

P U B L I C H E A R I N G

before

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

on

DIVISION OF YOUTH AND
FAMILY SERVICES

Held:
March 22, 1979
Senate Chamber
State House
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Senator Anthony Scardino, Jr. (Chairman)
Senator James P. Vreeland, Jr.

ALSO:

Eleanor H. Seel, Research Assistant
Office of Legislative Services
Aide, Senate Institutions, Health & Welfare Committee

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SENATOR ANTHONY SCARDINO, JR. (Chairman): Good morning. Welcome once again to the Senate Institutions, Health and Welfare Committee hearing on DYFS. I am Anthony Scardino, State Senator from District 36. I appreciate this fine attendance this morning. It is a bit unusual for at least most of my colleagues on the Committee not to be here with me at this time but I expect that Senator Vreeland will be here very shortly. So, I will have someone who will keep me company up here besides our good staff person Eleanor. I guess most of you who were with us on Monday got a very good picture of where the Division is at at this point. At that time we had the opportunity to listen to its director, Bernice Manshell and other representatives of the division and to have them tell us as adequately and within the time constraints that they had, just where the division is at this point in time and what the division's response has been, in a general sense, to the Wechsler report on the Division of Youth and Family Services. There are a number of points that we had highlighted--that is the Committee highlighted--that came out of Monday's meeting. Perhaps, during the course of the day, we will get back to some of those points. I'm not going to elaborate on them at this point in time. I am sure that by the end of the day, I will try to give you an indication of where the Committee is at, at this point, with the hearings. What I mean by that is, we had thought that we might be able to accomplish our ends after two all-day public hearings. I think it might be necessary to continue this kind of deliberation once or twice more in the not-too-distant future. Again, I will make that decision by the end of the day and also give you a general sense of where the Committee will be coming from--what we hope to do between now and the next meeting.

We have with us today people who are, I guess for lack of a better word, receiving the services of the Division of Youth and Family Services--who are impacted by the services that are delivered. Without further ado, I'm going to ask our first witness to identify herself and to present her testimony here today. Before she does that I would like to ask everyone--we do have a rather large list of people who would like to speak to us today--if you can, to confine your comments to less than ten minutes, if that is possible, and hopefully allow some time for questioning if there are questions. I think it will give everyone an opportunity to speak. I hope that everyone will at least try to do that. Mary Ann Rand, welcome, nice to see you.

MARY ANN RAND: I'm a foster mother from Monmouth County. I have been with DYFS since August when my home was opened. Basically, what I have to say today has to deal with my first placement which was a difficult child to handle. We were given very little personal information on the boy. His name was John. What we were given was an hour to make up our minds if we would accept this child when we were called in at noon on a Friday. All that we were told was that he was a special ed. child and one of four brothers. During that hour, we tried contacting his former school, which is Children's Psychiatric Center, in Eatontown. We got very little information there. Because it was our first placement and we felt good about helping children, we accepted John. The social worker who was assigned to John was totally unqualified to deal with children and with John in particular. That is our own opinion.

SENATOR SCARDINO: Would you repeat that please?

MS. RAND: In our own opinion, the social worker who was assigned to John was totally unqualified to handle children let alone the special type of child that John was.

SENATOR SCARDINO: Thank you.

MS. RAND: We were never told that John was under psychiatric care while he was in CPC and that we should continue this care. It got to a point, after two months time, that we were having a great deal of problems. We were getting no support from the school system or from DYFS. We asked for the name of a psychiatrist. We waited for a week. We were not given any names. We went out and found one on our own. This was in November. The child was placed in August. We were never informed of the State law that children who have special education needs are to be evaluated every three years. John was placed in our school system without an evaluation. After a particularly bad day in December, I called our social worker screaming my head off at her. It was the first time in my life that I ever screamed at anybody. I called the school system explaining some of my problems with the child. I asked to have a Child Study Team meeting. I had the meeting within a twenty-four hour period which was on December 19, 1978. At that meeting, it was revealed to us that John had not been evaluated since he had been placed in CPC which was four and a half years ago. They told us that they could not put John in an institution dealing with his problem until he had been evaluated within the school system. They told us at that meeting that it would probably take six weeks, and would we allow them the six weeks. We agreed to that. That was on December 19th. We gave up the child on February 22nd of this year. And, as of that date, the evaluation was no way near being completed. Every time I had a problem at home and needed help, I'd call the school or the social worker and I got another delay of several days before a question could be answered or anything could be done. The social worker who was originally assigned to John did not take our wishes into account over many things. She did not supervise the visits with the mother. At one particular visit, John went to a birthday party for his brother which involved several people. At this birthday party, a family argument broke out, an aunt was knifed, and the police were called. The social worker brought home the child two hours late and didn't tell us about this police involvement. The child told us about it. To understand John, you have to realize he was diagnosed schizophrenic. He was withdrawn. He was self abusive. He would eat dirt or tree bark or anything he could get his hands on. He was burning up nervous energy and losing weight--tremendous amounts of weight--until we took him to the psychiatrist. At the first visit with the psychiatrist, she recommended that he needed intensive care and probably needed residential care. At that time, we talked to the social worker and the school system and both of them refused to do anything about it. We had a great deal of trouble with everybody involved. Because of the red tape involved in the system, in February there was a phone call to one of DYFS's offices concerning me saying that I was beating the child. Now, this is not true because the child had had an accident with a bicycle two days before. He had a great deal of bruises on his body. On Monday, he came home from school with a black eye, a bloody nose, a swollen lip, mud on his clothes and was really dirty. I called the school to ask them to help to find out what was going on. Two days later a new social worker came into my home saying that they had received a report that I was beating the child. Because of the red tape involved, the office that knew that John was under psychiatric care and knew that he was self abusive did not tell this new social worker anything. I was investigated for a child abuse report. All I can say is that the professional people involved with John believed that he needed residential care badly. Even the psychiatrist wrote a letter to the school system stating her opinion in November. Nothing was done about it. From what I

understand, right now, John just saw a psychiatrist, a different one, one the school system insisted on his seeing, and that particular psychiatrist said that he is not schizophrenic. He will probably be staying in a special ed. class in our school system because, in my opinion, the school doesn't want to send him to a residential care facility because they don't want to put out the money.

John got to the point in the last two weeks when he was living with us where he was walking on my baby's hands, not looking where he was going. You had to tell him to go to the bathroom. He could not dress himself. John was ten years old. This was what he was doing at home but in school in the special ed. class he was bringing home B's and C's. This shows what a split there was in his personality. Basically, that is my story of John but I have other points that I would like to bring up, if that is okay with you.

SENATOR SCARDINO: Before you get off John, how long did you have him?

MS. RAND: I had him from August 20, 1978 to February 22, 1979. It was a six month period.

SENATOR SCARDINO: Was this your first child?

MS. RAND: Yes, he was.

SENATOR SCARDINO: Do you have children of your own?

MS. RAND: Yes, I do.

SENATOR SCARDINO: How many?

MS. RAND: I have two girls, one who is eleven months old and the other is three years old.

SENATOR SCARDINO: Do you live in Monmouth County?

MS. RAND: Yes, I do.

SENATOR SCARDINO: How long have you been a resident of the State?

MS. RAND: I have been a resident of the State all of my life.

SENATOR SCARDINO: You have never been involved in foster care before?

MS. RAND: No, this is my first experience.

SENATOR SCARDINO: Do you know people who are foster parents?

MS. RAND: Yes. My mother-in-law was a former foster parent. A few other people we had met were foster parents.

SENATOR SCARDINO: Do you have any children now under your foster care?

MS. RAND: No, we are waiting on the second placement right now. We are in between. We don't have a foster child in our home at this moment but we understand we probably will within a few days.

SENATOR SCARDINO: You said that when you called the school district where the child resided and they refused to submit to you any information concerning the child's condition or situation, academic or otherwise?

MS. RAND: They gave me basic information. They told me how he was doing in school that they walked him from the classroom to the cafeteria. But that was the extent of their problem with John.

SENATOR SCARDINO: Did you say he was in a special class?

MS. RAND: Yes. He was in a class of eight children under a special ed. teacher.

SENATOR SCARDINO: And, you were not told?

MS. RAND: Oh, I was aware of the fact that he was in that special ed. class.

SENATOR SCARDINO: How did you become aware of it?

MS. RAND: Because I had asked for it before he started attending school in September.

SENATOR SCARDINO: Whom did you ask?

MS. RAND: We had asked ---

SENATOR SCARDINO: Because, in your statement you said that when you called the school system you didn't get any cooperation or something to that effect.

MS. RAND: Okay, what I meant by cooperation---

SENATOR SCARDINO: And then you had to find out--and I want to be corrected because this is the way I heard you--you had to find out almost on your own that this child had a special problem and that he needed special attention and the social worker, who should really have been responsible by your own words for supplying this information to you, did not. I think it is reasonable for you to expect that you should know this. But, I understood you to say that you were not made aware of it.

MS. RAND: All right, let me clarify the situation. John was a student at Children's Psychiatric Center in Eatontown before he was a foster child - while he was still with his mother. There was a social worker connected with that institution who was very interested in John, who constantly called us. Within the first week that John was placed in our home, she suggested that we try and get John to continue at CPC because it was in Monmouth County and it was possible to bus him back and forth. We applied to the school board, to the director of special education to have John transferred to CPC which they refused. They said that first they would have to try him in their special ed. class to see how he would react. Now, you could live with John for a month and he would be a perfect angel. He was not a violent child. He was just totally withdrawn from the world and lived in a fantasy world. When you tried to help him by taking him and saying, "John, this is not true." He would withdraw even further.

SENATOR SCARDINO: Maryann, not to interrupt you, I appreciate your getting descriptive about that but what I am trying to establish here is whether or not the professionals--the people who have some responsibility in the system in terms of seeing to it that this youngster is provided with every care and assistance that we can give to him--are doing their jobs. I am getting the impression from you that there are some gaps in the system and you had to find out a lot of things on your own that you felt you should have been told about the youngster.

MS. RAND: Right.

SENATOR SCARDINO: I just want a clarification of that. When the child was brought, did you have any preknowledge at all about the youngster? Did you know anything about him?

MS. RAND: Very little. We were told that he was the oldest of four children, that he had ---

SENATOR SCARDINO: This was all verbal?

MS. RAND: This was all verbal over the phone.

SENATOR SCARDINO: O.K. What did you get in writing?

MS. RAND: Nothing. Absolutely nothing. We never received anything. The first thing we received in writing was a copy of the birth certificate which we asked for so he could go to school.

SENATOR SCARDINO: How did you find out that this youngster required special attention, special schooling?

MS. RAND: Because of the social worker from CPC, not a DYFS social worker.

SENATOR SCARDINO: How long after you had the child?

MS. RAND: She called me two days after the child was placed with me to inform me of John's special needs. She was about the only person who really cared about John, who called and gave me information. When I had problems, I called her.

SENATOR SCARDINO: Did she call you out of a sense of responsibility because she was carrying out her job or did she call you because she had some relationship with John where she was following up on his activities and did this more or less voluntarily?

MS. RAND: It was mostly voluntarily.

SENATOR SCARDINO: Was it official or was it voluntary?

MS. RAND: It was voluntarily. She had a working relationship with John from the previous years in CPC. She was very concerned.

SENATOR SCARDINO: So, what you are saying is you never really received any official notification.

MS. RAND: No, nothing official.

SENATOR SCARDINO: All right.

MS. RAND: The school board didn't tell us about the evaluation until December 19th when I had had severe problems at home and asked their help in coordinating school activities with home activities. That was the first notification that I had that he had never been evaluated and that it was necessary.

SENATOR SCARDINO: Where is John now?

MS. RAND: He is still in our township with a foster mother who agreed to take him only until the evaluation was completed.

SENATOR SCARDINO: Why is it that he was taken from you and given to someone else?

MS. RAND: I asked for that. Because he was getting dangerous to my own children, he was walking on the baby's hands not watching where he was going. He was getting to be very trying.

SENATOR SCARDINO: So, presently he is with another foster parent waiting for the completion of an evaluation by the Child Study Team?

MS. RAND: That's correct.

SENATOR SCARDINO: At which school?

MS. RAND: It is in Marlborough Township.

SENATOR SCARDINO: And this Child Study Team has been working on this evaluation for approximately how long?

MS. RAND: Since the nineteenth of December when I first exploded at them, to say the word mildly.

SENATOR SCARDINO: The nineteenth of December. O.K. But, in the meantime he is being given special education in class?

MS. RAND: Yes. He is still continuing with the special ed. class. I still hear about him occasionally from other people in the school system.

SENATOR SCARDINO: O.K. Senator Vreeland.

SENATOR VREELAND: I just have one question, Mr. Chairman. I guess it is more for information than anything else because I didn't get here at the start of your testimony. Do you continually have foster children?

MS. RAND: John was my first.

SENATOR VREELAND: That was your first. For what reason would you have a foster child?

MS. RAND: That is very difficult to explain. A lot of people have asked us and we can't come up with a specific answer. We love children. We would like to have a third of our own but we simply cannot afford all the expense of having a third. I get along great with kids. That's about the only reason. I'd like to help someone.

SENATOR VREELAND: I know. Well, you have two of your own as I understood it. Is that right?

MS. RAND: Yes, I do.

SENATOR VREELAND: And you applied again for another one?

MS. RAND: Yes, I did.

SENATOR VREELAND: It was just a matter of information. I wonder what it is that motivates people to have foster children, if they have their own. Now, if they don't have any, that is something else.

MS. RAND: Well, we have two and, as I said, we love children and we'd like to help. I guess we are looking for more than most people do out of the system.

SENATOR SCARDINO: Do you have additional comments?

MS. RAND: Yes. It is mostly my opinion about certain things and a few questions really. As indicated from my personal experience with DYFS in my county some of the social workers are very poorly trained. That is not all of them. The second one I got was very well trained and very well qualified and quite a help. All of the social workers that I have been in touch with--and I have been in touch with quite a few because of my problems--have been overworked. All of them carry great caseloads. The last one I had tried to make it to our home once a week but he had to do that on his own time, because he was concerned with John also. The foster parents and the local worker are usually very much in the dark concerning the changes that go on in DYFS--that happen here in Trenton. Our first social worker knew very little. We found out mostly from other foster parents who have been in the system for a long time of some of the benefits we could have been receiving for John which we didn't know about. They don't have a set of rules and regulations to go by. They have interoffice memos, at least that's what I have been told. I don't know if that is true. This is a question: When the budget was increased by over a hundred million dollars in '73, how come our board rates and our clothing rates haven't reflected this allowance of a greater amount of money? John is ten years old and I was getting \$125 a month to feed John. That was to go for everything. I think the first clothing allowance was \$45 for him. He came with practically no school clothes at all, just summer shorts and some tee shirts.

SENATOR SCARDINO: Was the total amount \$125 or was it \$125 plus the clothes allowance?

MS. RAND: The clothing allowance comes once every four months. The \$125 is the basic board rate for a ten year old boy.

SENATOR SCARDINO: O.K.

MS. RAND: To give you an example, I have the foster parents' handbook with me. They have clothes listed in the handbook at what price you should pay for these clothes. For example, they have a suit for a boy of ten for \$13.81 or a pair of undershorts for 85¢. You are only allowed to buy three. Can you tell me where to buy these clothes at this price and keep them in good enough condition to last until you get a clothing allowance? I just find that is impossible. That is basically what I have to say.

SENATOR SCARDINO: Maryann, I want to thank you for taking the time and the interest to appear before the Committee today and giving us an opportunity to share

in your experience. I know that it is going to be helpful to us. It certainly is something that I encourage people to do more of. I don't know what the outcome of this meeting is going to be. I can't predict at this point in time but I know that everyone's participation is going to be helpful in one respect or another. So, I want to thank you and those who have come with you and are appearing before this Committee today. Thank you. Are there any questions?

SENATOR VREELAND: No questions.

SENATOR SCARDINO: Marilyn Bouer, foster parent, Hudson County. Good morning, Marilyn.

M A R I L Y N B O U E R: Good morning.

SENATOR SCARDINO: You may proceed. Do you have a copy of your testimony for the Committee by any chance?

MS. BOUER: If you can understand my handwriting, I will be more than glad to leave it.

My name is Marilyn Bouer and I am a foster parent in Hudson County. I'm here representing the Children's Volunteer Organization and hope to give you constructive criticism of the Review Board in our area. The Review Board in Hudson County has refused all invitations to meet with foster parents. We believe that in order to meet the needs of the children in our area, it was an important part of their training. Hudson County also refuses to put a foster parent on the Board. If they won't put one on the Board, we have suggested to them to put a foster parent in an advisory capacity. I feel it is necessary. Some counties were given adequate money to coordinate the Boards and other counties were given very little or none. I was told by DYFS that the Board has no decision power at all. So, I continue asking them very hypothetical questions and get answers from them. I said that if DYFS and the presiding judge decided to return a child home and the Board were not in agreement, could the Board ask for another review of the case? My feeling is that it would be a matter of record then and all parties would have to share a sense of responsibility in what was happening to this child. We did have a case where DYFS suggested the return of a child to a natural home and the foster parent obtained the services of a lawyer at an expense of \$600, to go to the Review Board and fight for the rights of the child. He was in disagreement with DYFS. This shouldn't have been necessary. The Review Board should have been given some authority to override DYFS. From what I understand, they have gone along with every decision DYFS has in our county alone--every decision DYFS has suggested to them.

In addition, the organization strongly feels that in the case of a possible return of the child to its natural home especially if it has been in a foster home for a long period of time, that the foster parent be required to appear before the Review Board.

SENATOR SCARDINO: Excuse me, Marilyn. Before you get off that point, I'd like to clarify it. The child that you are talking about, how long was he/she with the foster parent? Do you know?

MS. BOUER: I would say about a year.

SENATOR SCARDINO: How was the decision arrived at as to returning the child to its natural parents?

MS. BOUER: From what I understand, the caseworker was not too thrilled about returning the child to its natural parents.

SENATOR SCARDINO: I didn't mean to ask for hearsay. I thought maybe you knew for a fact. If you don't know then I prefer not to have any hearsay.

MS. BOUER: O.K. Fine.

SENATOR SCARDINO: You may continue now with the testimony.

MS. BOUER: I think the big problem with the Review Board is that they need uniform procedures that must be adopted and enforced throughout the State, including a uniform training program for all Review Boards. I think this is the only way it is going to work. One can learn from the other. I don't even know who would sit there in judgment, who would be in charge of this, but there has to be some kind of uniformity--enforced uniformity.

SENATOR SCARDINO: Thank you, Marilyn. Are there any questions?

SENATOR VREELAND: No.

SENATOR SCARDINO: Thank you very much. We appreciate your testimony.

Loretta Alicia, foster parent, Hudson County. Good morning.

L O R E T T A A L I C I A: Good morning. My name is Loretta Alicia, a foster parent from Hudson County. I have been a foster parent for nine years. And, for the last four years I have been known as an emergency foster home parent where a child may be brought into your home at any hour of the day or night and it would have all sorts of problems. So, I think I have gotten to see a lot of different things. I have had over 200 children because they are coming in for a short period of time until a child can be placed.

SENATOR SCARDINO: Over 200 over a nine year period?

MS. ALICIA: Yes. It is a quick turnover. Now, the problem that I am concerned about is that many children are being placed in residential centers that, I feel, do not have to be there. I am not talking about the child with the severe physical or emotional problems. I am well aware that we do need residential centers. But, I can only talk of the children who have been in my care that will leave me and go into residential centers simply because there are not enough foster homes, number one, and number two, because we have a shortage of caseworkers in Hudson County. They cannot spend the time with a foster parent--it takes a lot of time with a problem child to work things out with the natural home, the Board of Education, etc.--to find suitable homes. I see that we are doing a disservice to these children. When they first go in--if they are only in for a short period--in the first eighteen months you will see an improvement because they do have a lot of skills that the normal home would not have. But, after a two year period, the children become totally institutionalized. When they come to me for vacation--the ones I can take out--they really can't cope any more with the outside world. I think that something has to be done about that. I don't think you have much control over getting more foster parents. DYFS has to work on that. Maybe you can open it up so that we can have more workers so that their caseloads could be cut. Our caseworkers have caseloads of seventy to eighty children. They just cannot do it. These children are being put away that really could live on the outside. I don't know what more I could add on to that.

SENATOR SCARDINO: Loretta, may I ask you some questions?

MS. ALICIA: Sure. That's probably better.

SENATOR SCARDINO: You have been a foster parent for nine years. You have obviously seen a number of changes in the operation of the State's approach to foster placement and care for children and families generally. I would assume you had at least some experience in that respect. What is the longest period of time that you have had a child under your care?

MS. ALICIA: I've had some children up to five years. I have had others that--It can range from overnight---

SENATOR SCARDINO: How many do you have at one time?

MS. ALICIA: That's so hard; we could say five.

SENATOR SCARDINO: You have had up to five---

MS. ALICIA: (continuing) had up to five at one time. But, if an emergency would happen during the night of a family of three or four, I might for a very short period have more, until they can be placed.

SENATOR SCARDINO: Do you have children of your own, Loretta?

MS. ALICIA: Yes, I do.

SENATOR SCARDINO: May I ask how many?

MS. ALICIA: I have five children.

SENATOR SCARDINO: So, besides your five you could have had as many as five other foster children.

MS. ALICIA: Right. In emergency situations.

SENATOR SCARDINO: O.K. What is your evaluation of the social workers that you have dealt with, that you have had contact with in the nine years that you have been working with the State in the foster parent plan?

MS. ALICIA: I find, on an overall picture, a very good working relationship. I feel that in the last three years, in particular, there is a new trend where the worker has gone out of his way more to work with the foster parent on an even level. You know; you are equal. That has really been a benefit. Before the foster parent was intimidated by a worker more. Not so now, we have a lot of--I can only speak for Hudson County--better workers.

SENATOR SCARDINO: You feel that there is more concern and more attention paid to the child and to the foster parents for the benefit of the child in the last three years than there has in the past. This is your general evaluation?

MS. ALICIA: I don't know if there is more time because the caseloads have gone up. But, I think that we have really concerned workers.

SENATOR SCARDINO: You heard previous testimony from a foster parent who talked about a child that she received. She almost had to find out on her own that there were problems with this child, that he required special attention in school. Have you had any experience of that kind? Have you had children who required some special attention and you had to almost find out about this on your own? I'm talking specifically about within the last three years.

MS. ALICIA: In my own situation that would happen if DYFS does not have the information. Many times a child is left in DYFS's office, right at their desk, a child who is completely unknown to the agency. Yes, then they cannot share with you the information. They would not know if this child does indeed have special problems. How would they know that? But, in my instances, if DYFS has this information, they have always shared it with me.

SENATOR SCARDINO: O.K. Senator Vreeland.

SENATOR VREELAND: One or two questions. You say you have five children?

MS. ALICIA: Yes.

SENATOR VREELAND: Are they all at home?

MS. ALICIA: Yes.

SENATOR VREELAND: That would make ten if you have five foster children at one time. What is the average number that you have? Of foster children?

MS. ALICIA: I would say that five would be an average.

SENATOR VREELAND: So you have ten in your home?

MS. ALICIA: Yes.

SENATOR VREELAND: Do you have a large house?

MS. ALICIA: Yes. (laughter)

SENATOR VREELAND: Well, I was just thinking out loud and it occurs to me--- Getting back to DYFS, let's say you get a child in an emergency and you have it for a few days and you find that the child has a problem. Do you get in touch with the social worker or DYFS and say, "This child has a problem."?

MS. ALICIA: Yes.

SENATOR VREELAND: Do they come around that often or do you have to get in touch with them?

MS. ALICIA: It would have to be both. For the short periods of time that I have the children, I would have more exposure to the workers than possibly someone who has a child for a long period of time.

SENATOR SCARDINO: Loretta, the children that you get are not, I would assume, from the same community or school district that you may be in. Is that correct?

MS. ALICIA: Not the same school district, no. I would get children possibly from Bayonne or Union City; I live in Jersey City.

SENATOR SCARDINO: How have you found the cooperation of the school system?

MS. ALICIA: For enrolling the child, they are o.k. on that. I have problems with them with the special child which most of DYFS children are.

SENATOR SCARDINO: Can you describe the kinds of problems that you have with the special child, as you put it?

MS. ALICIA: They are not very tolerant. Often the Board of Education will make the recommendation that the child go into residential, saying that they cannot educate that child. When that child may, indeed, be just hyperactive--extremely hyperactive not what I would consider to be enough to go into a residential center.

SENATOR SCARDINO: In other words, there are enough resources at the school itself where they could provide for the special needs of the youngster.

MS. ALICIA: Yes.

SENATOR SCARDINO: So, you are suggesting that the Board of Education, in this case, might be trying to find the easy way out. Is that what you are suggesting?

MS. ALICIA: I think so. I think more on a foster child, possibly, than on a regular child because---

SENATOR SCARDINO: Would it cost them more to send the child to a residential facility though as opposed to keeping them within the school itself?

MS. ALICIA: Yes, it does cost more. But, if they are sending them out of their classroom--- I have a child right now that really has nothing wrong with him, he has been just severely abused and neglected in his home. So, he is not a model child. He is being sent home every other day from school. He is only six years old. The teachers cannot deal with him and they are already talking about having testing done and finding the easy way out for the school.

SENATOR SCARDINO: Marilyn, you have been with this nine years. I would assume, correct me if I'm wrong, that you kind of keep track of what happens to your kids when they leave you - at least those that you may have had for a while?

MS. ALICIA: Yes, as many as I can. I do. Not all. What I can.

SENATOR SCARDINO: I can understand that. Looking over the nine years and looking at the results or the impact on the children that you had say seven or eight years ago--obviously some of them are well grown by this point, I would assume that some of them are in their late teens, maybe early twenties--how would you say they turned out as a result of the system?

MS. ALICIA: A lot of them, not very well. There are a few of them who are parents who have children in the system. So, they are still clients for their children.

SENATOR SCARDINO: Can you give me numbers? Are you talking about two or three or four examples?

MS. ALICIA: Let me say this. Off the top of my head, I can think of three girls who lived with me who had children. One girl is fine, has her baby and kind of thinks of us as grandparents to her baby. The other two are involved with DYFS. One has surrendered two children and the other one has her child but she has a worker and things are not working too well.

SENATOR SCARDINO: What do you think happened? Why do you think this happened to them? Why do you think the system didn't work for them? Did they have to return back to their natural parents at some point in time? Do you think that this was the impact or was it too late at the time that you got them?

MS. ALICIA: These girls, in particular, were in their teen years at the time that they came into foster care and it was a little hard.

SENATOR SCARDINO: Do you think that if you had had them at a younger age that maybe you might have been able to change that to some extent?

MS. ALICIA: Yes, I think so. The majority of the children that I have had have not reached the teen years yet, so, it would be difficult to see. But, for the ones who return home, if they could have the caseworker services or the child who stays in foster care--- I'm not for one way or the other. I think it is the care afterwards, that if the worker can be there to provide the services and interrupt these crises situations, then we have something going for us. I think that is the main thing. If you have a worker with eighty children, if they return a child home oftentimes they will close that case within a three month period because they just physically cannot be there. I think that if they could keep the cases open and remain active with them, that is the only thing that I could ask you to do something about. We need a lot more workers. You have to think of Hudson County because we are a unique county with problems.

SENATOR SCARDINO: An urban county. Senator Vreeland.

SENATOR VREELAND: Just one question, as I asked the former witness: What motivates you to have foster children since you have five of your own and you have had foster children for nine years? Is there a special reason why you do this?

MS. ALICIA: In the beginning, a friend of mine was doing it. I went to her home and I saw the need. I thought I was going to be a good samaritan to help out and do something. I took in two children at that point and it was fine. I felt good that I was doing things. It was working well. As time went on, the need becomes overwhelming. I wound up feeling that I was the lucky one actually, because everything that I give, I am getting back threefold from the children. If I can do something at night when they get thrown out or the night that they are beaten, I will have them for that period and for me, that is what motivates me. I am servicing a need and getting fulfilled at the same time.

SENATOR VREELAND: That's great. Thank you.

SENATOR SCARDINO: A question that is asked is whether or not you have experienced situations where children are just bounced from one foster home to another, so to speak, and if you have, what do you feel the reasons for that are?

MS. ALICIA: Yes, I have seen that happen. I don't think--at least I hope--that it does not happen as often as people seem to think that it happens.

SENATOR SCARDINO: Well, from your experience now, Loretta.

MS. ALICIA: When I see it happen, it seems to happen because the foster

parent cannot deal with the child and they ask for a removal. I do not see DYFS coming in when everything is going along well in a home and just taking the child and saying, "Move on."

SENATOR SCARDINO: What would be a reason for a foster parent not to want to continue with the child? The first witness we had today explained her particular situation---

MS. ALICIA: Right. She felt that she didn't have enough background.

SENATOR SCARDINO: From your experience, have you ever had this kind of a situation?

MS. ALICIA: Right now, in our area, they are dealing with this with the new foster parents that are being recruited. So, maybe in three years from now, this will not be true. But, right now, the people who came in as I did, nine years ago, five years ago, really did not know how different these children's lives were from their own. To hear something or to read it, is not to live with it. When they would see these children acting out the way they had lived at home, they would just go crazy. If you have your own natural child there--let's say a 5-year old girl, this has happened so I can quote it--and you have an 8-year old boy coming in and trying to sexually molest your daughter. Now, your gut feeling is, "Please, take the child out." It's because they are not really prepared for this. I don't know how much they can prepare you for these things, but if you can get past it, and if your worker is free to come out to the house right away and maybe get the child into counseling, you understand why the child did that. At eight years old, he is not a sex maniac. What he has done is what he has seen in his home. If you can get the foster parent to intellectually understand what is happening, they will not throw the child out. They will work with it.

