Although the SORP submitted a list of the data that it needed, regular reporting was not provided, due in part to the change in leadership at DHS and DYFS. Efforts appear to be underway now by DHS to ensure that the data is accurate and consistent. The SORP looks forward to working with the Office of Children's Services in the upcoming year to establish the necessary mechanism for ongoing data.

The following are the areas that the SORP will focus on monitoring next year:

1. Caseload size and strategies to reduce caseloads
2. Staffing levels, retention of staff, and effectiveness of staff recruitment, including tuition reimbursement
3. Training for caseworkers and supervisors
4. Status of legally free children
5. Service provision to DYFS clients and DYFS contracts in the following areas:
 - Parent-child visitation and sibling visitation
 - Mental health services
 - Substance abuse treatment
 - Housing
 - In-home treatment services
 - Housing
 - Parent education
 - Residential treatment services for children
6. Efforts to develop resource families and support services for kinship and resource families
7. Aging-out services for youth leaving foster care