SENATOR SCARDINO: They will be able to cope with it, to deal with it.

MS. ALICIA: Right. To deal with that problem.

SENATOR SCARDINO: So, you find that we are beginning to move into that kind of sophistication, so to speak?

MS. ALICIA: Hudson County, yes.

SENATOR SCARDINO: These first years have been learning years for everyone and it is a matter of being able to identify the kinds of problems and situations you will be confronting out there because most of them have come as complete surprises to people. Now that you know these problems exist, we are working on ways to address ourselves to remedying those problems.

MS. ALICIA: I think so.

SENATOR SCARDINO: I think you made a very fine description and presentation in that respect.

MS. ALICIA: I hope so.

SENATOR SCARDINO: You should be complimented. It kind of gives us a little insight that I don't think we really had. You did it very well, Loretta, and I compliment you.

MS. ALICIA: Thank you.

SENATOR SCARDINO: Are there any other questions? Tony Mauro, caseworker, DYFS, New Brunswick. Good morning, Tony.

T O N Y M A U R O: Good morning, Senator. Just to identify myself, I have been with DYFS for three years.

SENATOR SCARDINO: Could you speak closer to the mike and maybe a little louder?

MR. MAURO: Oh, sure. I have been with DYFS's Middlesex District Office for three years in a generic caseload. Basically, what that means is that we cover all different kinds of situations--abuse, residential placements--other than adoption. I would be willing to answer whatever types of questions you have as far as the Court Review and residential types of issues. But, one statement I would like to make, if I can, is that we are the largest district office in the State and the morale in our office is fairly low right about now. We have had a number of problems feeding into that morale. But, to give you an example, there is an issue called "burnout." Surrounding professionals in social work and other helping professions are starting a burnout group to help the workers cope with the different types of problems we have, like caseloads and different types of minor problems. I shouldn't say minor because of the impact they have on workers. That was basically what I wanted to say about our morale problem.

SENATOR SCARDINO: Can you give us an insight into your experiences, day to day - what it is you do? Maybe you could give us some specific examples by using a case or two, so we can get a little insight into what you are all about.

MR. MAURO: I have a caseload of approximately forty to forty five children. I'm not sure because we have been---

SENATOR SCARDINO: How many?

MR. MAURO: About forty to forty five children. I have been given about five within the last month. So, I'm not certain exactly where it is. And, I have a few cases we are closing. As far as the Child Review Placement Act--to give you some insight into that and the impact on myself--in our county, we developed the system which involves a five-page form which includes a lot of background information on the child, the family, etc., which is accompanied by a notice of placement. For example, if I were to place a child in a residential facility--which I am about to do within the next week--it takes approximately a half of a day to complete the form. It has to be done within a forty-eight hour period in order to get it to the courts and the board for review. When you compound that with the fact that I have about five cases which will involve a residential placement, the time involved in filling out the court review form is extensive. It takes a long time away from the other normal types of paper work and our field services - going out to see the people.

SENATOR SCARDINO: Have you been involved directly where you have had to remove a child from the home?

MR. MAURO: Yes, I have.

SENATOR SCARDINO: Where you recommended removal?

MR. MAURO: Yes, I have.

SENATOR SCARDINO: What happens to that child and how close do you stay to the case through the process? Do you stay with the child after you have made a recommendation and the recommendation has been agreed to? Do you then take the other procedural steps in terms of placing the child in a suitable facility?

MR. MAURO: Yes.

SENATOR SCARDINO: Do you follow it through completely, hand-in-hand with that child?

MR. MAURO: Right.

SENATOR SCARDINO: You don't turn it over to anyone else at any time?

MR. MAURO: No. In this particular case that I have in mind, I did because of a problem of continuing to work with the mother. We did have to initiate with the Dodd Law. However, this particular case didn't go into court because the mother

then did agree to a voluntary agreement.

SENATOR SCARDINO: What was it, abuse? Neglect?

MR. MAURO: Yes.

SENATOR SCARDINO: How long were you on the case? How long was this abuse and neglect monitored? What period of time did it take between the time you knew that something was going on and the time that that child was placed outside of the home?

MR. MAURO: It was within a day, approximately eleven hours I would say from the time---

SENATOR SCARDINO: No, what I am saying is that you obviously had previous incidents. There must have been historical occurrences here in terms of the abuse of that child. Were there not?

MR. MAURO: Yes. I picked up the case as DYFS was already involved - there were previous workers. At that time the case was, I believe, two years with our office.

SENATOR SCARDINO: How old was the child?

MR. MAURO: Five years old.

SENATOR SCARDINO: Going to school?

MR. MAURO: Not at the time, no. There was a day-care program that the child was involved in.

SENATOR SCARDINO: Was it the only child?

MR. MAURO: Yes.

SENATOR SCARDINO: Why do you feel the parent agreed to cooperate with DYFS?

MR. MAURO: Well, in speculating--because that is all I can do now--the mother--how can I put this and have you understand it--there were a number of factors involved.

SENATOR SCARDINO: She apparently wanted to keep the child.

MR. MAURO: Yes, definitely.

SENATOR SCARDINO: But, for some reason, she agreed to let the child go and I want to know what that reason is.

MR. MAURO: I believe the reason was the fear of court proceedings and knowing that there were past verified incidences of abuse. I would say that was the main reason.

SENATOR SCARDINO: What was the result? Is the child now placed outside the home?

MR. MAURO: I followed up with the other worker who is on it to try and keep an interest in the case---

SENATOR SCARDINO: Oh, well this is what I asked you before. In other words, once you accomplished removing the child, you no longer stayed with the child?

MR. MAURO: No.

SENATOR SCARDINO: You turned the child over to someone else.

MR. MAURO: Usually we don't. Usually we continue on the case but there was definitely a problem in my continuing to work with this particular mother. There was a relationship problem.

SENATOR SCARDINO: All right. Give me an example of a case where you have followed through almost the whole process. I'm particularly interested in knowing what is happening to that child when he or she is placed outside the home. What is your concern and what is your interest in that respect?

MR. MAURO: To be honest, I can't think of a particular case example where

I have removed a child because of physical abuse. Usually voluntary placements surround a particular inadequacy on the part of a single parent, mostly.

SENATOR SCARDINO: You mean, a single parent would give up the child and call you and say that they wanted the child to be placed?

MR. MAURO: Yes. Usually our cases involve people who know there is a problem that they can't deal with. Then, through school or other types of community people, they will reach out to us. In the majority of my cases, that is the situation.

SENATOR SCARDINO: You have forty to forty five children that you deal with. Is that correct?

MR. MAURO: Yes, approximately because--as I was saying-- I received about five within the last month. And, the cases that we intend to close, even though they do stay on our books, as officially open, I'm not doing any type of casework with them.

SENATOR SCARDINO: How many do you really--realistically--work with out of the forty or forty five? How many do you really deal with on a daily, weekly basis?

MR. MAURO: On a weekly basis with the type of time constraints and paper work that we have to do, I would be in touch with approximately fifteen of those cases.

SENATOR SCARDINO: How do you decide which cases to deal with?

MR. MAURO: We put them in priority according to abuse and neglect.

SENATOR SCARDINO: Who determines the priority?

MR. MAURO: It is jointly between the worker and the assistant supervisor. Most of the time though, it is left up to the worker to prioritize the cases and then double check them with the supervisor if there are any problems.

SENATOR SCARDINO: Give me one example of a priority case.

MR. MAURO: Right now I am working on a case on a bi-monthly basis. It involves a spinabifida child. Spinabifida is a physical malfunction where a child is born with a separation in the spine. This was also classified as an abuse case. It was a single parent with an older boy. The child is approximately five at this point. When we received this, it had first been opened in Newark and the mother then moved to our county. We received the referral through the hospital where the child was being treated. The reason we were brought in was because the mother was saying that she felt overwhelmed, had to carry the child literally from one place to another, spend an extraordinary amount of time with her---

SENATOR SCARDINO: How old is the child?

MR. MAURO: About five.

SENATOR SCARDINO: How long ago was this?

MR. MAURO: I received the case in the summer of '78. The mother showed some reluctance because she had had a negative experience with our office in Newark and was very against having another DYFS worker come out to speak with her. So, it took me approximately two months to actually get inside the home and speak with the mother from the point of view that we were not there to take her to court or to prosecute her but simply to help her deal with her child. It was determined after getting different types of evaluations from the hospital and my own interviews with the mother and the child, that a residential school specifically designed to deal with this type of child was necessary. Our goal is to have the child at least ambulatory to a certain degree.

SENATOR SCARDINO: Maybe you said this and I might have missed it: where is the child now?

MR. MAURO: The child now is in the hospital. The reason this was done was we had an incident where the mother--for a number of pressures, actually---

SENATOR SCARDINO: Why is the child in the hospital?

MR. MAURO: She was hit by the mother with a plastic baseball bat on her forehead.

SENATOR SCARDINO: How long ago was that?

MR. MAURO: That was approximately--that happened in December '78.

SENATOR SCARDINO: And the child is still in the hospital?

MR. MAURO: Yes.

SENATOR SCARDINO: And, in your judgment, the child requires hospitalization at this point? Or is the child there because there is no other place to put the child?

MR. MAURO: Yes. At this point, we don't have foster homes that are trained to deal with the types of problems that this child would present. She is also a behavioral problem which added to the pressures on the mother. The hospitalization was a result of that incident and since that point, we have a school that has accepted her. It is a matter of filling out the necessary forms---

SENATOR SCARDINO: Forms? Are you talking about a residential school?

MR. MAURO: Yes.

SENATOR SCARDINO: O.K. One final question, Tony. You talked about a five page form that you have to fill out. Did you say the form was developed in the district?

MR. MAURO: Yes. Each county develops its own system under the Court Review Act, through---

SENATOR SCARDINO: But, the reporting form is a form that is used exclusively within the district?

MR. MAURO: Yes, within Middlesex County, we are the only ones that use that particular type of form. I don't know if the other counties have developed their own forms or what system they use.

SENATOR SCARDINO: Apparently there is no uniform reporting form within the district.

MR. MAURO: No. That was left up to the judiciary and district office supervisors to develop this on an implement.

SENATOR SCARDINO: O.K. Senator Vreeland.

SENATOR VREELAND: The only question I have is: In the last case you related the mother was abusing her own child and as a result, the child is in the hospital, is that right?

MR. MAURO: Yes.

SENATOR VREELAND: In you experience--and I'm going to reverse this now--in the foster home itself, have you ever had evidence of child abuse of the child placed in the foster home?

MR. MAURO: I have been involved in investigations surrounding child abuse. The most severe case that I have gotten was recently where a foster parent slapped a child on the face and it was picked up by the school system because they saw marks on that cheek. But, I've seen nothing more severe than that in my caseload.

SENATOR VREELAND: It doesn't happen very often then you would say?

MR. MAURO: That's right.

SENATOR VREELAND: Thank you.

SENATOR SCARDINO: Do caseworkers face hostility from parents?

MR. MAURO: An extraordinary amount, yes, we do. I've had an incident on an abuse referral where I have gone out to the home and the previous worker had been chased off the property by the father with a hammer - actually thrown at her. Then they sent me out. (Laughter) The result of that confrontation was I was able to calm the father down--with his finger in my face--and explain to him our reasons for coming out that it was mandated, etc. But, we do face an awful lot of that.

SENATOR SCARDINO: Tony, can you give us something on your background? Where your training has been in this particular field?

MR. MAURO: Yes. I have a bachelor of social work from Stockton State College. I attended there two years and previous to that I had a sociology major at Middlesex County College. The other types of training I've had: I have attended a Child Abuse Conference, a Violence in the Family Conference and certain other types of---

SENATOR SCARDINO: This is after you got on board at DYFS?

MR. MAURO: Yes.

SENATOR SCARDINO: Could you go through that once more - the kinds of training you have gotten in the last three years that you have been with the division?

MR. MAURO: When you are first hired, you are automatically given a caseload. The training comes approximately one month to two months after you are hired. In my case, it was about a month where you are given basic skills. That revolves around information on what the division is about - what types of programs they have, what types of services that we would be delivering. Then, throughout the three years, I have attended the two conferences I mentioned, Crisis Intervention Training which was a 3-day course offered through Rutgers, a training course dealing with families concerning death and dying, particularly in child abuse.

SENATOR SCARDINO: What do you do in terms of in-service type programs? Do you have periodic meetings of staff to sort of review your experiences, exchange views and criticisms, if you will?

MR. MAURO: Yes, we do. We do on basically two levels. Our office is broken down into two units according to geographical areas in the county. We have unit meetings where we will throw out difficult cases---
It has not been too often. It has become less and less because we haven't had that much time for them --within the last year and a half, I would say once a month to once every two months. On top of that the office will schedule different types of training for the workers surrounding protective services where we will have our litigation specialists conduct different types of training about court procedures, DYFS procedures, Dodd Law procedures. Right now, we are implementing a procedural manual.

SENATOR SCARDINO: How did you get your orientation on the Child Placement Review Act?

MR. MAURO: For myself in particular, I was interested in the Court Review and was involved in doing a study of the Court Review system.

SENATOR SCARDINO: You did this on your own?

MR. MAURO: Well, yes, in a way. It was connected to fact finding hearings that we had within the last year with the State Employees Association and the State and trying to work out some of the problems that we do have on a sort of semi-informal basis. But the normal D.O. training around the court review system was that we had

each unit trained--once the form was developed--as to what would be expected of the unit as far as filling out the forms. Above the five-page form we have developed a placement notice, which is basically one form stating the reason for the placement, notarized, which we hand deliver to the interested parties, be they foster parents, the parents, or whoever - attorneys. That was done on the district office level.

SENATOR VREELAND: I just have one question. You came out of college and you got the job. Is that right?

MR. MAURO: Yes.

SENATOR VREELAND: As I understood it--maybe I understood it incorrectly--within a month you were out in the field with your caseload. Is that right?

MR. MAURO: Yes.

SENATOR VREELAND: So, you had actually a month of training as to the procedure and what to do and so forth. Is that right?

MR. MAURO: Not actually. What happens in my particular case is the supervisor acts as sort of a trainer. As you are given the cases, you are slowly led into the caseload. You will go out sometimes with another worker on the more difficult cases or with the supervisor.

SENATOR VREELAND: Oh, I see. So, in other words, you went out with a supervisor or another worker immediately after you got the job.

MR. MAURO: Yes.

SENATOR VREELAND: Not a month later.

MR. MAURO: No. You are immediately going out into the field after a review of the case.

SENATOR VREELAND: O.K. No further questions.

SENATOR SCARDINO: Thank you very much, Tony. Is Pat Meyers in the room? If not, we'll call on Peggy Robinson, caseworker, Gloucester County. Hello, Peggy. Thank you for being with us today.

P E G G Y R O B I N S O N: Thank you. I am Peggy Robinson. I have been a caseworker for Gloucester County District Office for almost nine years.

I basically asked to come today because I read an article in the newspaper on Tuesday reporting on the hearings you had on Monday. Whether Mr. Callahan was quoted accurately or not, he was quoted as saying that morale is higher and caseloads are lower. Again, whether he was quoted accurately or not, it is the same division that I am working for.

SENATOR SCARDINO: Well, just to lay that to rest, my recollection tells me that, if anything, it was the opposite.

MS. ROBINSON: Good. That's very good. Then it was very inaccurate reporting.

We basically have a situation today where the direct-line people--the people who are working with the families and the children--for the most part are physically and emotionally exhausted. I heard Maryann Rand's testimony today in which she was upset--and rightly so--at the lack of support that she seemed to get from the division. I do not know this case and I cannot comment on that. But, I do know that I have been put in a situation many times myself where I literally am ignoring serious cases.

SENATOR SCARDINO: You are what?

MS. ROBINSON: I am ignoring serious cases. My caseload this past year reached into the sixties. It is now in the forties and that is because I terminated many cases which at the time I felt needed services, but realistically, they would have just sat in my caseload. So, there was no sense in keeping them on. I am

constantly being put in the situation of choosing which case to deal with. Do you deal with the child who is being abused in his own home? Do you deal with a child like John who has severe problems and the foster parent is having trouble coping? Do you go out on the case where there is sexual abuse allegations?

SENATOR SCARDINO: Suppose a child like John was with his parents. Would you get involved in that respect too trying to help the parents?

MS. ROBINSON: Often, yes.

SENATOR SCARDINO: But, I mean, do you just get involved at the point of the time you are removing the child or can you get involved with the family in relieving their burden and trying to prevent any possibility of removing that child?

MS. ROBINSON: The majority of our cases are children in their own homes. They have come to us either because the parents have identified a problem--and this is rare because most people deny that they have problems especially in the area of abuse and neglect--or because the school system has identified a problem or a neighbor has identified a problem. The hardest and most time-consuming part of our work is dealing with resistance of parents. We are knocking on the door and saying you have a problem. They are not coming to us, usually and saying we need your help. Those cases are a lot easier to deal with.

SENATOR SCARDINO: And I guess it is not that they don't believe that they have a problem; it is that they just don't want to accept the fact.

MS. ROBINSON: They are frightened. Everyone wants to be the perfect parent. You have to learn to deal with that resistance by identifying with their fears, by letting them know that you don't expect them to be perfect, that all people make mistakes. As Tony testified, sometimes it takes a long time to get in the door.

SENATOR SCARDINO: What if you find the resistance to the point where you can't get in the door? What do you do then?

MS. ROBINSON: Well, it depends on what evidence you have. If it is really concrete evidence and you fear that the child is in danger, you would take the case to court. If not, the parents have the right to turn you away. If you don't have evidence then you would respect that right not to be involved.

SENATOR SCARDINO: What would you suggest should be a reasonable caseload per worker, from your own experience? You have been with it for nine years, you said.

MS. ROBINSON: I would say that if you are working with children where there have been serious allegations of abuse and neglect---

SENATOR SCARDINO: But, you don't know whether you are going to be doing that or not. You are really working with a mix of problems.

MS. ROBINSON: But, usually the case in our office is there is an intake unit. These are people who go out and investigate. If they feel that there are serious problems then it goes on to the ongoing worker. This could be a child in its own home or if at the time of intake it was so serious that they removed the child---

SENATOR SCARDINO: But, what I'm saying is a caseworker is not just given the responsibility of dealing with severe problems of abuse, that they could have that in addition to other problems.

MS. ROBINSON: True.

SENATOR SCARDINO: So, what I'm saying is, from your own opinion, as a general rule of thumb, what would be an adequate caseload based on your experience in Gloucester County?

MS. ROBINSON: If it was a mixed caseload where there were some relatively mild cases, I would say no more than thirty children.

SENATOR SCARDINO: No more than thirty?

MS. ROBINSON: Children. No more than twelve--again it would depend--but no more than twelve families.

SENATOR SCARDINO: No more than thirty children, no more than twelve families?

MS. ROBINSON: Now, again, it is difficult to give an exact number.

SENATOR SCARDINO: No one is pinning you to this. We are just asking for your own experience. I appreciate your being candid with us.

MS. ROBINSON: I have had a lower caseload in the thirties. There was a time when the Gloucester D.O. had more caseworkers and we were doing a lot in terms of group work which was taking the pressure off the caseworker. Group work is sometimes more effective than individual counseling. I was under a lot less pressure when my caseload was in the thirties.

SENATOR SCARDINO: I would assume, from your experience, that you have had the opportunity to witness people who do their job and people who don't do their job.

MS. ROBINSON: Yes.

SENATOR SCARDINO: How would you look at that over the nine years? Would you say that for the majority of the time the caseworkers are doing their job to the fullest capacity possible?

MS. ROBINSON: I'm very proud of our office. We have always been a highly committed office. I would say that there may be one or two people that you feel are not working as efficiently as could be.

SENATOR SCARDINO: What do you do about that?

MS. ROBINSON: What do I do about it?

SENATOR SCARDINO: No, your office, your administrator, your director.

MS. ROBINSON: I have seen cases where the supervisor would have conferences with the worker and deal with the complaint.

SENATOR SCARDINO: Are these people still around whether it is in Gloucester or anywhere in this State? I'm sure you have contacts elsewhere that you know of where people are, in fact, working in the system who don't belong there.

MS. ROBINSON: I have to honestly say yes, but I'm not in any position to know what another worker is doing. That isn't my job. I have to worry about my own cases. But, to be honest with you, my impression is that there are some people who are---

SENATOR SCARDINO: I think a yes answer would probably apply in any profession. What I am trying to establish here is whether or not it is a severe problem in DYFS. Because when you talk about morale, for example, a lot of my experiences tell me that one reason why people could have a very low morale is they see people around them that are not really picking up the load, and not doing their job, not doing their share. The burden is too one-sided. And, there may be reasons or certain strictures in the system itself that would prevent the removal of people. This has a negative impact on people's feelings about their job and what they are supposed to be doing. If there is anything like this that could be helpful to the Committee, we would certainly like to know about it.

MS. ROBINSON: What you described, I'm sure, would cause morale problems. It has been my experience that the morale problems are usually the worst when there have been cutbacks - when we have been functioning with twenty-six caseworkers in

our office and as they did to us last year, told us we were going to go down to seventeen. They upped that now, I think, to twenty but our caseloads went up from forty five to sixty within a matter of a couple months. I would say production did fall off at that point because it just got to be a hopeless situation. I would say the more disastrous a situation, the less the productivity.

SENATOR SCARDINO: Any questions?

SENATOR VREELAND: Mr. Chairman, thank you. You mentioned that you thought that a caseload of thirty cases would be about what you should have. Let's say that you had all you could handle and your supervisor called you in and said, "Now, look, we have two or three more that you are going to have to add on." What would you say? Would you say to your supervisor, "I'm sorry, I have all that I can handle now." Would you say that?

MS. ROBINSON: Well, last year when they did cut us back so much, the workers got together and decided--not to refuse because we were told that if we refused we would be leaving ourselves open--to request that the cases be turned back. We had hoped that the supervisors, in turn, would send the request up higher and higher until the problem arrived where it belonged, that is, with whoever is preventing us from getting more caseworkers. Instead, it is always the other way, it becomes our problem. When we can't get caseworkers, then you just have to do more and more and more. So, I did write a memo on a few cases and request that the case be taken back. It was either refused and, in one case, another part of our division took over the case even though it wasn't ready to go over. This was the Adoption Bureau; it really wasn't ready to go to that bureau at that point. They agreed to do the work in finding the parent.

SENATOR VREELAND: So, in other words, your office--and you said that you were proud of your office--would take into consideration, if you made it clear, that you had all you could handle at the moment. Therefore, if any more cases were given to you, you could not do it efficiently and do it right.

MS. ROBINSON: They recognize that but the usual answer is that they cannot do anything about it. Everyone is overwhelmed and they can't take cases from you and give them to someone else who is equally overwhelmed. Therefore, you are going to have to absorb more or you are going to have to close cases that you want to work with, but, realistically you don't have time.

SENATOR VREELAND: Very good. Thank you.

SENATOR SCARDINO: I'd like to have your reaction to this statement: DYFS requires inordinate amounts of time to make placements, residential placements.

MS. ROBINSON: Our residential unit is separate from the other casework staff. I haven't done residential placement in a long time. But, I think it is a long waiting period for a child to go into a residential placement mainly because of available placements. Again, I'm not a residential worker, so, I'm not the person to speak on that.

SENATOR SCARDINO: Are you involved at all with the Child Placement Review Act?

MS. ROBINSON: Yes.

SENATOR SCARDINO: How do you describe the relationship between the caseworkers and the courts--the judges in this case?

MS. ROBINSON: Our district office supervisor has been working hard to make it a cooperative one. We have had some problem in what case you should give priority to. For example, if I would send a case over there of a sixteen year old boy who

has been in the same home since he was born, on paper it doesn't look as if I am doing much on that case--because I'm not--they don't realize that I am working on children in their own homes who are being abused. Out of necessity, I have to let a certain amount of that work slide. There has been some friction on what cases you should give priority to.

SENATOR SCARDINO: Your involvement with the school districts: can you give us a general impression or opinion on that?

MS. ROBINSON: I have found them, for the most part, cooperative as far as sharing information with us - especially when we are investigating cases of abuse and neglect. They have been pretty cooperative in allowing us to see the child there at school, if we need information from the school nurse, etc. I haven't had severe problems with the school districts in Gloucester County. I think there have been problems in Gloucester County when it comes to finding residential placements. This was a problem for me years ago and I think it still exists in many school districts.

SENATOR SCARDINO: Any further questions?

SENATOR VREELAND: No, thank you.

SENATOR SCARDINO: Thank you very much. Ted Salay. We are now back to Mr. Jack Callahan, Deputy Director, Fiscal and Management Operations, for DYFS. We will break at 12:30 for lunch.

JACK CALLAHAN: Mr. Chairman, I am really here to finish that portion of the contracting which we were not able to get into on Monday and also to respond to some of the specific questions that were raised on Monday afternoon, which you requested that we respond to.

In my opening remarks, I discussed our contracting process and how this process developed when serious questions surrounded the entire contracting program within DYFS by the U. S. Attorney, the Attorney General and the Governor's Task Force and how this contracting process has essentially evolved over the past seventeen months. It is our intent to present briefly the contracting process which will respond to a number of the questions raised Monday afternoon by providers and other interested individuals. The presentation will be divided essentially into two parts: (1) the fiscal process and (2) the programmatic process. Each will be presented by regional personnel. The first speaker will be Mr. Gilbert Dick, who is the Assistant Regional Administrator for Business Operations in the northern region, to be followed by Mr. Richard Sheola, who will discuss the programmatic piece which is under his jurisdiction as Regional Administrator of the Metropolitan Region. I think, before they begin, that it is important as we are going through this process to review it from the perspective that the pendulum had swung completely to the left in terms of the absence of fiscal and management controls and it was necessary to bring it back to the center, which required some swing to the right in an attempt to catch up to all the things that were missing in the preaudit process, the contract process and the postaudit contracting process. Our obvious goal is for the pendulum to be in the center with the proper balance providing programmatic services in an environment of fiscal control. Mr. Dick.

GILBERT DICK: Jack has already introduced me as the Business Manager for the northern region. I have responsibility for the fiscal review of the contracts that come from the six northernmost counties in New Jersey. I have a chart here which I'm going to use to provide information on the process that occurs before an agency comes under contract with the division to provide services to the division. I'll run through the processes that occur during the term of that contract in order that the contract be properly executed. The vast majority of the contracts run for twelve

months, so I'll use that as an example. I have to apologize that everyone won't be able to see this chart and certainly they won't be able to read the blocks. But, if they can, at least, follow the blocks, it will give them an idea of the major stops and major processes that occur.

The initial action that occurs is when a provider agency submits a proposal to the division, in that the division has expressed an interest in purchasing certain services and the provider agency has expressed an interest in providing that service for a given amount of money. At this time the provider agency will submit a proposal to the regional office. During this initial period, the division's Contract Compliance Unit will conduct a pre-award accounting system survey. The name that it is given here is pretty much self-explanatory. It is not an audit, per se. It is generally a one or two day review of the agency's fiscal and program administration and the processes that they use to provide the service. It gives us an overview of the type of agency that we are dealing with and an upfront idea of their capability of providing the service and showing an ability to manage the funds that they will be given. This pre-award survey is a one-time deal, generally. Unless there are very severe problems that occur later, there will be no other pre-award survey, even though we may contract with the agency year after year. This survey becomes part of a permanent file that the division has been trying to put together for each agency so that we have a cumulative history from the initial contact with an agency, to the time when we no longer do business with that agency. The regional office uses a pre-award survey in their review of the proposal as submitted by the provider agency.

As you can see here--for those of you that can see it--there is kind of a split here. This represents the programmatic review and this represents the fiscal review--the reviews that are done on the agency's proposal. I don't want to leave you with the impression that these are two distinct reviews. They are, in fact, one review done by two separate units. But the review is done simultaneously and in cooperation with the two. There is a lot of interaction between the two that culminates in a completed review on that contract proposal. The review is completed, finalized in the region and prepared for presentation to the division's Ad Hoc Review Committee. This committee meets in Trenton in the division's central office and is made up of the four regional business managers and a representative from the central office fiscal management operations. The contract is reviewed and discussed by the Ad Hoc Review Committee. If there are some problems with the proposal or if it is felt that additional information is needed, the contract proposal is referred back to the region where additional information is gathered, or where corrections and/or adjustments are made to the proposal so that it meets all the division guidelines, State guidelines and regulations and federal guidelines, etc. In the majority of cases, the review committee does not find any major problems that warrant the contract being returned to the region. But, they do discuss the contract at great length. This has been a big help in maintaining consistency among the regions and also in anticipating problems that may occur in another region that someone has already gone through. For instance, I may encounter a problem now with a specific type of contract that I have--say battered women's--and I may get into certain areas, legal issues, or something that will be of interest to another region because they have battered women's contracts three months from now, six months from now. So, this interchange of ideas has been a great benefit to the contracting process. In the vast majority of cases, the contract is discussed and approved and receives the approval signature from the administrator of Fiscal Management Operations. At this time, the documents are

forwarded to the division's Bureau of Treasury Disbursements and the director's signature is added to the contract. It becomes a formal contract document. The formal contracts are returned to the region usually via the business manager and they are maintained in the region in their file. A copy of the executed contract is returned to the provider agency. Documents are prepared in the Bureau of Treasury Disbursements in order that an advance payment be made to the agency so that they have start-up money to begin providing the service. The Department of Treasury Accounting Bureau actually issues that check based on the documentations prepared and forwarded by the division. An advance payment check is sent to the provider agency. It is usually the division's idea to get that check at the earliest possible date--I believe by contract they have twenty days into the contract to get that check. But, our thrust is usually to provide that check as close to the first day of the commencement of the contract as possible so that the agency can start up in as good a fashion as possible.

At this time, now, the agency is formally under contract. At the commencing day of the contract, they are providing services, they are using the advance payment to begin providing that service and will be reimbursed on a dollar-for-dollar basis, the disbursements to follow the budget that was formalized and finalized in this review process up here. Another speaker is going to particularize on this regional negotiation finalization process after I am through going through the year-long process. He is going to particularize on some of the work that is done in the region.

As I said, the agency is now providing a service, the contract is started and we will use the ordinary case where the contract will run for twelve months. The next chart outlines some of the processes and responsibilities on both parties that occur during the term of the contract. The provider agency is responsible each month, by the tenth day of the following month, to provide documents to the division that outline their expenditures for that prior month and also that detailed or service delivery during that prior month. These forms referred to here as monthly expenditure forms--they also include level of service forms--are forwarded by the agency to the regional business office. At that time, they are reviewed by clerical staff in the region for minor errors or for things that may hold up the payment. If there are corrections or additions necessary, the documents are returned to the agency at that point so that they can correct them and forward them back to the regional office. This has been a help in that now we have people in the region who have a much better idea and familiarization with the agency, and just with the geographic implications they are able to process this paper much more quickly when there are problems.

Assuming there are no problems, which, again, is in most of the cases, the monthly reimbursement forms are forwarded to the Contract Payment Unit in the division. This unit also performs a desk review that pays attention to treasury regulations and any other detail that must occur before the payment can be sent to the agency. If they are required to make an adjustment to those forms, they send a 1310-A, which is a division form, back to the agency advising them that a certain adjustment has been made or advising them that although they will receive payment, some further information is necessary. A copy of this 1310-A is also sent to the regional Contract Compliance Office. Depending upon the type of adjustment that has to be made or the problem that was found, they would like the regional Contract Compliance Office to be advised because there may be implications in the management system of the agency. And, by notifying the Contract Compliance Office, they can

make an evaluation of what, if any, problem is occurring. They may want to conduct an on-site contract monitoring visit to better be able to evaluate what the problem might be and the extent of it.

At this time the documents are finalized. Payment can be made at this point. The information is referred to the financial service input area and inputted into the division's new computer information system. Again, this is an effort by the division to develop a contract history on the agencies from the time we begin negotiations with them during the time they are reimbursed, and the total time that they deliver service, an information system that provides in one place all the information necessary to properly manage that contract. Approval by the bureau chief is given to send out a check based on the monthly reimbursement forms. The forms are then referred to the Department of Treasury Accounting Bureau and a monthly reimbursement check is forwarded to the agencies based upon their submission of reports. This occurs each month during the twelve months of service delivery of the contract. The agency submits the monthly reimbursement forms, they are reviewed, corrected if necessary, sent in, Treasury sends a reimbursement check out to the agency. The same will occur during the twelfth month of the contract. After the twelfth month, there is a closeout period during which time the agency has approximately a two-month period during which to accumulate any accruals that occurred at the final date of contract, to make payment on these, and to submit a final report that summarizes and finalizes all the reimbursement claim that that agency has against the State. That final report is handled the same way as the monthly report. It is forwarded to the regional office, who review it, send it to the central office, and based on that final report, a final reimbursement check is forwarded to the agency. Or, in some instances, more money may have been generated out to the agency than expenditures have been incurred because of the advance money being sent out for start-up cost. In that case, the agency will be required to submit a payment back to the division. When this occurs, the contract is formally closed out and at that time, we may be in a renewal with the contract agency, or we may not be doing business with them any more. At any rate, that contract is closed out and is ready for audit. The audit process occurs after that as a separate and distinct operation and is conducted by the audit staff - really apart from the region staff. They do not get involved with the audit functions - separation of duties.

SENATOR SCARDINO: Thank you very much, Gil. I didn't expect to get all of this detail today. I do appreciate your taking us through it but, I'm going to react to it because I feel it is necessary to do that. This is in direct response to the Wechsler report and the need to tighten up the procedures here in terms of contract award, and, I think equally as important, the followup, and to make sure--as I get the picture here--that the contract agency is honest. Yes or no?

MR. CALLAHAN: Yes. I would say, Mr. Chairman, not only that they are honest but they have this system of internal controls present which gives us the credibility to move out on contract.

SENATOR SCARDINO: Why are we so worried about their honesty? What was the previous experience before you put in such a tight network?

MR. CALLAHAN: Previous experience, as attested from various audit reports and Attorney General reports, is that we were dealing with agencies in which certain actions were taking place by their management. In other words, we did not have the pre-award process so that we were able to see essentially that we should never have

been contracting. A particular agency would be putting significant dollars in such things as the directors' salaries. We had an incident where they were running the program from a houseboat. Various charges were turned over to the Attorney General along these lines, so, we had to get that type of credibility.

SENATOR SCARDINO: Jack, on a per annum basis, don't you know at the time the award is given how much you are going to be giving that agency--total dollars for the year?

MR. CALLAHAN: Yes.

SENATOR SCARDINO: Well, this almost sounds as though they are submitting forms every month because there may be a differentiation from one month to the next as to how much money they are going to get. Do they get, for example, up to that contract amount or is it possible that, because of the forms and the close scrutiny that you have here, that at the end of the year you may, in fact, give them less?

MR. CALLAHAN: Yes.

SENATOR SCARDINO: I mean, what's the purpose of all this accountability here? If you are giving them a fixed amount, I want to know specifically why you are going through all of these monthly reporting and issuing of checks and back and forth?

MR. DICK: Excuse me. If I might comment. In reference to your early comment about the honesty, in many instances, honesty was not the issue. What we found was that these agencies' expertise lie in social service delivery. They were formed to provide social service and that was their aim. They did not have the fiscal management expertise that sometimes was required when you are dealing State regulations and federal regulations which can become complicated, which often change during the term of the contract. In order to build the kind of fiscal management into each contract that we would need, we would be sacrificing a great deal of social service delivery. What we have now is a core unit of people in the region with this fiscal management expertise. And, because they are in the region, they can go right to the agency, provide assistance to the agency, and monitor that agency.

SENATOR SCARDINO: Again, just a simple question: Isn't it the same thing if you just require that they have an accountant or CPA who will verify the reports on a periodic basis based on the system that you tell them you want them to follow for that contract period?

MR. DICK: Well, for instance for the northern region, we are talking about a hundred contracts.

SENATOR SCARDINO: I'm talking about verifying under penalty of law.

MR. DICK: Again, it may be a cost factor. In the northern region we are talking about a hundred contracts and we have four people who handle the fiscal management operation for those hundred contracts.

SENATOR SCARDINO: You anticipated my next question. There are four people in the office that handle the process - that second block on that chart.

MR. DICK: Yes. Contracts, Contract Review, Contract Monitoring.

SENATOR SCARDINO: How large is your entire auditing or accounting division within the region?

MR. DICK: Within the region - four professionals that review the budgets, and a clerical staff of approximately three that monitor the monthly reports. The auditing staff is separate and distinct.

SENATOR SCARDINO: You are included among the four professionals?

MR. DICK: No, that's a unit. The four professionals in the unit have that sole responsibility. I am the supervisor of that unit.

SENATOR SCARDINO: How many people do you have under your jurisdiction?

MR. DICK: Totally?

SENATOR SCARDINO: Totally.

MR. DICK: Thirty one.

SENATOR SCARDINO: And, they are all in this Office of Fiscal Review, Contract---

MR. DICK: The only ones that deal with the contracts is the Contract Review Unit--three professionals and a supervisor and I'm their administrator--four people only that deal with contracts. The other positions deal with budgeting, personnel, or support services, such as vehicles and space rental. There are only four for the contracts, not including myself.

SENATOR SCARDINO: Is this component that you are responsible for new?

MR. DICK: Yes.

SENATOR SCARDINO: How new?

MR. DICK: It has been put into being over a period of the last fifteen to twenty months.

SENATOR SCARDINO: What is the cost of your operation?

MR. DICK: The Contract Review operation?

SENATOR SCARDINO: Your whole area of responsibility - this whole new component that has been put into place at the regional level.

MR. DICK: I wouldn't have that information at my disposal.

SENATOR SCARDINO: You are the northern regional business manager?

MR. DICK: Yes.

SENATOR SCARDINO: And your office is called what? What is the title?

MR. DICK: Regional Business Office.

SENATOR SCARDINO: Regional Business Office. And in this office you have how many personnel?

MR. DICK: Thirty one - nineteen of them, I believe, are clerical staff.

SENATOR SCARDINO: So this is an additional cost to the State?

MR. DICK: Additional cost - additional to what?

SENATOR SCARDINO: Within the last two years that the division has added on.

MR. DICK: No, I don't believe so. This is taking the place of many central office functions and has tended to improve on the central office functions because it is in the region.

SENATOR SCARDINO: What I would like--and I don't expect it now--but I'd like to have a comparison of what you had before. An organizational chart might spell it out easily enough and anything else you think we might need--the costs involved with the operation and what this looks like in comparison and obviously a comparison in costs as well and any description of the overall objective of this office and its specific response to the Wechsler report. Jim, do you have any questions?

SENATOR VREELAND: I'm interested in the fact that you said a hundred agencies are in the northern region. Is that what you said?

MR. DICK: Approximately, yes.

SENATOR SCARDINO: How many counties does that encompass?

MR. DICK: Six.

SENATOR VREELAND: Then what is the next region? The central region and the southern region? Is that the way it works?

MR. DICK: The southern region, central region, northern region and the metropolitan region which is the counties of Union and Essex which, because of the population there and the amount of service that must be provided in just those two counties, it was necessary to make them a separate region.

SENATOR VREELAND: Is Bergen County in the six that you are talking about?

MR. DICK: Yes.

SENATOR VREELAND: What are the six counties?

MR. DICK: The six are: Warren, Sussex, Morris, Passaic, Bergen and Hudson.

SENATOR VREELAND: When you say agencies, what kind of agency are you talking about? Can you tell me the kinds of agencies that you are talking about?

MR. DICK: Provider agencies are agencies that are either already in the business and decide to provide us a service at a cost, or because a need arises, the agency forms itself to provide us a service. Day-care agencies are an example, they provide us day-care services. Just recently, we have expressed a great need for services for battered women. There were already some of these agencies in existence doing a lot of volunteer work who were trying to get out and get nickels and dimes to provide this service in a very informal manner. They have become more structured and have become a provider agency by forming a management structure and the ability to provide this service. That would be another type of service.

SENATOR VREELAND: Are there many agencies that deal with battered women? How many are there that do that in the northern region?

MR. DICK: In the northern region? At the present time, I believe there are only two under contract. But again, there are many agencies that we have contact with because we are there to perform social service under any form we can. A lot of times agencies will contact us even though they are not under contract, and ask us for some help in getting referrals, that type of thing. I wouldn't know how many are operating now, but I know there are more than the two that we have under contract.

SENATOR SCARDINO: Gil, thank you very much. I do appreciate your presentation today. It was very well done. There is a question I have, and I realize, Jack, that this is in response to a question that we raised on Monday and that is why you provided us with this explanation but one cannot help but wonder what has been done in terms of the programmatic review process as well. This is the fiscal and budgetary or accounting component.

MR. CALLAHAN: Mr. Sheola is ready to give that at this moment.

SENATOR SCARDINO: O.K. Dick? After Mr. Sheola's presentation, we will break for lunch.

R I C H A R D S H E O L A: Richard Sheola, Metropolitan Regional Administrator. Among my responsibilities are the business office as well as the contract operation and then our direct services operation, a district office of adoption and foster care. Lest we assume that the pendulum has swung too far to the right, there is a programmatic element involved in the contract operation. Depending on whether a contract is a new contract or a renewal, an agency submits a proposal to the contract office approximately six months prior to the anticipated effective date. At that point, the initial review--and much of the review is done in conjunction with the business office--is done by a field coordinator in conjunction with his supervisor. That review is generally made with consideration given to standards that we have developed for various programs. The standards or program protocols, whether the

service be one of a family life center involved with children under DYFS supervision and their families, or whether it is a homemaker program or a childcare program, there are certain programmatic standards and expectations that we use as criteria for that review. There are also general program criteria that we use to evaluate a provider's readiness for contracting. Those are more general--not particularly related to any specific program, for example, the priority of the service. Is that particular service one that has been expressed as a priority need for that particular community? How is the provider's expertise at providing that particular service, the physical location, its geographic assessability, its suitability for the service, its compliance or conformity with all local, State, federal regulations, the relationship of that particular provider agency with other agencies, particularly user agencies such as the County Welfare Agency, the district offices and other service agencies in the community, as well as the existence of sound corporate policies, such as personnel, fiscal policies, by-laws for the organization? So, that's part of the program review. There is also a need for conformity with the State plan, conformance with all federal and State government regulations. For past performance of the agency, we seek input from other agencies that have had relationships with the applicant agency in terms of their success in using the agency services and, of course, we take the input from the business office and their review. If the agency is currently under contract and this is a renewal process, that input from the business office includes an examination of their past level of service against contractual levels of service, an examination of their expenditure records against budgeted expenditures, any past conditions that have been on the contract for any variety of reasons--we could enter into a conditional contract rather than an unconditional agreement--and the adequacy of the agency's bookkeeping system and their personnel. So, we take all these things into consideration as well as the existence of availability of non-federal matching funds in the community in making a decision as to which applicant agency is selected.

The program review as well as the fiscal review is put into a package and then presented to the regional administrator for a final approval, and then forwarded to Trenton for execution. So, that is the pre-contract operation. Also included in that, as Gil mentioned, is the concept of the pre-award survey where a determination as to adequacy of the agency's financial operation is made. That is part of the review as well.

At that point, a decision is made to contract with the agency. An effective date is set and the package goes to Trenton for execution. The program side of it doesn't stop at that point. After execution, the assigned field coordinator minimally makes quarterly visits to the program--my experience has been that it is generally more often than that--and in that visit there is a general review as to the agency's compliance with the contract, but, also, perhaps more importantly, the agency's actual provision of services. And, in that visit--some are announced, some are unannounced--the coordinator attempts to ascertain the caliber of the services delivered, not only quantitative-wise but also from a qualitative point of view, including interviews with clients there at the time, sitting in on classroom activities, or involving themselves with programs whether the program be for youth or for the elderly, for the disabled or whatever, to come away with the general quantitative as well as a gut feeling response for the quality of the program that is being offered at that point in time. It is of necessity at periodic episodes during the contract period, but it gives us a fairly good feeling as to what is going on with the program. So, that occurs during the course of the year. The field coordinator is also available to

the program to resolve problems around the contract - compliance issues, emergency issues where budget modifications are required for the program because the budget plan is not matching up with their actual experience. The coordinator helps them work out that arrangement in conjunction with the business office. And, the coordinator, for information purposes also, reviews the monthly reports. This isn't part of the payment process any longer, but from a point of view of information, the coordinator, on a regular basis, ascertains where they are with respect to their agreed-upon provision of service and agreed-upon expenditure levels. That continues through the contract but the actual involvement of the coordinator often overlaps - he or she is doing many things at the same time. Because, while they are reviewing a program during the course of the year as to compliance and service delivery, they are, at some point, involved in the renegotiation of that agreement for the upcoming contract year. So, it is like a budget cycle, like a span of 18 months of activity. And, the coordinator is doing a lot of different things at different times.

When the contract terminates, at that point, the coordinator has already negotiated the new agreement, but then the coordinator is also involved in development of a final summary of the contract activity. That would include all issues of compliance and the experience of the using agencies and the compilation of all their monitoring reports. That goes into a final summary which is also used in the renegotiation. So, that's the program side of it.

SENATOR SCARDINO: O.K. Dick and Gilbert, you will be here after lunch? Because there are a couple of questions that I would like to ask you at that time. We will now break for lunch and we will resume at 1:30.

(Lunch recess)

AFTERNOON SESSION

SENATOR SCARDINO: Good afternoon, welcome back, I hope everyone had an enjoyable lunch - for those of you who had lunch. I would now like to resume this meeting of the Senate Institutions, Health and Welfare Committee. Joined by my colleague, Senator Vreeland, I welcome everyone back. We left off at 12:30 with testimony being presented by Mr. Callahan of the division. We also had a review of the regional office fiscal and accounting component and also the programmatic component. We were listening to Mr. Gilbert Dick and Mr. Richard Sheola. I had indicated, just before breaking, that I had a few questions that I wanted to ask of you. As I understood from Mr. Dick's testimony, you have some one hundred contracts approximately in the northern region that you deal with. What are the total numbers of contracts? Will you answer these questions, Jack, directly?

MR. CALLAHAN: Possibly, yes. Three hundred and sixty seven contracts, statewide. We are talking Title XX contracts which includes both day-care and purchase of services. We are not referring here to residential type contracts.

SENATOR SCARDINO: All right, three hundred and sixty seven contracts. I assume that the office that Mr. Sheola and Mr. Dick represent covers all of the contracted groups. Is that correct?

MR. CALLAHAN: Yes.

SENATOR SCARDINO: Including the residential?

MR. CALLAHAN: No, the residential is a separate process.

SENATOR SCARDINO: It is, o.k. So, they are strictly responsible for what? Give me a classification.

MR. CALLAHAN: It's the day-care contracts and the purchases service, all the contracts which are primarily funded by Title XX.

MR. SHEOLA: Senator, these would be non-residential social service contracts, for instance, programs for homemaker services, transportation programs, adult day-care, protective services--or what we referred to earlier as our family life centers--they would be general social services other than child care under contract. So that would be two categories - day-care and other than day-care, all social services under Title XX contracts, and all basically non-residential.

SENATOR SCARDINO: O.K. That's a good description and I appreciate that. So, we have three hundred and sixty seven of those contracts throughout the State of New Jersey. And, collectively all of the regions are responsible for the monitoring---

MR. SHEOLA: Basically, the development, negotiation, monitoring, etc.

SENATOR SCARDINO: Has that number three hundred and sixty seven been constant for the last three years, would you say?

MR. SHEOLA: It has pretty much levelled off since 1977.

SENATOR SCARDINO: We have always been in excess of three hundred contracts? Would you say that's true in the last three or four years?

MR. CALLAHAN: Senator, approximately 200 of these contracts are day-care.

SENATOR SCARDINO: But, in terms of total numbers they are in excess of 300 for the last three years?

MR. CALLAHAN: That's correct.

SENATOR SCARDINO: How many contracts have you terminated in the last three years?

MR. CALLAHAN: I would have to get the specific number of the ones that were terminated. There were a number of these contracts referred over to the Attorney General's Office. I know, over the past two years, seven were terminated.

SENATOR SCARDINO: Is it in the last two years that you have had this particular component, that Mr. Dick described for us during his testimony, in place? Are you suggesting to this Committee that you were able to pick up some abuses in the contractual services component as a result of this new operation that you have in place?

MR. CALLAHAN: Yes, Senator, the primary goal, of course, was---

SENATOR SCARDINO: I hate to lead you into questions, Jack, but just to qualify what I'm trying to do here: I'd like to have a comparison of the termination of contracts prior to the establishment of the auditing division for obvious reasons--and I'd like some of those reasons outlined as well--and what has happened since this group has been organized.

MR. CALLAHAN: Surely.

SENATOR SCARDINO: And, what the cost factors are as well.

MR. CALLAHAN: Surely. I can't personally speak for the terminations prior to seventeen months ago. What I can state is that our goal was primarily to keep the programs going and to establish the controls and the monitoring process so that we would not have to terminate programs and contracts. So that the ones that we have had to terminate were ones which were clearly outside of the framework where we could correct the problems.

SENATOR SCARDINO: I would assume that, in some cases, you terminated contracts because they weren't providing a service. They weren't doing what they said on paper they would do.

MR. CALLAHAN: That's correct.

SENATOR SCARDINO: We'd like to know about some of that.

MR. CALLAHAN: Do you want us to give you that in specific information after this testimony?

SENATOR SCARDINO: Yes, I would appreciate that. Don't take the time right now. I have other questions that might get us into a more descriptive area. For example: Have you found that you might give a contracting agency X number of dollars-- a hundred thousand dollars a year or two hundred thousand. I think you said on Monday that the average cost for contracts was about a hundred and some thousand dollars?

MR. CALLAHAN: The average is probably between a hundred and a hundred and fifty thousand dollars.

SENATOR SCARDINO: (continuing) O.K. So, let's use a hundred and twenty five thousand dollars. Say you give an agency that amount of money. I assume that prior to your awarding that contract that you know beforehand the number of clients that that agency is going to be servicing and the kinds of services that it is going to be performing. What do you do in your present process now to insure that that, in fact, is happening? And, at the end of a twelve month period if an agency said that they would be able to accommodate or help or work with fifty people, but they really end up with fifteen or twenty they are working with, yet they still end up with a hundred and twenty five thousand dollars, what would you do?

MR. SHEOLA: I think, by way of clarification, Senator, the nature of the contract that was suggested earlier--a lump sum or a type of a contract arrangement-- in fact, the contract is a cost reimbursement performance contract. This means that the agency, in return for a specified level of performance, is reimbursed the lesser of their expenditures or the contract ceiling. So, in many cases, the agency does not receive the full amount of the contract.

SENATOR SCARDINO: Is that new?

MR. SHEOLA: It is with us, now for two, two and a half years. And, the level of service is part of the contract negotiation, so the budget and the amount of service to be delivered are negotiated items. It is impacted upon by reasonable unit costs, by our experience, by the need in the area, the agency's capability to deliver, the physical plant, the dollars available. Once established in the negotiation process, that level of service is monitored monthly, whether it be hours delivered, rides provided, clients receiving service.

SENATOR SCARDINO: But you've got this on paper. Do you receive it in writing?

MR. SHEOLA: Absolutely.

SENATOR SCARDINO: What do you do in terms of checking with the consumer in this case? Do you ever get back to them to find out whether or not these services are being delivered to them?

MR. SHEOLA: During the course of the visits by field coordinators there is a spot check done on the day visited to determine whether or not the level of service being provided on that day is reflective of that which is being reported on a monthly basis. You can generally get an idea of the accuracy of the monthly reporting by doing these kinds of spot checks. In addition, we have eligibility forms that come into our regional office that have to match up quantitatively with the number of services reported or the number of clients receiving services as reported. So, there is a check on the level of service that occurs on a monthly basis.

SENATOR SCARDINO: Wouldn't your caseworker also be plugged in in this respect? Wouldn't the caseworker know or is this separate from any caseworker activity?

MR. SHEOLA: If it were a service that a district office caseworker was utilizing, yes, but, generally the source of information is from the provider itself and the responsible field coordinator.

SENATOR SCARDINO: It doesn't necessarily hold then that anyone who is taking advantage of the service is not necessarily referred then by a caseworker.

MR. SHEOLA: True.

SENATOR SCARDINO: They are not?

MR. SHEOLA: No, sir. The contracts can be negotiated in a way that provides for services dedicated to clients referred by a district office. However, the eligibility requirements for these contracts go beyond those serving---

SENATOR SCARDINO: Can you give me an example? A working mother on her own, for example, can do this and get the services and have them paid for in a community day-care center?

MR. SHEOLA: Yes, sir. As long as the family meets the income requirements or any other categorical requirements, such as a current recipient of welfare, that family, subject to social need, is entitled to social services in that particular program. Now, that family can be referred to the contract from a district office or county welfare agency. It can be a walk-in. It can be referred from another social agency. There are federal requirements as to who may receive these services.

SENATOR SCARDINO: Are there adequate facilities to meet the demand for these services?

MR. SHEOLA: I would say that the demand is beyond our current ability to provide.

SENATOR SCARDINO: Suppose a single parent wanted to go to work and needed to place her child in a center. She went to a community day-care center and was told that she had to fall under certain criteria to be eligible for DYFS reimbursement or what have you. What happens in that case? How does that work? Can you walk me through that?

MR. SHEOLA: Sure. The prospective recipient of a service would--if not referred directly, assuming they know of the service--would come into the program and indicate an interest in receiving service. There would be a person at the program, regardless of the nature of the service whether it be day-care or any other service, who would have responsibility for taking the required information. Part of that required information would be the financial piece - to determine financial eligibility. There would also be the information with respect to the need for the service - the particular circumstances in that family; whether or not there is another caretaker in the home; or whether this is the primary caretaker as well as income earner; whether or not there are other children in the home, older, younger, whatever; whether or not there are relatives involved, extended family circumstance. That all goes into a determination of social need beyond the issue of income.

SENATOR SCARDINO: What is the State's contribution toward the community day-care client?

MR. SHEOLA: Financial?

SENATOR SCARDINO: Yes, what do you pay per week?

MR. SHEOLA: Approximately 7% of the contract ceiling is generally State funds.

SENATOR SCARDINO: How does this work now? You have community day-care centers that are contracted agencies?

MR. SHEOLA: Yes, sir.

SENATOR SCARDINO: Are they contracted per client?

MR. SHEOLA: No.

SENATOR SCARDINO: Or are they given an agreement on an annual basis that they will be entitled to X number of dollars?

MR. SHEOLA: The division has several forms of agreements with providers of service. The ones that we are primarily talking about at this point are referred to as contract agencies or purchase-of-service agencies. They fall under an annual contract, as I indicated earlier, it is a cost reimbursement contract. We don't contract on an individual child basis. We don't vendor individual children into these contracts. We negotiate an agreement and the children or the individual served can be, in fact, children from a district office or welfare board or other income-eligible clients who may be referred into the service from another source.

SENATOR SCARDINO: I'm still not clear, Dick. Let me put it to you another way. Can a community day-care center take in youngsters, for example, outside of those that fall within the contractual arrangement?

MR. SHEOLA: Yes. In fact, a program could have a license capacity for a hundred children. But, we may enter into a contract for seventy five youngsters with that particular program. The program's responsibility to us in that case is to deliver services to seventy five children determined to be eligible under our Title XX requirements. However, that program can serve other youngsters in those non-funded slots, as we refer to them.

SENATOR SCARDINO: But, suppose you can only provide sixty children for them and, you said, your contractual service is for seventy five? Are you still paying them for seventy five?

MR. SHEOLA: No. The contract provides for a required examination of the level of service. And, when the determination is made that the level of service drops below a certain level, the contract provides for certain action on the part of the State as well as the provider agency to correct or reduce the amount of the contract.

SENATOR SCARDINO: Can the owner then go out on his or her own and bring in another fifteen clients, since the State isn't providing for---

MR. SHEOLA: Well, the State doesn't often become the referrer of clients of the first resort. I mean, that provider has an obligation to serve eligible families, some of which may be referred by a State agency, others perhaps not.

SENATOR SCARDINO: I want to understand this as clearly as I can. Would you say that the kind of contractual agency you are talking about would be found more in the deprived, depressed areas - what is defined as the very significant urban areas of the State where you have a cluster of very poor people?

MR. SHEOLA: I would say the contracts might be generally concentrated in areas with the greatest population and then, more specifically, the greatest population before poverty level. Yes. These contracts are funded under Title XX of the Social Security Act. Seventy five percent of the costs are federal. In exchange for that hefty reimbursement, there are federal requirements that have to be met.

SENATOR SCARDINO: There are some community day-care centers that open up independently. Is that correct?

MR. SHEOLA: Yes.

SENATOR SCARDINO: How do you deal with them, if at all?

MR. SHEOLA: We have a responsibility for licensing of those programs.

SENATOR SCARDINO: I'm aware of that. Suppose someone comes to a center of that type and says, "I need financial help. I can't afford your thirty five or forty dollars a week," but that mother wants her child to go to that center because it is the only one in town. What happens?

MR. SHEOLA: The mother could be referred to a local district office and, subject to funds being available for child care services in that particular county or that particular district, that family could be provided care under the auspices of the division. Now, that goes into the question of cost limitations that we have. There may or may not be resources available to provide that care.

SENATOR SCARDINO: You would try to direct that youngster toward one of the contractual agencies as opposed to putting them in a privately run community day-care center?

MR. SHEOLA: If, in fact, the individual met the income requirements, it would be hoped that somehow that person would be routed to a contractual program where that income level is served without cost.

SENATOR SCARDINO: You can contract for any number of clients, it doesn't necessarily have to be seventy five out of a hundred?

MR. SHEOLA: No.

SENATOR SCARDINO: Could it be twenty five out of a hundred?

MR. SHEOLA: Sure.

SENATOR SCARDINO: Or ten out of a hundred? You have contracts of that type, right? Suppose we go back to my question. Suppose someone came with her child and they had only ten slots that they contracted for with the State and there was an availability. What steps would be taken to get that youngster into that center?

MR. SHEOLA: And there was no---

SENATOR SCARDINO: There is an available placement as per your agreement with the day-care center.

MR. SHEOLA: Then, as I described earlier, that same intake process would prevail.

SENATOR SCARDINO: But, is it a financial criterion solely?

MR. SHEOLA: No, there is a social criterion applied also.

SENATOR SCARDINO: What do you mean by a social criterion?

MR. SHEOLA: Well, an examination of the circumstances at work within that family in terms of, as I indicated earlier, the number of caretakers available, siblings.

SENATOR SCARDINO: Let's assume that this case is just a mother and child. She wants to go to work.

MR. SHEOLA: That's generally a very high priority family and would receive high priority treatment in terms of access to that service. Many, many programs have long waiting lists.

SENATOR SCARDINO: But, is the financial criterion sufficient - the fact that she may be on public assistance and not making enough to brag about? Is that enough to get that child in that community day-care center?

MR. ROSENTHAL: Your question before which dealt with the supply and the demand---

SENATOR SCARDINO: Excuse me, for the record. Can the stenographers follow this dialogue all right? O.K. Please identify yourself for the record, Harold.

MR. ROSENTHAL: I'm Harold Rosenthal, Deputy Director for Program Operations. This really goes to the heart of your question in relation to supply and demand - most community day-care centers have long waiting lists. So, that in order to set priorities in terms of service, they have done exactly that.

SENATOR SCARDINO: What are those priorities, Harold?

MR. ROSENTHAL: Basically, they deal in our protective services children where they are identified in the community.

SENATOR SCARDINO: What kind of children fall under the protective services? Abused and neglected?

MR. ROSENTHAL: Abused and neglected children. The large bulk of the community day-care programs do deal with working parents in order to allow them to go to work and, in many instances, remove themselves from the welfare rolls. Here, the decision is made based not only on their income level, but the availability of other resources. For instance, if it was a single parent with no family and no friends to watch that child, they might get a higher priority than the single parent who wants to go to work who might have a grandmother in the home who may be capable of watching that child. These are decisions that are made every day in terms of the large number of applications they have for a limited number of slots.

SENATOR SCARDINO: Have you recorded any abuses of that system that is presently in place on the part of the clients themselves - in other words, finding ways of fitting into the system so that they can avail themselves of the services so that the mother can go to work? Have you any suspicions that these priorities may place certain hardships and put situations in front of people that I think they would be better off without?

MR. ROSENTHAL: I'm not sure I understand your question, Senator.

SENATOR SCARDINO: Is it possible that a parent might abuse her child deliberately to get him into a day-care center?

MR. ROSENTHAL: No, I don't think that's the case at all.

SENATOR SCARDINO: Well, I can only speak from a second-hand position but it did come to my attention that there might be possibilities of this, Harold. This is not, certainly, a castigation of the division per se. But, I think it is something that we ought to be very sensitive to and aware of the possibility. It is, in fact, a point where there is considerable suspicion that a parent--single parent in this case--not being able to afford the weekly rate of a center, applied to the division, was unable to get her child in because there were no slots available, you had a waiting list, etc. and she had to take her place on the waiting list. But, because of the high priority that is placed on the abuse and neglect component, that in this case, two or three days later the child appeared at the center with bruises where beforehand, the child never had any appearances of a problem. I'm just pointing this out to you because I think it is something that we ought to be very sensitive to, particularly--and recognizing the difficulties that you have in setting some of these priorities and the need to set them--when you hear something like that, it raises considerable concern. I'm surprised that I hear this and I don't understand why it never gets back to the division for some reason.

MR. ROSENTHAL: I think we have to somewhat separate the--if we can--the community day-care programs from--- It is an instance where the entree to the community day-care programs is for the most part directly from the community and not through the division. We fund the slots and in accordance with everything Mr. Sheola has said, we will pay for them if everything is in order--income criteria, proper

reporting, and so on. There is a difference between a child entering the day-care program that way as opposed to entering that day-care program through a referral from the division. When we receive a referral on a family in which there are serious problems, and if day-care is the answer, under our current intake guidelines and our current service limitations, we basically limit our day-care services to those families in which abuse and neglect has occurred or is likely to occur. We can refer that child to community day-care program and we will pay for it through these slots that are already paid for. Or, if a slot is not available, we can place the child in one of our own division operated centers. Or, if necessary, we can purchase a slot on an individual child basis in another center that is licensed. I think that may be the situation that you are referring to, where it has been said that since we were only accepting cases in which abuse and neglect has occurred or is likely to occur, that the mother is going to go home and beat up her child so that she is going to get services from us. I would have to have details on where that has actually happened.

SENATOR SCARDINO: I am sure that it is an extremely difficult thing to prove in any case. We have youngsters at home too and they have had their spills and their falls and their black eyes as a result and their knees bruised, and so forth and so on. It could have happened that the child fell and got a bruise and the mother got a bright idea. And, someone else picked it up from there and before you knew it, they just put down the classification "abused child" and that enabled that person to be plugged into the system at the cost of the State. And, unfortunately, the system gave that person, at that point in time, no other recourse because she had a job waiting for her which means a great deal. I'm sure there is no argument from you on that score. But, I would just like to point that out for the sensitivity of that particular area. I would like to discuss it further with you and see if we can somehow address ourselves to any potential--not just abuses out there--but any potential possibility of allowing the client --the parent in this case--to do things that they would otherwise not want to do simply because the system puts it there in front of them and they have no other choice. I just want to be sensitive; I know you are.

SENATOR VREELAND: I just want to get it straight, Mr. Chairman. I understand that there are 200 day-care centers under DYFS. Is that right?

MR. SHEOLA: That's approximately, sir.

SENATOR VREELAND: As I understand the contract with these day-care centers, if you contract for seventy five placements, that is what you would pay for.

MR. SHEOLA: That's correct, sir.

SENATOR VREELAND: And if there were more, they would have to be compensated for from other funds of that agency. Is that right?

MR. SHEOLA: That's correct, sir.

SENATOR VREELAND: So, actually, if you had contracted for seventy five, and the seventy five were in place, as far as the State goes that's all you are paying for, no matter what happens.

MR. SHEOLA: As long as those children in place, so to speak, are eligible under the criteria---

SENATOR VREELAND: Well, yes, all things being equal - financial and so forth. As you pointed out there are certain requirements or you can't get in the day-care centers. Is that right?

MR. SHEOLA: Correct.

SENATOR VREELAND: So, there is no other way anybody else can get in there and that is why you have a long waiting list - some of them.

MR. SHEOLA: The long waiting list is related to the availability of resources as compared to the demand.

SENATOR VREELAND: What was that?

MR. SHEOLA: The waiting list is related to the demand for the service and the inadequacy in terms of resource availability.

SENATOR VREELAND: You mean as far as money goes, don't you?

MR. SHEOLA: Yes.

SENATOR VREELAND: I understand that better--money. The money is, as you said, 75% federal and 25% State. Is that right?

MR. SHEOLA: Seventy five percent federal and twenty five percent non-federal - of which a portion---

SENATOR VREELAND: Well, it wouldn't necessarily be State then.

MR. SHEOLA: That's correct.

SENATOR VREELAND: It could be local.

MR. SHEOLA: Yes, sir.

SENATOR VREELAND: I'm familiar with one or two. I think there are a couple over in your county, Tony. In Bergen County I know of a couple of day-care centers. Isn't it a fact that an agency could be sponsoring a day-care center--and when I say an agency, I think of the Children's Aid and Adoption Society of New Jersey. Don't they sponsor one in Bergen County?

MR. SHEOLA: That's correct.

SENATOR VREELAND: That's the one I'm thinking of because I'm very familiar with that one. I want to go back to this field coordinator that you mentioned. It is through his contact that the agency may or may not get another contract. Isn't that right? At least I gathered that from what I heard here--that the field coordinator is a very important gentleman or female, whichever the case may be. And, on his recommendation, a great deal is predicated.

MR. SHEOLA: To a large extent, that is correct, yes.

SENATOR VREELAND: Let's say that the coordinator--I don't want to say this and I've never heard of it happening--but he/she could be prejudiced couldn't he or she? And that means that that agency might not get another contract.

MR. SHEOLA: That would suggest that there would be no other recourse available to the agency in terms of an administrative remedy to that kind of prejudice. And that exists. The field coordinator has a supervisor, who also has a supervisor, and the agencies involved know full well how to avail themselves of that remedy.

SENATOR VREELAND: O.K. And, how long is a contract for?

MR. SHEOLA: Twelve months, generally.

SENATOR VREELAND: Is there a reason for that? My point is, why would you contract just for twelve months?

MR. SHEOLA: When the programs began, it was felt that a twelve-month period would give us a short enough period so that if the program was not providing at a level or quality we were content with, we would have the option of simply not renewing the agreement. There are no requirements that lock us into a 12-month agreement per se. It fits nicely into either calendar or fiscal years--our own as well as other donor agencies, local governments. It's more a matter of history.

SENATOR VREELAND: Yes. But, I noticed by this chart over here that there was a great deal of, I guess I'll call it, red tape at the twelfth month as to whether or not there was living up to the contract, whether the amount of money had been overpaid, underpaid or whatever. And, all this takes place in the twelfth month. I think it was you who said that.

MR. SHEOLA: No, sir.

SENATOR VREELAND: No, it wasn't you. It was this gentleman over here.

MR. SHEOLA: But, it doesn't happen in the twelfth month.

SENATOR VREELAND: In the twelfth month, it doesn't happen?

MR. SHEOLA: No, it is really a process that begins as early as the re-negotiation process or the negotiation for the renewal contract.

SENATOR VREELAND: That's what I'm thinking of, for the next year.

MR. SHEOLA: Right. Well, that really begins around the sixth month of the current contract. So, it is a long procedure.

SENATOR VREELAND: I see. Thank you.

SENATOR SCARDINO: One question: Going back to Gilbert's presentation, Gil mentioned a step in this process of awarding a contract and I think one of them was a review board? Is that correct?

MR. SHEOLA: There was an Ad Hoc Review Committee.

SENATOR VREELAND: And who or what comprises that Ad Hoc Review Committee?

MR. SHEOLA: It is made up of representatives from each business office in the division, the business manager from each region, as well as the head of the Office of Contract Compliance and our chief fiscal officer.

SENATOR SCARDINO: There is no coalition of interests from the region that sit down as a group, advisory or otherwise, that help in the determination of what might be needed in that region?

MR. SHEOLA: Yes. There are county coalitions and other agencies that--particularly for new contracts--are asked for comments and review. Those agencies would not be limited to the coalitions but would include the county welfare agencies, the district offices, planning agencies. So, particularly for a new endeavor, we would solicit that kind of input, yes, sir.

SENATOR SCARDINO: It would seem to me that you ought to use them, not only for new endeavors, but also for some review and input in terms of what the existing agencies are doing as well. I'm glad to hear that you have that component in there. Going back to Gilbert's testimony, I think he said that what we try to do in each region is to identify our needs--the needs of those regions--and then provide and contract for the services that could best meet those needs. I couldn't help but wonder who was involved in making the determination as to what those needs are. It certainly can't be just the division.

MR. SHEOLA: That's true, Senator. In the last step, in terms of the final closeout of the contract, it involves a recommendation or input from the using agency so that an agency's performance is assessed in a lot of ways. One of those is the input from the community on an ongoing basis. Decisions not to continue a contract are often based on that. So, that does occur.

MR. CALLAHAN: Senator, just to clarify the Ad Hoc Review process also: that is a training ground for the contract specialist from each region as well so that they can learn the application of the cost principles to an individual case in point.

SENATOR SCARDINO: Thank you. Jack, do you have anything further that you want to add at this time before we continue with testimony from others?

MR. CALLAHAN: Just a closing comment, Senator. I have with me, which I will present for the record, a number of letters that have come from various purchase agencies and day-care centers indicating the extreme help that the auditing process, the fiscal process, has been to them over the past seventeen months. Essentially, there seems to be a feeling of gratitude that this umbrella that clouded the entire contract process and agency of suspicion, mistrust and criminal charges has been

lifted from them and they now feel they can operate under a cornerstone of credibility in the contract process, which certainly helps them to get children into the centers and relieves much of the aura of problems surrounding the whole area of contract providers. So, we feel that generally the thrust is a very positive feeling from the providers - not minimizing that there are certain problems that we are addressing.

SENATOR SCARDINO: Thank you very much, gentlemen. Bill Van Meter, Assistant Administrator, Program Support. Welcome, Bill.

B I L L V A N M E T E R: Thank you. My name is Bill Van Meter and I work with the Office of Program Support. For the last four years, I have worked directly with the case review activities of the division. I am here to speak on the implementation of the Child Placement Review Act.

I believe there are three general areas of which the Committee should be aware. The Child Placement Review Act is in operation in all twenty one counties. The first area that I would like to bring to the Committee's attention is the responsibility for the implementation of the Child Review Act rested with the--at the local county level--with the Juvenile Domestic Relations Court under the guidance and direction of the New Jersey Supreme Court through the Administrative Office of the Courts. The division had opportunity to participate in the planning of the implementation with the Administrative Office of the Courts through review, comment and suggestions of rules and procedures that would be adopted for its implementation.

In addition to that, and I think one of the strengths of the Act itself, was the fact that our local district offices were called upon to participate with the local county courts in developing the procedures and the mechanisms by which this Act was to be implemented. I would like to say that because of the fact that the responsibility for the implementation rested at the local level, it was very difficult for us to have the kind of consistency that we might expect in all twenty one counties. That is, there were differences in terms of preferences among the twenty one counties as to exactly how the program should be administered. Although, this may not have resulted in consistency statewide, the county courts and our local district offices have worked together very closely to insure that the provisions of the Child Placement Review Act were implemented as effectively as possible.

The responsibility for monitoring the Child Placement Review Act rests with the local office which has created the liaisons to the counties. It also rests at the regional level where staff have been appointed to do case reviews on the audit or a case exceptional basis. And the Office of Program Support at the central office level does receive quarterly reports of information as to the activities that are occurring under the Child Placement Review Act and also is responsible for handling any kind of exceptional situations that might arise.

A second issue that I would like to bring forth is that the Child Placement Review Act has proved very beneficial in increasing the dialogue that goes on between the local courts at the county level and our district offices. I think this has increased a mutual understanding of the tremendous responsibilities that each agency performs. In addition to that, it also has generated an increased community involvement. This has proved very helpful in that the communities are beginning to understand and support the division operations at the local level. In a survey that was conducted by my office of public agencies in other states who have been involved with similar child placement review programs, one of the things that these agencies have reported was that the citizen involvement has resulted in an increase in resources, an increase

in staff on behalf of the children that are being served. So, we see that the relationships that have been developed because of the Child Placement Review Act at the local level with the courts and with the citizen participation has, indeed, been very positive and it is a great encouragement to us. While we do feel this positiveness about the implementation, I think we have to address the fact that the amount of additional effort that has been placed on our local offices to comply with the the Child Placement Review Act has been significant. At a minimum, it takes two hours to gather the information and to put it in a format that has been requested by the courts or the review boards in order for them to gain a basic understanding of the case. We have been told by some workers that it takes five to six hours to gather this information. This does not always include some additional information which may be required because of the questions that may come up during the review itself. Approximately 35% of the review hearings have involved worker participation. In some counties, review board hearings are held in the evenings or held on weekends. This has resulted in the accumulation of compensatory time or adjusted work schedules which result in a caseworker's time being taken away from the delivery of other case activities. The amount of time spent in traveling to and from hearings, transporting children or parents, or in waiting for a case to be heard all have an impact on the ability of a worker to deliver services. I believe it is important to place the Child Placement Review Act in the perspective of the total agency program. At any given moment, we have ten to eleven thousand children in foster care or residential care that are impacted by this program. This represents approximately 20% of our total caseload of our agency - children who are receiving services from our workers. Somehow we have to maintain a proper balance so that effective activities and services are delivered to all children.

I would like to share with you, at this time, the results of a survey that we conducted indicating the activity of the Child Placement Review Act during the first three months of implementation, from October through December. With respect to new placements, we found that 1005 children were placed. Of these, 121 returned home prior to court review; 249 were pending review; and 635 cases were reviewed by the courts and they recommended continued placement for 633 children. The Child Placement Review Boards reviewed 301 new cases and agreed with the caseworkers' plans in 283 instances. The Review Boards also reviewed 841 of the 2,100 children referred to them and who were in placement as of 9/30/78. The Review Boards agreed with the agency plan in 804 cases. We believe the Child Placement Review Act represents a real commitment by the State of New Jersey, the Legislature, the community, and the New Jersey Child Welfare system to address the needs of the children in our State. There has been a tremendous amount of cooperation between the county courts and our local offices in addition to the support shown by the Administrative Office of the Courts here in Trenton. This has resulted in the establishment of a solid foundation upon which we are able to build an effective and strong review system that will meet the goals of the Child Placement Review Act.

SENATOR SCARDINO: Thank you very much, Bill. I have some questions I'd like to ask you concerning the implementation of the Child Placement Review Act. From your testimony, am I to understand that you have indicated that there has been a substantial increase in the workload on caseworkers as a result of the implementation?

MR. VAN METER: Yes, that's correct.

SENATOR SCARDINO: If that's the case, can you tell me why, as of February 28th, the appropriation that the Legislature gave the division--\$750,000--had not been or

at least a proportionate amount of that had not been spent? Why is that? If you don't know, perhaps someone else would know.

MS. MANSHELL: I'm not sure what you are referring to as having not been spent. The funds were melded into the---

SENATOR SCARDINO: Let me tell you the way the question was phrased to me and then maybe you can get a better handle as to what we are talking about. An appropriation of \$750,000 was made in fiscal year 1979 to implement the Child Placement Review. As of February 28, 1979, however, none of the money in this account has been spent. Now, we will stand corrected on that if that is not true. This fact appears to be incompatible with the division's claims of substantially increased workloads that review has meant for the agency, especially at the district office level. What we require is the clarification of that.

DAVID COHAN: O.K. I'm Dave Cohan, from the Budget Office. The entire amount has been expended. I don't know the exact date, but I think by the end of February there was no balance remaining in that account. So, the money has all been expended. I'll check it but I'm positive it has all been expended.

SENATOR SCARDINO: All right, David. You check it and you show it to my staff and they will, of course, in turn show it to me and my colleagues. If we have any additional questions regarding that point, we will get back to you. But, our indications are that that has not been spent. We will wait for clarification of that and an explanation as to whether or not it is correct or incorrect. O.K.?

County judges and citizen review board chairmen have the discretion to determine the number of children to be reviewed within any given time period. Some boards may be reviewing 200 children a month while others are doing 50. This discrepancy means that in some counties compliance presents a greater burden on local DYFS staff than in others. Do you have any reaction to that at all at this point?

MR. COHAN: During the first of the Child Placement Review Act, there was a provision that we are to have our caseload that was in placement as of 9/30/78 or prior to the effective date of the Act itself also reviewed by the Review Boards. Some counties preferred to review these existing cases as quickly as possible. Other counties have determined that they could phase them in over, say, a six-month or perhaps even a twelve-month period. So, really, you are talking about the preferences of the counties as to how they would prefer to do this. It does, absolutely, create a significant workload on the workers in terms of producing information on these cases. I think you should understand too that these cases represent situations which may have been in placement for longer periods of time and, therefore, the need to gather all of the information from the caseworker takes a significant amount of time.

SENATOR SCARDINO: We have a number of questions we want to ask concerning the Child Placement Review Board, but I'm going to withhold asking those questions right now because the Act itself has only been in effect a short period of time, first of all. And, secondly, this Committee--the Senate Institutions, Health and Welfare Committee--has among its list of priority items that it wants to address, I believe, to come back to this within a reasonable time after implementation. I would expect it probably would be near the end of this year or early part of next year at which time we will have some timeframe within which we could deal and objectively see the differences that are going on in the counties.

One question, though, that I think is important enough, at this point, to ask and that is: Indications are that there is a tenseness--I guess that is the best way to put it--between the court and the DYFS people. And that is a general

feeling. Do you have any indication of that? And why?

MR. COHAN: I don't think there is any question but that there is a tenseness, being a former worker myself. There is always the question of having people looking over your shoulder and watching what you are doing. Beyond that, however, I think there is very much a question of roles involved in Child Placement's Review Act. This is something that has to be worked out between our own division and with the local courts. I can say that we, as a division, have been meeting with the local judges on an individual basis, we also have met with the Association of Juvenile Court Judges to talk about these very issues. But, there is definitely a question of jurisdiction and roles that needs to be straightened out.

SENATOR SCARDINO: Then, what is being done to do that--to straighten that out? The impression I get sometimes is that either the judge has little confidence in the caseworker and, at the same time, the caseworker has little confidence in the judge's understanding of the problem or the recommendation that the caseworker has made. In a number of cases that I have heard about, the caseworker does not agree with the final referral of the court. What are you doing about that? And, can you do anything about that?

MR. COHAN: I think it is part of the system's problem in the sense that the same difficulties that confront a judge in terms of what kinds of dispositions to make, what kinds of recommendations to make, are faced by caseworkers in terms of implementing them. It is not easy always to find a placement for some children. The judge wants to see a child placed as quickly as possible, as appropriately as possible. Our workers have the same desire to do that but there are systemic constraints on the situation that go beyond the ability of the court and that go beyond the ability of the division. I think what is the strong feature of this Act is that, by getting people together at least talking about it instead of having people separated and talking about each other, it is something that is going to get at that problem. I'm very concerned that we think we are going to be able to solve things over night. It is a very difficult thing.

SENATOR SCARDINO: Well, it goes back to what I said a few moments ago - I think we have to give it at least a year, I would say, to be fair. It is not in effect that long.

MR. COHAN: That's right.

SENATOR SCARDINO: Senator Vreeland, do you have any questions?

SENATOR VREELAND: No questions.

SENATOR SCARDINO: O.K. Thank you very much. Steve Yoslov, Administrative Office of the Courts. Hi, Steve.

S T E V E N Y O S L O V: My name is Steven Yoslov and I am with the Administrative Office of the Courts and my title is Chief of Juvenile and Domestic Relations Court Services.

I am here to speak about efforts to implement the Child Placement Review Act. First, I want to briefly touch upon what efforts the Supreme Court of New Jersey has made in that regard and then I will outline, as I see it, the present status of efforts to implement the Act.

SENATOR SCARDINO: Do you have copies of your testimony?

MR. YOSLOV: No, I don't have a prepared statement.

Finally, I will outline, as I see it, the efforts that have been made so far, and will be made, to evaluate the implementation of the Act.

The Act, as amended, went into effect on October 16th and on that same day the Supreme Court adopted a court rule to implement the Act and shortly thereafter the Supreme Court adopted a directive as well as four uniform forms that all counties have to use with respect to carrying out the provisions of the Act. Probably the most important form that has been mandated by the Supreme Court is the Notice of Placement Pursuant to a Voluntary Agreement. This form, like the other forms is a one-page form and it has to be filled out by the DYFS case worker and signed by him or her and then filed with the court.

This Notice of Placement Pursuant to a Voluntary Agreement gives the court basic information as to the background of the child involved and some other facts which the court would want to know. But, courts may ask for additional information. There was a gentleman here from the Middlesex County district DYFS office who mentioned a five-page form that Judge Nicola, the presiding J and DR judge in Middlesex County, also required to be completed. Now, that form provides information in addition to the information that has to be set forth on this form. I will get back later in my presentation as to whether or not there is a need for a uniform information form to supplement this Notice of Placement form, instead of having each county develop its own information form.

As far as the present status of implementation of the Act, my understanding is that there are 32 review boards established in the State. There is at least one in each county. Essex County has the greatest number of review boards. It has 5. Of the 158 review board members, approximately 60% are women. Chairmen have been selected in 29 of the 32 review boards and a representative to serve on the State Child Placement Advisory Council has been selected from 30 of the 32 boards.

I would now like to briefly touch on what efforts have been made to evaluate the Act so far. The Supreme Court Juvenile and Domestic Relations Court Committee has been looking into the way the Act has been implemented. That Committee is made up of juvenile and domestic relations court judges and attorneys and is a standing committee of the Supreme Court and it is considering at this point certain questions, such as the need to adopt a court rule to permit the appointment of alternates to serve on review boards when review board members are sick or unavailable.

SENATOR SCARDINO: Steve, allow me to interrupt you at this point. I realize that you have prepared yourself for today's meeting but we are not here to get specifically into, as deeply as you are getting into it, the Child Placement Review Act and its implementation. We do anticipate doing that, as I indicated earlier, sometime around the end of the year or the beginning of the new year, at which time what you are presenting to us today, and then some, will

be more appropriate, I think.

Now, if you can, either tell us whether or not you have a long presentation today, or capsulize and summarize what you have for us today and then try to deal with the impact that this Act has had in the delivery of service aspect, specifically again, dealing with the Division of Youth and Family Services and their relationship to the Act and how well it is working for them, or how badly it is working against them -- whatever it may be. This is what I think the Committee would be most interested in hearing at this point.

MR. YOSLOV: Right. I am almost finished with my presentation and I was just going to mention that the Committee - the Supreme Court Committee - has been working with the Division of Youth and Family Services in order to establish more uniformity throughout the State.

For example, members of the Committee met with Mrs. Manshell and members of her staff concerning the need for a Uniform Information Form which would be used in all counties, instead of each county, such as Middlesex County, having its own 5-page form.

I did want to add that there are other agencies, such as the New Jersey League and the Association for Children of New Jersey who are going to be involved in evaluating the Act.

As far as the relationship between DYFS and the court system is concerned, I have spoken to the trial court administrators, who are the field representatives of the Administrative Office, and they have advised me that in general there is good cooperation between the Division and the review boards and the courts. There are a couple of exceptions however. In a couple of the counties the DYFS district offices are not filing the notices of complaint within the 72 hour period required by statute, but there are discussions going on between the juvenile judges in those counties and the DYFS district offices to try to resolve that problem.

The information I have is that although there are minor problems, as with the implementation of any new program, in general the courts and DYFS are cooperating with each other. I will answer any questions you might have.

SENATOR SCARDINO: Jim, do you have any questions?

SENATOR VREELAND: No questions.

SENATOR SCARDINO: Okay. Steve, I think you touched on this. It is a question I asked earlier, and that is the question of the relationship between the courts and the case worker, in this case, specifically, for example, in the area of placement and the differences of opinion that there may be between the court and the case worker. Have you anything that you can tell us about? Have you experienced that at all?

MR. YOSLOV: Well, nothing that I can add, other than to say that the Act, by its own terms, provides that the child placement review board shall make recommendations to the judge who will make the final decision as to whether or not the child should be returned home or kept in placement. It is the judge, rather than the DYFS worker, or even the review board, who has the final say.

SENATOR SCARDINO: Let me read a statement to you: Wide variation exists in the reports of DYFS district office and court system personnel regarding the relationship between the court and DYFS. However, the relationship is frequently antagonistic because the court system feels that DYFS requires inordinate amounts of time to make placements. While awaiting placement, the child frequently stays in a GINS shelter or detention facility, which is

designed for short-term care. Court personnel report that overcrowding in these facilities is a significant problem and hold DYFS largely responsible for this situation.

MR. YOSLOV: I think that is a problem that has nothing to do with the Child Placement Review Act. Children who are placed, pursuant to a judge's order, in the care or custody of DYFS are a situation which arose before the Child Placement Review Act went into effect. This Act merely provides another mechanism for evaluating such placement.

SENATOR SCARDINO: But, do you see the Act as a possible remedial step in terms of addressing oneself to that kind of statement, or that kind of attitude?

MR. YOSLOV: Yes. The statement you read is true, especially in certain counties. The Act establishes a mechanism whereby those kinds of so-called involuntary placements are reviewed periodically. In other words, in the past the judge might forget to review such a placement and this establishes a regular procedure that must be followed. I think it has been very successful in the case of involuntary placements, as well as voluntary placements. And, of course, the principal intention of the law - I believe - was to deal with the voluntary situation.

SENATOR SCARDINO: Okay. Thank you very much, Steve.

Phyllis Gold, member of the Citizen Review Board, Union County.

P H Y L L I S G O L D: My name is Phyllis Gold, I am Chairman of the Union County Review Board. I came here this morning without any intention of testifying. When I looked at the agenda and discovered there weren't any Review Board members here to speak, I felt that it was important that the Committee had an opportunity to at least hear from a Citizens Review Board member.

Our Review Board has only a short term experience, as we began to implement somewhat later than other counties. Nevertheless, our experiences thus far have brought several issues to our attention and we should like to convey these to the Committee.

The first point is, the information presented in the document submitted by DYFS to the Board is not always sufficient to make an adequate case review. DYFS will naturally seek to obtain concurrence with their current plans. We feel that it would be in the best interest of the child for the Board to have access to information developed independently of the Division, or its sub-contractors.

Many counties have instituted a policy of assigning investigators to the task of providing this supplemental data. This has been limited in these counties to telephone contact with interested parties, including a temporary caretaker, probation officer, parents, or DYFS worker.

These people do not always appear at the Board meetings, which then limits the review to written materials provided by the Division alone. This is almost always insufficient to make an intelligent review.

An investigatory function should perhaps have been a part of the legislation or included within the court rules instead of leaving the issue to be identified and rectified by the Board experience.

The second point I would like to make is, there appears to be a need for a unified case plan form, statewide. These plans should include specific and realistic goals, based on professional appraisal of cases. Time frames for obtainment of both short and long term goals should be included as basic to the

issue of permanency planning.

In our own short experience, we have concurred with less than 50% of the cases reviewed thus far. The plans were either not there or they were inadequate.

The third point I would like to make is that there is no guideline in the current act establishing the time frame within which the court will make their final determination on the Board findings. We are assured that these court reviews will be completed promptly and efficiently, but inclusion of a time frame would have been most appropriate.

The fourth point Steve has already alluded to. It is the fact that the Child Placement Advisory Council is not yet functioning. Consequently, the task of monitoring or evaluating the Act has yet to start.

SENATOR SCARDINO: Is that it, Phyllis?

MS. GOLD: That's it.

SENATOR SCARDINO: Thank you very much for your testimony. Do you have any questions, Jim?

SENATOR VREELAND: No questions.

SENATOR SCARDINO: Phyllis, I was just commenting to the staff that some of the information we are getting here as a result of this hearing on DYFS today, and in getting specifically into the child placement review area - as we have - is going to give us a good basis and some indication as to what direction and what problems exist when we do get into studying this more thoroughly and exclusively later on in the year, as I indicated. I hope at that time you will be able to join us in those discussions.

MS. GOLD: May I make an added comment? I think it would be imperative that all the Child Review Board members be notified of those hearings.

SENATOR SCARDINO: I am glad you raised that point because I--

MS. GOLD: I came across this only by accident.

SENATOR SCARDINO: At Monday's meeting, someone also asked a question as to whether or not we would continue with additional hearings after today, because they really didn't have time to plan or prepare for the hearings because they didn't know we were having hearings.

I can tell you, speaking for the staff of the Senate Institutions, Health, and Welfare Committee, who work very, very hard and are very diligent about doing their work thoroughly and efficiently, that they are really sensitive and cognizant of the fact that we have to get notices out to the media. I can assure you that we do and we do it in plenty of advance time. We cannot tell people what to do with those notices after they get to them. If they don't put them in, we have no control over that. But, the announcements are made. They are posted accordingly. Again, what happens to them is anybody's guess.

I would just encourage our friends in the media to be sensitive to the point you just made and to the point other people made to us on Monday, that they are, in fact, not aware sometimes of these meetings. Perhaps we can encourage them to print notices where they are not being printed. In some cases they are printing them and sometimes maybe people are not reading them too.

I would also encourage you to keep in touch periodically with the Committee and just ask if there is anything coming up and just what it is. You can rest assured that we would welcome your participation. Thank you.

Robert Riegler, Coordinator, Bergen County Child Placement Review Board.

ROBERT RIEGLER: I think I should preface my remarks by saying that the Bergen County Child Placement Review Panels, of which we have two, asked me to come today. You will have to excuse me; I have a cold. They asked me to go through these points, most of which deal directly with the Division. I know the purpose of this hearing today is to just deal strictly with Division-related points and not so much the Child Placement Review Act in and of itself.

I sat through all that was said this morning and I heard a lot of the comments numerous times. I feel obligated to place in a priority order those comments that my panels wanted me to bring down to you. The first one deals with the reaction of the Division towards the Child Placement Review Act in the last couple of months, which is tied directly to the problem of the notorious 5-page form that everybody keeps making reference to. We have numerous counties and numerous counties have numerous forms.

In Bergen we have seen a fairly constant rate of these forms produced by the Division and we have kind of cut through the problem of getting them on time. We have seen a drop in the children that have been going into placement and we have seen the Division act more quickly with providing information to the two panels on a regular basis.

SENATOR SCARDINO: Can I interrupt you?

MR. RIEGLER: Yes.

SENATOR SCARDINO: I would just like some clarification. You said something about the forms that come down from the Division.

MR. RIEGLER: Right. This is a form that was referred to this morning.

SENATOR SCARDINO: But you used the term "forms."

MR. RIEGLER: Yes.

SENATOR SCARDINO: Are you suggesting that there are an inordinate number of forms that you are getting from the Division? Are you questioning the need for these forms? I don't understand what you are trying to say.

MR. RIEGLER: Okay. In the beginning - in October - when this law went into effect, we had to formulate an information form for the Division to provide the case material for the Child Placement Review Panels to look at. Each county was given the opportunity to develop that and what happened was everyone could make their own form. I can understand the Division's problem with that because there are regional offices that have adoptive units and those forms have to be sent to the adoptive unit. I am not too clear on how many counties go to these different units, but in some instances three and four counties are sending one office three and four different forms which they have to deal with. I think what we have to keep in mind is that those forms - the purpose of them - are to summarize the case file. Now, if the form is a problem, is the form a problem or is summarizing the case file a problem? If summarizing the case file is a problem, then I know Bergen County Placement Review Boards are very upset about that because that means that the social worker - he or she - is having a problem understanding what is in the case file. It is my understanding and my panels' understanding that they should have that knowledge on a day-to-day basis. They should know what is happening with that child day in and day out. That is the main point they wanted me to bring to you.

SENATOR SCARDINO: Has anyone responded to this particular feeling you have? You are obviously making a recommendation. Or, have you made a recommendation to DYFS to--

MR. RIEGLER: What we are working with is, hopefully in the next couple of weeks - and this is something I wanted to bring down - maybe the Division, on the State level, could work towards unifying this form in different counties. But, also, they should provide the training to the social workers to know how to effectively plan and use this form.

SENATOR SCARDINO: I think Harold Rosenthal is going to clear the air in a few minutes.

MR. RIEGLER: Okay. Very good. Just to give you an example of that, in Bergen County we have reviewed about 191, approximately, pre-October 1st placements, of which 64 are awaiting additional information, or rewrite, as we call it. This means they have to do that placement form over again.

I was asked to clarify some things we have been having some trouble with in Bergen County. There seems to be a question as far as therapy, assistance for parents of children, and placement is concerned. A question that has come up in Bergen, I guess with its proximity to the New York border, is where parents leave the State and the child remains within New Jersey in placement. The question was referred to the Attorney General's office, and I haven't received an answer back from them yet, as to whether parents out-of-state can be provided services through the Division of Youth and Family Services when the child still resides in this State. We have had many instances of that, where the parents actually leave.

Also--

SENATOR SCARDINO: That is a good question and I will ask the Department representative that is going to speak to us in a little while if he can perhaps supply us with an answer to that question.

MR. RIEGLER: Also, if they could do that in writing to the District Offices, that would be of great assistance because I think the social workers themselves would like to know that answer and see it in writing.

SENATOR SCARDINO: Okay.

MR. RIEGLER: Just some other quick questions. One, the panel thought this law came into effect too with the out-of-state placement of children. Just recently - as recently as last week - we finally got a list of those children from Bergen County that are in placement outside of the county and outside of the State. Approximately 460 children are in placement from Bergen County, of which approximately 76 are placed outside of the State. We feel that is a rather large number and we feel an obligation to look into these placements outside of the State. I believe someone spoke to investigative powers of the Child Placement Review Board in working with the Division.

I think the issue of confidentiality has to be cleared through the Division. If it needs to be done through the Attorney General's office, it should be done. Without that being done, any Child Placement Review Board is powerless.

The on-line social worker is caught in a bind. He or she doesn't know what to do. They don't know whether they should release the information or not, whether they are going to be reprimanded for cooperating or not. I think this should be done from the State level and it should be worked down to the local county level because that is not being done at this time.

There are two other points. I know this doesn't have to do with

Division, but there seems to be some question on the county level of money being provided for the Child Placement Review Panels themselves to operate, without which, again, they are caught in a bind. Their operation is limited. That is something for later hearings and possibly we could speak to that.

One last thing too is that we have seen - and I don't have all the numbers on it - a drop in the amount of children that are put into placement since this law went into effect. At least Bergen has reflected a drop in those children that have been put in.

One last question that the Child Placement Review Panels from Bergen County had to ask was, it was their understanding that the Bergen office was supposed to be provided with additional social workers in, I believe, the winter of '78. There was some question raised as to either 12 or 14 workers being put on. They have not seen those workers. We have met with them. The Panel members have met with the workers on a one-on-one basis to understand their frustrations and limitations in completing the necessary forms to review these cases.

In Bergen they have tried to meet the Division half way in scheduling appearances for hearings before the judge and also Review Board meetings in the evening. I think we have made great strides in that. We try to keep them all on one day a week, usually on Wednesday nights, or have a hearing on a Friday. But, that is something that was talked about all day today here and I think that is a part of the problem that should be resolved. If there is a need-- We see a need; the Panel in Bergen County sees a need to deal with this and not let it go on. I have been with this Child Placement - I have been following it - for about two years. I became directly involved with it last June and I have heard the lack of answers to the same questions since June. Sitting here all day today, I am glad I didn't bring the 10 people on my Child Placement Review Panels down here because they have sat through meetings just like this and heard the exact same answers. If anything, I could ask you today--

SENATOR SCARDINO: And you took no transcript of those meetings?

MR. RIEGLER: They asked me to ask you--

SENATOR SCARDINO: Do you realize the time you would have saved us?

MR. RIEGLER: They asked me to ask you to deal with these things and to get the answers from Trenton back to the individual counties. Thank you for letting me talk.

SENATOR SCARDINO: Thank you, Bob. Senator Vreeland.

SENATOR VREELAND: Mr. Chairman, I would just like to say that I thought that was an excellent presentation and the answers are going to be forthcoming, as you pointed out, by the next speaker to the questions raised by this speaker. Is that correct?

SENATOR SCARDINO: Not the next speaker but the one after that.

SENATOR VREELAND: Okay. So, I pass.

SENATOR SCARDINO: We have listed here the New Jersey Employees Association, DYFS Case Workers. Ray Chimileski, is that correct?

J A C Q U E L I N E F R I E D M A N - C O L L I N S: My name is Jacqueline Friedman-Collins, I am from the Bergen District Office. There will be another caseworker following my me.

SENATOR SCARDINO: Pardon me?

MS. FRIEDMAN-COLLINS: There will be another caseworker following me.

SENATOR SCARDINO: I am afraid we only have one listed.

MS. FRIEDMAN-COLLINS: Is it listed as speakers?

SENATOR SCARDINO: Why don't you have that person come up now and sit next to you, okay? Proceed.

MS. FRIEDMAN-COLLINS: I am here to talk about the law. First of all, let me give you some background. I have been with the Division as a case worker for eight and one-half years. I have served in positions in the foster home finder unit. I have served in day care. I have been in intake for 5 years, investigating protective service referrals. I have been court liaison in Bergen County for 15 months. And, I am currently the liaison to the Family Life Center, which is a contract agency.

I am here to talk about three laws that have been in effect since 1974 and the impact they have had on the case workers. First, I would like to discuss the Dodd Act, which became effective in January of 1975. This law mandated responsibility to the Division for investigation of physical abuse, neglect, sexual and emotional abuse. I have some documentation here, exhibits that perhaps you would like to see, including the infamous five-page report for the Review Board from our county.

SENATOR SCARDINO: Is that included as part of the package?

MS. FRIEDMAN-COLLINS: Yes, it is.

SENATOR SCARDINO: I needed something to read tonight anyway.

MS. FRIEDMAN-COLLINS: The first thing, on top, gives you an idea of the percent of increase for the fiscal years of 1974 through '77 of protective service referrals, statewide. Statewide, it was up 362%. In Bergen County it was up 345%. In that same time period the increase in staff to handle the influx was 1%, or two staff members, and one of them was in supervision. Can you follow that? It is on figure two.

The second law I would like to talk about is the JINS law, which became effective in March of '74. Under Section 20 (d), regarding disposition of delinquency cases, the court has the option to place the juvenile under the care of the Division, pursuant to Title 30:4c-2. Under Section 21, the disposition of JINS cases, the court can use all the alternatives except placement in a correctional facility. This includes placing the JINS cases under care of the Division, pursuant to Title 30:4c-2.

Both of these above instances usually translate to DYFS placement in residential facilities or group homes. In the period of May, 1977 through May of 1978, 52% of Bergen's residential placements were court ordered and that means 77 out of 148.

The topics I am covering now are in the second piece of information.

SENATOR SCARDINO: Are you reading right from that document?

MS. FRIEDMAN-COLLINS: No, I am not, but it will go into it and explain it in a fuller detail.

Out of the new referrals, during May of '77 through May of 1978 from the court, 70% of these were JINS cases. Most of these court referrals ordered the Division to place. The court expects the Division to prioritize court-involved cases. This puts us in direct conflict with the Dodd Act and forces workers to discriminate.

SENATOR SCARDINO: Will you elaborate on that a bit?

MS. FRIEDMAN-COLLINS: Yes, I will. The Division is primarily a protective service agency. When the court orders us to prioritize those kids

awaiting placement because they are in a JINS facility or detention, what that means is some of our more serious protective service case loads, such as kids who have made suicide attempts, will have to wait.

SENATOR SCARDINO: Isn't it a fact that the situation now is that there are a number of youngsters in shelters and JINS facilities that are there for longer periods of time than they should be?

MS. FRIEDMAN-COLLINS: Oh, absolutely.

SENATOR SCARDINO: Okay. Well, would this be a case for the court to then prioritize its position in that respect?

MS. FRIEDMAN-COLLINS: I don't think they wait that long to prioritize these cases.

SENATOR SCARDINO: But you are saying that the court uses its clout to force the caseworker to prioritize the kids that are in shelters and JINS facilities as opposed to cases that you feel may have more merit, based on your own judgment. How can you rationalize that in light of the fact that it is an admitted fact that some kids are in these shelters and in these facilities longer than they are supposed to be?

MS. FRIEDMAN-COLLINS: But most aren't, I would say.

SENATOR SCARDINO: I guess we could go around and around in terms of the definition of most or many and few and fewer and so forth, but again our information tells us that it is often enough to be concerned about. I am just trying to highlight it, not to refute what you are saying because I do not disbelieve what you are saying. I am sure you have facts to support what you are saying.

But, you are indicating that there is a need for concern in both respects. You don't want to differentiate and pull them out and say here is one area and here is another area; we have the area dealing with kids that are JINS and sheltered and we have all the other. I am just cautioning you because I don't think you mean to place a heavy emphasis on the other when we recognize that we still have a problem, and we do have a problem in the JINS and sheltered category as well.

MS. FRIEDMAN-COLLINS: I agree with that.

SENATOR SCARDINO: So you can't blame the court if it is responsible and if it feels its responsibility is very direct in terms of the people they have been involved with in the placement within a facility.

MS. FRIEDMAN-COLLINS: No, for children that have been there an extraordinary amount of time, I can't blame them for it.

SENATOR SCARDINO: Okay.

MS. FRIEDMAN-COLLINS: Over two years ago the Division was instructed to bring juveniles in placement within a 50 mile radius of New Jersey. New Jersey does not have enough facilities, or good enough facilities, to accommodate its youth and I think that is part of the reason why these kids are staying in detention and in the JINS shelter for such a length of time. We just don't have any place to put them.

While the court is concerned with getting the kids out of the shelter as quickly as possible--

SENATOR SCARDINO: Why would a kid be in a shelter?

MS. FRIEDMAN-COLLINS: Juvenile delinquency or incorrigibility.

SENATOR SCARDINO: He committed an illegal act of some kind, or violated the law?

MS. FRIEDMAN-COLLINS: Or for incorrigibility -- run-away.

SENATOR SCARDINO: Or because the parents don't want them back?

MS. FRIEDMAN-COLLINS: That's right. Or, some are in dependent children shelters.

SENATOR SCARDINO: What do you do in the case where the parent doesn't want the child back?

MS. FRIEDMAN-COLLINS: What do we do?

SENATOR SCARDINO: Yes. What recourse do you have?

MS. FRIEDMAN-COLLINS: Well, it comes before the court. The usual recourse is placement in a foster home, group home, or residential school.

SENATOR SCARDINO: If the parent doesn't want the child back?

MS. FRIEDMAN-COLLINS: Yes. The problem with that--

SENATOR SCARDINO: The parent is not held accountable in any way, shape, or form?

MS. FRIEDMAN-COLLINS: Well, that is another problem that I was going to talk about. New Jersey does not have a family court. We have a juvenile and domestic relations court system which has no jurisdiction over our parents. We are talking about the Division providing the services to parents. Well, that is all well and good. I wish we could and I wish some of them would go along with it. But we have brought parents before the court and the court cannot enforce orders for parents to go to therapy. The problem is that sometimes you send a juvenile into a residential placement and while there has been some effect and change in the juvenile in placement, there has been no change in the home situation, so the kid goes back to the same horror.

SENATOR SCARDINO: Some of these kids that are in the shelter are awaiting placement elsewhere in the penal system -- Jamesburg or--

MS. FRIEDMAN-COLLINS: Some.

SENATOR SCARDINO: Is that possible?

MS. FRIEDMAN-COLLINS: In detention.

SENATOR SCARDINO: I am sorry, I am getting the impression that there may be two answers here and I want to make sure about this.

MS. FRIEDMAN-COLLINS: Some children in detention are awaiting disposition that might place them in a correctional facility. There are three different types of shelters: dependent children, the JINS shelter, and the lock-up, or the detention facility.

SENATOR SCARDINO: Are you at all involved in that component -- the third one, the lock-up?

MS. FRIEDMAN-COLLINS: No.

SENATOR SCARDINO: Is DYFS?

MS. FRIEDMAN-COLLINS: Only if our children and our case loads--

SENATOR SCARDINO: This is after the sentence has been given, and so forth and so on. It doesn't fall into your jurisdiction any longer? Is that correct?

MS. FRIEDMAN-COLLINS: Excuse me?

SENATOR SCARDINO: It doesn't fall under the jurisdiction of the Division of Youth and Family Services once the court has made a determination of sentence?

MS. FRIEDMAN-COLLINS: To correctional facilities?

SENATOR SCARDINO: To correctional facilities. (no response) Okay, I will hold the question until someone can give me a clarification as to just

how that works.

MS. FRIEDMAN-COLLINS: Okay. As you said, the result in our inadequate facilities and in the lack of the number of facilities is that the kids are staying in shelters longer. A result is that Bergen County is instituting suit against the State of New Jersey for maintenance of juveniles in shelters.

The final law is the review of children in placement, which became effective in October. I heard it stated here that the initial complaint was one page long. That is true. But, I filled out that initial complaint and it takes additional pages to complete the form.

Attached you will find the 5-page form that the Bergen County Review Board requires, and as stated before, oftentimes filling out this form is not good enough; they will require additional information.

The last paper that I have attached here is a February report from our district office supervisor. On page 2 you will see it starts out, "Other Problems We are Having." It concerns the request and orders we are getting from the courts because of the child placement review boards. What we are doing is, we are questioning the extent of the authority review boards have in certain areas, such as ordering the Division to provide a homemaker. Sometimes it is not that simple. We can call different homemaker services in the county and there might be nobody available to provide the services.

Senator, the point I am trying to make - one of the points - is that all the legislation I have talked about is good and has good merit, however, it seems that funds have never been allocated to the Division to carry out the mandates of legislation. I think that is shown in the fact that we don't have enough resources to carry out the laws.

The workers are inundated. They are frustrated. And, the laws are not being carried out to their fullest extent because of time priorities. I feel that because many of the functions of the Division are now regulated by statute, the Legislature must bear some of the responsibility for the disfunctions of the Division.

SENATOR SCARDINO: Okay. There are others here who wish to testify and add to what has just been said?

MS. FRIEDMAN-COLLINS: Yes.

RAY CHIMILESKI: Senator, my name is Ray Chimileski. I am with the Division. I have been with the Division about seven years.

SENATOR SCARDINO: As a caseworker?

MR. CHIMILESKI: Yes, as a caseworker -- front line social worker 2. I have worked in urban areas primarily -- the city of Paterson for about 4 years. Since 1974 I have been doing crisis intervention work and protective service work. I am sure a lot of caseworkers have mentioned that term PRS, or protective services.

I just wanted to bring to the attention of the panel what is involved in protective service work. As Jackie mentioned, it stems essentially from mandates of active legislation, especially the Dodd bill. We have mandates and time restraints under Titles 30 and 9 to administer the needs of abused or neglected children within a very specific period of time. When referral comes to the Division alleging physical abuse, extreme physical neglect, deprivation, or sexual abuse, we have to respond within 24 hours. That means from the time the call is received on the telephone and assigned to a worker to investigate, we are supposed to be out there within 24 hours to make contact with the child

and the family to determine if he is "at risk." At risk means do we believe that if we do not remove the child from that home or situation, there would be imminent danger to his life and safety.

The second area under protective services is a little broader, but only by 48 hours, and that is the area of general or chronic neglect. It is generally a 72 hour response. Again, we respond within the time frames looking for imminent danger to a child. Now, this comprises, I would say, three-quarters of the case load. Our target population, if I remember, is five million. We supervise fifty thousand children in the State.

SENATOR SCARDINO: Ray, are you criticizing the mandate? Is that what you are doing?

MR. CHIMILESKI: No, I am not, sir. Not at all. I am trying to show you the impact on a front line caseworker.

SENATOR SCARDINO: Okay. But you have no problem with the purpose and the intent of the Dodd law?

MR. CHIMILESKI: Not with Dodd. Not all all, sir.

SENATOR SCARDINO: Okay.

MR. CHIMILESKI: I am trying to show a little bit about this and fill in some emotional--

SENATOR SCARDINO: I wanted to clear that up for the record because someone reading the transcript may think otherwise.

MR. CHIMILESKI: Not at all. I have been doing this work for 7 years, sir.

As I was saying, the Division, as you know, is divided up into district offices and we have approximately 22 functioning offices -- maybe more now. In certain areas-- In Essex County I believe we have five offices. In Passaic County we have 2.

On staff, we have approximately 1,040 caseworkers, of which I would say 75% do protective service supervision. Since the enactment of the Dodd Bill, our responsibilities under the law have tripled. I am using that as a conservative figure. Our growth in front-line staff has not. I don't have statistics here with me. You can check with Mrs. Manshell and the other deputies that what I am telling you is essentially correct -- that our front-line staff, the people who do the actual work of meeting the children and the families, developing case plans and supervising those case plans, has stayed largely the same.

Now, this is part of what Jackie means when she says that we have the responsibilities but we don't have the tools to do the work. If you asked me if I am being critical, I am being critical about the lack of support that the Division has received in some areas, as opposed to the--

SENATOR SCARDINO: From the caseworkers or the Legislature?

MR. CHIMILESKI: I would say the Legislature. I think you have a tremendous case work staff. There are always a few rotten apples in any bunch, but by and large they are well trained. They are enthusiastic. They like their work. You cannot do this work unless you like it. However, the average turnover for the socialworker is two and one-half years. They burn out within that period of time and look for work elsewhere. I am one of the survivors. Jackie is one of the survivors. We have quite a few survivors in the Division and I think they are a credit both to the State and the Division.

SENATOR SCARDINO: You are in it for seven and one-half years?

MR. CHIMILESKI: Yes, sir.

SENATOR SCARDINO: When did you start, in the 8th grade? (laughter)

MR. CHIMILESKI: I will be 30 years old.

SENATOR SCARDINO: You look very young.

MR. CHIMILESKI: Thank you. A lot of Vitamin C.

SENATOR SCARDINO: Pardon me?

MR. CHIMILESKI: A lot of Vitamin C and clean living.

SENATOR SCARDINO: Is that what it is? (laughter)

MR. CHIMILESKI: No smoking.

SENATOR SCARDINO: I don't think everyone heard the last part, but forget it.

MR. CHIMILESKI: What I am trying to say is that there are a lot of problems that the caseworkers face. We do have a Division that is not totally responsive to the needs, the wishes, and sometimes the demands of the workers. We anticipate those types of problems in any working situation. We have been having hearings. I believe you heard about them. They are about the case load size problem. We have been having them for the past 10 months. I convened those hearings. They are now at the point of an advisory opinion by an outside third party, which is the American Arbitration Association. All of the issues that I have brought before you now, and many, many more, have been discussed at length over the past 10 months.

I do want to put in another plug for the caseworkers. We need to have a vehicle whereby we can put in direct input to your legislation, direct input into your implementations, into your studies, into your reports, and into your commissions. We are the front-line troupes. We know the realities of the job, the realities of our time constraints, the realities of our resources and our energies. You can speak to deputies. You can speak to directors and administrators and you will get a management, a deputy's, and an administrator's point of view. The caseworker needs to be heard and I am asking you to give the caseworker the opportunity to be heard.

Now I know that I am here today and I am being heard and I am thankful for the opportunity. But on the other hand, when these bills are made and when plans are made in the local areas and the local communities, I implore you to contact the Division and contact the caseworker staff. We have excellent representatives who can help you. We can iron out some of the bugs in your intended legislation before it even gets off the ground. We can point out the areas where we think you are going to run into snags and where we think there might be problems with implementation. That is what Jackie has said, there are problems with implementation of your plans, not your plans per se.

We don't have the resources. We have the energies. But we have priorities that we must address and the most essential priority - and you might take exception to this - is the abused and neglected children. Children who have been abused or who have been suspected to have been abused or neglected are our top priority and will remain our top priority no matter what the pressures are from any administrative branch. That is the way the game is.

I have no other comments. If you have any questions, I would be glad to answer them.

SENATOR SCARDINO: Thank you, Ray. I just want to ask you a question concerning what your feeling is in terms of how one could best address himself to the problem of a short supply of caseworkers. Naturally, I know the obvious answer is, well we need more caseworkers. But, from that point, as I raised

earlier, the next question is, can you deal with the ratio adequately from your experience, or is there some other formula that must be dealt with in order to determine how much of a load a person can reasonably handle?

MR. CHIMILESKE: I would like to see a ratio like that, sir.

SENATOR SCARDINO: What ratio would you recommend, from your seven and one-half years of experience?

MR. CHIMILESKE: Well, according to professional standards - I mean the National Association of Social Workers and Psychiatrists in the field - they understand that a caseworker, doing this type of work with child welfare, needs a small case load to administer. Okay? Now the number I am going to give you is going to sound ridiculous as a per hour standing case load. Our standing case load is anywhere from 40 children to 120 children in any given area, depending on the location. Okay? There is, across the State, a wide discrepancy in the size of the case loads.

We have done studies on this. We have found that the average is anywhere from 50 to 70. The larger is in the two extremes -- in the inner cities and in the extreme rural areas, where there is not ancillary support such as functioning mental health clinics and other facilities like that. I would say the social work literature recommends a twenty to forty foster children under supervision per worker would be a recommended maximum. Twenty to forty children in foster care.

SENATOR SCARDINO: And how many families?

MR. CHIMILESKE: Well, I would say that would probably mean around 15 families, 15 to 20 families. Now, that foster care is the least stressful piece of social work activity. Now for protective service that number is considerably lower. I would say that between 15 and 20 children, maximum, for protective service supervision per protective service worker.

SENATOR SCARDINO: Do you separate that? Not being familiar with the categories, as you are, you might have to help me along. Do you see a possibility of separating the categories in the area of responsibility?

MR. CHIMILESKE: Well, we do.

SENATOR SCARDINO: In other words those that are involved with foster care, or who specialize in foster care, do you turn over those cases? Is this done now?

MR. CHIMILESKE: It is done now and there is also a lot of overlapping as you can imagine.

SENATOR SCARDINO: Do you feel there ought to be more concentration in trying to develop those specialties?

MR. CHIMILESKE: Yes, I do. In protective service supervision, one of the components might be for alternate care in a foster home situation or a residential situation. You know, we can't talk about the logistics of splitting that up right here and now, but we do like to zero in on that type of a target. By saying that people doing intensive supervision with families in home and out of home in a residential placement, we might be able to accommodate some sort of formula in that regard. The most difficult of this would be supervision of children in their own natural homes where abuse and neglect has been substantiated.

The next most difficult area would be children in residential placement, and just the entire function of placing a child residentially. I would give that the same weight as a protective service case load.

SENATOR SCARDINO: Any questions, Jim?

SENATOR VREELAND: Just one. I was interested in the remark that you made, that caseworkers burn out in two and one-half years. I think you said that.

MR. CHIMILESKI: Yes, sir.

SENATOR VREELAND: My question is, aren't there, if that is the case - and I have no reason to doubt what you say - plenty applicants for the job of caseworker? You said there was a shortage, I think. Is it because not enough money is available to pay them, or is it a lack of applicants for the job?

MR. CHIMILESKI: I think it is a little of both but I think the biggest part of it is that there is not enough money to bring new staff on board.

I believe that, particularly with the unemployment roles in New Jersey - especially minority unemployment and the unemployment of our youth in the inner city areas who have had college experience and junior college experience - that titles can be created and energies and emphasis can be put into getting people back to work.

SENATOR VREELAND: The other point I think the young lady made was - and I get back to the problems that can be laid at the doorstep of the Legislature, I guess - the problems of the Division. I think you said that. The Legislature is at fault, I gather.

MS. FRIEDMAN-COLLINS: What I meant to imply, Senator, was the we don't get enough support in social service areas from the Legislature.

SENATOR VREELAND: But doesn't the Division itself come before the Legislature for its needs? Now, whether or not they are going to get the result they think they ought to have, that is something else again. I don't disagree with that, but I would say the Division itself would come to the Legislature to rectify any of the problems that you might have, or anybody else might have. I think they would try to get legislation to correct this.

MS. FRIEDMAN-COLLINS: Senator, I think Ray brought out the point that we would like to have open channels of communication between the front line caseworker and the legislators. We would like to have those channels opened up.

SENATOR VREELAND: Well, wouldn't that come through the Division?

MS. FRIEDMAN-COLLINS: It hasn't.

SENATOR VREELAND: Okay. Thank you.

SENATOR SCARDINO: Well, that is one time it is not the Legislature's fault.

I can tell you - and I am sure the Director can speak for herself - that in a discussion with Mrs. Manshell on a couple of occasions at least, I feel that she shares the kind of philosophy that you just espoused in terms of getting more involved. I believe in that too. I think it is important and I think it is an excellent suggestion. As far as a direct line to legislators, you have that anyway as constituents and citizens. I say this and I am sure Senator Vreeland says this all the time. You can reach out to us and contact us and we will be glad to meet with you and to sit with you when it is appropriate and convenient for both of us, it would be fine. We welcome that and we encourage you, and any of your people, to do this. I have had people in Bergen County and Passaic County, as a matter of fact, come to my office and talk to me.

MS. FRIEDMAN-COLLINS: Yes, Senator, I am one of them.

SENATOR SCARDINO: I know. You had better explain that. (laughter)
So, I suggest that there is your direct line of communication.

MR. CHIMILESKI: One other thing, when I was talking about ratios, the Division itself did a staffing reevaluation to find out how much actual work is done and where the time is going and Mr. Mark Wickley, who I believe has appeared before you, developed some of those statistics. We found out that at the hearings that the State Employees Association convened in this regard, our figures were somewhat larger, but the findings of the Division indicated that we were on the right track. They found that for every caseworker that we have now, we need maybe one and one-half more bodies. The Association has found that we recommend maybe two bodies more. So, our figures come out very close and I think that our intents are very close.

SENATOR SCARDINO: I want to ask a question. Can you describe for us how you arrive at a case load size? How do you determine numbers?

MR. CHIMILESKI: Now? Now, there is no determination. There are a certain amount of caseworkers in an office.

SENATOR SCARDINO: No, I'm sorry, I mean the number of clients. You said you had anywhere from 40 to 100. How do you make that determination?

MR. CHIMILESKI: I will give you a local example. When I was a protective service worker in Passaic, I was doing a function called crisis intervention, which is essentially an intake function. I go out and I meet clients directly. I am the first contact the Division has with the client population.

On a specific day I might get two families to evaluate within the 24 hour framework. On another day I might get 5 or 6.

SENATOR SCARDINO: Families?

MR. CHIMILESKI: Families.

SENATOR SCARDINO: So, you count up all of the numbers - all of the members of that family - and that constitutes your case load?

MR. CHIMILESKI: No, sir, children. It is the number of children in the family.

SENATOR SCARDINO: The number of children?

MR. CHIMILESKI: Yes.

SENATOR SCARDINO: Okay. So, if there are five children in the family--

MR. CHIMILESKI: That is five cases.

SENATOR SCARDINO: (continuing) --and you may have a problem with one child--

MR. CHIMILESKI: Yes.

SENATOR SCARDINO: (continuing) --do you count all five?

MR. CHIMILESKI: No, only the children that we accept for services. We might get into a family where there are extreme deprivation problems identified for one child, but we supervise the other children for preventive services.

SENATOR SCARDINO: So, therefore, that adds to the number of people in your case load?

MR. CHIMILESKI: Yes, that we are servicing.

SENATOR SCARDINO: That you are servicing, even though one child was identified as the problem child?

MR. CHIMILESKI: Well, we would not necessarily open the other

children unless they were at risk also, or somehow connected with the problem.

SENATOR SCARDINO: Let me rephrase my question, Ray. Just give me a chance to do that. I want to get clear on this. If you have a problem with the child in a family that consists of a mother and a father and five children and this child is one of the five, when you note that you have added this child as part of your case load, do you add one or do you add five?

MR. CHIMILESKI: If I am only going to service one child, I will only add one. If I have services for more than one child, I will add them accordingly.

SENATOR SCARDINO: How is that determination made?

MR. CHIMILESKI: It is basically a casework determination between the supervisor and the caseworker on an in-service plan basis. What plan are you providing for the family? Are you going to provide day care for one child? Are you going to provide therapy for one child? Or, is more than one child involved in the treatment plan?

But, as I was saying, there is no limit to the number of cases an individual caseworker can have. It depends upon how many cases come into that office, are investigated and found to be serviceable.

MS. FRIEDMAN-COLLINS: I would just like to add that as the liaison to a contract agency up until Monday, I was the Division worker responsible for over 250 cases. I got help starting Monday. I have another liaison to work with and now I am only responsible for approximately 125 cases.

MR. CHIMILESKI: The complexity of the case varies, of course. We are putting essentially the highest weight on protective service, whether abuse or neglect. But time considerations and restraints also come into play.

Passaic County extends from the city of Passaic to Upper Greenwood Lake. It is a large piece of property. Caseworkers might have foster care supervision in the Upper Greenwood Lake area and have to travel an hour to get to a visit. You know, that has to be taken into account also.

But, the most intense and draining work that a caseworker does is protective service in a residential area.

SENATOR SCARDINO: Do you have someone else who wishes to testify? Would you identify yourself, please?

KATHY KING: I am Kathy King and I am a residential worker in the suburban Essex office of DYFS. I am also here representing the Association.

SENATOR SCARDINO: How long have you been a caseworker, Kathy?

MS. KING: Three and one-half years for the Division. I just wanted to make a few brief comments, in addition to what Ray and Jackie have just said, especially with regard to residential placement. As I understood, this is something your Committee is interested in.

The residential process is something that has been and continues to be a very difficult one. Personally, I agree, as I think many other caseworkers do, that when placement is necessary, it should be in State. Unfortunately, the mandate that we place in State, if at all possible, has created a number of problems for us.

Placement could be avoided in many cases altogether if we had the proper community resources -- the appropriate community resources available to us. For example, there are situations where a family may be worked with as a unit but the proper service at the right time is not available. Often there are waiting lists.

In terms of the situations that do require residential placement, we have another difficulty in that there are still not enough of these facilities in State to provide for the needs of the children that we serve, as well as the families. The bind that this places the caseworker in is that we may not consider placement of a child solely in regards to a facility that might be the most appropriate, but must also consider the geographical problems and the fact that we may not have chosen placement to begin with.

The Children in Placement Review Act, especially for a residential worker, has created a terrible burden because we do place more children as residential specialists than do most of the other caseworkers. So, this has created a double burden for us in terms of the work load.

I would say that is the extent of my comments. I would be glad to address any questions.

SENATOR SCARDINO: Thank you, Kathy, I appreciate that. Are there any questions? (no questions)

I want to thank each of you for taking the time to come here today. Jackie, feel free to come and see me any time.

We will now hear from Harold Rosenthal, Deputy Director of Program Support. Harold was scheduled earlier and I want to thank him for relinquishing his spot. He was going to talk on the Child Placement Review Act and on the residential placement policies, but I guess it is better that we held him off to this point because we are sort of moving into the area of discussing the residential placement policy component and I guess Harold can review for us and comment on what we have heard so far about the Child Placement Review Act. He can then lead us into the residential placement component perhaps. I don't know if you can do that at this point.

H A R O L D R O S E N T H A L: Senator, I was prepared on the residential placement. If you have any specific questions on Child Placement Review--

SENATOR SCARDINO: No, I just thought that maybe you had some comments relative to what you have heard today so far.

There were some questions, if I may direct them to you now, which deal with some of the testimony we have just heard. We understand that from the State's point of view there has not been a drop in the number of children. This is the information I get -- that there has not been a drop in the number of children entering placement. However, in some of the testimony we have heard here today from county representatives, they indicate that within their counties there has, in fact, been a drop in placement. There seems to be a conflict between the State's position here and what we hear from the counties. Can you address that?

MR. ROSENTHAL: I think part of the problem may be that the Act is only three months old and perhaps we have not been able to establish a clear trend. We have not noticed an overall drop in the number of children in placement. That is in both foster care and in residential care. The figures are remaining about the same.

However, it may very well be that, particularly in Bergen, if we look into the situation there may have been a drop. But, there may be many factors involved in that.

SENATOR SCARDINO: Okay. Again, just because of the fact that this is a new program, if you will, we are just going to have to give it a little

more time and this will more than likely be an area that we will look into at greater length when we come back to it at another time.

Once a child is sentenced to a correctional facility - and this is a question that came up before - does the Division have any continuing role in the situation -- in the youngster's regard, in any way, shape, or form?

MR. ROSENTHAL: If the child was known to us prior to being sent to a correctional facility, we do remain involved. We remain particularly involved at the point the child may be ready to be released. We do attempt to participate in plans for after care, after the child is released, which may very well be, for the younger child, parole supervision, which we exercise for children under 14 years of age. For those above 14, it depends upon what the central parole board - or the parole board - wishes to do, whether the child is referred to us or to the county probation departments, or under central parole.

SENATOR SCARDINO: Another question that I guess needs to be asked is - and I recognize that the Division has touched on some of these points in fragments - where did all of the money go, or where does the money go, if the DYFS budget has gone from \$40 million to \$175 million? We have listened to some of the testimony here that says that while the case loads have increased substantially by hundreds of percentage points, the numbers of caseworkers has been extremely minute in contrast. How can we relate to that in terms of the significant increase in the budget from \$40 million to \$175 million in a matter of a few years?

MR. ROSENTHAL: I am sure Mr. Callahan and his staff can supply you the exact figures. But I think everyone has to realize that in five years DYFS is a totally changed agency. When the Division was formed in 1972, we were basically - and when we incorporated the Bureau of Children Services and other units that were in other areas of State Government - a direct service agency. About two and one-half years ago with the availability of the Title 20 money, which came about in 1974, and with the position of the State to take advantage of the Title 20 money, we are no longer, in terms of dollars spent, a direct service agency. We are slightly over half in terms of purchase of service and that includes many other social services which are not directly related to children. Some of the things Mr. Sheola mentioned this morning: homemaker services, meals on wheels, services to the aged, special programs for Hispanics, and so on. So, we are no longer what would be considered strictly a child welfare agency. We are a very broad social service agency.

SENATOR SCARDINO: Can you be specific in terms of what the increase in the child protective services component has been then?

MR. ROSENTHAL: I don't have those figures with me, Senator.

SENATOR SCARDINO: Okay. Can we have a break-down giving a specific indication as to where the dollars go and how much there has been in the child placement component, in terms of an increase, since, let's say 1974? Where has the money been applied? Okay?

The floor is yours, Harold.

MR. ROSENTHAL: There is a child here and it is called, "Residential Placement." I think it is important in view of some of the concerns expressed by the Senate Committee, as well as others here, that we understand the process that our workers must go through in effecting a placement for a child who needs residential services.

We get our referrals in many ways. They are children who are

referred to us by the courts, children who are in JINS and detention facilities. And, in answer to the specific question you had before, Senator, there may be children who are adjudicated delinquent for whom the court's preference is placement in a residential center by DYFS as opposed to placing the child in a correctional facility.

The advent of the JINS law, in 1974, also has created a great influx of children who turn out to be candidates for residential placement because of their acting-out behavior in the community and the fact that other community services, as well as their own homes, have failed to meet the needs of the child.

We get referrals from school districts. And we get referrals directly from other social service agencies, as well as the parents themselves bringing the child in and saying, "I am having a problem."

As we do with any child entering the system, we do an assessment of the child's needs. We gather information and in this case we are making a determination that it appears the child needs the structure and the treatment available in a residential center.

You will see, down here, "Funding Determination", and this is one of the keys to the whole process. The Division pays, when we purchase services from a residential center, basically for the maintenance and social services. The educational portion, which is included in almost all programs, is paid for by the local school district. We must, in order to get that funding, ask the local school district to do a child study evaluation to determine whether the child is educationally handicapped and, if so, to have a classification assigned.

We have had some problems and delays with certain school districts. In all fairness to them, there are many, many children, particularly with the passage of the Federal Law on special education, who need classification and many have difficulty in responding in a timely fashion. However, that is the key part of the funding package and must be available to us prior to approval of that placement.

We do look for other sources of funding, such as Medicaid, Social Security, and so on. If the child is not known to us, we must meet with the family, other sources in the community, other agencies that have been involved with the child. At times we must get psychiatric and other medical evaluations in order to get a complete picture of the child. This takes time to gather.

Once all of that information is in, we begin the process of matching the child's needs and the information we have to the services offered by the various residential facilities in our network. Not all residential facilities serve the same type of child. Some are less structured programs serving less behavioral-problem children. Others are highly structured for the seriously disturbed child and have additional support systems, such as psychologists, medical services, psychiatrists, and different treatment programs.

Our workers then must begin the process of sending out referral packages to facilities which appear to be appropriate and we wait for response. We follow up on this if we do not get a response. And, as facilities begin to say, "we will consider this child," we then sometimes accompany and sometimes send, and sometimes arrange for the parent and the child, if the parent is involved, to go to the facility and have what is called a pre-placement interview.

Now, another factor which bears on this is that these are open settings. They are not lock-ups. And, we have many instances in which, because of the problems of the child and sometimes the problems of the family, we do

not get the parent's or the child's agreement. Despite our assessment that this is an appropriate facility, they are saying no. We then must begin the process of working with the family and the child to gain their commitment. If they are not committed to the process and the program, what we wind up having is the child running away, the family failing to participate with the child in the treatment program, and we face the specter of returning the child to the same chaotic conditions which may have caused him to go there in the first place.

Once all that is done, and the facility accepts, and the parents and the child are accepting, the paperwork for approval of the funding begins. Now, there is a certain category of placement which we call exceptional funding. It means that the cost of that facility is on the high side and therefore requires special approval. It would be an exception, for instance, if the child were sent outside the State, but within our metropolitan region -- 15 miles from the State's border. All of those require exceptional approval.

We do have instances in which the child needs placement and we cannot gain the cooperation of the local school district and after the worker exercises all appeals back to the school and back to the county superintendent and we still get no response, the worker has the right to come forward and ask the Division to pick up the funding in order that we get the child into placement as quickly as possible. The local office and the Division then take the matter up with the Department of Education.

SENATOR SCARDINO: Can I interrupt you?

MR. ROSENTHAL: Sure.

SENATOR SCARDINO: With reference to the problems you might have with local school districts, it would seem to me, from what you just said, that if I were a local school official and I wanted to get away with paying the cost of placement - the residential cost for that youngster - all I would have to do is play the waiting game and get you to a point where you finally go to the special fund and you pay for it. In the meantime, that youngster is the one who is getting the worst end of this whole process.

Isn't there a way in which we could modify that program? Again, I speak from a frame of reference here, or a point of view, having served on the Educational Committee for four years and having been involved with appropriations in this respect and the whole concept behind a lot of the monies we put into education. Local districts are responsible for the cost involved with the placement of youngsters who are classified as having special needs.

MR. ROSENTHAL: Legislatively, Senator, you could help us out with the passage of A-1770.

SENATOR SCARDINO: Pardon me, I missed your point.

MR. ROSENTHAL: Legislatively, we could remove much of this type of problem if we saw the passage of A-1770. It is a bill which clarifies the funding process and it would be very helpful to the Division. I think in many instances it would be helpful to local school districts.

We do see instances where the local school district is uncooperative and the county superintendent will support us, and in some instances we cannot resolve it.

SENATOR SCARDINO: The local school district is reimbursed proportionately for the cost involved with the out-of-community placement, if you will?

MR. ROSENTHAL: As I understand it, it is on a formula basis, based on the T & E Act.

SENATOR SCARDINO: That is as I understand it too. I am going to have to take a refresher course in that. It would seem to me that they get back better than 50%, if my memory serves me right.

MR. ROSENTHAL: I don't know. It used to be that way under the old Beadleston Act.

SENATOR SCARDINO: I will have staff check that out. But, I know there is a reimbursable feature there. There is also another question that comes into play and that is the identification of youngsters who need these placements after a certain date, and that date under the T&E law is September 30th. I don't know whether this is a problem or not.

We are also going to research the answer to the next question I have, unless you know the answer, Harold, and that concerns youngsters who are identified after September 30th - identified in this case as those needing residential placement - and whether or not a Board of Education will be reimbursed for the cost and the outlay. My understanding is that if they are part of that, or come under that September 30th cut off, then Boards of Education would be reluctant to try and meet the cost because it would be 100% on the part of the local Board.

MR. ROSENTHAL: I don't know the answer to that.

SENATOR SCARDINO: Okay, we will have to get the answer to that question too.

MR. ROSENTHAL: But, you have touched on another area which is sometimes a problem, and that is, the school district will classify and determine that the child needs special education and then takes the position - and I am not arguing with their position - that they can supply these services in the school system. That may very well be true but it does not treat the whole child and its family situation. The other side of the coin is saying that the special education is required but the child needs treatment beyond that. So, that sometimes creates a conflict between us and the school district and it is another reason why they will not provide special funding for residential facilities, as opposed to special education classes in the local school district.

Once the district identifies that this child will require placement and they begin referral, they then notify the central office that one or more facilities that they have referred to are exceptional and under our current structure the central office then gets back to the district to say that they find no other facility they can suggest, or asks why they don't try these other facilities which appear to be appropriate, which are lower in cost, and perhaps are in State as opposed to going 50 miles beyond the New Jersey borders.

We then wait for responses from the facilities and arrange a placement date and enroll the child in the program. The placement date is assigned and the course of treatment is established and the facilities notify us and the goals of placement are reviewed.

While the child is in placement, the individual worker maintains contact with the facility and visits the child at times and reviews the child's progress. As the child makes sufficient progress to begin to consider release, we then determine what the most appropriate plan is upon release from the facility. It may be a return home with a continuation of services. It may be a continued placement out of home in a less restrictive setting, such as foster care. It may very be to move the child toward adoption, group care home - which is a little less restrictive than a residential setting - and then perhaps eventual

termination.

In other cases we refer the child to other agencies such as the Division of Mental Retardation, or the Division of Mental Health and Hospitals. At times we refer to Corrections and then plan for eventual termination.

This brings me into one of the areas that the Committee asked about, and that is our relationship with other agencies and the things we do to coordinate. There is, in the Department, an office of Children's Residential Services and under the direction of the Commissioner they have overall responsibility for the children's residential programs within the Department and their coordination.

On the Division level, we have liaisons at the central office level that regularly visit the Division of Mental Retardation and the correctional facilities to work out any specific problems that they may be having with our district office or that our district office is having with them, and other more systemic type problems -- overall processes in the facility and so on. In the meantime, our workers continue to visit the children in these facilities.

We have a written agreement with the Division of Mental Retardation in terms of understandings we have reached about which agency serves which child and what the process will be. We have an on-going relationship with the Department of Corrections and I think you are going to hear from Mr. Lynch later today in terms of working out our problems surrounding the children that may be mutually ours or who are ready to be released to us.

We also have established, in conjunction with the Department of Corrections, a juvenile screening team which is a set up to divert children going into Jamesburg, if I am correct, to see if there are other appropriate placements before the child is there for a long period of time. Since they have been established, the Juvenile Screening Team has found placements for 20 of the 100 children they have screened and diverted out of Jamesburg.

SENATOR VREELAND: I would like to ask you a question. Down at the discharge level here - and I have heard this asked many times myself - a determination is made where the child goes and I notice that over on the left is adoption, what would be the qualifications, or what would disqualify a child for adoption? I am sure there are many things that would disqualify a child for adoption, but how do you differentiate between the three you have there?

I am particularly interested in adoption because I have heard criticism that everybody out there - all the adoption agencies I am talking about - is waiting and can't get children for people who want to adopt children. Would you like to comment a little further on that part of it?

MR. ROSENTHAL: I think every adoption agency in the country has a shortage of white, blue-eyed, healthy infants.

SENATOR VREELAND: Exactly.

MR. ROSENTHAL: These are not the kind of kids we are talking about. Mr. Lindbolm, in his presentation, will talk about, in general, the age range of the children, the types of facilities that his shop deals with. But, here we are basically talking about an older child and if there is no family or parents for the child to return to, one of the considerations we would have is to determine whether the child is adoptable. First of all, we have to determine if they are free for adoption and whether the age and handicap of the child lends itself to adoption.

SENATOR VREELAND: Well, how old would they be? You say they are older children. In average age, what would that be?

MR. ROSENTHAL: The average age of children in residential placement is between 14 and 17, although we do place as young as 8.

SENATOR VREELAND: That was my question. I have heard that and I guess you have too. I am sure everybody has. There is a shortage of children for adoption. I don't have any other questions.

MR. ROSENTHAL: There is just one other thing I want to add, Senator. In terms of our concern about the length of time that children spend in JINS and detention centers, as well as our concern with the difficulty and complexity of the residential placement process - and it is a difficult, complex process - we are going to be assigning an additional coordinating position to each region which is going to be established for two purposes. One, we will be working with the Administrative Office of the courts and the local courts to set up a regular reporting system on children entering JINS and detention, who are referred to DYFS. Our regional offices will receive those reports and begin to monitor the progress our district offices are making in moving those children out of detention and JINS.

The other part of that person's responsibility will be to handle more of the exceptional funding problems at the regional level, so that we will cut short that part of the process which requires that all that information come down to Trenton and be processed there. Basically, the only thing that we will maintain as a central office approval, in accordance with our out-of-state placement plan, will be placement of those children who, because of their unusual handicaps, may require placement beyond the 50 mile limit.

I also do want to mention one thing. We felt we had a problem in a particular county - Bergen, Senator - in terms of the JINS facility and so we asked our Bergen district office for a special report. During 1978, there were 101 children in the Bergen JINS shelter who were referred to DYFS. Of the 101 children, 39% were removed within 10 days after referral to DYFS. Sixty three percent were removed within 30 days of referral to DYFS. Eighty six percent - these are cumulative totals - were removed within 60 days after referral to DYFS. Ninety five percent were removed within 90 days. And, 99% were out of shelter within 120 days. One one child remained over 120 days. We will begin to do this type of monitoring for all of our offices. We felt we had a particular problem in Bergen and we wanted to look into it.

SENATOR SCARDINO: How recent is this?

MR. ROSENTHAL: This is for all children who were placed in the shelter for the calendar year 1978.

SENATOR SCARDINO: Are there any questions? (no questions) Okay, Harold. Thank you very much for your presentation.

Linda Wood, Director, Association for Children, New Jersey.

L I N D A W O O D: I am Linda Wood. I am the Acting Administrator of the Association for Children of New Jersey, which is a statewide, non-profit organization which is working basically to try to change programs and policies that affect children throughout the State. We have had a particular concern in the area of children in out of home placement, as many of the people sitting in this room are, I think, quite well aware of.

Today, I would like to address my remarks solely to one area. I must admit it is very difficult to confine my remarks to this one area because so many issues have been raised during the course of the day. It would be

very tempting to discuss them, such as the Child Placement Review Act, which we have been very involved in the development, enactment, and hopefully the implementation of. There are also a number of other areas, such as the long-term residential care. However, I think we would like to focus primarily on discussing in fairly general terms a study that the Association is currently engaged in on children in JINS shelters, childrens' shelters, and detention facilities throughout the State, because we have some very interesting kinds of information coming out of that study. Unfortunately, the report, which I wish we had in print right at this point in order to give you the findings, is not prepared and has not been reviewed and approved. So, I can only place in general terms the kinds of information we have begun to find out about these youngsters who are in our "temporary care facilities."

What we are finding is that temporary care facilities are really not very temporary at all and that there seem to be some kinds of reasons for this, although we are not exactly sure what all of those reasons are.

I have written testimony, which I would like to give to you and then I will summarize because I don't want to simply sit here and read this to you. I am sure you can read this in your leisure time. I will do a little bit about the study and then I will briefly talk about a couple of findings that particularly relate to the relationship of the Division of Youth and Family Services and other agencies throughout the State.

Basically, back in 1977, we were looking at the whole question of long term residential care and in the process of looking at that system, we became very concerned about youngsters who were spending long periods of time in the temporary facilities. We then went to the State Law Enforcement Planning Agency and were able to obtain a grant to look at the characteristics of children who were placed in temporary care facilities, with the idea of trying to figure out (1) why were these children staying in these types of facilities for such long periods of time and (2) was there a relationship between this and various kinds of residential placement policies. I think in the course of our research we have become aware that there are many reasons that youngsters stay in the temporary care facilities and they are not all related to the residential placement policies. They are often youngsters who have serious family problems.

I think one of the most surprising findings in the research relates to the fact that many of these youngsters do not go into any kind of residential care whatsoever, or any kind of foster home care, but in fact they are returned home to their parents. I do not have figures on this. I will be very happy, at the time the report is published, to come and meet with you and bring my research down with me and discuss these findings in-depth.

But, I would like to talk briefly about how we went about the research. First of all, the first phase of our research was a questionnaire which we mailed to 42 temporary care facilities throughout the State -- that is, the detention, the childrens' shelters, and the JINS shelters. We tried to get some base line data about the children. We tried to find out how old the youngsters were. Where did they come from. What was their sex. These are very basic kinds of questions and you would think, I think, that in general this kind of information would be readily available from state agencies. Unfortunately, we found that we could not go anywhere in the entire state and get this kind of information. The counties gather this kind of information on their own and each one gathers it in very different ways and as a result, you don't

have anything in the way of comprehensive information.

I am not big on information, per se. I am not big on facts and figures, per se. But, it is important to have these kinds of facts if you are going to try and change the system and if you are going to try and find out what is actually happening to the youngsters.

So, our original survey was based on trying to find out, who were the youngsters; where were they; what was happening to them in facilities?

The second phase of the research was an in-depth review of the case records of 544 youngsters placed in shelter and detention facilities in 7 counties. Those counties were Bergen, Burlington, Essex, Cumberland, Hudson, Monmouth, and Union Counties. Have I got all seven? I usually do them all alphabetically, or in alphabetical order.

The third phase of our research was a case review of the records of the Division of Youth and Family Services, from which I am happy to say we received full cooperation. What we did was to take a sub-sample of the 544 youngsters and look at a sample of 104 to try and get in-depth information on those youngsters, such as the kind of educational testing they had had, psychiatric reports, medical information, and any kind of information we could glean from the doctors' case records that would give us some clues as to why these children were staying in care.

I am backtracking because I am trying to condense a fairly complicated research project into a very short time period. These youngsters had remained in temporary care facilities for more than 90 days. That was what the sample constituted. We were anxious to see whether we could get some kind of a handle on who these youngsters were.

Today, I will only be talking about one piece of that research, which is the first phase -- the information we received from the survey questionnaires. I am happy to say that we got 100% response rate to the questionnaires that were mailed out, thanks largely to the efforts of my research staff who were very, very persistent in calling the facilities and asking them, and going out in some cases to the facilities and helping them fill out the questionnaire to make sure the data was accurate.

The research there indicates some thoroughly interesting findings. In the first place, we discovered that there had been more than 16,000 admissions to temporary care facilities in the State. This was a rather startling figure to everyone on our staff. I don't know whether it is startling to anyone here but we thought that this was a relatively small system. As it turns out, in fact, the detention JINS and childrens' shelters constitute a very frequent out-of-home placement. What is sort of difficult to understand is that at any given time there are not many youngsters in those facilities. At the time we did our census, on our survey questionnaire we found there were slightly more than 700 youngsters. This is a flow figure. These are the number of children that go in and out of this kind of system and the number of readmissions is rather disturbing.

We found that more than half of the youngsters--

SENATOR SCARDINO: Excuse me. You said 16,000 children.

MS. WOOD: Right, 16,000 admissions.

SENATOR SCARDINO: Admissions?

MS. WOOD: And that is a different figure.

SENATOR SCARDINO: The flow in and out of the system.

MS. WOOD: In 1977.

SENATOR SCARDINO: Okay.

MS. WOOD: More than half of those youngsters had to be admitted at least once and there were many, many instances where children had been admitted to these facilities two, three, four times.

SENATOR SCARDINO: More than 50%?

MS. WOOD: More than 50% had been readmitted at least once, according to the information in the Shelter and Detention Facility records.

Of these youngsters who were in the facility - 700 youngsters were there on the day that we took the census on the questionnaire - nearly one-third of these youngsters stayed more than 30 days on a single admission. So, when we talk about temporary care, I think we have to be very careful because these facilities are admitting cases, serving as a type of placement, whether intentional or non-intentional. There are many, many reasons for this. I don't think there are any simple answers to that.

SENATOR SCARDINO: The point you are making is the length of stay. Are you making a point in terms of an average length of stay?

MS. WOOD: Yes, the average length of stay. Nearly one-third of these youngsters stayed more than - these are the admissions, I should say - 30 days. Now, the tendency is to think of a temporary care facility as one where the youngster may stay only a few days. And, there is a very large group within the sample that do stay one or two days only, so that that average is very high.

SENATOR SCARDINO: You are talking about one-third of 700 now, aren't you?

MS. WOOD: That's right.

SENATOR SCARDINO: Okay. Because when you go back to admissions, you used the term admissions when you talked about the 16,000 and then you talk in terms of children when you talk about the 700.

MS. WOOD: Excuse me, Senator. I am doing three sets of data here.

SENATOR SCARDINO: I want to make sure that we are clear on this.

MS. WOOD: Let me clarify one point. I just realized that I said something that is not quite accurate and I want to be very sure that my data is absolutely accurate. One-third of the total children admitted to the program stayed more than 30 days. That is the correct figure and that is what appears in the testimony.

SENATOR SCARDINO: One-third of the total children?

MS. WOOD: Admitted. More than 16,000 admissions.

SENATOR SCARDINO: One-third of 16,000?

MS. WOOD: Correct. They stayed more than 30 days.

SENATOR SCARDINO: That doesn't fit, does it, Linda?

MS. WOOD: Excuse me. I have a feeling that what we saying is one-third of the 700.

SENATOR SCARDINO: I think so too.

MS. WOOD: Yes. I think that is just a slight wording change.

My apologies.

SENATOR SCARDINO: Okay. So, it is one-third of the 700. Again, you will substantiate that?

MS. WOOD: I will provide you with the exact figure. I think we should move on with this one.

This is very tricky kind of information to provide.

SENATOR SCARDINO: I understand.

MS. WOOD: When we finish analyzing the data, we are hoping that we will be able to isolate those groups of youngsters who are most likely to remain for long periods of time, whether by age, by sex, or by race. Those are facts that we are looking at to see if there are certain kinds of youngsters who may be staying for long periods of time because of lack of other appropriate facilities.

I don't think I need to say that the length of stay is a very serious problem because it leaves children in a kind of limbo and what we are finding - and this is based on information from people in the facilities and nothing in our study - is that youngsters tend to either run away from a facility early on - the first couple of days they are placed - or they remain in a facility for a very long period of time. The length of stay is a very serious issue if, in fact, it is producing certain kinds of behavioral problems, such as running away.

Bergen County has had a fairly serious problem in that area and it looks to us, in terms of looking at the data, that it is one of the counties that does have a long period in terms of length of stay.

I would like to move on and get away from some of the characteristics of the children and talk a little bit about some of the cost figures because we were very surprised to find out how expensive some of these facilities are.

In 1977, according to the information which we received from the facilities, the system cost nearly \$14 million to operate. In looking at some of the materials that had been presented to me by the Office of Fiscal Affairs, I was very surprised to find out that the Division of Youth and Family Services spent somewhat less than that amount in 1977 for long term residential facilities. I don't know whether those figures are comparative or not. I would really like to explore this further. But, it does look as though this system is very costly.

Most of the cost is borne by the counties and this is, of course, a very serious problem for some counties. I think it is a serious problem for all counties, but for some it is a particular problem.

The Division of Youth and Family Services reimburses the counties for youngsters in some situations. It reimburses youngsters in JINS shelters and it reimburses for children in childrens' shelters. Pardon my repetition. The rate is \$5.50 per day. This does not begin to even cover the cost of the care in those facilities and we are still in the process of analyzing our budgets to come up with exact cost figures to be sure that we are totally accurate. No one has really ever tried to get uniform budget material in this area and it is very, very difficult. It looks to be that the cost of these facilities runs very comparable to long-term residential, which are supposed to be providing much more extensive services.

The temporary care facilities, as I understand it, and as we read the statutes and the guidelines, were never designed to be extensive treatment oriented programs. They were basically holding programs until a youngster could either be returned back to the home or until a decision could be reached in the case of detention, as to where the youngster would go on a long term basis. It is rather surprising to find out how expensive these programs are.

The reimbursement rate from the Division of Youth and Family Services is a very important issue, I think, because as it stands now, the Division, for the youngsters who are not going into correctional facilities and certain other kinds of facilities, does pay the full cost of the room and board for those youngsters once they go into long-term residential placement. On a temporary basis, they pay \$5.50 a day and as it stands now there is really no major incentive for children under the supervision of the Division to be moved very quickly through the system. We have been concerned about this issue for some period of time. We would like to see if there might be some way to change that so that there would be less of a break. I am not implying in any sense that anyone is purposely not moving children, but there isn't any particular incentive on a financial basis to move children into long-term residential care at this point. Perhaps we need to begin thinking in terms of moving and making decisions about children as rapidly as possible.

Another major area we are examining--

SENATOR SCARDINO: Where would these decisions come from? Who is in the front line here, in terms of making these recommendations?

MS. WOOD: The Division is involved in many of these cases. The court obviously has very major input in terms of decisions related to children who are court adjudicated, either the JINS youngsters or the juvenile delinquent. But, the Division does have very major authority in terms of long term residential care. We found a very high degree of involvement of these youngsters with the Division of Youth and Family Services.

Now, I would like to add one point and say that I don't think that full responsibility falls on any state agency. I think that responsibility has to fall back onto the community and the sooner that everyone becomes aware that there is no one state agency, or a set of state agencies, that is going to miraculously solve the problems of these children - and these are very, very difficult problems--

SENATOR SCARDINO: I couldn't agree with you more, that the responsibility has to fall back on the community, not only in terms of the fiscal component and the monetary component, but also in terms of a real concern and a sincere effort on the part of that community to do something and to develop the kinds of programs necessary to handle problems. In other words, they have to take more preventative steps. I guess we have really not gotten as involved and as in-depth in that aspect as we would like to. Fairly on in Monday's hearing it was made clear that the Division deals primarily with reacting to crisis and really can't do, and hasn't been able to do, as much as it knows it must do in the preventative area. I think the answer to that, at least to a large extent, lies in trying to develop that kind of response at the local level.

I can't help but also react to your point about the 16,000 admissions that flow through the system - the repeats - and how many times a kid is signed up and how many forms are filled out on the same youngster during the course of one year. The question is, obviously, why? It is a basic and fundamental question. It also makes you wonder as to what is happening on the front line, and that front line is his home and his community - his home base. Obviously, very little because if he is constantly going through the system and you are sending him back to what you took him away from in the first place, there is no way you are not going to have this continuous flow, as you put it.

MS. WOOD: I think we were very surprised at the percentage of

petitions for the JINS youngsters that were filed by the parents themselves.

SENATOR SCARDINO: That were what?

MS. WOOD: That were filed by the partents themselves. I don't have the figures themselves, but they were high.

SENATOR SCARDINO: You know, it makes you wonder whether or not some people use this as a respite period for themselves.

MS. WOOD: We know of situations where that has been true. We know of specific situations that have come to the attention of our organization where that has been clearly true -- where the parents were going away on a trip and the facility served as a babysitting agency. It was very distrubing. That is the area we want to go into in more depth. I think at the end of the study, even after we finish pulling out the official data, one of our thoughts is to go behind that offical data and to go back and talk to the families and talk to the children and find out what their perception of the whole process was, because the official data is very frustrating at times.

Another major area and then I will be through. The time is late and I am sure everyone is getting very tired. Another major area that we are examining in the study is the staffing and the types of services available in the facilities and the relationships to the cost of care. We are trying to see if, in a very expensive facility, it is due to the fact that you have extensive staff and you have excellent grounds and you have great services, or are there other factors involved perhaps?

We have become aware that not all facilities have educational programs. This was rather disturbing. There are two facilities that do not have any educational programs at all in the State, and we are going to be looking at that and making some recommendations. In some cases the school is voluntary; it is not mandatory. The youngster can choose to go. The amount of hours that the youngster spends in the school is also very small. Education is important in this kind of program because it is likely to be the only kind of "rehabilitation" that that youngster may have in a particular time. These are areas that we will be looking at.

The other really major point - and I am very happy to say that things have already begun to change on this score - is, when we inspected the childrens' shelters and we added the childrens' shelters, we did not do this as an after-thought. A lot of people advised against it because we didn't know very much about them and we wondered if counties had children's shelters. There are only five childrens' shelters in the state that we were able to identify. We wondered if in counties that didn't have a childrens' shelter the youngster went to the JINS shelter. We are talking in many cases about the same population so we added them in and we were very interested to find that these facilities are a very strange status and in many cases they had not been inspected for three or four years. This was very, very disturbing to us and this information was passed back to various individuals in various organizations.

As a result - and I think many, many people have a concern in this area, many other organizations - the childrens' shelters have all been inspected as of the end of January. I am happy to say that the Division has set up a unit to monitor these facilities on a regular basis.

We are currently looking at the question of whether or not some kinds of standards could be developed that are specifically geared to the childrens' shelters so that there would be a basis for monitoring and

evaluating these facilities. We hope to have a great deal more information in our final report. I thank you very much for the opportunity to testify and I will be very, very pleased to have you sit down with the research staff, who has these facts and figures very readily at their fingertips, and discuss this. Unfortunately, I am not working with the data so it is always difficult to convey this. I would be happy to have them sit down and meet with you and discuss the findings.

SENATOR SCARDINO: We appreciate that very much, Linda, and we look forward to doing just that with you after the completion of that report. Thank you for sharing some of your findings with us today.

Bruce Lindbolhm, Administrator, Office of Statewide Facilities, DYFS. In addition to Mr. Lindbolhm we have three other witnesses who have been waiting patiently to address the Committee and that should complete the day.

B R U C E L I N D B O L H M: Senator, I have a written statement. My name is Bruce Lindbolhm and I am the Administrator of the Office of Statewide Facilities in support of the Division of Youth and Family Services.

Let me preface my remarks by giving you a brief overview of what the Office of Statewide Facilities and Support is and, just as importantly, what it is not.

Briefly, we are a Central Office support arm of the DYFS responsible for advising, monitoring, and evaluating and providing technical assistance to private and public residential treatment centers and specialized residential projects for handicapped children who need the intervention of living away from their home for varying periods of time. We also provide assistance in new program development and on-going program expansion, contract negotiations and monitoring to insure accountability of all approved private and public residential centers where DYFS children are placed. Another function of the Office of Statewide Facilities and Support is to manage for the Division three residential treatment centers, one diagnostic center, two group homes, and five homes based on the Teaching Parent Model.

Very important to understand is that the Office of Statewide Facilities and Support does not place children into residential facilities. This is the responsibility of the respective district offices of the Division and our responsibility in regards to placement is an advisory one to the district offices, when information is requested. We also keep the district offices informed when our evaluation reports on residential facilities and any pertinent data collected as a result of monitoring the facilities.

I have been the administrator of OSFS for only a short time and as recently as five months ago, as Executive Director of the Children's Home of Burlington County, a private residential treatment center and Vice President of the New Jersey Association of Children's Residential Facilities, and I and many of my colleagues were asking some of the same questions the Senate Committee on Institutions, Health, and Welfare are asking today, and were asking in 1977 as a result of the Office of Fiscal Affairs' study on out-of-state placement procedures, prepared for the Joint Legislative Committee on Children's Residential Facilities. One of the questions in 1977 was, "Why are we placing children in out-of-state facilities when it is generally recognized that it would be more advantageous in terms of maintaining the integrity of the family and even for economic reasons, that they be treated closer to their homes in New Jersey"?

The Divisions's overriding goal clearly is to provide residential

services by securing the most appropriate placement based upon the specific needs of the child at least cost while attempting to maintain the child as close to his or her home as possible. Out-of-state placements occur and remain necessary in order to meet this overriding goal. The Division authorizes out-of-state placements when a child's needs cannot be appropriately matched to available New Jersey resources.

The following observations were noted in a July 1977 summary letter from the Office of Fiscal Affairs to Senator John Fay.

1. A lack of specialized facilities exist in New Jersey for children who could benefit from residential treatment. For example, neurologically impaired children who are also emotionally disturbed.

2. Some out-of-state facilities, particularly in Pennsylvania, for example, Devereux, seem to be unique and of exceptional quality, and out-of-state placements to these facilities probably should continue.

In September 1977, the Division instituted a plan to address the issue of out-of-state placements. This intervention strategy includes four basic areas:

1. Development of needed resources within New Jersey.
2. Vigorous enforcement of revised and tightened placement review processes.
3. An immediate suspension of referrals with facilities beyond 50 miles of the New Jersey border.
4. Decrease the impact of third parties in placement decision-making.

Within the DYFS plan, certain realities made total discontinuation of out-of-state placements impractical and inappropriate. For some youngsters, an out-of-state facility may be closer to the youngster's home and family. For instance, a child in Camden is much closer to his family and friends if he is placed in Philadelphia than if he were placed in Newark. Comparably, a child from Bergen County may be closer to home in a New York facility than in a Vineland facility.

In terms of actual costs, it may at times be less expensive for New Jersey to purchase highly specialized services from an established out-of-state facility than it would be to create the same service within New Jersey. Then the close proximity of out-of-state facilities located within 50 miles of New Jersey will enable the Division to regularly monitor and evaluate programs as often as in-state facilities.

Still, the Division recognizes that New Jersey should be as self-sufficient in providing residential treatment services to its residents as possible. Towards this end, the Division has attempted to significantly expand its New Jersey resources. Of the development endeavors outlined in the original plan, most new resources are now operational. These include:

1. Family Focus - a private group home for five autistic children operating in Mercer County.
2. Ranch Hope - Alloway, New Jersey with a 40-bed capacity has successfully revised certain program features enabling the facility to serve boys with the primary and secondary classification of neurologically impaired.
3. Bonnie Brae in Millington, New Jersey, with a capacity of 92 has intensified its services and has accepted and served many severely disturbed and serves the aggressive adolescent males. Many of those children were formerly in out-of-state placements.

4. AREBA in Randolph Township is a new co-educational facility with a 60 bed capacity for the severely disturbed and serves the aggressive adolescent.

5. Development in New Jersey of the Teaching Parent Model. This is a new and innovative project which is community-oriented and is capable of treating the seriously disturbed child in a home-like setting. The Division is presently hopeful of a SLEPA grant which will enable the expansion of this project in New Jersey.

On May 31, 1977, there were 1,793 children placed in residential facilities by the Division. Of these children, 1,198 were placed in facilities within New Jersey; 372 were placed in out-of-state facilities within 50 miles of the New Jersey border, and 223 were placed in out-of-state facilities beyond 50 miles of New Jersey's border, including 51 children at George Junior Republic and Crotched Mountain Center in New Hampshire.

On January 31, 1979, the total number of children placed in residential facilities by the Division has decreased to 1,470. Of these youngsters in placement, 1,089 youngsters were placed at facilities in New Jersey, 303 youngsters are placed at out-of-state facilities within 50 miles of the New Jersey border and 59 youngsters are placed in facilities beyond 50 miles of the New Jersey border, including 33 children at George Junior Republic in New York and Crotched Mountain Center in New Hampshire, which were exceptions to the plan. Those two facilities are exceptions to the plan. Thus, as of January 31, 1979, only 26 children remain in facilities outside of the 50 mile radius of New Jersey, a reduction of 156 children in out-of-state placement since September 1977.

The Division will continue its efforts to return the 26 children remaining in facilities beyond 50 miles of the New Jersey border as soon as possible and to decrease further the placement of children within 50 miles of the New Jersey border. These goals will be accomplished by continuing the plan's principle of expansion of existent services and development of additional New Jersey programs. Towards this end, the Division is actively working to return the 26 children remaining at facilities beyond 50 miles of New Jersey border as soon as possible and to decrease further the placement of children within 50 miles of New Jersey border.

In summary, the Division has substantially achieved its initial goals in program development noted in the plan.

The Division's plan also calls for suspension of referral of children to facilities beyond 50 miles of the New Jersey border, with the exception of Crotched Mountain Rehabilitation Center in New Hampshire and George Junior Republic in New York and has initiated a stringent review of placements in out-of-state facilities but within the New Jersey metropolitan area.

Other than children placed in Crotched Mountain and George Junior Republic, which were exempted from the plan's suspension of referrals because of the uniqueness and value of their programs, only four children were placed as exceptions to the plan in facilities beyond the 50 miles of the New Jersey border since September 1, 1977. Three of these children were placed in a facility in Providence, Rhode Island, which is highly specialized, serving autistic children with serious behavior manifestations. Each of these placements were made subsequent to pleas from advocacy groups, legislators, parents, and a decision by the Division that this program was uniquely able to meet the child's needs. The fourth child was transferred from Devereux of Texas to one of the Devereux facilities in Pennsylvania in December of 1977, in accordance with the goals of the plan. Unfortunately, she was unable to adjust to the Pennsylvania facility

at the request of the Devereux administration, the child's parents, and an affirmative decision by the Division.

Presently, the Division is actively working with several organizations towards development of additional resources within New Jersey. In the immediate future, the Children's Psychiatric Center anticipates opening a 12-bed residential treatment home with an on-grounds educational component for autistic and schizophrenic adolescent girls. In May, 1979, the Pennsylvania Youth Advocacy Program plans to open a network of foster treatment homes with capacity for 25 adolescents, male and female. This program will operate in southern New Jersey, particularly the Camden and Atlantic City area, and final negotiations are in progress towards reopening a Victory House, an urban program for aggressive acting-out males in Newark. Other more preliminary development efforts include possible creation of a 35-bed residential treatment center for seriously emotional disturbed adolescent girls to be located in southern New Jersey, expansion of an existing residential program for emotionally disturbed males, and the development of a 15-bed intensive care unit for males and females requiring a highly structured one-to-one therapeutic setting, an expansion of an existing group home to serve 8 males in a vocationally oriented program.

Several major barriers exist to the development of additional resources. Purchasing and renovating buildings necessary to provide adequate services and meeting fire and life safety requirements are extremely expensive. The cost of opening and operating an adequate facility is often beyond the financial capability of organizations that want to establish residential treatment centers. Currently, the Division is unable to assist in any capital expenditures, but legislation has been drafted authorizing the Division to issue capital grants under tight guidelines through a Youth Facility Aid Program, and we are very hopeful that this important legislation will be passed this year. The Division's 1980 budget request includes \$300,000 for this purpose.

It is important for us to understand that placement in a residential treatment center is the most drastic alternative available to us, but when youngsters are experiencing serious difficulties in the home, in the public school, or in the local community, or a combination of these problems are unresolvable through local support systems, then the integrated services of the residential treatment center are most appropriate.

Although a few New Jersey residential centers do accept very young children, the Division generally views residential services as inappropriate for infants to preschool children who need the close supervision and attention of the family. At times, the Division places youngsters as young as 8 years of age, but most youngsters receiving residential services range in age from 14 to 17 in years. Although both boys and girls are residentially placed, the Division does place more boys than girls. In descending order of frequency, the Division provides residential services to handicapped youngsters who are classified as emotionally disturbed, neurologically impaired, physically handicapped, and multiply handicapped. At times, and under special circumstances, the Division has provided residential services to mentally retarded, the deaf and the blind.

Within the existing Division network of directly operated and privately contracted facilities, based on experience, inadequacies seem to exist in the following areas:

1. Structured residential treatment centers for emotionally disturbed acting-out adolescent girls.
2. Highly intensive residential treatment centers for seriously

aggressive and destructive youngsters of both sexes.

3. Specialized residential centers for physically handicapped and adolescents, particularly those over 13 years of age.

4. Residential treatment centers for multiply handicapped youngsters, including emotionally disturbed or acting-out youngsters who also are functioning at a borderline intellectual level, and emotionally disturbed or behaviorally difficult to manage youngsters who present other handicapping conditions, such as blindness, deafness, or physical limitations.

5. Vocational training components for emotionally disturbed and behaviorally aggressive adolescents.

6. Residential treatment centers for autistic children, including those who are seriously self-abusive.

These resources are highly specialized and it is difficult to find responsible groups willing to undertake this challenging effort. The estimated cost for residential placements provided for in the Division's budget for fiscal year '79 is \$14,000,000. Under state law, 25% of these costs are recovered from counties in which the youngster's family resides.

Costs per child for residential placement ranges from \$450 to \$1,351 per month, depending on the type of facility and services provided.

The basic areas of service provided are maintenance, social services and special education. Maintenance and social services are funded by the Division of Youth and Family Services and educational services are funded by the local school district in which the youngster resides on a matching basis with the State Department of Education.

A system of contracting and monitoring residential facilities has been implemented which is designed to provide a uniform basis and approach to determining costs. The principle upon which our residential contracting system is based is that of "cost reimbursement." This method of contracting provides that the fees paid by the purchaser of service, DYFS, be limited to that amount necessary to reimburse provider agency for the cost it incurred in providing these services. The Division limits its participation to those operating costs which are reasonable, necessary, and allowable under existing contracting guidelines. Major elements of costs are as follows: Personnel services, consultant and professional fees, materials and supplies, facility costs, specific assistance to children, and general administrative costs.

Under the current procedures, the costs for residential placement for board and social services is paid directly to the facility by the Division. The parents or legally responsible relative reimburse the Division on an ability to pay basis.

Accompanying me today from the Office of Statewide Facilities and Support are two valuable members of my staff. First, Ginger Schnorbus, who is Supervisor of our Residential Field Services and Jerry Campagna who is Supervisor of Business Operations for the Office of Statewide Facilities and Support. We welcome any questions which you may have relative to the residential care of children under the auspices of the Division of Youth and Family Services. Thank you.

SENATOR SCARDINO: Thank you very much, Bruce. That was a very interesting report to this Committee. I do have some questions that I would like to direct to you.

I put a mark next to your opening paragraph, where you talk in terms of

advising, monitoring, evaluating, and providing technical assistance to private and public residential treatment centers. I just noted that I wanted an explanation to that. You did explain further on that you are strictly in an advisory capacity and that you are not directly involved in the placement of youngsters.

You further indicate in your report that you are also in the business, so to speak, of identifying where needs exist in the State of New Jersey and how we can address ourselves to those needs and what is necessary to do that. You point that out later. I am going to get back to that in a moment, where you feel the State is falling short at this point, in terms of facilities for those youngsters.

You mention Victory House in your report and the fact that it may be reopened. Why was it closed?

MR. LINDBOLHM: For a number of reasons, many of them administrative. On the basis of evaluations that were done and monitoring, the program was inappropriate at the time. We have worked with their newly constituted board where they brought in professional people to act as board for the program, we have acted in terms of advising staff on board in the process of residential treatment and the process of even record keeping in this type of thing. So, we expect that they will be opening in the very near future. They have been very cooperative with us and the community support in Newark has been very impressive in terms of the people who have come up and volunteered to act as active members of the board of directors.

SENATOR SCARDINO: Are you dealing with the same group that ran Victory House before or has there been a change in the makeup of the personalities there?

MR. LINDBOLHM: There are some changes. Some of the leadership is still there. But, the board, as it was constituted prior to its closing, was ineffective if non-existent.

SENATOR SCARDINO: Then, Victory House was not living up to your expectations?

MR. LINDBOLHM: That's right.

SENATOR SCARDINO: You went on to define the various categories or classifications that you get involved with, specifically, emotionally disturbed, neurologically impaired, physically handicapped. And, you said something that very few people say--multiply handicapped. I was rather impressed to see that. Now, can you tell me what involvement you have with the multiply handicapped?

MR. LINDBOLHM: Many of the children that we are dealing with are multiply handicapped. The ones we are dealing with in Crotched Mountain are physically disabled as well as emotionally disturbed. This is a very difficult type of child to deal with. We have really no program similar to Crotched Mountain.

SENATOR SCARDINO: Isn't this the most difficult area in which to find a placement?

MR. LINDBOLHM: Absolutely.

SENATOR SCARDINO: Isn't it a fact there are more people in need of placement than there are slots available for them? Slots are referred to as places that you can put them.

MR. LINDBOLHM: For the multiply handicapped?

SENATOR SCARDINO: Yes.

MR. LINDBOLHM: There are no slots in New Jersey.

SENATOR SCARDINO: That was my understanding.

MR. LINDBOLHM: We have had the people from Crotched Mountain visit New Jersey and they are interested in a possibility of opening up some type of facility. But, that is long-range negotiations.

SENATOR SCARDINO: What in your six items here that you talk about-- when you refer to the inadequacies in the system now, and you talk about structured residential treatment centers for emotionally disturbed, and right down the line-- which one of those, if any, would you say deals specifically in addressing itself to the multiply handicapped - in the form of a recommendation?

MR. LINDBOLHM: In facilities that we would like to develop?

SENATOR SCARDINO: Yes. Do you specify that or do you imply it in any one of these? Eleanor pointed out to me that number four might possibly: Residential treatment centers for multiply handicapped youngsters including emotionally disturbed or acting out youngsters who also are functioning at a borderline intellectual level, and emotionally disturbed or behaviorally difficult to manage youngsters who present other handicapping conditions, such as blindness, deafness or physical limitations.

MR. LINDBOLHM: This is the type of children we have had to deal with in out-of-state facilities that are specialized in this area.

SENATOR SCARDINO: Would you say that part of this would be also a sort of interim kind of facility which would at least give the parents of multiply handicapped--who want to keep those youngsters at home and work with them and have them close to them--a sort of respite care facilities? Are you leaning at all in that direction - where they can put them some place for two weeks or four weeks out of the year or whatever? This is going on in other states and I was just wondering the direction New Jersey is going.

MR. LINDBOLHM: No, we have no program that would be like a respite or two-week type of period. Children that are placed in residential treatment and come under our responsibility are those long-term residential treatment programs. We don't have shelters or that type of thing.

SENATOR SCARDINO: I understand what you are saying. Just to clarify it: If you are responsible for long-term facilities then am I to understand that to mean that, you don't get involved at all in the aspect that might, indeed, work with the parents who want to keep the children at home and work with the child provided they feel they could handle the situation?

MR. LINDBOLHM: I think that would run more to the district caseworkers' functions.

SENATOR SCARDINO: That's true. What I am trying to get at is that there are still some resources--something that is needed--in the structure that would be of help. I used a respite care facility as one of those examples. I'm just wondering what thinking there may have been. You have gone so far with this in terms of identifying needs on a long-term basis, I'm just wondering what you have done in the short-term, or interim or respite approach?

MR. ROSENTHAL: We do use specialized programs in the community. Primarily, they would be from the district office. We are involved with the families. There are certain mental health centers, for instance, where they have day programs where we can place a child for the type of respite you are talking about. We also have available to us, not a large network, but specialized summer camps.

SENATOR SCARDINO: I'm talking about the multiply handicapped. I recognize that you have those for the handicapped. I'm talking about the multiply handicapped now. This is a category that for too long has been neglected. Bruce indicates what he suggests for a long-term residential kind of approach in answer to the problem in that respect. What I am looking for is what are we offering to

parents who do not want or need not participate in that long-range residential placement component. If you don't have anything to offer right now, specifically, I would appreciate your consideration of developing something in that respect.

MR. LINDBOLM: Yes, I think it is interesting. There probably is a gap in the total system. We will certainly look into it.

SENATOR SCARDINO: O.K. Thank you. I was going to ask any other of my Committee members if they have any questions, but I don't think I can do it at this point. (Laughter) Would you like to add anything?

MR. LINDBOLM: I brought all my experts and you have no questions for them. (Laughter)

SENATOR SCARDINO: Tom Lynch, Assistant Commissioner, Department of Corrections, who sat through two days of hearings and is finally getting his turn. Welcome, Tom.

T H O M A S L Y N C H: Thank you, Senator. Senator, I appreciate the opportunity to present testimony to you today which might help to improve the situation for the youngsters serviced by the Department of Corrections' Division of Juvenile Services. This Division includes the Training School for Boys and Girls at Jamesburg, as well as those juveniles placed at institutions in the Youth Complex, notably Annandale and Yardville.

I did attend your first day of hearings, and today, and I found them extremely informative because I really didn't realize the degree of problems which confront the DYFS agency. I shall, in the future, be less apt to be critical of the agency and its efforts. Their attempt to deliver services to the needy youngsters of New Jersey is, indeed, a monumental task, but one, I trust, Bernice Manshell can adequately address.

Recognizing the vast array of social services problems in which they are endeavoring to find solutions, surely accounts for some of the gaps in service which I have been so accustomed to finding with youngsters under our care. After all, it is impossible for them to be all things to all people.

With that as an introduction, I shall try to pinpoint for you the kinds of dilemmas with which we are faced.

I have found that generally the staff at DYFS are conscientious in working with the youngsters committed to programs in our division, this being especially true for those under the age of fourteen who are placed at the Training School for Boys at Skillman.

They generally work closely with the Skillman staff during the child's institutional stay and do provide parole supervision for these youngsters when they are released. The unfortunate fact, however, is that Skillman, because of its deservedly fine reputation, has often times received youngsters who might not otherwise be placed in a correctional setting, had alternatives of the same quality been available from some other source.

Our primary problem is not with Skillman children, but with youngsters over the age of fourteen. If appropriate resources are limited for youngsters under fourteen--I think that has been adequately stated over the last two days--you can begin to realize and see how difficult the problem gets with the older youngster, especially older youngsters with multiple handicaps, like low I.Q.'s, emotional disturbances or a combination of both. If the youngster also happens to get into delinquent behavior on top of all this, then the situation becomes nearly impossible. These types of boys and girls, unfortunately, are what make up the largest proportion

of the population of Jamesburg. A large percentage of them have had DYFS contacts before coming to Jamesburg, possibly as high as 71%. In fact, I would wager that most of the youngsters would not even be in Jamesburg if an alternative, structured program geared to meeting their needs could be found. As a matter of fact, even with our extremely limited resources, we have proven that programs for such youngsters can be created and can be effective in turning them around to more positive life styles.

Unfortunately, very few programs, if any, exist for such youngsters in the private or State child welfare system. In an effort to redirect some of these juvenile offenders, we set up, as Mr. Rosenthal mentioned earlier, a screening team to attempt to find alternate placements for youngsters with less serious offenses, emotional problems, a child's inability to adapt to the Jamesburg's population, or possibly some other contra-indication. To date, DYFS has had very limited success at finding alternatives. But, again, recognizing their problems, I can see why. I think twenty may be a little high. Mr. Rosenthal mentioned twenty earlier; I don't think we have even reached twenty. This, however, may be the crux of the problem because the bottom line is that finding alternatives doesn't work because alternatives hardly exist. And what we have to do is stop looking for such placements and begin to develop new methods, maybe non-traditional methods, to help these youngsters find ways of becoming functional adults.

SLEPA money through the Juvenile Justice Delinquency Prevention Act, aimed at separating juveniles from adult offenders, has allowed us to demonstrate some of the possibilities. But, this doesn't begin to dent the problem even in our own system, let alone the pre-institutional system of alternatives which might keep kids out of training schools in the first place.

To expect DYFS to do this would be folly, given the monumental tasks now confronting them, not least of which is the mandate to return and find suitable placements for those numerous youngsters placed in out-of-state facilities on the grounds that New Jersey has no suitable place for them. Our youngsters may represent an even more difficult group of children for which to find appropriate placements.

In preparation for our appearing here today, we did a random sample of the boys at Jamesburg and a survey of all the girls at either Jamesburg or Skillman. I have Dr. Harriet Hollander, who is a consultant with our division, but who is actually with the Rutgers Community Mental Health Center, to kind of give you a picture of the kinds of youngsters that we are dealing with and DYFS's role with them. Harriet, at this point, do you think you could do some of that?

D R. H A R R I E T H O L L A N D E R: What we did, essentially, was select about sixty two out of two hundred twelve cases at Jamesburg and go through them very thoroughly with staff assistance. These were randomly selected cases, so we feel that the results have a general application to Jamesburg. We found that about 70% of the Jamesburg kids had fairly lengthy histories of DYFS contact prior to coming to Jamesburg. Only 24% of those cases were active and open. We checked and rechecked to make sure that that was a fair and accurate figure. About 24% of the cases were terminated shortly after the boys came to Jamesburg. Another 12% or 13% had been terminated previously - in other words, they came through the court and were placed at Jamesburg but there had been a previous DYFS history. We found that about 8% of the kids had been referred to DYFS as a court order-- please find something else, an alternative--DYFS hadn't arranged to pick up the cases. Then we had a couple of kids who had rejected DYFS care - I think three

or four percent. But, the basic picture is one where DYFS does not remain active once the kid comes into the corrective situation. About 24% of the kids are kept on DYFS's rolls as active cases. When we look at the kids at Yardville, the situation is even worse from our perspective. About half the kids--we did a random sample there of about twenty out of ninety two records--about half the kids had DYFS contact, or were listed as open at one time. About 6% were left on open active status at Yardville. We went through all the cases at Wharton Tract--that's a 48 unit program at the present time; it's an open honor camp--I think we found three cases on open active status. So, the pattern is once the youngster comes into the system, DYFS, in effect, closes out the case because the kid is hard to place. This is not, by the way, for lack of trying. These youngsters are not physically handicapped, of course, but multiply handicapped often in terms of having intellectual limitations, emotional disturbances, they may be homeless, have inappropriate parent backgrounds, and so on for them to be returned to. As you go through the record, you can see that in many cases DYFS has tried, but been unable to find residential placement, although such placements have sometimes existed when the children were younger. When we look at the girls--I guess there are 26 or 28 girls in the system; we haven't completed all the records--I think about half of them are listed as open and active with DYFS which is the best record. That, being open and active, isn't very helpful because, in fact, placements aren't being found. The girls, more than any other group, are severely handicapped young women. Twenty five percent of them are very low I.Q., emotionally disturbed, probably with minimal brain damage involvement. That's a very hard youngster to place anywhere in adolescence. We only found one girl who was delinquent in the ordinary sense of the word - being drug involved, and so on. They are a very severely disturbed group of youngsters. We have some who are retarded. DYFS has attempted to try to get them into facilities for retarded. But, once again, waiting lists are long. I think the other thing to add is that corrections was set up basically to deal with a delinquent youngster. By delinquent we mean a young person probably with normal or near average intelligence; typically they reflect poor school achievement; they have gotten into crimes. We find that this kind of kid is being treated in our community programs on an open basis. Our recidivism rates are low with this kind of youngster - 30%. Many of these youngsters are learning disabled in the sense of having perceptual impairments. We have very good luck in helping them with resocialization or more positive attitudes. They can, in a sense, be convinced not to steal and be a menace to the community. We improve their school skills. But, these delinquent youngsters are more and more not being treated in the institutions. We are getting a developmentally handicapped kind of youngster coming in as other agencies tighten up their gatekeeping practices. That's the picture, I think, that we see now. Thank you.

MR. LYNCH: One of the other issues that you raised in your outline was aftercare. I'd like to say that the Governor's Adult and Juvenile Justice Advisory Committee has recommended in Standard 5.24 that the Department of Corrections establish a separate division for juvenile services--which the Commissioner has done as of September--to insure the separation of juvenile offenders from the adult offender population, and to develop programs and services for juvenile offenders which recognize their special needs. "The Division of Juvenile Services should have responsibility for the administration of all juvenile correctional institutions and programs, including parole and for the care and custody of juveniles committed by court to correctional placement."

Standard 5.43 - Parole/Aftercare Services. "A bureau or unit of juvenile parole/aftercare should be created within the Division of Juvenile Services to carry out the function of parole/aftercare services. This bureau or unit should be responsible for the supervision of adjudicated delinquents released on parole/aftercare status, aftercare release planning, and the administration and operation of aftercare programs.

A statewide network of community-oriented aftercare programs and services should be developed, either directly or through purchase of services, to include supervision, counseling, service referral and residential services for juveniles released on parole/aftercare. Halfway houses and community-oriented residential programs should be developed for those juveniles who need a more gradual reintegration process or are in need of temporary living arrangements. Parole/aftercare services should be made available on a decentralized basis by aftercare staff located in or close to the communities in which released juveniles reside."

At the present time, we have no way of carrying this off and absolutely zero funds, and with little option of obtaining the necessary resources either from State or federal funds.

The youngsters under fourteen receive adequate supervision from DYFS, and, in fact, according to the social service plans for fiscal year 1979, Title XX of the Social Security Act, receive \$487,276.

The agency is apparently reimbursed by another--it is my understanding--\$137,000 for administrative services to youngsters in the correctional system. Unfortunately, this compares most unfavorably with the \$132 per child, per year for social services for the 2,500 juveniles serviced by us each year, which we receive from Title XX funds. This amounts to roughly \$.35 per child per day, which is little more than coke money.

The critical issue comes with the fourteen to sixteen year old being released who may or may not be picked up by DYFS and the sixteen and above year old, who are always transferred to the Central Parole Bureau. This agency, part of the Department of Corrections, is primarily involved with adults and has no funds whatever for any services other than gate money and parole supervision. The result may be that youngsters least able to fend for themselves receive very minimal assistance. Is it any wonder that recidivist statistics are so discouraging?

Again, due to DYFS's staggering mandate to provide so many services, especially with the increase in the child abuse area, we can hardly expect them to provide parole supervision to our older youngsters. In fact, their social service orientation would possibly prove to be a contra-indication, since, I think, non-traditional street worker types of staff might prove more effective at keeping kids from returning to correctional facilities, but might be even more able to effect change in youngsters who have difficulty relating to traditional social workers whose entire orientation may be alien to them.

I believe we could provide more effective aftercare if we had the resources. Of even more importance, however, is the division's policy of terminating youngsters at certain ages which may make them ineligible for the financial and supportive services open to their regular clients. You must remember that these are youngsters who may not be able to live independently at eighteen or twenty-one or even older, unless some effective form of intervention is made to prevent him or her from becoming a recidivist statistic.

I have kind of a specialty here today because I started my career with DYFS as a social worker and my burn-out period was about two and a half years. So,

I guess that hasn't changed very much. The point I'm trying to raise is that when I was working at DYFS as a caseworker, I remember a very graphic situation that occurred. I was asked to pick up a baby at the Clinton institution because, in those days, the women had their babies at Clinton and they were immediately taken under the supervision of the then Department of--they have changed so many times--the State Board of Child Welfare. I remember this kid in particular because I picked him up and it was a very traumatic experience for me as a new caseworker. I'm sure it was also a very difficult thing for the mother. Just recently, I came across the same kid who is now part of our system. This youngster has had to be part of DYFS--and I know he has from going through the record--from day one. He has now reached an age close to sixteen. If he is not a guardianship case--and that's a possibility--then there is a good chance that he'll be terminated as an unserviceable youth. That happens. Here we have a kid that has grown up through the system, reaches the age of sixteen and there is no one who is going to take him under supervision. I think he needs that kind of supervision. I'm pointing up an extremely wide gap for certain kids in the system. Central Parole will not be able to do very much because Central Parole doesn't have any way to help him find a place to live, or even help him pay. At sixteen and under, what can you do at sixteen?

Lastly, may I state that the key to successful programming for these boys and girls is in training staff to be able to help them grow and be nurtured into productive adults. To this end we are attempting to establish a formal training program in conjunction with the State University system to develop a whole new approach to working with difficult kids which has proven especially successful in Canada. We have been aided in developing our efforts to move forward by dedicated staff from the University of Montreal--almost for nothing by the way--in a pilot effort at Yardville. The results to date are extremely encouraging and combining their approach with some of our own successful programs here may lead to new methods for helping young people; methods which might be translatable to a variety of agencies outside of the correctional system which might keep untold youngsters out of the correctional system in the future, thereby avoiding the stigma attached to it. Thank you very much for this opportunity and I'd be glad to try to answer any questions you might have.

SENATOR SCARDINO: Tom, Dr. Hollender, I appreciate your staying with us throughout the two days of testimony and for bringing in something I find very encouraging. I had hoped that more people would do that--have another department come in and voice its opinion and concerns as well as its recommendations for change. I find that very refreshing and I find it highly laudable. I thank you for it and I encourage it more. I hope that other division and department heads would do likewise. I'd like to address myself to the comments that you made, as quickly as I can, for clarification only. In your and Dr. Hollender's testimony you indicated that many DYFS cases are still open and active, as you put it.

MR. LYNCH: Twenty four percent at Jamesburg.

SENATOR SCARDINO: Twenty four percent. And you said that seventy percent--I think that was the figure you used--of all the people in the institutions had at one time or another been touched by DYFS. And, of that, twenty four percent are still maintained as open and active. Does that mean that a caseworker is carrying those people in terms of the numbers of people they have on their rolls? Is that what you are saying?

DR. HOLLENDER: That means that--it is a little hard to define so you picked up something sensitive--that means that the central office has, in their files,

a record of this juvenile as an open case, that presumably when the youngster leaves DYFS can be contacted to find further placement for the youngster because the youngster is functionally--if not actually--homeless. It does not mean periodic visits as far as we can tell by the DYFS worker. At least, no such entries are made.

SENATOR SCARDINO: What I'm trying to get at is this: I know what you are saying to me because I think I interpreted it just the opposite of what you meant but it could imply both, if you know what I mean. In other words, I'm under the impression that once a juvenile is sentenced and put under the umbrella of the Department of Corrections, that at this point you virtually become responsible for that youngster. And, then I have to carry that assumption and say that okay when that person begins to get close to parole or release, at that time, DYFS should get plugged in again and say, "Hey, this person is coming out. Look for him or her and do something about it." What you are suggesting to me now is, because this person may have been a DYFS client and then finds himself in trouble with the law and is given a sentence, that the DYFS caseworker should stay in touch with that person. I want to read it the way you mean it so clarify it.

DR. HOLLENDER: All right. Here is the situation. Some youngsters--you have to think of what happens in the family court--some youngsters who have committed crimes are accepted by other residential treatment centers and DYFS is able to place them there. If a youngster is unplaceable and has committed a crime, the judge does have the option of committing the youngster to Jamesburg. Now, the deciding factor may not be the severity of the crime.

SENATOR SCARDINO: So, you are saying that DYFS would stay plugged in if a person went to a residential facility. But, for some reason, opts out as soon as they get into a correctional facility.

MR. LYNCH: I'd go back one step. I would say that in a lot of cases, the judges will give DYFS an opportunity in lots and lots of cases to find an appropriate placement before they throw their hands up--I think this was pointed out in a lot of the testimony--they don't know what to do with the youngster and their only alternative is Jamesburg. Or, if it is a child under the age of fourteen, it is Skillman.

SENATOR SCARDINO: Well, if that is the case, and to follow your logic, what you are saying then is that 70% of those youngsters should be tracked, monitored and checked upon by the DYFS as they would in the event that child was placed in a residential facility. But, you are saying they don't do that.

MR. LYNCH: It is not done. No, it is not done. In fact, I'll be honest with you---

SENATOR SCARDINO: But you are saying it should be?

MR. LYNCH: I think it should be. I think we really need the wherewithal to provide that aftercare plan which is the issue.

SENATOR SCARDINO: The aftercare? Yes, we're getting to that. In other words, when they are released, it is at that point that you feel that DYFS should pick up again. Is that correct?

MR. LYNCH: I don't believe that at all. I believe aftercare should begin the day the kid comes into Jamesburg. That's when we should begin planning for that youngster, not when he is ready to go home. Because we have had trouble even getting pre-institutional reports from the district offices which means that we get a kid who has been a DYFS case and we have no information on it. This may be for a variety of reasons--and I think I understand some of them after the last couple of days--but we're not getting this. This is extremely valuable information. We tried---

SENATOR SCARDINO: O.K. Can you be specific as to what you are saying here? What are you recommending that DYFS do while that youngster is incarcerated?

MR. LYNCH: It seems to me--and I'll defer to my colleagues over here--that one of the requirements, at least it used to be when a kid was going to be sent away that a pre-institutional report was done before he was institutionalized. So, the institution would have all that kind of information on what had been done with him before, and all that kind of information. We're not getting that. We are getting it in some cases where there is maybe an active caseworker--someone who is really concerned and interested in this particular kid. But, as a general rule, we are falling short in that kind of thing.

SENATOR SCARDINO: Well, isn't that an interagency kind of matter that you could resolve among yourselves?

MR. LYNCH: It might be but it might not be because--what I'm trying to say to you is--if a kid is transferred, after his stay at Jamesburg, to the supervision of the Central Parole Bureau, then he no longer has contact with DYFS. Now, there may be ways to do that but, as a general rule, DYFS will say, "We've done what we can." In fact, recently we had a worker call one of the districts and the term "unserviceable youth" was used which I think indicates they are so overwhelmed with other areas of problems that this one is one that they maybe cannot deal with. So, in effect, we are getting a youngster released who may be under the parole supervision of a parole officer but that parole officer does not have the wherewithal that the DYFS agency might have in terms of Medicaid eligibility, things of that nature that may come with being a DYFS client. I think this is an extremely important part of our presentation because we really feel that youngsters have to have--- We have to have some resources at our disposal to help these kids.

SENATOR SCARDINO: Well, Tom, just to respond, it would seem to me that what you ought to do is first of all get together with DYFS and identify from both vantage points what problems you have with each other's division in terms of how you can best meet the needs of the youngsters, responding to what you have now to work with which all agree and admit is rather limited and then move from that base and offer some proposals or plans for future modification and programs for implementation. But, first of all, I would ask that you identify what your specific areas of concern are and at the same time you will be specifying where your jurisdiction is also.

MR. LYNCH: We have pretty much identified that under the age of fourteen will remain a DYFS case. Over the age of fourteen up to sixteen is a gray area in which it is optional, it could go to DYFS or to Central Parole. It is not necessarily recommended, however, by--as Mr. Rosenthal pointed out earlier--by the paroling authority. Usually it is because DYFS feels they can follow with the kid after fourteen. After sixteen, however, it is clear that it goes to the Central Parole Bureau - all the problems that I just enumerated.

SENATOR SCARDINO: You comment in your statement that what we have to do is stop looking for such placements and then begin developing new ways, maybe non-traditional ways, to help juveniles to find ways of becoming functioning adults. I don't think that in the two days of testimony that I have heard that anyone disagrees with you. I don't think that anyone is saying that the present system and method is the only one. There is no question that we have to more imaginative, and we've got to begin to innovate and try and find a way to do it. Jamesburg may not be the answer. Yardville may not be the answer. And, I don't disagree with you at all. So, all

I'm suggesting is that you come back to us whenever you feel you are ready and start to outline for us what you think those non-traditional ways are and what kinds of steps we, as public officials, can take and how we can be helpful.

MR. LYNCH: I could do some of that now, in about one minute. I think we have some pretty decent programs that we have established that are already translatable. I don't believe that private agencies are geared to, nor want to, deal with this kind of youngster that we are talking about.

SENATOR SCARDINO: The private agencies? Are you referring to the contract agencies?

MR. LYNCH: I'm talking about private residential agencies--some of the places that Mr. Lindbolhm mentioned. Because, we are dealing with a much more difficult youngster. They are not geared, admittedly, to handle that.

SENATOR SCARDINO: O.K.

MR. LYNCH: I think that we should take certain steps to fill that gap. If we can't get private interests to do that, then maybe we ought to do it ourselves. We have already proven that we can do that. Some of the programs that we have established with the help of the JJDP money--the separation grant--we have established some very interesting programs which are getting kids to function in ways that they couldn't function before. I think it has a lot to do with peer-group pressure, I think it has a lot to do with our ability to program--- We've always been doing this. I think there is a stigma, again, attached to corrections which maybe shouldn't be there. We have even talked to DYFS about the possibility of them contracting with us to be able to develop programs like this. By doing this, if we have their financial resources, possibly we could develop programs like we have in some of the communities in New Jersey to handle a lot more kids who would not have to end up in large training schools like Jamesburg.

SENATOR SCARDINO: As I indicated before, Tom, I welcome any paper or commentary in terms of how, specifically, you feel we can do that. I look forward to it.

MR. LYNCH: I'll be glad to provide it for you.

SENATOR SCARDINO: Thank you very much. I want to ask at this point if we can try to conclude this hearing at six o'clock. We do have a couple more people who do want to speak. I know they have waited a long time. I want to thank my staff and our able stenographers for their patience and endurance. They really work hard and lately, I think, a little bit too hard. But, I appreciate their dedication. Steve Zamrin.

STEVE ZAMRIN: My name is Steve Zamrin. I'm the Deputy Public Defender in charge of the Child Advocacy Unit of the Public Defender's Office. At this time, we don't have a prepared statement but we will have one typed up and will send it in to the Committee - which will be much broader than my very brief statement at this time.

SENATOR SCARDINO: Thank you, Steve.

MR. ZAMRIN: The Child Advocacy Unit deals with juveniles in the juvenile justice system who have special problems - they have special needs that can't be dealt with through our typical Public Defender Office. These are children that are waiting placement in shelters and detention centers. We've been in existence for approximately two and a half years. We have had intimate involvement with the division during those two and a half years. On many occasions, we have been very amicable and on other occasions, our relationship has been very stormy. I think we have gotten

some insights in terms of dealing with the division. We have been talking about detention centers and JINS shelters partly. The thing we have to look at is how do kids get into the system to begin with. No one has really said that many children who come into the juvenile justice system have already been under the care of the division before they ever got there. In many cases, the judge, as his disposition, says, "I remand you back into the care of the division." So, in many instances, there has been prior involvement before they ever reach the juvenile justice system. On quite a few occasions, it is the DYFS caseworker who recommends that a juvenile court complaint be filed. If you are dealing with a child who is having a lot of problems in the home--who is what we call "incorrigible" which could be running away or other types of behavior--and it is difficult to find a foster home for that child, on occasion a caseworker has recommended the filing of an incorrigibility complaint and the child, at that point, could be remanded to the JINS shelter to await action. As stated earlier by Linda Wood, it is entirely possible that they may only want to use the JINS shelter for a period of two or three weeks. It becomes a temporary short-term placement, unfortunately, because that is not what it is supposed to be geared to. I wouldn't say this is done extremely frequently, but it does happen on occasion.

In terms of delinquent children, they are in the system because they have committed a delinquent act. But, many of those children, also, have been in the care of the division before they have gone to the court. In many cases these children have already been in residential placements and, for some reason or other, could not make it in these placements.

We have to talk about what the duties of the division are when they get care. A detention center is defined in the statute as a temporary care facility for juveniles with physical restriction pending court disposition. The same goes for JINS except it is a non-restrictive facility pending court disposition. An order placing the child in the care of the division is a court disposition. At that point, in our view, the child becomes a responsibility of the State of New Jersey. They are under the care of the division. If you look in Title XXX under the definitions of care and follow it through, its subdefinitions or whatever, lodging, counseling, and almost all of the services that the division can provide a child is included. We are dealing with detention though at that point. The State pays no money at all to the detention centers. I met yesterday with the New Jersey Detention Association and they find that a severe problem for children spending long periods of time, especially when we have counties that are overcrowded to begin with--Passaic County has overcrowding problems, Essex County has overcrowding problems. We have new kids constantly coming into the system. All we hear about are the violent offenders and, instead, we have a lot of children in detention centers who aren't that violent, who are awaiting placement. And too frequently, they wait long periods of time. We have already been told today that caseworkers do not list them as a high priority. They are not on their priority list. If you look at JINS children, it's very interesting, you'll find a lot of them have the same characteristics as the protective services children. They come from a troubled home. They may even have been abused or neglected in the past; there may not be any record of it; there may not have been a complaint filed. They have many of the same attributes, but while they are waiting for placement, no services are being provided at all. In the vast majority of cases, if they are under the care, as far as I'm concerned, the division should be supplying counseling. If you have a seriously disturbed child awaiting placement for six months--and it has happened, not that often but there have been enough of them that have concerned me--had to wait six months in a locked facility for placement, receiving no services--no psychotherapy, none of the

other treatment--because detention centers are not geared to provide treatment. That's not their purpose. The same is true for JINS centers--it is not their purpose to provide treatment. We have come across many caseworkers who really care about the kids, but they do have the tremendous caseloads. They don't have the time to be creative--to go out and look for in-community services. As one caseworker said, many of the children really don't need to be in residential placement. Fortunately, in some instances that we have been involved in, we have had the time to go out and look into the community and try to hook them up with Big Brother. We try to find a relative who might be willing to take the child. In too many instances, the caseworker doesn't have the time to delve into all the possible alternatives, so the child awaits.

You talked earlier of the question of the antagonism between the judge and the caseworkers. There is no question that there is antagonism. When the judge says, "Placed in the care of the division for residential placement," he expects something to be done immediately, at least begin the process. You have a fourteen day review hearing and you come in and the judge says, "What's going on?" and you say, "Well, I just sent out the papers." Well that was two weeks that went by and every fourteen days we come back, we come back, and the judge starts getting upset. A juvenile court judge has a tremendous amount of power over most of the people that appear in court. In many instances they feel powerless though when you are dealing with the division--with caseworkers. So, they have frustration; the caseworker has frustrations because he may feel that the judge has no special expertise. I am a professional in my area and he is telling me what to do. And, then, again, that child is not a high priority. We have had several instances in the last six months where judges have actually sent juveniles to the reformatory system to await placement. They got tired of having the child sitting around in the detention centers. They threw up their arms saying, "I'm committing you to the reformatory. You can get a better education there. They do have some programs; they have therapy. I will recall the child when a placement is found." It is very sad that that would have to happen, but it has happened occasionally.

SENATOR SCARDINO: In the original purpose of the JINS and shelter facility, what was spelled out as the time spent?

MR. ZAMRIN: It is not spelled out anywhere, actually. That's one of the problems.

SENATOR SCARDINO: What was indicated?

MR. ZAMRIN: It was meant to be a temporary facility, pending--

SENATOR SCARDINO: What does temporary mean?

MR. ZAMRIN: There is no specific definition. If you look in the case of delinquents, under the court rules they must have an adjudication hearing within thirty days. So, they could be sitting in detention--with no fault to the division--for thirty days before they even get their hearing--their adjudicatory hearing on the question of innocence or guilt.

SENATOR SCARDINO: In some cases the courts remand the youngster to a reformatory? Is that what you are saying?

MR. ZAMRIN: It has happened on very few occasions, but it has happened very recently. They do not want the child to remain--

SENATOR SCARDINO: Does that place an unnecessary stigma on the youngster?

MR. ZAMRIN: It may very well. I think it does.

SENATOR SCARDINO: Doesn't it sometimes put him in an atmosphere or maybe a frame of mind that might be contrary---

dilemma comes from the duplication of fiscal responsibilities at the State level. Most programs, such as the Division of Youth and Family Services, Division of Public Welfare, Division of Medical Assistance, Division of Mental Health and Hospitals, Commission for the Blind, and Division of Mental Retardation, have a different accounting procedure and start and end contractually at different times. Because of this monumental problem, we are not only audited by each division separately, but each division tries to tie in with the other divisions' fiscal affairs, resulting in a duplication of effort.

This particular arrangement finds us spending more time on continuous audits and duplication of paper work than we are spending on programs. Why cannot one agency, such as Human Services Central Division, make agencies responsible to them fiscally and then share their information with the other divisions? If this could be achieved, duplication of audits would not occur and monies saved from the State and agency levels could provide additional monies for needed services or contribute to the balancing of the State budget.

We would be happy to meet with you personally--- It goes on, Sincerely, Irving Packer. This was sent to Mrs. Anne Klein, Mr. Anthony Santangelo, Carl Wyhopen, Richard O'Grady and Board of Trustees as far as Archway School is concerned. It has become a horrendous situation for us where---as it states in my letter here--we are audited I would say at least once a week. This is a continuous situation. I have been told that we are one of the largest agencies providing services in the State of New Jersey. But, this is becoming absolutely ridiculous. Where we finish one very intensive audit by Human Services for six months and then, as soon as they finish, somebody else from their department--from their department--wants to come in and do another audit. It appears that it is getting to be so that it is king of the sand lot or whatever. It seems as if each one, in their own realm, wants to do their own thing and there is no coordination whatsoever. You can please appreciate, not only do we have this problem with the agencies of Human Services, but then we have the same problem with Charities Registration with a CO-1 form. Because we deal with Title XX money, for some reason, we are obligated to fill out a CO-1 form with Charities Registration. Now we have to file contractually with each division of Human Services and then with Charities Registration we have to file on our fiscal year which begins at an all-together-different time. The whole thing is terribly disturbing, terribly expensive. If we ask for 10¢ more for a new bookkeeper or more accounting or anything like that, nobody seems to have the money. Yet, this goes on continually. I'd appreciate, sir, if something could be done about this.

SENATOR SCARDINO: I think you bring to us a very important problem. It is not one that we haven't touched on during the course of this testimony in one way or another. We will look for a response to your letter from Mr. Reilly. Since you took the time to read your letter into the record, we will also place Mr. Reilly's letter in the record when we receive it. My staff will reach out for it. I'm anxious to see the response that you get to the questions that you raise. Then, we will have a base to react from. I appreciate your highlighting it.

DR. PACKER: I thank you very much for giving me the opportunity, sir.

SENATOR SCARDINO: I believe there was one more individual. Does Lillian Hall still want to address the Committee?

L I L L I A N H A L L: My name is Lillian Hall and I'm Director for the Union Industrial Home for Children, which is one of Trenton's largest child-caring agencies. We have been in business since the early 1800's. Let me tell you though why I am here today. I am representing the New Jersey Association of Children's Residential

Facilities and at the very last minute the president could not come. I could not attend this morning because I was at the meeting of the Juvenile Justice and Delinquency Prevention Advisory Committee.

I'll make it very brief too because it is late. I think the association would really like to just go on record to express our concern and interest in all the matters that you have discussed today. As members of the association, we are made up of forty private and non-profit facilities. There are some DYFS facilities in the association. Our residential facilities represent the greatest majority of DYFS placements. That is why we have a very keen interest.

I was asked mainly to speak about the Child Review Act. You went through that this morning so I will be extremely brief.

SENATOR SCARDINO: We will be having hearings on that later in the year or in the early part of next year.

MS. HALL: O.K. I'll be very brief. I just want to say that we have made ourselves aware of the Act. We have tried to cooperate by issuing invitations to review boards to visit our facilities. We have supplied the progress reports that are recommended. Realizing that we are not an island unto ourselves, our residential facilities, I just barely, quickly at the juvenile justice meeting this morning, talked to a couple of the judges and a couple of the members of the review board and I bring you some points of view from them. Of course, it is too new to evaluate the program. It is only six months in length. They talked a great deal about the uniformity of the review boards and their, perhaps, difference in number--there is more money, more flexibility. They would really not like to see any uniformity for awhile because they would like it to go on so that they could later evaluate the best things in each county and then try to come up with some uniformity. They apparently feel that it would sabotage creativity. They feel that it is a very positive Act because they see that it is helping DYFS workers to do their job better because of the deadlines that they have and because of the outside structure that asks for accountability. They talked briefly about there being no money on the county level. They felt something needed to be done about that. One review board member--this is pertaining to adoptions which I think the other Senator was concerned about and asked some questions while you were out of the room--they feel that during the review of the boards they are noticing now that many children are coming up for adoption. Maybe these children should have been adopted earlier because some of them had been in placements a long time. But, they see reluctance on the part of foster parents to go into adoption because of a loss of the money. They would like to recommend a piece of legislation that would go along with the Act to perhaps do something for foster parents in this area.

The last thing that they would like you to do is to recommend that DYFS workers--if it is a welfare parent--should tell them that if they give up that money that they are getting, they can obtain ADC money so there would be some money coming in.

The very last point in regard to our discussion this afternoon are things that keep coming up with regard to--because we all have DYFS placements--out-of-state placements. We would like a continuation of bringing back the children from out of State because we realize that there are still 365 out-of-state placements either beyond the fifty mile radius, etc. There is a need for an assessment of the types of facilities that are needed in New Jersey. There doesn't seem to be an accurate one or one that can be utilized. We are particularly concerned about facilities for sixteen to eighteen year olds because we get calls all the time in my facility that stop at fifteen.

The last thing that we see is the problem of sources of capital for new and

expanded facilities. This is getting to be quite a problem with us. Because DYFS will ask us to take a particular program and we go to our board and our board says yes but then there is no money either from DYFS or other foundations or resources to begin the facility. In my instance, I was asked to help with the Crotched Mountain problem and it wasn't really only money at that point, it was that we just couldn't find the educational piece from our area. I thank you for this opportunity. We will be available if we can help in any way.

SENATOR SCARDINO: Thank you, Lillian. I appreciate your presence and your participation.

Finally, three things very quickly: (1) is pertaining to the four C's. I'm going to recommend that the Office of Fiscal Affairs, which is now our budgeting and accounting division--Division of Budget and Program Review, I'm going to get that straight some day--provide this Committee with a report study of the four C program. When it is ready, this Committee will review that report. Hopefully, within the report itself will be not only a clearer understanding of what the four C's are all about, what they do, a comparison between their responsibilities and what the Wechsler Report specifically claims fall within the realm of the Division of Youth and Family Services per se, and whether or not the four C's ought not to continue. I assume that the report should be completed within six months' time. At which time I obviously will suggest that the four C program continue until the Legislature has an opportunity to review the results of the study made by the Division of Budget and Program Review. (2) It appears as though two hearings on the Division of Youth and Family Services with all that is involved, is not adequate. I think that is clear to everyone. We will make a determination whether or not we would require another public hearing or two in the future. That will be announced. We will, as a Committee, prepare a report of what we have listened to in the last two days. I want you to know that we will be highlighting specifically--taking a special note of--many of the concerns, the frustrations, the obstacles, you name it, pitfalls, whatever they may be, that have been outlined in the last two days. We will also highlight and make note of whatever recommendations and suggestions have been made in terms of what the division, or any part of the division, have indicated as steps that they would hope to take as remedy to problems identified. Thirdly, we will be looking for innovative, creative, imaginative ways in which we could look at the future not only in terms of types of facilities or programs, but also in terms of the re-organization--if that's necessary--of the division itself, whole or in part, in order to meet the needs of youth and families in our society. That is for the future. But, I think we ought to begin to move in that direction more specifically. It also will give the Legislature, now and in the future, some opportunity to see what you have in mind. I am also tying in the fact that I would hope that you would do this in conjunction with other departments and divisions that have an involvement in this whole scheme of things. The last thing I want to say is, thank you.

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